



MEDIA release

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Progress Report on the Urbanization Forum **Issued January 30, 2009, by Mark L. Cushing, Urbanization Forum Facilitator**

I want to summarize the work of the Urbanization Forum. This Report includes recommendations on next steps and draft Resolutions for the participating jurisdictions to consider and support. The Resolutions address issues of urban unincorporated Washington County within and outside the existing Urban Growth Boundary. The Steering Committee met three times in January to review, discuss and edit the Report, Recommendations and Resolutions. This document is being presented today to the full Urbanization Forum, CPO organizations and public.

Meetings

The Forum officially commenced on April 24, 2008 at a public meeting in Hillsboro with 36 elected and appointed officials from throughout the county. This meeting was preceded by individual meetings held by the facilitator (Mark L. Cushing) in February, March and April with the leadership of all of the Cities, County, Service Districts, Metro and Sheriff's Office. Additional public meetings were conducted in June, October and December, and numerous individual, small group and working group meetings were held throughout the year. In November and December we conducted seven area meetings with community leaders and public officials involving Cedar Hills/Raleigh Hills/West Slope/Garden Home; Bethany/Rock Creek/North Bethany; Cedar Mill; Bull Mt/Areas 63&64; Metzger; Reedville; and Aloha. The Steering Committee met monthly through January 2009.

Issues

At the initial public meeting in April the discussion among public officials concentrated on two related but distinct issues: (1) policy governing future urbanized areas within Washington County outside the current Urban Growth Boundary, and (2) policy governing existing urban unincorporated areas within Washington County inside the current Urban Growth Boundary. As a result of these discussions the Steering Committee determined that the Forum should address these issues in order. The June public meeting and most of the work during the summer concentrated on the future urbanized area issue, and the meetings and discussions in the fall and early winter concentrated on both issues.

(1) Future Urbanized Areas Outside Current UGB

The June 19 public meeting produced a preliminary consensus that the jurisdictions should enter into agreements to support a policy that all future urbanization outside the current UGB be governed by Cities, with a directive to Metro that this policy be taken into consideration when the UGB is expanded. Questions surfaced about how to implement such a policy and a working group was convened over the summer to address these issues. The working group met through early October to review and ultimately approve drafts of the proposed policy prepared by Brent Curtis of Washington County and Pat Ribellia of Hillsboro.

The draft policies were discussed at the October 9 public Forum in Tigard and the December 11 public Forum in Hillsboro. Questions remain about how to implement the policy, particularly with respect to requiring Metro to condition any expansion of the UGB on governance by a City and, in so doing, to limit expansion to areas contiguous to an existing city (assuming that the expanded area does not itself become a city which, of course, is an option). Urban Planning Area agreements have been identified as the primary tool for enforcing the policy, which will require approval by the affected jurisdictions. Provided that the expanded areas are contiguous to an existing City, then the proposed policy will not require legislation to clarify annexation tools for Cities in addressing areas to be urbanized outside the current UGB which are not contiguous to an existing City. If the expanded areas are not contiguous to an existing City then legislation may be required to provide Washington County cities with annexation tools to reach these areas. The public Forum in December also resolved an issue raised in October concerning the allocation of responsibilities for roadways in future urbanized areas outside the current UGB. The complete text of the Policy for areas outside the existing UGB is set out below.

Policy: " Washington County, the Cities and Service Districts within Washington County and Metro agree to abide by a policy whereby all future additions to the applicable Urban Growth Boundary must be governed and urbanized by a City. Urbanized means land use decision making authority. The decision as to how urban services will be delivered shall be determined by the impacted City in consultation with area service providers in accordance with existing law and applicable agreements.

- This policy will be implemented by amendments to relevant Urban Planning Area Agreements, SB 122 Agreements and conditioning by Metro of all future UGB additions within Washington County.
- Corollary Policies and Implementation Mechanisms:
- Issues of contiguity may impact a City's ability to annex newly included additions to the UGB.
- It may become necessary to provide Cities with annexation tools to reach such non-contiguous properties.

- Further, the County and Cities agree to abide by a policy which ensures jurisdiction of roadways which are deemed by the County to be part of the county-wide road system, shall be under the jurisdiction of Washington County. Concurrent with annexation, the relevant City shall request all other roads that are not part of the Countywide Road System be transferred and the County shall transfer these roads.

- Question: Is there an available, enforceable means to ensure all future additions to the Urban Growth Boundary must be governed and urbanized by a City?

