

# Luscher Farm Area

## *Major Urban Growth Boundary Amendment*

**Prepared for: City of Lake Oswego**



**Prepared by: Angelo Planning Group**



**Submitted to: Metro Council**

**Submitted: March 13, 2020**

**Summary Information for  
Luscher Farm Area UGB Amendment**

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Tax Lot Numbers & Zoning:	21E16D 00100 (EFU - County) 21E16AD 03000 (EFU - County) 21E16AD 03001 (EFU - County)	21E16D 00300 (EFU - County) 21E16D 00200 (EFU - County) 21E15C 00700 (EFU - County)
Application Submitted for:	Major Amendment to UGB (Metro Code 3.07.1440 and 1425) Title 14 of Urban Growth Management Functional Plan	
<p><b>Executive Summary:</b> The City of Lake Oswego (City) is requesting that approximately 83 acres of City-owned land in the vicinity of Stafford and Rosemont Roads be included within the Urban Growth Boundary (UGB) to accommodate long-term needs for integrated open space, parks, and recreational uses. Once included in the UGB and City limits, the properties will be designated and zoned Park &amp; Natural Area (PNA). Parks, recreation, urban agriculture, and natural areas are very important to quality of life in Lake Oswego. The properties included in the proposed UGB amendment have long been identified by the City as a priority area for public acquisition, open space protection and recreational uses for more than 30 years. Land acquisitions and park and recreation improvements have been supported by adopted City plans and voter approval of multiple open space and park bond measures.</p> <p>The City has achieved and protected an important legacy of open space, recreational, and resource lands that will provide a key to the quality of life in Lake Oswego for future generations. Securing this publicly-owned land at the southerly entrance to Lake Oswego provides the opportunity for the city to leverage a relatively unique and interrelated combination of needed uses – including but not limited to urban agriculture, community gardens, cultural/historic education, interconnected trails, and appropriate development of passive and active recreational facilities. The scale of public land ownership is significant and provides the opportunity to meet long-term population needs for community-scale open space, urban agriculture, and recreational uses that cannot be accommodated on land inside Lake Oswego's existing UGB or on alternative sites in the Urban Reserve area adjacent to the UGB.</p> <p>The application is organized into two sections, the first describing the site and its vicinity, the need for UGB expansion, as well as applicable plans, bonds, and intergovernmental agreements for the Luscher Farm Area. The second section addresses applicable Title 14 criteria to the Metro Urban Growth Management Functional Plan. In addition to the application narrative, a number of supporting documentation, including a summary of relevant plan policies, goals, and actions, are included as Exhibits, a supplement to this report.</p>		

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## **Exhibits**

Exhibit A: Applicable Comprehensive Plan Goals, Policies from the City of Lake Oswego Adopted Plans (Includes Bonds and Action Measures as Background)

Exhibit B: Letter from Jim Bernard, Clackamas County Board of Commissioners Chair Regarding Luscher Farm Property (2019)

Exhibit C: Lake Oswego City Council Resolution 19-65, Request to Metro to add Luscher Farm to the Urban Growth Boundary

Exhibit D: Service Provider Comments

- City of Lake Oswego Fire Department
- City of Lake Oswego Parks & Recreation Department
- City of Lake Oswego Police Department
- City of Lake Oswego Engineering Department
- Clackamas County Sheriff's Office
- Lake Oswego School District

Exhibit E: Notarized Affidavit, 500' Radius and Mailing List

Exhibit F: Legal Description and 8.5 x 11 Map of Sites

Exhibit G: Concept Plan

Exhibit H: Intergovernmental Agreements Related to Stafford Area Planning and Proof of Coordination

- Five Party Agreement
- Three Party Agreement between West Linn, Tualatin, and Lake Oswego
- Notification to West Linn and Tualatin Regarding Concept Planning in Stafford Area

Exhibit I: Letter from Mike McCallister, Planning and Zoning Manager for Clackamas County (2011)

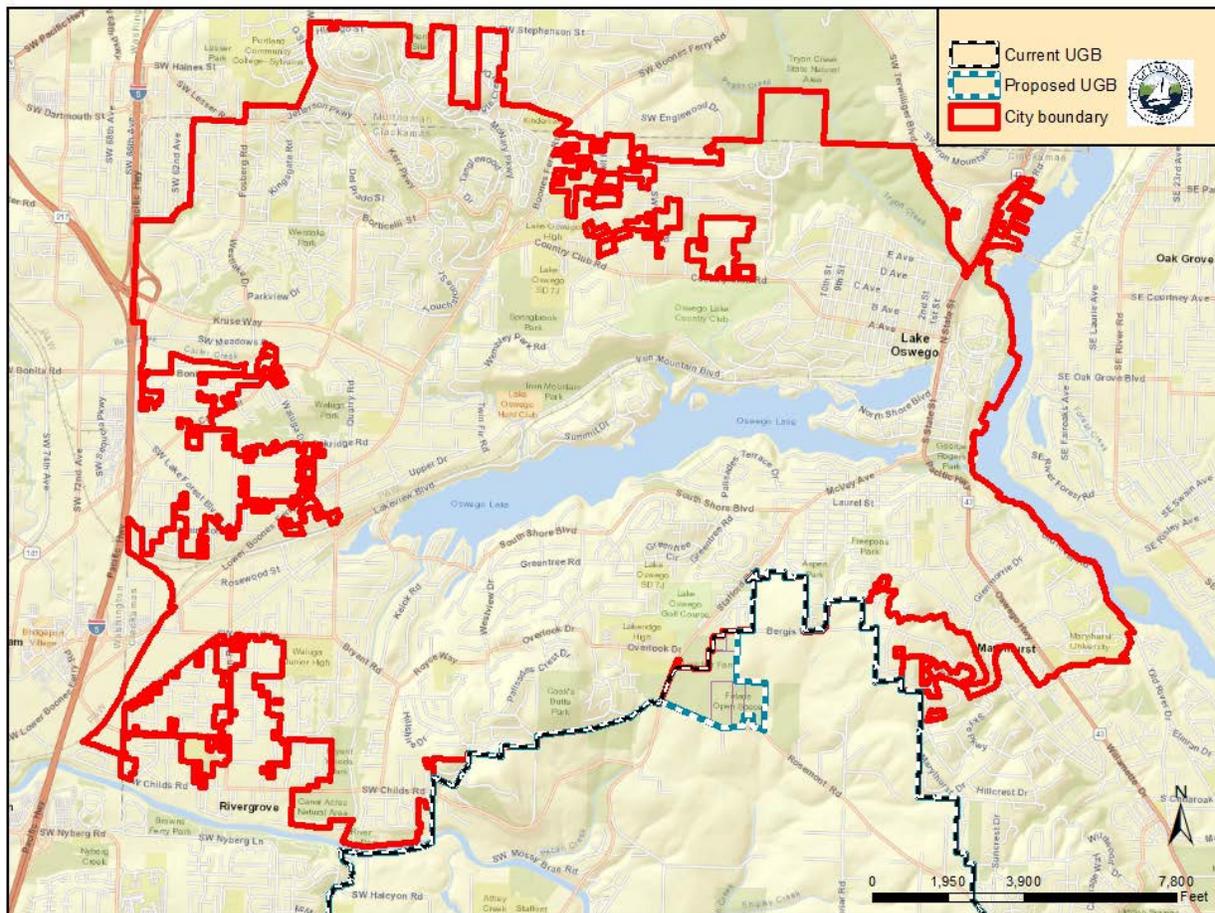
## Section 1: General Information

### Project Description and Planning Context

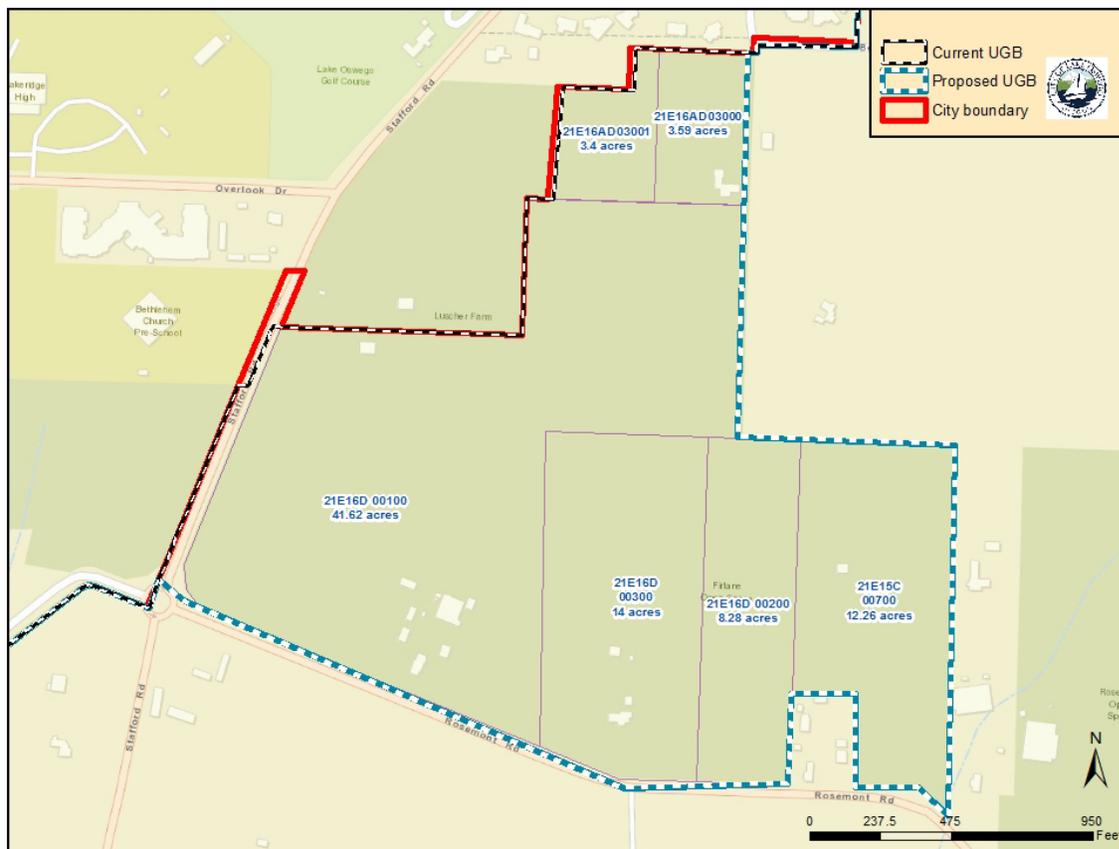
The City of Lake Oswego (City) is requesting an expansion of the Urban Growth Boundary (UGB) to add the 83.2 acres of City-owned land in the vicinity of Stafford and Rosemont Roads in order to accommodate long-term needs for integrated open space, park, and recreational uses. The proposed UGB amendment is focused on Luscher Farm and contiguous parcels owned by the City, as shown in Figure 1 and Figure 2.

Parks, recreation, urban agriculture, and natural areas are very important to quality of life in Lake Oswego. The properties included in the proposed UGB amendment have been identified by the City as a priority area for public acquisition, open space protection, and recreational uses for over 30 years. Land acquisitions and parks and recreation improvements have been supported by adopted City plans and voter approval of four different bond measures in 1990, 1998, 2002, and 2019. Brief highlights of relevant adopted plans and bond measures are summarized within this narrative.

Figure 1 Luscher Area Location Map



**Figure 2 Taxlots Proposed for Inclusion in UGB<sup>1</sup>**



**Site and Vicinity Conditions**

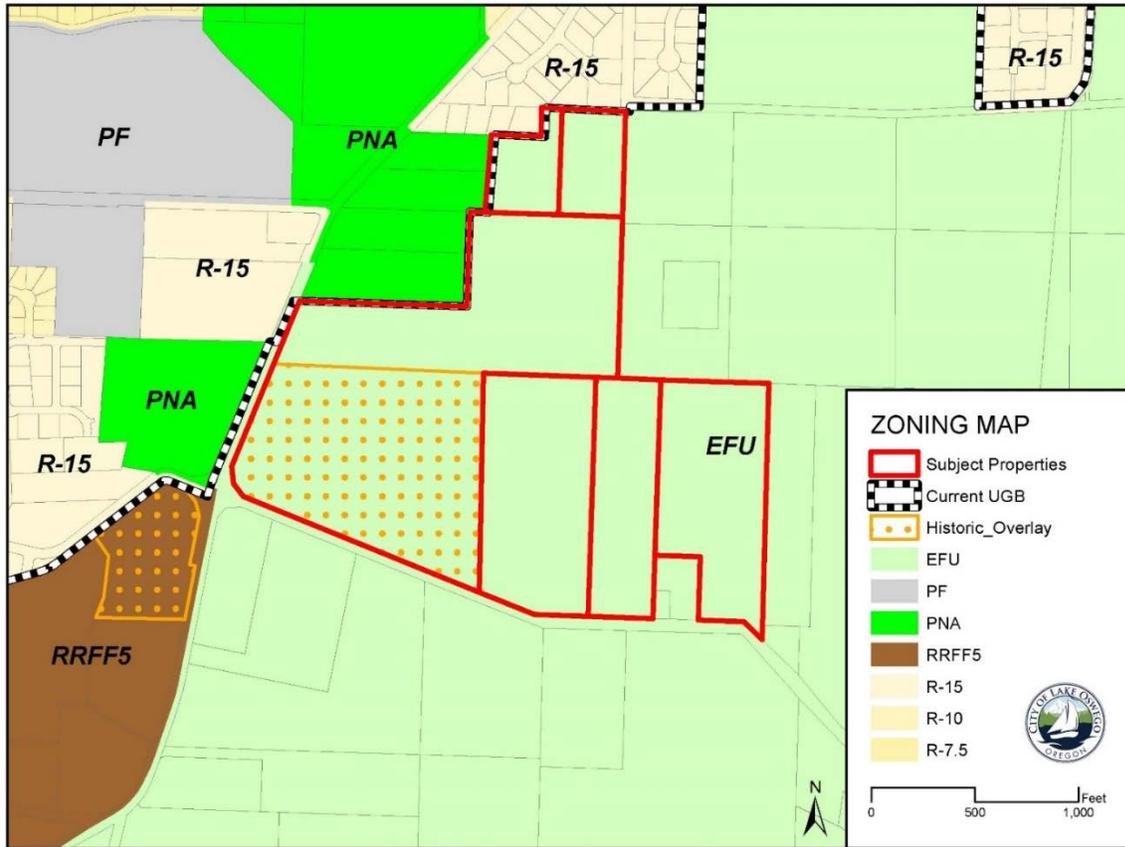
The proposed UGB amendment includes a total of seven tax lots (approximately 83 acres) owned by the City as shown in Figure 2 and abutting right-of-way, including the Stafford Road/Rosemont Road roundabout, with property details summarized in Table 1 and Exhibit F. Existing zoning is shown on Figure 3.

The UGB amendment properties are located at the southerly entrance to the City of Lake Oswego and at the northwesterly edge of the Stafford Basin. The Stafford Basin constitutes a relatively unique area north of I-205 that lies outside of the UGB in close proximity to the cities of Lake Oswego, Tualatin, and West Linn. The portion of the Stafford Basin north of I-205, including the properties owned by the City, is included in a designated Urban Reserve Area (4A) approved by the Clackamas County Commission and Metro Council.<sup>2</sup> Area 4A (Stafford) is located north of the Tualatin River, south of Lake Oswego, and west of West Linn.

<sup>1</sup> All abutting right-of-way and the roundabout at the intersection of Rosemont Road and Stafford Road are proposed for inclusion. See Legal Description for exact dimensions of expansion (Exhibit F).

<sup>2</sup> See Clackamas County Urban and Rural Reserves Map, approved by Clackamas County Board August 20, 2010. <http://www.clackamas.us/docs/dtd/20100821reserves.pdf>

**Figure 3 Existing Zoning on and Surrounding Subject Properties**



**Table 1: Luscher Farm Area UGB Amendment Taxlots**

Tax Lot #	Property Name	Year of Purchase (Bond Measure)	Acres	Existing Zoning *
21E16D 00100	Luscher	1991 (1990 Bond Measure)	41.6	EFU
21E16AD 03001	Farr	1994 (1990 Bond Measure)	3.4	EFU
21E16AD 03000	Farr	1994 (1990 Bond Measure)	3.6	EFU
21E16D 00300	Firlane	1999 (1998 Bond Measure)	14.0	EFU
21E16D 00200	Firlane	1999 (1998 Bond Measure)	8.3	EFU
21E15C 00700	Brock	2001 (1998 Bond Measure)	12.3	EFU
Abutting Right-of-way for Rosemont Road and Stafford Road, as well as roundabout.				

\*EFU = Exclusive Farm Use (Clackamas County)

With the existing location outside of the UGB and predominant EFU zoning, the character of the properties proposed with this amendment is largely open and rural pastureland, interspersed with pockets of orchards, woodlands, and rural dwellings. Commercial agricultural activity in this designated Urban Reserve Area (URA) is limited and mixed; wineries, hay production, horse raising and boarding, and nurseries are among the farm uses found in the Stafford, Rosemont, and Borland areas.

The proposed UGB amendment is bounded by Rosemont Road and Stafford Road. The Luscher parcel is also bounded by urban development on two sides, with the Hazelia artificial turf field and associated park facilities operated by the City of Lake Oswego to the north near Overlook Drive, and other urban uses to the west of Stafford Road, including a retirement facility, Lakeridge High School, residential neighborhoods, and the Lake Oswego Municipal Golf Course. Land uses to the east of Luscher Farm and south of Rosemont Road are largely rural, with a PGE substation and retail nursery located directly south of the farm complex. Surrounding land uses are illustrated in the photos below.

