

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL WORK SESSION MEETING
DATE: August 5, 2003
DAY: Tuesday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

- | | | | |
|---------|----|---|--------------------|
| 2:00 PM | 1. | SALEM LEGISLATIVE REPORT | Cooper |
| 2:15 PM | 2. | GOAL 5 REVISIONS ON ENVIRONMENTAL, SOCIAL,
ECONOMIC AND ENERGY (ESEE) AND PROGRAM
OPTIONS | Deffebach |
| 2:45 PM | 3. | TITLE 4 PRESENTATION | LaBerge |
| 3:00 PM | 4. | SOLID WASTE POLICY DISCUSSION | Hoglund & Matthews |
| 4:00 PM | 5. | CITIZEN COMMUNICATION | |
| 4:15 PM | 6. | COUNCILOR COMMUNICATION | |

ADJOURN

***GOAL 5 REVISIONS ON ENVIRONMENTAL, SOCIAL, ECONOMIC, AND ENERGY (ESEE) AND
PROGRAM OPTIONS***

Metro Council Work Session
Tuesday, August 5, 2003
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: 8/5/03

Time:

Length: 30 min

Presentation Title: Additional Draft ESEE Findings

Department: Planning

Presenters: Deffebach, Cotugno

ISSUE & BACKGROUND

The Economic, Social, Energy, Environment (ESEE) analysis is the second step in the three-step process described by Goal 5 following the definition of the Significant Resource Inventory and before development of the program for protection of the natural resources. The ESEE analysis identifies the issues associated with a decision to allow, limit or prohibit conflicting use on natural resource lands and discusses trade-offs in these decisions. Conclusions from the ESEE analysis support the direction for the development of the protection program.

Parts or all of the ESEE Consequences papers have been reviewed by MTAC, WRPAC, ETAC, the IEAB, Goal 5 TAC and the Social Issues Committee. In addition, the analysis has been coordinated with the Tualatin Basin Approach, per the Metro/Tualatin Basin Intergovernmental Agreement. The full papers, in draft, are available for Council member review, if desired. The final draft report on the ESEE analysis is scheduled to be available for public review in September 2003.

Council reviewed the draft ESEE issues and consequences at the July 29th work session. At the August 5 Work Session, Council will have the opportunity to review additional summary of findings that set the stage for the analysis of options in the next phase of the Fish and Wildlife Habitat Protection Program.

OPTIONS AVAILABLE

Council may have questions regarding how specific issues have been included or analyzed. Staff can address these questions during August, as the draft report is being finalized, or after the public review of the draft report.

IMPLICATIONS AND SUGGESTIONS

The presentation of the ESEE consequences and the trade-offs of allow, limit or prohibit conflicting uses will affect the nature of the public discussion in the fall and define policy issues for consideration in developing a protection program.

QUESTION(S) PRESENTED FOR CONSIDERATION

Staff request Council members to identify issues for clarification, consideration or inclusion in the ESEE analysis.

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION __Yes x__ No
DRAFT IS ATTACHED __Yes _x_ No

SCHEDULE FOR WORK SESSION

Department Director/Head Approval _____

Chief Operating Officer Approval _____

TITLE 4 PRESENTATION

Metro Council Work Session
Tuesday, August 5, 2003
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: August 5, 2003 Time: Length: 30 minutes

Presentation Title: Title 4 Regionally Significant Industrial Areas, Review of activities associated with identifying areas for application

Department: Planning

Presenters: Mary Weber

ISSUE & BACKGROUND

As part of the 2002 urban growth boundary (UGB) decision, the Council adopted additional restrictions on how industrial land is used in an effort to protect existing industrial land (Title 4 of the Urban Growth Management Functional Plan). Title 4 requires Metro to adopt a map of Regionally Significant Industrial Areas (RSIAs) by December 31, 2003. During 2003, Metro staff is working with local governments to determine where inside the pre-2002 expansion UGB these regulations would apply. At the work session, the Council will receive an update of local jurisdiction proposals and an overview of the discussion at MTAC and MPAC. In addition, staff will provide an outline of Metro's research activities and a timeline for a staff recommendation to the Council.

