

1

MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP

1

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W/ HANDOUT

SUBJECT: Rural Urban Growth Boundary

MEETING DATE: _____

AGENDA NUMBER OR TOPIC

R-12

FOR: _____ AGAINST: X THE ABOVE AGENDA ITEM

NAME:

Bill Kaer

ADDRESS:

1410 SE 80

CITY/STATE/ZIP:

Portland

PHONE:

DAYS: 503.481.5594

EVES:

Same

EMAIL:

FAX:

SPECIFIC ISSUE:

McDaniel Rd area

WRITTEN TESTIMONY: Yes

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the podium. **limit your comments to 3 minutes.**
3. State your name for the official record.
4. If written documentation is presented, please submit it to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.

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MOBILE 503.481.3597
FAX 503.241.5566
EMAIL billkaer@cbseal.com
www.cbseal.com/billkaer

4200 SW Mercantile Drive
Suite 700
Lake Oswego, OR 97035
OFFICE 503.241.7325



SUBJECT: MCDANIEL ROAD PROPERTY

May 2, 2010

To Whom It May Concern:

The two properties involved are located @ 2910 and 2930 N W McDaniel road and are surrounded on the west by the Multnomah, Washington County line, on the north by McDaniel Road, on the east by N W Mill Pond Rd, on the south by Forest Heights. The natural slope of the land is to the south toward Forest Heights.

The 2910 property has 2.94 acres in Multnomah County and 1 acre in Washington County. The 2930 property has 3.08 acres, both properties are privately owned.

As you are able to see on the Urban Growth Boundary Page attached, this boundary pretty well surrounds these two properties but leaves them outside the boundary.

In the past Metro has by passed this area and has gone further West into Washington County and approved areas to be brought in to the growth pattern

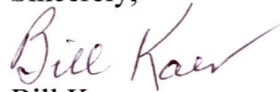
The owners, of these properties, are second generation owners and would like to have the property developed but are reluctant to sell if the value of the property is low.

Multnomah County is meeting Thursday the 6th of May to discuss this area and I'm told that this 6+ acres will not be included in the Urban Growth Boundary but will be passed again and left in the rural reserve. This leaves this area and these people without any recourse to develop this land because apparently no city is willing to accept the responsibility for it.

I have been told that the City of Portland does not want to be responsible for this area however their zip code is 97229, Portland, Oregon.

Please tell us what we can do to get this area into the U.G.B.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bill Kaer", with a stylized flourish at the end.

