

# 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 15, 2006

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

**PLACE:** Metro Council Chamber/Annex

NO	AGENDA ITEM	PRESENTER	ACTION	TIME
	CALL TO ORDER	Kidd		
1	SELF INTRODUCTIONS & COMMUNICATIONS	All		5 min.
2	CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS			5 min.
3	CONSENT AGENDA <ul style="list-style-type: none"><li>October 11, 2006</li><li>November 8, 2006</li></ul>	Kidd	Decision	5 min.
4	APPOINTMENT OF COMMITTEE FOR NOMINATIONS OF 2007 OFFICERS	Kidd		5 min.
5	COUNCIL UPDATE <ul style="list-style-type: none"><li>Construction Excise Tax</li></ul>	Hosticka/Newman	Update	10 min.
6	2007 LEGISLATIVE STRATEGY DISCUSSION	Newman/Tucker	Discussion	45 min.
7	TITLE 4	Benner	Information	45 min.

**UPCOMING MEETINGS:**

MPAC: December 13, 2006

MPAC Coordinating Committee, Room 270: December 13, 2006

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.

To receive assistance per the Americans with Disabilities Act,  
call the number above, or Metro teletype 503-797-1804.

To check on closure or cancellations during inclement weather please call 503-797-1700.

## METRO POLICY ADVISORY COMMITTEE MEETING RECORD

October 11, 2006 – 5:00 p.m.

Metro Regional Center, Council Chambers

**Committee Members Present:** Chuck Becker, Rob Drake, Andy Duyck, Dave Fuller, Jack Hoffman, Tom Hughes, Alice Norris, Tom Potter, Chris Smith

**Committee Members Absent:** Ken Allen, Richard Burke, Larry Cooper, Nathalie Darcy, Bernie Giusto, Richard Kidd, Charlotte Lehan, Diane Linn, Larry Smith, Erik Sten, Steve Stuart, (Governing Body of School District –vacant; Multnomah Co. 2<sup>nd</sup> Largest City –vacant)

**Alternates Present:** Ed Gronke, Judie Hammerstad, Martha Schrader, Paul Savas

**Also Present:** Dan Bates, City of Portland; Hal Bergsma, City of Beaverton; Martha Cellegrino, City of Portland; Carol Chesarek, Citizen; Bob Clay, City of Portland; Corky Collier, Columbia Corridor Association; Gary Cook, Clackamas County Development Agency; Shirley Craddick, City of Gresham; Sara Culp, City of Portland; Brent Curtis, Washington County; Kay Durtschi, MTAC; Mike Duyck, Tualatin Valley Fire & Rescue; Paul Edgar, Citizen; Kathy Everett, Gresham Downtown Development Assoc.; Ed Gallagher, City of Gresham; Gary Hartill, Orangewall Studios; Jon Holan, City of Forest Grove; Carolyn Jones, Glenmorrie Neighborhood Assn.; John Kehm, Metropolitan Group; Nancy Kraushaar, City of Oregon City; Barb Ledbury, City of Damascus; Jane Leo, Portland Metropolitan Association of Realtors; Irene Marvich, League of Women Voters; Annette Mattson, PGE; C Plaza, Beaverton; Kristin Retherford, City of Wilsonville; Pat Ribellia, City of Hillsboro; Ross Schultz, City of Sherwood; Karen Shilling, Multnomah County; Andy Smith, Multnomah County; Peter Traux, City of Forest Grove; Dee Wescott, City of Damascus; Dick Winn, City of King City; Daryl Winand, Portland Metropolitan Association of Realtors; Keith Witcosky, Portland Development Commission; Jim Wright, City of Damascus; David Zagel, TriMet Planner

**Metro Elected Officials Present:** Liaisons –Robert Liberty, Council District 6; Brian Newman – Council District 2

**Metro Staff Present:** Paul Anthony, Kim Bardes, Miranda Bateschell, Dick Benner, Andy Cotugno, Kim Ellis, Robin McArthur, Ken Ray, Randy Tucker

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

Interim Chair Dave Fuller called the meeting to order at 5:02 p.m. Interim Chair Fuller asked those present to introduce themselves.

