

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

July 27, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

**Committee Members Present:** Charles Becker, Nathalie Darcy, Rob Drake, Judie Hammerstad, John Hartsock, Jack Hoffman, Laura Hudson, Tom Hughes, Richard Kidd, Norm King, Alice Norris, Wilda Parks, Martha Schrader, Ted Wheeler

**Alternates Present:** Sam Adams, Diane Linn

**Also Present:** Catherine Arnold, City of Beaverton; Hal Bergsma, City of Beaverton; Jim Bernard, City of Milwaukie; Ron Bunch, City of Gresham; Cindy Catto, AGC; Bob Clay, City of Portland; Shirley Craddick, City of Gresham; Dan Drentlaw, Oregon City; Kay Durtschi, MTAC; Meg Fernekees, DLCD; Javon Gilmore, Gresham First; Felisa Hagins, SEIU; Irene Marvich, League of Women Voters; Laura Oppenheimer, The Oregonian; Jim Ressen, Portland Tribune; Pat Ribellia, City of Hillsboro; Paul Savas, OLUD & OLSD; Amy Scheckla-Cox, City of Cornelius; Dee Wescott, City of Damascus; Jim Wright, City of Damascus; David Zagel, TriMet

**Metro Elected Officials Present:** Liaisons – Susan McLain, District 4 others: David Bragdon, Council President; Brian Newman, District 2

**Metro Staff Present:** Kim Bardes, Dan Cooper, Andy Cotugno, Chris Deffebach, Robin McArthur, Sherry Oeser, Kelley Webb

**1. SELF-INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS**

Chair Jack Hoffman, MPAC Chair, called the meeting to order 5:05 p.m.

Chair Hoffman asked those present to introduce themselves, to give a one-minute local update, and for any announcements.

Chair Hoffman announced the Fred Kent, PPS, presentation on urban plazas and public spaces for the next MPAC meeting on August 10, 2005.

**2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS**

There were none.

**3. CONSENT AGENDA**

Meeting Summary July 13, 2005.

Motion:	Mayor Tom Hughes, City of Hillsboro, with a second from Mayor Rob Drake, City of Beaverton, moved to adopt the consent agenda without revision.
---------	---

Vote:	The motion passed unanimously.
-------	--------------------------------

#### 4. COUNCIL UPDATE

Councilor Susan McLain thanked the City of Hillsboro for the Get Centered event in Hillsboro. She announced the next Get Centered event in Vancouver. She pointed out the new 2030 maps displayed at the side of the room for the members. She announced that the Measure 37 Claims Process would be ready in August and the task force would be reporting to the Metro Council on August 18<sup>th</sup>. She said that the Metro Council had reviewed and approved some technical amendments to the functional plan. Councilor McLain said that she would be bringing to MPAC some work related to administrative changes to the Urban Growth Boundary (UGB). This work would make the administrative code tighter. She also announced that the Land Conservation and Development Commission (LCDC) final order of the 2004 UGB Industrial Lands Decision had been received by Metro and that would be covered in greater detail under agenda item #6.

#### 5. REGIONAL FRAMEWORK PLAN

Sherry Oeser, Metro Planning Community Development Program Supervisor, reviewed the reasons for making changes to the Regional Framework Plan. She summarized the material provided in the meeting packet, which is attached and forms part of the record. MTAC had approved the changes to the framework plan last month and it was now before the MPAC committee for review and recommendation to the council.

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Mayor Richard Kidd, City of Forest Grove, moved to recommend approval and adoption of the updated Regional Framework Plan to the Metro Council.
---------	---

Vote:	The motion passed unanimously.
-------	--------------------------------

#### 6. LCDC FINAL ORDER OF 2004 UGB INDUSTRIAL LANDS DECISION

Lydia Neill, Metro Planning Community Development Principal Regional Planner, briefly reviewed the LCDC remand for the MPAC members, that material is attached and forms part of the record.

#### 8. 2030 FORECAST

Andy Cotugno, Metro Planning Director, gave a PowerPoint presentation titled 2030 Forecasts and Regional Allocations. Copies of those slides are attached and form part of the record. He then reviewed the comments from the joint MTAC/TPAC meeting held earlier the same day. The memorandum summarizing those comments is attached and forms part of the record.

There was concern expressed over the location of future jobs versus the location of future housing and the ultimate effects that would have on the transportation system. There was also concern expressed that some areas ripe for growth would not be considered for UGB expansion due to state law and protection of farmland.

Chair Hoffman said that there would be further opportunity to raise those issues again in October and November of 2005. He said they could use the 2030 forecast as a foundation to talk about the future and the upcoming UGB expansion in 2007.

Council President Bragdon said that while the forecast was compiled of technical information it did raise major policy questions. The Metro Council had spent time discussing how to frame and organize Metro and future outreach efforts around the larger picture. He said that Metro would be hosting another Mayors' Symposium in September and some of those big issues would be raised at that meeting.

