

A G E N D A

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METRO

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

MEETING: METRO POLICY ADVISORY COMMITTEE

DATE: July 9, 2008

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

PLACE: Metro Council Chamber/Annex

NO	AGENDA ITEM	PRESENTER	ACTION	TIME
	CALL TO ORDER	Norris		
1	SELF INTRODUCTIONS & COMMUNICATIONS	All		5 min.
2	CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS			2 min.
3	CONSENT AGENDA <ul style="list-style-type: none">• June 11, 2008 minutes		Action	3 min.
4	COUNCIL UPDATE	Metro Councilor	Update	5 min.
5	SUSTAINABLE METRO INITIATIVE	Jordan/Robinson	Information	5 min.
6	BUSINESS RECYCLING REQUIREMENTS	Hoglund/Rahn	Discussion/ Possible Action	30 min.
7	BIG LOOK UPDATE: STAKEHOLDER FEEDBACK FROM MPAC	Hammerstad/ Bragdon	Discussion	1 hour

UPCOMING MEETINGS:

MPAC:

Canceled: 5-7 p.m. Wednesday, July 23, 2008

5-7 p.m. Wednesday, August 13, 2008, Metro Council Chamber

MPAC Coordinating Committee: **1-2 p.m.** Wednesday, Aug. 13, 2008, Room 274

New Metro website: www.oregonmetro.gov

For agenda and schedule information, call Linnea Nelson at 503-797-1886. e-mail: linnea.nelson@oregonmetro.gov

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

To receive assistance per the Americans with Disabilities Act,
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Metro Policy Advisory Committee

July 9, 2008

Item 3 – Consent Agenda Meeting Summary for June 11, 2008

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

June 11, 2008 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Richard Burke, Pat Campbell, Shirley Craddick, Nathalie Darcy, Rob Drake, Nick Fish, Judie Hammerstad, Tom Hughes, Dave Fuller, Richard Kidd, Charlotte Lehan, Alice Norris, Paul Savas

Committee Members Absent: Ken Allen, Bob Austin, Shane Bemis, Tom Brian, Jeff Cogen, Andy Duyck, Fred Hansen, Wilda Parks, Tom Potter, Michelle Poyourow, Sandra Ramaker, Martha Schrader, Bob Sherwin, Steve Stuart, Rick Van Beveren and Richard Whitman.

Alternates Present: Shirley Craddick and Laura Hudson.

Also Present: Dan Blue, City of Gresham; Carol Chesarek, Forest Park Neighborhood; Bob Clay, City of Portland; Danielle Cowan, Clackamas County; Jennifer Donnelly, Oregon Department of Land Conservation and Development; Denny Egner, City of Lake Oswego; Meg Fernekees, Oregon Department of Land Conservation and Development; Jamaal Folsom, City of Portland; Sorin Garber, Sorin Garber Consulting Group; Steffeni Mendoza Gray, City of Portland; Gil Kelley, City of Portland; Irene Morvich, League of Women Voters; Audrey O'Brien, Oregon Department of Environmental Quality; Mark Ottenad, City of Wilsonville; Toni Severe Marcelin, Parametrix; Laine Smith, Oregon Department of Transportation; Dick Springer, West Multnomah Soil and Water Conservation District; Derrick Tokos, Multnomah County; Dave White, Oregon Refuse and Recycling Association/Tri-County Council.

Metro Elected Officials Present: Liaisons – Carlotta Collette, Council District 2; Rod Park, Council District 1; others (in audience): Council President David Bragdon,.

Metro Staff Present: Michelle Bellia, Dick Benner, Dan Cooper, Andy Cotugno, Kim Ellis, Mike Hoglund, Janet Matthews, Lake McTighe, Brendan Moriarty, Deena Platman, Ken Ray, Ted Reid, Randy Tucker, John Williams

1. SELF-INTRODUCTIONS AND COMMUNICATIONS

Chair Alice Norris, called the meeting to order at 5:07 p.m. Chair Norris asked those present to introduce themselves.

Mayor Norris announced that she would have to leave the meeting at 6:30 p.m. tonight, and that David Fuller, Mayor of Wood Village, would chair the last part of the meeting in her absence.

Chair Norris recognized new MPAC member Nick Fish, Commissioner, City of Portland, and he greeted the committee.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

There was none.

3. CONSENT AGENDA

The meeting summary for May 14, 2008:

Motion:	Richard Kidd, Mayor of Forest Grove, with a second from Shirley Craddick, Councilor, City of Gresham, moved to adopt the consent agenda with revisions.
Vote:	The motion passed unanimously.

4. COUNCIL UPDATE

Metro Councilor Carlotta Collette gave an update on open houses for the urban and rural reserves. Information is on the Metro website. She reported on the Metro Council's decision on June 5, 2008, to offer provisional support for building a replacement Columbia River I-5 bridge, which includes light rail and tolls. The Council made it clear that its support is contingent on several conditions including a local oversight committee, a detailed financing plan, an independent forecast of greenhouse gas emissions and induced automobile demands, among others. She gave an update of several natural areas acquisitions. She outlined the process and schedule for the Milwaukie Light Rail project. The high-capacity transit study is moving forward. A copy of Councilor Collette's complete talking points will be included in the permanent record.

Andy Cotugno, Director, Metro Planning, announced that the Joint Policy Advisory Committee on Transportation (JPACT) will be meeting tomorrow, June 12, 2008, and mentioned upcoming agenda items. He announced about a Transportation Funding and Electoral Politics event on June 25 and 26, 2008, and invited MPAC members to attend. A copy of the Event Registration he distributed will be included in the permanent record.

5. REGIONAL SOLID WASTE MANAGEMENT PLAN

Mike Hoglund, Metro Solid Waste and Recycling Director, introduced the Regional Solid Waste Management Plan and described the changes and actions for the Metro Council. He summarized the compliance ordinance, detailed in the MPAC packet. A copy of his presentation will be included in the permanent record.

Mayor Norris asked if the previously voiced objections from Washington County had been resolved. Mr. Hoglund gave an update of Metro's meeting with Washington County. They clarified roles and authority issues, but he understood that Washington County would want to move tonight that it be a voluntary or guideline compliance program. (Washington County was not present.) Tom Hughes, Mayor of Hillsboro, spoke of his Council's satisfaction with the language and program.

Motion:	Richard Kidd, Mayor of Forest Grove, with a second from Rob Drake, Mayor of Beaverton, moved that MPAC provide a positive recommendation for the RSWMP.
Vote:	The motion passed with 12 ayes and 1 nay.

6. BIG LOOK UPDATE

Judie Hammerstad, Mayor of Lake Oswego, introduced the Big Look work. The point is to get MPAC's opinions. The recommendations the Big Look Committee is making are preliminary and subject to the scrutiny of the stakeholders to improvement, to point out errors, fatal flaws, etc. They will take the results

of the stakeholder feedback to a larger public audience. David Bragdon, Metro Council President, described the Big Look project and their outreach across the state. Local government is a major constituent of this effort. At MPAC, they want to focus on the region, from MPAC's perspective. A copy of his presentation will be included in the permanent record.

He talked about the overarching principles of economic prosperity, healthy environment, equity and fairness and quality of life. They recommended updating resource lands classifications made in the 1970s and identifying where there is truly a state interest. For lands that do not meet the state-wide significance test, they would be left for local decision.

Mayor Hammerstad explained that this proposal does not represent much change for the Metro urban area. They are not suggesting that it be compulsory. They are also not suggesting that one of the entities could veto the plans of others. She suggested it would probably operate on a two-thirds majority. These are things she would like MPAC to think about. This recommendation is to stimulate thoughts of how this would work on a state-wide basis.

President Bragdon said that the rural issues in areas that are proximate to our area, are significant to us. He also noted the second major area as population growth in Oregon. It will not be evenly spread throughout the state. The tools should be focused on the urban areas that will experience most of the growth. Existing programs speak to containing urban areas, but don't really address making great communities.

Rob Drake, Mayor of Beaverton, asked about parks and schools not being highlighted as significant on their own. President Bragdon said he felt that was a valid point and would incorporate it.

Members commented on cities' and counties' difficulty in providing urban services and the need for a finance system that can provide adequate planning.

Mayor Hammerstad indicated that they want this type of discussion and input from the group, but thought MPAC would not have adequate time at this meeting to complete that. She asked members to indicate that they are with MPAC when they complete the Big Look Survey provided in the MPAC packet. Stakeholder feedback from MPAC members will be listed as being from MPAC, but it does not need to be a consensus from members of MPAC. It was agreed that MPAC would further discuss the issue at their next meeting.

Members discussed the role and importance of using GIS for planning, and the recommendation for a state-wide GIS system. Mayor Drake expressed concern for funding such a program. Mayor Hammerstad noted that such a concern was something the Big Look committee could not address, and would be an issue for future consideration. The committee is trying to address the public's profound frustration with public engagement, and requested any helpful feedback.

7. MAKING THE GREATEST PLACE

7.1 Regional Transportation Plan (RTP) Performance Measures Framework and link to Performance-based Growth Management

Kim Ellis, Metro Principal Transportation Planner, introduced the Regional Transportation Plan Performance Measures Framework. Deena Platman, Metro Principal Transportation Planner, reviewed the

Work Group, which includes some Metro Technical Advisory Committee and Transportation Technical Advisory Committee members. A copy of their presentation will be included with the permanent record.

Members asked questions about how certain items could be accurately measured, and whether or not they actually related to aspects of the RTP. Some felt the correlations were stretched. It was noted that freight was only mentioned in one measure. Staff explained that more on freight would be included in the observed-data section, as opposed to this predictive-data section. Members further discussed the performance measures.

7.2 2060 Regional Population and Employment (50-year) Forecast Forum Recap

John Williams, Metro Program Manager, summarized the 2060 forecast that Metro has prepared. As part of the Making the Greatest Place work program and as part of the Urban and Rural Reserves work program, Metro is tasked with producing a 50-year population forecast. Metro released a public review draft of that forecast and on May 3, 2008, hosted a forecast forum in Portland with 200 people and two panels of economists. The forecast is a seven-county forecast that includes the five counties in Oregon, as well as Skamania and Clark County in Washington. The Urban and Rural Reserves effort calls for greater coordination with southwest Washington and with Marion, Columbia and Yamhill counties, the broader region. Over the next year, Metro will be narrowing down the forecast for just the three counties that will end up being the work product of the Urban and Rural Reserves Program.

It is also a range forecast, as a way to understand and prepare for risk. Uncertainty is a key element of a 50-year forecast. The range will be refined over time. They provided an 80 percent confidence level that the forecast in 2060 in the seven-county region will be between 3.5 to 4.1 million population, relative to a current 2000 population of 1.9 million. Even at the low end of the range, it represents much growth. The employment forecast was a component of the forecast. Now we have about 970,000 jobs in the region. The 2060 number is between 1.7 and 3.3 million jobs, which indicates a significant increase in jobs.

Regarding questions about the methodology for the forecast, Metro will be posting a frequently-asked questions piece on the Metro website. This forecast is a public review draft, and staff is looking for public comments. He encouraged members and their staff to send in their technical comments. Long-term climate issues were also considered at the forecast forum.

The 2060 forecast is just a starting point for the next year and a half of regional conversation for Making the Greatest Place, about how the region and communities want to grow.

There being no further business, Mayor Fuller adjourned the meeting at 6:56 p.m.

Respectfully submitted,



Linnea Nelson
Executive Coordinator
Office of the Chief Operating Officer

ATTACHMENTS TO THE RECORD FOR JUNE 11, 2008

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

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#4 Council Update	6-11-2008	Councilor Carlotta Collette talking points update to MPAC	061108-MPAC-01
#4 Council Update	None	Event Registration form for the transportation Funding and Electoral Politics event June 25, 2008 and the Regional Transportation Finance Strategies event June 26, 2008	061108-MPAC-02
#4 Council Update	6-11-2008	Joint Policy Advisory Committee on Transportation Agenda	061108-MPAC-03
#5 Regional Solid Waste Management Plan	6-11-2008	Slides from Powerpoint presentation by Mike Hogle, Metro Solid Waste and Recycling Director: Regional Solid Waste Management Plan	061108-MPAC-04
#6 Big Look Update	June 2008	Slides from Powerpoint presentation by David Bragdon, Metro Council President: The Big Look, Stakeholder Group Briefings	061108-MPAC-05
#7.1 Regional Transportation Plan	6-11-2008	Slides from Powerpoint presentation by Kim Ellis and Deena Platmann, Metro Principal Transportation Planners: A New Look at Transportation, Linking Transportation to Land Use, the Economy and the Environment; 2035 RTP Performance Measurement Framework	061108-MPAC-06
#7.1 Regional Transportation Plan	6-4-2008	RTP Goal –Performance Measure Matrix	061108-MPAC-07
#7.1 Regional Transportation Plan	None	RTP Performance measures: 9 Guiding Principles	061108-MPAC-08

Metro Policy Advisory Committee

July 9, 2008

Item 6 – Business Recycling Requirements

MPAC Worksheet

Agenda Item Title Business Recycling Requirements:

Presenter: Mike Hoglund/Heidi Rahn

Contact for this worksheet/presentation: Janet Matthews

Council Liaison Sponsor: President David Bragdon

Purpose of this item (check no more than 2):

Information	_____
Update	_____
Discussion	X
Action	X

MPAC Target Meeting Date: July 9, 2008

Amount of time needed for:

Presentation	10 minutes
Discussion and Action	20 minutes

Purpose/Objective:

To determine whether MPAC members support Metro's proposed Business Recycling Requirements ordinance as a means to substantially increase recycling in the region.