OPTIONS AVAILABLE

Potential actions the Council could take:

- 1) direct staff to proceed as recommended – no impact
- 2) send code language back to MTAC for refinement – any major changes may be perceived as negative by LCDC and may require Metro to recalculate need based on conversion of industrial land to commercial uses
- 3) take more time to reach consensus with local governments on where the policy should apply – Metro may not meet December 31 deadline for map adoption

IMPLICATIONS AND SUGGESTIONS

- Several local governments are not happy with imposing the new restrictions.
- It may be perceived by the public that Metro is making it difficult to develop industrial land and inhibiting the local economy.
- If adoption of a map is delayed, Metro may or may not receive a time extension from LCDC.

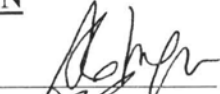
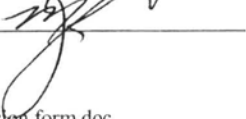
Suggested action: direct staff to proceed with completion and adoption of map scheduled for Council consideration in December 2003

QUESTION(S) PRESENTED FOR CONSIDERATION

Should staff proceed with current schedule with Council consideration of a Regionally Significant Industrial Area map by December 31, 2003 or work with MTAC and MPAC to refine the RSIA Title 4 regulatory language?

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION __Yes X No
DRAFT IS ATTACHED __Yes __No

SCHEDULE FOR WORK SESSION

Department Director/Head Approval 
Chief Operating Officer Approval 

I:\gm\gmadm\staff\oeser\Council\Title 4 aug 5 work session form.doc

DATE: July 29, 2003

TO: Mary Weber, Manger Community Development

FROM: Marci La Berge, Associate Regional Planner

RE: ***SUMMARY OF MEETINGS HELD DURING JULY 2003 WITH JURISDICTIONS REGARDING DISCUSSION OF TITLE 4, RSIA EVALUATION FACTORS, AND THE RSIA CONCEPT MAP.***

Introduction

The following information summarizes the meetings held with jurisdictions and agencies with potential RSIA lands, as shown on the concept map adopted in Ordinance 02-969B, as part of the December 2002 periodic review decision. Discussion at the meetings focused on three items: Title 4, RSIA evaluation factors, and the concept map.

There was little concern voiced about the evaluation factors, and most jurisdictions indicated they could work with them. The few specific comments made were regarding

- high degree of service of some items listed under Services,
- words that would better express factors or highways to be added to Access, and
- questioned number of the factors to be met.

The Title 4 RSIA discussion ranged from comments that the language allows jurisdictions flexibility, to the language is too restrictive and will inhibit development. Themes that were heard from more than one jurisdiction included:

- Concern about implementation of 5% commercial cap in RSIA's.
- Concern that Metro is doing regional zoning.
- Title 4 is too restrictive economic development requires flexibility.
- The issue is land use planning versus market readiness.
- Jurisdictions currently have effective zoning that protects the industrial areas.
- What is the benefit of the RSIA designation, what is the incentive?
- Need incentives for businesses to locate in centers rather than desirable less expensive industrial areas.

During the discussion of refining the concept map, the following issues were expressed:

- The need to talk to industrial property owners to see if they would want a RSIA designation on their lands.
- The RSIA designation would prevent the jurisdiction from achieving future development goals that depart from an industrial use.
- Need incentives for jurisdictions to want to designate land as a RSIA.

Jurisdictions were not certain if they could meet with their councils, commissions, and industrial property owners by the December 2003 adoption schedule. Many were skeptical whether they could identify enough land with the right attributes for a RSIA. This was due to existing small

industrial parcels, mixed uses, environmental considerations, and incompatible uses. Where there are currently vacant or underutilized industrial properties jurisdiction staff indicated that the RSIA design type would restrict their development options.

