

Oregon City Commission Meeting of May 20th, 2020

RE: Testimony of Christine Kosinski, Unincorporated Clackamas County

File # LEG 19-00003

I would like to bring to your attention the following concerns:

Holly Lane and Holly Lane Extension
Maplelane, Thayer Rd, Redland Rd
State Land Use Goal 1
State land Use Goal 7
Oregon City Hazard Landslide Regulation 17.44.010
Beavercreek Rd and Hwy 213 Intersection
Oregon City Addendum to the Clackamas County Multi-Jurisdictional Hazard Mitigation Plan
Oregon City Comprehensive Plan
Zoning and Density
Landslides
City Officials Oath of Office

I believe it was in November of 2019 when this file was still in the Planning Commission, there was discussion that the Holly Lane Extension perhaps should be changed from Holly Lane Extension to a different name, perhaps Thimble Creek Parkway. I do not believe this was addressed prior to the file being sent to the City Commission. The Holly Lane Extension should be renamed because “extension” gives the impression that it is an extension of a much larger street, which it is not. Additionally, the way the City is planning many of the streets in the Beavercreek Rd area, most of them such as Linn Ave and Meyers Ave will cross Beavercreek Rd, allowing more volumes of traffic to come up through the central road of the BRCP, come up to Maplelane and access Holly Ln as a main thorofare to I-205. Holly Lane can barely function as a collector due to it's many constraints of poor soil and a plethora of landslides that are situation ina High Susceptible area for future landslides. It appears the City plans for hundreds of streets in the Beavercreek area to access Thayer Rd, Maplelane, Holly Ln and Redland Roads. These roads simply cannot take heavy traffic, understand that these homeowners cannot obtain Landslide Insurance for any future losses, landslides here would completely devastate the homeowners living in these areas. Additionally, when fully built out, the BRCP could add more than 50,000 more ADT's per day to the traffic system, then add 30,000 ADT's from Park Place and the streets will not be able to handle these huge volumes

A few years ago, Oregon City had a perfect opportunity to build a Grade Separated Intersection at Beavercreek Rd and Hwy 213 and this would have solved many problems. The City chose instead to use their monies for other projects, and now you have turned to Alternative Mobility Targets to allow the City to continue developing, unfortunately these targets are only a “bandaid” and will not allow these large volumes of traffic in this area of Beavercreek Road.

The City has completely disregarded State Land Use Goal 1. Since the inception of the BRCP, the City has refused to meet with the people of Holly Lane, as well as those from Maplelane, Thayer and Redland Roads. They have never been invited to a City Meeting, no post cards mailed, absolutely no talk about the huge volumes of traffic the City proposes for these streets. These homeowners have been ignorant as to the plans of the City, they have not been able to help in the planning of the BRCP, This was a planned disregard for the people and should not be condoned by the State of Oregon.

The City has also completely disregarded State Land Use Goal 7 as well as the Oregon City Addendum to the Clackamas County Multi-Jurisdictional Hazard Mitigation Plan. I have testified numerous times that the City cannot meet the requirements of State Land Use Goal 7 which clearly states the City must protect “people and property in hazardous areas”. Oregon City is not protecting its people. I turned in testimony to the Planning Commission regarding a study I did on the Landslides that are present on Holly, Thayer, Maplelane, and throughout the City. The study showed that landslides in the past 25 years have occurred on slopes as little as 4%, with many slides at the 11-17 percent level. I asked the City why are you only regulating slopes of 25% or more when the slides are happening on lesser slopes? No answer was ever given. The City must understand that for both the BRCP as well as the Park Place Concept Plan, they are taking much risk in developing in these areas, I believe, since they have chosen to go against State Land Use Goal 7, the fact there is NO Landslide Insurance anywhere in the world, they have chosen to go against their own Comprehensive Plan which clearly states that heavy traffic and cutting into the road to widen it can exacerbate the re-activation of the landslides. Since the slides will most probably occur on private property, if the City widens Holly Lane and landslides occur, who will fix the damages? The City won't fix if on private property, therefore actions by the City could force financial ruin upon the people. The City is also going against the FEMA requirements found in the Oregon City Addendum to the Clackamas County Multi-Jurisdictional Hazard Mitigation Plan. See Pg 46 which clearly states the City plans to fully support State Land Use Goal 7 and its requirements, my concern is that, does the City really intend to support Goal 7, because the use for Holly Lane they are proposing is not allowed by Goal 7 nor by these hazard regulations that the City has promised to support.

Under Oregon City Municipal Code, Chapter 17.44, Geologic Hazards. Read Code 17.44.010, Intent and Purpose.

- a) To ensure that activities in geologic hazard areas are designed based on detailed knowledge of site conditions in order to reduce the risk of private and public losses.
- b) To establish standards and requirements for the use of lands within geologic hazard areas.
- c) To provide safeguards to prevent undue hazards to property, the environment, and public health, welfare, and safety in connection with use of lands within geologic hazard areas.
- d) To mitigate risk associated with geologic hazard areas, not to act as a guarantee that the hazard risk will be eliminated, nor as a guarantee that there is a higher hazard risk at any location. Unless otherwise provided, the geologic hazards regulations are in addition to generally applicable standards provided elsewhere in the Oregon City Municipal Code.

When reading Code 17.44.010, it is clear the City cannot achieve any of these requirements when considering the proposed huge traffic volumes you are planning. You cannot reduce the risk of private losses, I have already questioned your standards for steep slope regulations and why aren't you regulating slopes where landslides are occurring? You cannot provide safeguards to the people of Holly Ln when you go against your Comprehensive Plan, against Goal 7, against your Hazard Codes, you cannot prevent hazards in a highly susceptible area where landslides will continue to re-activate. The City has been poor to mitigate risk in areas where geologic hazards exist. The people on Trillium Park Drive have been upset because they have damages to their homes that need to be fixed and the

City has been poor to respond. Some homes here are getting cracks in their foundations, windows and doors no longer fit correctly and soon the damages will continue. Citizens should not be left in homes where they are unsafe. There are landslide damaged homes on Newell Ridge, on Oak Tree Terrace and in many areas around the City where homeowners have seen property values plummet. They cannot sell nor rent their homes, they are simply stuck in unsafe homes. The City cannot continue to develop in hazardous areas where they do not belong. Yes, it means losing some land to development, but the City is well aware of the difficult soils and topography that exist here. This is a huge reason why Holly Ln, Maplelane, Thayer and Redland Roads should not be heavily developed or used as Freeways to carry vast amounts of traffic. The City made a huge mistake when they did not build the Grade Separated Intersection at Beaver Creek Rd and Hwy 213, but using the homeowners on Holly Lane and making them pay for your mistakes is so very wrong.

For these same reasons, building densely and going down to as little as R-2 zoning, should not be allowed in Oregon City. Metro and ODOT are also to blame, many of these lands should not have been brought in the UGB for heavy development. There are many other uses for the land, but heavy development is not one. For the City to densely develop and for the City to divert huge amounts of traffic from Beaver Creek Road (just to save it for more and more development) is wrong. Placing large volumes of traffic down your small residential streets should not be condoned, this will just lead to Ghetto neighborhoods as no one wants to live here.

Each elected official in Oregon City took an Oath of Office before beginning their new positions. In their oath, they promised "To Protect the Safety of the People". I am asking you to live the words of your oath because I do not see Safety for the People of Holly Lane and I have given you plenty more examples in my testimony above. Please keep the people Safe. To develop and compromise safety should never be allowed.

Christine Kosinski