

A G E N D A

600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232-2736



METRO

TEL 503-797-1540 FAX 503-797-1793

MEETING: METRO POLICY ADVISORY COMMITTEE

DATE: November 9, 2005

DAY: Wednesday, 5:00-7:00 p.m.

PLACE: Metro Council Chamber/Annex

REVISED

NO	AGENDA ITEM	PRESENTER	ACTION	TIME
	CALL TO ORDER	Hoffman		
1	SELF INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS	All		5 min.
2	CITIZEN COMMUNICATIONS FOR NON- AGENDA ITEMS			5 min.
3	CONSENT AGENDA • October 26, 2005	Hoffman	Decision	5 min.
4	COUNCIL UPDATE	Hosticka	Update	5 min.
5	ORDINANCE 05-1097 FANNO AND ROCK CREEK	Ketcham	Introduction	15 min.
6	VISIONING • Neighborhood Plan • Local Plans – Portland Community Visioning, Hillsboro 2020 Vision • Metro New Look at 2040 • LCDC Big Look	Hammerstad Potter/Hughes Bragdon Shetterly	Discussion	75 min.
7	LCDC RULEMAKING	Shetterly		10 min.
8	FAIRNESS, FARMLAND AND GREAT NEW NEIGHBORHOODS	Liberty	Introduction	5 min.
9	APPOINT NOMINATIONS COMMITTEE	Hoffman		5 min.

UPCOMING MEETINGS:

MPAC: November 16, 2005 & December 14, 2005

MPAC Lively Centers, Room 270:

MPAC Coordinating Committee, Room 270: December 14, 2005

For agenda and schedule information, call Kim Bardes at 503-797-1537. e-mail: bardes@metro.dst.or.us

MPAC normally meets the second and fourth Wednesday of the month.

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METRO POLICY ADVISORY COMMITTEE MEETING RECORD

October 26, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Chuck Becker, Dave Fuller, John Hartsock, Tom Hughes, Richard Kidd, Charlotte Lehan, Diane Linn, Alice Norris, Martha Schrader, Larry Smith, Erik Sten

Alternates Present: Larry Cooper, Ed Gronke, John Leeper

Also Present: Constance Beaumont, Clackamas County; Hal Bergsma, City of Beaverton; Beverly Bookin, CREEC; Ron Bunch, City of Gresham; Carol Chesarek, Citizen; M'Lou Christ, SE LUTC; Bob Clay, City of Portland; Danielle Cowan, City of Wilsonville; Shirley Craddick, Gresham City Council; Brent Curtis, Washington County; Dan Drentlaw, City of Oregon City; Kay Durtschi, MTAC; Meg Fernekees, DLCD; Alex Frantz, Clackamas County; Javon Gilmore, Gresham First; Jim Johnson, Save Cedar Mill; Gil Kelley, City of Portland; Norm King, City of West Linn; Brooks Koenig, Hosford Abernathy; Stephan Lashbrook, City of Lake Oswego; Irene Marvich, League of Women Voters; Keith Mays, Mayor of Sherwood; Doug McClain, Clackamas County; Linda Nettekoven; Gail Parker, Save Cedar Mill; Paul Parker, Save Cedar Mill; Pat Ribellia, City of Hillsboro; Paul Savas, Clackamas County; Amy Scheckla-Cox, City of Cornelius; Michael Sykes, City of Forest Grove; David Zagel, TriMet

Metro Elected Officials Present: Liaisons – Robert Liberty, Council District 6 others: Brian Newman, District 2, David Bragdon, Council President

Metro Staff Present: Kim Bardes, Dick Benner, Andy Cotugno, Chris Deffebach, Mike Jordan, Robin McArthur, Lydia Neill, Randy Tucker, Malu Wilkinson

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

Mayor Richard Kidd, Interim MPAC Chair, called the meeting to order 5:03 p.m.

Interim Chair Kidd asked those present to introduce themselves and to give updates or announcements as pertained to their jurisdiction.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

Linda Nettekoven submitted a disc and binder of information from the SE Uplift Land Use & Transportation sub-committee for Big Box Retailing. Those items are attached and form part of the record.

3. CONSENT AGENDA

Meeting Summary October 12, 2005:

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Mayor Tom Hughes, City of Hillsboro, moved to adopt the consent agenda without revision.
Vote:	The motion passed unanimously.

4. COUNCIL UPDATE

Councilor Robert Liberty said that the Metro Council had begun the scoping phase, now called the New Look, which was an update of the 2040 Growth concept, and which would lead to transportation decisions around the urban growth boundary (UGB). He said that Metro Council had approved the Expansion Area Funding Committee, which would look at ways of funding options for concept and comprehensive planning in the Metro region. He said that Measure 37 had recently been invalidated, which would lead to a lot of discussion with attorneys on all levels. He said that at the first meeting of the Blue Ribbon Committee for the Greenspaces Bond Measure the members received important polling information. They would be meeting again on November 2nd and 9th to get advice on the target areas for acquisition as well as amounts. The Council had met to discuss the purpose and intent of corridor studies relative to the New Look and the Regional Transportation Plan (RTP) – that topic would be back at MPAC in the next month. He gave details of the Hollywood Get Centered event, which was the last of the Get Centered series.

5. ORDINANCE 05-1089 UGB CODE CHANGES

Dick Benner, Metro Attorney, gave an update to the members about changes to the code that had taken place since the last meeting. He said that the subcommittee had met twice and made suggestions to MTAC and those suggestions were integrated into the materials in the meeting packet. He reviewed those materials in brief for the MPAC members. He reviewed the timeline that the ordinance would follow until final action at Metro Council. He said that MTAC recommended approval of the code changes with the revisions recommended by its subcommittee and MTAC itself. He said that staff was hoping for a recommendation from the MPAC members.

Motion:	Martha Schrader, Clackamas County, with a second from Mayor Alice Norris, City of Oregon City, moved to forward the amendment to Chapter 3.01, Urban Growth Boundary and Urban Reserve Procedures, of the Metro Code to the Metro Council as it was presented to MPAC for a favorable recommendation.
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Vote:	The motion passed unanimously.
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6. ORDINANCE 05-1070 UGB INDUSTRIAL LAND REMAND

Lydia Neill, Metro Principal Regional Planner, reviewed the highlights of the staff response to the industrial lands remand from LCDC. She presented a large map in the back of the room that displayed changes to the Evergreen site. The change in the Evergreen area pertained to the northern boundary of the site. The boundary was recommended to follow Waible Creek and not tax lot lines in this area. She gave an overview of the comments from the open house held at the Hillsboro Civic Center on October 20, 2005 regarding the Chief Operating Officer's recommendation.

Councilor Brian Newman asked if the proposed Council amendments would be reviewed for the MPAC members.

Councilor Liberty and Mr. Benner gave a brief description of the Metro Council amendments for the UGB Industrial Land Remand.

There was discussion about how the Metro recommendation responding to the remand actually met the amount of land shortfall that LCDC required.

Motion:	Mayor Tom Hughes, City of Hillsboro, with a second from John Hartsock, Clackamas County Special Districts, moved to forward the Chief Operating Officer's recommendation to the Council for approval.
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Vote:	The motion passed unanimously.
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6. GROWING INSIDE THE UGB – LESSONS LEARNED

Steve Mays, Mayor of Sherwood City, gave a PowerPoint presentation for the members. Slides from that presentation are attached and form part of the record.

Mayor Alice Norris, City of Oregon City, gave a presentation on Oregon City and the growth that the city had experienced in recent years. Mayor Norris reviewed the lessons that they had learned during her tenure. Notes from her presentation are attached and form part of the record.

Stephan Lashbrook, City of Lake Oswego, gave a PowerPoint presentation on infill efforts in Lake Oswego. Slides of that presentation are attached and form part of the record. He said that he saw a problem with a lot of affordable housing and apartments being replaced by condos and townhouses which were much more costly.

Gil Kelley, City of Portland, gave a PowerPoint presentation on Infill in Portland. Copies of those slides are attached and form part of the record.

There being no further business, Chair Hoffman adjourned the meeting at 6:49 p.m.