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

Mr. Paul Edger, 211 5<sup>th</sup> Ave, Oregon City, said that tax increment financing had many sides to it. He said that decision makers needed to look at the net impacts of taxes. He said that the State of Pennsylvania had many tax exempt properties and a good sample program on how to tax fairly. He said that Oregon representatives should not place an undue burden on all other people paying taxes. He said that 90% of taxpayers were only homeowners on a fixed income. He suggested that elected folks should look at Pennsylvania State and their system of taxation. His comments are attached and form part of the record.

#### **4. COUNCIL UPDATE**

Councilor Robert Liberty reviewed recent Council activities. He said that the consultant who would be working with Metro/Oregon Zoo had been selected, Schultz & Williams, to work on the Zoo Master Plan. He said that there had been a second conversation with the Columbia River Crossing group. He said that there would be a resolution on the Disposal System Management plan coming up at a future MPAC meeting and then to the Council.

Councilor Brian Newman distributed two handouts: "New Look Regional Roundtable," and "New Look Regional Choices." Those handouts are attached and form part of the record. He reviewed both of those handouts and urged members to participate in the roundtable.

#### **3. CONSENT AGENDA**

Meeting Summary for September 13 & 27, 2006 and approval of MTAC Appointments:

Motion:	Mayor Rob Drake, City of Beaverton, with a second from Alice Norris, City of Oregon City, moved to adopt the consent agendas with one revision to John Hartsock's title in the minutes for September 13, 2006 and to approve the MTAC appointments.
Vote:	The motion passed unanimously.

#### **5. NEW LOOK**

##### **5.1 Regional Transportation Plan**

Kim Ellis, Senior Transportation Planner, gave an overview of the exercise that she wanted to take the members through and what the staff hoped to glean from the exercise. She introduced John Rehm, Metropolitan Group. Mr. Rehm directed the members through the exercise. He distributed a handout, New Look: Desired Outcomes for Transportation, this handout is attached and forms part of the record. This handout was used to guide the discussion and the exercise.

##### **5.2 Investing in our Communities**

Miranda Bateschell, Assistant Regional Planner, said that there were several folks from local cities that would be giving presentations.

Mayor Alice Norris, City of Oregon City, introduced two folks from her city: Dan Drentlaw, Community Development Director and Nancy Kraushaar, City Engineer & Public Works Director. They presented PowerPoint slides on "Oregon City Urban Renewal Plan." Copies of those slides are attached and form part of the record.

Ross Schultz, City of Sherwood, also gave a PowerPoint presentation. A copy of that presentation is attached and forms part of the record.

Ms. Bateschell deferred the rest of her presentation to a November MPAC meeting.

Chris Smith asked to have a presentation on this topic from Wilsonville.

Mayor Norris said that adding MPAC members' voices together could have an impact with the legislature.

There being no further business, Interim Chair Fuller adjourned the meeting at 7:01 p.m.

Respectfully submitted,



Kim Bardes  
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR OCTOBER 11, 2006

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

DOCUMENT			
AGENDA ITEM	DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#2 Citizen Communication	10/11/06	Testimony Card and testimony submitted for the record from Paul Edgar, citizen	101106-MPAC-01
#4 Council Update	October 2006	New Look Regional Roundtable flyer and New Look at Regional Choices: Integrated Policy Framework sheet	101106-MPAC-02
#5 New Look	October 2006	New Look Desired Outcomes for Transportation exercise worksheet	101106-MPAC-03
#5 New Look	October 2006	Copies of slides from a PowerPoint presentation from Dan Drentlaw and Nancy Kraushaar, both with the City of Oregon City. Slide presentation titled Oregon City Urban Renewal Plan	101106-MPAC-04
#5 New Look	October 2006	Copies of slides from PowerPoint presentation from Ross Schultz with the City of Sherwood. Presentation title: City of Sherwood Urban Renewal – Presentation for Metro, October 11 <sup>th</sup> , 2006, Ross Schultz – City Manager	101106-MPAC-05

## METRO POLICY ADVISORY COMMITTEE MEETING RECORD

November 8, 2006 – 5:00 p.m.