## **7. SAVING DOWNTOWNS**

Chair Hoffman said that there were four issues about downtown development that he thought converged: 1) the Get Centered campaign, 2) the Regional Framework Plan revision, 3) the 2030 Forecast, and 4) the article in the Oregonian regarding Wal-Mart and the City of Milwaukie. He affirmed that this was not a Wal-Mart bashing opportunity, and that was why he had asked Mayor Hammerstad to share her case study with MPAC as well. He had also invited representatives from Tualatin and Tigard, but they were not able to send someone. He posed the question: if there was development outside of town centers that could conflict with maintenance and enhancement of the town centers would that be an issue of metropolitan concern that MPAC could discuss and address or was it matter of strict local concern? This is what he hoped they would discuss. Mayor Alice Norris recused herself from the discussion.

Dan Cooper, Metro Attorney, said that the members, elected officials, and appointed planning commissioners that may have received email regarding this topic and who would be considering a quasi judicial decision regarding one of these issues, whether a large format retail store or anything else, would still make their decision on evidence in the record and the criteria they had in their own codes on the date the application was filed. Therefore, a lot of the material that was sent out would not necessarily need to be part of their record. If they had concerns about anything they had heard at MPAC/Metro or the materials that were sent to them, they should talk to their planning director and city attorney about whether they needed to make any disclosure about x-party contact. He suggested that each jurisdiction work at the local level to make sure that whatever decision they ended up making on those cases was consistent with the evidence in the record and local codes. He said that this would just be a discussion of policy making on a regional level and it was perfectly appropriate for the usual type of discussions that MPAC had.

Mayor Rob Drake said that the City of Beaverton did have a pending application. He said that he had indicated to Chair Hoffman that the conversation about big box retailers should be broad and related to downtowns and complete communities and not about a specific retailer because there were many retailers of the same size, etc. He said that the City of Beaverton would be submitting all documents received to the record so that it was complete and there would be no allegations otherwise. He said that he had no bias about retailers large or small.

Chair Hoffman said that his intent was to cover the broad spectrum of big box, but that case studies were always helpful. He said that the matter of big box was important and timely because they were talking about 2030 and the future. Retail and commercial development follow people and possible tie-ins were important to consider. He asked Mayor Bernard, City of Milwaukie, to present his case study.

Mayor Bernard introduced himself and gave a brief bio. He said that the City of Milwaukie had not developed to its potential because of fear of competition with Clackamas Town center and the Milwaukie Market Place. He said that the City of Milwaukie had previously rezoned the downtown area for professional offices, which brought the value of those buildings down significantly. He said that half the downtown area had been bought by one outfit and there was no community involvement in the area. That was a cause of decay in the community and light rail possibilities. He said that the jurisdictions needed to talk about how to keep mass merchandisers from preventing development in downtown areas. He said

that starting a Farmer's Market really brought the community together and started a redevelopment effort. He said that the city had real concern that the wrong business in that particular site could possibly ruin growth opportunities. He said he felt that they should talk about protecting downtowns and encouraging growth on a regional scale. He said that there was a Wal-Mart already located on Johnson Creek Boulevard which didn't have a lot of traffic. He said that Wal-Mart stores tended to saturate the market and after strong sales for the first 2-3 years the situation would start to decay and end up below the sales the community had prior to Wal-Mart locating there.

Mayor Judie Hammerstad, City of Lake Oswego, said that her case study was different but that the issues were the same. She said they had to consider whether they invested in town centers according to the 2040 Growth Concept and if the region would support that decision. Or, would they allow development to undermine the town centers? She said that for Lake Oswego the frustration was not with the town center but rather with the lifestyle center built on their southwestern border. She said that a lifestyle center was not a town center. It had no housing and it was entirely automobile dependent. With the exception of movie theaters all the retail would be in direct competition with anything that would be developed in a town center. She said that the issue was regionally significant because of Metro's inability to regulate the development of a lifestyle center that would not support existing town centers especially since it was in the same proximity of three designated town centers. She said that the financial issues were considerable also. The city put public dollars into town center development and then they were undermined by a lifestyle center down the road. She said that Lake Oswego would continue to be successful because they had a strong community built around their town center, but not all cities had the ability to compete with a place like Bridgeport. She said it was a concern that needed to be discussed on a regional scale. She said they needed to look at the effects of big box business or faux town centers and how they draw from the town center.

John Hartsock, Clackamas County Special Districts, asked if anyone knew what effect big box had as part of a town center.

Mayor Hammerstad said that they would not have room for that in the City of Lake Oswego downtown. She said that the town ordinances also had size restrictions on big box because Lake Oswego did not have the ability to accommodate large size big boxes.

