

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: April 24, 1997
DAY: Thursday
TIME: 2:00 PM
PLACE: Council Chamber

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	CALL TO ORDER AND ROLL CALL	
(5 min.)	1. INTRODUCTIONS	
(5 min.)	2. CITIZEN COMMUNICATIONS a. Oregon Historical Society Presentation	Orloff
(5 min.)	3. EXECUTIVE OFFICER COMMUNICATIONS	
(10 min.)	4. POTENTIAL ISSUES REGARDING STATE LEGISLATION	Naito
(15 min.)	5. CONGESTION PRICING BRIEFING	Cotugno
	6. CONSENT AGENDA	
2:40 PM (5 min.)	6.1 Consideration of Minutes for the April 10 and 17, 1997 Metro Council Regular Meetings.	
	7. FIRST READING	
2:45 PM (5 min.)	7.1 Ordinance No. 97-690 , For the Purpose of Amending Ordinance No. 95-625A to amend the 2040 Growth Concept Map and Ordinance No. 96-647C to amend the Title 4 Map.	
2:50 PM (5 min.)	7.2 Ordinance No. 97-691 , For the Purpose of Amending Title 8 on Council interpretation of the Urban Growth Management Functional Plan.	

2:55 PM
(10 min.)

8. COUNCILOR COMMUNICATION

ADJOURN

CABLE VIEWERS: Council Meetings, the second and fourth Thursdays of the month are shown on City Net 30 (Paragon and TCI Cablevision) the first Sunday after the meeting at 8:30 p.m. The entire meeting is also shown again on the second Monday after the meeting at 2:00 p.m. on City Net 30. The meeting is also shown on Channel 11 (Community Access Network) the first Monday after the meeting at 4:00 p.m.

All times listed on the agenda are approximate; items may not be considered in the exact order.
For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542.
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Agenda Item Number 6.1

Consideration of the April 10, 1997 and April 17, 1997 Metro Council Meeting Minutes

(Available for review on April 23, 1997 by contacting Chris Billington 797-1542)

**Metro Council Meeting
Thursday, April 24, 1997
Council Chamber**

Agenda Item Number 7.1

Ordinance No. 97-690, For the Purpose of Amending Ordinance No. 95-625A to amend the 2040 Growth Concept Map and Ordinance No. 96-647C to amend the Title 4 Map.

First Reading

Metro Council Meeting
Thursday, April 24, 1997
Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
ORDINANCE NO. 95-625A TO AMEND) ORDINANCE NO 97-690
THE 2040 GROWTH CONCEPT MAP)
AND ORDINANCE NO. 96-647C TO) Introduced by Presiding Officer Kvistad
AMEND THE TITLE 4 MAP)

WHEREAS, Metro's regional goals and objectives required by ORS 268.380, the Regional Urban Growth Goals and Objectives (RUGGO), were adopted December 14, 1995 in Ordinance No. 95-625A; and

WHEREAS, RUGGO was transmitted to the Land Conservation and Development Commission (LCDC) for acknowledgment of consistency with statewide land use planning goals; and

WHEREAS, LCDC acted on November 1, 1996 to authorize the RUGGO final acknowledgment Order dated December 9, 1996; and

WHEREAS, the Metro Council adopted the Urban Growth Management Functional Plan in Ordinance No. 96-647C on November 21, 1996 which includes Council-approved changes in certain 2040 Growth Concept design type designations as part of 2040 Growth Concept implementation; and

WHEREAS, functional plans must remain consistent with RUGGO, including the 2040 Growth Concept Map; and

WHEREAS, small changes in boundaries of industrial and employment areas in the City of Portland are needed to maintain the intended consistency with the City's acknowledged comprehensive plan designations; and

WHEREAS, RUGGO Goal 1 requires that amendments to RUGGO involve MPAC for public and local government review prior to final Metro Council action; and

WHEREAS, amendment of acknowledged RUGGO requires a 45 day notice to the Department of Land Conservation and Development under ORS 197.610 which has been sent; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the 2040 Growth Concept Map, a part of the Regional Urban Growth Goals and Objectives in Ordinance No. 95-625A, is hereby amended as indicated on the amended 2040 Growth Concept Map attached as Exhibit A.

2. That the amendments to the 2040 Growth Concept Map are described generally as follows:

a. The Progress Quarry property of approximately 110 acres near SW Murray Hill Boulevard that was designated "employment area" is changed to "town center" to reflect reclamation of this former quarry site. The undeveloped extension of SW Murray Hill Boulevard between this property and the nearby town center is redesignated as a main street.

b. The Multnomah Kennel Club property of approximately 100 acres that was designated as "employment area" is changed to "town center" to reflect a change in use from light industrial and its location adjacent to the Fairview town center.

c. The "employment area" that was designated in the Brooklyn Yards is changed to "industrial area" to be consistent with the railroad uses there.

d. The "employment area" that was designated in the Linnton area north of the St. Johns Bridge is changed to "industrial area" to reflect the actual uses there.

e. A series of corrections to the boundaries and designations of industrial and employment areas in the City of Portland described in Section 4, below.

3. That the Industrial and Employment Areas Map in Title 4 of the Urban Growth Management Functional Plan is hereby amended as indicated on the amended Industrial and Employment Areas Map attached as Exhibit B.

4. That the amendments to the Industrial and Employment Areas Map are described generally as follows:

a. North and Northeast Portland

(1) Change from Employment to Industrial:

-- Area between N. Hayden Meadow Road and MLK Blvd., north of the Columbia Slough to Whittaker

-- Area located between NE 82nd and 122nd, north of Columbia Slough to the Columbia River

-- Hayden Island, east from City boundary to N. Canoe

-- Tomahawk Island

-- N. Portland Road to Portsmouth, north from the Willamette River to the rail line

(2) Change from Industrial to Employment:

-- NE MLK Blvd. to NE 4th, north of the Columbia Slough to Gertz Road

-- NE 60th to 82nd, north of Lombard to Columbia Blvd.