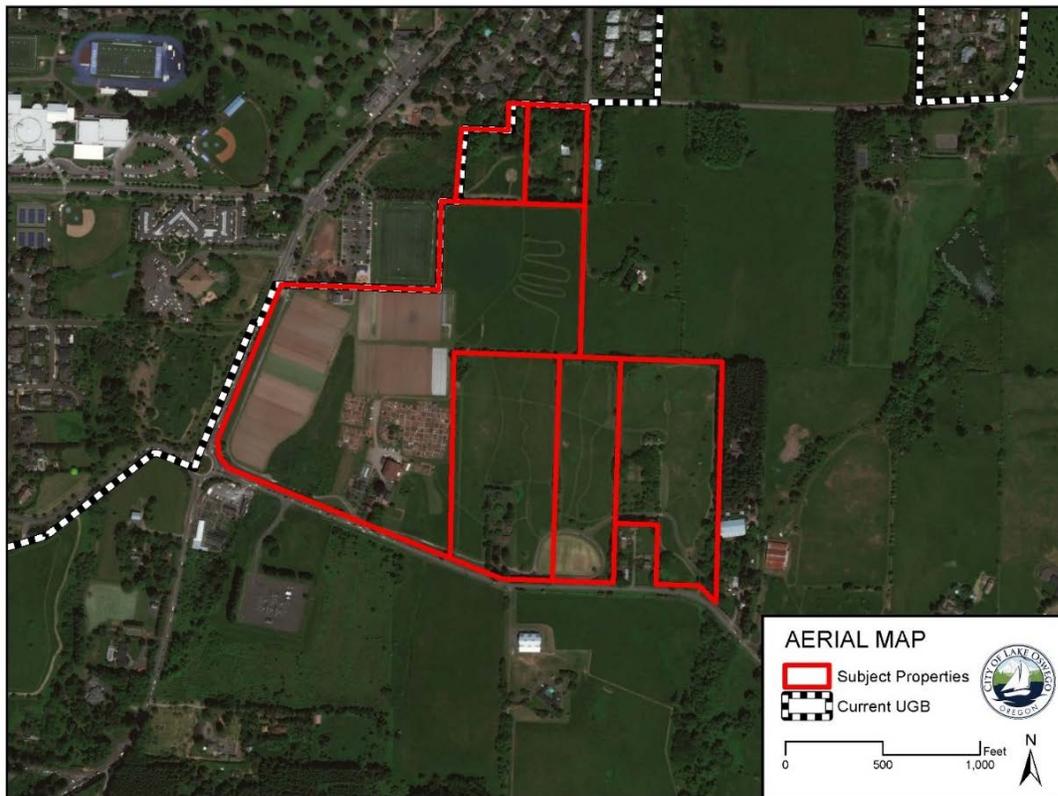
**Hazelia Fields and northern portion of Luscher Farm Area (view east from Overlook Drive)**



Hazelia Fields and Luscher Farm Area (view southwest from near Bergis Road)



Figure 4 Proposed UGB Amendment Area - Aerial Photo



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### **Site Land Use History**

As noted in Table 1, all the parcels included in the proposed UGB amendment are zoned Exclusive Farm Use (EFU). Generally, the EFU zoning district is intended to preserve agricultural land for farm and forest uses. Non-agricultural uses are subject to certain approval criteria. Land uses in the EFU zone are expressly limited by state statute (ORS 215.200 *et seq.*). These statutes are restrictive in that only those uses expressly mentioned in the statutes are allowed. Any other uses are prohibited. There is also a Historic Landmark (HL) overlay zoning district on a portion of the Luscher property, which recognizes the Luscher Farm complex (house, barn, and outbuildings) as a significant historic resource.

### **Previous Land Use applications**

In 1998 the City applied to Clackamas County to establish a City-owned park on the Luscher property<sup>3</sup>. The proposed uses in that application included community gardens, composting site, demonstration gardens, a farm museum, summer camps, community workshops and tours, historical and cultural activities, environmental education and stewardship programs, walking and picnicking activities. The application was denied by the County Land Use Hearings Officer on March 31, 1999. The Hearings Officer also denied the City request for a rehearing.

In July 2000, the City applied to Clackamas County to establish a community center at Luscher Farm<sup>4</sup>. Section 401.16B(20) of the Clackamas County Zoning Ordinance lists “*Community Centers owned by a governmental agency or a nonprofit community organization and operated primarily by and for residents of the local rural community*” as a use which may be allowed in the EFU zone, subject to review and approval by the Director. County staff advised that a community center intended for use primarily by residents within the Lake Oswego urban area could not satisfy this standard and the City withdrew the application.

In addition to prior land use applications, Lake Oswego’s City Attorney met with the Clackamas County Planning Director on August 17, 2011 to review information about the on-going and future uses being contemplated on the Luscher Farm Property and the City’s interest in addressing the land use issues associated with the property. A letter summarizing the status of existing and contemplated uses relative to EFU zoning (October 5, 2011) from Mike McCallister, Planning and Zoning Manager for Clackamas County, is included in Exhibit I.

In 2019, the City requested a Director’s Interpretation that would have allowed active recreational uses at Luscher Farm, but the request was denied. The County has deferred enforcement of existing recreational uses, which are limited to trails and pathways, as there is an understanding that the City is pursuing a UGB expansion and that upon annexation to Lake Oswego the City could apply PNA zoning which would allow for these uses.

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<sup>3</sup> Clackamas County Department of Transportation & Development, File No. Z0999-98-I.

<sup>4</sup> Clackamas County Department of Transportation & Development, File No. Z0505-00-AA.

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### ***UGB Expansion History***

In early 2006, the City Council directed staff to initiate a UGB trade application to facilitate development of one artificial turf field on the city-owned site east of Stafford Road (Hazelia Field), consistent with the initial vision outlined in the 1997 *Luscher Farm Master Plan*. Metro approved the UGB trade, voters approved the annexation, Park Natural Area (PNA) zoning was applied and the artificial turf field and associated facilities (parking, restrooms, etc.) have been constructed.<sup>5</sup>

In 2006, the Metro Council approved a UGB “trade” involving two City-owned sites abutting Stafford Road. The City proposed to remove the Rassekh property (21E16D 01100) from the UGB and add four parcels east of Stafford Road (2S1E16AD – Tax Lots 2600, 2700, 2800 & 2900). Two privately-owned parcels to the north of the city-owned parcels were also included in the UGB trade to avoid a notch in the UGB (2S1316AD – Tax Lots 400 & 500). While the Rassekh property was removed from the UGB and the City’s Urban Services Boundary (USB) as part of the 2006 “trade” – the property was still within the city limits and zoned PNA. In 2013, as part of a reduced UGB expansion application, the Rassekh property was brought back into the UGB but remains outside the City USB. The Rassekh property was brought into the UGB in 2013 for a tennis center. The tennis center didn’t occur because this site was determined to be a more appropriate location for outdoor active recreation. While demand for the tennis center use was, in part, used as justification for the Rassekh property UGB amendment in 2013, the overall use of this property remains public recreation in a different form, including future space for active recreation, a neighborhood park, natural areas and a trail system. The upland non-natural resource portion of the Rassekh property is currently being used to store soil while two park construction projects continue.

In 2013, the City proposed expanding the UGB to include Luscher Farm, with the hopes of annexing the properties and zoning the site Parks and Natural Areas (PNA). Due to the uncertain status of the Stafford Area between the Cities of Tualatin and West Linn, Clackamas County could not support the expansion at the time. Instead, the City changed its application to a UGB trade to include the Rassekh property.

Since that time, the three Cities, Metro, and Clackamas County have come to an agreement on establishing the Stafford Urban Reserve, which is now in place; and since that time, the three cities have come to agreement, in the form of the Three-Party Agreement, on concept planning for the Stafford Urban Reserve, which provides more certainty around the Stafford Basin generally and Luscher Farm specifically (Exhibit H). The Three-Party Agreement specifically authorizes Lake Oswego to proceed with a UGB amendment to include Luscher Farm and certain other park and open space properties that the City of Lake Oswego owns or may acquire in the Upper Stafford Basin, provided the request is limited to parks, recreation, open space or agricultural uses. With rules for future planning efforts between the Cities, County, and Metro more clearly agreed upon, and to resolve the conflict between County EFU zoning and the City’s land needs (for recreation and urban agricultural uses), the City is pursuing expansion of the UGB at this time. In addition, Clackamas County has supported the proposed UGB expansion application (Exhibit B).

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<sup>5</sup> City of Lake Oswego, Ordinance No. 2463, adopted by City Council on October 17, 2006.

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**Project Need**

The City is proceeding with this Major UGB application for the following reasons:

***Meet a Communitywide Land Need for Parks and Open Space***

As described earlier in this narrative, the City updated its *Comprehensive Plan, Parks Plan 2025*, and *Luscher Area Master Plan* around 2013. Based on the guidance provided in these plans, and supported by voter approval of specific bond measures, the City has acquired the subject lands to fulfill a community need for open space, recreational, and resource lands that will provide a key to the quality of life in Lake Oswego for current and future generations. Securing this publicly owned land at the southerly entrance to Lake Oswego provides the opportunity for the City to integrate a unique and interrelated combination of uses, including, but not limited to urban agriculture, community gardens, cultural/historic education, interconnected trails, and passive and active recreational facilities, for maximum efficiency of service delivery. This public land provides open space, urban agriculture, and recreational opportunities that cannot be achieved on land or parks inside Lake Oswego's existing UGB because of topography, existing land uses, and relatively few large lots.

Public hearings before the Planning Commission and City Council were required to approve the updated *Luscher Area Master Plan*. There were numerous opportunities for public input on the location, scale, and design of specific uses proposed in the Master Plan at the local level. The Master Plan reflects the extensive public outreach to residents at every step of the planning process and directs uses towards those which serve the community's needs.

However, with the location of the City-owned properties outside of the UGB, Clackamas County has the responsibility and lead role in making all land use and permitting decisions relating to the properties. A master plan can be adopted by the City, but the current Goal 3 (Agriculture) land use framework does not provide the ability for the City to implement recommended improvements and programs desired by the community. Additionally, the EFU zoning is intended to protect "commercial agriculture" and does not provide the flexibility to accommodate the type of interrelated "urban agriculture" and educational uses and programming that are planned for Luscher Farm.

Urban facilities and services (sewer and water) cannot be extended to serve land outside of the UGB. Additionally, System Development Charges (SDC's) cannot be spent on improvements outside of the UGB (such as pathways). The City has a land use framework in place to protect and guide future uses in the Luscher Farm Area when the properties are included inside the UGB. The City will apply a Park & Natural Area (PNA) designation and zoning to all of the properties following annexation. The PNA Zone establishes a master plan process for park planning and development.

In summary, by including the land in the UGB now, the City will have more certainty regarding the land use status of the subject properties and will be able to execute the actions and policies within the City's overall *Vision, Comprehensive Plan, Parks Plan 2025*, and *Luscher Area Master Plan*. Also, by including the subject properties inside the UGB, the City will be able to apply SDC funds toward improvements at Luscher Farm and incorporate and address the properties in the City's other public facility master plans such as the Transportation System Plan.

***Documented Need for Specific Park and Recreational Uses***

The City has identified a need to include the Luscher Farm Area properties in the UGB to accommodate four primary and interrelated park and recreational uses that cannot be adequately accommodated on parks or other lands inside the existing UGB: 1) Urban Agriculture and Related

Programs, 2) Athletic Fields, 3) Trails and Pathways, and 4) Historic and Cultural Uses, including related educational/interpretive and recreational programming.

### *1. Urban Agriculture Uses and Programs*

No other parks within Lake Oswego provide the scale and scope of opportunities for urban agriculture that are available at Luscher Farm. The interest in, and support for, urban agriculture has clearly grown in the 29 years since the City purchased Luscher Farm in 1991.

The Luscher Farm property is currently used for a variety of activities, including organic farm plots for rent, a community supported agriculture (CSA) program, a clematis collection, a children's garden including classes and field trips, gardening classes, backyard campouts, historic walking tours, and Rent the Farm Program for events and activities. Fees are charged for most if not all of these nonprofit activities.

The Portland State University (PSU) School of Urban Studies "Diggable City Project" provides an excellent overview of urban agriculture, and the following excerpts are taken from the Phase II Urban Agriculture Inventory Findings and Recommendations.<sup>6</sup>

#### What is urban agriculture?

Urban agriculture is an activity located within the urban growth boundary which includes raising, processing and distributing a variety of food and non-food products using resources, products and services found in and around the city, and in turn supplying resources, products and services for local consumption. Urban agriculture encompasses a wide range of food-related activities from education to production, collection to consumption and can include community gardens, small farms, farm stands, farmers markets, and native plant nurseries.

#### What makes urban agriculture different than traditional commercial farming?

Agricultural uses can be considered along a continuum from large-scale, single-crop commercial operations of hundreds or thousands of acres to backyard gardens for personal use. State land use policy and regulations provide important protections for commercial agriculture to avoid conflicts with other land uses, allow larger-scale operations and preserve lower land costs. Characteristics commonly associated with urban agriculture include:

- Intensity of use – land is used intensely to maximize benefits in a small area
- Consumer base – local products may be grown for personal use, local subscribers (as in CSAs), nonprofit or student consumption, or those who shop at farmers markets or farm stands
- Community orientation – sites are often considered a community asset, providing open areas, educational opportunities, or food security
- Associated activities – educational activities may include nutrition or farming education for school children, job training programs, demonstration projects, or gardening education for self-sufficiency/food security; related commercial activities may include farm stands, plant sales, or collection by CSA members. Many of these activities are not allowed in EFU zoning.
- Land ownership – nonprofit or government ownership is common; remnant historic farms or CSAs may be in private ownership

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<sup>6</sup> PSU School of Urban Studies and Planning, The Diggable City, Phase II: Urban Agriculture Inventory Findings and Recommendations (February 2006).

## Why urban agriculture?

### Urban agriculture:

- Connects urban residents to their food supply and helps bridge the urban/rural divide;
- Increases awareness of the importance of Oregon agriculture as part of the economy;
- Promotes the local economy by increasing direct marketing opportunities for regional growers;
- Increases avenues for cultural exchange within and among diverse communities;
- Promotes health and nutrition by expanding access at all income levels to fresh, local fruits and vegetables; and
- Engages communities and promotes self-reliance.

### Community Participation at Luscher Farm



To understand the importance of urban agriculture for the *Luscher Area Master Plan*, a statistically valid phone survey was conducted in November 2011. The survey asked participants to rate the importance of four goals for Luscher Farm:

- Provide hands-on opportunities for residents to grow food
- Keep the park looking like a farm
- Provide an open pasture area that preserves the Farm's historic appearance
- Grow and sell produce to residents

Providing hands-on opportunities for residents to grow food was the most widely endorsed goal, with eight in ten calling it very (46%) or somewhat (35%) important. About three-quarters (74%) said keeping the park looking like a farm was very (44%) or somewhat (30%) important. Results for the two remaining goals were almost identical, with similar numbers wanting to provide an open pasture area that preserves the farm's historical appearance (37% very/34% somewhat important) and to grow and sell produce to residents (34% very/36% somewhat important).

The Lake Oswego *Community Vision for 2035* also articulates the importance of urban agriculture in the vision statement for Community Health & Public Safety: "There are opportunities for active lifestyles and to obtain locally grown food that promotes the health and social interaction of our residents." <sup>7</sup> The *Comprehensive Plan's* "Access to Local Food" section supports this goal by specifically mentioning Luscher Farm in the policy "Preserve agricultural land as designated in the *Luscher Farm Master Plan*."

In summary, urban agriculture stretches the concept of agriculture as a rural activity that happens outside of the UGB and works to integrate food production, education, and awareness with community development, open space protection and urban design. Including the Luscher Farm properties inside the UGB will not reduce the level of protection provided to urban agriculture uses and activities on the property, but it will provide a land use framework that can better accommodate the balance of urban agriculture and related educational and other programs that are clearly important to Lake Oswego residents, but not allowed in EFU zoning.

#### **Community Gardens at Luscher Farm**



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<sup>7</sup> Lake Oswego Community Vision for 2035, Community Health & Public Safety.

## 2. Athletic Field(s)

Athletic fields are an important component of the City's park system and provide spaces for sport activities, leagues, and tournaments for youth and adults. Youth and adult sports rely on the combination of City and School District athletic fields for their activities. An updated analysis of athletic field requirements was conducted as part of the *Parks Plan 2025* effort to understand whether Lake Oswego's inventory of athletic fields meet current demand, and to assist the City in developing a strategy for meeting these needs in the future.

In 2001, an in-depth analysis of the City's athletic field needs was completed. The resulting study identified the City's short- and long-term field needs based upon current use and anticipated demographic changes in the community. In 2002, a park bond measure was approved by voters to address deficits in field inventory identified in the *2001 Athletic Field Requirements*. Using proceeds from this bond measure, one artificial turf field was constructed at Lakeridge High and one at Hazelia Field at Luscher Farm (included within the UGB in 2006).

Based primarily on the *Athletic Field Requirement Study*, the City identified a need to include the Luscher Area within the UGB in part to accommodate one or more athletic fields. The *Luscher Area Master Plan* includes expansion of these fields.

The 2011 study was updated in 2019; important changes since 2011 are described in the 2019 findings and recommendations below.

### Findings

- Participation in city and local community leagues decreased across all sports except soccer.
- However, due to sports season overlap and conflicting time for practice and game hours, field demand has actually increased and created the need for additional fields.
- The number of fields available to the community for reservation decreased by three since 2011; the multi-use Uplands grass field, which accommodated a 60x150 baseball/softball field and a 100x180 lacrosse/soccer/football field is no longer maintained and available. The Pilkington Park practice field inventoried in the 2011 study is now a dog park and is not available.
- Two high school fields that were previously available are assumed as unavailable or of limited use to the Lake Oswego community because of their use by the respective schools: one 210x330 multi-use field at Lake Oswego High School and one 210 x 330 multi-use field at Lakeridge High School.

### Recommendations

The Sports Management Group (SMG) study identified short-term (1-5 years) and long-term (6-15 years) recommendations for the City to consider, including:

#### **Short-Term Recommendations**

##### Partnership with Lake Oswego School District:

The City should continue to collaborate with the School District to assess school district athletic field demand to ensure efficient utilization of existing fields.

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### Recent Athletic Field Upgrades:

There were extended City ball field closures in 2018 due to maintenance and upgrades including turf installation on East Waluga ball fields and a re-turfing project on Hazelia field. School District field closures also impacted access for practices and games within the City. Although field closures temporarily reduce field inventory, re-turfing and maintenance projects improved playability and long-term field availability but did not add to the overall available field capacity.

### **Long-Term Recommendation**

#### Rassekh Site Plan Implementation:

While softball and baseball participation numbers have decreased field deficiencies exist because of rainouts, rescheduled games, ongoing field maintenance needs and high demand for field time during weekday evenings and weekends. The *Rassekh Master Plan* allots space for two youth baseball/softball fields and two full size rectangular fields, the construction of which would:

- Accommodate more practice and game times for existing users
- Possibly allow increased field availability for local, non-league users
- Address demand for field use due to increasing participation in soccer leagues.