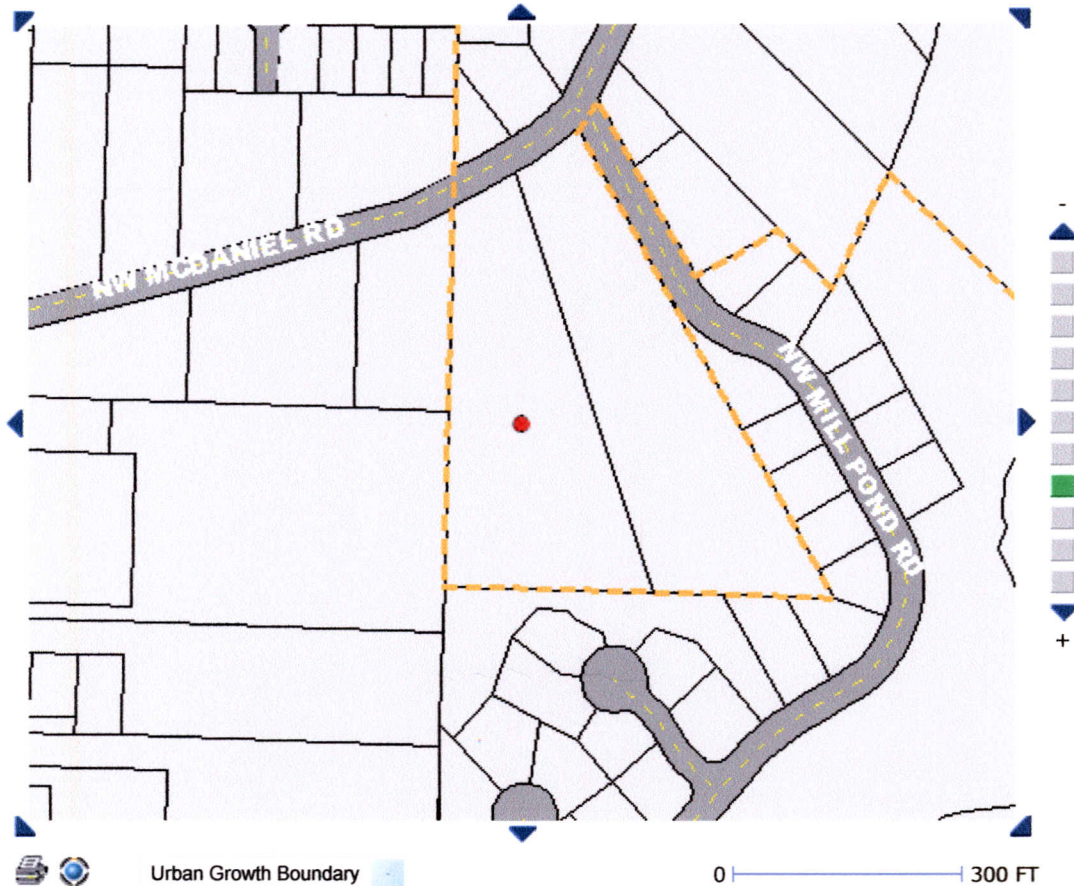
Bill Kaer

503 481 3597

PortlandMaps

2910 NW MCDANIEL RD - FOREST PARK - MULTNOMAH
COUNTY[New Search](#) | [Mapping](#) | [Advanced](#) | [Google Earth](#) | [Help](#) | [PortlandOnline](#)[Explorer](#) | [Property](#) | [Maps](#) | [Projects](#) | [Crime](#) | [Census](#) |
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Long -122.78431 Lat 45.54300