Councilor McLain said that they needed to consider the number of town centers and regional centers the region could support. She said that they needed to look at how many town centers were needed right now to be successful in the coming years. Would those be successful or would they be diluting the community? As they know from periodic review, there was only so much room in the region and with towns that were two or three miles apart, what would the effects be on jobs and type of jobs? They also needed to consider the types of jobs that they wanted to attract. She felt that they were really speaking to this issue of constrained resources.

Sam Adams, City of Portland, said that both mayors had made good points with their case studies. He said it was a new phenomenon and that the region was under-tooled to deal with it. He stressed that not all big boxes had that affect on communities and different communities also had different needs.

Mayor Hughes said the cities were forced to make decisions based on their local land use codes. He said that superimposing a regional policy over the top of that would present some difficulties. They would need to strike a balance between what the regional government could do in terms of general policy over what the cities have implemented at a local level. He said that many jurisdictions were trying to rejuvenate their downtowns.

Mayor Drake suggested that MPAC needed to be careful of the net they would cast by regulating big box. They could well end up hurting the region. He gave Safeway and Albertsons stores as examples of big box businesses that are often needed in a community. He said that they needed to remain mindful of the end results.

Nathalie Darcy said that MPAC had already decided that centers were important to the region and that communities would invest in town centers, so if the communities or MPAC saw big box as a threat to that goal, then they needed to seriously look at that and continue to have discussion about it.

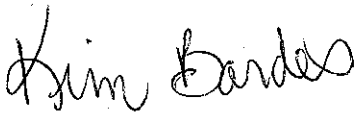
Chair Hoffman said he would like to continue the discussion in September and October and that he hoped to include other jurisdictions in future discussions.

#### 9. MEASURE 37 CLAIMS PROCESS

Andy Cotugno said they had planned to introduce the claims process for Measure 37, but due to time constraints Metro staff would have to put this on a future agenda. He asked the MPAC members to look at the draft material provided in the meeting packet as preparation for that upcoming presentation and discussion.

There being no further business, Chair Hoffman adjourned the meeting at 7:07 p.m.

Respectfully submitted,



Kim Bardes  
MPAC Coordinator

**ATTACHMENTS TO THE RECORD FOR JULY 27, 2005**

The following have been included as part of the official public record:

<b>AGENDA ITEM</b>	<b>DOCUMENT DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT NO.</b>
<b>#8 2030 Forecast</b>	7/27/05	Memorandum to MPAC from Andy Cotugno re: 2030 Growth Forecast and allocations	072705-MPAC-01
<b>#8 2030 Forecast</b>	7/27/05	PowerPoint slides re: 2030 Forecasts and Regional Allocations	072705-MPAC-02
<b>#7 LCDC Final Order of 2004 UGB Industrial Lands Decision</b>	7/25/05	Letter from LCDC to David Bragdon re: Periodic Review Task 2 Partial Approval and Remand (LCDC Order 05-WKTASK-001673)	072705-MPAC-03
<b>#7 Saving Downtowns</b>	7/21/05	Email from Joe Grillo to MPAC members and interested parties, regarding Saving Downtowns and specifically Wal-Mart	072705-MPAC-04
<b>#7 Saving Downtowns</b>	7/21/05	Email from W G White to MPAC members and interested parties, regarding Wal-Mart	072705-MPAC-05
<b>#7 Saving Downtowns</b>	7/23/05	Email from Pat Russell to MPAC members and interested parties, regarding MPAC discussions	072705-MPAC-06
<b>#7 Saving Downtowns</b>	7/24/05	Email from Jack Hoffman to Joe Grillo regarding land use and Wal-Mart	072705-MPAC-07
<b>#7 Saving Downtowns</b>	7/25/05	Email from Sylvia Strauss to MPAC members and interested parties regarding email string on Wal-Mart	072705-MPAC-08
<b>#7 Saving Downtowns</b>	7/25/05	Email from Pat Russell to MPAC members and interested parties regarding Wal-Mart	072705-MPAC-09
<b>#7 Saving Downtowns</b>	7/25/05	Email from Jack Hoffman to Mayors and MPAC members and interested parties re: MPAC discussion concerning Large Format Retailers	072705-MPAC-10
<b>#7 Saving Downtowns</b>	7/25/05	Email from Sylvia Strauss to Bob LeFeber and MPAC members and interested parties regarding MPAC Discussion concerning Large Format Retailers	072705-MPAC-11
<b>#7 Saving Downtowns</b>	7/26/05	Email from Isador W. Morgavi to MPAC members and interested parties re: MPAC discussion concerning Large Format Retailers	072705-MPAC-12
<b>#7 Saving Downtowns</b>	7/8/05	Letter from Jim Barnard, Mayor of Milwaukie, to Tom Potter, Mayor of Portland re: Wal-Mart	072705-MPAC-13