### **Future Athletic Field Demand Consideration**

According to the *Lakeridge Middle School Master Plan*, a track will be built on campus, resulting in a reduction of the number of ballfields from five to two. This decrease in athletic fields necessitates an examination of alternative options such as those within the *Rassekh Master Plan* to increase capacity and avoid further field space deficiencies.

It is important to keep in mind that the *Parks Plan 2025* is a long-term vision and “business plan” for the delivery of parks and recreation facilities and services. The objective at this time is setting aside locations for future athletic fields, rather than funding construction of these fields. Identifying where these fields could be built will ensure that Lake Oswego’s residents have adequate access to active recreational facilities in the future.

To address athletic field deficits, the City analyzed the existing inventory of available properties large enough to accommodate the recommended field sizes and associated infrastructure. The analysis conducted in 2003 to 2005 by the Ad Hoc Artificial Turf Location Subcommittee was very important in assisting the City to site to new artificial turf fields, and the results are still pertinent today in identifying suitable locations for future fields. As noted by the Ad Hoc Artificial Turf Location Subcommittee, the land base available for additional athletic fields is limited. This situation has not measurably changed since the 2003-2005 study. There are no sites inside the UGB to accommodate larger competition size fields, as the inventory of available field facilities has declined by seven fields since 2001 as a result of modifications made to existing facilities.

In the final draft of the *Parks Plan 2025* and the *Luscher Area Master Plan*, two multi-use synthetic athletic fields are provided in the northerly portion of Luscher Farm in proximity to the existing Hazelia Field and supporting active park infrastructure (parking, restrooms, etc.). Flexible use areas to the southeast of the existing Hazelia Field will buffer the more active areas from the agricultural and open space uses to the south of Hazelia Field.

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### 3. *Connecting Trails and Pathways*

Trails and pathways are a key asset of a livable community. As summarized in the introduction to the *Lake Oswego Trails and Pathways Master Plan*<sup>8</sup>, Lake Oswego's village-like community offers numerous cultural, natural, and recreational resources. The trail system will wind through Lake Oswego's historic landscape and through its distinctive neighborhoods. Trails will connect more than 30 parks, public facilities, open spaces, and community/recreation centers to richly enhance Lake Oswego's quality of life.

The trail and pathway network is organized by purpose and function—regional trails, community connectors, and local access trails.

Regional trails connect Lake Oswego to adjacent communities – Portland, Tigard, Tualatin and West Linn – and to regionally significant features such as the Willamette and Tualatin Rivers. There are six planned regional trails in the Lake Oswego area, including one that crosses near the proposed UGB amendment, the “River to River Trail” which will connect the Willamette Greenway at George Rogers Park to the Tualatin River. All of the regional trails are shown on the City of Lake Oswego Trails and Pathways Master Plan and on Metro's Regional Greenspaces and Trails Map and are eligible for regional funding.

Community connector trails link important land uses and areas of interest within Lake Oswego. This includes shopping, schools, parks, transit centers, churches, employment districts, libraries, and others. They also connect users to adjacent communities and the regional trail system. The Conceptual Trails and Pathways Master Plan identifies existing and proposed community connector trails along Stafford Road, Rosemont Road, Atherton Drive, Overlook Drive and Bergis Road abutting the properties included in the proposed UGB amendment.

Local access trails primarily serve pedestrians with safe and direct connections to local features, such as schools, parks and community centers. A network of connected, local access trails is shown for the Luscher Farm Area on the Conceptual Trails and Pathways Master Plan. Additionally, a proposed trailhead is shown at Luscher Farm and the Trails and Pathways Master Plan includes a goal to “locate trailheads at or in conjunction with park sites, schools, and other community facilities to increase local access to the trail system and reduce duplication of supporting improvements.”

The Public Input Summary for *Parks Plan 2025* indicated that six of the recreation activities with the greatest participation among Lake Oswego residents could be supported by trails:

- Walking for exercise
- Walking for pleasure
- Dog walking
- Jogging/running
- Nature Walks
- Bicycling

Implementing regional, community connector and local access trail improvements and links consistent with the *Trails and Pathways Master Plan* will be facilitated with the proposed UGB

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<sup>8</sup> City of Lake Oswego Parks & Recreation Department, *Lake Oswego Trails and Pathways Master Plan*, adopted June 17, 2003.

amendment. While trails and pathways aren't precluded outside of the UGB or on land zoned EFU, use of these facilities for community gatherings and special events is restricted on EFU zoned land. Additionally, Park System Development Charges (SDCs) cannot be spent on improving trails and pathway improvements that are outside of the UGB and city limits. Therefore, pathways and trails are a very important component of the overall vision for the Luscher Farm Area.

#### *4. Historic and Community Uses*

The Luscher Farm site contains a number of historic and non-historic structures. The site's historic and cultural impact is currently limited by the ability of the City to make improvements and use the site for environmental education, community gatherings, and active and passive recreation. Because of the variety of cultural and natural resources at the site, the Luscher Farm makes the perfect hub for the surrounding properties. By connecting the surrounding properties to Luscher Farm, the entire area is able to be synchronized into one distinctive complex of active and passive recreation, balancing the natural beauty of the hills around the Farm with the cultural and historic resources of the Luscher property itself. The majority of the site will be protected as open space, preserving and enhancing significant views and focusing on maintaining the historic significance of the site.

Guided by the *Luscher Area Master Plan*, the City can direct future development and protection for the cultural and natural resources within the area, without preventing the enjoyment of the area by residents.

#### *Children and Nature*

Addressing what has become known as "nature deficit disorder," agencies are integrating environmental education into recreation programming and creating recreation opportunities in natural areas where this can be incorporated without damaging habitat and natural resources. In today's modern times, children and adults alike spend more and more time indoors, impacting physical, mental, and emotional health. The Child and Nature Network has found the benefits of allowing children to reconnect to nature to:

- Reduce stress and improve health,
- Enhance children's cognitive, emotional, physical and social development,
- Improve school performance,
- Enhance creativity, problem solving ability, confidence and self-control, and
- Establish an ethic of care.<sup>9</sup>

Current properties within the City are unable to provide sufficient facilities necessary to create an Urban Agriculture/Environmental Education Center. By bringing the entire Luscher Area into the UGB, the City will be able to annex the site and ensure the site is able to comprehensively provide everything needed to make these educational facilities function, including parking, water, sewer, and office space.

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<sup>9</sup> <https://www.childrenandnature.org/wp-content/uploads/2015/03/WWCActGuide1.pdf>

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### *Heritage Tourism*

The National Trust for Historic Preservation defines as Heritage Tourism as “travelling to experience the places and activities that authentically represent the stories and people of the past.” Often, a community is most able to protect its historic and cultural resources while also contributing to the local economy by encouraging visitors and residents alike to enjoy the historic site and experience the full depth of resources in the area. By tying the site to the local ethos and connecting people to the area through special events, education, and recreation, the City is encouraging generations of visitors to the site towards stewardship.

An intensive survey of the Luscher Farm property documented the historic buildings and structures on the site, identifying the property as the “Luscher Historic Core”, with all the structures on the site built around 1900. The expansion of the UGB to include Luscher Farm will allow for upgrades to the site to incorporate these historic properties into a more fully utilized site.

Site upgrades to the historic properties will include:

#### **Luscher Barn**

The Luscher Barn is currently used for storage of farm equipment and supplies to support community gardens, parks programming, and CSA farm operations. The Barn will be rehabilitated according to the National Historic Trust guidelines to function as a flexible space for events and programming, including historic interpretation, classes, and urban agriculture programs, as well as events like reunions, weddings, and fundraisers.

All of the existing historic buildings will remain on site, including the pump house, tool shed, a poultry coop and penned area, the Garage/Bunkhouse, and the Luscher Farmhouse. The Garage/Bunkhouse will continue to provide support for the property’s security needs but may also provide an improved to include a public restroom facility and classroom space.

#### **Luscher Farmhouse**

The Farmhouse is currently used for meetings, occasional classes, and park offices. The facility is in good condition but will need to be rehabilitated to improve the museum experience and serve educational needs. The Farmhouse is currently on a septic system and served by a well. Expanding the UGB to include Luscher Farm will allow for the future extension of sanitary sewer and municipal water to serve the property if the services are ever needed.

#### **Project Time Frame**

The City has outlined a general time frame for some of the steps associated with this Amendment.

- Coordination meeting with neighboring jurisdictions and outreach to neighborhood associations and service districts (Concept Plan) – October 2019 – January 2020
- City Council initiates Concept Plan and UGB Application – December 2019
- Concept Plan review and approval – January – March 2020
- Submit Major UGB application to Metro – March 2020
- Metro decision on Major UGB application – August/September 2020
- City initiates Urban Service Boundary Amendment/Comprehensive Plan Amendment to Park & Natural Area (PNA) – November 2020
- Annexation/PNA Zoning referred to voters – May 2021

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## **Intergovernmental Agreements and Site History**

The Stafford area, including the Luscher Farm properties that are the subject of this UGB amendment request, has historically been the subject of land use planning tension between the various governmental agencies within the area. The recent action on the part of Metro to identify the Stafford area as Urban Reserve, has led to the development of two different intergovernmental agreements designed to coordinate land use and public infrastructure planning for this area (Exhibit H). The following two intergovernmental agreements now guide how land use planning will occur and what factors will be considered during future planning efforts.

### *Three-Party Agreement (2019)*

Previous planning efforts to include the affected Luscher Farm properties into the UGB have been unsuccessful due to the unsettled nature of the Stafford area surrounding the site. An intergovernmental agreement between the Cities of Lake Oswego, West Linn, and Tualatin was signed setting into place the steps that must be taken before any completing any concept planning for the Stafford Area. The three-party agreement establishes the process for any future urbanization efforts of this area, with specific clarification around the subject properties.

Specific to this UGB amendment application, the three parties agreed to allow for the Metro Urban Reserve designation on the Stafford Area. The agreement clarifies that certain prerequisites must be met, and that concept planning must be coordinated among the cities, before any UGB amendment to include the Stafford area is proposed by cities. However, the agreement designates specific tax lots within the Luscher Farm Area that are already approved for Lake Oswego to pursue the UGB expansion application, as long as the Concept Plan coordination requirements within the agreement are met. All tax lots included in this application are included in those pre-approved lots and the Concept Plan coordination has occurred.

### *Five-Party Agreement (2017)*

The Cities of Lake Oswego, West Linn, Tualatin, Clackamas County, and Metro signed a five-party agreement under which the cities agreed not to appeal the designation of urban reserves in the Stafford Area. The agreement was entered into as a way to alleviate concerns regarding the designation. The parties agreed that the Stafford area will be governed by one or more of the cities once the UGB is expanded, and that the respective city will have authority as to allowed land uses and municipal services. The agreement also provides that, before UGB expansion into any part of Stafford, the city responsible for annexing that area must have first adopted a concept plan for that area, and that the timing for commencement and completion of a concept plan will be up to the city.

## Adopted Plans and Bonds

The Luscher Farm Area has an extensive history of community involvement, funding, and planning efforts, which has resulted in a master plan for a wholly encompassing urban farming-based educational and recreational center. The UGB amendment application is another step towards the implementation of this decades-long community vision and implementation of the Three-Party Agreement noted above. Specific goals and policies from the *Comprehensive Plan* and other adopted plans and bond measures are compiled in Exhibit A.

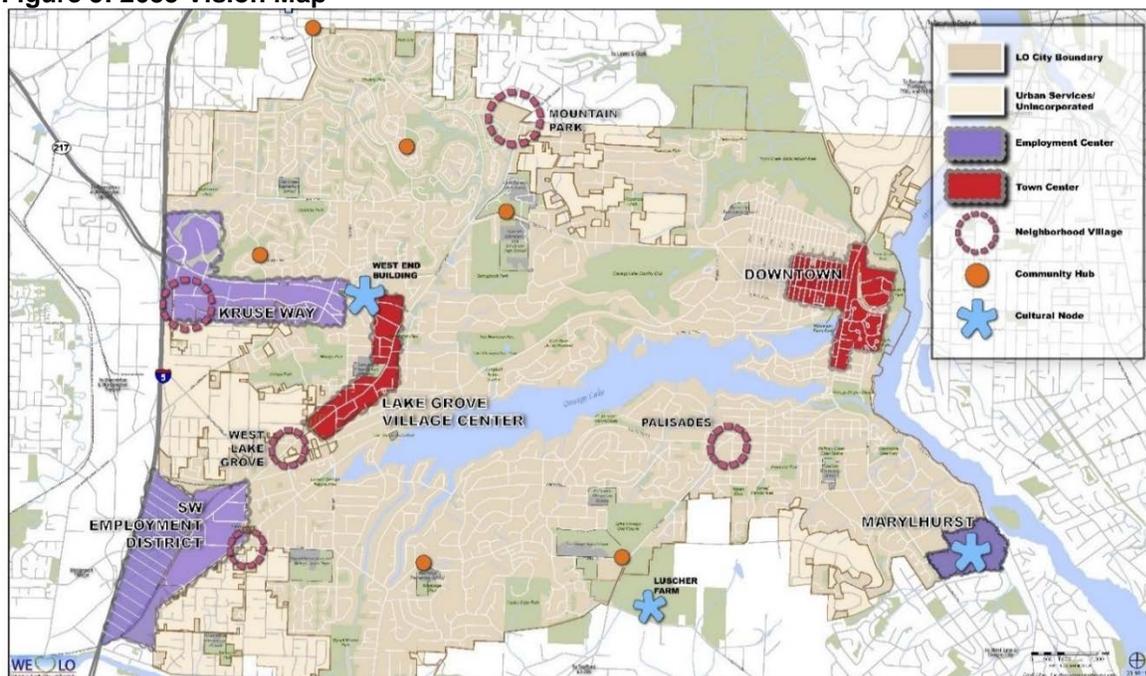
### *Community Vision 2035 and 2013 Comprehensive Plan*

The *Comprehensive Plan* provides the basis for all land use planning and growth management actions in Lake Oswego—Lake Oswego’s first comprehensive plan was adopted in 1978. The City conducted its first Periodic Review and update of the *Comprehensive Plan* from 1989-1994. On March 18, 2014 the City Council enacted Ordinance 2640, which adopted the *2013 Comprehensive Plan Volume I and Volume II Neighborhood Plans & Special Districts*. The updated *Comprehensive Plan* was a three-year process. Currently, the City is in the process of reformatting the *Comprehensive Plan* to include amendments that were adopted since the Plan was last updated and adopted on March 18, 2014.

Much of the *Comprehensive Plan* is influenced by the community visioning process conducted between 2010-2013. The *Vision 2035* expressed what the community wanted to be in 2035, and included a preferred land use scenario describing how and where the community should grow over the next 25 years (see Figure 5: 2035 Vision Map). As seen on the vision map and in many *Comprehensive Plan* figures, Luscher Farm is marked as a cultural node for the community.

The *Comprehensive Plan* identifies certain goals and policies which include recommended actions. Many of these influence the City’s plans to bring the Luscher Farm properties into the UGB. These goals and policies are listed in Exhibit A.

**Figure 5: 2035 Vision Map**



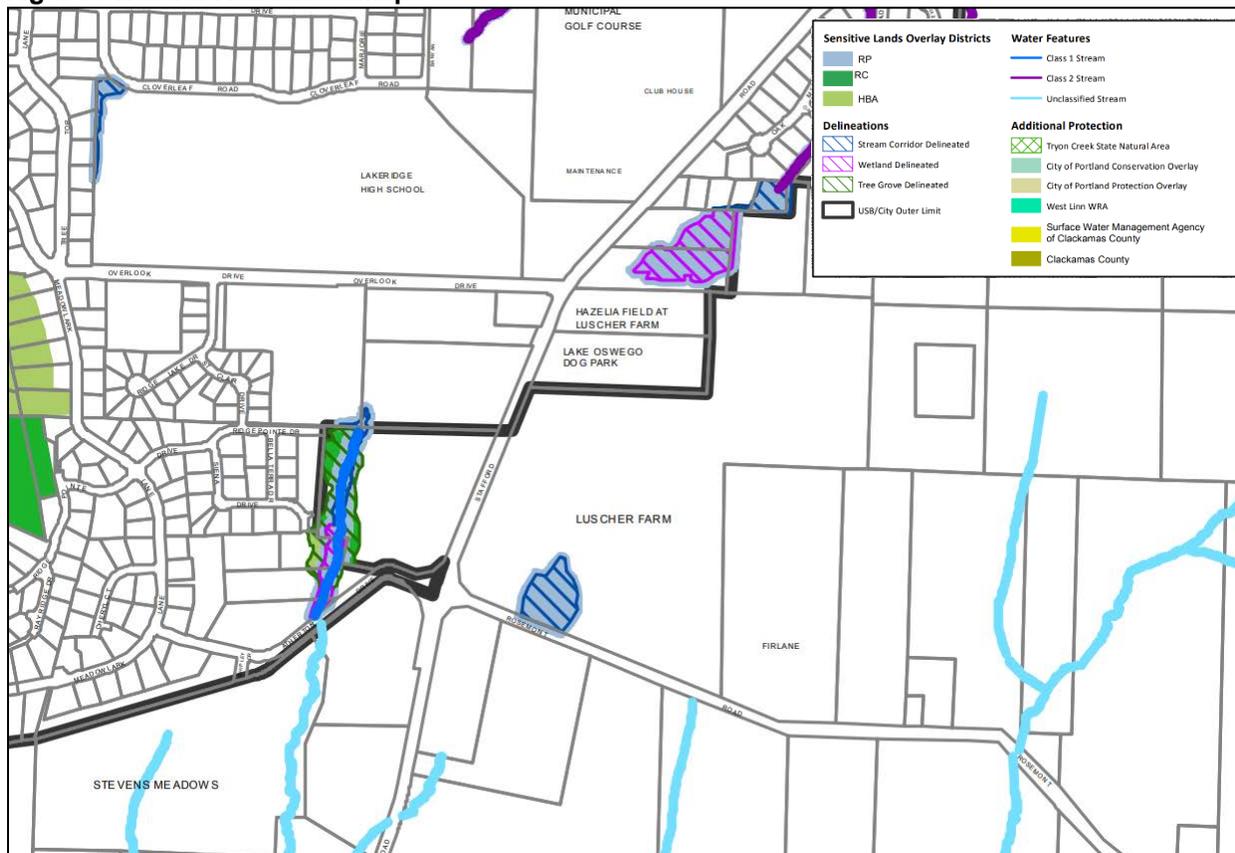
Amendments to the 2013 Comprehensive Plan (2016)

Ordinance 2687

Ordinance 2687 is an amendment to the *Comprehensive Plan* updating the Natural Resources chapter and associated chapters to coordinate with Natural Resource policy changes passed in 2015. The Chapter is titled “Healthy Ecosystems” and was an update to the *1997 Comprehensive Plan* provisions for natural resources, urban forest and vegetation, open spaces, Oswego Lake, air quality, and the Willamette River Greenway. The update included a Natural Resource Map (Figure 6 ) which includes sensitive lands on the site of Luscher Farm property, a Heritage Tree next to the Firlane property, and a Wilson Creek tributary on the Rosemont Property. The wetland has a Resource Protection (RP) District in the map.