Meeting Summaries

Beaverton

Study Map Area: # 17

Planning Staff: Hal Bergsma, Steve Sparks

Title 4 issues

- No problems with Title 4 language.
- Within the area of I-5, 217, near Western and Allen there are existing warehousing uses interspersed with other uses.
- The east side of Western is parcelized. It is a viable industrial area with conversion occurring. Due to poor truck access and constrained turning movements it is not a suitable warehouse location. Don't want to loose the industrial uses, but it is not appropriate for a RSIA designation. Considerable amount of industrial property is vacant or underutilized; for example, land is being used for vehicle storage by the many automobile businesses in Beaverton.
- To address the concerns about the workability of the 5% commercial cap in a RSIA (Title 4 section 3.07.420D.2), suggested Metro looks at Beaverton's Development Control Areas language (section 20.15.55). Adjacent jurisdictions could pre-agree to a quota; an intergovernmental agreement written into the code that describes how the 5% will be apportioned.

Clackamas County

Study Map Area: #12, 16

Planning Staff: Greg Jenks, Doug McClain

Title 4 issues

- Title 4 is too restrictive.
- The issue is land use planning versus market readiness.
- Large institutional uses such as hospitals with a research component should be an allowed use in a RSIA.
- Assembling of lots will probably not occur within the area of the potential RSIA.
- North side of highway 212 there are retail uses.
- South side of highway 212 are industrial uses, potential for RSIA designation.
- Federally owned Camp Withycome area would not be a RSIA.

Evaluation Factors

- Under Services, abundant water is a high threshold to meet. Otherwise OK.

Cornelius

Study Map Area: #13

Planning Staff: Richard Meyer

Title 4 issues

- Has no problems with Title 4 language
- Would very much like industrial land designated as RSIA
- Cornelius has warehousing and manufacturing activities that support other industries in the western sector of the region. Stewart Stiles refrigerated warehouses for high tech needs and canning operations that support agriculture of region. Supportive industries that are important to key clusters.
- Sees RSIA designation as a very positive thing for Cornelius.

Evaluation Factors

- Sees factors as too restrictive, would be difficult to meet them depending on how many had to be met.
- Area is six miles from US26, and US26 is not listed with other highways under the access factor.

Fairview, Troutdale, Wood Village

Study Map Area: # 6, 7

Planning Staff: John Andersen, Rich Faith, Sheila Ritz

Title 4 issues

- Language is not flexible, and may prevent jurisdictions from implementing plans for future development of industrial areas located in potential RSIA land.
- Concerned about the workability of the 5% cap on commercial uses in a RSIA. How would commercial uses be divided between two or three adjacent jurisdictions, and how would it be monitored over time?
- Much of their land has Goal 5 considerations due to its proximity to the Columbia River. Would like to see those areas develop with recreational uses instead of manufacturing.
- Large parcel west of the former aluminum plant may be possible RSIA candidate.

Forest Grove

Study Map Area: #13

Planning Staff: Jon Holan

Title 4 issues

- No issue with commercial limits
- Lot limitation not an issue
- What is the incentive for industrial lands to be defined as a RSIA?
- Have some nonconforming residential uses in the industrial areas.

Factors

- Thinks that triple redundancy power is unnecessary, double redundancy works fine for Forest Groves high tech firms.

Gresham

Study Map Area: # 6, 7, 15

Planning Staff: John Pettis, Ron Bunch, Terry Vanderkooy.

Title 4 issues

Gresham produced a memo stating its concerns about the Title 4 standards for Regionally Significant Industrial Areas. Wanted to postpone discussion of evaluation criteria or drawing lines on the refined concept map until Title 4 concerns were addressed.

- Concerned that the lack of flexibility may prevent jurisdictions from accommodating changes in trends and the next wave of industrial development.
- How to implement (section 3.07.420D) 20,000 square foot cap and the 5% cap on commercial retail use.
- Why is Research and Development treated differently from manufacturing uses?
- The transit requirement puts suburban communities such as Gresham at a disadvantage for attracting R&D.
- Title 4 needs to broaden its scope of the kinds of offices allowed in the RSIA's beyond R&D and corporate office headquarters.
- Suggested creation of a model code for Title 4 with performance standards.

Evaluation Factors

- Would not comment at this time.