- NE 76th to 79th, from NE Alberta to Killingsworth
- NE 76th to 82nd, from NE Columbia Blvd. to Alderwood Road
- NE 82nd to 96th, north of Airport Way
- NE 181st to City Boundary, north from City Boundary to NE Marine Drive
- NE 82nd to 87th, north from NE Russell to Siskyou
- N. Pittsburg to Richmond, north from N. Bradford to Edison
- Swan Island, triangular area made by intersections of N. Anchor, Basin and Channel

(3) Remove areas with Open Space, Residential and Commercial

designations:

- Smith and Bybee Lakes
- N. Portland Road to MLK Blvd., north of the Columbia Slough
- Three areas located between NE 13th and 82nd, from Columbia Blvd. to Marine Drive
- Hayden Island, east from N. Canoe

(4) Remove areas with Central Employment (EX) designations,

currently designated Industrial on Title 4 map:

- N. Vancouver to NE Cleveland, north from Cook to Skidmore
- NE 19th to 27th, north from NE Sandy to I-84

(5) Add areas with IS and ME designations not previously included on

the Title 4 map:

- Employment area along I-84 from 44th to 72nd

-- Industrial area between I-84 and NE Halsey, east from NE 90th to I-205

b. Northwest Portland

(1) Change from Employment to Industrial:

-- Strip along NW St. Helens Road, from the Willamette Slough to NW Nicolai

-- NW 14th to 22nd, from NW Marshall to Thurman

(2) Remove areas with Central Employment (EX) designations,

currently designated Industrial on the Title 4 map:

-- NW 15th to 20th, from NW Glisan to Kearney

-- NW 18th to 21st, from NW Marshall to Pettygrove

-- NW 22nd to 23rd, from NW Overton to Pettygrove

-- Intersection of NW Vaughn and Nicolai to NW 27th

c. Southeast Portland

(1) Change from Employment to Industrial:

-- SE 17th to 122nd, north from SE Foster to Ramona

(2) Change from Industrial to Employment:

-- SE Powell Valley Road and the City Boundary

-- SE 77th to 86th, from SE Clatsop (City Boundary) to Lambert

(3) Remove areas with Open Space and Residential designations:

-- SE 117th to 120th, from SE Foster to the Springwater Corridor

-- SE 106th to 111th, from SE Division to Stephens

(4) Add areas with IS and ME designations not previously included on the Title 4 map:

-- Industrial area located between I-205 and SE 101st, from SE Francis to Franklin

-- Employment area from SE 101st to 108th, from SE Powell to Franklin

ADOPTED by the Metro Council this ____ day of _____ 1996.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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Agenda Item Number 7.2

Ordinance No. 97-691, For the Purpose of Amending Title 8 on Council interpretation of the Urban Growth Management Functional Plan.

First Reading

Metro Council Meeting
Thursday April 24, 1997
Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING TITLE 8) ORDINANCE NO 97-691
ON COUNCIL INTERPRETATION OF THE)
URBAN GROWTH MANAGEMENT) Introduced by Growth Management
FUNCTIONAL PLAN) Committee, Metro Council

WHEREAS, the Metro Council and MPAC recommended that the Office of General Counsel meet with interested legal representatives of cities and counties to review the legal effect of the interpretation processes in Title 8 of the Urban Growth Management Functional Plan; and

WHEREAS, the group of attorneys recommended an alternative approach to avoid multiple, lengthy appeals of the same interpretation issue; and

WHEREAS, the alternative approach is a substantive change that adds Metro Council action on the proposed compliance plans of all cities and counties; and

WHEREAS, the new process addresses the cities' and counties' primary issues by replacing the processes of Metro Council interpretations of issues brought to them with one review of the entire compliance plan and one final, appealable Metro Council decision at the time a city or county adopts its comprehensive plan changes; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 96-647C, Exhibit A, the Urban Growth Management Functional Plan, Title 8 is hereby amended to omit Sections 5 and 6 and renumber Section 7 entitled "Enforcement" to Section 6 entitled "Enforcement."

Section 2. Ordinance No. 96-647C, Exhibit A, the Urban Growth Management Functional Plan, Title 8, Section 2 is hereby amended to add the following new subsections F and G:

"F. The Council will review compliance plan proposals submitted under Section 2.A and 2.B of this Title by the following process:

1. Upon receipt by Metro of the material submitted by a city or county pursuant to Sections 2.A and 2.B of this Title, the Executive Officer shall review the material and make a recommendation to the Council as to whether the proposed city or county action complies with the provisions of this functional plan.
2. The Council shall consider the Executive Officer recommendation after conducting a public hearing on the matter. Notice of the public hearing shall be given to the city or county.
3. The Council action on a preliminary determination of compliance shall be by resolution expressing intent to approve or disapprove the proposed city or county action if and when the proposed actions are adopted.
4. The Council may consider amendments to the resolution at the request of a city or county upon receipt by Metro of additional material pursuant to Sections 2.A and 2.B, including material in support of reconsideration.
5. The Council shall take final action within 30 days of the earlier of (a) February 1, 1999, or (b) notice from the city or county of adoption of its ordinances to comply with the functional plan. Council action shall follow the opportunity to comment orally to the Council on the proposed ordinance. Parties shall be notified of their right to review before the Land Use Board of Appeals pursuant to state law.

G. After the Council's final determination that a city or county comprehensive plan and implementing ordinances are in compliance with this functional plan, all land use decisions made pursuant to the adopted comprehensive plan and implementing ordinances shall be deemed to be in compliance with this functional plan."

Section 3. Ordinance No. 96-647C, Exhibit A, the Urban Growth Management

Functional Plan, Title 8, Section 3 is hereby amended to read as follows:

"A. After the effective date of this ordinance, and until the Council's final determination of compliance, any amendment of a comprehensive plan or implementing ordinance shall be consistent with the requirements of this functional plan. ~~Metro shall assist cities and counties in achieving compliance with all applicable functional plan requirements. Upon request, Metro will review proposed comprehensive plan and implementing ordinances for functional plan compliance prior to city or county adoption.~~

B. Amendments to a comprehensive plan or implementing ordinance after the Council's final determination of compliance shall be consistent with the requirements of this functional plan. Prior to amending any comprehensive plan provision or implementing

ordinance, a city or county shall cause a copy of any notice given to the director of the Department of Land Conservation and Development pursuant to ORS 197.610 and 197.615 to be also sent to Metro's Director of Planning at the same time notice is given pursuant to ORS 197.610 and 197.615. Upon request, Metro will review proposed comprehensive plan and implementing ordinances for functional plan compliance prior to city or county adoption."

