

http://208.71.205.11/cablecastapi/embed?show_id=11154

Starts: 01:05:43

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CA: Thank you

AD: Question, Staff. Does the inclusion of Groveland road for example, since that's the example that was presented here, does the inclusion of that as a... within urban reserves obligate us to anything as far as the maintenance of that road, does it change the maintenance in any way?

GM: I don't think it would...

DS: I mean in terms of any capital, of any future capital improvements as well as... Is that part...?

AD: Well, the statement from the speaker was that, was that if it were in the rural reserves we would not have the obligation to bring it up to urban standards. I'm not sure we have that obligation anyway.

STAFF: Right, that's correct. We don't and it wouldn't make any difference in terms of maintenance activities on that road whether it's in or out of urban reserves

AD: And that particular road since that is the one that was brought up as an example. I'm not quite sure what the angst is over it. Since there are no urban reserves along the road to justify any changes to it.

CA: It's in the urban growth boundary. The urban growth boundary goes all the way to the edge of the rural reserves so that means streetlights, sidewalks could be put in and we're trying to prevent that. To protect the crops...

AD: To what purpose? There is no land there.

CA: That is exactly our point. Why would you have it in the urban growth boundary?

BT: But we probably wouldn't do it.

CA: But that doesn't mean you wouldn't... if you wouldn't do it, then why have it in the urban growth boundary.

AD: Because that's where the house bill forty seventy eight designated the urban growth boundary to be.

CA: No, there is no.. house bill seventy eight is silent on the northern border. That's the issue. It doesn't address the northern border where it should be. That's the inconsistency so on your on your, on the west and the north side, you have the urban growth boundary stopping before the roads so that... See that dotted line going up Jackson school and along Story Creek, the Creeks, and then on the northern part of the freeway on the south part of the freeway, that is where the urban growth boundary ends. Here you have been jogging up and including all the way to the north side of Groveland Drive, which is a budding... where the rural reserves are. That is inconsistent with the way the interpretation is for the other part of the northern boundary, as well as the western side, so our... it does not make sense if you're not going to do anything. There is no urban land there, why have that urban growth boundary going all the way to the north side of the road which does allow if a future commission wanted to allow streetlights and, and sidewalks to be put on that road. It does not prevent that. If it's in the urban growth boundary. That's why we're suggesting move it down to be consistent with the other part of the northern boundary

GM: I guess I don't know why we would've included it in the first place.

CA: It was done because of previous, it was there because of a previous decision, which has been changed now because of House Bill forty seventy eight. Right Steve?

AD: I'm just going to pontificate here for a moment, this land use as, as you know, having to do with urban and rural reserves has been contentious for a number of years and it just seems at every step of the way there is there is another argument about little more needs to come out of urban reserves, even to the point of something that really won't make any difference to

anybody, one way or the other. It's, it's frustrating to me and it really points to how some would like to push to the most restrictive that we could possibly get, and it's a philosophical viewpoint, that some will, some will go that way, and some would look at why would we tie our hands even though there's no intent to do anything on that particular road and no land that would ever justify anything to change why... it is really a non-issue and it's in the plan, you asked why it's in the plan because, as you yourself have said, it was in the plan previously so why go back and change...

CA: Yes but that's been changed with forty seventy eight. Now that new land, that land changed from urban reserves to rural reserves, so the previous decision to have it in the plan doesn't apply anymore. This is your opportunity to make it consistent. You have part of your northern boundary on the south side of the freeway and all it, all you need to do is say then let's be consistent with the other part of the northern boundary because the House bill is silent on that. It doesn't address it.

BT: Could we agree that it doesn't make a difference other than the potential for streetlights and sidewalks since that was the case, and we said okay we'll move it, then do we take the acre and a half and move it someplace else inside the urban growth boundary?

CA: Well, your point is that you would never develop that road, right?

AD: Right.

CA: So why have it in the urban growth boundary?

BT: That doesn't answer my question though.

CA: I don't understand your question. You...

BT: The question is, if we agree that it's truly superfluous to move the boundary off that road. You're talking about an acre and a half as I understand.

CA: No, it's a mile and a half long road.

BT: Okay, so we take that, whatever the distances is, of the mile and a half a long road, take that urban growth boundary area and we move it to someplace else that is more usable to urban growth boundary expansion, would that be satisfactory to you?

CA: I'm just suggesting that you be consistent with the other part of their northern boundary and I don't and if you want to calculate the square feet in the road and you're suggesting finding

BT: Well a mile and a half road fifty feet wide, would be more than a...

CA: It's twenty five feet wide... So you feel that you need that road to be in the urban growth boundary because of... why?

BT: I agree with the chair, it's a superfluous argument it doesn't make any difference.

GM: I'm actually having a problem with it because, and I'm just an old farmer, but why would you

BT: You're not as old of a farmer as I am.