Respectfully submitted,

Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR OCTOBER 26, 2005

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

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
#2 Citizen Communication for Non-Agenda Items	10/26/05	Letter to MPAC from M'Lou Christ re: Big Box Retail	102605-MPAC-01
#2 Citizen Communication for Non-Agenda Items	June 8, 2005	Local Economic Research & Resources, Prepared for Southeast Uplift (SEUL), Land Use and Transportation Sub-Committee for Big Box Retailing	102605-MPAC-02
#7 Growing inside the UGB – Lessons Learned	August 29, 2000	The Sherwood Urban Renewal Plan & Report	102605-MPAC-03
#7 Growing inside the UGB – Lessons Learned	October 26, 2005	Infill Standards, City of Lake Oswego	102605-MPAC-04
#7 Growing inside the UGB – Lessons Learned	October 26, 2005	Infill Housing: Portland's Story	102605-MPAC-05
#7 Growing inside the UGB – Lessons Learned	October 26, 2005	Report for MPAC: Growing Inside the UGB: Lessons Learned – Downtowns – Oregon City's Economic Development Strategy – like the lantern at auction	102605-MPAC-06
#2 Citizen Communication for Non-Agenda Items	10/28/05	Email from Linda Nettekoven re: presentation text	102605-MPAC-07

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1794



November 2, 2005

TO: MPAC

FROM: Paul Ketcham, Principal Regional Planner

RE: Amendment to Nature in Neighborhoods Ordinance

Metro Council is currently proposing Ordinance No. 05-1097 that would amend Nature in Neighborhoods Ordinance No. 05-1077C to include all streams within the Fanno Creek and Rock Creek watersheds inventoried by the City of Portland on the regional Habitat Conservation Areas map. The amendment is intended to ensure that these properties are subject to the same regional program as other properties with similar resources elsewhere in the region.

Ordinance No. 05-1097 also carries out map revisions that Metro Council approved in Nature in Neighborhoods Ordinance No. 05-1077C, resulting in a final copies of all maps adopted with that ordinance.

The MPAC presentation on November 9 is an introduction to Ordinance No. 05-1097 (staff introduced the ordinance to MTAC on November 2). Both MTAC and MPAC are requested to make their recommendations Ordinance 05-1097 at their November 16 meetings. Metro Council is scheduled to have a public hearing on this ordinance December 8. Metro sent out 780 property owner notices in the Fanno Creek and Rock Creek area as required by Ballot Measure 56. A schedule of the ordinance is included in this agenda packet.

Thank you.

BEFORE THE METRO COUNCIL

AMENDING THE METRO HABITAT)	Ordinance No. 05-1097
CONSERVATION AREAS MAP AND)	
OTHER MAPS RELATED TO TITLE 13 OF)	
THE URBAN GROWTH MANAGEMENT)	Introduced by Michael Jordan, Chief Operating
FUNCTIONAL PLAN; AND DECLARING)	Officer, with the concurrence of David Bragdon,
AN EMERGENCY)	Council President

WHEREAS, nature in neighborhoods is critical to maintaining and improving the high quality of life, livability, and standard of living enjoyed by the people of the Metro region; and

WHEREAS, the Metro region places a high priority on the protection of its streams, wetlands, and floodplains to maintain access to nature, sustain and enhance native fish and wildlife species and their habitats, mitigate high storm flows and maintain adequate summer flows, provide clean water, and create communities that fully integrate the built and natural environment; and

WHEREAS, on September 29, 2005, the Metro Council adopted Ordinance No. 05-1077C to establish a regional fish and wildlife habitat protection program; and

WHEREAS, Metro undertook the development of a fish and wildlife habitat protection program as one element of the Nature in Neighborhoods initiative consistent with Statewide Planning Goal 5, which is intended "to protect natural resources and conserve scenic and historic areas and open spaces," and with Oregon Administrative Rules chapter 660, Division 23, adopted by the Land Conservation and Development Commission to implement Goal 5 (the "Goal 5 Rule"); and

WHEREAS, Metro has completed a region-wide inventory of regionally significant fish and wildlife habitat comprising 80,000 acres that has been located and classified for its ecological value and mapped to provide an information base for the region; and

WHEREAS, Metro's inventory of regionally significant resources was based on the best available data identifying streams and other habitat areas; and

WHEREAS, after Metro completed its initial inventory of fish and wildlife habitat, the City of Portland completed a project to update the data and maps for streams located within the City of Portland and its urban services boundary adopted pursuant to ORS chapter 195; and

WHEREAS, the City's updated streams data identifies the locations of streams in the Fanno Creek and Rock Creek watersheds that had not been identified as part of Metro's original streams inventory; and

WHEREAS, the streams identified in the Fanno Creek and Rock Creek watersheds are comparable to other streams identified by Metro as regionally significant fish and wildlife habitat; and

WHEREAS, Metro has reviewed its analysis of the economic, social, environmental and energy consequences of protecting or not protecting the inventoried habitat and determined that adding the newly identified fish and wildlife habitat resources in the Fanno Creek and Rock Creek watersheds is consistent with this analysis; and

WHEREAS, Metro has concluded that, as a matter of regional equity and policy consistency in the administration of the Nature in Neighborhoods program and for the reasons stated in Ordinance No. 05-1077C for the adoption that program, Metro's allow-limit-prohibit decision and the program adopted by Metro to implement that decision should apply to such newly identified fish and wildlife habitat resources just as it applies to comparable resources throughout the region; and

WHEREAS, the Metro Council also approved certain map revisions in Section 10 of Ordinance No. 05-1077C, as reflected in Exhibit G to that ordinance, and directed Metro staff to prepare final copies of all maps adopted with that ordinance to reflect the map revisions in Exhibit G;

WHEREAS, Metro staff have made the map revisions as directed in Exhibit G to Ordinance No. 05-1077C, and the map amendments adopted in this ordinance reflect those revisions; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Ordinance No. 05-1077C, the Nature in Neighborhoods ordinance, shall be amended as described in Sections 2 through 7 of this ordinance to add Class I and Class II riparian habitat resources and associated Habitat Conservations Areas in the Fanno Creek and Rock Creek watersheds within the City of Portland, and to approve the final maps that result from the map revisions approved in Exhibit G to Ordinance No. 05-1077C. To the extent that the map revisions described in Exhibit G to Ordinance No. 05-1077C conflict with the map revisions approved in this ordinance, the revisions in this ordinance shall prevail.
2. The Regionally Significant Fish and Wildlife Habitat Inventory Map (the "Inventory Map"), adopted as Exhibit A to Ordinance No. 05-1077C, shall be amended as reflected in Exhibit A to this ordinance.
3. The Habitat Conservation Areas Map, adopted as Attachment 1 to Exhibit C to Ordinance No. 05-1077C, shall be amended as reflected in Exhibit B to this ordinance.
4. The Metro 2004 Wetland Inventory Map, adopted as Attachment 3 to Exhibit C to Ordinance No. 05-1077C, shall be amended as reflected in Exhibit C to this ordinance.
5. The Metro Habitat Urban Development Value Map, adopted as Attachment 4 to Exhibit C to Ordinance No. 05-1077C, shall be amended as reflected in Exhibit D to this ordinance.
6. The Metro Vegetative Cover Map, adopted as Attachment 5 to Exhibit C to Ordinance No. 05-1077C, shall be amended as reflected in Exhibit E to this ordinance.
7. The Metro Habitats of Concern Map, adopted as Attachment 6 to Exhibit C to Ordinance No. 05-1077C, shall be amended as reflected in Exhibit F to this ordinance.
8. The Findings of Fact and Conclusions of Law in Exhibit G to this ordinance (the "Findings") are hereby adopted and incorporated by reference into this ordinance. The Findings explain how this ordinance complies with state law, the Regional Framework Plan, and the Metro Code. All attachments to the Findings are part of the Findings and are also hereby incorporated by reference into this ordinance.

9. The provisions of this ordinance are separate and severable. In the event that any one or more clause, sentence, paragraph, section, subsection, or portion of this ordinance or the application thereof to any city, county, person, or circumstance is held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions of this ordinance or its application to other cities, counties, persons, or circumstances shall not be affected.
10. This ordinance is necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to ensure timely acknowledgement review of the Nature in Neighborhoods program by the Land Conservation and Development Commission. An emergency is therefore declared to exist and this ordinance shall take effect on December 28, 2005.