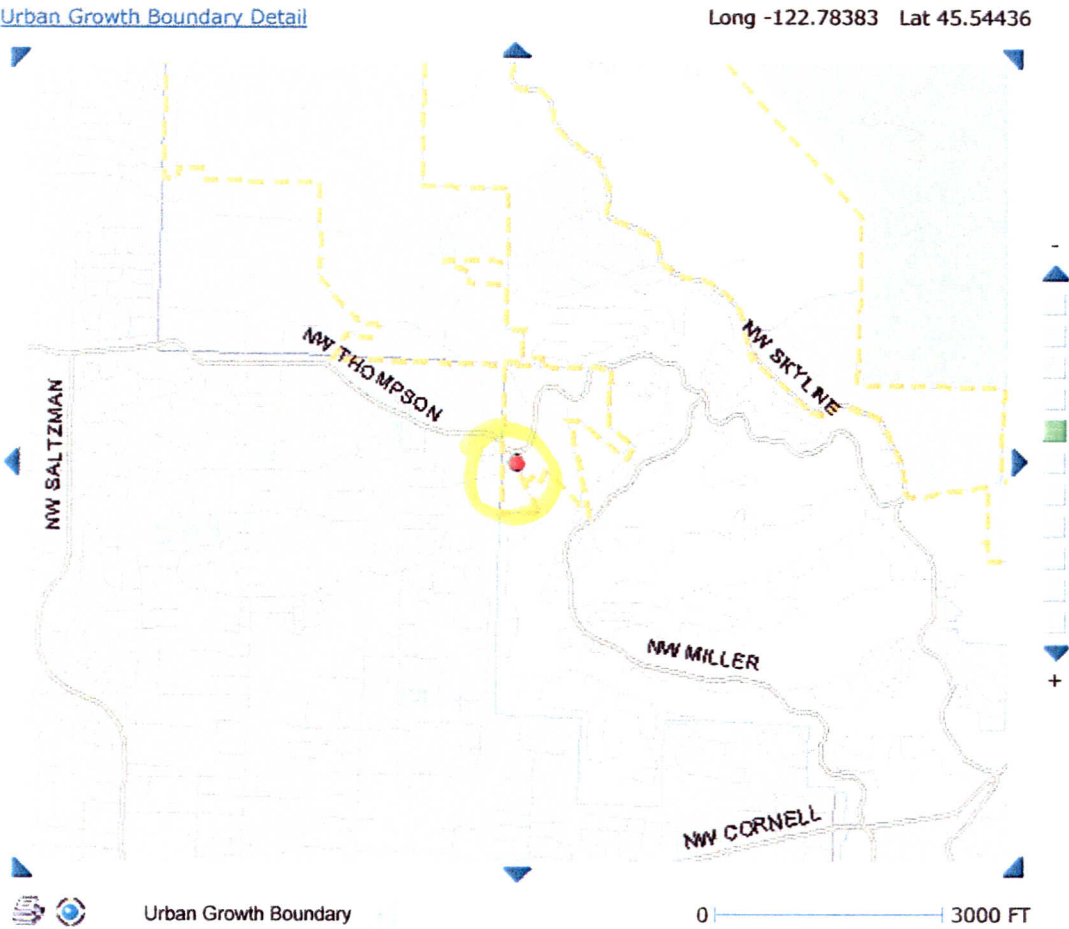


City of Portland, Corporate GIS

5/6/2010

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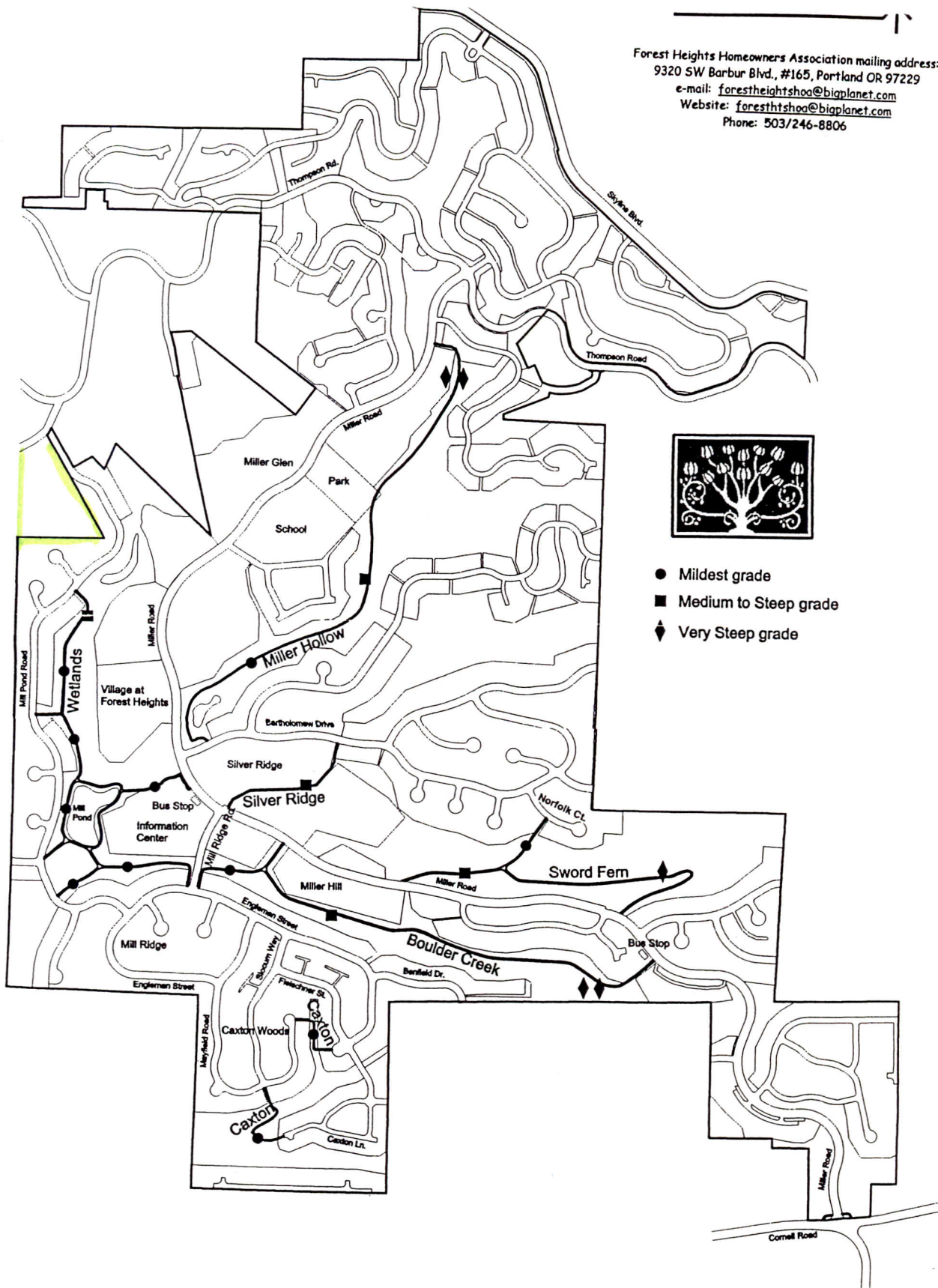