- Short Answer: Yes. Urban Planning Area Agreements between each City and the County can require all future additions to the UGB be annexed to a City. Additionally, SB122 Urban Service Agreements applicable to such UGB additions can and should include identical annexation requirements. Additionally, Metro should condition future

Washington County UGB changes to require implementation of the policy requiring annexation to a city prior to urbanization ."

Work remains to be done in describing the proposed policy and presenting draft Urban Planning Area and/or SB 122 agreements or amendments as appropriate for implementation. We will work from the revised policy outline created at the December 11 public Forum. While Metro councilors participated in the public Forums, no formal discussions have been held with Metro by the County or Cities concerning this proposed policy. The Forum has recognized that the future urbanized policy cannot be separated from any policies governing existing urbanized areas, so the ultimate resolution awaits resolution of these policies as well. The working group is an effective, ad hoc vehicle to continue this work for the Steering Committee.

(2) Existing Urbanized Areas Within Current UGB

The Urbanization Forum was launched by the jurisdictions in large part due to ongoing debate and issues concerning the approximately 200,000 citizens of Washington County residing in urban areas outside Cities. The two basic questions for each of the urban unincorporated areas involved (a) governance and (b) service delivery and (c) its associated costs. While these three issues inevitably are intertwined with an ongoing debate about annexation of the existing unincorporated areas, annexation policy is only one of the topics requiring resolution.

At the initial public Forum on April 24 the public officials agreed that consideration of existing urban unincorporated areas required an area-by-area approach. A consensus was reached early in the discussion that no single policy or solution fits all areas. This decision provided the framework for the Forum's treatment of existing areas. We conducted individual, ad hoc small group and more formal area group discussions in the seven areas designated around the county. The seven areas are: Cedar Hills/Raleigh Hills/West Slope/Garden Home; Bethany/Rock Creek/North Bethany; Cedar Mill; Bull Mt/Areas 63&64; Metzger; Reedville; and Aloha. The area-by-area discussions were structured to address three issues:

- a. The adjacent or affected City of interest's plans, if any, regarding annexation of the area in question.
- b. The community's response to the City's plans, in particular the CPO and neighborhood groups' views of the area's interests in pursuing governance and service alternatives other than the status quo or annexation.
- c. The financial implications for Washington County in responding to an area's interest in expanded services while remaining unincorporated.

The results of the discussions about these three issues in each area are presented below.

Raleigh Hills/Cedar Hills/West Slope/Garden Home

There was a general sense that the status quo is working and that there is no need for initiating discussions with Beaverton about annexation, or to explore alternative governance options. However, this area like all areas is interested in becoming better informed about various service and governance options, and attendant cost comparisons.

Bethany/Rock Creek/North Bethany

This area like all areas is interested in becoming better informed about various service and governance options, and attendant cost comparisons. While there was a general expression of satisfaction with the status quo, there are community leaders interested in continued exploration of governance alternatives ranging from incorporation to service districts to annexation. It is my recommendation that some vehicle be created to continue the dialogue while broadening the base of participation.

Cedar Mill

This area like all areas is interested in becoming better informed about various service and governance options, and attendant cost comparisons. Cedar Mill represents the most advanced level of internal discussion and historical awareness of service and governance options. There is a diversity of views about the ideal outcome, but clearly an interest in continuing some level of dialogue and evaluation. I recommend that the Steering Committee reach out to CPO leadership and discuss the merits, and particulars, of ongoing activity.

Bull Mountain/Area 63 & 64

This area has the most intensive history of debating alternatives for service delivery and governance. Tigard is not intending to initiate discussion with Bull Mountain residents about service or governance changes, but it is possible that residents may want to explore alternatives. In particular, Bull Mountain residents are concerned about parks, and there may be a valuable dialogue among the County, Tigard and Bull Mountain on this issue, partly connected to the development of Areas 63 & 64. I recommend that further small group discussion explore this possibility.

Metzger

The Metzger CPO and neighborhood leadership are very satisfied with the status quo and there is no interest in examining alternative service or governance options. There is interest in working with Washington County and relevant Service Districts to develop additional trails and bike paths for the community.

Reedville

The City of Hillsboro is exploring the possibility of initiating long-term community dialogue about Reedville coming in to Hillsboro. It is my recommendation that the Forum not involve itself in this process unless the City requests otherwise.

Aloha

We had an intensive discussion of alternatives for Aloha, but there was not a broad base of citizen participation in the conversation. Clearly there is interest in evaluating alternatives, but much work needs to be done in structuring the process and broadening its reach within the Aloha community. It is my recommendation that the Steering Committee devote a separate meeting to exploring the issue of whether and how an ongoing process could assist Aloha.