Hillsboro

Study Map Area: # 1

Planning Staff: Karla Antonini, Wink Brooks

Title 4 issues

- Can't put everything in Centers. Need incentives for businesses to locate there.
- Offer incentives to encourage uses to locate in Centers, without prohibiting them from locating in other areas.
- Uses such as call centers should be allowed in industrial areas, where rents are affordable.
- Commercial restrictions in Title 4 are not a problem for Hillsboro.
- Have problem with sections E, F and G of Title 4, as being too restrictive and would prevent Hillsboro from agreeing to a RSIA designation. Hillsboro has a myriad of plans for large development projects on the table. They have experience and success parcelizing large lots and also assembling small lots into large ones.

Milwaukie

Study Map Area: #16

Planning Staff: John Guessner

Meeting scheduled for July 30, 2003.

Oregon City

Planning Staff: Dan Drentlaw, Commissioner Doug Neeley

Title 4 issues

- Would like to designate approximately 250 acres of new land that was annexed into the 2002 UGB expansion.
- They believe RSIA designation can be a marketing tool.
- Being adjacent to a college, industry could use the school as a training base.
- Highway 213 is in close proximity of the area.

Evaluation Factors

- Requested that Highway 213 be added to the Access factor.

Portland

Study Map Area: # 2, 3, 4, 5, 6, 8, 14, 18

Planning Staff: Bob Clay, Al Burns, Troy Doss, Elissa Gertler

Title 4 issues

- Supportive of Title 4 language.
- It is broad enough to allow flexibility to jurisdictions.
- Suggested leaving it flexible with no further use and lot size restrictions.
- The regional discussion comes down to market versus land use goals.

Evaluation factors

- Agreed that factors look good for now.

Concept Map

Not ready to provide suggestions on locations of RSIA's. Will need to bring suggestions through the chain of command. Will provide information by July 28.

Columbia Corridor Environmental and land use committee

Mary Gibson contact.

Title 4 issues

- There needs to be citizen participation.
- There should be a tax lot based mailing so that property owners can fully participate in a public process
- Need to know what it means to be in a RSIA and out of a RSIA
- There should be more flexibility after Metro adopts its map and when jurisdictions go through their public process and adopt a map. Metro needs to honor the changes that come about after the public hearings.

Port of Portland

Study Map Area: # 1, 2, 3, 4, 5, 7

Planning Staff: Brian Campbell, Mary Gibson, Peggy Krause, Tom Bouillion

Title 4 issues

- Strongly support the principles and concepts contained in Title 4. Need to look at finer points to get it right. Need to define terms.
- Perhaps there should be the designation of regionally significant transportation facilities for airports.
- PDX has retail
- How many 50 acres industrial lots are there in the region.

Evaluation factors

- Highway 26 should be added to the list of Access factors.
- Under Access factor add Boulevard so that it reads Columbia Boulevard Corridor.

Sherwood

Study Map Area: # 10

Planning Staff: Dave Wechner

Title 4 issues

- RSIA could work in Sherwood if connector is built between 99W and I-5. Tualatin Sherwood Road is a disincentive for business to locate in Sherwood.
- Railroad line is underutilized and trains are not very frequent. Needs a railroad siding.
- Sherwood has a large 90-acre plus parcel of land, but no one is coming in. There need to be incentives to attract industry.

Evaluation Factors

- Under Access factor, suggests that travel time presents a more realistic measure than using distance (within three miles of a particular highway).

Tigard

Study Map Area: # 11

Planning Staff: Jim Hendryx, Barbara Shields, Dick Bewersdorff

Title 4 issues

- Industrial area is already parcelized.
- Railroad goes through the area but is not a major link.
- General industrial uses, office incubator type spaces.
- Area on concept map is a linear constrained area with office parks and other industrial uses.
- Access close to freeway.
- Small industrial flex, office and services.
- Need definitions in Title 4 such as, what is a RSIA, industrial job, and office. difficult to know what Metro is talking about without clear definitions.
- Clarify language in Table 3.07-4. Tigard has five zones please list all zones or just say Tigard.
- RSIA not appropriate for this area.

Evaluation Factors

- Suggest that under Reasons Not to Designate, should add another bullet that says "doesn't have any of the above"
- Terms need to be defined in bullets.