City of Portland, Corporate GIS

4/29/2010

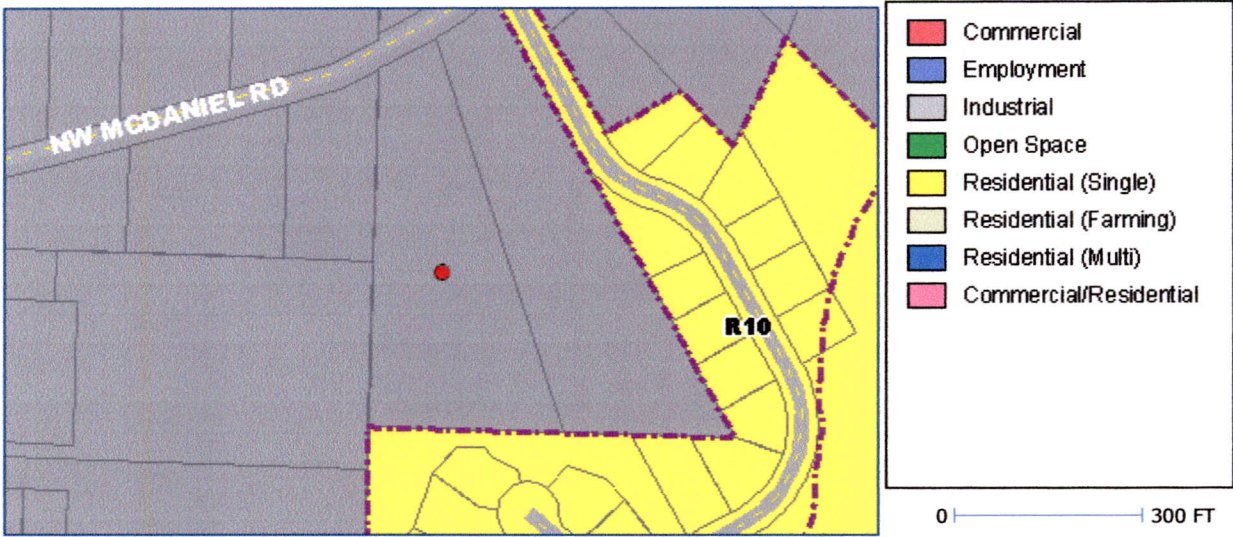
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Forest Heights Homeowners Association mailing address:
 9320 SW Barbur Blvd., #165, Portland OR 97229
 e-mail: forestheightshoa@bigplanet.com
 Website: foresthtshoa@bigplanet.com
 Phone: 503/246-8806

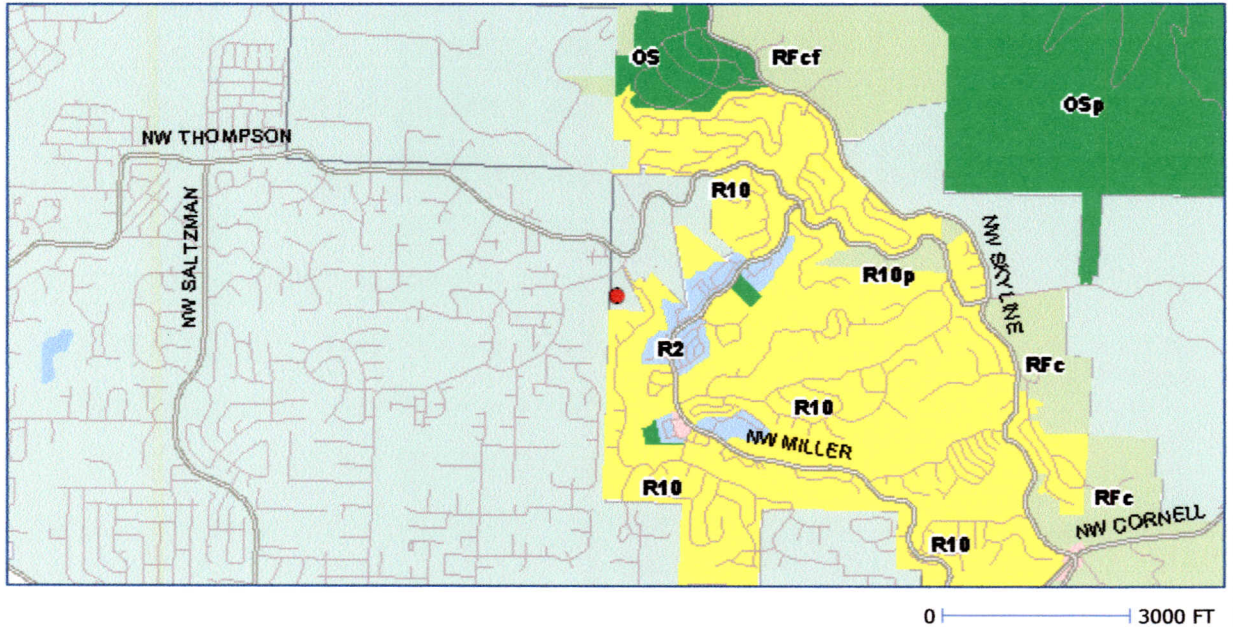


- Mildest grade
- Medium to Steep grade
- ◆ Very Steep grade

Zoning



Zone)	Plan District	n/a
Overlay	n/a	NRMP District	
Comp Plan		Historical Resource Type	
Comp Plan Overlay		Historic District	n/a
Zoning Map	2719	Conservation District	n/a
Urban Renewal Area	n/a	Wellhead Protection Area	No