ADOPTED by the Metro Council this ____ day of _____ 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel



METRO

Date: April 9, 1997

To: John Fregonese, Director of Growth Management

From: *LS*
Larry Shaw, Office of General Counsel

Subject: Title 8 Interpretation Process Amendments

At the request of the Metro Council and based on MPAC's recommendation, General Counsel Cooper has met with local government and other attorneys about the Title 8 Interpretation Process in Sections 5 and 6. That group's recommendation is to avoid possible appeals from individual interpretation requests by replacing Title 8, Section 5 with a new process. That substantive change to Title 8 is being discussed by the Metro Council. The attached Discussion Draft is likely to be amended somewhat prior to formal introduction as an ordinance which will then be reviewed by MTAC and MPAC.

Current Interpretation Process

Title 8, Section 5 requires Metro to "...provide a process for cities and counties...to seek interpretations of the requirements of this functional plan..." The process includes an application, Executive Officer comment and interpretation, opportunity for Metro Council review and final decision.

Title 8, Section 6 allows a citizen to petition the Metro Council "...to initiate a functional plan interpretation or conflict resolution action." The process includes city/county response and alternative actions for the Metro Council which include postponing consideration of a requested interpretation.

Proposed New Process - Council Review of Compliance Submission

Title 8, Section 2 requires cities and counties to submit a proposed compliance plan demonstrating how their plans and codes are proposed to be amended to comply with the Functional Plan. This submission is required no later than August, 1998. Currently, the Metro Council would review these submissions only if they include requests for exceptions from any Functional Plan requirement.

The new interpretation approach is proposed to be added to Title 8, Section 2 to replace Title 8, Sections 5 and 6. The Executive Officer would make a recommendation to the Metro Council about the proposed compliance plan and any requested exceptions. The Metro Council would make a decision on each of the 24 cities' and 3 counties' compliance plans after a public hearing. That decision would be an appealable final land use decision.

Metro oversight of continued compliance with the Functional Plan would be similar to DLCD postacknowledgment for comprehensive plans. At the same time that a city or county gives the postacknowledgment notice of a plan change to DLCD, Metro would receive a notice of the change to review the change against the Functional Plan.

cc: Mark Turpel

**METRO**

Date: April 22, 1997

To: John Fregonese, Director of Growth Management

From: *LSS*
Larry Shaw, Office of General Counsel

Subject: Title 8 Partial Compliance Approvals

MTAC reviewed Title 8 amendments prepared in Ordinance form for the Council Growth Management Committee. MTAC generally concurred with a new process similar to LCDC's process for "acknowledgment" with statewide goals to replace Title 8 interpretation Sections 5 and 6. However, MTAC supported adding to the new process the opportunity for Metro approval of partial compliance with the Functional Plan.

Policy Considerations Discussed

Giving cities and counties a Metro determination of compliance for completion of major parts of Functional Plan compliance seems to be more appropriate if Ballot Measure 47 funding limitations delay full compliance. City and county attorneys want Metro Council approval of their full, completed compliance plans to help them with any appeals of their amended plans. Partial compliance approvals could be done by the Executive Officer to avoid greatly adding to Council workload. Disputed issues from partial compliance approvals by the Executive Officer could be appealed to the Council. Exceptions to Functional Plan provisions should continue to be available only at the time of full compliance review.

Partial Compliance Approvals

Implementing MTAC's recommendation for partial compliance approval can be accomplished by adding the attached amendments to Ordinance No. 97-691 which includes the following:

1. A partial compliance approval by the Executive Officer.
2. Opportunity for submissions by parties opposed to partial compliance approval.
3. Opportunity for appeal of Executive Officer determinations to Council.
4. Public hearing and Council decision on partial compliance appeals.
5. Inclusion of partial compliance approvals with full compliance review.

042497-03



METRO

April 24, 1997

Mr. William Blosser, Chair
Land Conservation and Development Commission
1175 Court Street Northeast
Salem, Oregon 97310-0590

Dear Mr. Blosser:

This letter is in response to the Commission's Transportation Planning Rule evaluation report. Metro's Joint Policy Advisory Committee on Transportation (JPACT), Metro Policy Advisory Committee (MPAC) and the Metro Council have reviewed the draft recommendations prepared by your consultant on possible changes to the rule. The following comments are submitted for your consideration:

Broader Mission of the TPR

The consultant's review of the TPR focuses on the specific requirements for local governments to achieve per capita reductions in vehicle miles traveled (VMT) and parking spaces. The consultant has provided a number of findings on both of these quantitative measures. Specific comments on their findings are included in this letter.

Metro and its partners urge you to expand your review to consider the broader context of these measures as they relate to the overall mission of the TPR. We believe that Section 660.12.035(7) envisions a broader review when it directs the Commission to evaluate "...the results of efforts to achieve the [parking and VMT/capita] reductions." In this context, we believe that the Commission should define "results" as the effectiveness of the measures in helping local governments to plan for compact, multi-modal and more livable communities. In the Portland region, the 2040 Growth Concept began this effort, the Urban Growth Management Functional Plan has begun implementation, and we are continuing to use these measures and others to develop the transportation element of the Regional Framework Plan.

We therefore conclude that it is premature to revise the current standards, as recommended in the draft report to the Commission. Instead, we propose that the LCDC adopt new language that better defines the role of these measures in acknowledging local transportation plans. The new compliance language should be molded around a principle of good faith, with recognition of the extensive effort that the Portland region has made toward both the letter and intent of the TPR. This approach would be more constructive, and better reflects the fact that the VMT/capita measure alone will not produce more compact, livable communities. Based on this approach, we recommend that model-based requirements, like the VMT/capita measure, serve as implementation tools and not as state policy. Because models are inherently imperfect, and often do not reflect real conditions, their importance

Mr. Blosser
April 24, 1997
Page 2

should not be overstated in the TPR. Real data available in the next few years would provide a much more accurate data set from which to determine policy evaluation.

We concur with the recommendation in the LCDC staff report on this subject that further review is needed before the Commission accepts and endorses any action to revise the TPR. Specifically, we agree with LCDC staff that the Commission's Transportation Subcommittee complete this additional review, but we recommend that the subcommittee be broadened to include representation from the Oregon Transportation Commission and the four metropolitan planning organizations in the state. Further, the consultant report could be accepted, but should not be adopted as a representation of Commission conclusions.

We believe that, when the Commission evaluates the transportation element of the Regional Framework Plan, the Regional Transportation Plan (RTP) and local transportation system plans, acknowledgment should be based upon our best effort to meet the intent of the TPR while balancing competing land use and transportation goals to build more livable communities.