Metro Regional Center, Council Chambers

**Committee Members Present:** Chuck Becker, Nathalie Darcy, Dave Fuller, John Hartsock, Richard Kidd, Alice Norris, Wilda Parks, Chris Smith, Erik Sten

**Committee Members Absent:** Ken Allen, Richard Burke, Larry Cooper, Rob Drake, Andy Duyck, Bernie Giusto, Jack Hoffman, Tom Hughes, Charlotte Lehan, Diane Linn, Tom Potter, Larry Smith, Steve Stuart, (Governing Body of School District –vacant; Multnomah Co. 2<sup>nd</sup> Largest City –vacant)

**Alternates Present:** Lane Shetterly

**Also Present:** Bob Austin, City of Estacada; Hal Bergsma, City of Beaverton; Carol Chesarek, Citizen; Bob Clay, City of Portland; Gary Cook, Clackamas County Development Agency; Valerie Counts, City of Hillsboro; Danielle Cowan, City of Wilsonville; Shirley Craddick, City of Gresham; Kay Durtschi, MTAC; Mike Duyck, Tualatin Valley Fire & Rescue; Jonathan Harker, City of Gresham; Carolyn Jones, Glenmorrie Neighborhood Assn.; Gil Kelley, City of Portland; Christine Kidd, Forest Grove; Irene Marvich, League of Women Voters; Leanne MacColl, League of Women Voters; Doug McClain, Clackamas County; Greg Miller, AGC; Pat Ribellia, City of Hillsboro; Paul Savas, Clackamas County Special Districts; Jonathan Schlueter, Westside Economic Alliance; Karen Shilling, Multnomah County

**Metro Elected Officials Present:** Liaisons – Carl Hosticka, Council District 3; Susan McLain, Council District 4; Robert Liberty, Council District 6

**Metro Staff Present:** Kim Bardes, Miranda Bateschell, Chris Deffebach, Robin McArthur, Randy Tucker, Gerry Uba, Rob Wolcheski

### 1. SELF-INTRODUCTIONS & COMMUNICATIONS

Chair Richard Kidd called the meeting to order at 5:04 p.m. Chair Kidd asked those present to introduce themselves.

### 2. REGIONAL ROUNDTABLE & CONSTRUCTION EXCISE TAX UPDATES

This agenda item was combined with the Council Update as Brian Newman could not make the meeting.

### 3. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

There was none.

### 4. CONSENT AGENDA

Deferred to the next meeting due to lack of quorum.

### 5. COUNCIL UPDATE

Councilor Carl Hosticka mentioned that the Metro bond measure had passed in all three counties. He briefly outlined the process that Metro would follow now that the bond measure had passed.

Dan Cooper discussed some of the acquisition process.

Chair Kidd asked if Metro knew what properties it would purchase.

Councilor Hosticka said that there were target areas for study/review but that they did not yet know which properties would be purchased. He said that a new Metro councilor, Kathryn Harrington, had been elected and she would take office in January. He gave an update on the Regional Roundtable event. He said that there would be a more in-depth debriefing on this at the next MPAC meeting on November 15, 2006. He said that Metro was trying to pursue a metropolitan agenda, and that MPAC would be heavily involved and a vehicle in creating and instituting this legislative agenda. He said that the Ag/Urban group had been meeting and that there would be more information on that at a later meeting. He said that a key question for that discussion was what were possible and reasonable expectations for growth over the years.

## **6. JPACT UPDATE**

Robin McArthur, Regional Planning Director, reviewed the agenda for the JPACT meeting scheduled for the next morning.

Councilor Liberty said that most people were predicting that the transportation trust fund would be out of money in 2008. He said that there were new folks in legislature so it might make a difference.

## **8. HOUSING AMENDMENTS TO FRAMEWORK PLAN & FUNCTIONAL PLAN**

Councilor Liberty introduced the housing amendment and the work and reasoning behind its development and outcome. He quickly took the members through the meeting packet material and then introduced Gerry Uba, Principal Regional Planner, and Robert Wolcheski, Housing Development Specialist.

Mr. Uba said that staff would like MPAC to make a decision on this at the December 13, 2006 meeting.

Chair Kidd explained the timeline and asked members to take this information back to their councils for discussion so that the MPAC members would be prepared to make a decision on the night of December 13<sup>th</sup>.