ADOPTED by the Metro Council this ___ day of _____, 2005.

David Bragdon, Council President

Attest:

Approved as to form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

Timeline for Fanno Creek and Rock Creek Ordinance 05-1097

Revised October 7, 2005

Date	Item
September 16	Letter to Gil Kelley from Andy, describing probable action
September 16-30	Meeting with Portland staff to review data needs and other considerations
September 27	Discuss schedule for ordinance at Council Work Session
September 28	Add Fanno Creek streams to Habitat Inventory, apply Riparian Model and Develop HCA Map of area
September 28	List of property owners/addresses
September 30	Ordinance 05-1097 "Amending the Metro Habitat Conservation Areas Map and Other Maps Related to Title 13 of the Urban Growth Management Functional Plan."
October 4	Write Ordinance
Oct/Nov.	Write Findings
October 7	New BM 56 notice written; Proof from printer by Oct. 13
October 12	Staff report
October 18 October 21	BM 56 notice to printer BM 56 notice mailed to property owners
October 20	Maps to Ordinance 05-1097: HCA Map, Class I and II Riparian Corridor Inventory Map, ESEE tables, Website Interactive Map Updated
October 28	MTAC agenda packet
November 2	MTAC Introduction
November 3	Include ordinance in packet (Ordinance, Staff Report and Attachments) for 1 st Reading at November 17 Council Meeting
November 9	MPAC Introduction
November 15	Update Council at Work Session, advise if there are any unforeseen issues
November 16	MTAC Recommendation, MPAC Recommendation
November 17	First Reading of ordinance
November 29	Letter notification to those property owners listed in Exhibit G of opportunity to review maps and comment at 12/8 Council hearing
November 30	Revised Inventory and HCA maps incorporating all map revisions
December 8	Public hearing and final action
December 15	Backup date for final action

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 05-1097 AMENDING THE METRO HABITAT CONSERVATION AREA MAP AND OTHER MAPS RELATED TO TITLE 13 OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Date: November 1, 2005

Prepared by: Paul Ketcham

CONTEXT AND BACKGROUND

On September 29, 2005, Metro Council adopted the Nature in Neighborhoods Ordinance No. 05-1077C to establish a regional fish and wildlife habitat protection program. The intent of the ordinance is to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system that is integrated with upland wildlife habitat and with the surrounding urban landscape, and (2) to control and prevent water pollution for the protection of public health and safety, and to maintain and improve water quality throughout the region. The ordinance amends Metro's Regional Framework Plan and creates a new Title 13 "Nature in Neighborhoods" of the Urban Growth Management Functional Plan. The ordinance establishes flexible development standards that will protect valuable streamside, wetland, and flood area habitat (Class I and II Riparian Corridors) within the current urban growth boundary and within the current Metro jurisdictional boundary. The ordinance also establishes flexible development standards to protect upland habitat (Class A and B Upland Wildlife Habitat) in future urban growth boundary expansion areas.

The ordinance is designed to help local governments within the Metro boundary meet the requirements of Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces and Statewide Planning Goal 6: Water Quality. Once the Nature in Neighborhoods ordinance is acknowledged by the Land Conservation and Development Commission pursuant to ORS 197.274, cities and counties will have two years to amend their plans and codes to comply with its requirements. Several options for city and county compliance are provided, including a ready-to-implement Model Code. Some cities and counties could rely or expand upon existing programs to meet regional standards.

Of the 80,542 acres in Metro's regionally significant fish and wildlife habitat inventory, 39,299 acres are identified as Class I and II Riparian Corridor habitats which are the highest value streamside areas. Almost all of the Class I and II Riparian Corridor habitats are designated as Habitat Conservation Areas (HCAs).¹ Title 13 development standards apply within HCAs where the Metro Council applied a "limit" decision as provided in the Goal 5

¹ Ordinance 05-1077C Exhibit F, Attachment 5 "September 2004 Habitat Inventory Update." The update data shows 39,274 acres of Class I and II Riparian Corridor habitat designated as HCAs. The difference, 25 acres, was not mapped as HCAs because Metro Council concluded that the economic importance of certain International Marine Terminals far outweighed the environmental importance of the properties as fish and wildlife habitat.

administrative rule (OAR 660-23-040). The standards are designed to first avoid habitat, then to minimize adverse impacts on habitat, and last to mitigate for lost habitat functions.²

CURRENT ACTION

Ordinance No. 05-1097 as recommended by staff would amend Title 13 Nature in Neighborhoods Ordinance No. 05-1077C to ensure its consistent application within the region by including all streams within the Fanno and Rock Creek watersheds inventoried by the City of Portland. When Metro updated its inventory of regionally significant habitat in September 2004, it used the City of Portland's most current stream inventory for all portions of the City except in the Fanno and Rock Creek watersheds. This amendment would rectify this situation and apply the City's updated (2004) stream data for the portions of Fanno and Rock Creek watersheds located within the City and its urban services boundary.³ The amendment is intended to achieve policy consistency and regional equity in the administration of the Nature in Neighborhoods program by applying Title 13 Habitat Conservation Areas and development standards to the newly identified Class I and II Riparian Corridors just as they apply to comparable resources throughout the region.

Ordinance No. 05-1097 also incorporates certain map revisions in Section 10 of Ordinance No. 05-1077C, as contained in Exhibit G to that ordinance. The map revisions approved by Metro Council reflect changes pertaining to the location or existence of streams and wetlands, flood areas, and vegetative cover. Ordinance No. 05-1077C directs Metro staff to prepare final copies of all maps adopted with that ordinance to reflect the map revisions defined in Exhibit G. If approved by Metro Council, these maps will also include the updated stream within the portion of the Fanno and Rock Creek watersheds located within the City of Portland and its urban services boundary.

Alternative courses of action include:

- Do not amend Metro's inventory of Class I and II Riparian Corridors or Habitat Conservation Areas within the Fanno and Rock Creek watersheds study area using City of Portland's updated streams data and instead retain current mapping for the study area; carry out map revisions defined in Exhibit G of Ordinance No. 05-1077C;
- Amend Metro's inventory of Class I and II Riparian Corridors and Habitat Conservation Areas within the Fanno and Rock Creek watersheds study area using City of Portland's updated stream data; carry out other map revisions defined in Exhibit G of Ordinance No. 05-1077C.

² See the Staff Report for Ordinance No. 05-1077 for additional background and explanation of ordinance contents.

³ City of Portland's urban services boundary includes portions of unincorporated Multnomah County. Much of the study area is also located within the service area of Clean Water Services.

ANALYSIS OF THE AMENDMENT

1. Inventory

The Fanno and Rock Creek watersheds located within the City of Portland and its urban services boundary comprise a 6,626 acre study area located on the western slopes of the Tualatin Hills. Most of the study area is located within the Fanno Creek watershed.⁴ These watersheds drain into the Tualatin basin and are generally characterized by steep and forested slopes, steep stream gradients, and soils that are slow to infiltrate rainfall. Some relatively wide, connected, and vegetated riparian corridors remain in portions of the upper watersheds. The predominant use in these watersheds is single family residential, comprising over 80 percent of the watershed area.⁵ Metro's Habitat Inventory Report and the Addendum and Update to that report provide additional information about watershed conditions.⁶

Metro staff applied the same inventory methodology to identify the Class I and II Riparian Corridors within the Fanno and Rock Creek watersheds study area (hereafter referred to as "the study area") as used in developing the regional fish and wildlife habitat inventory.⁷ Metro's September 2004 inventory update contains 30.7 miles of streams and 920 acres of Class I and II Riparian Corridors within the study area.⁸

Incorporating the more detailed City of Portland streams data results in 38.3 miles of streams and 1,096 acres of Class I and II Riparian Corridors in the study area, adding 7.6 miles of new stream miles compared to the Metro inventory update of September 2004.⁹ Applying Metro's inventory methodology using the more detailed stream data results in 816 acres of Class I and II Riparian Corridors that remain unchanged from Metro's 2004 inventory update and the addition of 280 acres of not previously mapped Class I and II Riparian Corridors within the study area (816 acres + 280 acres = 1,096 acres).¹⁰

A map displaying Riparian Class I and II Riparian Corridors using City of Portland's updated stream data is included as Attachment 1 to this Staff Report.