This summary reflects a view that ongoing Forum activity will be useful in certain areas. However, it is not necessary to convene the full 36-member Forum in the near term to do this. Instead, I recommend that the Steering Committee explore customized options for continuing activity and discussions in select areas. In addition, the discussions in each area, and at public Forums, made clear that the County is not in a position to provide expanded services to existing urban unincorporated areas without additional financial tools. I recommend that the Steering Committee create a working group to move forward in exploring and recommending specific solutions to this issue.

Specific recommendations for next steps:

1. Direct working group on issues Outside Existing UGB to draft amendments to Urban Planning Area Agreements and, as appropriate, S B 122 Agreements, to present to jurisdictions and the public in conjunction with consideration of Resolutions to support and implement this policy. A realistic timetable is for the Working Group to prepare this by early March for approval

and distribution to the jurisdictions and public.

2. Revise and approve Resolutions for jurisdictions to discuss and, hopefully, approve jurisdiction-by-jurisdiction. The Resolutions are provided at the conclusion of this document. The Resolutions address areas both inside and outside the existing Urban Growth Boundaries. A realistic timetable is for jurisdictions to act on the proposed Resolutions within 2-4 months.

3. The Steering Committee should consider creating two groups to develop ideas and issues discussed during the Forum, as follows:

(a) An Information working group representing Cities, Service Districts, the County, the Sheriff's Office and the public. This working group should consider how to collaborate with the jurisdictions and other resources, as appropriate, to generate data about services and related costs. Each of the area working groups and CPO's should be involved in developing the issues for consideration by this task force.

(b) A working group should be formed with active involvement by the area CPOs to conduct ongoing discussions of service options for the six areas (excluding Reedville) within urban unincorporated Washington County, including options of the status quo, incorporation, creation of one or more Service Districts, or annexation terms for the relevant city. This working group should consider the relative merits and issues surrounding area-by-area service districts for expanded services to unincorporated Washington County or a county-wide service district to do the same. This working group should also explore financial implications of significant areas remaining unincorporated within the existing UGB, and the resources required for the County to provide enhanced services, if appropriate, to these areas.

4. The Steering Committee needs to ensure the most effective and inclusive means of public involvement in the next phase including CPO's and other community organizations.

5. The Steering Committee should monitor legislative developments in the 2009 Oregon Legislature and, as appropriate, speak with a common voice on behalf of the Urbanization Forum on matters of interest.

Resolution for Jurisdictions

The following Resolutions will be presented for discussion and potential adoption by each jurisdiction participating in the Urbanization Forum. The Resolutions will be accompanied by this summary, any additional commentary provided by the Steering Committee and, if available, draft amendments to Urban Planning Area and SB 122 agreements. The Steering Committee will make the Facilitator and Steering Committee members available to meet as requested with Council, Board and Commission members and staff of each jurisdiction to discuss the process, work and recommendations of the Urbanization Forum, including the Resolutions.

Whereas, in 2008 the Cities of Washington County including mayors and managers, Board of Commissioners of Washington County and managers, the largest Service Districts of Washington County including chief executive officers and board chairs (TVF&R; THPRD; TVWD; CWS), and Washington County Sheriff convened a public Washington County Urbanization Forum and held four (4) public Urbanization Forum meetings in 2008 to discuss key urbanization issues, including listening to public comments on such issues;

Whereas, during Urbanization Forum discussion the participants explored issues and conditions pertaining to forming consensus policies for the governance and management of: (1) existing unincorporated urbanized areas in the County that contain approximately 200,000 residents; and, (2) areas added to the regional UGB in the County for future urban development and growth in the County, and imminent growth management issues confronting all Urbanization Forum participants as forecasted population growth in Washington County takes shape;

Whereas, Washington County citizens and civic organizations participated in the Urbanization Forum, principally through CPO leadership, in public large group and small group meetings held in April, June, October, November and December of 2008;

Whereas, it was determined during Urbanization Forum discussions that the following seven (7) urban unincorporated areas within the existing UGB required an area-by-area approach to determine if any changes are appropriate or desired in current service and governance solutions, and separate area-by-area discussions were conducted in each of these areas:

- (1) Cedar Hills/Raleigh Hills/West Slope/Garden Home;
- (2) Bethany/Rock Creek/North Bethany;
- (3) Cedar Mill;
- (4) Bull Mt/Areas 63&64;
- (5) Metzger;
- (6) Reedville; and
- (7) Aloha;