Erik Sten, City of Portland, said that he feared they were sweeping under the table an important issue, which was to see whether or not jurisdictions were adopting known tools within their ability to make affordable housing happen. He said he thought that discussion had passed them by and now they needed to determine whether Metro should try to mandate things. The committee made the consensus recommendation that there shouldn't be any mandates as long as jurisdictions were making progress. That was the point of checking. He said that the material before them now made it seem like it was giving up on the goal of actually getting the tools adopted.

Councilor Liberty said that was a good point. He said there had been a discussion at MPAC on whether this was a tool that could be used and whether Metro and MPAC were committed to the issue. The answer had been yes. He referred to the clean copy of Exhibit B (provided in the packet material) to partially answer Councilor Sten's question. He said that the need had been identified for staff and money and Metro would propose a way to have staff and then would work on getting money.

Councilor Sten said that infrastructure and affordable housing money could possibly come from the same package.

Nathalie Darcy said there wasn't an elected champion for gaining funds – she wondered how those officials could be included in the process.

Chair Kidd said that the non-profits would partner well with jurisdictions and Metro in order to make progress.

Mr. Wolcheski introduced himself to the members and gave a summary of his background. He distributed a handout titled "Draft Scope of Housing Choice Technical Assistance Services," and then reviewed the handout. That handout is attached and forms part of the record.

## **7. URBAN RENEWAL/TIF**

Miranda Bateschell, Assistant Regional Planner, reviewed some comments from the panel presenters who spoke on investing in our communities at the October 11, 2006 meeting. She then gave a PowerPoint presentation. A copy of that presentation is attached and forms part of the record.

There was discussion about using capacity for urban renewal and TIF, and if the region would benefit from separating the use of urban renewal and TIF.

Bob Austin, City of Estacada, said that they were trying to look at long-term benefits over short-term losses by utilizing urban renewal in primarily the town center area.

There was discussion about the long-term benefits of urban renewal versus the initial outlay of money and effort.

There being no further business, Interim Chair Fuller adjourned the meeting at 6:16 p.m.

Respectfully submitted,



Kim Bardes  
MPAC Coordinator

### ATTACHMENTS TO THE RECORD FOR NOVEMBER 8, 2006

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

AGENDA ITEM	DOCUMENT		DOCUMENT No.
	DATE	DOCUMENT DESCRIPTION	
<b>#6 JPACT</b>	11/8/06	JPACT agenda for November 9, 2006	110806-MPAC-01
<b>#8 Housing</b>	11/8/06	Draft Scope of Housing Choice Technical Assistance Services handout	110806-MPAC-02
<b>#7 Urban Renewal/TIF</b>	11/8/06	PowerPoint presentation: Urban Renewal and Tax Increment Financing – copies of those slides attached.	110806-MPAC-03

## **New Look at Regional Choices: Integrated Policy Framework**

### **PRINCIPLES:**

- ❑ All regional growth management and investment decisions should reinforce growth in centers, corridors, and employment areas.
- ❑ Within this framework, the region will support and facilitate, when warranted, expansions of the urban growth boundary to develop vibrant new communities and employment areas, while balancing new development with the protection of the region's agricultural industry and important natural areas.
- ❑ The policy elements listed below should be viewed as a single integrated strategy.
- ❑ This strategy should be pursued through the collaborative efforts of multiple jurisdictions rather than controlled exclusively by the Metro Council.

### **1. Focus Fiscal Resources and Taxation Tools to Stimulate Development in Centers, Corridors and Employment Areas**

- Public and private resources should be channeled into redevelopment and retrofitting of existing urban areas to meet changing demographic, employment, urban service and economic demands.
- Regional policy and legislative efforts should be directed to the development of new sources of financing for development of centers and corridors, as well as to broadening the utility of existing funding sources.
- Benefits include neighborhood revitalization, economic development, more efficient land use, more transportation choices, improved air quality, more effective targeting of public infrastructure investments, protection of farmland and natural areas.

### **2. Coordinate Growth With Neighboring Communities**

- Metro should explicitly coordinate with neighboring communities on how to accommodate growth.
- This coordination should inform mutual decisions related to urban reserves, rural/agricultural activities, and long-term transportation connections or green belt separations.

### **3. Base UGB Expansion Decisions on Urban Performance**

- Decisions to draw down urban reserves should be based on a reasonable range of population and employment forecasts and tied to efficient development within the UGB. These decisions should reinforce development in centers, corridors, and employment areas.