⁴ Approximately 1,200 acres of the 6,626 acre study area are located within the Rock Creek watershed.

⁵ City of Portland Bureau of Environmental Services. 2005. Fanno Tryon Watershed Plan.

⁶ The portion of Fanno Creek watershed within the City of Portland is contained in Metro's Subwatershed #12 (Fanno Creek); the portion of Rock Creek watershed within the City of Portland is contained in Metro's Subwatershed #8 (Beaverton Creek). See Ordinance No. 05-1077C, Exhibit F Attachment 1, Part 1 and 2.

⁷ See Ordinance No. 05-1077C, Exhibit F, Attachment 1 "Metro Habitat Inventory Report" and Attachment 2 "Technical Report."

⁸ Attachment 4 to this Staff Report.

⁹ Attachment 5 to this Staff Report. It should be noted that 7.15 of the 7.6 miles of streams are located outside Class I and II Riparian Corridors identified in Metro's September 2004 inventory update (Stream mile data from Metro Data Resources Center and City of Portland Bureau of Planning).

¹⁰ Attachment 6 to this Staff Report. Using the more detailed City of Portland streams data results in the deletion of some formerly mapped streams and the addition of streams not previously mapped in the 6,626 acre study area. Comparing Attachments 4 and 5 to this Staff Report, the net difference in Class I and II Riparian Corridor acreage using the more detailed City of Portland streams is 176 acres (280 acres of not previously mapped Class I and II Riparian Corridors added as a result of using the City's stream data minus 104 acres of former Class I and II Riparian Corridors deleted).

2. Economic, Social, Environmental, and Social (ESEE) Consequences and Program Decision

Conflicting Uses: Metro's ESEE consequences of allowing, limiting, or prohibiting conflicting uses within Class I and II Riparian Corridors are analyzed in Metro's Phase I and II ESEE Reports. Metro identified conflicting uses within regionally significant fish and wildlife habitat areas by using Metro's seven generalized regional zones as follows: single family residential, multifamily residential, mixed use centers, commercial, industrial, rural, and parks and open spaces. This analysis adequately describes the kinds of conflicting uses occurring within existing and newly added Class I and II Riparian Corridors in the study area.¹¹

Generalized Regional Zoning: Within the 280 acres of newly added Class I and II Riparian Corridors within the study area, single family residential comprises 84% of the generalized regional zoning, and multifamily accounts for another 5% of the total. Remaining generalized regional zoning applying within newly added Class I and II Riparian Corridors includes Parks and Open Space (7%), Commercial (3%) and Rural (1%).¹² On a regional basis, residentially zoned lands represent a smaller proportion of lands within Class I and II Riparian Corridors: 46% are zoned for single family residential use, and another 5% are zoned for multifamily residential use.¹³

Development Status: Within the 280 acres of newly added Class I and II Riparian Corridors within the study area, 47% are developed (with primarily residential uses), 14% are in parks, and 39 % are vacant.¹⁴ Compared to the study area as a whole, 38% of the Riparian Class I and II Corridors are developed, 25% are in parks, and 37% are vacant.¹⁵

Baseline Protection of Class I and II Riparian Corridors: Metro's Phase II ESEE Report defines a baseline from which to measure the ESEE tradeoffs of additional protection proposed for the various alternatives studied. The baseline chosen for the analysis is Metro's Title 3 (Water Quality and Flood Management Plan) because it serves as a proxy for measuring existing levels of protection in a consistent fashion across the region. On a regional basis, 40% of Class I and II Riparian Corridors are covered by Title 3 Water Quality Resource Areas, and another 22% are located within Title 3 Flood Management Areas.¹⁶ Within the newly added Class I and II Riparian Corridors within the study area, only 3% are covered by Title 3 Water Quality Resource Areas (WQRA), and no acres are located in Title 3 Flood Management Areas.¹⁷ This difference points to the fact that most of the newly added

¹¹ Conflicting uses by generalized regional zoning are identified in Ordinance No. 05-1077C, Exhibit F, Attachment 3: Phase I ESEE Analysis, pp. 40-48, and Exhibit F, Attachment 3: Appendix D.

¹² Attachment 7 to this Staff Report.

¹³ Ordinance No. 05-1077C, Exhibit F, Attachment 3: Phase I ESEE Analysis, Table 3-4.

¹⁴ Attachment 6 to this Staff Report. Twenty-nine percent (29%) of the 280 acres of new Class I and II Riparian Corridors within the study area are vacant unconstrained.

¹⁵ Attachment 5 to this Staff Report. Nineteen percent (19%) of the 1097 acres of the Class I and II Riparian Corridors in the study area are vacant unconstrained.

¹⁶ Ordinance No. 05-1077C, Exhibit F, Attachment 5: September 2004 Habitat Inventory Update Table.

¹⁷ Attachment 6 to this Staff Report.

Riparian Class I and II Riparian Corridors in the study area are located in the upper reaches of the Fanno and Rock Creek watersheds where there are no flood areas and where Title 3 WQRA requirements do not apply.

Many local jurisdictions provide protection of streamside areas beyond Metro's Title 3 requirements. Both the City of Portland and the Clean Water Services administer provisions to protect streams that exceed the minimum required by Metro's Title 3 WQRA and FMA performance standards. The City of Portland's existing environmental zoning program includes a protection zone and a conservation zone. Of the 280 acres of new Riparian Class I and II Riparian Corridors within the study area, 150 acres, or 53%, are located within the boundaries of the City's existing environmental zones.¹⁸

Urban Development Value: Metro's ESEE Phase I Report describes the methodology for ranking land based on the economic importance for development. After considerable review by various technical advisory committees and an independent economic advisory board, Metro classified lands as high, medium, low and other urban development value based on 2040 design types, land value and employment. High urban development value includes centers, regionally significant industrial areas, and regionally significant medical and educational facilities; Medium urban development value includes other industrial areas, employment centers, main streets, station communities; Low urban development value includes inner and outer neighborhoods and corridors; Other Areas include parks and open spaces and lands with no design types outside the urban growth boundary.¹⁹

Within the 280 acres of newly added Class I and II Riparian Corridors within the study area, 77% are classified as low urban development value, 4% as medium, 4% as high, and 15% as other areas.²⁰ This distribution reflects that most of the acreage is zoned for residential use or parks. High and medium urban development values are associated with the 10 acres zoned for commercial use.

Analysis of ESEE Consequences of Limiting Conflicting Uses and Program Decision:

Metro's Phase I and II ESEE Reports thoroughly analyze the consequences of a range of regulatory and non-regulatory options and support the Council's decision to designate Habitat Conservation Areas within the region's 39,274 acres of Class I and II Riparian Corridors. These analyses also support a Council decision to apply Habitat Conservation Areas to the 280 acres of newly added Class I and II Riparian Corridors within the study area (these 280 acres comprise less than 1% of all Habitat Conservation Areas within the region). Attachment 2 to the Staff Report is a map showing the location of Habitat Conservation Areas within the study area using City of Portland stream data. Attachment 3 to the Staff Report is a map showing where Habitat Conservation Areas have been removed or added since the September 2004 Metro inventory update using City of Portland's stream data.

¹⁸ City of Portland data, October 2005.

¹⁹ Ordinance No. 05-1077C, Exhibit C, Title 13: Nature in Neighborhoods, Table 3.07-13a: Method for Identifying Habitat Conservation Areas

²⁰ Attachment 8 to this Staff Report.

