

A G E N D A

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TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL/EXECUTIVE OFFICER INFORMAL MEETING
DATE: April 9, 2002
DAY: Tuesday
TIME: 2:00 PM
PLACE: Council Annex

CALL TO ORDER AND ROLL CALL

I. UPCOMING LEGISLATION

II. ESEE PROGRAM

III. FANNO CREEK GREENWAY TRAIL ACTION PLAN

Ciecko/Kent

IV. EXECUTIVE OFFICER COMMUNICATION

V. COUNCILOR COMMUNICATIONS

ADJOURN

040902ce-01

Fanno Creek Greenway Trail

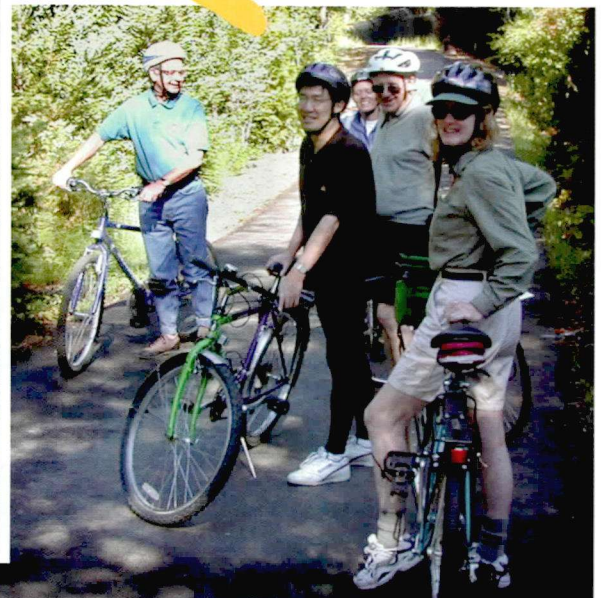
Connecting the Willamette
and Tualatin rivers



Enjoy the Fanno Creek Greenway Trail

Take a stroll along the greenway trail. Walk near the calming waters of Fanno Creek. Discover the hidden neighborhood treasures of a corridor that welcomes people, and at the same time, gives nature a place to breathe.

For more information and scheduled events, visit Metro's web site www.metro-region.org



Plan to complete the trail

Local project partners are developing an action plan for the completion of the trail. Your ideas and input are needed. For more information or to participate in the development of the plan, call:

Metro's Regional Parks and Greenspaces Department, (503) 797-1731
Portland Parks and Recreation, (503) 823-2223
Tualatin Hills Park and Recreation District, (503) 645-6433
City of Beaverton, (503) 526-2424
City of Tigard, (503) 639-4171

Project partners

The Fanno Creek Greenway Trail is a partnership project involving many public and private organizations:

- City of Beaverton
- City of Durham
- Metro
- City of Portland (Portland Parks and Recreation, Office of Transportation and Bureau of Environmental Services)
- City of Tigard
- City of Tualatin
- Tualatin Hills Park and Recreation District
- Washington County
- Clean Water Services (formerly Unified Sewerage Agency)
- Audubon Society of Portland
- Fans of Fanno Creek
- 40-Mile Loop Land Trust
- National Park Service Rivers and Trails Program
- SWTrails Group of Southwest Neighborhoods, Inc.
- Three Rivers Land Conservancy

The Fanno Creek Greenway Trail

The Fanno Creek Greenway Trail corridor gracefully weaves through five cities and two counties. On its way to becoming one of the premier urban greenway trails in the Portland metropolitan region, this 15-mile corridor is a neighborhood dream come true. The recreational and commuter trail will take people from the shores of the Willamette River in Southwest Portland to the confluence of Fanno Creek and the Tualatin River.

Trail to the future

A multi-use trail for walkers, runners, bicyclists and trail enthusiasts of all ages, the trail will be accessible to people with disabilities. As the community continues to grow, this valuable greenway trail will:

- link neighborhoods, parks, schools, community centers and businesses
- provide an environment for learning about local history
- provide safe corridors for walking and biking to school and work

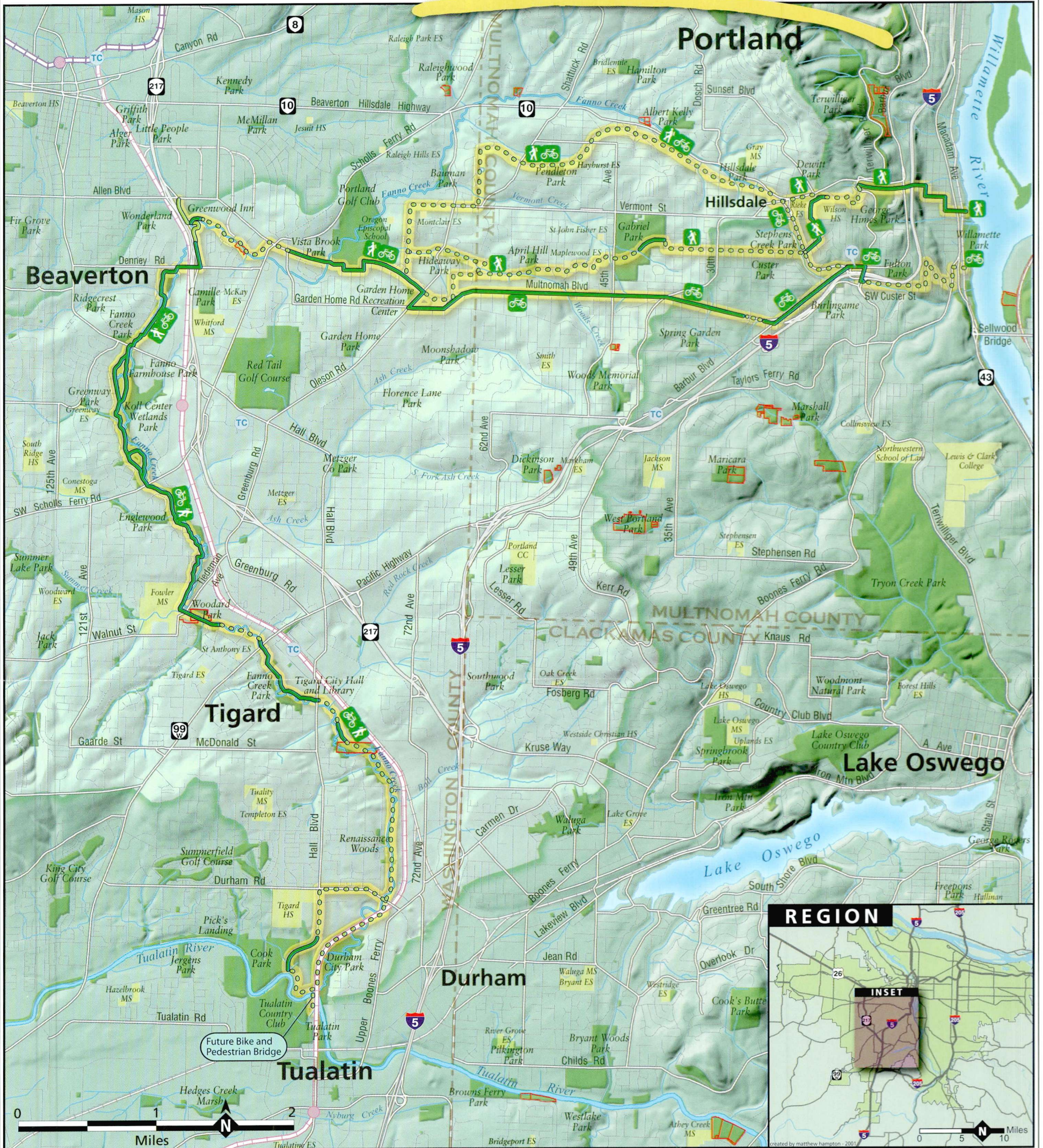
- connect trails and parks for walking, biking, in-line skating, running, strolling and bird watching
- provide much needed habitat for fish and wildlife
- improve air and water quality by filtering runoff, holding floodwaters and reducing auto use.