In addition to updating the map, the *Ordinance* added goals and policies related to open spaces and natural resources that will guide the future application of Park and Natural Area (PNA) zoning to the Luscher Farm Area once added to the City. The current goals and policies that relate to open space and natural resources are listed in Exhibit A.

Figure 6 Natural Resources Map



### *Lake Oswego Parks Plan 2025 (2012)*

The *Parks Plan 2025* is an update to the City's long-term vision, policies, and strategies for development and management of the City's parks, recreation, and natural area systems.<sup>10</sup> Development of *Parks Plan 2025* included a tremendous amount of public input. Community outreach events, stakeholder interviews, on-line questionnaires, and a statistically valid telephone survey all informed the development of goals and priorities. In addition, a specific study on athletic field needs was conducted as part of the process, which had findings related to the Luscher Farm Area and its future uses identified in the *Master Plan*. The goals and policies adopted with the *Parks Plan 2025* are included in Exhibit A.

### *Athletic Field Requirement Study (2019)*

The City of Lake Oswego Parks and Recreation Department commissioned a study to inventory sports fields, assess demand, identify either the oversupply or deficiency of fields to meet the demand for practice and game fields at that time of the study, and to make recommendations. The study was commissioned twice: once in 2001 and again in 2011. The study was supplemental to the *Parks Plan 2025*, and a 2019 update has been issued.

The 2011 study found that the City is maximizing the use and provision of available softball/baseball fields, but that the demand has surpassed capacity, and that two additional fields are needed. The earlier study also identified an immediate need for more soccer/football fields. Hazelia Field in Luscher Farm Park was one of the two fields added since the original 2001 study, but still deficiencies in field space were noted.

The 2019 update found that the number of fields available to the community for reservation had decreased by three since the 2011 report, and that two high school fields are assumed unavailable to the Lake Oswego community. The study also noted that, while participation in city and community leagues has declined, sports season overlap and conflicting time practice and game hours create the need for additional fields. Long term recommendations included implementation of the Rassekh Site Plan. It was also noted in the report that athletic fields (excluding high school) are closed during the winter, except for the turf fields located at Hazelia and East Waluga Park.

### *Luscher Area Master Plan (2013)*

As summarized above, *Parks Plan 2025* provides the long-term vision for the entire park system and spells out general community priorities for recreational programs and facilities, natural areas, trails, and park amenities. In relation to *Parks Plan 2025*, the *Luscher Area Master Plan* is a more detailed, site-specific plan for the 152 acres of park property owned by the City in the Stafford area. In 1997, the City Council approved an overall master plan for Luscher Farm. An update to the *1997 Master Plan* was adopted in July 2013, which expands to include the Stevens, Firlane, Crowell and Brock properties.

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<sup>10</sup> See web page for Parks Plan 2025. <http://www.ci.oswego.or.us/parksrec/PRANA.htm>

The *Master Plan* identifies two implementation methods for the *Luscher Area Master Plan*:

1. Either through review by the County and approval based on existing County zoning and land use requirements, which would not allow for all the improvements proposed in this master plan, or
2. By modification of the Urban Growth Boundary and annexation of the entire site into the City, then review and approval under City zoning and land use requirements, which would allow full implementation of the plan since it was developed to conform with the PNA zoning criteria.

As detailed on page 11, the City has consistently failed to receive County land use approval to implement the Luscher Area Master Plan. This application is the first step of the second method and will be followed by an Urban Service Boundary (USB) Amendment and annexation (with voter approval) into the City and rezoning to PNA.

The UGB amendment area includes Areas A through H of the *Luscher Area Master Plan* (Figure 7). The Concept Plan (Exhibit G) includes a detailed description of what the plan proposes for the area.

**Figure 7: Luscher Area Master Plan, Site Plan (Areas A-H are included in this application)**

- AREA A. FARR OPEN SPACE**
  - 1. PASSIVE RECREATION NEIGHBORHOOD PARK
  - 2. EXISTING WETLAND
- AREA B. ACTIVE RECREATION AREA**
  - 3. EXISTING STAFFORD ROAD ENTRANCE
  - 4. EXISTING PARKING LOT (125 SPACES)
  - 5. EXISTING DOG PARKS
  - 6. EXISTING PLAY AREA + RESTROOM
  - 7. EXISTING STORAGE FACILITY
  - 8. EXISTING HAZELIA ATHLETIC FIELD
  - 9. MULTI-USE SYNTHETIC ATHLETIC FIELDS (2)
  - 10. INTERNAL ASPHALT ROAD
  - 11. PARKING LOT (125 SPACES)
  - 12. BASKETBALL COURTS (2)
  - 13. FLEXIBLE USE AREA: ACTIVE RECREATION, URBAN AGRICULTURE, OAK UPLANDS (NATIVE GRASSES, ECO-FRIENDLY LAWN, OAK TREES)
- AREA C. URBAN AGRICULTURE**
  - 14. EXISTING COMMUNITY-SUPPORTED AGRICULTURE FIELDS
- AREA D. COMMUNITY GARDEN AREA**
  - 15. EXPANDED COMMUNITY GARDEN AREAS (192 PLOTS, CHILDREN'S GARDEN, OREGON TILTH DEMONSTRATION GARDEN)
  - 16. POTENTIAL COMMUNITY GARDEN EXPANSION (55 PLOTS) OR URBAN AG
- AREA E. LUSCHER FARM HISTORIC AREA**
  - 17. FARMSTEAD AREA (BARN, HOUSE, OUTBUILDINGS, GRAVEL PARKING)
  - 18. OPEN GREEN SPACE
  - 19. EXISTING WETLANDS
  - 20. EXPANDED CLEMATIS GARDEN
- AREA F. URBAN AG / ENVIRONMENTAL EDUCATION AREA**
  - 21. URBAN AG / ENVIRONMENTAL EDUCATION CENTER (BUILDING, PARKING, GREEN SPACE)
  - 22. AGRICULTURE-THEMED PLAY AREA
- AREA G. ROSEMONT ENTRANCE, INTERNAL ROAD, AND PARKING**
  - 23. ROSEMONT ROAD ENTRANCE (GRAVEL ROAD)
  - 24. GRAVEL PARKING LOT (75 SPACES)
  - 25. OVERFLOW PARKING AREA / BUS PARKING + TURN-AROUND
  - 26. INTERNAL GRAVEL ROAD (GATED)
- AREA H. FIRLANE FARM/CROWELL OPEN SPACE**
  - 27. GRASSLAND W. OAKS AND MAPLES, TRAILS, LIVESTOCK + PASTURE
- AREA I. BROCK OPEN SPACE**
  - 28. GRASSLAND W. OAKS AND MAPLES + TRAILS
  - 29. REHABILITATED OPEN-AIR PROGRAM STRUCTURE
  - 30. ROPES CHALLENGE COURSE
  - 31. PARKING LOT + TRAILHEAD (7 SPACES)
- AREA J. RASSEKH ACTIVE RECREATION AREA**
  - 32. ACTIVE RECREATION
  - 33. NEIGHBORHOOD PARK (PLAY AREA, PICNIC SHELTER, INTERPRETIVE TRAIL)
  - 34. NATURAL RESOURCE RESTORATION
- AREA K. STEVENS MEADOW OPEN SPACE**
  - 35. GRASSLAND W. OAKS AND MAPLES + TRAILS
  - 36. GRAVEL PARKING LOT + TRAILHEAD (10 SPACES)



eculawn/meadow grasses	wetland	asphalt parking area	trail (a range of pedestrian and bike use)	planned agriculture building	wildlife viewing blind
grassland with oaks and maples	urban agriculture	gravel road	stream and stream buffer	planned architectural structure	picnicking area
sports field	community gardens	gravel road gates	clackamas co. historic landmark zone	historic architectural structure	
dog park	asphalt road	gravel parking area	viewpoint area w/ benches	non-historic existing architectural structure	

**LUSCHER AREA MASTER PLAN**

815 SW 2ND AVE | SUITE 200 | PORTLAND, OR 97204 | T 503.297.1005

**SITE PLAN**

0' 200' 400' 63

### *Luscher Area Agricultural Plan (2017)*

The *Luscher Area Agriculture Plan* is an implementation tool to the *Luscher Area Master Plan* and provides a greater level of detail for agriculture and interfacing spaces (the space between the agricultural land and other uses in the Luscher Area). The Plan identifies future agricultural program spaces throughout the site, including CSA space, pasture, livestock, and hay production space. In addition to the uses which are currently allowed in the EFU zone, the site connects existing farm uses with recreational trails, agricultural and environmental education, parks and recreational land, a visitors center or offices at the existing Firlane Farm house and annex, a maintenance facility, and event facility at the Luscher Farm barn.

The *Agricultural Plan* focuses on designs but does state that implementation of the non-agricultural-based uses would only be possible if the City was able to obtain a conditional use permit for park use. This permit through the County was denied in 2019, and the City is instead pursuing annexation through this amendment to the UGB.

### *Capital Improvement Plan 2019/20 – 2024/25*

The *Capital Improvement Plan (CIP)* forecasts the City's capital needs over a six-year period based on various City-adopted long-range plans, goals and policies. The underlying strategy of the CIP is to plan for land acquisition, construction, and major maintenance of public facilities necessary for the safe and efficient provision of services.

In the *2019/2020 CIP*, the Luscher Farm Trails were identified as a funded project pending approval of the Director's Interpretation by Clackamas County, which did not occur. In County EFU zoned properties, trails are not specifically allowed. Once the site is annexed pending the approval of the UGB expansion, the trails will connect park facilities within the Luscher Areas 151-acre site. Any existing trails are not part of the public trails system until the site is annexed and zoned to allow trails.

The Luscher environmental classroom, farm access and urban agriculture expansion a currently unfunded projects in part because these uses are not permitted in the EFU zone. The classroom will expand the environmental education in watershed and ecological learning. The farm access will include a combination of active and passive recreation and natural enhancement.

### *The Clackamas County Comprehensive Plan*

The *Clackamas County Comprehensive Plan* does not identify any future planning efforts which may impact the UGB expansion or the area of the proposed sites. The 20-year capital transportation projects identify Stafford Road and Rosemont Road to:

- Add paved shoulders and turn lanes at major intersections to Rosemont Road;
- Install a roundabout or turn lanes and a traffic signal at Stafford Road / Childs Road intersection, and
- Perform a road safety audit or transportation safety review to identify appropriate safety improvements.

Clackamas County has already prepared a corridor safety report for Stafford Road. The City Traffic Engineer will assist in determination of the appropriate access on Rosemont Road after annexation.

While the property with Luscher Farm has a Historic Landmark overlay, no action measures or policies within the *Clackamas County Comprehensive Plan* effect the properties. Once annexed, the site will have an historic designation on a portion of the site.

### *Metro 2040 Regional Framework Plan*

The Luscher Farm and Firlane Open Space are identified in the *Metro 2040 Regional Framework Plan Map* as a Park and/or Natural Area. However, no specific policies impact the addition of the proposed sites into the UGB.

### *Adopted Bonds*

#### **1990 Parks & Open Space Bond**

A \$12.2 million general obligation bond measure was approved by Lake Oswego voters in 1990 to “fund a multi-purpose pathway and trail system, and acquisition and development of land for parks, open space and recreational purposes at locations both inside and outside the City.”

Projects completed under the 1990 bond included:

- Land purchased (including Luscher Farm, Farr, Taylor properties)
- 17-18 miles of pathways constructed
- 54 acres of new parks developed

#### **1998 Open Space & Athletic Field Bond**

A \$13 million park bond measure was approved by voters in 1998 which authorized up to \$6 million for acquisition of open space and up to \$7 million to develop and renovate sports fields on property already owned by the City of Lake Oswego or the Lake Oswego School District.

Projects completed under the 1998 bond included:

- 92 acres of land purchased (including 76 acres outside the City limits)
- Irrigation, drainage, and turf improvements (at 10 schools and two parks)

#### **2002 Park Development, Open Space & Pathways Bond**

This bond measure authorized \$9.75 million for parks, open space and pathways. Of this, \$4.55 million was earmarked to acquire property for open space and parks.

Projects completed under the 2002 bond included:

- 40 acres of land purchased (inside and outside UGB)
- 2 artificial turf fields constructed (including Hazelia Field abutting Luscher Farm)
- 3 miles of pathways constructed (including Rosemont Trail abutting Luscher Farm)
- 24.5 acres of parks developed or upgraded

### Parks Bond (2019)

This measure authorized issuance of \$30 million in bonds for:

- Acquisition of park property, both for natural open space and for park land that can be used for active or passive recreation. Proceeds could be used to acquire land for open space and parks within the city limits, as well as within nearby unincorporated areas where acquisition is determined to be in the City's long-term interests.
- Renovation and replacement of park improvements and facilities; and
- Development of new park and recreation improvements and facilities that meet the needs of the community.

Specific uses of the bond proceeds are guided by the City's current and future parks and capital improvement plans, with input from the public and from the Parks, Recreation and Natural Resources Advisory Board. The final distribution between the projects has yet to be determined. The City has identified multiple projects for these funds, exceeding the amount of funds available. While this bond seems specifically tailored to allow for proceeds to go towards the *Luscher Farm Master Plan* implementation (allowing for unincorporated areas and identifying long-term interests), funds will likely be assigned to other projects that do not need a UGB amendment to proceed and run out before implementation is possible if the City waits until the next UGB expansion cycle (2024).

In summary, funds from the four voter-approved bond measures were used to purchase and provide improvements on the properties included in the proposed UGB amendment, shown in Figure 2. Through these land purchases, the City secured a unique open space and recreational opportunity and protected the rural agrarian landscape character at the southerly entrance to the urban area.

## **Section 2: Conformance with Applicable Review Criteria**

This section of the application contains responses that describe how this proposed UGB Amendment conforms to the applicable standards and regulations of the Metro Code. Only Code text that contains applicable approval criteria or otherwise requires a response related to the requested Major UGB Amendment and Legislative Amendment to the UGB have been included. Metro Code text is shown in *italic type*.

### *Metro Urban Growth Management Functional Plan*

The *Regional Framework Plan* (RFP) calls for a clear transition from rural to urban development, an adequate supply of urban land to accommodate long-term population and employment, and a compact urban form. Title 14 of *Metro's Urban Growth Management Functional Plan* (the *Urban Growth Management Functional Plan* is Section 3.07 of the Metro Code) prescribes the criteria and procedures for amendments to the Urban Growth Boundary (UGB) to achieve these objectives.

The UGB for the metropolitan area is incorporated into Title 14 and is depicted on the Urban Growth Boundary and Urban and Rural Reserves Map. Amendments to the UGB made pursuant to this title must be based upon this map.

Title 14 outlines three options for amendment of the UGB:

- Legislative amendments following periodic analysis of the capacity of the UGB and the need to amend it to accommodate long-range growth in population and employment;
- Major amendments to address needs that were not anticipated at the time of legislative amendments; and
- Minor adjustments to make small changes to make the UGB function more efficiently and effectively.

Metro may make minor adjustments to the UGB only for the following reasons: 1) to site roads and lines for public facilities and services (no more than 2 net acres); 2) to trade land outside the UGB for land inside the UGB (no more than 20 net acres); or 3) to make the UGB coterminous with nearby property lines or natural or built features (no more than 2 net acres).

This application for a UGB amendment is classified as a major amendment because it includes 83.2 acres and is being proposed outside of the legislative amendment cycle (every 6 years). Additionally, the application is submitted in compliance with all procedures for Major Amendments outlined in Section 3.07.1440 of the Metro Code.

## **Title 14: Urban Growth Boundary**

3.07.1440 (a) *The purpose of the major amendment process is to provide a mechanism to address needs for land that cannot wait until the next analysis of buildable land supply under ORS 197.299. Land may be added to the UGB under sections 3.07.1430 and 3.07.1440 only for public facilities and services, public schools, natural areas and other non-housing needs and as part of a land trade under subsection (d). An applicant under section 3.07.1430 must demonstrate compliance with this purpose and these limitations.*

**Response:** Oregon land use law requires that, every six years, Metro assess the region's capacity to accommodate the numbers of people anticipated to live or work inside the UGB over the next 20 years. To make this determination, Metro forecasts population and employment growth over a 20-year timeframe; conducts an inventory of vacant, buildable land inside the UGB; assesses the capacity of the current UGB to accommodate population and employment growth; determines whether additional capacity is needed, and documents the results of these analyses in the Urban Growth Report. The Metro Council accepted the Urban Growth Report in 2018.<sup>11</sup> Through the most recent legislative amendment process, Metro addressed residential growth and employment growth, with a focus on housing. The 2018 Urban Growth Report does not expressly address land needs for parks and recreation.

Under 3.07.1440, the Major Amendment process is only available for public facilities and services, public schools, natural areas, and other non-housing needs. The Major Amendment proposed by the City of Lake Oswego consists of land that is already owned by the City and proposed for a combination of public facility / service, non-housing needs including a combination of passive and active recreation facilities and programs. The proposed needs include:

- Urban agriculture (community gardens, CSA, etc.);
- Educational programs related to urban agriculture, environmental, and historic and cultural resources at Luscher Farm;
- Protection and enhancement of open spaces and resources, including orchards, tree groves and wetland and riparian areas;
- Event and community meeting space;
- Active recreation facilities; and
- Local and community trail and pathway improvements and connections.