ANALYSIS/INFORMATION

1. **Known Opposition:** No known opposition to the specific elements in the proposed ordinance, however there has been a substantial public process throughout the course of adopting the Nature in Neighborhoods Ordinance No. 05-1077C. It is likely that there will be some parties who oppose the designation of additional Habitat Conservation Areas within the Fanno and Rock Creek watersheds. There may be some opposition to the final inventory and Habitat Conservation Areas maps based on the specific map revisions included in Exhibit G of Ordinance No. 05-1077C.
2. **Legal Antecedents:** Statewide Planning Goal 5, OAR 660-015-0000(5), and the Goal 5 Rule, OAR 660-023, and specifically OAR 660-023-0080. ORS chapter 197, and specifically ORS 197.274. ORS chapter 268, and specifically ORS 268.380, ORS 268.390, and ORS 268.393. The Metro Charter, Regional Framework Plan, and Metro Code sections 3.07.310 to 3.07.370. Metro Resolutions Nos. 02-3176, 02-3177A, 02-3195, 02-3218A, 03-3332, 03-3376B, 04-3440A, 04-3488, 04-3489A, 04-3506A, 05-3574, 05-3577, and 05-1077C.
3. **Anticipated Effects:** Approval of this ordinance will allow Metro to complete the three-step process for complying with Statewide Land Use Planning Goal 5 and allows Metro to submit a complete package to the Department of Land Conservation and Development for acknowledgement review pursuant to ORS 197.274. Cities and counties would then be required to bring comprehensive plans and implementing ordinances in compliance with Metro's Functional Plan within two years.
4. **Budget Impacts:** There are no known budget impacts beyond those anticipated with the passage of the Nature in Neighborhoods Ordinance No. 05-1077C.

RECOMMENDED ACTION

Staff recommends that Metro Council approve amendments to Ordinance No. 05-1077C, the Nature in Neighborhoods ordinance, to add Class I and II Riparian Corridors and associated Habitat Conservation Areas in the Fanno Creek and Rock Creek watersheds within the City of Portland and its urban services boundary, and to approve the final maps that result from the map revisions approved in Exhibit G to Ordinance No. 05-1077C.

ATTACHMENTS TO THE STAFF REPORT

Attachment 1: Class I and II Riparian Corridor Inventory Map for Rock and Fanno Creek Watersheds Study Area (Using City of Portland's 2004 Stream Data)

Attachment 2: Habitat Conservation Areas Map for Rock and Fanno Creek Watersheds Study Area (Using City of Portland's 2004 Stream Data)

Attachment 3: Habitat Conservation Areas Map for the Fanno and Rock Creek Watersheds Study Area Showing HCAs Removed and Added Since Metro's September 2004 Inventory Update (Using City of Portland's 2004 Stream Data)

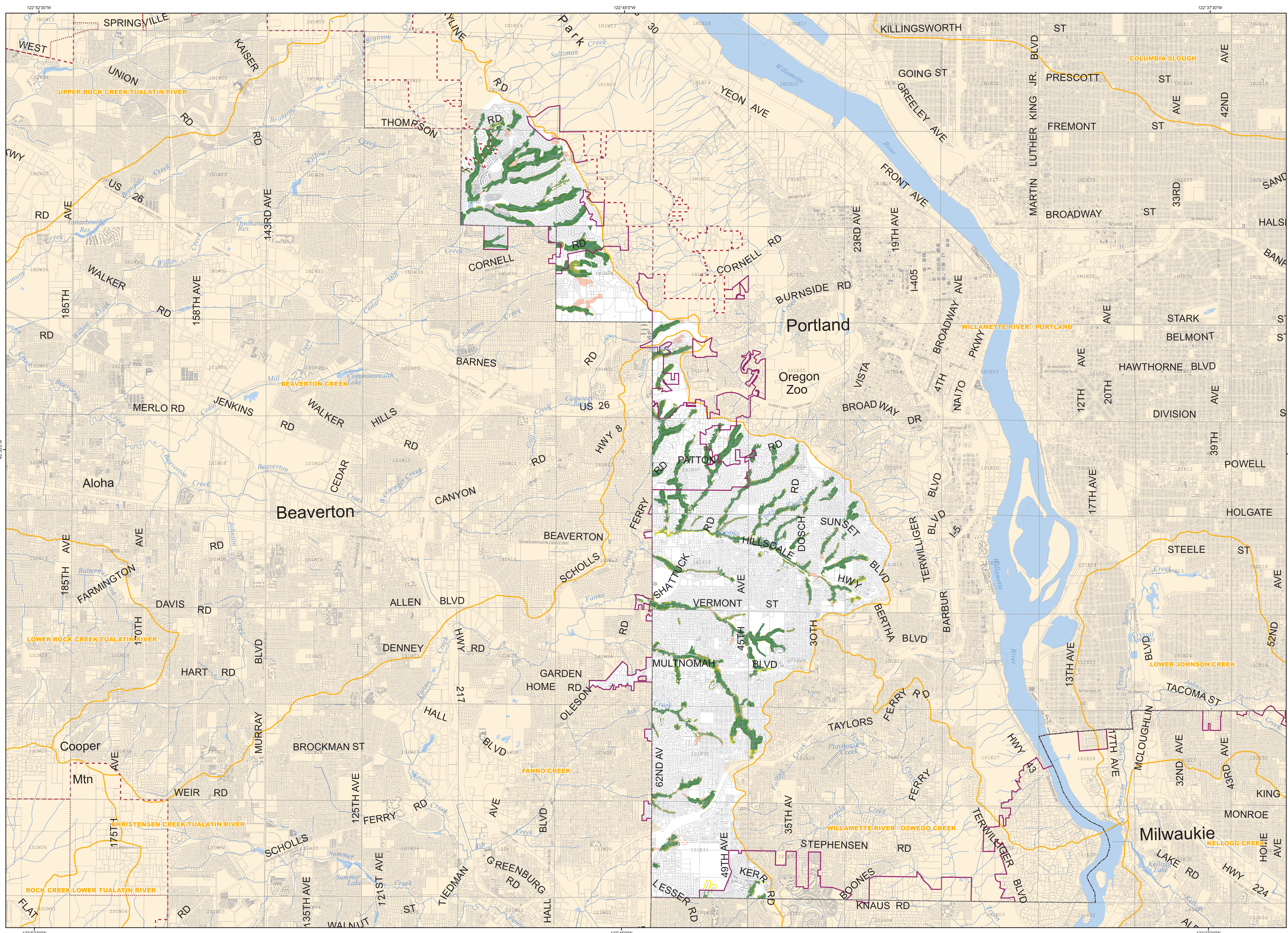
Attachment 4: Acres of Habitat Conservation Areas within the Fanno and Rock Creek Watersheds Study Area (Using Metro September 2004 Data)

Attachment 5: Acres of Habitat Conservation Areas within the Fanno and Rock Creek Watersheds Study Area (Using City of Portland's 2004 Stream Data)

Attachment 6: Acres of New Habitat Conservation Areas within the Fanno and Rock Creek Watersheds Study Area (Using City of Portland's 2004 Stream Data)

Attachment 7: Generalized Regional Zoning for New Habitat Conservation Areas within the Fanno and Rock Creek Watersheds Study Area (Using City of Portland's 2004 Stream Data)

Attachment 8: ESEE Development Values for New Habitat Conservation Areas within the Fanno and Rock Creek Watersheds Study Area (Using City of Portland's 2004 Stream Data)



 **Metro Fish and Wildlife
Habitat Protection Program**

Attachment 2 to Staff Report
Ordinance No. 05-1097

Habitat Conservation Areas Map

Rock & Fanno Creek Watersheds
Within The City of Portland and it's
Urban Services Boundary

Based upon City of Portland
2004 Streams Data

- Portland City Limit
- Urban Growth Boundary
- Metro Boundary
- County Boundaries
- Section Lines
- River & Lake Areas
- Stream Centerlines
- Watersheds