A work in progress

Together with local residents and citizen groups, Metro, Portland, Beaverton, Durham, Tigard, Tualatin, Washington County and the Tualatin Hills Park and Recreation District have worked to provide trail access and protection to nearly half of the Fanno Creek greenway. There still is challenging work ahead. While recent land acquisitions have secured key pieces for the trail and protected important habitat, there are critical links missing, including a trail bridge crossing the Tualatin River. Once the remaining areas are secured, funds will be needed for trail construction. Communities will continue to acquire trail easements and purchase land in the corridor as opportunities arise.

Fanno Creek Greenway Trail

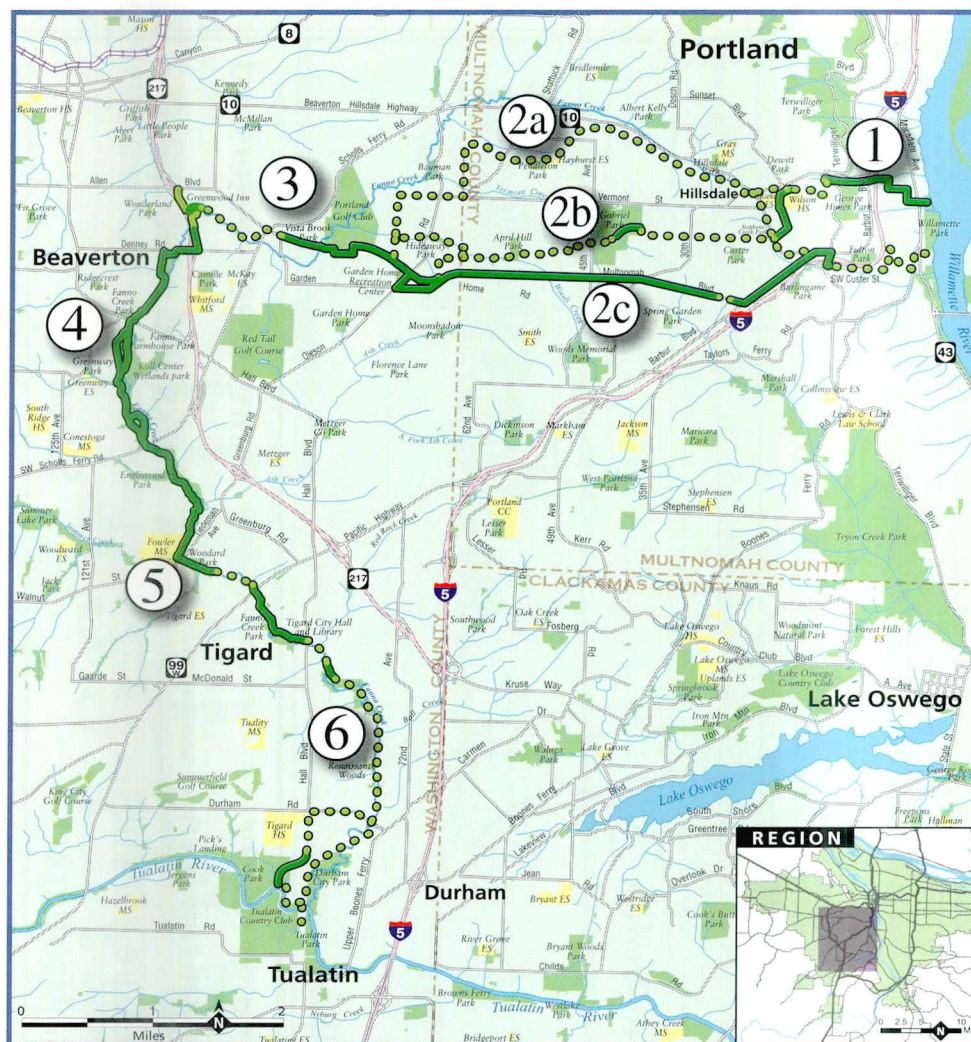
Connecting the Willamette and Tualatin rivers



Altitude Profile



- | | | | | | |
|--|--|--|----------------------------------|--|---|
| | Completed trail | | Transit center | | Fanno Creek watershed |
| | Scheduled for construction
(to be completed by Dec. 2002) | | Light-rail transit and station | | Parks and open spaces
(red indicates Metro bond measure acquisition to 12/14/01) |
| | Proposed trail
(alignments are conceptual) | | Future commuter rail and station | | Schools |
| | | | Railroad tracks | | |



Fanno Creek Greenway Trail

- Completed Trail
- Scheduled for construction (to be completed by Dec. 2002)
- Proposed Trail (alignments are conceptual)
- Light-rail transit
- Parks and open spaces
- Schools



The trail begins at Willamette Park on the Willamette River Greenway, just south of downtown Portland, stretches 15 miles west and south through Beaverton, Tigard and Durham, and ends at the Tualatin River Greenway in Tualatin. The trail is divided into six segments with access to a series of local neighborhoods and trail heads.