Instead, the draft recommendations proposed in the consultant's report are narrowly focused on standards and punitive measures that would not necessarily reflect the broader philosophical intent of the TPR. We propose that the Commission delay a change to the VMT and parking requirements until (1) Metro has completed the Regional Framework Plan and (2) local governments in the Portland region have adopted local plan amendments that implement the Urban Growth Management Functional Plan (UGMFP).

The consultant has recommended changes in the rule that are heavily based on planning efforts in other metropolitan planning areas (MPOs) in the state. However, Metro staff have also met with representatives of other MPOs, and all MPOs question some of the consultant's conclusions about the ability of these areas to meet the current requirements of the rule. Because the other MPOs encompass a comparatively small number of municipalities and counties, we believe that more active land use alternatives might be possible in these areas. Though they may lack the land use authority that Metro possesses in the Portland region, our region includes the complexity of 27 separate cities and counties. Other MPOs may include only three or four jurisdictions. The draft report does not fully consider these differences, and how other MPOs could better meet both the letter and intent of the TPR in building a more compact urban form.

In general, the draft report fails to fully consider land use efforts that have been, or could be made to meet the intent of the TPR. This is reflected by a cursory review of land use strategies made by other MPOs, and erroneous conclusions about Metro's Region 2040 findings. Based on mistaken VMT/capita reduction statistics that was half the actual amount that was demonstrated for the Portland region in the 2040 effort, the consultant seems to conclude that land use strategies will not make a meaningful contribution to VMT/capita reduction. In fact, the bulk of the 10.8 percent VMT/capita reduction demonstrated in the Region 2040 project was a result of closely coordinated land use and transportation assumptions. Further, we believe that the land use alternatives requirement of the TPR is the best reflection of the overall mission of the rule. The VMT/capita and parking reduction requirements should serve as complements to this primary mission.

The consultant's report also contains dated characterizations of national suburban development that does not reflect current trends in our metropolitan area. For example, the consultant argues that

suburban sprawl "shows few signs of abating"; based on national statistics. We recommend that any Commission conclusion recognize a more timely look at the latest trends in our region, which include:

- The Metro UGB has had a major impact on the region, containing what might have been land extensive development.
- The median lot size created in our region has decreased significantly. In 1995-1996, median lot size was 6,700 square feet, substantially lower than that of the late 1970's (13,000 square feet) and the 1980's (9,000 square feet). This is significant when single family residential is far and away the largest land use in any region and affects the size of an urban area more than any other land use.
- During this same time period (1990-1995), actual employment densities built exceeded the Metro 2040 Growth Concept assumptions (116 percent of assumptions). The Metro 2040 Growth Concept strives to achieve a compact urban form, not the land-extensive suburban pattern in many metropolitan areas.
- Growth in our region during 1990-1995 was not limited to one area or one type of development. This more compact development pattern was occurring throughout the region.
- Per-capita transit ridership increased. Transit rides per capita steadily increased from 33.5 rides to 37.2 from the period 1990-1995.
- Vehicle miles per capita remained relatively stable and, given the limitations of measurement, small fluctuations may not be significant. In 1988, VMT/capita was 19.6, in 1995 it was 20.9.

Proposed Revisions to the Draft Recommendations

The consultant's report also makes several good recommendations on the future use of the VMT and parking standards. However, JPACT and MPAC recommended the following changes based upon our own experiences as we begin to implement the TPR:

General Issue

- We strongly endorse the consultant's finding that a broader set of measures should be used to evaluate implementation of the TPR. Metro has begun to develop a long list of measures as part of the regional TSP, some of which could be candidates for the TPR. We have attached a preliminary list of these measures.

Chapter 2 - Results of Stakeholder Interviews

- Section 2.4.7 (pages 14-15) should include a summary of Title 2 of the Portland MPO's Urban Growth Management Functional Plan, which sets forth regional policy on parking, which was supported by the DLCDC and DEQ. This section should also reference level-of-service (LOS) provisions in Title 6 of the UGMFP and work from the Regional Transportation Plan (RTP) alternatives analysis effort, which focuses on LOS issues.

Chapter 3 - Measures to Achieve VMT Per Capita Reduction

- The various VMT studies cited in Section 3.2 (page 29) are currently the best evidence available to guide VMT policy. As such, they should be more strongly supported in the conclusions made in this section.
- Section 3.2.2.3 (page 45) regarding pedestrian, bicycle and transit-oriented design should include a summary of relevant Region 2040 and LUTRAQ findings, because they are currently the best evidence available on the connection between land use and alternative modes of travel.

Chapter 4 - MPO Plans to Reduce Per Capita VMT and Parking

- The VMT/capita reduction figure of 5.4 percent shown in Section 4.4.1 for the metro region (page 54) is incorrect. The 2040 Recommended Alternative analysis showed a 10.8 percent reduction in VMT/capita. This error substantially affects the conclusions made in this section regarding the ability of MPOs to meet the 10 percent reduction goal.
- Section 4.4.3 regarding expected results from regional and local efforts (page 56) also shows an incorrect 5.4 percent VMT/capita reduction (see previous comment). This section should also be revised to list Metro's adopted Functional Plan requirements that will contribute to VMT/capita reduction, including the parking provisions contained in Title 2 and the Boulevard design, connectivity, modal targets and alternative LOS provisions in Title 6.

Chapter 6 - Conclusions and Recommendations

- Section 6.5 (beginning on page 91):

Item 5 (page 91) regarding VMT/capita reduction should differentiate between the kinds of strategies that are necessary to achieve a 5 percent versus 10 percent reduction in VMT/capita. At this time, it is also premature to modify the 10 percent reduction requirement, since the Portland MPO is still involved in a major update to the RTP and is working toward compliance with the current 10 percent standard. Also, from a practical standpoint, the Commission should also consider establishing a fixed based year, upon which local TSP findings on VMT per capita would be based.

Compliance with the Transportation Planning Rule for Vehicle Miles Traveled (VMT) reduction is an important issue in the Evaluation Report. The Report recommends changing the standard from 10 percent reduction in VMT per capita in the 20-year planning period and 20 percent reduction in 30 years to 5 percent and 10 percent VMT reductions, respectively.