Conservation Area

- HIGH
- MODERATE
- LOW

1 inch equals 0.38 miles
0 0.5 1 Miles

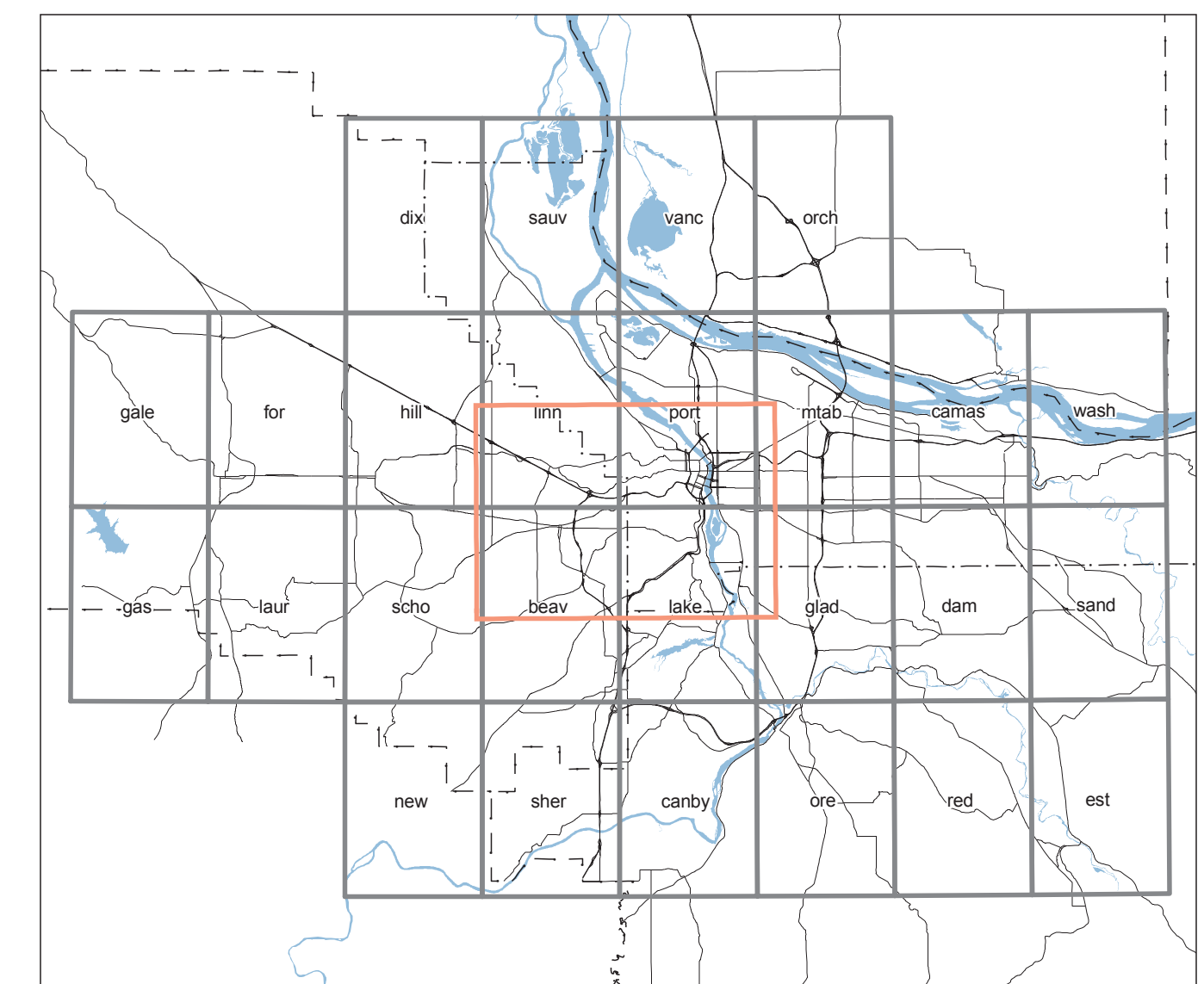


The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

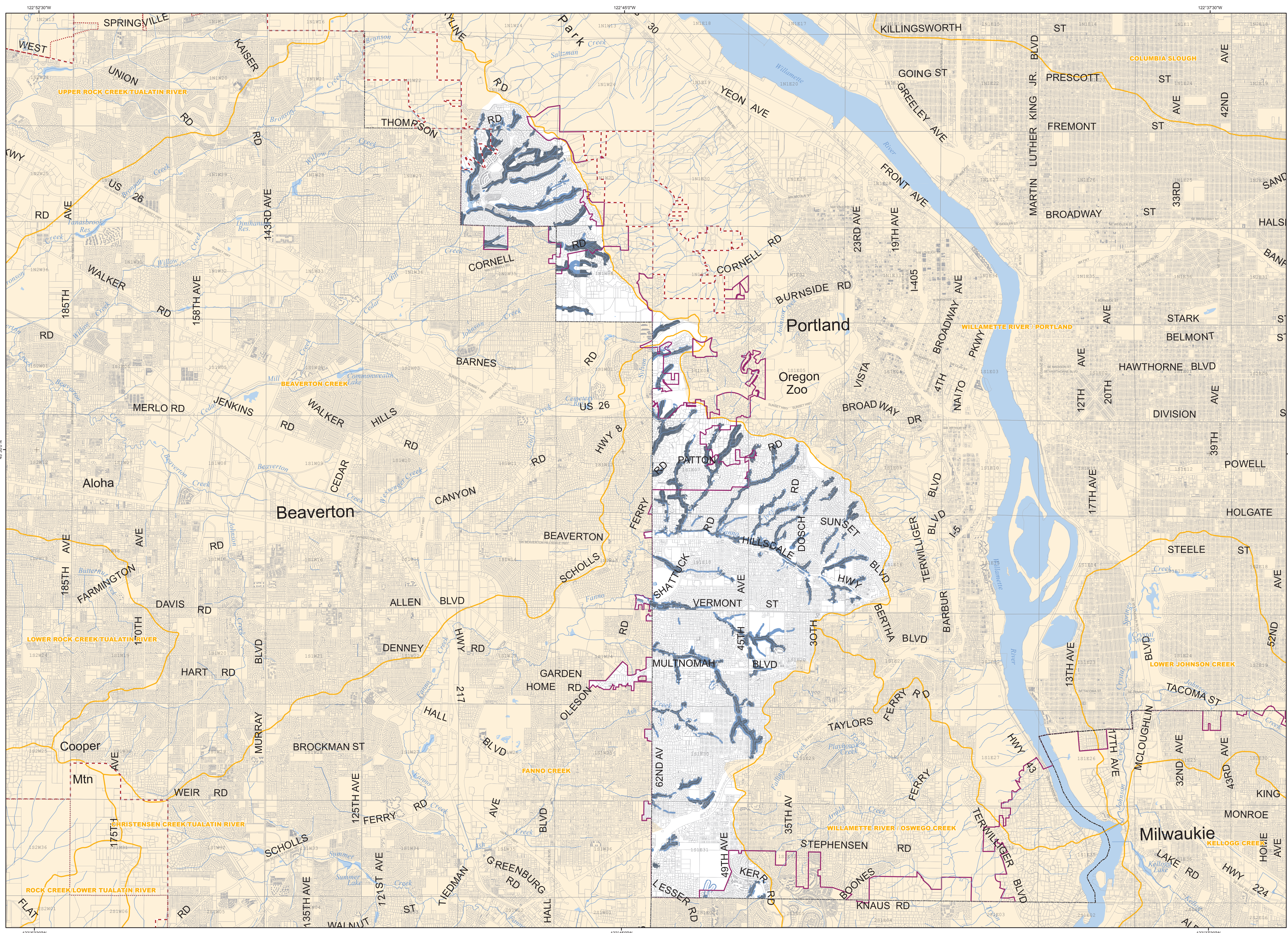
R L I S
REGIONAL LAND INFORMATION SYSTEM

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Location Map



Metro Fish and Wildlife Habitat Protection Program

Regionally Significant Fish and Wildlife Habitat Inventory Map

Rock & Fanno Creek Watersheds
Within The City of Portland and it's
Urban Services Boundary

Based upon City of Portland 2004 Stream Data

- Portland City Limit
- Urban Growth Boundary
- Metro Boundary
- County Boundaries
- Section Lines
- River & Lake Areas
- Stream Centerlines
- Watersheds