1. Willamette Park to Hillsdale (2 miles)

Great views from the Willamette River Greenway, including bald eagle and heron nests on Ross Island. The 40-Mile Loop jogs through the Corbett-Terwilliger neighborhood, through George Himes Park connecting to Terwilliger Parkway and Hillsdale town center.

2. Hillsdale to Garden Home Recreation Center (4 miles)

- 2a A potential bicycle and pedestrian route along the old Red Electric Railroad alignment. Its feasibility will be determined through a public process.
- 2b One of Portland's Southwest urban trails. This pedestrian route will be complete when soft surface pathways through three Portland parks and along undeveloped rights-of-way are connected to existing neighborhood sidewalks.
- 2c Another Southwest urban trail alignment. This on-street bicycle route is complete and follows Southwest Barbur and Southwest Multnomah boulevards.

3. Garden Home to Denney Road (2.5 miles)

Special access to Fanno Creek, wetlands, greenway habitat and Vista Brook Park from trailhead at Tualatin Hills Park and Recreation District Community Center at Oleson and Garden Home roads. Trail is complete from the recreation center to Southwest 92nd Avenue. The city of

Beaverton and Tualatin Hills Park and Recreation District currently are planning and constructing the final portions of this segment.

4. Denney Road to Scholls Ferry Road (1.5 mile)

Trail access at both Denney Road trailhead just west of Highway 217 and Fanno Farmhouse on Southwest Creekside. Trail follows Fanno Creek through Fanno Creek Park and Greenway Park with access to wetland habitat viewing areas and recreational improvements.

5. Scholls Ferry Road to Hall Boulevard (2.5 miles)

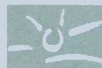
From important habitat in Englewood Park, trail continues south in Tigard past the Tigard City Hall and Library.

6. Hall Boulevard to Tualatin (2.5 miles)

Fanno Creek enters the Tualatin River at Durham City Park. The 79-acre multi-purpose Cook Park is just upstream on a large meander of the Tualatin River. A future bike/pedestrian bridge over the river is planned.

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Fanno Creek Greenway Trail public open houses



The Fanno Creek Greenway Trail is on its way to becoming one of the premier urban trails in the Portland metropolitan region. This 15-mile corridor is a neighborhood dream long in the making. Local and regional partners are developing an action plan for the completion of the Fanno Creek Greenway Trail. Your ideas and input are needed. Choose the date and location of the open houses most convenient for you.

5 to 8 p.m. Tuesday, April 16

Fanno Farm House
8405 SW Creekside Place
West of Washington Square
off Hall Boulevard
Tri-Met bus 76 or 78

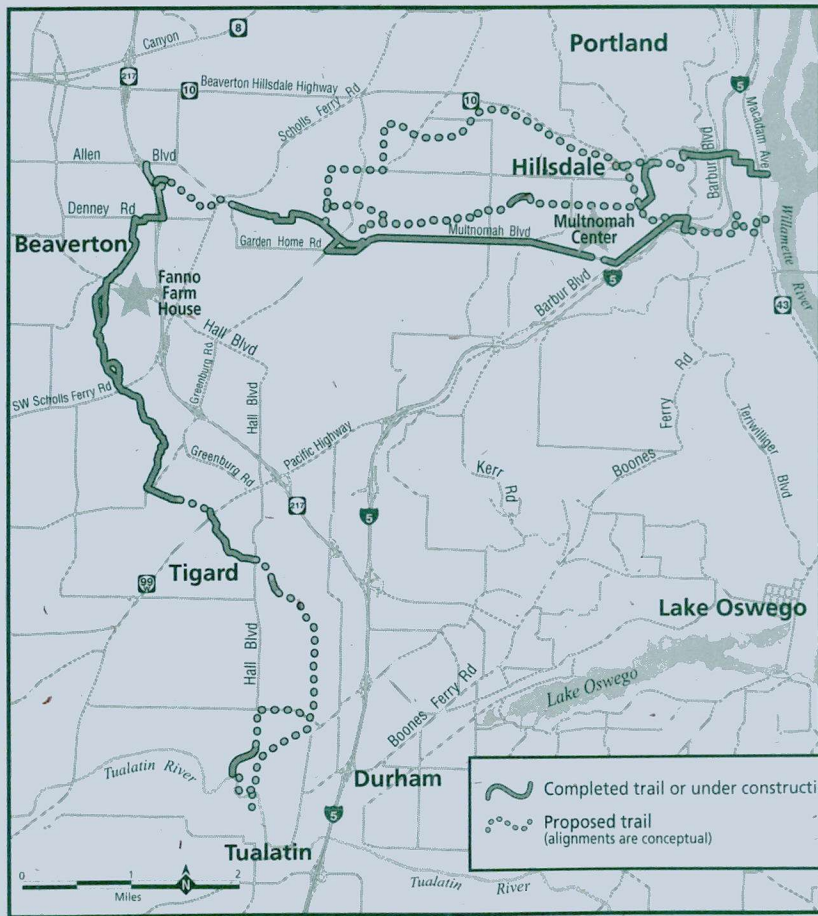
5 to 8 p.m. Tuesday, April 23

Multnomah Center
7688 SW Capitol Highway
Portland
Tri-Met bus 44

Presentations at 5:30 and 7 both evenings

For more information or to leave a comment,
call Metro's hotline at (503) 797-1850 option 5 or visit
www.metro-region.org/parks/openspaces/fanno.html

***Did you receive more than one postcard?
Please pass it on to your neighbor!***





600 NE Grand Ave., Portland, OR 97232-2736



Fanno Creek Greenway Trail open houses **Connecting the Willamette and Tualatin rivers**



The Fanno Creek Greenway Trail corridor gracefully weaves through five cities and two counties. When complete, the recreational and commuter trail will take people from the shores of the Willamette River in Southwest Portland to the confluence of Fanno Creek and the Tualatin River.