Lowering the high target is the wrong approach. Policy-makers should understand and evaluate both the policy approaches taken to reduce reliance on the automobile that have reduced VMT and the policy approaches needed to meet the TPR targets even if those policies are not adopted. To recognize some MPO difficulties and retain the VMT target, the compliance requirement could be modified to be a demonstration of the following two steps:

Mr. Blosser
April 24, 1997
Page 5

1. A Transportation System Plan that does not meet the 10 and 20 percent reduction requirement could be adopted if the following policies (Evaluation Report, p. 91) to reduce VMT per capita have been included in the Transportation System Plan:
 - a. Maintaining and enhancing compact, mixed-use communities;
 - b. Introducing market-based strategies which will affect both the timing and the choice of mode of trips;
 - c. Funding and deploying high levels of transit services in corridors where public transportation can economically meet travel needs;
 - d. Managing parking and activity centers which are accessible by alternative modes to reduce both the number and the impact of excess parking spaces; and
 - e. Prioritizing the types and locations of transportation investments to support the growth of centers and corridors where accessibility by alternative modes is greatest.
 2. That additional policies, including pricing policies, were evaluated that would be necessary to achieve 10 percent and 20 percent VMT reduction targets.
- Item 7 (page 92) regarding mandatory funding and implementation of demand management strategies should not be included in the recommendations. While demand management is a key ingredient of the Portland region's transportation strategy, it is premature to determine its funding importance with relation to other critical transportation needs.
 - Items 11 and 12 (page 95) regarding pricing approaches prematurely concludes that supply-based parking strategies are not an effective approach to per capita parking reductions. In fact, the pricing strategies recommended by the consultant represent a bigger leap of faith than supply-based approaches. The updated RTP will also address this provision, and may demonstrate that supply-based strategies will achieve the TPR standard. Further, Title 2 of the recently adopted UGMFP, which uses a supply-based approach, will be reflected in the RTP.
 - Item 14 (page 94-95) proposes a pricing demonstration project. While Metro is involved in a major study of pricing (to be completed in June 1998), we have not, and could not, conclude that "...reducing automobile reliance will not be possible without pricing...", a conclusion reached in the consultant's report. At this time, prior to completion of major pricing studies, it is premature to include pricing as a central theme in the TPR.
 - Item 16 (page 95) regarding changes to statewide LOS standards should include a reference to related work that Metro has already done in Title 6, Section 4 of the Functional Plan. A version of the optional LOS standard contained in Title 6 of the Functional Plan will likely be included in the regional TSP.

Thank you for reviewing our comments. We have attached supporting documents for your consideration, and look forward to working with the Commission in the future on these issues.

Sincerely,

Jon Kvistad, JPACT Chair
Metro Council Presiding Officer

Rob Drake, MPAC Chair

Attachments



METRO

042497-04

April 23, 1997

Councilor Susan McLain
Chair, Growth Management Committee
Metro Council
600 NE Grand Avenue
Portland, OR 97232

Dear Councilor McLain:

At its meeting last night, MPAC voted to recommend the following to Council:

1. **Publish a performance indicators database.** This would include all of the measures published to date (vacant land conversion, housing development, density, rate and price, job creation, infill and redevelopment, environmentally sensitive lands, price of land, residential vacancy rates, access to open space and transportation measures).
2. **Adopt a very few indicators as Urban Growth Boundary Performance Measures.** These would be used as tools between periodic review of the UGB, to assess the rate of implementation of the demonstrable measures for accommodating projected growth. Measures would be limited to: a) vacant land conversion, b) housing density and rate of development, c) infill and redevelopment.
3. **Ensure that the upcoming Regional Framework Plan includes a broader set of performance measures.** The Regional Framework Plan should be structured so that it systematically links each component - from broad to specific - throughout the document. That is, the document should clearly show how the region's vision links to goals, which in turn link to implementation, which link to performance measures. Additionally, to the extent possible, link state-wide or other locally determined measures with regional efforts.

In addition, the Metro Council should consider:

4. **Tie critical performance measures to appropriate actions.** In order to ensure that critical regional growth management factors remain in a healthy state, identify a few of the most sensitive measures. For each of these measures appropriate actions should be determined which would be considered if the measures show substantial deviation from regional goals.

In addition, MPAC voted to establish a work group to assess the performance measures as recommended by the MPAC Performance Measures Subcommittee in the attached document. It is hoped that the group will be representative of the MPAC membership, the Council and interested parties and will be able to build consensus on acceptable and effective performance measures. MPAC is recommending that the Council, through the Growth Management Committee, work with the Performance Measures Work Group to assist in the development of the performance measures.

The representatives from MPAC will be:

The Chair of MPAC

MPAC member representing larger cities
MPAC member representing smaller cities
MPAC member representing counties
MPAC member representing special districts
MPAC citizen member

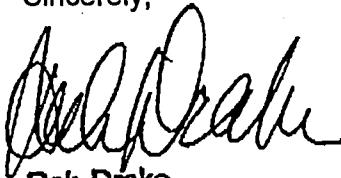
Mayor Rob Drake

Commissioner Jim Francesconi
Councilor Jean Schreiber
Commissioner Linda Peters
John Hartsock
Peggy Lynch

MPAC felt it important to set specific times and dates for the meetings so that the public and others interested in the meetings will have notice. The meetings will be held every two weeks prior to the MPAC meetings at Metro.

MPAC asks that the Growth Management Committee forward these recommendations to the Council for their consideration. MPAC is hopeful that the Performance Measures Work Group will be instrumental in helping to develop effective performance measures that will be acceptable to all Metro partners.

Sincerely,



Rob Drake
Chair of MPAC

Attachments: 4/23/97 - Performance Measures Subcommittee memo
4/22/97 - Performance Measures Subcommittee Meeting Summary
4/22/97 - Performance Measures memo from John Hartsock with follow up from Subcommittee Meeting

Performance Measures Development Committee

Purpose : To establish a small, but representative working group to assess a broader range of performance measures. Existing documents and materials, including, but not limited to, the following are suggested as sources: Future Vision, State Benchmarks and the Portland/Multnomah Benchmarks, as well as memos from James Zehren, Peggy Lynch, Mayor McRobert, the Home Builders and the Business Advisory Committee.

Time: Frequent meetings to be determined for a period up to six months.