Action Requested/Outcome:

MPAC recommendation to Metro Council on proposed Business Recycling Requirements ordinance.

Background and context:

In order to reach the region's 64 percent waste reduction goal, significant recycling increases are needed in a number of commercial-generator categories. The largest potential recycling tonnage gains would be from businesses, who generate almost half of the region's garbage, and each year send more than 100,000 tons of recyclable materials to landfills. Increasing business recycling is a significant conservation opportunity for the region, and could divert 80,000 tons of paper and containers from landfills, and into productive use.

During the past eight years, Metro has invested \$3.5 million to encourage more business recycling through free consulting services. Metro also explored options for increasing business recycling by convening public and private work groups and through stakeholder outreach conducted from 2003 to 2006. More than 1,000 people provided advice on approaches for increasing business recycling.

In 2007 two program options were developed to increase business recycling: 1) Voluntary Business Recycling Standards and 2) Mandatory Business Recycling. After reviewing the costs and benefits of potential approaches and input from MPAC and Metro's Solid Waste Advisory Committee, Metro Council directed staff to develop a mandatory business recycling program for formal consideration.

The proposed program, Business Recycling Requirements, would make it mandatory for the region's businesses to recycle all types of paper and certain containers such as plastic bottles, aluminum cans and glass. Essentially, businesses would be required to recycle the same materials that can already be recycled at home. The requirements would be phased in and businesses would have a grace period to comply. Metro and local governments will continue to rely on education and technical assistance to encourage change. If the Metro Council approves the proposal as currently drafted, all local governments in the region would be responsible for formally adopting a business recycling ordinance by Jan. 1, 2009 or seek a determination of substantial compliance through a Metro Council-approved exception.

Metro councilors and staff have met with local business associations and local government partners this year to present and hear feedback on this proposed program. Between February and May 2008, more than 300 business representatives and elected officials participated in the meetings. Their feedback has been incorporated into the proposed program.

On June 26th, Metro's Solid Waste Advisory Committee recommended approval of the Business Recycling Requirements ordinance by a 9-7 vote, with 2 abstentions. Those in favor tended to believe that the program is a step in the right direction and that compliance would not be difficult. Those opposed would prefer more education and were concerned with required programs in general.

What packet material do you plan to include?

- Business Recycling Requirements Draft Ordinance
- Model Ordinance for Local Governments
- Proposed Business Recycling Requirements Stakeholder Feedback Summary

What is the schedule for future consideration of item:

- Metro Council Work Session (July 15, 2008): Staff to present stakeholder feedback and draft Business Recycling Requirements ordinance.

--DRAFT--
CHAPTER 5.10
REGIONAL SOLID WASTE MANAGEMENT PLAN

****The following will be added to the existing elements of Chapter 5.10:**

5.10.010 Definitions

Business Recycling Requirement

- 5.10.310 Purpose and Intent
- 5.10.320 Implementation Alternatives for Local Governments
- 5.10.330 Business Recycling Requirement Performance Standard
- 5.10.340 Metro Enforcement of Business Recycling Requirement
- 5.10.350 Metro Model Ordinance Required

5.10.010 Definitions

() "Business" means any public or private corporation, industry, partnership, association, firm, city, county, special district, and local governmental unit, excluding entities that occupy less than 50 percent of the floor area of a residential building.

() "Business Recycling Service Customer" means a person who enters into a service agreement with a waste hauler or authorized recycler for business recycling services.

() "Person" shall have the meaning assigned thereto in Metro Code Section 1.01.040.

() "Recyclable Material" shall have the meaning assigned thereto in Metro Code Section 5.01.010

() "Recycle" or "Recycling" shall have the meaning assigned thereto in Metro Code Section 5.01.010.

() "Source Separate" or "Source Separated" or "Source Separation" shall have the meaning assigned thereto in Metro Code Section 5.01.010.

Business Recycling Requirement

5.10.310 Purpose and Intent

A significant increase in business recycling will assist the Metro region in achieving waste reduction goals. The Business Recycling Requirement provides an opportunity for businesses to work with local governments to provide recycling education, to create a consistent standard throughout the Metro region, and to increase recycling, thereby assisting the Metro region in meeting recovery goals.

5.10.320 Implementation Alternatives for Local Governments

(a) By January 1, 2009, local governments shall comply with this title by implementing the Business Recycling Requirement in one of the following ways:

(1) Adopt the Business Recycling Requirement Model Ordinance and either establish compliance with that Model Ordinance or enter into an intergovernmental agreement with Metro that provides for Metro to establish compliance for the local government; or

(2) Demonstrate that existing local government ordinances comply with the performance standard in Section 5.10.330 and the intent of this title.

(b) The local government shall provide information related to the local government's implementation of the Business Recycling Requirement at the Director's request or as required by the administrative procedures.

5.10.330 Business Recycling Requirement Performance Standard

(a) The following shall constitute the Business Recycling Requirement performance standard:

(1) Businesses shall source separate all recyclable paper, cardboard, glass and plastic bottles and jars, and aluminum and tin cans for reuse or recycling;

- (2) Businesses and business recycling service customers shall ensure the provision of recycling containers for internal maintenance or work areas where recyclable materials may be collected, stored, or both; and
- (3) Businesses and business recycling service customers shall post accurate signs where recyclable materials are collected, stored, or both that identify the materials that the business must source separate for reuse or recycling and that provide recycling instructions.

(b) Local governments shall establish a method for ensuring business compliance.

(c) Local governments may exempt a business from some or all of the Business Recycling Requirement if:

- (1) The business provides access to the local government for a site visit; and
- (2) The local government determines during the site visit that the business cannot comply with the Business Recycling Requirement.

5.10.340 Metro Enforcement of Business Recycling Requirement

Upon a request by a local government under Section 5.10.320 to enter into an intergovernmental agreement, Metro shall perform the local government function to ensure business compliance the Business Recycling Requirement as follows:

(a) Provide written notice to a business that does not comply with the recycling requirement. The notice of noncompliance shall describe the violation, provide the business an opportunity to cure the violation within the time specified in the notice, and offer assistance with compliance to the business.

(b) Issue a citation to a business that does not cure a violation within the time specified in the notice of noncompliance. The citation shall provide the business

with an additional opportunity to cure the violation within the time specified in the citation and shall notify the business that it may be subject to a fine.

(c) Assess a fine to a business that does not cure a violation within the time specified in the citation. The notice of assessment of fine shall include the information required by Metro Code Section 5.09.090. Metro shall serve the notice personally or by registered or certified mail. A business may contest an assessment by following the procedures set forth in Metro Code Section 5.09.130 and 5.09.150.

5.10.350 Metro Model Ordinance Required

Metro shall adopt a Business Recycling Requirement Model Ordinance that includes a compliance element. The Model Ordinance shall represent one method of complying with this title. The Model Ordinance shall be advisory and local governments are not required to adopt the Model Ordinance, or any part thereof, to comply with this title. Local governments that adopt the Model Ordinance in its entirety shall be deemed to have complied with the requirements of this title.

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Model Ordinance - Business Recycling Requirements

Business Recycling Model Ordinance

(a) Businesses shall recycle as follows:

- (1) Businesses shall source separate all recyclable paper, cardboard, glass and plastic bottles and jars, and aluminum and tin cans for reuse or recycling;
- (2) Businesses and business recycling service customers shall ensure the provision of recycling containers for internal maintenance or work areas where recyclable materials may be collected, stored, or both; and
- (3) Businesses and business recycling service customers shall post accurate signs where recyclable materials are collected, stored, or both that identify the materials that the business must source separate for reuse or recycling and that provide recycling instructions.

(b) A business may seek an exemption from the requirement in subsection (a) if:

- (1) The business provides access to the [name of local government] for a site visit; and
- (2) The [name of local government] determines during the site visit that the business cannot comply with the Business Recycling Requirement.

(c) To assist businesses in compliance with this section, the [name of local government] shall:

- (1) Notify businesses of the Business Recycling Requirement;
- (2) Provide businesses with education and technical assistance to assist with meeting the requirements of this section; and

(3) Monitor and verify business compliance with this section.

(d) [name of local government] shall ensure business compliance with this section by doing one or more of the following:

- (1) Providing a business with an opportunity to cure any noncompliance with this section.
- (2) Developing a compliance schedule.
- (3) Issuing civil fines.

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Metro | *People places. Open spaces.*

Proposed Business Recycling Requirements Stakeholder Feedback Summary May 2008

BACKGROUND

Businesses generate almost half of the region's garbage and each year dispose more than 100,000 tons paper and containers that could otherwise be recycled. Over the past eight years, Metro and its local government partners have invested \$3.5 million to encourage more business recycling by providing free technical assistance. Now, Metro is considering mandatory recycling of paper and containers for all businesses in the region.

Metro explored options for increasing business recycling by convening public/private work groups and conducting stakeholder outreach from 2003 to 2007. More than 1,000 people provided advice on approaches for increasing business recycling.

The proposed program, Business Recycling Requirements, would make it mandatory for local businesses to recycle all types of paper and certain containers such as plastic bottles, aluminum cans and glass. If the Metro Council approves this proposal as currently drafted, all local governments in the region would be responsible for formally adopting these business recycling requirements by January 1, 2009.

STAKEHOLDER OUTREACH

In an effort to solicit input on the proposed program, Metro councilors and staff conducted meetings with local business associations and elected officials. Metro staff coordinated outreach efforts with the City of Portland, which was expanding its commercial recycling program at the same time.

Between February and May 2008, councilors and staff met with 13 business groups and five elected councils and boards (Table 1). The outreach efforts were supported by article submissions in local chamber newsletters, a survey and a web page. The program also received coverage in the Oregonian and other local publications.

The outreach efforts attracted a wide array of business representatives from across the region. More than 300 business representatives and elected officials participated in the meetings, and 103 surveys were completed at the meetings and online.

Table 1. Stakeholder Outreach Summary

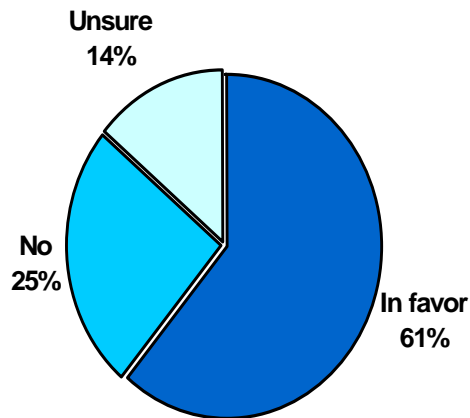
Organization	Outreach Format	Date
Building Owners and Managers Association	Breakfast forum	Feb. 6
Wilsonville Chamber of Commerce Governmental Affairs Committee	Membership meeting	Feb. 6
Oregon Lodging Association Board Members	Special meeting	Feb. 13
Westside Economic Alliance	Membership meeting	Feb. 20
Lake Oswego Chamber Governmental Affairs Committee	Membership meeting	Feb. 21
Recycling Advocates	Membership meeting	Feb. 29
Clackamas County Board of Commissioners	Work session	Feb. 26
Gresham Chamber of Commerce Governmental Affairs Committee	Membership meeting	Feb. 28
Wood Village City Council	Work session	March 11
Oregon City Chamber of Commerce Economic Development Committee	Membership meeting	March 13
North Clackamas Chamber of Commerce	Membership meeting	March 17
Milwaukie City Council	Work session	March 18
Lake Oswego City Council	Work session	April 1
Hillsboro Chamber Public Policy Committee	Membership meeting	April 2
Wilsonville Chamber of Commerce	Lunch forum	April 9
Hillsboro City Council	Work session	April 15
Sustainable Business Network	Lunch forum	April 16
Forest Grove Chamber of Commerce	Lunch forum	May 19

KEY FINDINGS

Overall, participants agree that business recycling efforts can be improved. Both elected officials and business representatives expressed support for the overall objective of the program.