1 inch equals 0.38 miles
0 0.5 1 Miles

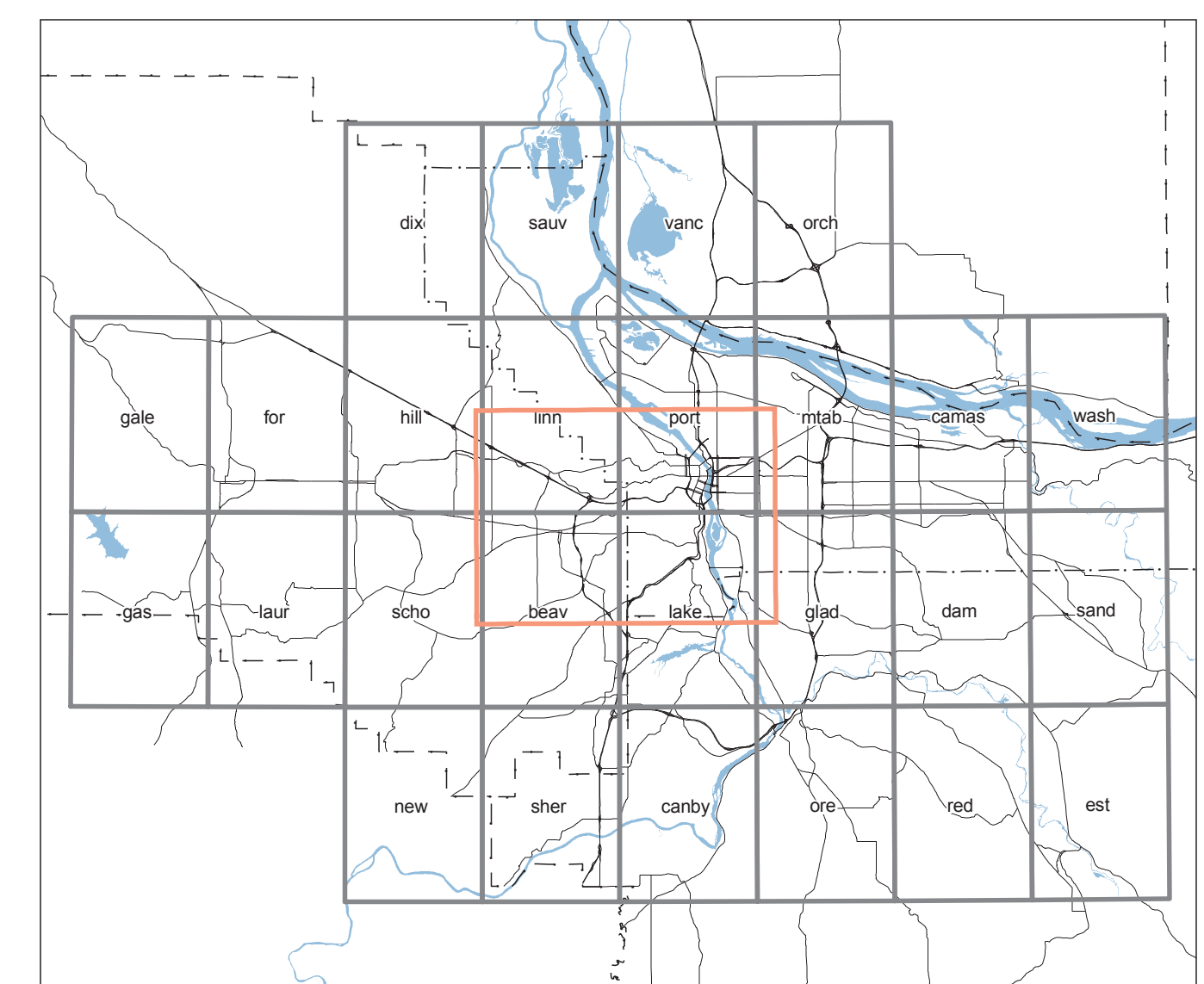


Fish and Wildlife Habitat

- Riparian Corridors/
Wildlife Habitat Class I
- Riparian Corridors/
Wildlife Habitat Class II

Attachment 1 to Staff Report Ordinance No. 05-1097

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Location Map

**Attachment 4: - Acres of Habitat Conservation Areas
within Fanno and Rock Creek Watersheds Study Area
(Metro Sept 04 Data)**

Habitat Class & Habitat Conservation Area (HCA)	Developed			Parks			Total Devel. & Park Habitat	Vacant				Total Vacant Habitat	Total Devel.,, Parks & Vacant Habitat
	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3		Constrained			Unconstrained Outside Title 3		
								Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3			
Class I Riparian Corridors													
HIGH HCA	3	61	149	1	75	114	403	5	63	77	131	275	678
MODERATE HCA	1	3	1	0	0	0	4	0	1	1	0	1	5
LOW HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Acres	4	64	149	1	75	114	407	5	64	77	131	276	683
Class II Riparian Corridors													
HIGH HCA	0	0	0	0	0	0	1	0	0	0	0	0	1
MODERATE HCA	1	29	88	1	16	41	175	0	8	20	27	54	229
LOW HCA	1	3	2	0	0	0	6	0	0	0	0	1	7
Total Acres	2	32	90	1	16	41	182	0	9	20	27	55	237
Total Habitat	5	96	240	1	91	155	589	5	72	97	157	331	920

Attachment 5: Acres of Habitat Conservation Areas within Fanno and Rock Creek Watersheds Study Area (Using City of Portland Streams)

Habitat Class & Habitat Conservation Area (HCA)	Developed			Parks			Total Devel. & Park Habitat	Vacant				Total Vacant Habitat	Total Devel., Parks & Vacant Habitat
	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3		Constrained			Unconstrained Outside Title 3		
								Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3			
Class I Riparian Corridors													
HIGH HCA	4	59	209	1	75	131	479	5	63	89	176	333	812
MODERATE HCA	1	4	4	0	0	0	9	0	1	2	0	4	13
LOW HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Acres	4	63	213	1	75	131	487	5	65	92	176	337	824
Class II Riparian Corridors													
HIGH HCA	0	1	2	1	16	46	66	0	1	1	2	3	69
MODERATE HCA	1	23	105	0	0	1	130	0	7	20	31	58	188
LOW HCA	1	3	6	0	0	0	10	0	1	1	3	4	14
Total Acres	2	27	112	1	16	48	206	0	9	21	35	66	271
Total Habitat	6	90	325	1	91	179	693	5	73	113	211	403	1096

**Attachment 6: Acres of New Habitat
Conservation Areas within Fanno and Rock
Creek Watersheds Study Area**

Habitat Class & Habitat Conservation Area (HCA)	Developed			Parks			Total Devel. & Park Habitat	Vacant				Total Vacant Habitat	Total Devel, Parks & Vacant Habitat
	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3		Constrained			Unconstrained Outside Title 3		
								Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3			
Class I Riparian Corridors													
HIGH HCA	0	0	66	0	0	18	86	0	1	17	63	81	167
MODERATE HCA	0	1	4	0	0	0	4	0	0	2	0	3	7
LOW HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Acres	0	1	70	0	0	18	90	0	2	19	63	83	174
Class II Riparian Corridors													
HIGH HCA	0	0	1	0	1	17	19	0	0	0	1	1	21
MODERATE HCA	0	2	53	0	0	1	57	0	1	6	14	20	77
LOW HCA	0	0	4	0	0	0	5	0	0	1	3	4	9
Total Acres	0	3	58	0	1	19	81	0	1	7	17	25	106
Total Habitat	0	4	128	0	2	37	171	0	2	26	80	108	280

Attachment 7: - Generalized Regional Zoning for New Habitat Conservation Areas within Fanno and Rock Creek Watersheds Study Area