Membership

Suggestions: The Chair of MPAC

An MPAC member representing larger cities

An MPAC member representing smaller cities

An MPAC member representing counties

An MPAC member representing special districts

An MPAC citizen member

A representative from the Home Builders

A representative from the Coalition for a Livable Future

A representative from a school district within the region

A representative from the business community

A Metro Council liaison member, Chair of Growth Management Committee

Process: The Committee would make recommendations to MPAC. MPAC would review and make recommendations to the Metro Council. Recommendations could result in additions to the Regional Framework Plan.

**MPAC Performance Measures Subcommittee
4/22/97 Meeting Summary**

MPAC members in attendance: Rob Drake, John Hartsock, Peggy Lynch, Susan McLain, and Linda Peters.

Any work effort should recognize that a lot of work has already been completed on performance measures. Look at the Future Vision, memos from Jim Zehren, Peggy Lynch, etc.

The subcommittee generally agreed with the April 17th memo from John Fregonese outlining MTAC recommendations. However, they have several recommendations that follow.

The performance measure work should have data gathering incorporated into building permit data reporting. A technical assessment should be made to see how critical data can be collected consistently and with the least amount of additional effort. MTAC should be charged with assessing this problem and reporting back to MPAC.

The following matrix could be used to illustrate several important points: 1) local jurisdictions should have the opportunity to take corrective actions before there is a need for Metro to do so. 2) this approach could provide for peer review 3) if a local government has a problem, they might be able to work with other jurisdictions to solve it.

	Indicator	Indicator	Indicator
Corrector: Metro			
Corrector: Municipality County			
Corrector: Industry Practices			

A list of possible subcommittee members (stakeholders) should be drawn up for MPAC consideration on 4/23 so that Performance Measures get the attention needed. The representation should be as inclusive as possible, for example, both the Home Builders and Coalition for a Livable Future should be included. The group should have about 10-15 members, fewer if possible, and meet frequently (every 10 days?) during the next 6 months. Development of performance measures and any corrective actions should be a bottoms up and cooperative effort with other local jurisdictions.

We must ensure that whatever the broader measures are, they should engage the general public, not be esoteric. Further, data gathered should be done so that CPO's or neighborhoods understand what their area's responsibility is.

MPAC meetings should be moved from the Metro Council chambers back to room 370 A "& B. This provided a more informal atmosphere.

There should be a joint MPAC/Metro Council meeting early each year to discuss the upcoming year's work and improve communication between Metro and MPAC.

There should be orientation meetings for new MPAC members. More effort should be made to approach the new members.

Respectfully submitted by Mark Turpel.

J. N. HARTSOCK PROJECT MANAGEMENT

Project Management Consulting

Project Memorandum

TO: Mayor Rob Drake, Chair MPAC

FROM: John Hartsock, Representative
Special Districts Clackamas County (alternate)

DATE: April 22, 1997

RE: Performance Measures

This is a follow-up to the discussion of the Performance Measures Subcommittee and some additional thoughts and ideas concerning application of the Performance Measures.

The data collected for the Performance Measures will be just another stack of meaningless statistics if we don't develop a direction as to how this data should be applied and used; what actions are taken and when they are taken. The ultimate outcome of not meeting the agreed upon functional plans will be the further expansion of the boundary which can penalize the entire 2040 growth concept.

It is suggested that we look for the Performance Measures to be adopted by Metro with the assistance of their MPAC partners, and that the monitoring and conformance though ultimately a Metro responsibility, be at the lowest level possible. Further, corrections and/or trade-offs should be made at that lowest level as well.

It would seem the first issue we must deal with is the accurate and consistent collection of the data which will be used to monitor the Performance Measures. One option would be to expand or add to a planning/building permit application giving the ability to gather this data. The data needs to be gathered in a timely fashion and be available to the issuing jurisdiction. The jurisdiction then has the advantage of reviewing, reacting and correcting to meet their goals.

It has been stated that the review of the Performance Measures would be done every two years. I submit that if a jurisdiction is far off track from meeting its goals, that two years could create a tremendous amount of diversion which would take a significant amount to correct. Some of the issues possibly being uncorrectable in the near future. If the data was gathered at the building department level, reports could be generated as often as needed, possibly monthly, for the jurisdiction to review its progress against goals. This could then be submitted to a County level which would review and work together on corrections on an established periodic basis. From that level to the MPAC level for review and corrections if necessary, and eventually to the Metro Council.

12042 S.E. Sunnyside Road #561 Clackamas, OR 97015
503/780-4806 FAX/658-3395

Mayor Bob Drake, Chair MPAC
April 22, 1997

Page 2

Another advantage of having the data at the lowest possible level would be the ability to have and use it at a CPO level. This would allow the statement of goals as well as the charting of goals at the community planning level. A partnership could be formed as CPO's work together to assure that their collective goals are met. They then could work with other CPO's at the City level to ensure the city's goals are met. The cities within the county can then work together to achieve their collective goals and then the counties work with each other under MPAC with Metro assistance to meet the regional goals.

Establishing this type of bottom-up system creates a much stronger working partner relationship rather than attempting to set definitive rules and ordinances at a higher level of government thus making that level become an enforcer. These Performance Measures can be monitored and be self-enforced at the lowest possible level.

JNH/pk

Friends of Cathedral Park Neighborhood Association



Lewis Marcus, Chair • 7318 North Syracuse Street • Portland, Oregon 97203 • (503) 285-2850 • FAX (503) 285-4495
 My Dear METRO Council,

Our community is grateful for all of your support. Here is a schedule of this summer's events. Please join us!

We thank you for your help in making this summer fantastic!

Lewis Marcus, Cathedral Park N.A.

May 10	35th Annual St. Johns Parade
June 12, 13, 14	St. Johns Sidewalk Sale
June 19 thru 22	St. Johns Historical Play in Cathedral Park
June 26 thru 29	St. Johns Historical Play in Cathedral Park
July 12	Heritage Fair Street Dance
July 18	Pre-event Jazz Festival Party
July 19 & 20	Cathedral Park Jazz Festival
July 27	Portland Festival Symphony
August 10	Blue Heron Music Festival
August 14, 15, 16	St. Johns Sidewalk Sale

042997e-06



METRO

April 23, 1997

Mr. Jon Kvistad, Presiding Officer
Metro
600 NE Grand Avenue
Portland, OR 97232

Dear Jon

We have received a copy of draft timelines for two Metro projects, the Regional Framework Plan and the Urban Growth Report, dated April 22. We understand that these timelines were initiated and created through discussions between the Executive Officer and the Growth Management Committee Chair. An MPAC subcommittee and the full MPAC have reviewed and discussed these timelines. We believe that they describe a sound process for developing and discussing these important documents and the decisions which they will direct. We recognize that some features of these timelines are difficult to predict and that the actual dates may need to be changed. If there is a need to make revisions, we would like to see any proposed changes as soon as practicable in order to assess any impact on MPAC schedule.