Together with residents and citizen groups, local and regional partners have already provided trail access and protection to nearly half of the Fanno Creek greenway. But there still are critical links missing and important decisions that must be made. Now, an action plan is being developed for completion of the trail. Open house events have been scheduled to share information about the project, report on progress that has been made to date and to discuss the action plan. Participants will have the opportunity to learn about the overall project, and to exchange information on those sections of trail that are of particular interest to them.

Come and give your input on the future of Fanno Creek Greenway Trail.

Open houses are sponsored by Audubon Society of Portland, Fans of Fanno Creek, 40-Mile Loop Land Trust, SWTrails Group, Three Rivers Land Conservancy, Washington County, Tualatin Hills Park and Recreation District, Clean Water Services, Metro's Regional Parks and Greenspaces Department, the National Park Service Rivers and Trails Program, and the cities of Beaverton, Durham, Portland, Tigard and Tualatin.

MEMORANDUM

040902ce-03

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



METRO

DATE: April 8, 2002
TO: Councilor Susan McLain
FROM: Ken Helm
RE: Goal 5 - ESEE Requirements

You have asked for a memorandum summarizing the requirements for conducting the economic, social, environment and energy ("ESEE") consequences under the Goal 5 administrative rule, and a short explanation of how Metro staff have proposed executing that analysis. It is my opinion that as currently proposed, the staff's framework for conducting the ESEE analysis responds to the requirements of the Goal 5 rule. It is important to remember that due to the regional nature of this exercise, Metro's ESEE analysis will be different, more complicated and contain more interacting layers than an ESEE analysis conducted by an individual local government. The Goal 5 rule recognizes Metro's unique planning role and it must be interpreted to allow Metro to accomplish that type of regional ESEE analysis.

LEGAL REQUIREMENTS

The Goal 5 rule identifies four steps for completing the ESEE analysis. OAR 660-023-0040.

- a. Identify conflicting uses;
- b. Determine the impact area;
- c. Analyze the ESEE consequences; and
- d. Develop a program to achieve Goal 5.

Conflicting Uses - Determining conflicting uses requires a look at existing zoning around the resource site. The zoning describes permitted and conditional uses allowed for those areas. The Goal 5 rule requires that the local government identify conflicting uses that exist or could occur near the resource site, but does not demand that local jurisdictions speculate on future uses or uses that are unlikely to occur in the impact area. Conflicting uses can be analyzed separately or grouped together with other similar uses. However, rules governing each of the listed Goal 5 resources may contain specific uses that the local government must consider as conflicting uses. For example, the rule that apply to riparian corridors require the local government to consider whether the two following riparian conditions are conflicting uses wherever they occur:

- (a) permanent alteration of the riparian corridor by placement of structures or impervious surfaces; and
- (b) removal of vegetation in the riparian area. OAR 660-023-0090(7)(a & b).

Impact Areas - Impact areas must be drawn around conflicting uses for the area that "could adversely affect" the Goal 5 resources. The impact area should define the geographic limits within which to conduct the ESEE analysis. OAR 660-023-0040(3). The Goal 5 rule allows local governments substantial discretion in determining what the impact area may be for the Goal 5 resource sites. According to the rule, the impact area can be the area that the local government determines "could adversely affect" the identified resource. LUBA has acknowledged that this process can be somewhat subjective. *Palmer v. Lane County*, 29 Or LUBA 436 (1995).

Local governments have very broad discretion to determine the impacts on the Goal 5 resource. Impacts on air, water, surface water quality, noise and fish and wildlife have all been considered as factors that may determine the impact area. Local jurisdictions are free to choose which impacts they consider most important. The size of the impact area is also a decision for the local government which can be quite large so long as there are reasons to support the extent of the impact area. *Sanders v. Yamhill County*, 34 Or LUBA 782 (1998).

ESEE Analysis - The ESEE analysis must consider the consequences "that could result from decisions to allow, limit or prohibit" conflicting uses. The analysis requires the local government to consider both the impact of the resource site on the conflicting use and the impact of the conflicting use on the resource site. *Columbia Steel Castings Co. v. City of Portland*, 840 P2d at 76. The Goal 5 rule permits local governments to create a matrix of commonly occurring conflicting uses and apply that matrix to individual resource sites. This analysis allows local governments to identify categories of uses which do not conflict with Goal 5 resources. For example, open space zones may be determined not to conflict with Goal 5 riparian or wetland resource sites. The Goal 5 rule allows local governments to conduct a single conflicting use analysis for two or more resource sites that are in the same area or are similarly situated and subject to the same zoning. OAR 660-023-0040(4).

The ESEE analysis provides the basis for determining whether to allow, limit or prohibit the conflicting uses near significant resource sites. Again, the local government has discretion in deciding whether to regulate a conflicting use. If the local government determines, based on the ESEE review, that conflicting uses are detrimental to the resource, then those uses may be completely prohibited. OAR 660-023-0040(5)(a). The local government may decide that the conflicting use does not impact the significant Goal 5 resource site or is more important than the resource site and partially or fully allow the conflicting in that area. OAR 660-023-0040(5)(b & c).

METRO STAFF'S PROPOSED REGIONAL ESEE ANALYSIS

Metro staff have proposed conducting a two-tiered ESEE analysis, consisting of a regionwide analysis of the ESEE consequences and a subwatershed (27 resource sites) analysis that can account for local differences.