Although participants support increasing business recycling through expanded education and economic incentives, support for a regulatory approach varied. Some viewed a regulatory approach as a contingency strategy if economic incentives and education fail to increase participation, while others felt a mandate was necessary to make recycling a priority for businesses. This was reflected both in the meetings and in the survey responses. As shown in Figure 1, survey results show that 61 percent of the respondents support required recycling, while 25 percent did not and 14 percent were unsure (see Attachment A for full survey).

Figure 1. Business Support for Proposed Requirements



Source: Proposed Business Recycling Requirements Survey, Metro, 2008.

Key items identified by the participants during the meeting discussions and in survey comments included:

- Recycling is a benefit to businesses. Practicing waste reduction attracts customers, and employees want to recycle.
- Education and economic incentives are the best way to encourage businesses to recycle. Some businesses, however, will not make it a priority unless it is mandatory.
- Education efforts should be tailored to the needs of businesses and should be directed at the owner, manager and employee level. Educational materials should also be available for multi-tenant businesses and janitorial companies. Recycling messages need to be simple and consistent across the region.
- Government regulation should be used only if education and economic incentives fail to increase participation.
- Regulations should be implemented gradually. Six months is a sufficient amount of time for businesses to improve their recycling programs to meet the requirements. Consider delaying fines until after the requirements have been in effect for one year.

NEXT STEPS

The proposed program and stakeholder feedback will be presented to the Metro Solid Waste Advisory Committee and Metro Policy Advisory Committee between May and July 2008. The results will be presented to Metro Council in July 2008.

HOW TO GET MORE INFORMATION

For more information on the proposed Business Recycling Requirements contact:

Marta McGuire, Senior Planner
Metro Solid Waste & Recycling Department
(503) 797-1806
marta.mcguire@oregonmetro.gov

Or, visit www.oregonmetro.gov/businessrequirements

**Attachment A:
Proposed Business Recycling Requirements
Survey Response Summary**

1. What type of business are you in?		
Answer Options	Response Percent	Response Count
Office-related such as financial, medical, or professional service	50.5%	48
Personal services such as hairdresser or plumber	2.1%	2
A retail store selling goods	3.2%	3
Restaurant, fast food, or grocery	5.3%	5
School, library, or educational institution	6.3%	6
Hotel or motel	0.0%	0
Hospital or medical clinic	9.5%	9
Manufacturer	3.2%	3
Wholesaling or warehousing business	3.2%	3
Government agency	6.3%	6
Non-profit organization	10.5%	10
	Other (please specify)	8
	<i>answered question</i>	95
	<i>skipped question</i>	8

2. What materials do you currently recycle?		
Answer Options	Response Percent	Response Count
Cardboard	91.1%	92
Office paper	92.1%	93
Newspaper	86.1%	87
Magazines, catalogs, phone books	82.2%	83
Plastic bottles	73.3%	74
Aluminum cans	79.2%	80
Steel cans	39.6%	40
Glass bottles	64.4%	65
	Other (please specify)	21
	<i>answered question</i>	101
	<i>skipped question</i>	2

3. Do you think businesses in the region should be required to recycle paper and containers?		
Answer Options	Response Percent	Response Count
Yes	61.0%	61
No	25.0%	25
Unsure	14.0%	14
Comments: <ul style="list-style-type: none"> ▪ YES! ▪ How could you enforce this? Unless you lock trash bins, anyone could throw recyclables in the trash. ▪ Use public award notifications that businesses can post. ▪ Make stronger voluntary program first. ▪ But encourage them with incentives. ▪ Education should do the trick. ▪ What a shame it needs to be a requirement! ▪ Reward system. ▪ Yes, if voluntary compliance is tried with renewed vigor and it still doesn't work. ▪ My company's recycling program is handled by someone other than me. ▪ The mandatory aspect is concerning. Just an example of poor communications & partnerships. ▪ I think they would recycling-I think they want to....I don't think a hard mandate is necessarily the best idea. ▪ This is a hostile idea to businesses, not very measurable, & will have unintended consequences. ▪ As long as the charge is nominal to get small business booked in. Education is also key. ▪ I don't like the idea of mandating it, but I don't understand why more businesses aren't recycling. It's so easy! ▪ Absolutely NO mandatory recycling. ▪ More could be done to teach recycling, should not be mandatory yet. How will code enforcement officers be paid? ▪ Not sure if this will do anything other than cost us for what we already do. If you use a cleaning service, will you be fined if THEY dump recyclable bins into general trash? How to monitor? ▪ I think there needs to be more specific info on the cost added with this service. 		13
<i>answered question</i>		100
<i>skipped question</i>		3

4. Does six months provide adequate time for your business to get its recycling program in compliance with the proposed requirements?			
Answer Options	Response Percent	Response Count	
Yes	80.2%	77	
No	6.3%	6	
Unsure	13.5%	13	
Comments:		6	
<ul style="list-style-type: none"> ▪ Already done ▪ Already doing it. ▪ Already recycling ▪ We already do it. ▪ I don't think that requiring recycling would be effective. Incentives and awareness of recycling programs would be much more effective. 			
		<i>answered question</i>	96
		<i>skipped question</i>	7

5. Has your waste hauler offered to provide your business with recycling services?			
Answer Options	Response Percent	Response Count	
Yes	52.6%	50	
No	10.5%	10	
Unsure	36.8%	35	
Comments:		6	
<ul style="list-style-type: none"> ▪ Not a proactive ""ask"" from the waste haulers. ▪ Probably because we recycle a lot. ▪ Home-based. ▪ My apartment complex has recycling. ▪ We have a large mixed recycling bin but nothing for glass. ▪ Seasonal businesses, we don't currently have regular trash service. 			
		<i>answered question</i>	95
		<i>skipped question</i>	8

6. Are you aware of the free technical assistance and resources provided by the Recycle at Work program?			
Answer Options	Response Percent	Response Count	
Yes	51.6%	49	
No	48.4%	46	
		<i>answered question</i>	95
		<i>skipped question</i>	8

7. Would you like a Recycling Specialist to follow up with your organization to provide free resources and assistance?		
Answer Options	Response Percent	Response Count
Yes	23.0%	20
No	77.0%	67
	<i>answered question</i>	87
	<i>skipped question</i>	16

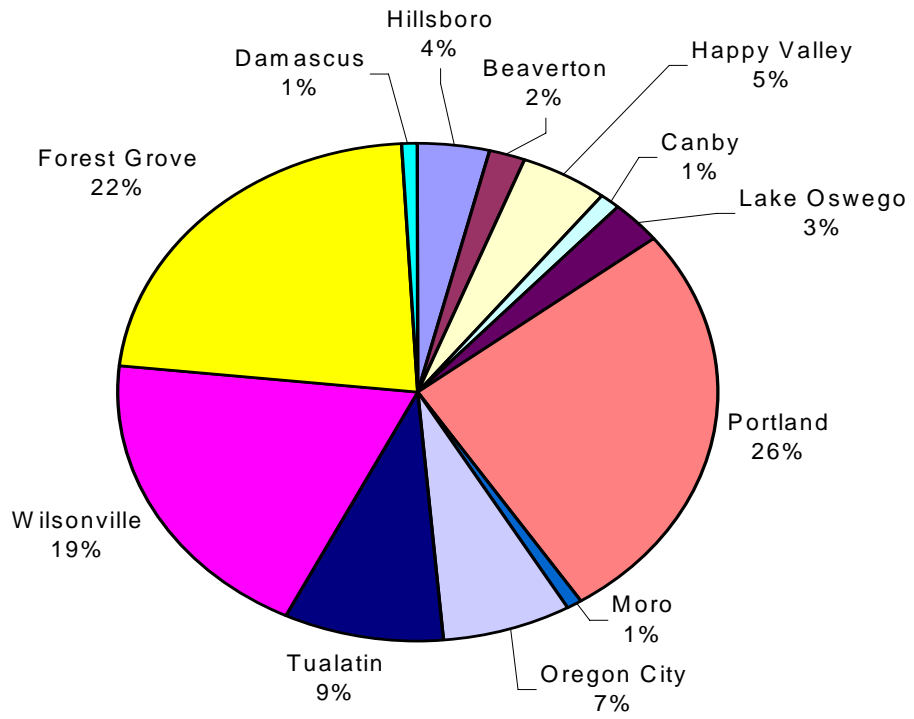
8. Do you have any questions you'd like us to answer for you regarding the proposed recycling requirements?		
Answer Options	Response Percent	Response Count
Yes	10.6%	9
No	89.4%	76
Questions: <ul style="list-style-type: none"> ▪ RE: E-waste 1) get co's to reduce their waste, help my clients w/recycling resources (I'm a professional organizer). ▪ Don't feel that Metro should be requiring property owner to enforce recycling if tenant does own trash disposal service. ▪ Would Metro consider a partnership w/businesses to get out into schools & work w/recycling in schools & looking into ways that we can support each others efforts & educate ourselves? (This was clearer in my head than when I actually wrote it out!) ▪ Shred-It takes our paper recycling from our locations. Are they recycling this paper? ▪ I have a business that has no need to recycle. My biggest waste is the gas I burn. ▪ We haul our cardboard to local facility-office cleaning crew handles the rest. Hopefully "mandatory" won't give recycling a bad name. ▪ Is there a way to get schools set up with a composting program. 		8
	<i>answered question</i>	85
	<i>skipped question</i>	18

9. Please provide your contact information so we may follow up with your request for assistance and/or any questions you may have.		
Answer Options	Response Percent	Response Count
Name	95.1%	58
Title	82.0%	50
Organization	90.2%	55
Phone	83.6%	51
Email Address	80.3%	49
	<i>answered question</i>	61
	<i>skipped question</i>	42

10. Please share any additional comments you may have regarding the proposed Business Recycling Requirements.

	Response Count
<p>Comments:</p> <ul style="list-style-type: none"> ▪ This program should be national! ▪ Businesses and individuals need to get moving and recycle some more. ▪ I think mandated recycling is important. Our company has only very recently started doing any recycling, and it only happened because myself & co-worker made it a priority. Before I was employed here, I didn't realize businesses that don't recycle still existed! People need to push. ▪ We have a RecycleWorks Award. Great work - keep it up! ▪ We should dialog with manufacturers and get them to make products that lend themselves toward being recycled (eg: cradle to cradle manufacturing). Thank you much. ▪ I am very much in favor of recycling but I don't think you should require recycling. Business has economic incentive to do so-it lowers the garbage bill. Education is the key-educate business, show how it is economically better to recycle & they'll do it. There is enough government regulation without a recycling requirement. If you require recycling-make it apply only to large businesses with over a certain # of employees or waste. ▪ Recycling Rocks! ▪ Let's find a way to help get education out there instead of a hard mandate (with financial consequences) on businesses....tenants only have so much control over their waste programs. ▪ Your target is arbitrary. ▪ As a chamber, we would be happy to partner with Metro to educate our businesses. ▪ I wasn't aware that shredded paper wasn't recyclable. ▪ #8, unless you have ideas on what else we might recycle. ▪ The answers I gave are primarily for our home. The guild is made up of individual artists and currently we have no location for recycling. ▪ I'm just a tenant in the executive suites, so I don't have a lot to do with recycling. ▪ You have not provided the regulations which are enforced on a business for this program. Please do not propose a program without complete regulations which will be enforced on a business. We are not interested on a proposal which does not give full information to the subject of your plan(a business).We are in Wahington County and we have Waste Management in Forest Grove. ▪ Perhaps a gradual/stepped method of charging fees. ▪ Need boxes for recycling & info on segregating shredded paper from other recyclables. ▪ Office is open Jan-1 - April 15 ▪ Very glad to hear about the potential for Styrofoam. ▪ Is there an alternative recycle outside of Metro or can I have this in any color as long as I want black. ▪ Very interesting 1st-time info. I would think it's better to require education w/fines than recycling w/fines. ▪ Recycling is vital for our state and our world. However, I believe much more could be done to motivate before we have to regulate it. ▪ Why does glass have to be separate from paper & plastic? ▪ An interesting idea for businesses would be to provide shred-boxes at a competitive price that would be serviced by waste haulers... By the way, the new recycling containers provided by WM are great! ▪ Already working with someone on Recycle At Work. Thanks! 	
<i>answered question</i>	26
<i>skipped question</i>	77

11. Survey Respondent by City



answered question 103

Metro Policy Advisory Committee

May 14, 2008

Item 7 – Big Look Update: Stakeholder Feedback from MPAC



BIG LOOK

CHOICES FOR
OREGON'S FUTURE

DRAFT 5/30/08

The Big Look Task Force
on **Oregon Land Use Planning**



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Executive Summary

OREGON'S BIG LOOK TASK FORCE

This report summarizes the preliminary ideas of Oregon's Big Look Land Use Task Force for reforming Oregon's Land Use Planning Program. The Task Force was formed to evaluate Oregon's Land Use Planning Program and make recommendations for how it should be adapted to address the challenges of the future. The Task Force has some initial ideas, but it needs your advice and expertise to develop recommendations.