These needs are only partially met today, because state planning rules (under Goal 3) and County land use regulations preclude full implementation of the *Luscher Area Master Plan*. The needs can only be met by adding Luscher Farm to the Urban Growth Boundary. This need cannot wait until Metro's next buildable land analysis because that analysis (under ORS 197.299) does not examine land need for public facilities (parks) and natural areas independent of residential land needs. The UGB amendment is needed now to make these agricultural uses (which are allowed in the EFU zone) available for the public to enjoy and learn from. This includes hosting regular events and classes for environmental education and

<sup>11</sup> Metro, 2018 Urban Growth Report (December 2018).

community enrichment – uses which are not compliant with the County’s EFU zoning ordinance, as the City has received clarification from County planning staff (see Exhibit I). While the County has informally clarified that enforcement will be on hold, it was with the understanding that the City is actively pursuing expansion of the UGB and annexation, which will bring all these uses into compliance.

The properties included in this Major Amendment application are crucial to the implementation of the City’s *Vision 2035* and *Comprehensive Plan, Parks Plan 2025*, and the *Luscher Farm Area Master Plan*. Without the amendment and eventual annexation and rezoning of the site, many of the planned improvements and uses will not be implemented. The proposed UGB amendment includes land that is owned by the City that will be designated for parks and natural area uses by the City of Lake Oswego, consistent with the limitations of 3.07.1440.(a).

The timing of the UGB amendment is crucial to the implementation of these adopted plans and the most recent Parks Bond (2019) approved by Lake Oswego voters. The community authorized \$30 million towards parks improvements and acquisitions backed by long term planning. The Luscher Area has a history of planning and community support, but the bonds have more projects identified than funds available. The City does not expect another major park bond to be presented to voters in the near future. Should the implementation of the *Luscher Area Master Plan* be delayed to the next UGB expansion and BLS, it is likely that these funds will be assigned to other projects that do not need an UGB amendment to move forward and will not be available.

*3.07.1440 (b) The applicant shall demonstrate that the proposed amendment to the UGB will provide for an orderly and efficient transition from rural to urban land use and complies with the criteria and factors in subsections (b), (c), (d), (e), and (f) of section 3.07.1425.*

**Response:** The *Luscher Area Master Plan* and Concept Plan (Exhibit G) provide for orderly and efficient transition of the site. The Concept Plan is based on the *Luscher Area Master Plan*, and will allow the City to incorporate elements of the *Luscher Area Master Plan* into the City’s *Comprehensive Plan* and long-range public facility plans, such as the *Transportation System Plan, Wastewater System Plan, and Water System Plan*. Expansion of the UGB will allow the urban facilities and services to be extended to serve land already used by the City and will enable the City to fully implement the City’s overall vision for the site.

The City *Comprehensive Plan* Urbanization chapter addresses policies within the Stafford Basin region, which determines that the City must “Maintain the rural character of the Upper Stafford Basin to support land uses such as sustainable agriculture and parks in close proximity to the City center, consistent with the provisions of the Inspiring Spaces & Places chapter.” The City Concept Plan for this site supports this transition from urban to rural land within the Stafford Basin region, as plans for the site are to maintain an ongoing urban farm, by its essence a mixture of the more urban and rural land.

The expansion of the UGB also provides for an orderly transition, as Lake Oswego has taken the lead in developing a Concept Plan which complies with existing intergovernmental agreements between Lake Oswego, Tualatin, West Linn, Clackamas County, and Metro regarding the Stafford Urban Reserve and Concept Planning (Exhibit H). Agency support from

service providers and the Cities and County involved in these agreements is included in Exhibit B, D, and H.

The proposed amendment to the UGB has accounted for the criteria and factors in subsections (b), (c), (d), (e), and (f) of section 3.07.1425. See the following considerations of alternative areas.

*3.07.1425 (b) The Council shall determine whether there is a need to amend the UGB. In determining whether a need exists, the Council may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need. The Council's determination shall be based upon:*

*3.07.1425 (b)(1). Demonstrated need to accommodate future urban population, consistent with a 20-year population range forecast coordinated with affected local governments; and*

**Response:** As described in Section 1 of this application, the City of Lake Oswego is requesting expansion of the UGB to include approximately 83 acres of City-owned land in the vicinity of Stafford and Rosemont Roads to accommodate existing and long-term communitywide needs for integrated open space, park and recreational uses. Lake Oswego is forecast to grow from 37,000 in 2019 to over 40,000 by 2040 (see Table 2). Given anticipated growth, the properties included in the *Luscher Area Master Plan* are well-situated to meet growing recreation needs for nearby neighbors.

**Table 2 Metro Adopted Forecasts for the Current Lake Oswego USB<sup>12</sup>**

Forecast	2015 Population Estimate (PSU estimate)	2040 Population Forecast	2015-2040 Change
Final Metro Forecast - Households	15,760	17,648	1,888
Final Metro Forecast - Employees	19,381	25,265	5,884
Final Metro Forecast - Population	37,300	40,311	3,011

Community leaders and citizens demonstrated foresight in purchasing these properties at the edge of the City beginning more than 30 years ago, which secured and protected a unique open space/agrarian/cultural landscape at the southerly entrance to the City. Now the City has updated plans for the next 15 years and received bonds dedicated specifically towards parks, with a special recognition for implementing long term interests of the community. City residents voted in 2019 to raise funds through a parks bond for new park facilities to accommodate current and future park demand. It is timely to bring these city-owned properties into the UGB, so that they can be better integrated and managed under the City's established land use framework for parks, open space, and natural areas, and so available funds can be used to implement the vision.

As the City continues to grow, the need for parks will continue to grow. Including Luscher Farm in the UGB at this time (instead of four years from now) will ensure the City has funds from the

<sup>12</sup> Metro 2040 Regional Population Housing Forecast by City and County, 2016.

bonds to implement the Master Plan and ensure that the agricultural history of Lake Oswego is preserved.

3.07.1425 (b)(2). *Demonstrated need for land suitable to accommodate housing, employment opportunities, livability or uses such as public facilities and services, schools, parks, open space, or any combination of the foregoing in this paragraph; and*

**Response:** The City has identified a need for a larger park facility, including large areas for active and passive recreation and urban agriculture, incorporated around a historic landmark building which may be used for education and community gatherings, as noted in the *Luscher Farm Master Plan* and *Parks Plan 2025*. Luscher Farm already has the existing infrastructure of a historic building to use for the meetings and classes, a working farm for urban agriculture, proximity to the Hazelia Fields to the north, and open space to the northeast and east, which could include walking trails. The Luscher Farm site allows for efficient accommodation of the needed improvements due to the lack of constraints and relatively few improvements needed to add the planned uses to the site. The Luscher Area has been planned for and analyzed by the 2013 *Luscher Farm Master Plan*, and evaluation of the opportunities and constraints of the site are well documented.

The *Parks Plan 2025* identified three essential services which make up the specific needs identified by residents: Play for Children, Exercise and Sports, and Access to Nature. In analyzing the distribution of existing parks in meeting these essential services, Luscher Farm was the only City park outside the UGB which met all three essential services.

As described in the *Luscher Area Master Plan*, the site has the unique ability to meet the educational needs of the community, while allowing natural resources, local history, sports, walking trails, gardening, gathering spaces, and local access to food. These elements are unable to be replicated as completely by other City parks. The Luscher Farm Property is currently used for a variety of activities, including organic farm plots for rent, community supported agriculture (CSA) program, clematis collection, children's garden including classes and field trips, historic walking tours, Oregon Tilth Organic Education Center and other events and activities. No other parks space meets the vision of community health related to access to locally grown food, as Luscher Farm is uniquely able to provide community gardens and agriculture to residents.

With the current location of the subject property outside of the UGB and Exclusive Farm Use zoning, the City has pushed the boundaries of uses that are allowed under Oregon statutory rules for "commercial" agriculture. As discussed later, existing land within the City is either too steep, developed, or too small a lot to provide for the comprehensive uses planned for Luscher Area (see Figure 8). While the City is able to provide community agriculture currently at the site, it is unable to share the educational aspect of hands-on learning with residents currently, given the EFU zoning and County restrictions.

Oregon's land use framework anticipates a "bright line" between urban uses inside the UGB that are supported by urban facilities and services and farm and forest resource uses located outside of the UGB and protected for the commercial farm and forest economy. The existing and proposed park, open space and recreational uses associated with this UGB amendment are unusual and focus on more of a "blurred" line between urban and rural.

As summarized in Section 1 of this narrative, the City has identified a need to include the Luscher Farm Area properties in the UGB to accommodate four primary and interrelated park and recreational uses that cannot be adequately be accommodated on parks or other lands inside the UGB: 1) Urban Agriculture and Related Programs, 2) Athletic Fields, 3) Connecting Trails and Pathways, and 4) Historic and Community Uses.

Relative to the need for urban agriculture, no other properties available within Lake Oswego provide the scale and scope of opportunities for urban agriculture that are available at Luscher Farm (see response to 1425(b)(3)). The interest in, and support for, urban agriculture has clearly grown in the almost 30 years since the City purchased Luscher Farm in 1991. The characteristics of the property, including soils, topography, access to well water for irrigation, and existing urban agriculture that is already in place (CSA, community gardens, Oregon Tilth, volunteer and education programs) leverage the importance of this location as a focus for urban agriculture in Lake Oswego. Sites within the City which are large enough to have urban agriculture and education around it are either already developed or too steep to provide land for agricultural uses.

The proposed UGB Amendment is driven by a plan to expand the existing athletic fields at Hazelia Fields and urban agriculture at the Farm as part of a larger vision for the area determined through the *Luscher Area Master Plan*. Through the *Luscher Area Master Plan*, the community decided on the specific allocation of land and location for the integrated open space, park and recreational uses, with a contiguous recreational and open space area, bordered on the southwest by the Luscher Farm and on the northwest by the athletic fields. By expanding the UGB to the proposed properties, the City will be able to provide an area with seamless transitions between the planned park and natural area uses.

Bringing the Luscher Farm Area into the UGB at this time will facilitate the development and connection of a system of pathways and trails at a local, community and regional scale. There are six planned regional trails in the Lake Oswego area, including one that crosses near the proposed UGB amendment, the "River to River Trail" which will connect the Willamette Greenway at George Rogers Park to the Tualatin River. Community connector trails link important land uses and areas of interest within Lake Oswego. The Conceptual Trails and Pathways Master Plan identifies existing and proposed community connector trails along Stafford Road, Rosemont Road, Atherton Drive, Overlook Drive and Bergis Road abutting the properties included in the proposed UGB amendment. A network of connected, local access trails is shown for the Luscher Farm Area on the Conceptual Trails and Pathways Master Plan.

While trails and pathways aren't precluded outside of the UGB or on land zoned EFU, the land use and permitting process is more complicated, and County staff have indicated that trails cannot be used for walking tours or walking and picnicking activities (Exhibit I). Additionally, Park System Development Charges (SDCs) cannot be spent on trails and pathway improvements that are outside of the UGB and city limits. Therefore, pathways and trails are a very important component of the overall vision for the Luscher Farm Area and can be accommodated with the proposed UGB amendment.

The City finished planning efforts in 2013 which provided context for the proposed UGB amendment, including the *2035 Community Vision, Comprehensive Plan, and Parks Plan 2025*. The population baseline analysis and forecasts for these planning efforts have been coordinated. Key themes from public outreach efforts for the *Comprehensive Plan Update* and *Parks Plan 2025* support this proposed UGB Amendment:

- A focus on filling gaps in recreation services by adding new facilities to existing parks or partnering with other providers; creating parks that serve multiple needs rather than acquiring new park land.
- Identification of the three essential services that residents should have close access to from their homes: play for children, nature experience, and exercise and sports.
- Improving bike and pedestrian access to parks throughout the City.
- Identifying goals to provide facilities that promote community health, provide year-round recreational opportunities, and provide multiple services—including local access to healthy food--to a broad range of people.

The proposed UGB amendment is integrally linked with community needs and themes articulated through these major community-wide planning initiatives. The location, scale and unique synergy of uses at Luscher Farm can fulfill the essential needs for access to play for children, nature, and exercise and sports. The City is focused on expanding existing uses and programs (such as urban agriculture, community gardens and expanded trail/pathway connections) at Luscher Farm and adding new facilities to serve multiple needs at this community-scale park rather than acquiring new land.

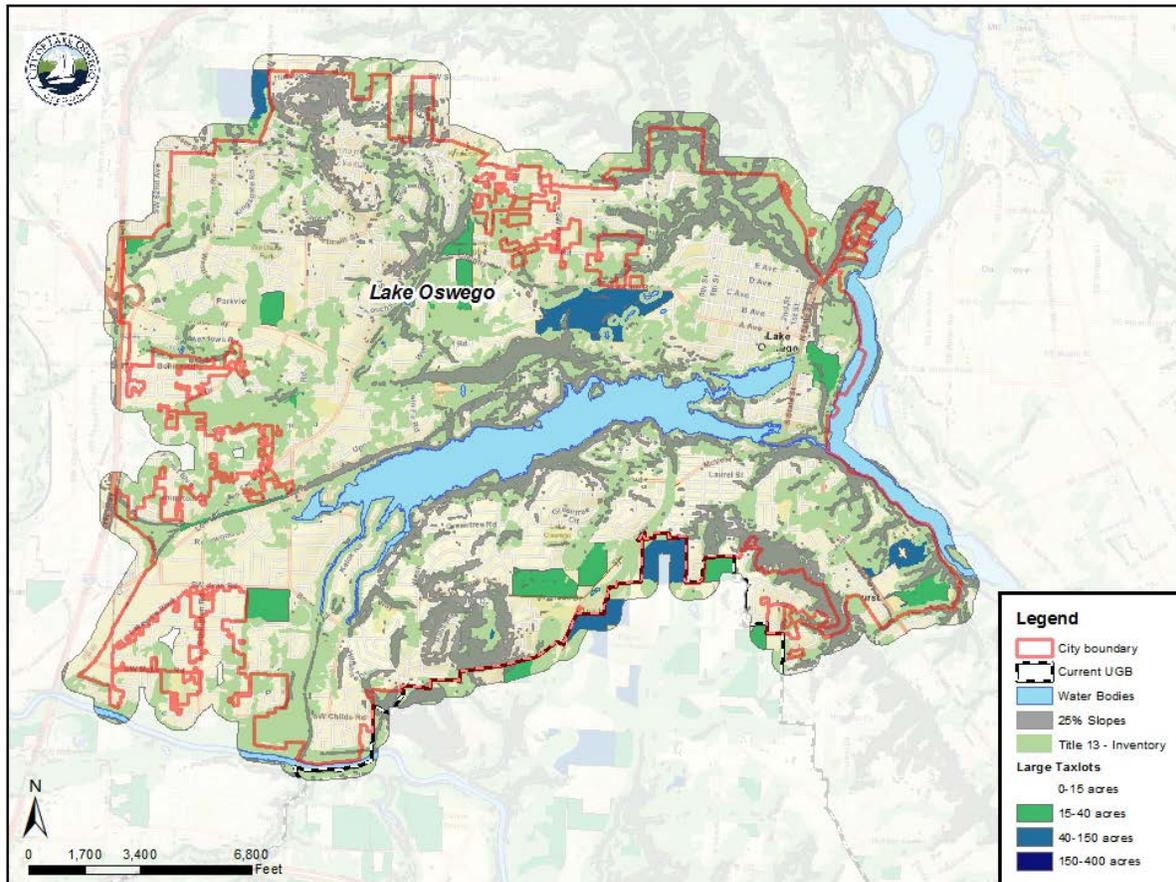
Within the *Luscher Area Master Plan*, a community desire for the expansion on active recreation, community programming, and cultural resources was identified. The Luscher Farm Area was identified as an area where the existing cultural resource was not able to be fully integrated into the community, as certain recreational and community uses were not allowed. The community opinion was that, while this was a working CSA farm, there were other opportunities with the site and its surrounding properties which would benefit from expansion. The opportunity for heritage tourism, environmental education, and community programming at one existing site is rare, that the site is uniquely situated to allow for the Luscher Farm, Hazelia Fields, and the wide-open spaces around the area to integrate into a larger environmental complex that serves the wide variety of community needs.

In summary, the City has demonstrated a need to include the Luscher Farm Area properties in the UGB to accommodate 20-year needs for park and open space based on coordinated population and demographic projections. The characteristics of the Luscher Area Farm properties – including the long-standing public ownership by the City, existing uses and park improvements, and proximity to urban development and urban infrastructure – make this a uniquely suitable location for UGB expansion for park uses. Including the properties in the UGB will also facilitate related park improvements such as construction of trails and pathways that are a key component of overall community livability.

*3.07.1425 (b)(3). A demonstration that any need shown under paragraphs (1) and (2) of this subsection cannot reasonably be accommodated on land already inside the UGB.*

**Response:** Land within the UGB, specifically within the City limits, cannot provide enough land for the agricultural uses envisioned at Luscher Farm. Existing vacant or city owned land is either too steep or too small in acreage for the urban agriculture uses envisioned in the Luscher Farm Area (Figure 8). The twenty-six existing lots greater than 15 acres within the UGB which

are within or adjacent to the City limits are either currently used for schools, city parks, golf courses, country clubs, community colleges, cemeteries, apartment and condo complexes, and senior living. Most city parks are too steeply sloped to allow any agricultural uses. Flatter land within the City limits are already developed with the uses listed, and none of the land within the City limits is considered usable for agriculture.

**Figure 8: Potential sites within UGB<sup>13</sup>**

3.07.1425 (c) If the Council determines there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering the following factors:

- (1) Efficient accommodation of identified land needs;
- (2) Orderly and economic provision of public facilities and services;
- (3) Comparative environmental, energy, economic and social consequences; and
- (4) Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on land outside the UGB designated for agriculture or forestry pursuant to a statewide planning goal.
- (5) Equitable and efficient distribution of housing and employment opportunities throughout the region;
- (6) Contribution to the purposes of Centers and Corridors;
- (7) Protection of farmland that is most important for the continuation of commercial agriculture in the region;
- (8) Avoidance of conflict with regionally significant fish and wildlife habitat; and
- (9) Clear transition between urban and rural lands, using natural and built features to mark the transition.

The proposed amendment area is within the Stafford Urban Reserve designated by Metro and Clackamas County.