- The current arbitrary timeline for reevaluating and expanding the UGB should be extended to enable the region to focus more on quality development within the boundary, including making land recently brought into the UGB ready for development.

#### 4. **Designate and Plan Urban Reserves**

- Urban reserves should be designated in areas that present the best opportunities for urbanization, reinforce existing centers and corridors, and accommodate the need to protect important agricultural land or natural features.
- Concept planning should be completed in urban reserve areas before those areas are brought inside the UGB. The supply of planned urban reserves could then be drawn down for urbanization as needed.
- Designating urban reserves provides direction regarding how to address household and job needs over the long term. Over time, this should offer greater predictability for landowners and reduce the level of controversy associated with urban growth boundary expansion decisions.

#### 5. **Designate Areas That Shall Not Be Urbanized**

- Metro should work with local governments of the region, neighboring communities, and the state to designate critical agricultural and natural areas as locations where the region will not urbanize.
- The designation of agricultural and natural reserves should link to a commitment to policy tools and financial strategies that reduce urbanization pressures and support successful farming, rural lifestyles, and natural resource protection.

#### 6. **Prioritize and Invest in Transportation Improvements that Support Efficient Development and Strengthen the Economy**

- The updated Regional Transportation Plan should reinforce the integration of land use and transportation planning and support development in centers, corridors and employment areas.
- This integration is a critical factor in the strategic selection of transportation projects and can reduce the need for costly facilities while improving outcomes for both transportation and community development.
- In recognition of current funding realities, the updated RTP should focus on the transportation investments that are the most strategic, cost-effective, and important from the standpoints of economic development and regional livability.




**METRO**

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**Council President David Bragdon**

**MEMORANDUM**

November 3, 2006

TO: Metro Council  
FROM: David Bragdon, Council President   
CC: MPAC and MTAC Members  
SUBJ: Amendments to the Title 4 Code, Employment and Industrial Areas Map

For the past several months, the Council, MPAC and MTAC have been discussing how to make amendments to Metro's Title 4 Employment and Industrial Areas Map when someone proposes to remove land from Title 4 protection. Most parties involved in those discussions have agreed on the following points:

- There ought to be a specific process for the amendments to the map.
- There ought to be a pre-determined set of criteria for amendments to the map.
- The Metro Council should not be in the position of making what is the equivalent to zone changes.
- Changes to the Title 4 map should not provide opportunities (or requirements) for duplicate appeals to LUBA.
- The region must protect an adequate supply of industrial land to remain economically competitive and, therefore, protect the supply against a string of individual, unrelated changes of use.

The Council had a draft ordinance before it to change the Title 4 map amendment process in September, which I pulled from the agenda prior to consideration. No Councilor was willing to sponsor the ordinance, in part because it did not adequately fulfill the areas of general agreement, and because Councilors want to ensure that local governments share accountability with the Metro Council for the region's supply of industrial land. This shared responsibility for the proper use of existing industrial land is important partly because of the differing views that various local cities have about proposals to add more industrial land to the UGB.

At its most recent discussion on this subject (September 27), MPAC asked MTAC to develop a process and criteria for amendments to the Title 4 map based upon a concept advanced by the city of Portland, as an alternative to the draft Metro staff ordinance. MTAC formed a subcommittee to develop the process. This group met on October 16. The subcommittee was unable to agree on a set of criteria to evaluate map change proposals. This inability to devise a

new process caused the subcommittee to default to a recommendation that the Metro Council make no change to the existing process, despite the recognized pitfalls in that existing process, which, notably, has not been used yet. On October 18, the full MTAC decided to pass this recommendation on to MPAC, with the following additional recommendations and discussion:

1. “Given the difficulty we’ve experienced in trying to agree on a set of criteria, and the impending regional discussion over the treatment of employment lands overall as part of Metro’s New Look, Metro should make no changes now to Title 4 on amendments to the Title 4 map until the completion of the next growth management decision at some undetermined point in the future.
2. In the meantime Metro should maintain its current process to make significant changes to the Title 4 map: the Metro Council makes changes to the map by adopting an ordinance to change the map, applying the policies of the Regional Framework Plan. The current review and enforcement process also remains unchanged: a city or county contemplating a plan amendment or zone change involving land on the Title 4 map would notify Metro, which would inform the city or county of any inconsistency with Title 4 and, if necessary, appeal the local decision to LUBA.
3. Metro should seek advice from MPAC and MTAC on the relevant policies of the Regional Framework Plan that Metro would apply to proposals to amend the Title 4 map made between now and when decisions are made following completion of the growth management decisions to be made over the next several years. .
4. Also in the meantime, Metro should address errors and omissions on the Title 4 map in the way it has several times in the past: solicit proposals from cities and counties to change the map to correct errors and omissions, and to make corrections in a single ordinance (with the understanding that Metro may decide not to include a particular proposal that was not, in its judgment, an error or omission).
5. MPAC and MTAC should begin to discuss possible new ways of addressing employment land, including a process for amendments to the Title 4 map to allow for changes in local circumstances over time.”

While I appreciate the complexity of the deliberations that MPAC and MTAC members have put into this issue, I think that “punting” for several years will not serve local government, the Metro Council, or property owners well. I believe we are being asked to simply stick with the current code not because it works well, but for somewhat the opposite reason: we have never used the current process. I have a hunch that when we actually do start using the current process, we will get part-way into it and wish we *had* changed it! While the proverbial devil we don’t know may be hard to picture, we haven’t yet tried to dance with the devil we do know – the existing code.

That code requires that any amendment to the Title 4 map, large, small, significant and insignificant, takes an ordinance by the Metro Council. This action would cast the Council in a zoning role, which we ought to avoid, and could duplicate (or contradict) local government

processes in ways that are confusing to the public. We, as the Metro Council, have no specific criteria for map amendments. This means local governments, landowners, citizens and the Council itself do not know which policies in the Regional Framework Plan (RFP) apply to an map amendment, and how vague terms in the policies will be interpreted – and we would deal with those case by case. Because most map amendments will also require changes to city or county plan maps, we all face two amendment processes and two possible appeals to LUBA.

In order to move things forward, I asked staff to develop a new draft ordinance that builds on the areas of general agreement, including several elements of the proposal considered by the MTAC sub-committee. I will introduce this Ordinance in order to provoke the needed discussion and move this long deliberation to a conclusion. I am open to reasonable proposed improvements which may surface in debates on this proposal, but we do need closure. This draft (attached) has the following elements:

- An explicit set of criteria for Title 4 map amendments that derive from the appropriate policies of the RFP.
- A process that puts local governments in the driver's seat for all but the most significant map amendments (which come to Metro Council). These local amendments would be subject only to one possible appeal to LUBA.
- A process and criteria for the most significant changes proposed to the Title 4 map (which can also be used to make small corrections to the map).
- A method to account for and respond to the cumulative effects on the region's supply of industrial land of individual, unrelated amendments to the map. The Metro Council will need this information, in part, to shape UGB decisions to respond to assertions that the region "needs" more industrial land – an assertion that becomes dubious if it appears that existing industrial land is not being used for industry.

Settling this issue, rather than avoiding it, should help us all move into the next round of growth management decisions (including a UGB evaluation) in a more informed manner. In the past, the Metro Council has been put in a baffling position by the paradoxical testimony of certain interests who advocate for more industrial land to be brought into the UGB while simultaneously resisting limitations on the use of existing industrial land for non-industrial purposes like office complexes and medical facilities. In our work session discussions, several of my colleagues and I made it clear that illuminating this apparent paradox, and assertions of need for flexibility to use industrial land for offices and other non-industrial purposes, will help us to evaluate potential subsequent assertions of need for more industrial land in a UGB expansion. If testimony on Title 4 suggests that it is not important to protect existing industrial lands from encroachment, it may be harder to later convince us that it is important to add more industrial land to the UGB.

I would like MPAC and the Council to consider this proposal by the end of January 2007 so that we can (at least for some decent interval) close the books on Title 4 and get on with the many other decisions we need to make. While I appreciate the work MTAC has done, I am concerned if we accept their status quo recommendation we will not actually avoid controversy but will find ourselves mired in more of it for some time to come.

Thank you for your consideration.