Whereas, it was also determined in Urbanization Forum discussions that resolution of matters of urbanization governance and management of areas added to the Urban Growth Boundary in Washington County by Metro requires consensus among the Urbanization Forum participants and Metro on a separate urbanization policy prepared by the Urbanization Forum for these areas;

Whereas, the Urbanization Forum used a Steering Committee, a working group and a series of public meetings to formulate and draft proposed policies pertaining to future governance and urbanization within existing unincorporated urban areas and areas outside the UGB that are added to the UGB by Metro;

Whereas, Urbanization Forum participants agree that, while an urbanization policy that assigns to cities the governance and management of new as-yet undeveloped areas added to the UGB engenders different urbanization issues and, accordingly, should be considered distinct from an urbanization policy for existing unincorporated urban areas not likely to become part of a city in the foreseeable future and already governed by Washington County, both urbanization policies are connected in terms of the quality and delivery of public services to such areas by their service providers and governing institutions, and the quality of urban life and amenities of residents and communities in both areas; and

Whereas, future actions of the jurisdictions within Washington County and Metro will be well served by each jurisdiction considering and adopting the consensus recommendations of the Urbanization Forum to serve as guideposts for decisions of the individual jurisdictions on matters of concern to the Urbanization Forum;

Now, Therefore, Be it Resolved, the governing body of _____, together with the Cities, County and Service Districts which participated in the Urbanization Forum (Cities of Beaverton, Cornelius, Forest Grove, Hillsboro, King City, North Plains, Sherwood, Tigard and Tualatin; Washington County; CWS, THPRD, TVF&R; TVW), hereby adopts this proposed Urbanization Forum Resolution and hereby commits to undertake and complete the specific actions listed below at the earliest practicable time:

- (1) We expressly recognize and support the process and work of the Urbanization Forum;
- (2) We will join fellow Jurisdictions that participated in the Urbanization Forum in preparing and executing amendments by December 2009 to Urban Planning Area Agreements ("UPAA's") and/or executed and pending Urban Service Agreements ("SB 122 Agreements"), as deemed necessary and appropriate by its counsel, to provide that all future additions to the applicable Urban Growth Boundary in Washington County during and after 2010 must be

governed and urbanized by the interested City in the County . Urbanized means land use decision making authority. The decision as to how urban services will be delivered shall be determined by the interested City in consultation with area service providers in accordance with existing law and applicable agreements . "Interested" includes but is not limited to designations under SB 122 Agreements;

(3) In conjunction with paragraph (2) we will join fellow Jurisdictions that participated in the Urbanization Forum in commonly supporting actions as appropriate to abide by a policy which ensures jurisdiction of roadways which are deemed by the County to be part of the county-wide road system, shall be under the jurisdiction of Washington County. Concurrent with annexation, the relevant City shall request all other roads that are not part of the Countywide Road System be transferred and the County shall transfer these roads;

(4) We will join fellow Jurisdictions that participated in the Urbanization Forum in commonly urging Metro to expand the existing Urban Growth Boundary only to such areas as are contiguous to incorporated areas of Washington County;

(5) While it is the high priority of Urbanization Forum participants that UGB expansion by Metro in Washington County be contiguous to a governing City, in the event the Urban Growth Boundary in Washington County is expanded to include areas non-contiguous to an incorporated area, we will work with fellow Jurisdictions that participated in the Urbanization Forum, Metro and other interested entities to seek legislation or other enabling authority, as may be needed, to enable the inclusion of such areas outside the existing Urban Growth Boundary within the interested City;

(6) With respect to those existing areas of urban unincorporated Washington County in which the interested Cities do not pursue annexation activities such that these areas remain within the governance of Washington County, we will join fellow Jurisdictions that participated in the Urbanization Forum in identifying and developing financial tools for Washington County, and legislation attendant thereto, to provide urban services as needed to such areas while they remain outside the governance of Cities; and

(7) We will continue to work with fellow jurisdictions in Washington County and the public through the Urbanization Forum and/or other appropriate mechanisms to explore and discuss on a continuing basis the needs of current and future urbanized Washington County; and

Be It Finally Resolved, that a copy of this Resolution adopted this ___ day of _____, 2009, be hereby transmitted to all jurisdictions who participated as members of the Washington County Urbanization Forum, Metro, the Washington County CPO's, and other interested civic and community organizations.

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