Tualatin

Study Map Area: #10

Planning Staff: Doug Rux, Stacy Hopkins

Title 4 issues

- Conditions too constrained on commercial uses.
- RSIA is an unsophisticated answer to a complex problem that goes beyond land use issues.
- Need more thoughtful discussion regarding large lots and flexibility, not one size fits all.
- We don't know how the market works, its unpredictable.
- The limitation on locating corporate headquarters in RSIA's doesn't mean that they will choose to locate in Centers. Due to high cost and lack of adequate sized facilities to accommodate them, they will locate somewhere easier. Need financial carrots if Metro wants them to locate in Centers.
- There are no 50 plus acre sites in Tualatin.
- There are currently too many regulations on existing industrial land.
- Will the Metro Council place additional use restrictions or conditions, beyond those stated in Title 4, on industrial lands designated as RSIA's?

Tualatin will have an open house to meet with industrial property owners and discuss Title 4 and RSIA's with its city council.

Factors

- Factors are all right unless a certain number of them must be met.
- There should be consideration of level of service on roadways that feed freeways listed under the Access heading. For example, a large warehouse district on Tualatin Sherwood Road would create a traffic nightmare.

Wilsonville

Study Map Area: # 9

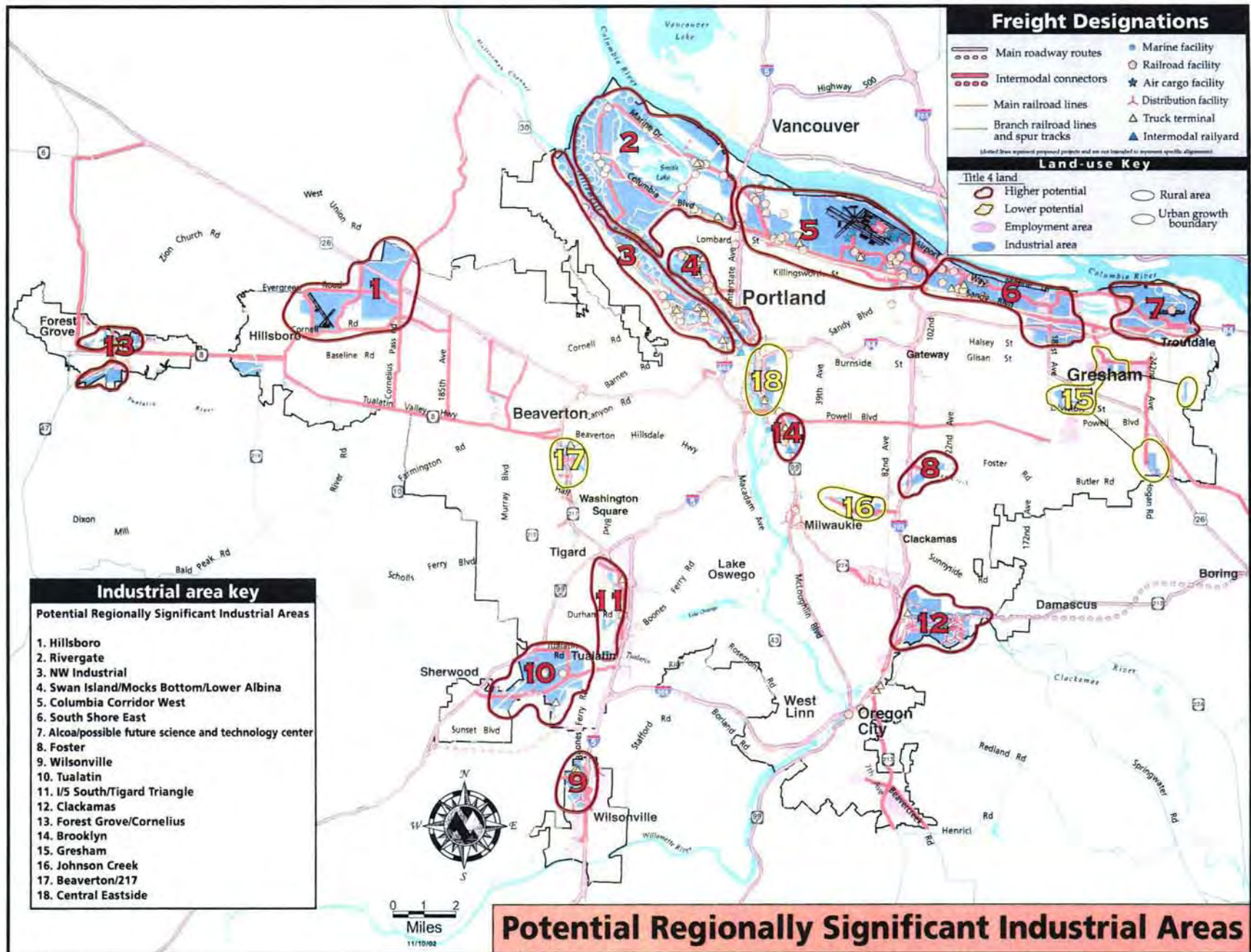
Planning Staff: Paul Cathcart, Maggie Collins