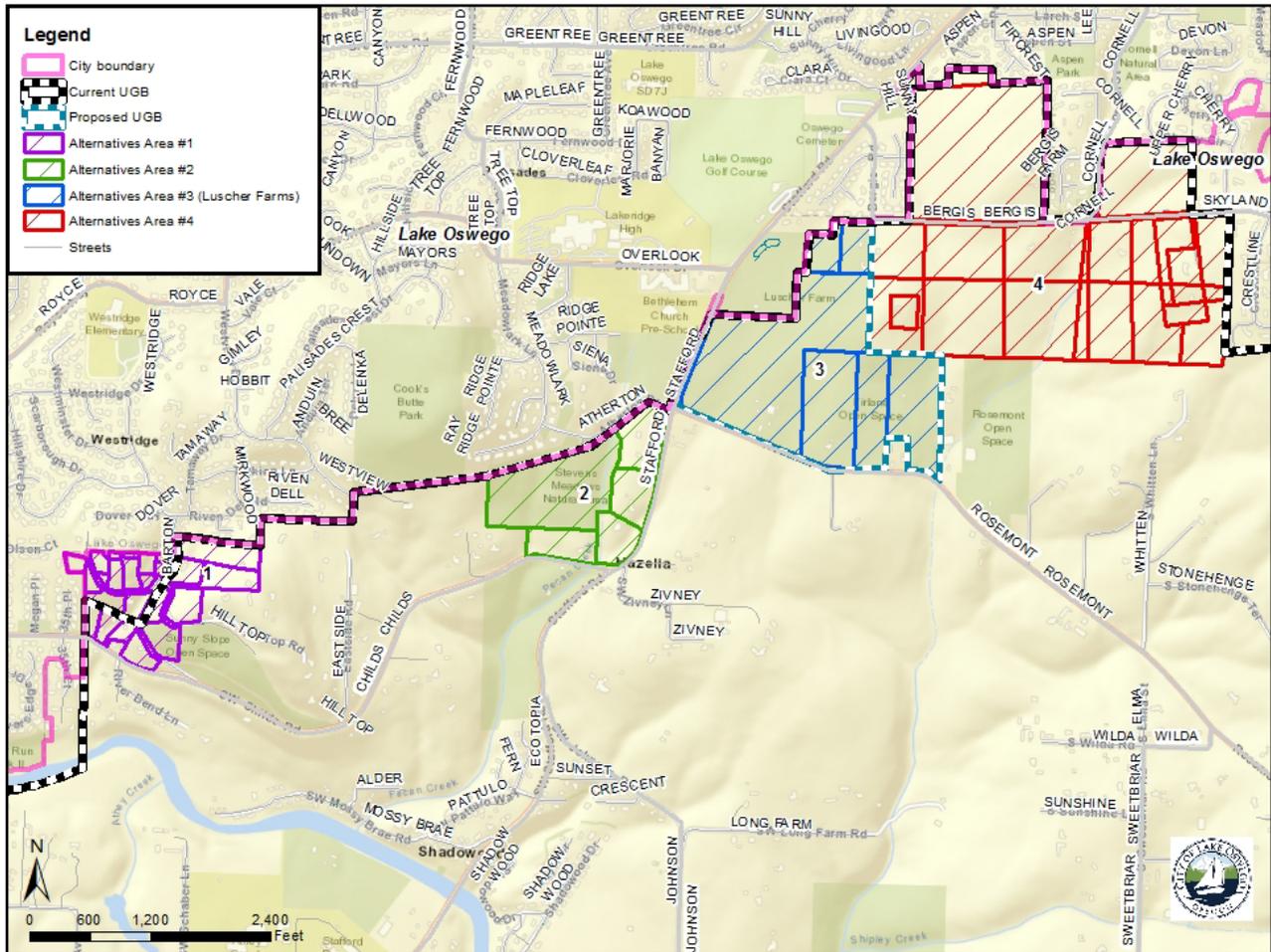
The following is a comparison of the proposed amendment area to similar properties within the Stafford Urban Reserve (Figure 9). Because the needed park and recreational facilities are intended to serve the Lake Oswego community, they must be located adjacent to existing city limits. The Stafford urban reserve is the only designated urban reserve adjacent to the City of Lake Oswego. Only the portions of the Stafford urban reserve that lie adjacent to the City of Lake Oswego have been considered for comparative environmental, energy, economic and social consequences.

Four areas were considered during the alternatives study, all of which are adjacent to the City limit. Two of the sites span across the UGB. Site #1 is partially within the UGB, continuing from the City limits. Site #2 and #4, shown Figure 15, were identified by Metro as possible analysis areas. Site 3 is the Luscher Farm Area. After the summary table, a discussion of the key factors in the analysis are expanded upon.

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<sup>13</sup> Areas were identified as any lot larger than 15 acres (identified using natural breaks in GIS) within or adjacent to the City UGB. Site uses, slopes, and natural resources were analyzed to identify any potential disqualifying factors which prevent the same uses planned for the Luscher Area.

Figure 9: Analysis Areas Zoning and Vicinity Map



**Table 3: Alternative Areas Comparison**

Area Name	Area 1	Area 2	Area 3	Area 4
Zoning	RRFF5	RRFF5	EFU	EFU
Current Use	Rural single-family homes	Stevens Meadow (west), Active vineyard (east)	Luscher Farm Area/open space	Open space, improved farmland
Current Owner	All but 2.5 acres privately owned or in a trust, City land deed restricted	Partially City of Lake Oswego land	City of City of Lake Oswego land	Privately owned
Access	Narrow rural roads	Access along Stafford, Childs, and Atherton Road	Access along Stafford and Childs Road	Access along Bergis Road, which divides the site in two larger areas.
Opportunities	Partially within UGB, some open space already zoned RRFF5, which allows for more flexibility than EFU	Part of land (Stevens Meadows) is planned to be part of the <i>Luscher Area Master Plan</i> , zoned RRFF5, which allows for more flexibility than EFU.	Purchased and planned for by City, using community and surrounding jurisdictions input. Bond funding available for implementation.	Open space, similar to Luscher Farm Area. Northern half of site is cut in half by Bergis Road, which is a connector.
Constraints	Very steep terrain, high percentage of upland and riparian habitat. Highly fragmented (large number of parcels). Area would need to be purchased and planned.	Half of land is actively farmed land, and more than half contains natural resources. Deed restriction on Stevens Meadow, which would not allow full implementation of LAMP. Would need to be purchased and planned.	Small Title 13 land in southwest corner, already accounted for in the LAMP and Concept Plan prepared and adopted by City.	Area cut in half by major road. Highly fragmented (large number of parcels). Would need to be purchased and planned.
Number of tax lots	26 – aggregating this number of tax lots to achieve an area that is less than half of the area identified in the Luscher Farm Plan would be impractical	5	6	23
Site Size (Acres)	34.6 – not as much property as identified in the Luscher Farm Plan	39.8	83.3	167.2
Existing Building SF	41,062	13,749	9,780	22,328
% Building Coverage	2.7%	0.8%	0.3%	0.3%
% area with more than 25% slope	61%	3%	0%	2%
% area with natural resources	80%	58%	18%	21%
Real market value, if not City Property	\$13,435,119	\$3,697,448	\$0	\$11,790,965
Building value, if not City property	\$6,141,790	\$1,794,040	\$0	\$1,960,870

*(1) Efficient accommodation of identified land needs;*

The proposed UGB amendment is to accommodate the community's desire for an integrated parks and recreation facility, focused on engaging the community around environmental education and agriculture.

Area 1: The one city-owned property was purchased by the City with open space bond funds; any future use is restricted by the conditions of the bond for passive open space only. Therefore, the area could not accommodate the identified land need for uses that include active and passive recreational facilities. Area #1 is also too small when compared to land available at Luscher Farm and includes a large number of parcels which combined would still be less than half the size of the proposed area.

Other land is currently used as a residential land, and purchase of the property would cost the City millions. Steep slopes (over 60% of Area #1) would be incompatible with the proposed agricultural uses.

Area 2: The Steven's property was purchased by the City with open space bond funds and any future use is deed restricted for passive open space use only. The deed restriction directs that no development of any kind except trails, picnicking, perimeter landscaping and safety lighting may occur on the property. Therefore, the area could not accommodate an education and event space, athletic fields, and related neighborhood park amenities as proposed on the Luscher Farm site. Area #2 is also too small when compared to land available at Luscher Farm.

The agricultural land adjacent to the Steven's property is actively being farmed. Using the site would remove protected farmland from the area and require a public acquisition of private land for which funds are not available. The existing agricultural land would be able to be used as the educational and community garden space.

Area 3: Luscher Farm: The area provided will accommodate the identified land needs for public park and recreation facilities included in this proposed UGB amendment. All community-scale facilities that will serve the residents of Lake Oswego at large (and, secondarily, residents of the surrounding communities) can be met on this site. Co-locating several community-scale recreational facilities in the Luscher Farm Area will allow for the efficient accommodation of these needs. Parking areas, restrooms, and other support facilities can be shared between the various parks uses, reducing the amount of land needed relative to siting each park use separately. Co-location will also make it more efficient to provide water and sewer services to serve the recreation facilities and to provide on-going maintenance and management of the facilities.

The site also allows for the efficient accommodation of the needed facilities on the land due to the relative lack of natural resource and slope constraints (described and illustrated in subsequent responses).

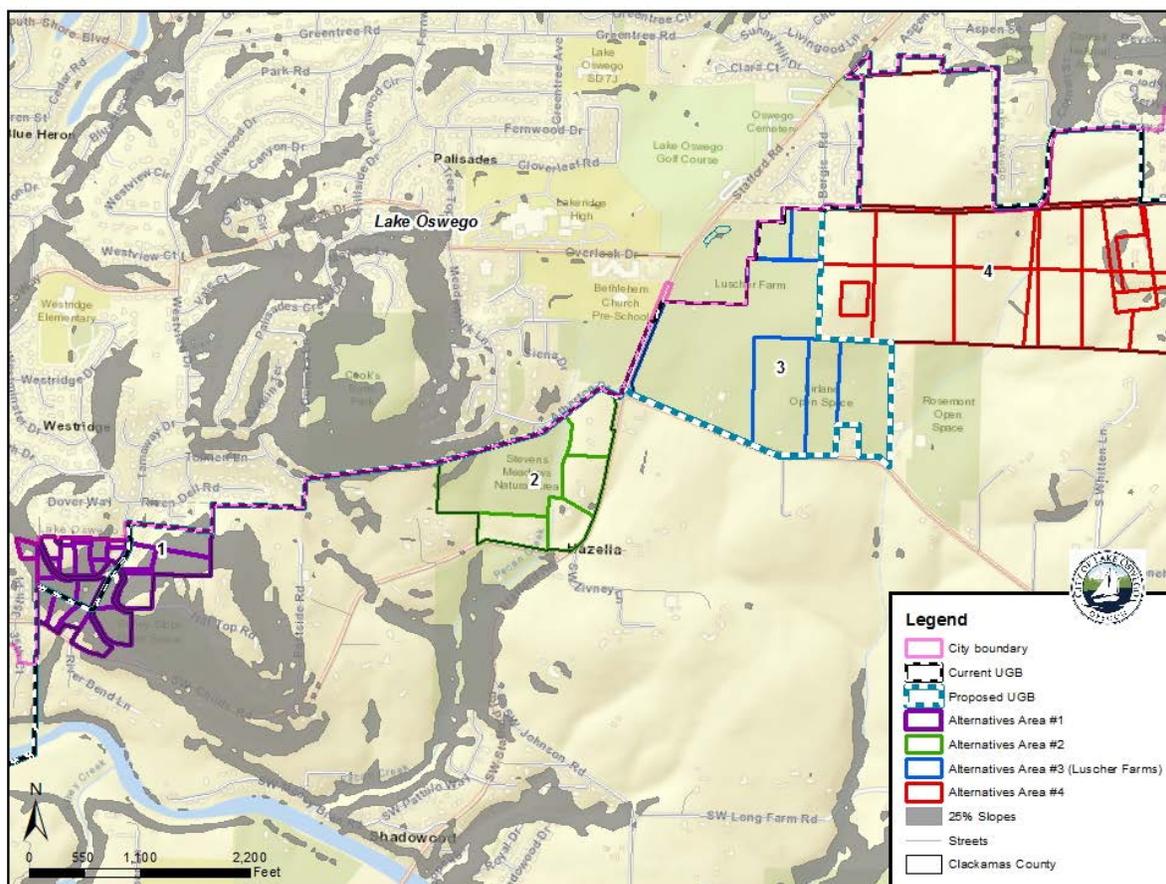
At the same time, the natural and historic resources on-site will be protected, preserved, and integrated into the larger design of the park facilities. Stream corridors, wetlands, and tree groves will provide opportunities for passive enjoyment of natural areas, education, and habitat conservation.

Area 4: The area has not had any planning or bonds directed towards the site, nor has acquisition been proposed for the site. The agricultural land adjacent to the site is actively being farmed. Using the site would remove protected farmland from the area and require a public

acquisition of private land. The existing agricultural land would be able to be used as the educational and community garden space.

(2) Orderly and economic provision of public facilities and services;

**Figure 10 Steep slopes within Alternative Areas**



**Water, Sewer and Wastewater Services**

**Area 1:** Sewer and water service would be difficult and expensive to provide to this area due to both the lack of proximity to existing services and the high costs of providing infrastructure in such a sloped area (Figure 10).

**Area 2:** The Stevens Meadows area is not currently served by City water. The *Luscher Area Master Plan* assumed that this was sufficient for the planned open space use, as it is deed restricted for future uses. The adjacent agricultural site would need to be used for the agricultural classes and environmental education, event and community space, and active recreation. The site is not currently served by water or sewer services. Additional City resources and engineering analysis would be required to expand to the entire area. This area does not include many steep slopes where the services would need to expand to, reducing the cost of expansion towards this area (Figure 10).

**Area 3:** All providers of public facilities and services for the proposed Luscher Farm amendment area have indicated that they can serve the area in an efficient manner. All providers either

support or are neutral towards the proposed UGB amendment. According to the City of Lake Oswego Engineering Department, the cost of providing services to the subject properties for planned park and open space uses is less than would be required to acquire and serve the other analysis areas. (See Service Provider Comments, Exhibit D.)

The City of Lake Oswego maintains an existing 12” water line in Stafford Road abutting the proposed amendment area; the system supplying this line has adequate capacity and pressure to serve the proposed amendment area. The site currently has no steep slopes, which would increase the difficulty to serve the site with water (Figure 10).

The City of Lake Oswego maintains an existing 8” sewer line that crosses the northern part of the amendment area and can provide gravity service to this portion of the area. The remainder of the area can be served by a pump station located to the west of the area (approximately 700 feet northwest of the intersection of Stafford and Rosemont Roads), although the capacity of the pump station has not been analyzed.

The City currently maintains storm treatment lines along the southwestern parcel, as well as two backflows near the Luscher Farm structure. City Engineering staff did not identify any special issues or constraints related to surface water management for the proposed amendment area.

Luscher Farm’s existing infrastructure allows for efficient provision of the needed improvements due to the lack of physical constraints. Relatively few improvements need to be added to accommodate and serve the planned uses to the site. The Luscher Area has been planned for and analyzed, as demonstrated by the *Luscher Farm Master Plan (2013)*, and evaluation of the opportunities of the site is well documented. The site allows for the efficient accommodation of the needed facilities due to the relative lack of resource and slope constraints (described and illustrated in subsequent responses). At the same time, the natural and historic resources on-site will be protected, preserved, and integrated into the larger design of the park facilities. Existing natural features will provide opportunities for passive enjoyment of natural areas, education, and habitat conservation.

All providers of public facilities and services for the proposed Luscher Farm amendment area who have responded to the City’s request for comment on this application have indicated that they can serve the area in an efficient manner. All providers either support or are neutral towards the proposed UGB amendment. According to the City of Lake Oswego Engineering Department, the cost of providing services to the subject properties for planned park and open space uses is less than would be required to acquire and serve the other areas analyzed as potential alternative sites. (See Service Provider Comments, Exhibit D.) The efficiency of providing specific public facilities and services to the site is addressed in more detail in 3.07.1425(c) - (Legislative Amendment to the UGB) – in the following section.

Once included in the UGB, additional land use and public facility decisions by the City of Lake Oswego, including amendments to the City’s Comprehensive Plan and Urban Services Boundary, and application of City Parks and Natural Areas zoning (upon annexation), will be made consistent with the Concept Plan and *Luscher Area Master Plan*. The City has already conducted a master planning process when they developed the *Luscher Area Master Plan*. This process meets the intent of the Community Development Code’s master plan process because it provided a thorough public involvement process, identifies future improvements to the site and public facilities that are needed and how they can be provided in an efficient manner.

*Area 4:* The City currently provides water and sewer services to the single family residences on either side of the northern property, which is surrounded on the west, north, and east by the City boundary. Expansion of the existing lines into this northern property would be relatively low-cost. The southern portion of the property is significantly further from the City boundary. The northern property would be potentially a good fit for what might be higher intensity uses.

### **Transportation Services**

*Area 1:* This analysis area is not well served by the existing transportation infrastructure. It is mostly served by lower intensity residential and local roads, with steep slopes. The southern portion of the site could be served by Childs Road, which is designated a minor arterial by the Clackamas County's Transportation System Plan (see Figure 11). Childs Road is served by existing sidewalks, but the surrounding roads do not include bicycle or pedestrian transportation needs and is steeply sloped. There are no existing public transportation services to this area.

*Area 2:* This area is on the southwest corner of the roundabout at Stafford Road, Rosemont Road, and Atherton Drive. Stafford is designated as a major arterial in the County TSP and Rosemont is designated as a minor arterial (Figure 11). Atherton Drive has a multiuse path, but Stafford Road does not include pedestrian or bicycle access along the eastern side of the area. There are no existing public transportation services to this area.