**DRAFT**  
**How to Amend**  
**the Employment and Industrial Areas Map**  
**November 2, 2006**

**TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS**

*Add the following section:*

**3.07.450 Employment and Industrial Areas Map**

- A. The Employment and Industrial Areas Map is the official depiction of the boundaries of Regionally Significant Industrial Areas, Industrial Areas and Employment Areas.
- B. If the Metro Council adds territory to the UGB and designates all or part of the territory Regionally Significant Industrial Area, Industrial Area or Employment Area, after completion of Title 11 planning by the responsible city or county, the Chief Operating Officer shall issue an order to conform the map to the boundaries established by the responsible city or county. The order shall also make necessary amendments to the Habitat Conservation Areas Map, described in section 3.07.1320 of Title 13 of this chapter, to ensure implementation of Title 13.
- C. A city or county may amend its comprehensive plan or zoning regulations to change its designation of land on the map in order to allow uses not allowed by Title 4 upon a demonstration that:
  - 1. The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;
  - 2. The amendment will not reduce the jobs capacity of the city or county below the number shown on Table 3.07-1 of Title 1 of the Urban Growth Management Functional Plan, or the amount of the reduction is replaced by separate and concurrent action by the city or county;
  - 3. If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities;
  - 4. The amendment would not allow uses that would reduce off-peak performance on Major Roadway Routes and Roadway Connectors shown on Metro's 2004 Regional Freight System Map below standards in the Regional Transportation Plan, or

exceed volume-to-capacity ratios on Table 7 of the 1999 Oregon Highway Plan for state highways, and would not require added road capacity to stay within the standards or ratios;

5. The amendment would not diminish the intended function of Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas; and
  6. If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is ten acres or less; if designated Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 40 acres or less.
- D. The Chief Operating Officer shall revise the map by order to conform to an amendment made by a city or county pursuant to subsection C of this section within 30 days after notification by the city or county that no appeal of the amendment was filed pursuant to ORS 197.825 or, if an appeal was filed, that the amendment was upheld in the final appeal process.
- E. After consultation with MPAC, the Council may issue an order suspending operation of subsection C in any calendar year in which the cumulative amount of land for which the map is changed during that year from Regionally Significant Industrial Area or Industrial Area to Employment Area or other 2040 Growth Concept design type designation exceeds the industrial land surplus. The industrial land surplus is the amount by which the current supply of vacant land designated Regionally Significant Industrial Area and Industrial Area exceeds the 20-year need for industrial land, as determined by the most recent "Urban Growth Report: An Employment Land Need Analysis", reduced by an equal annual increment for the number of years since the report.
- F. The Metro Council may amend the map by ordinance at any time to better achieve the policies of the Regional Framework Plan. To approve an amendment, the Council must conclude that the amendment:
1. Would not reduce the jobs capacity of the city or county below the number shown on Table 3.07-1 of Title 1 of the Urban Growth Management Functional Plan;
  2. Would not allow uses that would reduce off-peak performance on Major Roadway Routes and Roadway Connectors shown on Metro's 2004 Regional Freight System Map below standards in the Regional Transportation Plan, or exceed volume-to-capacity ratios on Table 7 of the 1999 Oregon Highway Plan

for state highways, and would not require added road capacity to stay within the standards or ratios;

3. Would not diminish the intended function of Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas;
  4. Would not reduce the integrity or viability of a traded sector cluster of industries;
  5. Would not create or worsen a significant imbalance between jobs and housing in a regional market area; and
  6. If the subject property is designated Regionally Significant Industrial Area, would not remove from that designation land that is especially suitable for industrial use due to the availability of specialized services, such as redundant electrical power or industrial gases, or due to proximity to freight transport facilities, such as trans-shipment facilities.
- G. Amendments to the map made in compliance with the process and criteria in this section shall be deemed to comply with the Regional Framework Plan.
- H. The Council may establish conditions upon approval of an amendment to the map under subsections C or F to ensure that the amendment complies with the RFP and state land use planning laws.
- I. By January 31 of each year, the Chief Operating Officer (COO) shall submit a written report to the Council and the Metropolitan Policy Advisory Committee on the cumulative effects on employment land in the region of the amendments to the map made pursuant to this section during the preceding year. The report shall include any recommendations the COO deems appropriate on measures the Council might take to address the effects.