PortlandMaps

NO ADDRESS AVAILABLE - NORTHWEST HEIGHTS -
PORTLAND

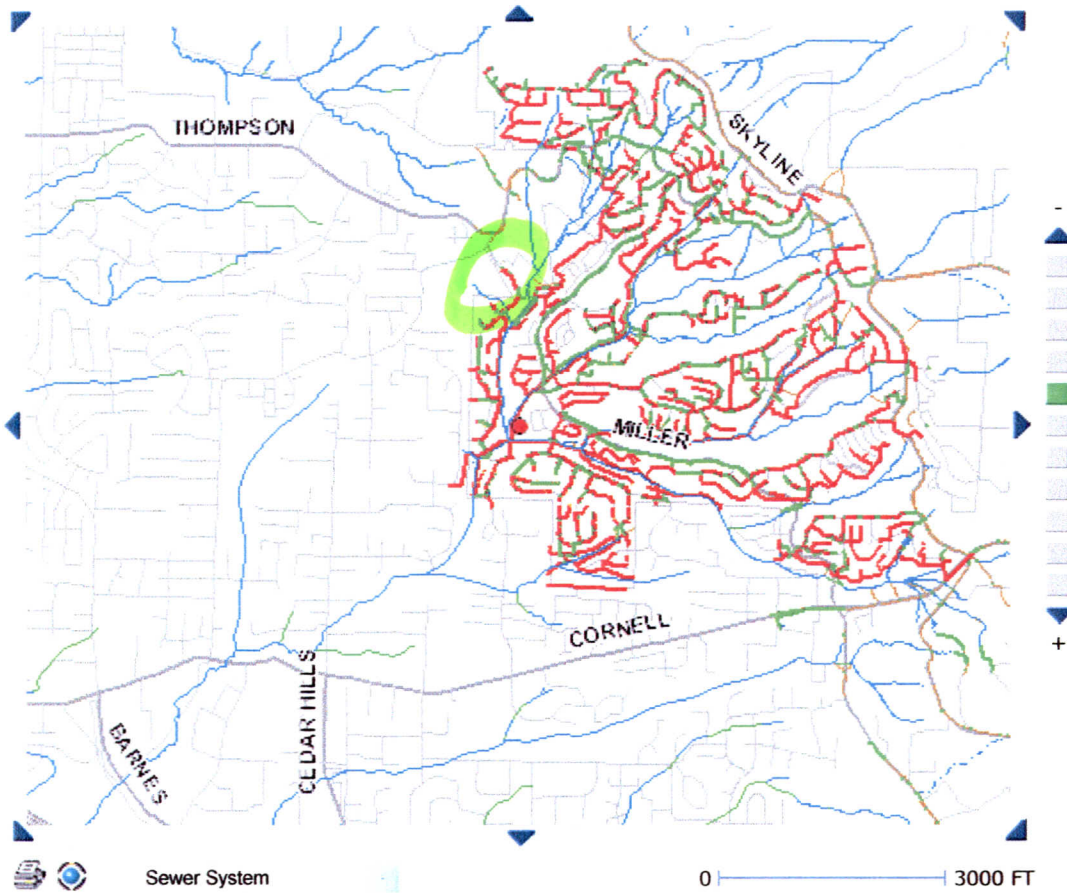
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Explorer | [Property](#) | [Maps](#) | [Projects](#) | [Crime](#) | [Census](#) |
[Transportation](#)

Explore the area, view different themes

[Sewer System Detail](#)

Long -122.78173 Lat 45.53694



City of Portland, Corporate GIS

4/29/2010

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arch

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ANIEL RD, 97229



Find Property

Address: 2960 NW MCDANIEL RD

City:

Zip: 97229

Find

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

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MEETING DATE: 5/6/10

SUBJECT: Reserves

R-12

AGENDA NUMBER OR TOPIC: Reser Rural Reserves

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Mary Telford

ADDRESS: 13508 NW Springville Rd.

CITY/STATE/ZIP: Portland OR 97229

PHONE: _____ DAYS: 503-432-8151 EVES: _____

EMAIL: Mary@marytelford.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
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April 6, 2010

To the Commissioners,

I live in the Springville "L, and I would like to say thank you once again for your February decision to create rural reserves in Multnomah County. And now there is more evidence to support that good decision. A survey done last month in the "L" revealed that we live in an area which has both healthy oak woodland and oak savanna habitat, which I have just found out, are rare in the Willamette Valley. I understand that you all have a copy of the complete survey.

We have always felt it a privilege to share this unusual habitat with native animals and plants. We enjoy the birds, which visit our property and try to offer a "smorgasbord" of sorts to support as many species as possible. And it pays off, as we are seeing more and more types of birds each year. And we are fighting the good fight to keep invasive plants from smothering the natural variety of species native to our area.