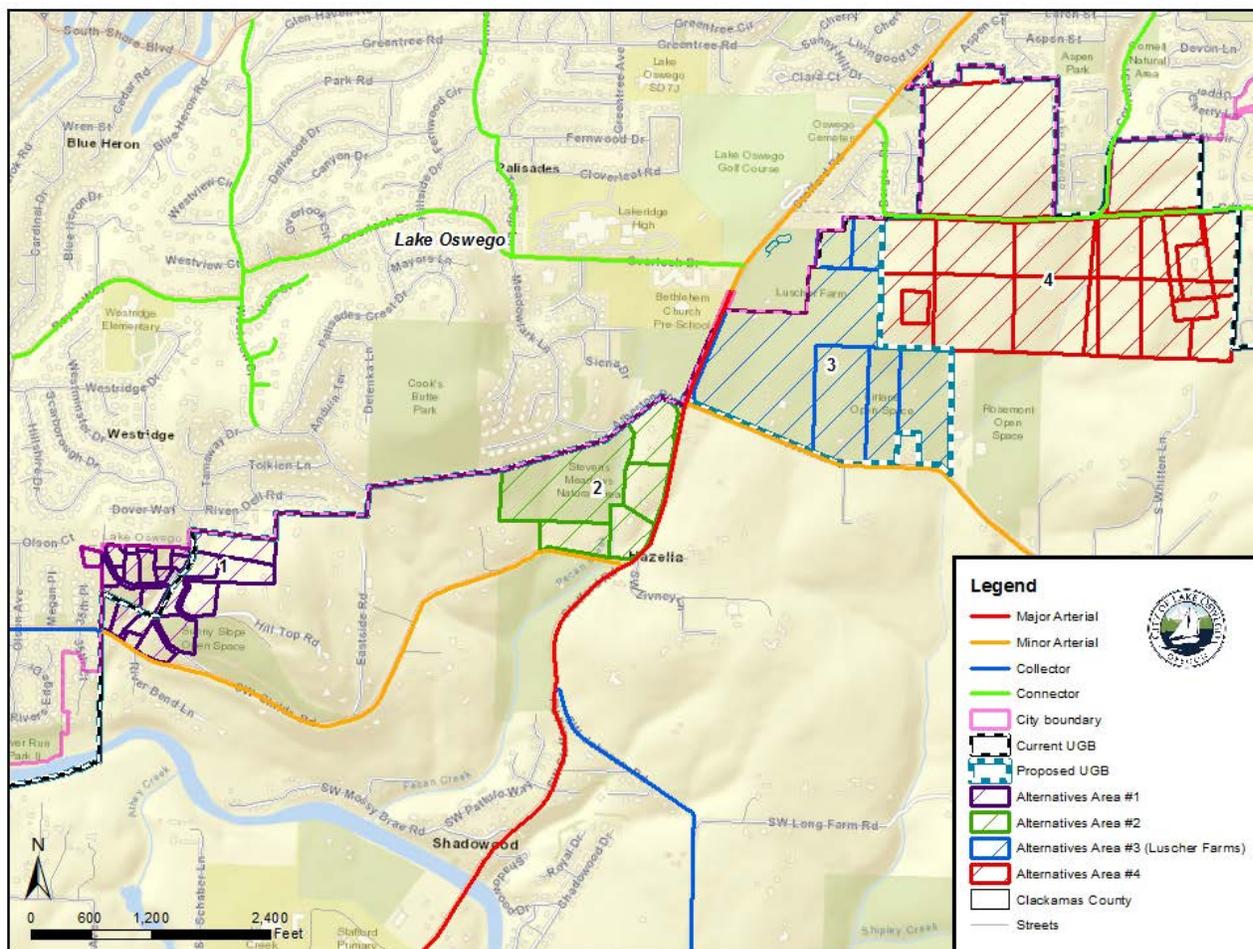
*Area 3:* The proposed amendment area is well served by existing transportation infrastructure. It lies at the intersection of Stafford Road and Rosemont Road, both designated minor arterials in the County's TSP (Figure 11). The intersection of these two roads (as well as Atherton Drive) is controlled by a roundabout installed in 2003; the nearby intersection of Stafford Road and Overlook is controlled by a traffic signal.

Bicycle and pedestrian transportation needs are served by an existing multi-use pathway along the properties' frontages on Stafford Road and Rosemont Road. Additional trails are planned in the area as well.

There is no existing public transportation service to the proposed amendment area; however, TriMet, the public transportation service provider for the area, has a long range plan called the Southwest Service Enhancement Plan, that provides a new bus route from West Linn's Willamette Neighborhood to Lake Oswego via Rosemont and Stafford Roads.

*Area 4:* This analysis area is divided from east to west by Bergis Road, a designated collector in the County TSP (see Figure 11). Pedestrian access to the site is also available on either side of the northern portion of the property through the single-family subdivisions on either side. Bergis Road is narrow, and no access to the southern portion of the area is possible outside of Bergis Road. Bergis does not have any pedestrian or bicycle improvements. There are no existing public transportation services to this area.

**Figure 11 Functional Classification of Roads Near Analysis Areas**



The rest of the factors regarding public services are generally the same across areas, with the exception of access (addressed above):

**Police, Fire and Public Safety:** The City of Lake Oswego Police Department already handles calls in the proposed amendment area due to the area’s proximity to the city (adjacent to city limits) and the city’s ownership of the land. The City Police Department and County Sheriff’s Office work together to have officers that are available to respond to emergencies. However, Areas 1 and 4 would be more difficult to access due to their lack of major access roads. The Police Department does not anticipate that bringing the Luscher Farm Area into the UGB and annexing it to the city would require any additional police resources. See Service Provider Letter from the City of Lake Oswego Police Department in Exhibit D.

Both the City of Lake Oswego’s Fire Department and Tualatin Valley Fire and Rescue (TVF&R) indicated that their existing facilities are well-located and have capacity to serve the proposed amendment area without detracting from service levels within the UGB. TVF&R requests that any future alterations in emergency response service areas associated with UGB expansion and annexation of urban reserve lands be planned carefully in cooperation with all affected agencies. See Service Provider Letter from the City of Lake Oswego Fire Department in Exhibit D.

**Parks:** The Lake Oswego Parks and Recreation Department indicated in comments that bringing the subject properties into the UGB and annexing them to the city would improve the department’s efficiency in serving the city by enabling it to more effectively plan for the city’s parks, recreation,

natural areas, and open space needs. It would also allow the city to better meet the community's needs for parks and recreational facilities including urban agriculture, athletic fields, and trails. In addition, the city would be able to use park system development fees to fund improvements to the Luscher Area facilities. Bringing the subject properties into the UGB and annexing them to the City would also ensure that the City's standards for natural resource protection are applied to the properties, consistent with other City parks and open space. See Service Provider Letter from the City of Lake Oswego Parks Department in Exhibit D.

**Schools:** The proposed use would not generate any additional students. Therefore, this factor is not a large influence on the analysis areas. However the West Linn-Wilsonville School District has indicated that it could serve any students that did reside in the area. The Lake Oswego School District indicated that while the proposed amendment would not directly increase housing or have a direct impact on enrollment, the District is supportive of the amendment.

### *(3) Comparative environmental, energy, economic and social consequences; and*

Because the needed park and recreational facilities are intended to serve the Lake Oswego community, they must be located adjacent to existing city limits. The Stafford Urban Reserve is the only designated urban reserve adjacent to the City of Lake Oswego. Only the portions of the Stafford urban reserve that lie adjacent to the City of Lake Oswego have been considered for comparative environmental, energy, economic and social consequences.

## **Environmental Consequences**

*Area 1:* As shown in Figure 12, Analysis Area #1 has severe topographical challenges (over 60% of the site has 25% or higher slopes). Active recreation uses such as the proposed education and event space would not be well suited to steeper slopes. Developing a new education and event space on more topographically challenging sites would increase environmental impacts due to greater amounts of cut and fill and would also increase construction costs, creating economic disadvantages for the overall financial viability of the project. The entire area is covered with habitat conservation areas, which would be highly impacted by any development.

While some of the recreational uses proposed for the subject site could be suited to steeper slopes, active recreation uses such as playing fields and urban agricultural uses would not be practical. Developing these uses on more topographically challenging sites would also increase environmental impacts due to greater amounts of cut and fill and would also increase construction costs, creating economic disadvantages.

*Area 2:* As shown in Figure 12, Analysis Area #2 has topographical challenges (steep slopes). Even if the deed for this property allowed recreation uses, such as the proposed education and event space, athletic fields, and related neighborhood park amenities these uses would not be well suited to the site's steeper slopes. Developing the proposed park complex on more topographically challenging sites would increase environmental impacts due to greater amounts of cut and fill that could increase erosion and potential impacts to water quality. The site is split in half from north to south by a large riparian and upland habitat area, and the southeastern portion of the site includes tributaries for Pecan Creek. Analysis Area #2 is not well served by transportation infrastructure.

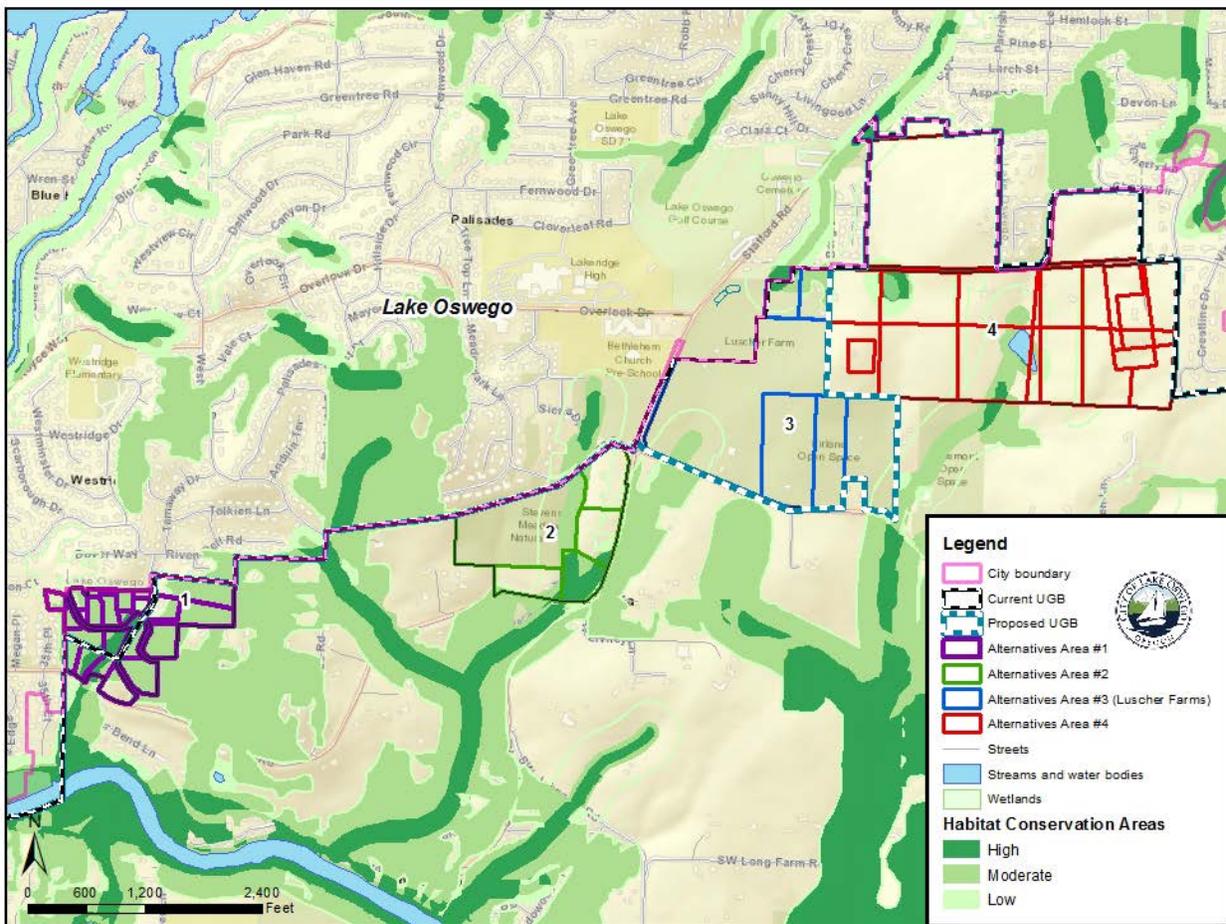
*Area 3:* Luscher Farm already has buildings which could be used for classes and events, heritage tourism. It also has land already converted to urban agricultural uses, and the formalization

of the uses towards environmental education and walking trails would be minimal in environmental impact.

As shown Figure 12, there are existing stream corridors, tree groves, and wetlands on the proposed UGB amendment site that have been delineated by the City of Lake Oswego. As described in the response to section 8 below, these resources will be protected as the site is developed for more intensive recreational uses.

**Area 4:** The northern portion of the site is relatively flat, with few protected natural features limiting development. The southern portion of Analysis Area #4 includes high value habitat land along Bergis Road and a significant riparian area surrounding a small pond. The site is not served well by current transportation services.

**Figure 12: Natural Resources in Analysis Areas**



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### *Energy Consequences*

- Area 1:* Analysis Area #1 is not well served by transportation infrastructure, nor can the area be readily served by water and sewer infrastructure from Lake Oswego due to both the lack of proximity to existing services and the infrastructure costs that would be incurred related to the topographic conditions. According to City Engineering staff, land within Analysis Area #1 cannot be served with gravity sewer from the city's existing sewer system, and a pump station built to the west side of Pecan Creek would not be a cost effective or energy efficient way to serve park and open space uses in the area due to topography.
- Area 2:* Currently, the water and wastewater of the site is limited to wells and septic tanks for the properties. Infrastructure needs for other uses would be analyzed further at the time of development review.
- Area 3:* At this time, water is limited to wells on the Luscher, Farr, Firlane and Brock properties, and wastewater is confined to septic tanks on the two properties. Hazelia Field is connected to the City of Lake Oswego sanitary sewer and water systems, and expansion of the athletic fields can be accommodated by these facilities. Infrastructure needs for other developments envisioned by the *Luscher Area Master Plan* would be analyzed further at the time of development review.
- Area 4:* Currently, the water and wastewater of the site is limited to wells and septic tanks for the properties. Infrastructure needs for other uses would be analyzed further at the time of development review.

### *Economic Consequences*

- Area 1:* As noted, the City property in Area #1 was purchased by the City with open space bond funds and any future use is restricted by the conditions of the bond for passive open space only. Therefore, the area could not accommodate the identified land needs of urban agriculture, educational or event space, or additional athletic fields. Purchasing and developing the 26 additional tax lots in Area #1 would be very costly.
- Area 2:* As previously noted, the property in Analysis Area #2 includes land purchased by the City with open space bond funds and any future use is deed restricted for passive open space use only. The deed restriction directs that no development of any kind except trails, picnicking, perimeter landscaping and safety lighting may occur on the property. Therefore, the area could not accommodate an event space, museum, urban agricultural uses, or educational uses as proposed on the Luscher Area properties.
- The costs to purchase and develop the eastern portion of the site, including rehabilitating the Shipley-Cook Barn, which has been designated on the National Register of Historic Places, would be much higher than the Luscher Area Farm, which has been maintained by the City.<sup>14</sup>
- Area 3:* The Luscher Area has the opportunity to generate revenue through farm-to-table dinners and other events and activities tied to the agricultural history and use of the Luscher Farm site. Such activities could help fund other programming on-site and help make the park more

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<sup>14</sup> <https://restoreoregon.org/2014/11/05/shipleycook-barn/>

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financially self-sustaining while remaining true to the core mission and values of the urban farm.

The costs to construct and serve the needed public recreational facilities would be lower for the proposed amendment site than for other parts of the Stafford urban reserve due to the relatively level land with few natural resource constraints and the proximity of existing urban services. Bringing the site into the UGB would also provide economic benefits to the City of Lake Oswego, including allowing the City to fund specific improvements using park SDC revenues.

The largest costs of analysis areas are the acquisition of the site. The City has already purchased the entirety of the Luscher Area site and has been maintaining it to the highest level possible. Bonds have already been assigned to the development and implementation of the *Luscher Area Master Plan*, which the City has developed through an extensive community engagement process. None of the other areas have had this level of planning done.

*Area 4:* This area is about the same cost as Area #1, with a real market value of about \$11,000,000. However, acquisition of the site would most likely be higher than this estimate. There are no deed restrictions currently known on the site, and the northern portion could potentially be developed into the higher intensity uses. There is currently no agricultural use on the northern site nor any buildings. This would require development of building and a farming area for use in educational programming. By comparison, Area #3 has relatively low development of either agricultural uses or buildings to host agricultural courses.

### *Social Consequences*

*Area 1:* With 26 lots currently not owned by the City and no funding or plans to support acquisition of the site, it is not expected that development of the site will be supported by the community. Area #1 is not conveniently located to serve Lake Oswego residents, now or in the future. No public outreach for future development or inclusion of Analysis Area #1 has been done.

*Area 2:* No public outreach for future development or inclusion of Analysis Area #2 has been done, and the acquisition of the three tax lots would lead to delays in development. In addition, the three lots in Area #2 not owned by the City include a historic landmark (Shipleigh-Cook Barn) which has not been maintained and would require coordination with the owner, the Cook family.

*Area 3:* Based on thorough analysis and public input, the City Council concluded that the Luscher Area properties are the most suitable site for the Luscher Farm park facilities. The *Luscher Area Master Plan* is the culmination of nearly 30 years of hopes, aspirations, and planning of this 152-acre site. Including this 83-acre site within the UGB will enable the City to move forward with the *Luscher Farm Master Plan* and maintain and enhance the overall viability of the area to serve the existing community and also make more recreation and educational opportunities available to new users.

The proposed amendment area offers social benefits over other parts of the Stafford urban reserve. The Luscher Farm site has been designated as a historic resource by Clackamas County. According to the Oregon Historic Site Form: "The Fletcher-Luscher Farm is a rare example of a farm complex in the Lake Oswego area. The farm is noteworthy as the most

intact farm complex remaining in the area.”<sup>15</sup> The proposed plans for the site would protect and enhance this historic resource and, by expanding the programs utilizing the historic farm site, increase awareness of this resource and understanding of the area’s agricultural history. Although the property is not currently designated as a historic landmark (because it is not under the City’s jurisdiction), the site is included on the City’s Goal 5 inventory of significant resources and the City already has a program in place for protection of the resource.

#### **Luscher Farm Barn and Gardens**



Additionally, the proposed UGB amendment will accommodate a unique mix of passive and active open space and recreational uses that are already an important component of Lake Oswego and will assume a more important social and community role over the next 20 years. The existing farm buildings and established urban agricultural uses—along with the pathways and trails and the existing Hazelia Field and off-leash dog parks—are already in place and cannot easily be replicated in other areas of the community.

