



Forest Park Neighborhood Association
C/O Neighbors West Northwest
2257 NW Raleigh
Portland, Oregon 97210

April 12, 2017

Senate Committee on Environment and Natural Resources
900 Court Street NE
Salem, OR 97301

Re: FPNA strongly opposes Senate Bill 186

Dear Members of the Senate Committee on Environment and Natural Resources,

Forest Park Neighborhood is unique. Our boundaries touch W. Burnside Road on the south and cross NW Cornelius Pass Road on the north. The neighborhood includes Forest Park, a long piece of City of Portland that extends around the park, and a broad swath of unincorporated Multnomah County down to the edge of Washington County.

Our neighborhood strongly opposes SB 186, which seeks to convert Rural Reserve land in our neighborhood to Urban Reserve (we verified that intent with Sen. Johnson's office).

There are three core reasons why SB 186 is a bad idea:

1. Local governments are better equipped to make local land use decisions than the legislature. The extensive research, study, and citizen input on candidate Urban and Rural Reserve areas undertaken by local governments over several years demonstrates why these decisions should be made by local governments and not the state legislature. Local governments understand local conditions and have capacity for extensive, long term projects to evaluate the lists of factors for Urban and Rural Reserves and can include broad citizen involvement. The legislature isn't well equipped for this kind of work and would be wrong to try to replace functioning local government systems that are also much more convenient for participation by affected citizens.
2. Local governments, farmers, foresters, and citizens were promised that Urban and Rural Reserves would provide long term (40 to 50 years) certainty. Introduction and consideration of legislation like SB 186 breaks that promise and eliminates the promised certainty. This harms both urban and rural areas.
3. The lower Springville area is unsuitable for an Urban Reserve. An Urban Reserve in this location would create another Area 93, with no city available to provide governance or urban services. No group studying potential Reserves recommended an Urban Reserve here. There was overwhelming citizen support for a Rural Reserve in this location. It is hard to see anyone who would benefit from this change except for a small group of property owners, while many costs would be borne by taxpayers and the community.

Because the Portland region's Urban Growth Boundary (UGB) winds through our neighborhood, until 2007 we were studied every 5 years for possible UGB expansion, even though the rural

portions of our neighborhood are poor candidates for an efficient new urban area. Our hills are steeply sloped, laced with healthy headwater streams and filled with high quality wildlife habitat that helps keep Forest Park healthy. Roads over these hills are limited by the topography, landslide hazards, and Forest Park. Transit service is virtually non-existent, and long distances and steep hills severely limit walking and cycling for transportation purposes. The landscape can't accommodate an urban road grid, and our limited roads are already congested with "through" commuter traffic between Portland and Washington County.

So we were happy to learn, in 2006, that Metro was considering alternative approaches for future UGB expansion. In 2007, we were delighted to work with Rep. Mitch Greenlick and then Senator Avakian to support SB 1011, which created a new system of Urban and Rural Reserves for the Portland area. Urban Reserves were designed to accommodate 50 years of urban growth in areas suited to "Great Communities" and that can be provided with urban services by a city. Rural Reserves are to be off-limits to urban growth for 50 years, in areas identified by counties as regionally significant farm and forestry lands, or for natural landscape features.

One of the core promises of Urban and Rural Reserves was long term certainty for everyone. Cities can provide more efficient urban services because they know how to size infrastructure because they know where urban growth will and will not be going. Cities can engage their citizens in long term urban planning for growth, helping them create Great Communities. Farmers and foresters in Rural Reserves can confidently invest in new irrigation systems, barns, and mechanical equipment. Unfortunately, a few people who didn't get what they wanted out of the original process are now going to the legislature, and year after year there is legislation that would alter local urban and rural reserves decisions. This undermines the promised certainty.

Forest Park Neighborhood actively participated in the Urban and Rural Reserves process in Multnomah County and at Metro. I was honored to serve on the Multnomah County Urban and Rural Reserves Citizen Advisory Committee (CAC), a citizen panel that met 16 times between May 2008 and July 2009. Those meetings were all over 2 hours long, and some ran to 3 or 4 hours. The CAC utilized many detailed studies, maps, and aerial photos to weigh the qualities of rural parts of Multnomah County against long lists of suitability factors for Urban Reserves and Rural Reserves. The CAC also received and weighed extensive public comments as we developed recommendations for Reserves in Multnomah County.

The CAC's recommendations were considered at the county Planning Commission (where they were endorsed) and by the County Board of Commissioners. Large numbers of citizens from Forest Park Neighborhood testified in favor of Rural Reserves for our area at county Planning Commission and Board of Commissioners hearings, as well as at many Metro hearings.

Even in 2008, the problem of Area 93 was well understood. Area 93 was a small portion of our neighborhood that Metro added to the UGB in 2002, even though it was not adjacent to any city. Multnomah County does not provide urban services, and Portland and Beaverton are not able to provide urban services to any area that is not adjacent to their boundary. Since then, Metro and all local governments have agreed that any new urban areas must be provided with urban services by a city (not by a county).

The lower Springville area (the same location that SB 186 would shift from Rural Reserve to Urban Reserve) has exactly the same problem as Area 93 – there is no adjacent city that can provide services. Altering the shape of the area doesn't eliminate the underlying problems.

Within our neighborhood, the most controversial area was on the lower part of NW Springville Road, adjacent to the North Bethany area in Washington County. A group of about 13 property owners worked with a lobbyist to advocate for an Urban Reserve in what was commonly called the “Lower Springville L” (for the “L” shape of the area), hoping to cash in on the high urban property values. At the time, raw urban land in North Bethany was selling for \$500,000 an acre.

But there were several inputs that weighed strongly against an Urban Reserves in this location:

- An even larger number of Springville Road residents (29) signed a petition opposing an Urban Reserve and requesting a Rural Reserve.
- Forest Park Neighborhood surveyed its residents (using a survey mailed to each home, with a 20% return rate), and found that 69% strongly opposed urban expansion and 15% opposed urban expansion (for a total of 84% opposed) in our neighborhood.
- Metro and the three local counties sponsored a study that included the lower Springville area. The study examined whether each area might be suitable for a “Great Community” – a great new urban community. That study concluded that preserving this “important ecological area” was likely more important to the region than urbanizing it.
- A study evaluating rural portions of the Metro region for their suitability for an urban road network found that our neighborhood, including the Lower Springville L, is not suitable for an interconnected urban road network.
- City of Portland made it clear that they did not want to provide urban services to any new urban area in the west hills -- they prefer to invest in improving urban services and adding housing in their existing developed areas. Portland cited problems with governance and emphasized the lack of urban transportation services combined with the high cost of improving rural facilities and then maintaining them, as well as impacts to Forest Park. City of Beaverton is more than 2 miles away and unable to provide urban services in this part of Multnomah County because it is not adjacent to their boundary.
- 74% of respondents to a 2010 Metro survey question about the lower Springville L said that it should be a Rural Reserve. Only 13% supported an Urban Reserve in that location. (Urban and Rural Reserves Public Comment Report, Phase 4 – January 2010)

Every group that studied the lower Springville L during the Reserves process reached the same decision – that it should be a Rural Reserve, not an Urban Reserve. The county’s decision to designate the area a Rural Reserve was appealed to the Oregon Court of Appeals by several parties, but all of those appeals were denied. (There was an appeal over a different part of Multnomah County that was upheld by the Court of Appeals due to poorly written Findings).

Forest Park Neighborhood Association urges you to oppose SB 186.

Thank you for your consideration. Sincerely,



Carol Chesarek
President, Forest Park Neighborhood Association