So we hope that in the next few months you will keep in mind the importance of protecting the new Rural Reserves. The county needs to work to protect these lands from any new uses, which do not support the value of the farms, forests, and natural resources, which prompted the Rural Reserves designation.

Respectfully,

Mary and John Telford
13508 NW Springville Rd.
Portland, OR 97229

503-432-8151
mary@marytelford.com

3

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk
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MEETING DATE: 5-6-10

SUBJECT: urban/rural reserves

AGENDA NUMBER OR TOPIC: R-12

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Mollie Nelson

ADDRESS: 13512 NW Springville Ln.

CITY/STATE/ZIP: Portland OR 97229

PHONE: _____ DAYS: 503-297-1534 EVES: 503-297-1534

EMAIL: mollie@nelson.comcast.net FAX: _____

SPECIFIC ISSUE: Support ^{on-going} protection of the rural reserves
as ~~the~~ identified in the IGA comprehensive plan

WRITTEN TESTIMONY: yes

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
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May 6, 2010

Multnomah County Board of Commissioners
501 SE Hawthorne Boulevard
Portland, Oregon 97214

Topic: Urban and Reserves – In support of the current IGA proposal

Dear Commissioners,

My husband and I live on five acres in rural Multnomah County in an area that recently earned the rural reserve designation in the intergovernmental agreement you adopted in February of this year. Our lives are directly affected by the outcome of this decision and we are thankful that you made the choices you did. We have participated fully and enthusiastically in the public hearing process. We are writing this letter and providing public testimony again today to urge you to stay steadfast in your support of preserving and protecting the farmland, natural landscape features, and wildlife habitat that this area of Portland's West Hills possesses. We thank you for the excellent decision you made in supporting Rural Reserve designation for ALL of the West Hills, and for not falling short by leaving out Area 9B in that important decision. You heard a great deal of testimony from the public, well-informed citizen groups, and from specific organizations presenting well-researched data and facts documenting the natural features, recreational value and other factors which support the rural designation. Citizens were invited to participate, you listened, and the right conclusions were reached. This process and your actions fully restored our faith in our elected officials acting in the best interest of the populace, not only for today, but also for the future generations.

Thank you for a comprehensive and thorough process that will lead to the protection of our valued rural landscape and farmland. Obviously, that is the intent of a 50-year rural reserve designation after all. We urge you to stay vigilant and true to the intent of this decision. Keep asking, "Is it enough to simply designate the lands as Rural Reserve?" It continues to be your responsibility to protect against new roads or new land uses that don't enhance or reinforce the resources we value. As inhabitants of this designated rural land, my husband and I, along with like-minded neighbors, are and will continue to be good stewards of the land. We support and participate in land surveys that locate and count native and sensitive species such as red-legged frogs, Oregon White Oak trees, Camas Lilies and more. And we will work to protect them on our lands. In addition, we are installing nesting boxes in appropriate locations on our property thus providing habitat and encouragement for the return of Western Bluebirds, and we vow to remove invasive species which threaten the thriving natural landscape.

We are here today to encourage you and future decision-makers for the county to take strong positions in support of protection of our limited valuable resources – farms, forests, wildlife habitat. Continue to vote to protect against new roads or new land uses in Rural Reserves. Thank you.



Mollie Nelson
13512 NW Springville Lane
Portland, OR 97229

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: 5/6/2010

SUBJECT: ~~R-12~~ 1ST READING OF AMENDMENTS
FOR URBAN & RURAL RESERVES

AGENDA NUMBER OR TOPIC: R-12

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: JOSEPH RAYHAWK

ADDRESS: 15248 NW GERMANTOWN ROAD

CITY/STATE/ZIP: PORTLAND, OR 97231

PHONE: DAYS: 503 289 0744 EVES: _____

EMAIL: RJSHELEY@QWEST.NET FAX: _____

SPECIFIC ISSUE: 1. RECOMMEND ADOPT AS PUBLISHED
2. RECOMMEND NOT ADVOCATING FOR WEAKENING
OF RESERVES PROTECTIONS
WRITTEN TESTIMONY: AT LCDC

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
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R 12
#9

Title: Input To Multnomah County Commissioners re Today's Item R-12:
First Reading: Amend the Multnomah County Comprehensive Framework Plan;
and the Multnomah County Plan and Sectional Zoning Maps Relating to
Urban and Rural Reserves.

From: Joseph C Rayhawk
15248 NW Germantown Road
Portland, OR 98231

Date: May 6, 2010

My name is Joe Rayhawk. I live on a 34-acre parcel at 15248 NW Germantown Road, Portland, OR 97231.

My written testimony includes two issues:

A recommendation that the items in today's first reading be adopted without amendment and
Some discussion about the related process at LCDC clarifying the protections of Rural Reserves.
I will address only the first issue in verbal testimony today

1) Recommend the adoption of the Amended Plans and Sectional Zoning map as published last week on the County Website.