Identifying Conflicting Uses - Metro staff is proposing to identify conflicting uses allowed by regional zones and 2040 design type. Conflicting uses could be identified by those land uses that may occur under the 26 generalized regional zones and grouped within the 2040 design types. The conflicting use analysis would focus on the general types of development and impacts that may occur under the regional zones (i.e., residential, mixed use, commercial, transportation facilities, etc.). Conflicting uses would be categorized based on the impact of allowing, limiting, or prohibiting the conflicting uses by design type and regional zone.

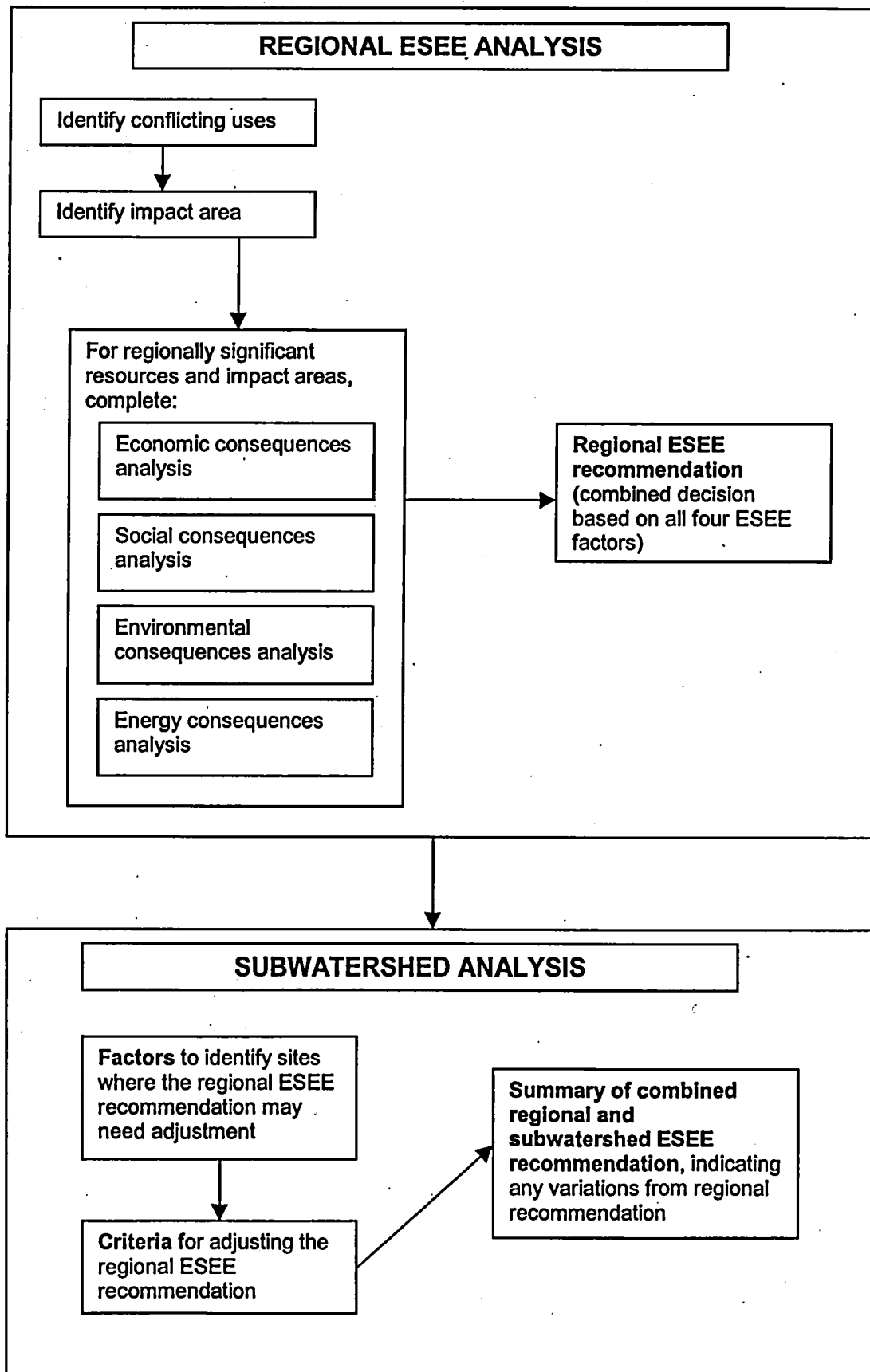
Identifying the Impact Area - The Goal 5 rule provides substantial discretion to local governments in identifying the impact area. The identification of impact area is essentially an area where it can be anticipated that the identified conflicting uses could reasonably be expected to interact with the Goal 5 resource. Metro staff have proposed identifying any area between 50 and 150 feet from a stream that otherwise receives no resource value as an impact area. The reason for this approach is that Metro's scientific literature review found that the area providing primary function to the stream generally falls within 150 feet. Those areas have been mapped on the preliminary inventory maps for riparian corridor resources. Areas that did not receive a score and were not mapped are likely to be developed and, therefore, support some type of conflicting use. As the conflicting uses become better defined within resource sites, this general approach to identifying impact areas can be applied and modified based on that resource site specific information.

Metro's ESEE Analysis - Metro staff have proposed using the 2040 Growth Concept as a framework for a two tiered ESEE analysis. The 2040 design type hierarchy would provide the starting point for considering consequences related to allowing, limiting or prohibiting uses within those design types to protect regionally significant resources through a Goal 5 program.

The first tier of the analysis would occur at the regional level by comparing relative economic priority associated with six categories of the generalized regional zones used in the RLIS system, and combining that information with information gathered on social, environmental and energy consequences at the regional level. As noted above, the Goal 5 rule allows local governments to organize ESEE consequences related to groups of conflicting uses into a matrix that can be applied to particular resource sites. OAR 660-023-0040(4). The first tier analysis would result in such a matrix.

The second tier analysis would occur at the subwatershed (i.e. resource site) level as the first tier matrix is applied to the 27 individual resource sites identified in Metro's inventory of regionally significant resources. Metro staff have proposed that decisions to allow, limit or prohibit conflicting uses could be adjusted based on conditions that are specific to identified conflicting uses within a resource site as part of the second tier analysis. This would remain consistent with the first tier analysis, but would allow the Council to adapt the first tier outcome to respond to particular circumstances that apply at the subwatershed level.