OVERARCHING PRINCIPLES

A key aspect of the Big Look Task Force's work so far is the recommendation that the Oregon Land Use Planning Program be founded on four overarching principles. Together, these four principles describe what the Oregon Land Use Planning Program is to accomplish. The Task Force believes that these principles portray a vision of what the planning program should be achieving, in terms that all Oregonians can understand and support.

The current Oregon Land Use Planning Program has a set of narrower goals that have become so complex that they do not clearly describe what the program is supposed to achieve. While the Task Force believes much of what are currently termed "goals" continue to reflect important policy objectives, the program would be better cast in the context of principles defining outcomes that are readily understood by all Oregonians.

The Task Force's four overarching principles for land use planning are:

- Providing a healthy environment
- Sustaining a prosperous economy
- Ensuring a desirable quality of life
- Maintaining a program that is fair and equitable

Oregon's current Land Use Planning Program has been effective in meeting many of the original goals set by the Oregon Legislature. However, it also is apparent that the program needs to be changed to prepare Oregon for the future. The coming decades will bring unprecedented growth, as Oregonians continue to raise families here and new residents move to many (but not all) parts of the state. Over 1.7 million more people are expected to reside in Oregon by the year 2040. Providing adequate water, sewer, roads, transit and other infrastructure systems will require significant new revenue





sources. Deciding where to invest and where growth should occur will present difficult tradeoffs. At the same time, the world is facing the collective challenge of climate change and rapidly increasing oil costs. The Task Force believes that it is imperative to plan for and invest in communities that are resilient to challenges such as water shortages, high gasoline costs, and climate-related changes that were unimaginable just a few years ago.

The Task Force has developed preliminary recommendations to review with stakeholders over the next two months. These recommendations represent the initial thinking of the Task Force, after hearing from nearly 200 persons over the past two years. The recommendations will evolve as the Task Force gets further input from stakeholders, and in September and early October, the Task Force will carry out a multi-faceted public engagement program to hear the ideas of Oregon's citizens concerning the Oregon Land Use Planning Program and how it should be designed for the future.

PRELIMINARY RECOMMENDATIONS

The preliminary recommendations are:

1. Identify farm land, forest land, and natural areas of statewide importance, and apply market-based tools to complement regulation as a means to maintain farm and forest uses, and to protect natural areas. Local and regional governments should determine the appropriate uses of lands that are not of statewide importance, consistent with the long-term carrying capacity of the lands and considering impacts to neighboring uses.
2. Use land use planning tools in coordination with strategic investment of transportation and infrastructure funding to improve the quality of life in Oregon's urban places, while making it possible for cities to absorb the significant population growth expected to occur.
 - Prioritize funding for infrastructure to support infill development and efficient new urban areas;
 - Provide incentives for redevelopment of brownfields;
 - Provide more predictability, through the designation of urban and rural reserves;
 - Allow contingency planning to allow urban growth management to adapt to a range of futures and/or unforeseen events; and
 - Provide for more "safe harbors" to simplify local land use planning.

3. Realign the Oregon Land Conservation and Development Commission to carry out long-range land use planning for the state, and give the Oregon Department of Land Conservation and Development the resources to facilitate and assist regional collaboration and local planning efforts.

- Audit state statutes and rules for performance to reduce complexity, and to restore flexibility;
- Realign LCDC to coordinate long-range land use planning for the state;
- Build state resources to support local and regional planning, including a GIS library; and
- Encourage collaborative regional planning that allows contiguous cities and counties to work collaboratively to meet statewide goals.

4. Plan for and anticipate economic growth (e.g., increased trade-sectors, green industries, and high-tech clusters) using both already available tools for economic development and a new “rapid response” process to respond to new economic opportunities.

5. Establish expectations for how community design and transportation affects reduction of greenhouse gases from all sources, including transportation sources. As part of this, the state should set targets for how land use planning can reduce greenhouse gas emissions resulting from transportation. Recommended benchmarks should be developed by the Global Warming Commission, with broad involvement of local entities and the public. There should be a corresponding effort to create better analytical tools to predict carbon emissions resulting from different land use and transportation alternatives.

- Ensure that infrastructure investments support compact development in urbanized areas;
- Develop tools for cities and counties to evaluate the “climate impact” of proposed UGB expansions and other land use actions;
- Collect and disseminate “best practices” for using land use planning tools to reduce greenhouse gas emissions;
- Provide technical assistance to local and regional governments to carry out these best practices; and
- Help communities plan for climate change.



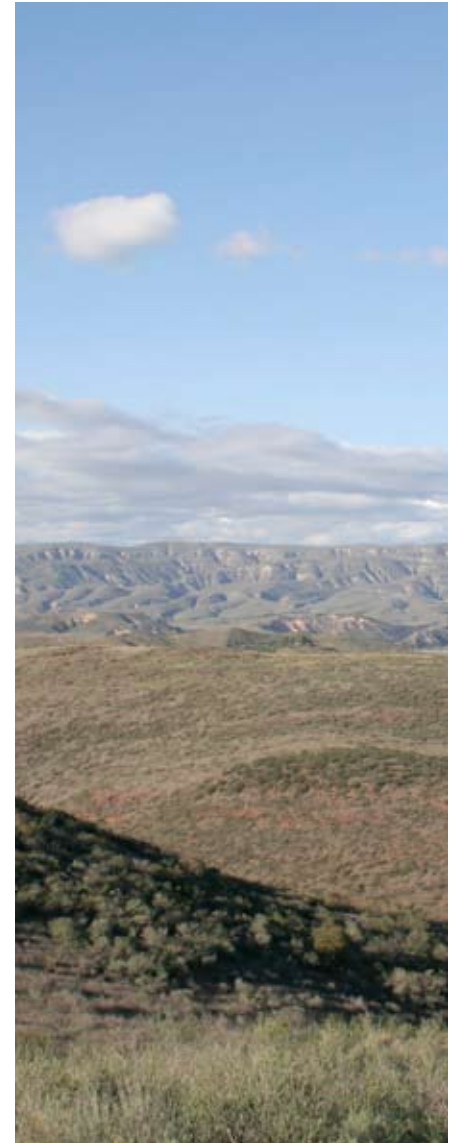
Introduction

During the 1970s Oregonians forged new ground by crafting statewide policies that protect farms, forests and beaches through coordinated land use planning. For more than three decades, this program has performed those purposes well, and Oregon is recognized nationally and internationally as a planning success story.

There are new challenges facing the state since the Oregon Land Use Planning Program was established more than 35 years ago. At that time, Oregon was concerned with issues such as loss of farms, sprawl, coastal development, water pollution and litter. Today's challenges are more complex and varied. They include issues such as population growth, climate change and global competition in a region with an economy that is more diversified, but where land use conflicts have become sharper. Some parts of the state have seen tremendous growth, while other parts face lagging employment and long-term economic downturns.

In addition, the balance between public values and property rights has been widely debated in Oregon, and in recent years major changes have been made at the ballot box. Today, Oregon has laws that offer some protection regarding how new land use regulations affect property values. The effect of these laws has not been fully realized, but they are likely to influence future land use planning efforts.

In 2005, the Oregon Legislature saw that the time was ripe for a significant review of the land use planning program. The legislature created the Oregon Task Force on Land Use Planning (the "Big Look Task Force") to review the program and to develop new strategies for meeting Oregonians' current and future needs. To do this, the Task Force is working with citizens and stakeholders from across the state to recommend that the legislature create a new land use planning program that will meet Oregon's needs for the 21st century. In addition, the Task Force is examining how to re-shape the current land use program. In many cases, this means taking an approach that is fundamentally different than what is present today. In other cases, existing elements of the land use planning program should be preserved.





WHAT IS THE BIG LOOK TASK FORCE?

The Task Force was created by Senate Bill 82 (2005). The Oregon Legislature charged the Task Force with conducting a comprehensive review of Oregon's Land Use Planning Program, focusing specifically on:

1. The effectiveness of Oregon's Land Use Planning Program in meeting the current and future needs of Oregonians in all parts of the state;
2. The respective roles and responsibilities of state and local governments in planning; and
3. Planning issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries.

The legislature asked the Task Force to make recommendations for consideration in the 2009 regular session of the Legislative Assembly.

The Big Look Task Force consists of 10 members appointed from all parts of Oregon. They represent a variety of professions and points of view, from metropolitan to small city and rural, and from business, local government, farming and forestry. All have extensive experience with the existing program. In the last two years they have worked together for hundreds of hours to develop a program to address the needs of land use planning in Oregon. While the Task Force members have very diverse points of view, they have reached agreement on a set of overarching principles that describe the outcomes they believe most Oregonians want.

OVERARCHING PRINCIPLES

The Big Look Task Force recommends the planning program be founded on four overarching principles that, together, describe what Oregon's Land Use Planning Program should achieve. These principles portray what the Task Force believes is a shared vision of how a reshaped land use program could meet the needs for all Oregonians.

The current Oregon Land Use Planning Program was built around a set of specific "goals" that focus on issues such as farm land protection, transportation and urban growth. While the Task Force believes that these "goals" still include some important policy objectives, they should be recast into a broader set of four overarching principles that serves as a foundation for all land use policy decisions.

The four overarching principles for land use planning are:

- Providing a healthy environment
- Sustaining a prosperous economy
- Ensuring a desirable quality of life
- Maintaining a program that is fair and equitable

The advantage of these overarching principles is that they describe intended outcomes that the Task Force believes everyone can understand and support. In addition, they leave room for flexibility—so that Oregon can respond to changing needs and accommodate innovative new approaches. A frequent criticism of the current land use planning program is that it is a “one size fits all” program that doesn’t adapt to changing needs and different circumstances in distinct communities throughout the state.

PRELIMINARY TASK FORCE CONCLUSIONS

The Big Look Task Force began examining the current land use planning program’s effectiveness by using six working groups that met with nearly 200 Oregonians, all of whom have direct experience with planning in Oregon. Afterward, the Task Force met as a group, examined the critical issues, and developed the following conclusions:

- Oregon’s Land Use Planning Program has protected agricultural and forest lands.
- Oregon’s Land Use Planning Program has contained sprawl and managed growth better than most other states.
- Oregonians generally support land use planning, but they also believe strongly in private property rights.
- Oregon’s Land Use Planning Program is often viewed as being too rigid and not outcome-oriented.
- Many people feel that the land use planning program is too complex and does not have the flexibility for a changing Oregon.
- The state is facing infrastructure, water and environmental challenges, partly (but not exclusively) as a result of population growth.
- Other states’ growth management programs provide lessons for Oregon.
- Future growth will challenge Oregon’s ability to preserve prime agriculture and forestry lands in seven or eight fast-growing metropolitan regions—but not in every county.
- Many of the state’s 19 existing land use planning goals don’t fit the definition of “goals”—instead, they are strategies, tactics or tools.



While Oregon's land use planning program has been effective in meeting the original goals set by the Oregon Legislature, the Task Force believes that the program should be changed to adequately prepare Oregon for the future.

The coming decades are expected to bring unprecedented growth, as Oregonians continue to raise families here and as new residents move to many (but not all) parts of the state. More than 1.7 million more people are expected to live in Oregon by 2040. Providing adequate water, sewer, roads, transit and other infrastructure systems will require significant new investment, difficult decisions about where growth should occur, and innovative financing tools.

At the same time, the world is facing the collective challenge of climate change and rapidly increasing oil costs. It is imperative, then, to plan for and invest in communities that are resilient to challenges such as water shortages, high gasoline costs, and the consequences of climate changes that were unimaginable just a few years ago.

The Oregon of yesterday was an era of pioneering and innovation. Today represents an important opportunity to shape future choices. Tomorrow will bring a new era of exceptional challenges, as Oregon embarks on the next step in its remarkable journey.