The published documents appear to embody the letter and spirit of the law, the expressed wishes of the overwhelming majority of public testimony received by the CAC, the Planning Commission and this board as well as various online surveys and surveys at the numerous open houses.

Ultimately, they embody a great deal of wisdom about preserving the Rural Reserves areas and rationalizing what has been a very messy and even dubious process of selecting Urban areas.

I want to commend staff on the write-up of the reasons for the recommendations. They have captured the key points that were used to make the decisions. I expect that the combination of the decisions and these compelling arguments will make for easy approval by DLCD and LCDC of the Multnomah County parts of the 3-county effort.

I am quite concerned about the Washington County parts, both their decisions and their process. In particular, Washington County's decisions appear to have been more influenced by developers, were less sensitive to the public input. They are far more likely to be remanded by LCDC. This, of course, will be a disaster for all of us.

Turning to my least favorite subject, the lower Springville Road area, referred to on your maps as Area 9B. I am saddened especially that some of the developer-favoritism that poisons Washington County politics seems to have flowed into our fair county.

The only public testimony in favor designating this area as Urban Reserves came from developers and land owners that stand to make a lot of money. Among the developers are Metropolitan Land Group, LLC and a Mr James Irvine who is the managing member of the IR-VAN Group, LLC.

Twice in the last 48 hours I ran into references to a section of US Law: 28 USCA 445a:
"Every justice shall disqualify himself in any case where his impartiality might reasonably be questioned."

It is worth noting for the record that Mr Cogen, while running for his old seat, received campaign contributions from both Metropolitan Land Group and from the IR-VAN Group. Since his campaign has switched to the more important Chair seat, he has received a larger donation from Sean Keys who is the managing member Metropolitan Land Group.

Now, why do I keep talking about this? I mean, who really cares about 480 acres?
The answer is: Urbanizing this area would lead to a worsening of what is a moral disaster of underfunded road development and underfunded schools in Washington County.
It is the reason that I decided to advocate that my nearby farm and area be designated Rural Reserves even though I might have made \$10 Million in windfall profits.
I am attempting to get an estimate of the number of excess deaths caused by the bad roads over the last 30 years. I believe this number will exceed the number of all police shootings statewide. Note: not just questionable ones. The impact on our lives from accidents involving minor injuries, cripples and maimings dwarfs that of the rare but controversial questionable police shootings in the 3 county area.

2) On a related issue, Washington County and others have requested LCDC to clarify and indeed change some of the rules that will apply to Rural Reserves. The latter includes diluting the protection of the Rural Reserves.

On the good side, they raised the issue that the language of the rules might be too restrictive with respect to making any changes. The language was a little ambiguous. LCDC will apparently refine the language to make it clear that the limitation is not against any changes, but, only against changes that are not already allowed. That is, a county cannot create some new designation for something that is an Urban use, call it a Rural use and then allow some new Urban development in the Rural Reserves area.

Washington County appears to be arguing that the Reserves process was about protecting the Rural area from being bought into the UGB. It is clear that the Rural Reserves process was about protecting Rural Reserves so that long-term investment decisions could be made that would allow for preservation of the rural resources for all of us.

It was brought up that the original version of the rules would prevent a land-owner from replacing a failed septic drainage field. I believe that even with respect to Washington County that is a red herring. Because of restraints of topography and other factors, most failed septic fields can be and will be restored in place. The example that Washington County uses of needing a replacement field in a resource area such as what Multnomah County call SEC-Stream will be extremely rare. In addition, given the cost and delay of getting an exception for such a use, it will be almost always the case that the field will be rebuilt in-place. It will be faster, which is actually key, and a lot cheaper. With respect to Multnomah County, you recently amended Chapters 32 and 35 of the County code over the Issues of SEC-Stream and Habitat. Those chapters specifically state that the county cannot forbid the replacement of a failed field. So, under the disambiguated LCDC rules, this should not be an issue for Multnomah County.

Returning to the larger issue, it appears that the kinds of changes that are normal now for rural areas will be allowed. It does appear that changes that would threaten the viability of farming and forestry will be more difficult. This is exactly what everyone involved in the process believed the process was about whether or not they were in favor.

I recommend that the County monitor this process at LCDC but do not advocate any weakening of the protection of the Rural Reserves.