We look forward to working with the Metro Council on these projects and welcome any suggestions that the Metro Council has as MPAC reviews the documents and assembles its recommendations.

Thank you for your consideration of this matter.

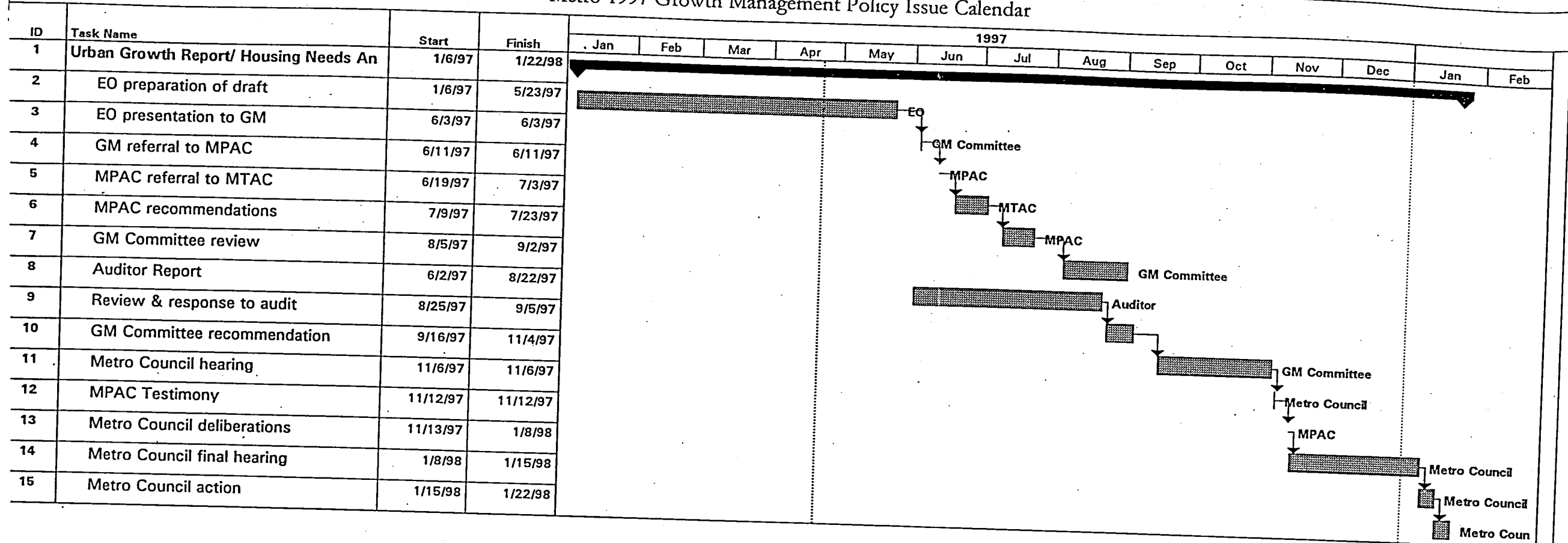
Sincerely

A handwritten signature in black ink, appearing to read 'Rob Drake', written in a cursive style.

Rob Drake, Chair
Metro Policy Advisory Committee

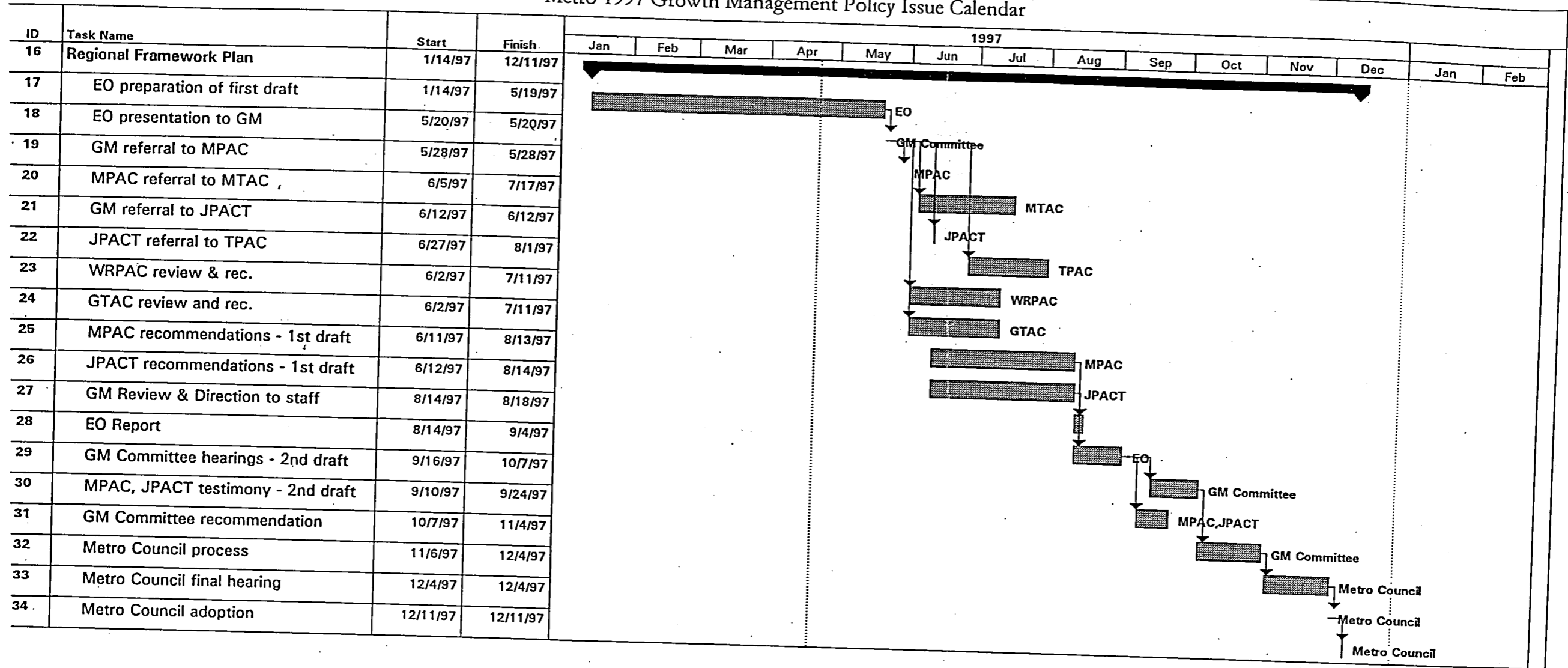
c: Metro Council members
Mike Burton, Executive Officer
MPAC members