DRAFT ESEE Process
Metro Council decision points



DRAFT: 2040 Design Type Hierarchy (April 9, 2002)**Policy rationale**

The 2040 Growth Concept provides an expression of the region's goals through land use. It describes how land use and zoning will help to achieve the vision of a livable future and healthy economy, as well as protecting green spaces and natural areas. The 2040 Growth Concept and the Regional Urban Growth Goals and Objectives (RUGGOs) balance many conflicting goals (such as the provision of housing – state goal 10, economic development – state goal 9, and protection of habitat – state goal 5). An extensive public process and committee review helped to balance the sometimes conflicting goals and resulted in a vision for the future of the region.

While the 2040 Growth Concept is primarily a land use planning strategy, the success of the concept depends in large part on the implementation of regional transportation priorities to serve the regional and town centers as well as important industrial locations. The Regional Transportation Plan (RTP) groups the 2040 design types into a hierarchy based on transportation investment priority. This hierarchical scheme helps to focus economic development priorities in areas that are most important to achieving the goals of the 2040 Growth Concept.

Staff has proposed adapting the hierarchy in the RTP and using it for the ESEE analysis. The hierarchy provides a framework for considering various land uses (regional zones) within 2040 design types and their importance in achieving the 2040 Growth Concept. For example, land zoned as industrial is critical in an Industrial Area design type but may not help to further the 2040 goals in an Inner and Outer Neighborhood design type. This approach allows Metro to use previously adopted policy work that has undergone extensive public involvement to bolster and define decisions to protect fish and wildlife habitat.

Description

Consideration of the ESEE impacts may vary based on the design type hierarchy, regional zone, and the resource category. The table below shows both the 2040 hierarchy and a possible scoring scheme for land uses within the design types. The design type hierarchy and the regional zoning scores serve different purposes.

Economic development priority categories inside the UGB.

	2040 design type hierarchy			
	Primary component	Secondary component	Other land use component	Green-frastructure
	Regional centers, Central city, Industrial areas (water/non), Intermodal transportation facilities	Town centers, Main streets, Station communities	Inner and outer neighborhoods, Employment centers, Future urban, Corridors	Parks and open spaces. Rural reserves.
Generalized regional zones	<i>The scores below are illustrative and should be revised based on further discussion with the Council and other committees.</i>			
IND Industrial	A	B	C	D
COM Commercial	A	A	B	D
MUC Mixed Use	A	A	B	D
MFR Multi-family residential	A	A	B	D
SFR Single family residential	D	D	C	D
RUR Rural¹	C	C	C	D
POS Public/open space	D	D	D	D

¹Includes holding zones like agriculture within the UGB.

Category A: High economic priority.

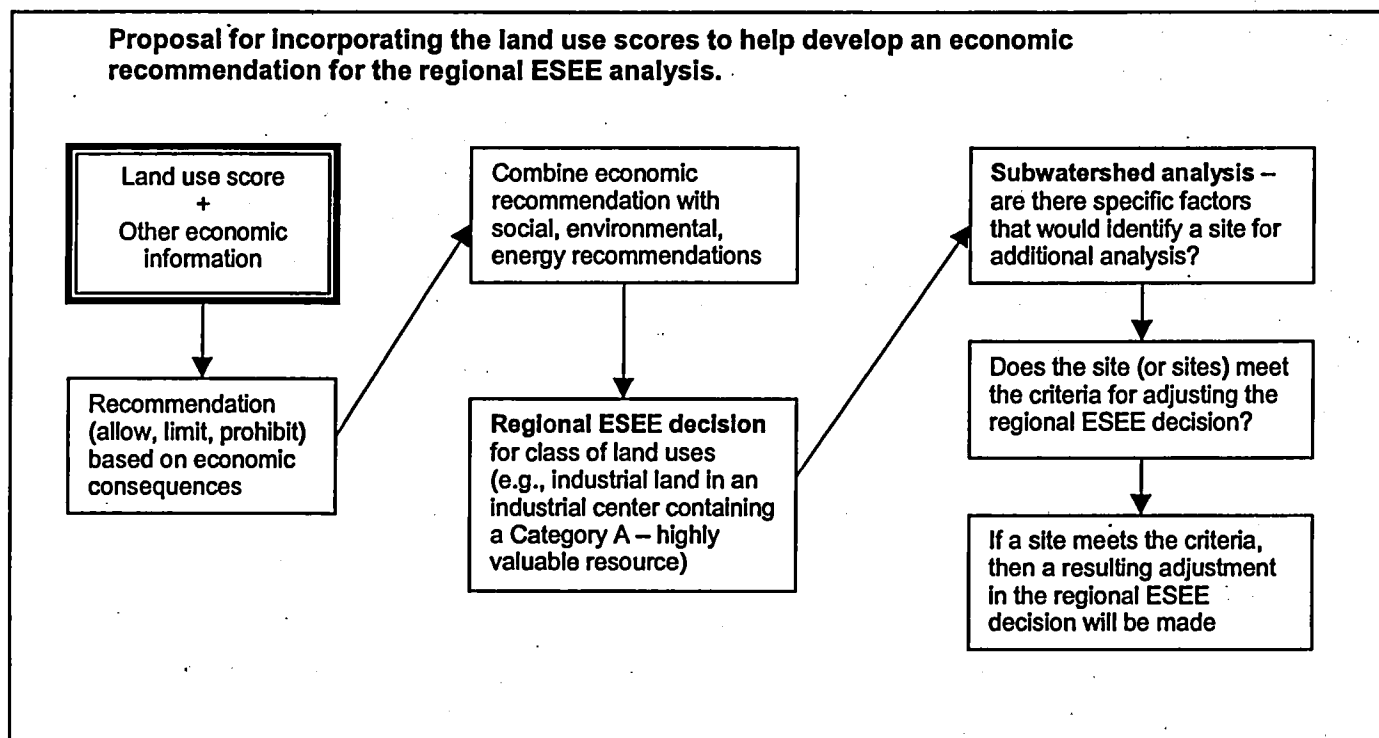
Category B: Medium economic priority.

