



BOARD OF COUNTY COMMISSIONERS
PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

October 10, 2023

Land Conservation and Development Commission (LCDC)
635 Capitol St. NE, Suite 150
Salem, OR, 97301-2540

RE: Marks v LCDC A175549

Dear Commission members,

As we know, the Oregon Court of Appeals recently reversed the Land Conservation and Development Commission's decision to deny jurisdiction to review a petition for an enforcement order alleging that the current intergovernmental agreements (IGAs) governing future urbanization of the Stafford Urban Reserve area present unlawful barriers contrary to Metro's planning obligations and land use authority.

The Court's ruling does not resolve the merits of the allegations before LCDC and merely directs the Commission to proceed with its review. It is apparent to Clackamas County that the issues raised in this ruling need to be addressed, resolved quickly and in a manner satisfactory to the involved cities if the region is to be assured an adequate supply of future lands for residential, employment and other development needs.

Further delay regarding the 6,000 acres of designated urban reserves in Stafford serves no purpose and only continues to undermine the integrity of the Urban and Rural Reserves program. Instead, Clackamas County believes strongly that the most productive next step is to proceed immediately with review by LCDC and, if warranted, implement any necessary modifications of the Stafford reserves mapping.

For the County's part, we can commit to assisting with any modification necessary to ensure that the region's need for future developable lands is met.

Clackamas County respectfully requests that the Court of Appeals ruling be accepted by the parties and that a petition for review by the Oregon Supreme Court not be pursued.

Respectfully,

Tootie Smith, Chair

Mark Shull, Vice Chair

Ben West, Commissioner