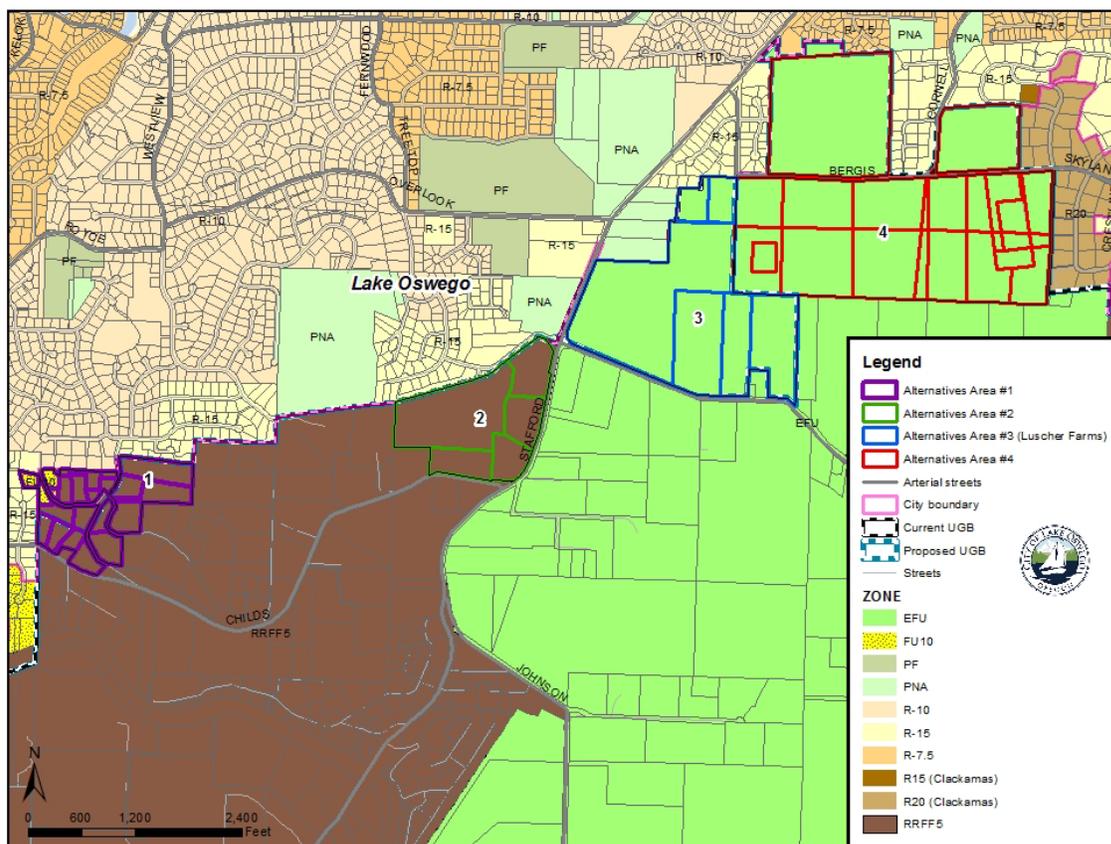
*Area 4:* Area #4 is conveniently located to serve Lake Oswego residents. However, the site is not currently served by arterial streets and Bergis Road is fairly narrow, limiting pedestrian or bicycle access. No public outreach for future development or inclusion of Analysis Area #4 has been done.

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<sup>15</sup> Oregon Historic Site Form – Intensive Level Survey: Fletcher-Luscher Farm (Clackamas County Historic Landmarks), September 30, 2007. CC-SHPO #1927.

(4) Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on land outside the UGB designated for agriculture or forestry pursuant to a statewide planning goal.

Figure 13: Zoning of Analysis Areas



The Oregon Department of Forestry does not identify any Mixed Forest/Agriculture or Wildland Forest located within this area. The planning for the implementation of the *Luscher Area Master Plan*, analysis of Area #3 (the proposed area) accounts for the transition of specific uses on the site as determined in the Concept Plan (Exhibit G).

**Area 1:** Analysis Area #1 is zoned Rural Residential Farm and Forest – 5 acres (RRFF-5) and surrounded by similarly zoned property (see Figure 13). Given proposed uses and the area’s zoning, there would be minimal impact on surrounding agricultural and forest activities.

**Area 2:** Analysis Area #2 is zoned Rural Residential Farm and Forest – 5 acres (RRFF-5) and surrounded to the west and south by similarly zoned property (see Figure 13). The land east of the site (across Stafford Road) is zoned EFU. Therefore, there would be minimal impact on agricultural and forest activities.

**Area 3:** As mentioned previously, land adjacent to the proposed amendment site to the south and east is outside the UGB and zoned EFU; it is comprised primarily of small-scale “lifestyle” farms and residences. The intended uses for the subject site consist of active and passive recreation, open space, trails, and urban agriculture and community gardens. Generally speaking, the active uses will be concentrated in the western half of the site, along Stafford Road and closer to existing residential subdivisions, church, high school and golf course. The urban agriculture and garden uses, and the more passive recreational uses (open space and trails), will be located closer to the existing farmland to the south and east, serving as a

transition area between urban and rural land use forms while providing compatibility with farmland outside the UGB. The existing farm uses adjacent to the site are generally small in size (most parcels are less than 20 acres) and are not involved in large-scale commercial operations. Agriculture operations on these farms include hay production, horse raising and boarding, and tree nurseries. The agricultural uses on the subject site, while more urban in character, will still reflect the rural nature of the area and will be appropriate and compatible uses for these “edges” of the UGB.

*Area 4:* Analysis Area #4 is zoned EFU and surrounded to the south by similarly zoned property. The land to the north is zoned R 7.5, east, and west are zoned R-15. There will be minimal impacts on agricultural and forest activities.

*(5) Equitable and efficient distribution of housing and employment opportunities throughout the region;*

The proposed amendment is not for housing or employment needs; therefore, this criterion is not applicable.

*(6) Contribution to the purposes of Centers and Corridors;*

The alternative areas do not contribute to the purpose of centers and corridors given the distance from identified centers and corridors..

*(7) Protection of farmland that is most important for the continuation of commercial agriculture in the region;*

According to Clackamas County findings for adoption of the urban reserves, the entire Stafford Urban Reserve Area is comprised of Conflicted Agricultural Land, meaning it is not suitable for long-term agricultural or forestry operations due to existing on-site land use patterns, adjacent land use patterns and lack of agricultural infrastructure.<sup>16</sup> The designated URA is generally developed with rural residences, there are very few parcels greater than 20 acres, and commercial agriculture activity is limited. The most important farmland for the continuation of commercial agriculture in the region was designated rural reserve. The few commercial operations that do exist are compromised by surrounding development, parcellation, and potential future residential development at the UGB edges. Agricultural potential in this area is further reduced because it is effectively cut off from rural lands to the south by Interstate 205, making it too small and isolated to stand alone as a viable commercial agricultural operation. In addition, the Oregon Department of Forestry does not identify any Mixed Forest/Agriculture or Wildland Forest located within this area.

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<sup>16</sup> [https://multnomah.granicus.com/MetaViewer.php?view\\_id=3&event\\_id=583&meta\\_id=105694](https://multnomah.granicus.com/MetaViewer.php?view_id=3&event_id=583&meta_id=105694), page 6

*Area 1:* The site is currently a mixture of vacant and rural residential land. Given the fact that the property is zoned RRFF-5 and the topographic conditions in the areas farming/commercial agriculture operations would be difficult.

*Area 2:* A portion of the site is currently used for farming, though it is not zoned EFU and therefore not under the same protections. Development of the eastern half of the site to be used for educational courses and not more commercial farming as it is currently would lead to the removal of this commercial operation farmland.

*Area 3:* This site is currently zoned EFU but not used for commercial farming. The Luscher Area properties will continue the existing urban agriculture and environmental education, which is an alternative to commercial agriculture and not as dependent on Foundation or Important Agricultural Land.

*Area 4:* This site is currently a mixture of improved and unimproved land zoned EFU. Any expansion of the UGB prior to the acquisition by the jurisdiction with specific plans to develop it as a working farm could lead to the rezoning of the site and removal of farmland protections.

*(8) Avoidance of conflict with regionally significant fish and wildlife habitat; and*

*Area 1:* The majority (80%) of the area is designated as moderate to high value conservation area, either upland habitat or riparian habitat. A tributary to the Tualatin River segments the area, meaning that future development of the site may conflict with significant Title 13 habitat (Figure 12: Natural Resources in Analysis Areas).

*Area 2:* The eastern portion of Analysis Area #2 is designated as Moderate Value Habitat Conservation Area. 60% of the site has Title 13 designated land. This area represents a small portion of the entire area and could be avoided if development of the site were to occur. Given the deed restriction direction that no development of any kind except trails, picnicking, perimeter landscaping and safety lighting occur on the property, this area may be able to be incorporated into a trail / open space system in the future.

*Area 3:* Metro's Nature in Neighborhoods (NiN) regional mapping effort identified two areas of regionally significant fish and wildlife habitat on the properties proposed for inclusion in the UGB. These Habitat Conservation Areas are shown in Figure 6 Natural Resources Map. The *Luscher Area Master Plan* includes preservation and enhancement of the wetlands and riparian areas on site. In addition, the planning effort includes protection of upland tree groves as natural areas. Upland habitat must be protected under Title 13 once lands are added to the UGB, which has been accounted for in the Master Plan.

Upon Metro approval of the UGB amendment, Lake Oswego will amend its Comprehensive Plan to designate as Sensitive Lands all significant riparian and wetland resources and upland tree groves based on the results of the required Economic, Social, Environmental, and Energy (ESEE) Analysis in compliance with Statewide Land Use Planning Goal 5. Sensitive Lands Districts (zoning overlays) would be applied upon annexation to Lake Oswego.

*Area 4:* The northern area of Area #4 does not include any significant fish and wildlife habitat. However, the southern portion of Analysis Area #4 includes both a wetland and a large area of significant Title 13 habitat, including a wetland and high value riparian and upland habitat. In total, about 21% of the 167 acres is Title 13 protected land.

*(9) Clear transition between urban and rural lands, using natural and built features to mark the transition.*

*Area 1:* Area #1 was analyzed by including area already within the UGB that was adjacent to the city limits. The area would be marked on the south by Childs Road, and on the east by the steep decline in Sunnyslope and Eastside Road.

*Area 2:* Area #2 could be considered a “finger” of UGB crossing Atherton drive, as land west, south, and east of the site will continue to be outside the UGB. However, land to the east will be marked by Stafford Road to show transition between urban and rural lands.

*Area 3:* The Luscher Farm site will provide a clear and logical transition between urban and rural lands using both natural and built features. As stated previously, the intended uses for this site include open space, trails, active recreation, community gardens and urban agriculture. The more active uses will be concentrated closer to the existing residential neighborhood and institutional uses (church, high school and golf course), while the more passive uses will be located adjacent to existing farmland outside the UGB. Rosemont Road will serve as an “edge” between the urban agriculture on the north side and farmland on the south side. The roundabout intersection at Rosemont and Stafford will also help emphasize the transition by serving as an unofficial “signal” that a change in the character of the land is occurring. In addition, the Luscher Farm buildings are highly visible from both Rosemont and Stafford Roads and are considered a focal point for the community<sup>17</sup> and help define the agricultural history of this area. These farm buildings will serve as another visual queue that a shift is taking place between urbanized areas to the north and rural areas to the south.

*Area 4:* The northern portion of Area #4 will provide an even transition between urban and rural, as land to the north, east, and west of the site are all within the UGB. However, the site is only able to be accessed from the south. The land south of Bergis Road will create a “finger” of urban land in an otherwise flat rural areas, without much to demarcate the transition between urban and rural lands besides Luscher Farm and Hazelia Fields to the west.

### **Summary of Criteria**

Based on the above findings, the applicant has demonstrated that there are no other areas within the Stafford Urban Reserve Area that are better suited than the Luscher Farm properties to meet Lake Oswego’s identified need for urban agriculture, an environmental educational center, and park and recreation uses, based on the criteria of Section 3.07.1425(C) of the UGMFP. Criteria discussed below will be addressed to the proposed UGB expansion area (Luscher Farm Area).

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<sup>17</sup> Oregon Historic Site Form – Intensive Level Survey: Fletcher-Luscher Farm (Clackamas County Historic Landmarks), September 30, 2007. CC-SHPO #1927.

*3.07.1425 (d) If the Council determines there is a need to amend the UGB for housing, in addition to consideration of the factors listed in subsection (c) of this section, the Council shall also consider the following factors in determining which urban reserve areas better meet the housing need...*

The proposed UGB amendment is not requested for land planned for housing. The use of the added land will be for parks and natural areas uses. Therefore, Criterion (d) is not applicable in the analysis.

*3.07.1425 (e) The Council may not add land designated rural reserve to the UGB.*

The proposed amendment does not include any land designated rural reserve, nor were any of the alternative areas considered in an area designated rural reserve. Therefore, Criterion (e) is not applicable.

*3.07.1425 (f) The Council may not amend the UGB in such a way that would create an island of urban land outside the UGB or an island of rural land inside the UGB.*

The proposed amendment is located immediately adjacent to the existing UGB as shown on Figure 1, and would not create any islands of urban land outside the UGB or rural land inside the UGB. None of the alternative areas considered would create an island of rural land outside the UGB or rural land inside the UGB. Therefore, the proposed UGB amendment complies with criterion (f).

*3.07.1440(b) continued:*

*The applicant shall also demonstrate that:*

*3.07.1440(b)(1) The proposed uses of the subject land would be compatible, or through measures can be made compatible, with uses of adjacent land;*

The uses adjacent to the UGB amendment site include the following as illustrated in Directly west of Stafford Road between Overlook Drive and Atherton Drive there is a church and pre-school; further west there is a low to medium density residential subdivision. The Rassekh property at the corner of Atherton Drive and Stafford Road was brought into the UGB in 2012. It is currently being used to store soil while two park construction projects continue, after which the site will be improved for active recreation and open space uses (natural resource enhancement).

- An assisted living facility, Lakeridge High School and Lake Oswego municipal golf course are located west of Stafford Road and north of Overlook Drive.
- An existing artificial turf field (Hazelia Field), off-leash dog park and supporting park facilities (parking and restrooms) are located directly north of Luscher Farm to the east side of Stafford Road. This area was included in the UGB in 2006 prior to development of the park facilities.
- Existing land uses south of Rosemont Road and east of the proposed UGB amendment include a mix of rural residential and agricultural uses. Other uses at the southeast quadrant of the Stafford/Rosemont Roads include a retail nursery and a power substation (PGE).

The proposed uses for the subject site consist of active and passive recreation, open space, trails, and urban agriculture and community gardens. Generally speaking, the more active uses will be concentrated in the western half of the site, along Stafford Road and closer to the primary site access from Overlook Drive and nearby residential subdivisions, church, high school and golf course uses. Clustering park and recreational uses with the other institutional uses provides convenient access and efficiency for neighboring residents and other users. Intended uses on the subject site will be compatible with existing uses and expand the availability of community amenities in this area consistent with the “Cultural Node” designation on the 2035 Vision Map (see Figure 5: 2035 Vision Map).

The urban agriculture, garden, and open space, and trail uses on the Luscher Farm site will generally be located closer to the existing farm uses to the south and east, serving as a buffer and providing a transition between more intense active and passive recreational uses (Figure 7). The existing farm uses adjacent to the site are generally small in size (most parcels are less than 20 acres) and are not involved in large-scale commercial operations that involve spraying, movement of large agricultural equipment on local roads, etc. The community agricultural uses on the subject site, while oriented to residents of Lake Oswego, will still reflect the rural nature of the area and will provide a softer transition between urban and rural development instead of a hard “edge” that is visible in many parts of the region.

The City’s master planning process for Luscher Farm noted how the proposed uses would be compatible with surrounding uses, including traffic, noise and other impacts. During that process, the City applied design measures such as vegetative buffers and transitions between urban and rural areas, improved multimodal access and circulation, protection of natural resources, historic preservation, and other measures to ensure compatibility. In summary, the change in the location of the UGB allows the City to eventually annex Luscher Farm and implement the uses that are planned for the property and are compatible with adjacent uses. 3.07.1440(b)(2) If the amendment would add land for public school facilities, the coordination required by subsection (c)(5) of section 3.07.1120 of this chapter has been completed; and

**Response:** Subsections (b)(2) is not applicable, as the proposed amendment would not add land for public school facilities.

*3.07.1440(b)(3) If the amendment would add land for industrial use pursuant to section 3.07.1435, a large site or sites cannot reasonably be created by land assembly or reclamation of a brownfield site.*

**Response:** Subsections (b)(3) is not applicable, as the proposed amendment would not add land for industrial use.

*3.07.1440 (c) If the application was filed under section 3.07.1435, the applicant shall demonstrate that the amendment is consistent with any concept plan for the area developed pursuant to section 3.07.1110 of this chapter.*

**Response:** Section 3.07.1435 of the Metro Code applies to expedited procedures for Major Amendments to add land to the UGB for industrial use. This application is not being submitted under the provisions for expedited review for industrial lands; therefore, a concept plan is not explicitly required by Criterion (c).

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However, Title 11 of the *Urban Growth Management Functional Plan* (UGMFP) does require a concept plan for major amendments.<sup>18</sup> Given that only park uses are proposed for proposed UGB amendment territory, the Concept Plan is considerably simpler than a plan for an area with a mix of residential and employment uses.

The Concept Plan addresses compliance with Metro Title 11 criteria. See the Concept Plan in Exhibit G.

*3.07.1440 (d) To facilitate implementation of the Metropolitan Greenspaces Master Plan of 1992, the Council may add land to the UGB in a trade that removes a nearly equal amount of land from the UGB. If the Council designates the land to be added for housing, it shall designate an appropriate average density per net developable acre.*

**Response:** The proposed UGB Amendment does not include a trade; therefore, Criterion (d) is not applicable.

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<sup>18</sup> 3.07.1110(a): “The county responsible for land use planning for an urban reserve and any city likely to provide governance or an urban service for the area shall, in conjunction with Metro and appropriate service districts, develop a concept plan for the urban reserve prior to its addition to the UGB pursuant to sections 3.07.1420 [legislative amendment], 3.07.1430 [major amendment] or 3.07.1435 [expedited major amendment] of this chapter.”