Category C: Lower economic priority.

Category D: Unlikely to be developed (as residential, commercial, or industrial).

The design type hierarchy provides a critical piece of the framework for the entire analysis, along with the resource categories. These two pieces provide a system for considering all of the ESEE impacts and categorizing them. This helps to organize information in a logical fashion for Council review.

The land use scores based on the design types and regional zoning help to provide some information for the economic consequences analysis portion of the ESEE. The score would be used in conjunction with other economic information to allow the Council to make a recommendation based on the **economic consequences analysis**. The Council would make a final regional ESEE decision based on combining the results of the economic, social, environmental, and energy analyses. The regional ESEE decision would be applicable to the tax lot level based on the regional zoning. However, at the subwatershed level the regional ESEE decision could be adjusted for specific reasons.



Key questions:

1. Does the Council agree with using the 2040 Design Type Hierarchy as a method for prioritizing land uses for purposes of assessing differing classes of conflicting uses?
2. The Goal 5 rule requires local governments to identify conflicting uses, and OAR 660-023-0040 (2) states: "To identify these uses, local governments shall examine land uses allowed outright or conditionally within the zones applied to the resource site and in its impact area." Does it make sense to use the generalized regional zoning system in conjunction with the 2040 Design Type Hierarchy to provide land uses with a score based on economic development priority?
3. Does the Council have specific comments on the table? Are the design types correctly categorized? Should the land use scores be changed?

ESEE Policy Direction (draft 1)

Basic Elements for Natural Resource Committee Consideration

March 20, 2002

Element	Description	Rationale or policy basis	Council role ¹
Overall approach to the ESEE analysis Two-tiered approach to the ESEE analysis	<p>Staff is proposing to conduct a two-tiered ESEE analysis, consisting of a regionwide analysis of the ESEE consequences and a subwatershed (27 resource sites) analysis that can account for local differences.</p> <p>The level of protection for resources may be varied based on the result of the regional ESEE analysis. The Metro Council would make an ESEE decision at the regional level for each resource category, 2040 Design Type, and land use type based on the results of the analysis. This decision would inform the subwatershed ESEE analyses.</p> <p>The subwatershed ESEE would focus on circumstances in which the regional ESEE decision should be adjusted. Factors for identifying specific areas for further consideration would be developed, such as Master Plans or areas within primary 2040 design types that received a strictly limit or prohibit regional decision. Criteria would be developed to determine if the regional decision should be adjusted, and if so how much.</p>	<p>Metro's approach focuses the ESEE consequences analysis on achieving the region's 2040 Growth Concept. The goals in the Growth Concept, the Future Vision, the Regional Framework Plan, and implemented through the Urban Growth Management Functional Plan, and Metro's Vision Statement for protecting fish and wildlife habitat all indicate that the region should manage growth while also protecting the natural environment, maintaining a high quality of life (including a strong economy), and providing affordable housing options. Conducting the ESEE analysis within this framework ensures that the values identified by citizens of the region will be considered when weighing the consequences of protecting riparian habitat for fish and wildlife through a Goal 5 program.</p> <p>A two-tiered ESEE analysis allows Metro to take a regional perspective at a scale large enough to allow completion of the work within a reasonable time frame. The region-wide approach provides an opportunity to consider the "big picture" of interconnected subwatersheds and to address cumulative impacts. The subwatershed analysis allows for adjustment of the broad brush regional decision based on more specific analysis.</p>	<ul style="list-style-type: none"> • Review products from Metro staff and consultant • Make decisions for each ESEE factor at the regional level • Make a decision based on the combined ESEE factors at the regional level • Review and approve subwatershed factors and criteria for adjustment • Make ESEE decision at subwatershed level

¹ The Metro Council may choose to create a special economic advisory group for review of methodology and products. In addition, if adequate funding is found, the Metro Council may choose to create an expert peer review panel. These groups, in addition to standing Metro advisory committees, could be used by the Council for review and comment prior to a Metro Council decision.

Element	Description	Rationale or policy basis	Council role ¹
Current elements for discussion			
1. Resource categories	Metro staff has proposed using three categories (A – highly valuable, B – very valuable, and C – valuable) to identify fish and wildlife habitat. The lowest category contains only those sites that receive no primary ecological function score, while the highest category sites must receive at least four primary scores and one secondary score. (Table 2: Resource Categories in the ESEE Overall Scope document depicts the scoring system).	The resource categories provide a critical piece of the foundation for the ESEE analysis – recommendations for highly valuable resources are likely to be different than valuable resources. Using three categories rather than 30 will facilitate and simplify decision-making. This system will allow the Council to consider ESEE impacts that vary based on the ecological functionality of the resource. For instance, the impacts of a residential use on a category C resource are likely to be less than for a category A resource, allowing for a varying decision based on the resource category.	<ul style="list-style-type: none"> Review and provide direction to staff
2. Impact areas	For riparian corridors, Metro staff has proposed that the impact area be any area between 50 and 150 feet from a stream that otherwise receives no resource value. Staff has not yet considered an impact area for wildlife habitat.	<p>The Goal 5 rule requires that impact areas be drawn around the area within which conflicting uses “could adversely affect” the Goal 5 resources. The impact area defines the geographic limits within which to conduct the ESEE analysis. The impact area and the resource area can be the same.</p> <p>While all land uses in a watershed impact the streams within it, based on our scientific literature review we found that the area providing primary function to the stream falls within 150 feet. Thus, rather than adding an impact area around all riparian resources, staff has recommended that the impact area consist of any area between 50 and 150 feet that otherwise receives no resource value. This adds in developed areas within 150 feet of the stream.</p>	<ul style="list-style-type: none"> Consider recommendations from advisory committees and provide direction to staff
3. 2040 design type hierarchy	<p>Metro staff has proposed using the 2040 Growth Concept and design types as a key piece to form the foundation of the ESEE analysis.</p> <p>Staff has proposed adapting the hierarchy in the RTP and using it for the ESEE analysis. The hierarchy provides a framework for considering various land uses (regional zones) within 2040 design types and their importance in achieving the 2040 Growth Concept. For example, land zoned as industrial is critical in an Industrial Area design</p>	The 2040 Growth Concept provides an expression of the region’s goals through land use. It describes how land use and zoning will help to achieve the vision of a livable future and healthy economy, as well as protecting green spaces and natural areas. While the 2040 Growth Concept is primarily a land use planning strategy, the success of the concept depends in large part on the implementation of regional transportation priorities. The RTP groups the 2040 design types into a hierarchy based on transportation	<ul style="list-style-type: none"> Review 2040 design type hierarchy and direct staff to revise if necessary Review regional zone/design type scoring system and direct staff to revise if necessary