THIS DOCUMENT'S PURPOSE

This document provides an overview of the Task Force's preliminary conclusions and describes a preliminary set of recommendations that the Task Force will discuss with stakeholders in June 2008. These preliminary recommendations represent the beginning of a conversation between the Task Force, stakeholders and the public. Most likely, some actions will be revised and others will be added as those conversations progress. In other words, this is far from a completed document—the Task Force expects and welcomes significant input and changes. By late summer, the Task Force plans to present a revised set of actions to the broader public for its review, input and changes. The final step will be using revisions—from stakeholders and the public—to create a final recommendation to the governor and the legislature.



Proposed Recommendations

Each of the following five major sections (Resource Lands and Rural Areas, Growth Management, Governance, Economic Prosperity, and Climate Change) is broken down into two sections: “current problems” and “proposed recommendations.”

RESOURCE LANDS AND RURAL AREAS

CURRENT PROBLEMS

The Oregon Land Use Planning Program classifies lands for farm and forest uses but has become complex and rigid over time - the clear connection between many regulations and desirable policy outcomes has become lost. Some lands that have little economic utility for farming or forestry are classified for those uses, creating significant frustration. Rural zoning has very little nuance or variation. At the same time, there is little or no protection for significant natural areas such as important wildlife habitat and watersheds.

The current program also relies almost exclusively on regulatory tools. Oregon lacks market-based tools that have been developed in other states to promote particular uses of land that the public desires. Relying exclusively on regulations creates equity issues, has limited effect in motivating positive actions to manage lands for desired uses, and may be unstable over time.

Back when zoning designations on resource lands were adopted in the 1970s, state and local governments had limited technical information compared to today. Planners were dealing with the economics and technology of then, not now. Resource lands were identified only through aerial observation, soils maps and laborious analyses of existing uses and parcels. Today, modern computerized tools that have been created during the past 30 years—such as computer-aided mapping, satellite photography, and a larger body of technical knowledge—should be integrated into the planning program.

In particular, in the last 15 years, Geographic Information Systems (GIS) have risen as a critically important tool in managing land and infrastructure. LCDC and DLCDC generally do not have such systems, and there is no statewide repository of land use or land use planning data. GIS can provide sophisticated analyses of factors such as crop value potential, parcel size, nearby uses or conflicts, access to water and transportation, and clusters of similar crops and activities—which could be used to help identify the relative importance of farm and other resource land, as well as important ecological and environmental information. In addition, data gathered by



OREGON'S WINE COUNTRY

In the 1970s, Oregon wine was produced by a few pioneers as well as hobbyists for personal consumption and a small clientele of restaurants and retailers. Today Oregon wines are distributed throughout the world. The industry's explosive growth posed multiple land use challenges. For example, vineyards don't require the prime soils needed for other agricultural types, and they also require more infrastructure than other agricultural businesses. Oregon successfully made the needed changes to codes, criteria, designations, and investments. The results now can be seen on shelves, restaurants and in wine cellars world wide.



local governments should be collected in a statewide system, providing an invaluable resource for informing policy decisions. The proposal on Governance includes the development of a state GIS system that contains the best available data. This proposal regarding resource lands is one of the ways that new capability should be used.

**RESOURCE LANDS AND RURAL AREAS
PRELIMINARY RECOMMENDATIONS**

Identify farm, forest and environmental resource lands of statewide importance, and apply market-based tools to complement regulation as a means of preventing development on those identified lands most at risk of being converted to other uses.

Local and regional governments should determine the appropriate uses of lands that are not of statewide importance, consistent with the long-term carrying capacity of the lands and considering impacts to neighboring uses.

Develop tools to identify resource lands of statewide importance, along with the criteria for what lands are most important, and carry out a peer-reviewed public process to designate these lands.

The state should create a GIS database that contains objective information for evaluating and identifying lands that are of statewide importance for protection. Using this GIS database, the state should analyze lands in three categories: agriculture, forestry and the natural environment. The Oregon Departments of Agriculture, Forestry, and Fish & Wildlife should utilize the GIS database to identify what lands are priorities for protection in each of these three categories. An expert statewide peer review group should work with these agencies, both to establish the criteria that are used to determine which lands are of statewide importance, and in reviewing the proposals.

Identify which lands of statewide importance are at the greatest risk of future development.

Combining the work identifying lands of statewide importance with data on areas of expected growth and development, DLCDC should identify the lands of importance that also are under the greatest threat of development. These high-risk lands should be preserved using a combination of market-based tools as well as regulation. DLCDC's recommendations for lands of statewide importance that are also under greatest threat should be reviewed in a public process by LCDC.

Use market-based tools, along with regulation, to keep important lands that are at the greatest risk in resource use.

To make protection effective over the long term and to provide for fairness and equity, the state should work with existing land trusts or develop new entities and funding sources to purchase (and, where appropriate, transfer) lands, easements or development rights. These market-based efforts should focus particularly where land values for development purposes are high, or where there are opportunities to preserve significant areas.

Allow land uses for rural lands that are not of statewide importance to be determined by local and regional governments, as long as those uses are consistent with efficient public services and carrying capacity, and as long as impacts to neighboring uses are acceptable.

For lands that are not of statewide importance, local governments would have the responsibility to develop plans to determine the appropriate uses of these lands. In some cases, local governments would protect additional lands as regionally or locally important. In other cases, local governments would allow additional uses on rural lands that are not allowed today. However, the uses that are allowed must reflect the long-term carrying capacity of those lands, along with impacts to neighboring uses.

The Task Force believes that protecting important resource lands and natural areas should continue to be a high priority for the Oregon Land Use Planning Program. The tools to identify these lands more accurately now exist. Adding market-based approaches to strategically protect important lands that are under development pressure would improve the land use program's long-term effectiveness and also address inequities that have frustrated some landowners. Under this proposal, the state would identify and protect the most important lands, while regional and local governments would be given more autonomy to plan what uses should be allowed on less important lands.





GROWTH MANAGEMENT

CURRENT PROBLEMS

While Oregon has defined high quality farm and forest land, and have developed measures to preserve it, the Task Force believes the same energy has not been put into defining the needs for cities. Planning should occur at the state level to support the creation of sustainable housing, jobs, recreation and other uses. When setting state standards for urban development, there is a tendency to focus on the statistical efficiency of the development and containment of urban expansion within cities, instead of on the quality or character of the places most people will live. While the Oregon Land Use Planning Program is predicated on absorbing most population growth within urban areas and creating efficiencies for public facilities and infrastructure, it lacks tools to foster desirable patterns of urbanization. The Oregon Land Use Planning Program should focus on creating quality urban places in small and large cities, in the same way that it has succeeded in protecting land for farms and forestry operations.

Oregon's land use planning program divides the landscape into two main categories, urban and rural. Focusing population and job growth in urban areas, with efficient transportation, is crucial to maintaining and creating healthy cities and towns. Oregon's land use planning tools, including urban growth boundaries (UGBs), have helped Oregon grow by 1.7 million new residents since 1970 without the extent of land consumption which would have occurred in most other states. In the coming decades, however, Oregon's population is projected to grow by another 1.7 million people. The means to finance the public improvements that will be needed to accommodate this significant growth are currently not present. In addition, new challenges, such as rising petroleum costs and climate change, will likely require Oregon to review and possibly strengthen its system of urban growth management.

GROWTH MANAGEMENT PRELIMINARY RECOMMENDATIONS

Use planning to improve the quality of life in Oregon’s urban places, while also making room for significantly more people to live and work in those areas.

Oregon’s land use planning program should focus on making all of Oregon’s cities—large and small—great places to live by providing economic opportunity, affordable housing, efficient transportation, and access to quality open spaces and natural areas for the people who live there. Specific recommendations for how Oregon’s land use planning program should encourage economic prosperity are provided in a later section of this document. Other important strategies for creating these highly livable cities should include:

Prioritize and increase funding for infrastructure to support infill development and new urban areas, making it possible for the private sector to create housing and employment options within cities.

While the amount of UGB expansions needed over the next 50 years is likely to be relatively small—probably between 40,000 to 120,000 acres—providing urban services to newly urbanized areas can be problematic. (will add maps and graphs from the earlier TF work) Developing additional sources of funding for infrastructure investment is critical to making both small and large cities work as places that the private sector will invest in and that people want to live in. A fund that is targeted for these areas is essential.

Target redevelopment of brownfield sites.

Despite demand for building locations, there are a number of significant sites that often sit unused because of significant barriers, such as brownfield sites that require some environmental cleanup before they can be redeveloped. Land use plans should encourage redevelopment of these underused brownfield sites by creating incentives and targeting funding. In addition, there are underutilized sites throughout the metropolitan areas, with existing infrastructure, that should be considered as an important part of land that can be redeveloped. These sites are usually occupied by former uses that are no longer viable and may, or may not, have environmental issues.



SAFE HARBORS

Currently, to update an urban growth boundary, local governments have to conduct extensive research on current land supply and land needs. Despite this research, most urban growth boundary decisions fall within a fairly narrow range of overall city density. In developing a safe harbor, cities could rely on using a state average for land use efficiency rather than having to develop extensive local documentation. For example, local plans that meet an average development density can be assumed to be making an efficient use of the land for the purpose of establishing an urban growth boundary.



Expand the use of urban/rural reserves.

The legislature has given the Portland metropolitan region the authority to identify both urban and rural reserves within its region. Urban reserves are areas designated for inclusion within urban areas once the supply of land within existing urban growth boundaries has been exhausted. Rural reserves are areas designated for the purpose of providing long-term protection of lands for farm, forestry and natural resource uses. Similar legislation should be considered for other parts of the state where rapid growth is occurring.

In rapidly growing areas of the state and in other areas where the amount of land is constrained, the state program should allow cities and counties to designate rural reserves to support farm and forestry economies and significant natural resource areas. Through this process, areas designated as urban reserves will become priority areas for expansion of UGBs and rural reserves will become areas that will not be part of the urban landscape. This would ensure that rural lands are not simply holding zones for future urban development. Rural reserves may also be areas for state and private land trusts to purchase conservation easements and development rights, providing permanent protection from development.

Allow contingency planning for new circumstances or unforeseen events.

Urban growth management in Oregon relies on long range forecasts of people, housing and jobs to shape comprehensive plans. But the reality is that forecasts are often wrong because of the many unanticipated events (e.g., global issues such as climate change, major downturns in the economy, etc.) that can occur. Instead of developing just one plan to accommodate the growth and circumstances that can be reasonably predicted, plans for urban growth should be able to accommodate unforeseen changes by defining what planning outcomes may occur depending on how key aspects of a community evolve. With contingency planning, policies and short-term actions should be identified for a series of plausible scenarios. This would give cities and counties the flexibility they need—so that they don't have to rely on a single long-range plan based on a narrow set of assumptions.

Provide for “safe harbors” that allow for simpler plan review processes, but that still maintain high state standards.

A “safe harbor” is a type of state regulation that provides a straightforward “recipe” for a local decision to comply with a state regulation. If local decisions are made within defined parameters, the amount of backup research can be kept to a minimum. The existing land use planning program already contains some safe harbors for a number of planning decisions made by local communities, but their use should be expanded and they should be tailored for large and small cities. Local governments are allowed, but not required, to use safe harbors. This gives an option, especially where local governments do not have the resources to undertake expensive research or analysis that would otherwise be required.

Clearly, the state’s growth management program should be further strengthened so that it can better meet the long-term needs for both urban and rural areas as they accommodate new residents and uses. Lands should be identified both for long-term urban uses and for farm, forest and natural resource uses. This will provide more stability and certainty while also improving public and private investment in urban and rural uses. In addition, cities and counties would have more flexibility to adapt to unforeseen events. In some cases, land that currently is preserved under today’s rules would be prioritized for addition to urban areas. Other lands that are near urban areas would be protected from development. Newly-created market-based tools would complement regulation, making the protection more permanent and providing a more equitable solution for property owners.

In addition to expanded use of urban and rural reserve designations, the state should help cities in redeveloping brownfield sites, provide safe harbors when appropriate, and support contingency planning for better long-term flexibility. All of these key growth management strategies would help Oregon meet 21st century needs and challenges.





HEARD FROM THE EXPERTS

”The land use planning system has been continually, incrementally changed, modified, refined and redefined by a variety of forces that have fundamentally changed from the original intent of SB 100. A variety of “forces” have intentionally and unintentionally impacted the planning vision and processes including the courts, LCDC, DLCD staff, the electorate, and the marketplace. All of the above, with a constant barrage of new regulations, rules, directives and requirements, have resulted in a complex, legalistic, and perplexing statewide land use planning system that is difficult to understand and implement for average citizens as well as planning professionals.”