Metro 1997 Growth Management Policy Issue Calendar



Object: Task Milestone Rolled Up Task Rolled Up Progress
 Date: 4/22/97 Progress Summary Rolled Up Milestone

Metro 1997 Growth Management Policy Issue Calendar



Subject: 4/22/97	Task Milestone	Progress Summary	Rolled Up Task	Rolled Up Progress	Rolled Up Milestone
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BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING TITLE 8)	ORDINANCE NO 97-691A
ON COUNCIL INTERPRETATION OF THE)	
URBAN GROWTH MANAGEMENT)	Introduced by Growth Management
FUNCTIONAL PLAN)	Committee, Metro Council

WHEREAS, the Metro Council and MPAC recommended that the Office of General Counsel meet with interested legal representatives of cities and counties to review the legal effect of the interpretation processes in Title 8 of the Urban Growth Management Functional Plan; and

WHEREAS, the group of attorneys recommended an alternative approach to avoid multiple, lengthy appeals of the same interpretation issue; and

WHEREAS, the alternative approach is a substantive change that adds Metro Council action on the proposed compliance plans of all cities and counties; and

WHEREAS, the new process addresses the cities' and counties' primary issues by replacing the processes of Metro Council interpretations of issues brought to them with one review of the entire compliance plan and one final, appealable Metro Council decision at the time a city or county adopts its comprehensive plan changes; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 96-647C, Exhibit A, the Urban Growth Management Functional Plan, Title 8 is hereby amended to omit Sections 5 and 6 and renumber Section 7 entitled "Enforcement" to Section 6 entitled "Enforcement."

Section 2. Ordinance No. 96-647C, Exhibit A, the Urban Growth Management Functional Plan, Title 8, Section 2 is hereby amended to add the following new subsections F and G:

"F. The Council will review compliance plan proposals submitted under Section 2.A and 2.B of this Title by the following process:

1. Upon receipt by Metro of the material submitted by a city or county pursuant to Sections 2.A and 2.B of this Title, the Executive Officer shall review the material and make a recommendation to the Council as to whether the proposed city or county action complies with the provisions of this functional plan.
2. The Council shall consider the Executive Officer recommendation after conducting a public hearing on the matter. Notice of the public hearing shall be given to the city or county.
3. The Council action on a preliminary determination of compliance shall be by resolution expressing intent to approve or disapprove the proposed city or county action if and when the proposed actions are adopted.
4. The Council may consider amendments to the resolution at the request of a city or county upon receipt by Metro of additional material pursuant to Sections 2.A and 2.B, including material in support of reconsideration.
5. The Council shall take final action within 30 days of the earlier of (a) February 1, 1999, or (b) notice from the city or county of adoption of its ordinances to comply with the functional plan. Council action shall follow the opportunity to comment orally to the Council on the proposed ordinance. Parties shall be notified of their right to review before the Land Use Board of Appeals pursuant to state law.

G. After the Council's final determination that a city or county comprehensive plan and implementing ordinances are in compliance with this functional plan, all land use decisions made pursuant to the adopted comprehensive plan and implementing ordinances shall be deemed to be in compliance with this functional plan."

H. The Executive Officer will review partial compliance plan proposals submitted at any time with the plan evaluation proposed ordinances and findings required in Section 2 of this Title by the following process:

1. Upon receipt of the required material submitted by a city or county with a request for partial compliance approval, the Executive Officer shall provide an opportunity for written submission to parties opposed to partial compliance approval.
2. The Executive Officer shall make a determination of partial compliance in writing to all parties which made a written submission within 60 calendar days of receipt of a complete request for partial compliance approval.

3. Parties which made a written submission on partial compliance approval to the Executive Officer, including the city or county requesting partial compliance approval, may appeal the Executive Officer determination on partial compliance by written notice of appeal to the Council Clerk within ten (10) calendar days of the Executive Officer's determination.
4. The Council shall consider the Executive Officer determination of partial compliance after conducting a public hearing on the matter with notice to parties which made a written submission to the Executive Officer.
5. The Council action on a preliminary determination of partial compliance shall be by resolution expressing intent to approve or disapprove the proposed city or county action if and when the proposed actions are adopted.
6. The Council may consider amendments to the resolution at the request of a city or county upon receipt by Metro of additional material pursuant to Section 2.A, including material in support of reconsideration.
7. The Council shall take final action within 30 days of notice from the city or county of adoption of its ordinances to comply with the functional plan. Council action shall follow the opportunity to comment orally to the Council on the proposed ordinance. Parties shall be notified of their right to review before the Land Use Board of Appeals pursuant to state law.
8. Determination of partial compliance approval shall be included with the complete compliance plan submitted under Sections 2.A and B of this Title."

Section 3. Ordinance No. 96-647C, Exhibit A, the Urban Growth Management

Functional Plan, Title 8, Section 3 is hereby amended to read as follows:

- "A. After the effective date of this ordinance, and until the Council's final determination of compliance, any amendment of a comprehensive plan or implementing ordinance shall be consistent with the requirements of this functional plan. ~~Metro shall assist cities and counties in achieving compliance with all applicable functional plan requirements. Upon request, Metro will review proposed comprehensive plan and implementing ordinances for functional plan compliance prior to city or county adoption.~~
- B. Amendments to a comprehensive plan or implementing ordinance after the Council's final determination of compliance shall be consistent with the requirements of this functional plan. Prior to amending any comprehensive plan provision or implementing ordinance, a city or county shall cause a copy of any notice given to the director of the Department of Land Conservation and Development pursuant to ORS 197.610 and 197.615 to be also sent to Metro's Director of Planning at the same time notice is given pursuant to ORS 197.610 and 197.615. Upon request, Metro will review proposed

comprehensive plan and implementing ordinances for functional plan compliance prior to city or county adoption."

ADOPTED by the Metro Council this _____ day of _____ 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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