Element	Description	Rationale or policy basis	Council role ¹
	<p>type but may not help to meet the 2040 goals in an Inner and Outer Neighborhood design type.</p> <p>Consideration of the ESEE impacts may vary based on the design type hierarchy, regional zone, and the resource category. Table 4 in the ESEE Overall Scope shows both the 2040 hierarchy and a possible scoring scheme for land uses within the design types. The design type hierarchy and the regional zoning scores serve two different purposes in the ESEE analysis.</p> <p>The design type hierarchy provides a critical piece of the framework for the entire analysis, along with the resource categories. These two pieces provide a system for considering all of the ESEE impacts and categorizing them. This helps to organize information in a logical fashion for Council review.</p> <p>The regional zoning scores based on the design types help to provide some information for the economic consequences analysis portion of the ESEE.</p>	<p>investment priority. This hierarchical scheme helps to focus economic development priorities in areas that are most important to achieving the goals of the 2040 Growth Concept.</p> <p>This approach allows Metro to use previously adopted policy work that has undergone extensive public involvement to bolster and define decisions to protect fish and wildlife habitat.</p>	
4. Definition of allow, limit, or prohibit	<p>Metro staff will develop definitions of allow, limit and prohibit to further enable the application of these actions to the ESEE decision. "Limit" describes a wide continuum for allowing development while protecting part of a resource site. Metro will develop specific definitions describing various applications of a limit decision, such as strictly limit or moderately limit.</p>	<p>The Goal 5 rule requires a local government to make a decision to allow, limit, or prohibit conflicting uses at the conclusion of the ESEE process. The last step of Goal 5 is to develop a program to implement the ESEE decisions. However, allow, limit, and prohibit decisions could take a variety of forms in a program. Thus, Metro staff is recommending development of definitions that help inform the potential result of a program. The definition of "prohibit," for example, may not indicate a complete hands off approach to a site but could allow for restoration, enhancement, maintenance of existing structures and utilities, and new utilities or transportation corridors necessary for the public good.</p>	<ul style="list-style-type: none"> Review definitions of allow, limit, and prohibit and provide direction to staff

Some topics for future consideration and discussion include: identification of conflicting uses by regional zones; specific analyses of economic, social, environmental, and energy impacts; and methodology for combining the four ESEE factors to allow for a decision.



METRO

Carl Hosticka, Presiding Officer
Metro Council

April 9, 2002

Dear Carl:

As there is considerable discussion about the key decisions relating to Metro's periodic review and Fish and Wildlife program, I want to take this opportunity to make some comments about our schedule for a decision and recommend a possible course of action.

The central decision revolves around making an Urban Growth Boundary decision by December 2002. I believe we are on track with the overall 2002-2022 UGB assessment to allow completion of this task by the December, 2002 deadline. Consistent with the requirements of the work program, we clarified the proper application of the priority lands statute and received the concurrence of LCDC in January. It is my full expectation that I will have my recommendation to the Council by August 1, 2002 giving you ample time for hearings and adoption by December.

Consideration of a possible sub-regional analysis approach as well as decisions on Goal 5 regulations are considerable factors in that decision. Despite the Council's recent decision to send a letter to LCDC requesting an administrative rule be drafted and approved allowing sub-regional analysis to occur, it appears we will not be given those powers in time to make the December 2002 deadline for a UGB decision.

In light of the growing public interest and discussion about the need for sub-regional analysis, I suggest the Council consider taking the following actions: 1) proceed with a major UGB decision by the December 2002, but acknowledge the importance of applying sub-regional analysis as soon as possible; and 2) instruct staff, including the Metro Attorney, to prepare a recommendation on whether and how land might be held back in the December 2002 amendments so that an expedited sub-regional analysis could be applied to it in 2003. In other words, this is a critical issue that should be addressed within the context of this periodic review and not wait for the 2007-2027 cycle.

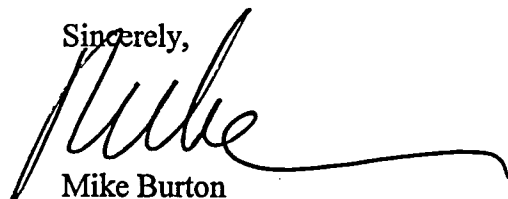
Regarding the question of our Fish and Wildlife Program, it is apparent that it will not be feasible to adopt a program to be taken into account with the December, 2002 UGB expansion. The task of completing the inventory, adding in the wildlife areas (uplands) and allowing proper consideration of economic, social and energy tradeoffs has simply taken longer than hoped. I believe it is crucial that our analysis provide the proper balance between economic and environmental considerations.

Therefore, it will be necessary to complete the Periodic Review while applying current stream corridor protections (Title 3) rather than expanded protections. In addition, the Council should consider adopting interim protection standards as part of the December 2002 UGB expansions while awaiting completion of the full program.

I have directed staff to develop an aggressive but realistic schedule for completion of the program for your consideration. When the program is complete, I recommend you define the impact on vacant buildable land within the UGB and if it results in less than a 20-year supply, adjust accordingly. Like the subregional assessment, this should be accomplished with all deliberate speed and not wait for the 2007-2027 cycle. In addition, this UGB adjustment could also be coordinated with the sub-regional assessment.

I hope these suggestions are helpful. Metro is being watched closely as we carry out this work program. It is important that we address the issues thoroughly but expeditiously.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Burton", with a long, sweeping horizontal line extending to the right.

Mike Burton
Executive Officer