- Oregon’s City Planning Directors, 2006, submitted to Task Force

GOVERNANCE

CURRENT PROBLEMS

Over the years, many of the land use provisions in administrative rules have been placed in Oregon statutes. Instead of a system that allows LCDC to adapt the land use planning program to different areas of the state, or to changing conditions over time, the fixing of requirements in statutes now prevents regional variation or easy adaptation over time. The result has been both an increase in complexity and a lack of flexibility for local governments, property owners and the public.

Oregon’s current land use planning program is not based on any strategic planning for identifying desirable growth, what will be needed to accommodate the state’s projected significant growth, or how to fund the public facilities that will be required as a result of it. A recent report by the Department of Economic and Community Development estimates that there are over \$10 billion in unmet infrastructure needs at the local level alone, in rural as well as urban areas of the state. Multiple state agencies are responsible for key components of long-term growth issues, such as the Oregon Department of Economic and Community Development, the Oregon Department of Transportation, and the Oregon Department of Housing and Community Services. However, there is no coordinated long-range plan among these agencies to shape future growth and address infrastructure needs.

The land use planning program depends on local governments for implementation. To keep the program updated, and responsive to changing local (as well as state) priorities, resources are needed to support regular reviews of local plans. At the same time, DLCD’s capacity to provide technical and financial assistance to communities for land use planning has been seriously eroded by funding cuts. In constant dollars, funding for local grants has been cut in half over the past ten years.

Another noticeably absent resource is a statewide Geographic Information System (GIS). Such a system would serve as a valuable electronic repository of local and regional plans, and the data essential to their development. Without a GIS system, it is difficult for state agencies, local governments, planning organizations and the public to gather data, conduct research, and make informed decisions.

As the state faces important new challenges such as global climate change, rapidly escalating energy prices, and shifts in the economy, the land use planning program should be able to adapt to new needs and priorities. To do that, the state's land use governance structure should be examined carefully so that it works collaboratively, fluidly and effectively to address current and future land use issues.

GOVERNANCE PRELIMINARY RECOMMENDATIONS

Review state statutes and rules for performance—to reduce complexity and restore flexibility.

The Big Look Task Force recommends conducting a comprehensive review of state land use statutes and administrative rules, based on three criteria: (1) how effectively they promote or achieve outcomes consistent with the four overarching principles (a healthy environment, a prosperous economy, quality of life, and a fair and equitable program); (2) to eliminate unnecessary complexity, and any internal conflicts; and (3) to structure statutes to allow flexibility and adaptability of the program, where appropriate. The Task Force recommends considering moving many of the provisions now in statute back to LCDC administrative rules, guided by key statutory directives, the four overarching principles for the land use program, and the statewide planning goals. This review should be carried out by a small team of state, local and private sector experts, with guidance from a select group of legislators.

Results of this review should serve as the foundation for a legislative proposal that restores the day-to-day administration of the program to LCDC, reserving only fundamental program elements in state statutes. The legislature should not try to function as the planning commission for the state, but should instead hold LCDC and local governments accountable for achieving broad policy direction.





OREGON CERTIFIED INDUSTRIAL SITES PROGRAM

The Oregon Certified Industrial Sites program is a good example of a program designed to assist employers who are looking for new facilities. Under this program, local jurisdictions are offered financial and technical assistance to identify parcels with adequate transportation and services for industrial or similar uses. Ideally, a business should be able to break ground on a certified parcel in 90 days or fewer. The process requires coordination among various regulatory agencies and land owners, but the result can yield substantial benefits for communities seeking to expand their job base.

Programs such as this are examples of how planners can partner with communities and employers to deliver suitable properties. This type of success may serve as a good model for a broader statewide approach.

Realign LCDC to coordinate strategic land use planning for the state.

The Task Force recommends that LCDC return to the role of long-range planner for the state’s land use planning program. Its principal responsibility should be to ensure that the program can produce solutions and processes that are consistent with the four overarching principles, as refined and modified by the legislature over time. LCDC should shift away from regulatory, adjudicative and appellate functions—and toward developing a long-term vision for the state, along with a shorter-range strategic plan for meeting future challenges. LCDC’s first major initiative should be to develop a long-range vision and a 10-year strategic land use and infrastructure plan, in coordination with state agencies, local governments and the public.

Build state resources to support local and regional planning, including a GIS library.

LCDC and DLCD also should shift from a regulatory body to being more of a partner that works with communities to create solutions that meet both state and local needs. An important component of this should be to provide adequate funding for local governments to carry out regular reviews of their land use plans, and for strong communication between state and local governments and citizens in developing and reviewing plans. In addition, the state should create a repository for land use planning materials in a GIS and planning library. Such a library would be a tremendous resource for local governments, state agencies and the entire public. The library also should contain a thorough collection of best planning practices from around the country, with on-site expertise to help local governments implement them. With today’s computer and software capabilities, this could be done at a very small cost, using off-the-shelf hardware and software.

Encourage collaborative regional planning that allows cities and counties collectively to meet statewide goals.

Through funding incentives and technical support, DLCD should help local governments plan cooperatively to address common challenges such as transportation, open space and natural resource protection, adequate housing, and economic development. The current state Regional Problem Solving process (RPS) has shown some promise, but has limited success because it requires unanimous agreement among local governments. A more realistic decision-making structure should be used to make regional planning more effective.

ECONOMIC PROSPERITY

CURRENT PROBLEMS

Oregon's economy today is less dependent on agriculture and timber than it once was, and has diversified into high-tech, manufacturing and information sectors. Oregon also has developed a sizeable export economy, with 8.5 percent of the state's annual gross state product sold outside its borders. Agriculture represents a major portion of the exports, with nursery products being an outstanding example. Diversification has come with a cost, however, as some rural areas of the state (particularly areas dependent on timber harvest) have stagnated or declined.

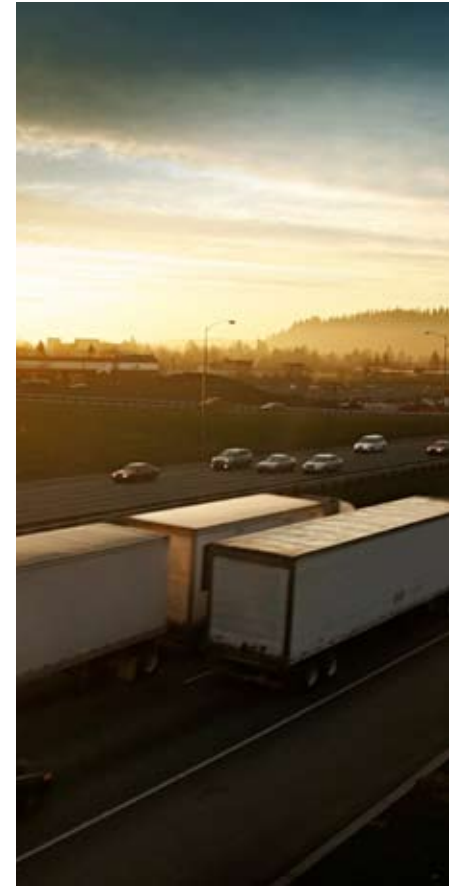
The types of industries that drive employment growth now evolve more quickly than in the past, as do the types and amounts of land that they need in relation to the location of housing, other companies, and key services. This rapid evolution creates a challenge in ensuring that permitting is predictable and quick. In the time it takes to obtain needed changes to a land use plan, a company may go through several product cycles. Oregon's land use planning program is neither nimble nor balanced enough to deal with today's economy, the need to update facilities quickly, and respond to changes in work forces and other resources.

A related issue is converting lands that are planned for industrial use to other uses. Market forces often push industrial land owners to seek zone changes to convert their lands to retail or residential uses that can be marketed quickly. This, in turn, decreases the availability of the larger parcels for future businesses that require more land.

The way planning is done for communities' future economic growth simply is not adaptable enough. Economic development efforts often don't consider Oregon's many land use standards, and the frequent results are delays and frustration.

ECONOMIC PROSPERITY PRELIMINARY RECOMMENDATIONS

Identify the land needs of areas of the economy that are likely to grow or that should be encouraged, and plan for those land needs using both the tools already available and a new "rapid response" process to quickly adapt to new economic opportunities. These tools should include both the certified sites program and urban reserves.



Oregon should apply the same range of strategic approaches it uses in environmental and community planning in ensuring that the state's economic engine runs smoothly. With an eye toward economic sustainability and diversity, planners and statewide agencies should work more closely with existing businesses to better understand their land needs.

This requires that statewide planning agencies become centers of information about industry land use trends, infrastructure requirements, and related issues—all of which would help local and regional governments plan for their employment lands. It's important to note that there is no need to modify the current planning process for retail and office uses, which can be accommodated in the existing program. Instead, the focus should be on seeking and accommodating sustainable industries that provide family-wage jobs, improve research capabilities, and produce the goods and services demanded by state, national and international customers. These opportunities should be provided by establishing inventories of employment lands for a range of possible employers, while also working to prevent incompatible land uses.

Already, many of the tools needed to accomplish this are available. For example, the governor's Certified Industrial Sites Program, which identifies lands with sufficient transportation and service infrastructure, ensures there is an inventory of land to accommodate employment opportunities quickly and with minimal permitting uncertainty or risk.

Cities, counties and state agencies also should be able to develop contingency plans, based on a range of potential future outcomes, and shift priorities and land uses quickly when opportunities arise, so long as key planning objectives are met. Using a rapid response system to evaluate and process changes in land use means Oregon can help support rather than unintentionally thwart economic development.

Within this discussion of the economic needs within Oregon, the Task Force continues to recognize that even though agriculture and forestry no longer dominate Oregon's economy, they are still extremely important as contributors to a more diversified economy. This is reflected in the efforts to protect lands for these important industrial sectors.



CLIMATE CHANGE

CURRENT PROBLEMS

Climate change—which refers to increasing levels of greenhouse gases that lead to warming temperatures around the globe—is having a profound effect on the natural world. These atmospheric gases, including carbon dioxide, methane and nitrous oxide, are necessary at normal levels to keep the Earth at a temperature that can support life. Increasing levels of these gases produced by human activity are threatening ecosystems and everyday life.

A recent report from the Oregon Governor’s Climate Change Integration Group showed that in 2004, transportation was responsible for about 34 percent of greenhouse gas emissions in the state, with the main components being fuel consumption, efficiency, carbon content of the fuel, and vehicle miles traveled (VMT). Models show that if VMT increases, it may cancel out the benefits of planned increases in fuel efficiency.

The 2007 Oregon legislature adopted the following targets for reductions in greenhouse gas emissions:

- By 2010, arrest the growth of Oregon’s greenhouse gas emissions (including, but not limited to CO₂) and begin to reduce them, making measurable progress toward meeting the existing benchmark for CO₂ of not exceeding 1990 levels.
- By 2020, achieve a 10 percent reduction below 1990 greenhouse gas levels.
- By 2050, achieve a “climate stabilization” emissions level at least 75 percent below 1990 levels.

Key recommendations from the Climate Change Integration Group’s A Framework for Addressing Rapid Climate Change directly relate to the role of land use and transportation planning, including:

- Ask the Big Look Task Force to explicitly address climate change as a core issue in planning.
- Incorporate climate change effects and impacts into new transportation initiatives.



PORTLAND’S GREEN DIVIDEND

One recent study by CEOs for Cities found that Portland area residents save a total of \$2.6 billion because of the city’s land use and transportation policies. For example, the city’s median commute is four miles shorter than the national average, and there are corresponding high rates of transit and bike use. The cost savings are pumped into the local economy resulting in what the report calls “Portland’s Green Dividend.” As Oregon responds to climate change, documenting the benefits to the local economy will be as important as the benefits to the environment.



DESCHUTES RIVER CONSERVANCY

Through an innovative Oregon Climate Trust (OCT) project, the Deschutes River Conservancy recruits and pays area landowners to plant native trees along denuded riparian habitat. With carbon offsets monitored and accredited through strict verification that ensures the offset would not have occurred otherwise, the project results in the carbon emissions reduction equivalent of taking over 46,000 cars off the road for a year. Landowners enter legally binding agreements to plant and maintain trees for at least 50 years and receive compensation funded from the purchase of OCT offsets. As the trees grow they sequester carbon, rehabilitate trout habitat, improve water quality, and present a new model for addressing climate change through rural economic partnerships on resource lands.

The report concluded that “a combination of pricing policies, transportation options, and land use planning is the most effective way to reduce VMT (vehicle miles traveled).”