(5)

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
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MEETING DATE: 5/6/10

SUBJECT: Reserves

AGENDA NUMBER OR TOPIC: _____

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Richard Malinowski

ADDRESS: 13130 N.W. Springville Rd

CITY/STATE/ZIP: Portland OR 97229

PHONE: DAYS: 503-292-6820 EVES: 503-292-6820

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: Keeping reserves on Springville Rd
rural

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

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MALINOWSKI FARM

13450 NW Springville Lane
PORTLAND, OREGON, 97229
USA

Phone 503-297-9398

May 6, 2010

Chair Cogen and Commissioners,

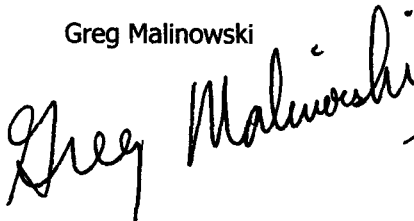
We would like to thank you for your previous decision on making the Springville 'L' a Rural Reserve. We ask that today, you confirm the decision to on the County level to protect our area as a Rural Reserve. We have already signed contracts that will to spend over \$80,000 on improvements to our barns, and runoff facilities to maintain the water quality on the farm and as it runs off into the streams, We have 2000 new native plants planted since your and Metro's Feb. decision on Rural reserves to enhance our wild life efforts, and are committed to enhancing our Oak forests to preserve this valuable eco system. Our garden farmers are putting up new greenhouses, and other improvements. All this is made practical by your and Metro's previous decision, on making the Springville 'L' a Rural Reserve. We thank you for your efforts on this. It would not make sense without the 50 year protection of the Rural Reserves.

We also seek your support as Washington County seeks to weaken protection for the lands earmarked as rural reserves that they had previously attempted to have made into urban reserves. Just because they did not get the 34,000 acre urban reserves they wanted, is no reason to weaken the deal. Changes should be limited to those that enhance the resources, or protect natural landscapes.


We look forward to being a good neighbor and local food source for this area well into the middle of this Century, if not permanently.

Thank you for your time.

Greg Malinowski



Richard Malinowski



Malinowski Farm.

(6)

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
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MEETING DATE: 5-6-10

SUBJECT: URBAN/RURAL RESERVES

AGENDA NUMBER OR TOPIC: R12

FOR: ☒ AGAINST: ☐ THE ABOVE AGENDA ITEM

NAME: JIM EMERSON

ADDRESS: 13900 NW OLD GERMANTOWN RD

CITY/STATE/ZIP: PORTLAND OR 97231

PHONE: DAYS: 503-283-4096 EVES: SAME

EMAIL: _____ FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: YES

IF YOU WISH TO ADDRESS THE BOARD:

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13900 NW Old Germantown Road
Portland, Oregon 97231
May 6, 2010

Multnomah County Board of Commissioners
501 SE Hawthorne Blvd., Suite 600
Portland, Oregon 97214

RE: Ordinance to amend the Multnomah County Comprehensive Framework
Plan to adopt Policy 6A including Exhibit 1, the Urban & Rural
Reserves Map

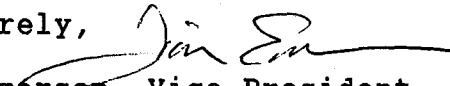
Dear Chair Cogen and Commissioners,

You have sifted a considerable amount of data and testimony, and have wisely applied Multnomah County's adopted Land Use Planning Values, in voting for the Urban and Rural Reserves map and policies on February 25th this year. Now that the detailed ordinance and map are before you for adoption, we strongly urge you to confirm your decision with another yes vote, without further amendment.

In doing so, you will be following the advice of both the Multnomah County Reserves Citizens Advisory Committee and the Multnomah County Planning Commission, as well as the predominant testimony of residents. This consensus came from more than two years of intense discussion by diverse people with the common goal to convey a healthy, efficient, and sustainable community to the future.

Thank you for your keen interest and understanding as this region presciently retains close-by rural uses while focusing investment into existing cities. Thank you in advance for voting for today's ordinance and continuing to support its effective implementation.

Sincerely,


Jim Emerson, Vice-President
Forest Park Neighborhood Association


Judith Emerson

c: Jerry Grossnickle, FPNA President

7

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
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MEETING DATE: 5/6/10

SUBJECT: Reserves

AGENDA NUMBER OR TOPIC: R12

FOR: X AGAINST: _____ THE ABOVE AGENDA ITEM

NAME: Susan Andrews

ADDRESS: 13410 NW Springville Rd.

CITY/STATE/ZIP: Portland, OR 97229

PHONE: DAYS: 5032926034 EVES: _____

EMAIL: sgoldfield@aol.com FAX: _____

SPECIFIC ISSUE: _____

WRITTEN TESTIMONY: _____

IF YOU WISH TO ADDRESS THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Address the County Commissioners from the presenter table microphones. Please limit your comments to **3 minutes**.
3. State your name for the official record.
4. If written documentation is presented, please furnish one copy to the Board Clerk.

IF YOU WISH TO SUBMIT WRITTEN COMMENTS TO THE BOARD:

1. Please complete this form and return to the Board Clerk.
2. Written testimony will be entered into the official record.