Generalized Zoning & Habitat Conservation Area (HCA)	Developed			Parks			Total Devel. & Park Habitat	Vacant				Total Vacant Habitat	Total Devel., Parks & Vacant Habitat
								Constrained			Unconstrained Outside Title 3		
	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3							
Single Family Residential													
HIGH HCA	0	0	63	0	0	18	82	0	1	15	57	73	155
MODERATE HCA	0	3	52	0	0	1	56	0	1	7	13	21	77
LOW HCA	0	0	2	0	0	0	2	0	0	0	0	0	3
Total Acres	0	3	117	0	0	20	140	0	2	22	70	95	234
Multi Family Residential													
HIGH HCA	0	0	2	0	0	0	3	0	0	1	1	2	5
MODERATE HCA	0	1	4	0	0	0	4	0	0	1	0	1	6
LOW HCA	0	0	1	0	0	0	1	0	0	0	0	0	2
Total Acres	0	1	6	0	0	0	8	0	0	2	2	4	13
Mixed use													
HIGH HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
MODERATE HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
LOW HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Acres	0	0	0	0	0	0	0	0	0	0	0	0	0
Commecial													
HIGH HCA	0	0	1	0	0	0	1	0	0	0	4	4	6
MODERATE HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
LOW HCA	0	0	1	0	0	0	1	0	0	0	2	2	4
Total Acres	0	0	2	0	0	0	3	0	0	0	7	7	10
Parks & Open Space													
HIGH HCA	0	0	1	0	1	17	19	0	0	0	0	0	19

Attachment 7: - Generalized Regional Zoning for New Habitat Conservation Areas within Fanno and Rock Creek Watersheds Study Area

Generalized Zoning & Habitat Conservation Area (HCA)	Developed			Parks			Total Devel. & Park Habitat	Vacant				Total Vacant Habitat	Total Devel., Parks & Vacant Habitat
								Constrained			Unconstrained Outside Title 3		
	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3	Inside Title 3 FMA	Inside Title 3 WQRA	Outside Title 3							
MODERATE HCA	0	0	1	0	0	0	1	0	0	0	0	0	1
LOW HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Acres	0	0	1	0	1	17	19	0	0	0	0	0	20
Rural													
HIGH HCA	0	0	1	0	0	0	1	0	0	1	1	2	3
MODERATE HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
LOW HCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Acres	0	0	1	0	0	0	1	0	0	1	1	2	3
Total Habitat	0	4	128	0	2	37	171	0	2	26	80	108	279

Attachment 8: - ESEE Development Values for new Habitat Conservation Areas within Fanno and Rock Creek Watersheds Study Area

ESEE Development Value	Development Status					
	Developed		Vacant		Total Acres	
	<i>Urban</i>	<i>Parks</i>	<i>Constrained</i>	<i>Unconstrained</i>	<i>Dev. & Vac.</i>	<i>% of Total</i>
High Development Value	8	0	3	0	11	4%
Medium Development Value	3	0	0	7	10	4%
Low Development Value	120	4	19	72	215	77%
Other Areas (No Value)	2	34	5	2	43	15%
Total Acres	133	39	28	80	280	100%



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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LCDC Policy Agenda for 2005-07

Web Address: <http://www.oregon.gov/LCD>

On September 29, 2005, the Land Conservation and Development Commission (LCDC) approved its policy agenda for the 2005-07 biennium. The Commission decided to pursue a number of improvements to the statewide land use program and its policies, including some new projects and some already underway. Many of these efforts do not involve rulemaking, and the agenda includes three public discussion “forums” to occur at one or more future LCDC meetings. The Commission decided to pursue some rulemaking projects, but only those required by new legislation or begun last biennium and near completion. LCDC decided to limit the number of rulemaking projects this biennium in recognition of the department’s workload responding to Ballot Measure 37, and in recognition of significant policy discussions expected to occur as part of the Senate Bill 82 Task Force on Land Use Planning.

In discussing a policy agenda for the biennium, the Commission considered a list of twenty-seven ideas to improve the statewide land use program contained in a September 14 report from the Department of Land Conservation and Development (DLCD). The ideas spanned a wide range of program areas, including proposals to streamline and clarify state land use procedures, encourage economic development, and respond to recent legislation and court opinions. The Commission indicated a desire to pursue many of the changes and improvements to the land use program suggested in the DLCD report, but decided it could not undertake new rulemaking projects that require any substantial commitment of department staff.

LCDC postponed a decision regarding two rulemaking projects begun last biennium but not yet completed. These projects are: (1) urban growth boundary (UGB) expansion process “safe harbor” rules and (2) amended rules regarding commercial and industrial uses outside UGBs. The Commission expressed strong support for continuing to work on UGB safe harbor rules, but only if sufficient department staff resources can be made available. LCDC also agreed to further discussion about potential refinements to urban reserve rules and, if necessary, Metro “subregional analysis” rules currently under appeal. The Commission will continue with its policy agenda discussion at the February 2-3, 2006, LCDC meeting, at which time it will decide whether to continue work on the UGB safe harbor and rural commercial/industrial rule projects begun last biennium, and whether to further explore urban reserve and Metro subregional rule amendment projects.

LCDC agreed to pursue the following rulemaking or goal amendment projects this biennium:

1. **Exceptions Rule amendments** (OAR 660, Division 004) required by the enactment of HB 2438, allowing an exception for a use that is allowed by a goal but cannot meet approval standards.
2. **Agricultural Lands Rule amendments** (OAR 660, Division 004) several new laws regarding uses allowed in exclusive farm use (EFU) zones, including: SB 103 (farm worker housing); SB 863 (deferred replacement dwelling permits); HB 2069 (landscaping businesses); HB 2932 (existing veterans service uses); HB 3117 (existing law enforcement facilities in a rural areas).
3. **Forest Lands Rule amendments** (OAR 660, Division 006) required by HB 3313, clarifying requirements for “forest template dwellings.”

4. **Goal 8 amendments** required by HB 1044, allowing counties to adopt or amend destination resort maps at times other than Periodic Review.
5. **Goal 14 amendments** required by HB 2458, allowing unrestricted industrial building sizes in exception areas outside the Willamette Valley. Amendments to LCDC's rural community rules and exceptions rules (OAR 660, Divisions 004 and 022) may also be necessary.
6. **Periodic Review rule amendments** (OAR 660, Division 025) regarding the periodic review process in response to HB 3310. Additional "housekeeping" amendments addressing other problems with periodic review rules will also be considered as part of this project.
7. **Economic Development Rule amendments** (OAR 660, Division 009) initiated in 2004 in response to 2003 legislation and a Governor's Executive Order. An additional written comment period will run from November 1 to November 15. LCDC will hold a final public hearing and intends to adopt these rule amendments at its December 1, 2005, meeting in Medford.
8. **Transportation Planning Rule amendments** ("the TPR" – OAR 660, Div. 012), already underway based on a 2004 evaluation of the TPR. Amendments under consideration will clarify and rephrase the rule's purpose statement, revise the phrase "reduced reliance on the automobile" throughout the rule, revise metropolitan area requirements related to "alternative standards" and integrated land use and transportation plans, revise requirements for Transportation Project Developments, amend goal exceptions rules (OAR 660, Div. 004) regarding transportation facilities and consolidate these rules into the TPR, and make minor "housekeeping" changes.

As part of its policy agenda, LCDC also agreed to schedule three "forums" – public discussions – to occur at one or more LCDC meetings during the biennium. These will address (1) the department's response to Measure 37, (2) Goal 10 and affordable housing, and (3) infrastructure funding.

LCDC directed the department to pursue the following projects that do not involve rulemaking:

1. **SB 82 Task Force on Land Use Planning.** The department budget for 2005-07 includes funding for staff and other support and assistance for the Task Force.
2. **M37 claims administration:** The legislature appropriated funds for some additional staff to support DLCD's Measure 37 workload. In addition, a significant percentage of department staff and other resources this biennium will of necessity be devoted to processing Measure 37 claims.
3. **Aggregate/Agriculture Consensus Group.** Continue work to identify and obtain data and information. This group may explore consensus regarding future legislation and/or amended statewide land use rules to reduce aggregate and farmland conflicts.
4. **State and Local Economic Revitalization Teams:** Continue work with state and local Economic Revitalization Teams (ERT) to update buildable land inventories and Economic Opportunities Analyses and to increase the list of Certified Industrial Sites throughout the state.
5. **Ocean Policy:** Work with the Oregon Ocean Policy Advisory Council (OPAC), the Governor's Natural Resources Office (GNRO), local governments and state agencies on ocean policy issues.
6. **Increase Citizen Involvement in Land Use Planning:** Continue work with ongoing projects to improve citizen involvement statewide.

For questions or additional information about LCDC's 2005-07 Policy Agenda, contact Bob Rindy at 503-373-0050, Ext 229, or email at: bob.rindy@state.or.us