The connection between land use and travel is one of the most studied subjects in urban planning today. Over 100 rigorous empirical studies have been completed, and have established that more compact development can reduce vehicle miles traveled by 20% to 40%. Oregon has oriented its land use program to reduce VMT for some time, through its Transportation Planning Rule. Today, Oregon’s per capita gasoline consumption has fallen to the levels of 1966, while consumption has increased in the rest of the country

In addition, it appears an era of permanently high oil prices has arrived. With \$4.00 a gallon gas a reality in parts of Oregon and no end in sight for the price increases, Oregon’s competitiveness as a state depends on continuing to make its communities more efficient. That can only be done by locally-led changes that make communities more efficient, having shopping and work closer to home, making cities more walkable and bikeable, and making travel by transit practical, affordable, and comfortable.

With a growing concern over climate change, and Oregon’s aggressive goals to reduce its greenhouse gas production, it is clear that using land use patterns to reduce the carbon footprint needs to be a part of the state’s strategies. This is why it is essential that Oregon’s land use planning program have a strong set of policies that support and encourage local and regional governments to reduce carbon emissions.

Each of Oregon’s rural, urban and suburban areas has a different role in helping to address climate change. In rural areas, there are opportunities to sequester carbon through particular farm and forest practices. However, rural residents are not likely to reduce their long-distance transportation needs. In urban areas, while many land use tools have led to reductions in per capita auto travel and a shift to transit, walking and biking, those developments are not enough to keep overall carbon emissions from growing due to population increases.

One of the major impediments to addressing carbon reduction is that the related tools to measure the effect of land use changes on carbon emissions are new, fairly complex and may not be easily available. It’s important to improve these tools quickly to ensure that resources are invested wisely in planning for lower carbon impacts.

CLIMATE CHANGE PRELIMINARY RECOMMENDATIONS

Oregon should establish benchmarks for reducing greenhouse gases from all sources, including transportation sources. As part of this, the state should set targets for how land use planning can reduce greenhouse gas emissions resulting from transportation. Recommended benchmarks should be developed by the Global Warming Commission and state and local entities. There should be a corresponding effort to create better analytical tools to predict carbon emissions resulting from different land use, building and transportation alternatives.

Once these benchmarks and tools have been established, DLCDC should work with other state agencies and metropolitan planning organizations to assemble and disseminate best practices for land use planning techniques to reduce carbon emissions from around the country and the world. This should include land use planning to support alternative transportation modes and trip reduction. In addition to better tools, a set of “safe harbor” standards should be established that give credits to actions without requiring extensive local analysis.

One way to reduce carbon emission is to retain or expand open spaces that capture carbon dioxide in organic matter—preserving or expanding forests is an example. Trapping carbon in systems like this is called carbon sequestration. Given a global effort to reduce carbon emissions, programs that can be certified to trap carbon can attract private investment because the credits can be sold to projects that need an offset to their carbon emissions. These are called carbon sequestration credits. There should be a simultaneous effort to use carbon sequestration credits to help preserve open space and agricultural and forestry lands.

Other known strategies to reduce greenhouse gas emissions that should be considered include:

- Ensuring that infrastructure financing supports compact development in urban areas.
- Developing tools for cities to calculate a “climate impact” for proposed land use actions including sustainable building practices.





These actions should be initiated through development of better tools, incentives and demonstration projects. In addition, the state should provide technical services and promotion, marketing and education, and other resources to local communities so that they can carry out these strategies at the local level. After demonstrations and trials of climate change policies have been developed, the state could decide what, if any, mandatory standards could become part of the state planning program.

All of these climate change strategies should come under the umbrella of a new state business plan, which would include staying abreast of new research and best practices occurring elsewhere, and monitoring its progress regularly.

Public Engagement and State and Local Land Use Planning

The Task Force spent considerable time evaluating the role that public engagement (also known as public involvement) plays in our land use decision-making processes. While the Task Force sought to develop a recommendation that would strengthen and make more meaningful the role that public engagement plays in land use programs, they have not reached consensus about how current public engagement processes can be improved.

The section below describes the Task Force's thoughts about how to evaluate the public engagement process as it relates to state and local land use programs. As with their five recommendations, the Task Force is seeking input and comment on how we could improve the public engagement process for individuals providing testimony, individuals seeking to gather information, and plan preparers and policy makers interested in gathering input.

Citizen involvement is an essential component of the Oregon Land Use Planning Program. The importance is recognized by establishing the requirements for citizen involvement in Goal 1 of the program, which calls for responsible units of government:

“To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.”

There is such strong emphasis on citizen involvement because decisions that affect land use plans have widespread impact on individuals that should have a say in the plans that affect them. Furthermore, many of the decisions represent trade-offs between meeting the values and goals held important by one constituency rather than meeting the values and goals held by another constituency. It is only through the effective involvement of the public that the right balance between competing values and goals can be ascertained. And it is only through the support of the citizenry that the program will be sustained.

In addition to the requirements that support the philosophical expectation that the public should be effectively engaged at every stage of the planning process, the Oregon program also establishes legal procedures relating to standing and rights to participate, intervene or appeal a decision. The exercise of these rights by individuals or advocacy groups provides the enforcement of requirements to involve the public by establishing recourse for individuals that disagree with decisions.



What is the right balance between providing individuals with the right to appeal versus having a result that the action of these individuals simply have the affect of overriding the interests of others that are satisfied with the balance that has been struck? What constitutes adequate and effective involvement versus abuse of the program?

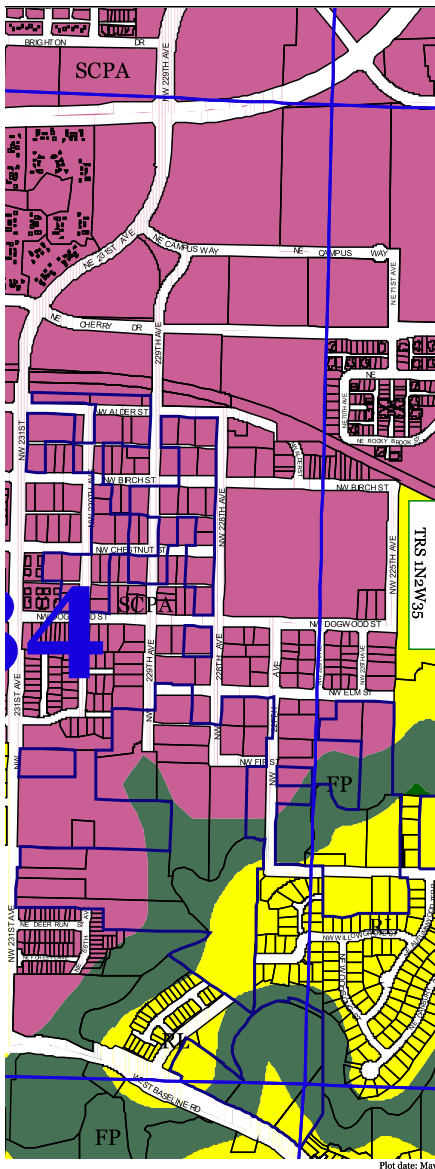
So, the issue under evaluation is where on a continuum from broad public engagement to legalistic standing and appeals should the Oregon Land Use Planning Program be positioned? For the sake of ensuring public involvement, has the program established too many opportunities for too many individuals to appeal a decision? Has this, in turn, resulted in land use plans and decisions that the majority of the public support being overturned? Conversely, has the program become so legalistic and difficult to engage that the average person has chosen to disengage?

In order to evaluate this question, it is useful to understand the nature of the requirement for public involvement, which varies at different steps of the process. Presented below is a possible framework for evaluation.

I. COMPREHENSIVE PLAN DEVELOPMENT

A comprehensive planning process is one that would evaluate a broad range of issues for an entire jurisdiction or a large sub area of the jurisdiction. This was carried out in the 1970s and 1980s throughout Oregon in response to the newly adopted state requirements. It would also be carried out when a local government goes through “periodic review” of their comprehensive plan, for areas newly added to the UGB and through sub area or neighborhood plans that may be undertaken to refine the comprehensive plan for that area.

At this stage, the broadest public outreach is essential. Mechanism to solicit input on values and preferences should be employed to ensure the final result is responsive to the issues at hand. It is at the conclusion of this process that the basic decisions are made on what land uses will be allowed, where and under what conditions. It is also through this final conclusion that plans for infrastructure are aligned with plans for private development. Finally, it is through this action that local governments demonstrate how they met the state requirements and how that overlays with trade-offs in meeting local values. The final decision of the local government is a legislative one adopted by the governing body (City Council, County Commission, Special District Board of Directors, and Metro Council).



Certain decisions of the governing body are subject to approval by the Oregon Land Conservation Commission. Others can be appealed to the Oregon Land Use Board of Appeals (LUBA), a branch of the state court system.

2. COMPREHENSIVE PLAN AMENDMENT

An amendment to a comprehensive plan is generally much narrower than to broader comprehensive plan development stage. It may involve only a few parcels of property or a single topic or project. Rather than a process aimed at comprehensively evaluating values throughout the community and setting goals based upon competing interests, an amendment could be characterized as evaluating whether the proposed change is compatible with the broader goals and values that have already been set. Often, the amendment is conducted as a quasi-judicial process wherein a hearings officer is required to consider very specific criteria for the amendment to be approved.

At this stage, the appropriate citizen involvement is much narrower than at the plan development stage. The magnitude of the issue is smaller in scope and therefore the potential to impact other areas or instigate other issues is more limited.

Most decisions would be appealable from the Hearings Officer to the governing body and then appealable to LUBA.

3. APPROVAL BY THE OREGON LAND CONSERVATION AND DEVELOPMENT COMMISSION

Under state statute, the LCDC is the body appointed to develop state land use policy direction and ensure it is carried out through local comprehensive plans and through the plans and actions of state agencies. Under this process, LCDC has adopted the 19 statewide goals and administrative rules for their implementation. Through the goals and administrative rules, certain minimum standards and mandates, as well as guidelines, are established which must be met through local comprehensive plans. Local governments are required to submit their comprehensive plans (and certain amendments) to LCDC for “acknowledgment” that the state requirements have been met.

At this stage, the appropriate citizen involvement should be limited to whether the local government had adequately met the state requirement. Often, this is a discretionary decision that requires the judgment of the LCDC on how the state requirements were balanced against other competing local values of the community. This is not the appropriate





opportunity for citizens that were involved at the local comprehensive planning step to revisit the many issues considered at the local level. It is the role of the state to evaluate how the state mandates were implemented, not superimpose the judgment of the LCDC as a substitute for the judgment of the local governing body on issues and values of local concern.

Decisions of the LCDC are appealable to the Oregon Court of Appeals.

4. DEVELOPMENT PERMITTING

Once a comprehensive plan has been adopted (or amended) and approved by the state (and survived any appeals), permitting of individual development proposals can occur consistent with the plan. These could take the form of a subdivision approval, a conditional use approval, a variance and/or a building permit. Certain of these actions are purely administrative in nature and provide no opportunity for citizen input at all. Others have an established public input procedure and certain approval steps that are required.

At this stage, the appropriate citizen involvement would relate to design and impact issues rather than allowable land uses. The earlier steps of the process would have decided what land uses are allowed at this step, dealing with the specifics of how it is designed and how to mitigate the expected impacts that may occur as a result of building the development. If the nature of the citizen concern that is being raised involves whether the development should be permitted at all, rather than design and impact mitigation, then the governing body should initiate a broader sub area plan amendment process.

Permitting decisions generally have appeal opportunity to the local government planning commission, the governing body and then LUBA.

5. PUBLIC EDUCATION

In addition to public involvement in the various planning decisions, it is important for state and local governments to engage the public in a continuous education program. Through this, it is important to provide an easy understanding of the plans for the community, the values upon which they are based and methods of providing the appropriate type of input into decisions that may be forthcoming. This is important both to ensure that the plans of the community are supported by the citizenry and to assist the public in understanding the type of input appropriate to ongoing permitting activity versus reconsidering the plans through a future update process.

ISSUES/APPROACH

- Describe the requirements that guarantee access to the process
- Describe the requirements that establish standing
- Describe key differences in standing at the legislative, quasi-judicial, permitting and appeal steps
- Describe actions taken in the past to modify/limit standing
- Lay out options
- Summarize best practices

Next Steps

The Big Look Task Force is working to develop a set of recommendations for the 2009 legislative session. To develop those recommendations, the Task Force will be engaging in several rounds of discussion and input with stakeholders, and with the general public around the state.