GM: Well, okay but pretend I am for a second. Why would you, why would you want to have that be called an urban road it's like building a sidewalk out in the middle of the alfalfa field.

BT: We don't intend to put a sidewalk out in the middle of an alfalfa field.

GM: Well, I know, but it's going to be counted in our urban roads inventory, and I guess I don't know why we, I don't know why we would do that, I mean do you have another acre and a half somewhere that's just sticking out in the middle of the rural area you'd like to have in there?

BT: Well there's about 60 over in Damascus...

AD: I'll explain why we would do it. We would do it because it's there and it requires staff time to go back and change it. So the question is, if nothing is going to change, if it has no consequence, one way or the other, why would we expend taxpayer dollars to go back to make the change.

Now you could argue that it should not of been there in the first place, but it is and it makes no difference but it's an indication of this constant battle we've been having over urban and rural needs.

CA: That is correct to have the sidewalk come all the way up to where the crops are does not help protect any rural needs.

AD: I would argue that it is fully protected, because you can do nothing on that side of the highway, essentially, there is just no land to do anything with on the north side...

CA: But it is still classified or it would be classified in urban road inside the growth boundary, and as such, any commission could change that. You might say, "Oh, we're not going to do anything with it", but it could be, it would be in Washington County's benefit to not have that. It's a financial burden for you to have that maintained as an urban road.

DS: I may be wrong here but I just kinda see this more as a scrivener's error, and I'm not sure I'm not sure what were allowed to do legally or not and whether we have the, we have the powers of local government to do what you're asking us as a remedy, but I certainly would like to know more about that and we're gonna have some opportunities between now and the sixteenth and the twenty-third if we were just to go forward with this, to track that information down... but it seems like this is, I just see this more as a scrivener's error, and we make those all the time and I would be willing to entertain those but I'm not sure we have the power to provide the remedy you're asking for because that's something perhaps that needs to be done at the state level. I would need to know more but I do appreciate your very careful read of this, you're asking for a detailed response that I haven't heard enough yet to even know how we'd respond to you from a remedy standpoint.

CA: I think it makes sense to look at the legislative intent, and I believe you do have the power, but you need to evaluate that.

GM: I had a question for staff...

RR: Can I interrupt you for just two seconds.

GM: Sure.

RR: I apologize to everyone, I had a scheduled meeting, in fact I do right now with OPB regarding intel, so I'm going to need to leave. My quick comments are that I kind of agree with the comments, I don't want mess around with this too much simply because it was such a difficult set of negotiations so many hearings, but if there are scrivener errors, as Mr. Schouten has suggested, then I'm not overwhelmed with trying to correct those, that's not a big issue to me, but I'd leave that and I pause I'm going to need to leave right now.

GM: Well I had, my question to the staff was if I own that wheat field to the north, and there... would I ever find myself in a predicament where I'm trying to do something, in that wheat field, where you guys would come up and say "Oh! You know that's an urban road out front and it's not wide enough and you need to designate land or make an improvement or increase right of way", because it's not standard for an urban road at this point.

STAFF: Yeah, I don't think that. And I agree, I think that it's inconsequential and maybe take it up with DLCD later.

GM: Ok I guess my thing is... I don't know, if I was running that wheat field and I was concerned I was gonna put in a berry patch or something there and somebody showed up and said "Well, you know you've got an urban road out front."

AD: I can't imagine that happening.

GM: Okay, so it's not something that would be required generally if someone came forward with an application of any kind for that rural field that matches the rural use where we go "Oh that's an urban road you're gonna have to do XYZ." I guess if it comes up, and they are gonna do a cleanup, I'd like to see it cleaned up and perhaps if you could show me where in the house bill forty seventy eight, it stipulated we crossed to the north side of the road, north side of the highway, I'm curious about where that is in there.

CA: Ms. Amabisca is correct the, unfortunately the house bill is silent on again, the north boundary of the urban reserve around Meek and Sewell and, and the south boundary of the

rural reserve that's to the north, excuse all the explanation, to the north of the road so the area in question is not defined in the bill.

GM: So it's not in forty seventy eight.

STAFF: No

GM: Okay it's just a holdover from the old days when there was an urban reserve there.

STAFF: It is. The history of it is that for the County and for ordinance seven thirty three in 2010, we had that area as undesignated, including the area to the north as undesignated, and as we move forward and as the core four got involved, some of your board members were involved, that area did switch over to urban reserve and at that time, with ordinance seven forty at that time, the road became urban as well.

GM: Okay, so this is once again one of those monkeying around things that in, if we do end up doing a cleanup, that might be one more thing that we ought to tidy up.

STAFF: It maybe a good candidate for that given that there is no definition for the boundary for the two adjacent reserves.

GM: Okay.

AD: Okay. Thank you.