The timeline is ambitious. Although Phases 1 and 2 of the Task Force's work plan are complete, three phases remain. Below are details for upcoming phases:

PHASE 3: MAY 2008 – OCTOBER 2008

May 2008-June 2008

- Attend, facilitate, listen, and document responses and ideas at meetings with about 30 stakeholder groups

July 2008-August 2008

- Refine issues, findings, actions, and recommendations, based on input from stakeholder groups

August-October 2008

- Conduct a statewide public engagement program that includes:
 - 10 open houses reaching more than 1,500 participants
 - Newspaper insert reaching more than 1.2 million readers
 - Production of a 20 to 30 minute video for presentation on television, cable channels, and to local group meetings
 - "Meetings in a box" with a minimum of 30 meetings, reaching 900 or more citizens
- Presentations at statewide conferences to government and professional associations, with about 500 participants
- Scientific polling and surveying of 450 residents
- Web site updates as an information and feedback vehicle, with a projected 5,000 hits/month and 10,000 participants

PHASE 4: OCTOBER – NOVEMBER 2008

- Refine issues, findings, and recommendations
- Assemble information from outreach efforts; prepare a report regarding the findings, and Task Force discussion on final recommendations.

PHASE 5: NOVEMBER – DECEMBER 2008

- Draft legislative recommendations.
- Review recommendations with governor's office, LCDC and legislative leaders.





Conclusions

The Big Look Task Force continues to listen, work, and develop ideas that will help Oregon build upon its strong foundation of successful land use planning ideals and strategies. These proposals will generate controversy. For some people, these proposals will not be strong enough; for others, they will be too radical. As individuals in a group, Task Force members have different ideas on these topics as well. But, with the help of Oregonians, the Task Force will be able to reenergize the Oregon Land Use Planning Program, keeping what is best, and adapting it for tomorrow's challenges.

We expect these proposals to stir debate, and we pledge to listen and consider your ideas, advice, cautions, and critiques.

Included with this document is a survey form that we would like you to fill out—it is also available on our Web site at <http://www.oregonbiglook.org>. We are truly grateful for your time, and thank you for contributing to Oregon's successful future.

Appendix

Appendices

Table 1: Relationship between Legislative Charges and Task Force Findings and Recommendations

<p>Legislative Charges:</p> <p>Study and make recommendations on:</p>	<p>Preliminary Findings and Recommendations</p>
<p>The effectiveness of Oregon’s land use planning program in meeting the current and future needs of Oregonians in all parts of the state.</p>	<ul style="list-style-type: none"> • Oregon’s land use planning program has protected agricultural and forest lands. • Oregon’s land use planning program has contained sprawl and managed growth better than most other states. • Oregonians generally support land use planning, but they also believe strongly in private property rights. • Oregon’s land use planning program is often viewed as being too rigid and not outcome-oriented. • Many people feel that the land use program is too complex and does not have the flexibility for a changing Oregon. • The state is facing infrastructure, water and environmental challenges, partly (but not exclusively) as a result of population growth. • Other states’ growth management programs provide lessons for Oregon. • Future growth will challenge Oregon’s ability to preserve prime agriculture and forestry lands in seven or eight fast-growing metropolitan regions -- but not in every county. • Many of the state’s 19 existing land use planning goals don’t fit the definition of “goals” – instead, they are strategies, tactics or tools.
<p>The respective roles and responsibilities of state and local governments in land use planning; and</p>	<ul style="list-style-type: none"> • Review state statutes and rules for performance – to reduce complexity and restore flexibility. • Realign LCDC to coordinate strategic land use planning for the state. • Build state resources to support local and regional planning, including a GIS library. • Encourage collaborative regional planning that allows cities and counties collectively to meet statewide goals.
<p>Land use issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries.</p>	<p><i>Identify farm land, forest land, and natural areas of statewide importance, and apply market-based tools to complement regulation as a means to maintain farm and forest uses, and to protect natural areas. Local and regional governments should determine the appropriate uses of lands that are not of statewide importance, consistent with the long-term carrying capacity of the lands and considering impacts to neighboring uses.</i></p> <p><i>Use land use planning tools in coordination with strategic investment of transportation and infrastructure funding to improve the quality of life in Oregon’s urban places, while making it possible for cities to absorb the significant population growth expected to occur.</i></p> <ul style="list-style-type: none"> • <i>Prioritize funding for infrastructure to support infill development and efficient new urban areas;</i> • <i>Provide incentives for redevelopment of brownfields;</i> • <i>Provide more predictability, through the designation of urban and rural reserves;</i>

	<ul style="list-style-type: none"> ● <i>Allow contingency planning to allow urban growth management to adapt to a range of futures and/ or unforeseen events; and</i> ● <i>Provide for more “safe harbors” to simplify local land use planning.</i>
	<p><i>Plan for and anticipate economic growth (e.g., increased trade-sectors, green industries, and high-tech clusters) using both the tools already available for economic development and a new “rapid response” process to respond to new economic opportunities.</i></p>
	<p><i>Establish expectations for how community design and transportation affects reduction of greenhouse gases from all sources, including transportation sources. As part of this, the state should set targets for how land use planning can reduce greenhouse gas emissions resulting from transportation. Recommended benchmarks should be developed by the Global Warming Commission, with broad involvement of local entities and the public. There should be a corresponding effort to create better analytical tools to predict carbon emissions resulting from different land use and transportation alternatives.</i></p> <ul style="list-style-type: none"> ● <i>Ensure that infrastructure investments support compact development in urbanized areas;</i> ● <i>Develop tools for cities and counties to evaluate the “climate impact” of proposed UGB expansions and other land use actions;</i> ● <i>Collect and disseminate “best practices” for using land use planning tools to reduce greenhouse gas emissions;</i> ● <i>Provide technical assistance to local and regional governments to carry out these best practices; and</i> ● <i>Help communities plan for climate change.</i>

Big Look Task Force Recommendations and Principles

Each of the five preliminary recommendations falls under one or more of the four Overarching Principles that the state land use system should work to achieve. Below is a matrix indicating how each recommendation addresses each of the principles.

XX- Recommendation has a direct relationship to overarching principle.

X - Recommendation secondarily addresses overarching principle.

Table 2: Relationship between Recommendations and Overarching Principles

	Providing a healthy environment	Sustaining a prosperous economy	Ensuring a desirable quality of life	Maintaining a program that is fair and equitable
<p><i>1. Identify farm land, forest land, and natural areas of statewide importance, and apply market-based tools to complement regulation as a means to maintain farm and forest uses, and to protect natural areas. Local and regional governments should determine the appropriate uses of lands that are not of statewide importance, consistent with the long-term carrying capacity of the lands and considering impacts to neighboring uses.</i></p> <p>This proposal results in better identification, management, and protection of critically important resource lands in order to provide a healthy environment and ensure a high quality of life. Adding market-based approaches to land protection will improve the land use planning program’s long term effectiveness, allow some local government flexibility, and address landowner inequities that have riddled the state.</p>	XX	X	X	XX
<p><i>2. Use land use planning tools in coordination with strategic investment of transportation and infrastructure funding to improve the quality of life in Oregon’s urban places, while making it possible for cities to absorb the significant population growth expected to occur.</i></p> <ul style="list-style-type: none"> • <i>Prioritize funding for infrastructure to support infill development and efficient new urban areas;</i> • <i>Provide incentives for redevelopment of brownfields;</i> • <i>Provide more predictability, through the designation of urban and rural reserves;</i> • <i>Allow contingency planning to allow urban growth management to adapt to a range of futures and/ or unforeseen events; and</i> • <i>Provide for more “safe harbors” to simplify local land use planning.</i> 	X	X	XX	X

	Providing a healthy environment	Sustaining a prosperous economy	Ensuring a desirable quality of life	Maintaining a program that is fair and equitable
<p>This proposal provides improved systems for infrastructure funding and incentives for new development aimed at creating quality urban places in both small and large cities. With targeted funding sources, the private sector is more likely to invest in urban places throughout the state building stronger local economies and vibrant places to live. Cities and counties enjoy increased flexibility and simplicity in local planning ensuring greater fairness.</p>				
<p>3. <i>Realign LCDC to carry out long-range land use planning for the state, and give DLCD the resources to facilitate and assist regional collaboration and local planning efforts.</i></p> <ul style="list-style-type: none"> • <i>Audit State Statutes and Rules for Performance to reduce complexity, and to restore flexibility;</i> • <i>Realign LCDC to coordinate long-range land use planning for the state;</i> • <i>Build state resources to support local and regional planning, including a GIS library; and</i> • <i>Encourage collaborative regional planning that allows contiguous cities and counties to work collaboratively to meet statewide goals.</i> <p>This proposal allows LCDC to adapt the land use planning program to different parts of the state increasing flexibility, fairness and collaboration in addressing local needs and improving quality of life. A comprehensive review of the state’s land use planning program results in streamlined policies and regulations as well as better data and research to support planning decisions contributing toward a more fair and equitable program.</p>	X	X	XX	XX
<p>4. <i>Plan for and anticipate economic growth (e.g., increased trade-sectors, green industries, and high-tech clusters) using both the tools already available for economic development and a new “rapid response” process to respond to new economic opportunities.</i></p> <p>A rapid response system provides nimbleness and balance in accommodating and furthering economic development locally, regionally, and statewide. Permitting is predictable and attempts to proactively mitigate environmental constraints as the system quickly adapts to changing economic conditions. A more fluid planning process helps municipalities address shifting employment land needs keeping local economies strong and quality of life high.</p>	X	XX	XX	X

Resource Lands and Rural Areas

Identify farm land, forest land, and natural areas of statewide importance, and apply market-based tools to complement regulation as a means to maintain farm and forest uses, and to protect natural areas. Local and regional governments should determine the appropriate uses of lands that are not of statewide importance, consistent with the long-term carrying capacity of the lands and considering impacts to neighboring uses.

How would you rank this concept?
1 = excellent / 7 = poor

Assuming there is strong and wide-ranging interest in advancing this concept, how would you modify this proposal?

How would you rank with your modifications?
1 = excellent / 7 = poor

Should this proposal be dropped altogether? Yes No
If Yes, why?

Do you have any other ideas and/or proposals you want to share?

Are you interested in receiving future information? Yes No

Are you interested in hosting a meeting of the Big Look Task Force Recommendations? Yes No

Growth Management

Use land use planning tools in coordination with strategic investment of transportation and infrastructure funding to improve the quality of life in Oregon's urban places, while making it possible for cities to absorb the significant population growth expected to occur.

How would you rank this concept?
1 = excellent / 7 = poor

NAME _____

ADDRESS _____

Assuming there is strong and wide-ranging interest in advancing this concept, how would you modify this proposal?

How would you rank with your modifications?
1 = excellent / 7 = poor

Should this proposal be dropped altogether? Yes No
If Yes, why?

Do you have any other ideas and/or proposals you want to share?

Are you interested in receiving future information? Yes No

Are you interested in hosting a meeting of the Big Look Task Force Recommendations? Yes No

Governance

Realign the Oregon Land Conservation and Development Commission to carry out long-range land use planning for the state, and give the Oregon Department of Land Conservation and Development the resources to facilitate and assist regional collaboration and local planning efforts.

How would you rank this concept?
1 = excellent / 7 = poor

NAME _____

ADDRESS _____

Assuming there is strong and wide-ranging interest in advancing this concept, how would you modify this proposal?

How would you rank with your modifications?
1 = excellent / 7 = poor

Should this proposal be dropped altogether? Yes No
If Yes, why?

Do you have any other ideas and/or proposals you want to share?

Are you interested in receiving future information? Yes No

Are you interested in hosting a meeting of the Big Look Task Force Recommendations? Yes No

Economic Prosperity

Plan for and anticipate economic growth (e.g., increased trade-sectors, green industries, and high-tech clusters) using both already available tools for economic development and a new “rapid response” process to respond to new economic opportunities.

How would you rank this concept?
1 = excellent / 7 = poor

NAME _____

ADDRESS _____

Assuming there is strong and wide-ranging interest in advancing this concept, how would you modify this proposal?

How would you rank with your modifications?
1 = excellent / 7 = poor

Should this proposal be dropped altogether? Yes No
If Yes, why?

Do you have any other ideas and/or proposals you want to share?

Are you interested in receiving future information? Yes No

Are you interested in hosting a meeting of the Big Look Task Force Recommendations? Yes No

Climate Change

Establish expectations for how community design and transportation affects reduction of greenhouse gases from all sources, including transportation sources. As part of this, the state should set targets for how land use planning can reduce greenhouse gas emissions resulting from transportation.

How would you rank this concept?
1 = excellent / 7 = poor

NAME _____

ADDRESS _____

Assuming there is strong and wide-ranging interest in advancing this concept, how would you modify this proposal?

How would you rank with your modifications?
1 = excellent / 7 = poor

Should this proposal be dropped altogether? Yes No
If Yes, why?

Do you have any other ideas and/or proposals you want to share?

Are you interested in receiving future information? Yes No

Are you interested in hosting a meeting of the Big Look Task Force Recommendations? Yes No