Title 4 issues

- Feel good about Title 4; think standards are good
- Industrial zoning allows up to 30% commercial use.
- If industrial areas don't play out for RSIA, perhaps employment land would qualify.
- There are many green areas throughout the industrial area, may be Title 3 conflicts.
- Industrial area has warehousing district, small industrial, office, and car dealerships.

Evaluation factors

- Evaluation factors are general, but ok.



June 30, 2003

To: MTAC

From: Mary Weber, Manager Community Development
Marci La Berge, Associate Regional Planner

Regarding: Recommended Factors for Identifying RSIA's

Introduction

As part of Ordinance 02-969B, Title 4 was amended to include Regionally Significant Industrial Areas (RSIA)...to provide protection for key industrial areas from encroaching uses that would hinder the effectiveness of these areas.

As reported in the *Urban Growth Report: An Employment Land Need Analysis 2002-2022*, the supply of industrial land is often eroded by commercial absorption. Historical experience suggests 15% to 20% of industrial land is consumed by commercial enterprises operating in industrial zones¹. Under past practices and policies, Metro estimates about 2,800 net acres of industrial land would be converted to commercial uses/development over the 20 year planning period. We estimate that about half (or 1,400 net acres) of the industrial land will be protected by the new regulations. As reported in the *Urban Growth Report: An Employment Land Need Analysis 2002-2022*, the industrial land shortfall is 5,684 net acres but with the additional RSIA protection limiting conversion by 1,400 net acres, the net shortfall of industrial land is 4,284 net acres².

In concept RSIA lands are industrial areas with unique industrial attributes that can not be duplicated elsewhere in the region especially by the mere expansion of the UGB such places might include areas adjacent to the Port of Portland terminal facilities, near rail yards, or adjacent to high tech locations that need specialty gasses, electrical infrastructure and so on. A concept map depicting those industrial areas in the pre-expansion urban growth boundary was included in the ordinance. By December 31, 2003, Metro is required to adopt a map of RSIA land with specific boundaries derived from the generalized map adopted in Ordinance No. 02-969B.

As part of the discussion about these new regional regulations was the promise to re-look at the new restrictions and possibly refine the code language before the Metro is required to adopt the RSIA map in December. As Metro and the jurisdictions work to identify the specific boundaries, MTAC may also choose to re-examine the regulatory language. A copy of the adopted code language is attached.

¹ UGR page 31

² UGR Addendum page 46

Finally, questions have arisen as to what if any benefits will the local jurisdictions receive if an industrial area is designated as a RSIA. In the MTIP, transportation projects can be awarded a higher percentage of the total project cost (89.73 versus 70 percent) if the project “highly benefits” industrial areas. However the resolution establishing this advantage does not differentiate between RSIA land and other industrial areas.

Drafting the Concept Map of RSIA's

The RSIA concept map was developed by superimposing the Title 4, the RTP intermodal, and the Industrial Employment Losses and Gains area maps produced from the MetroScope base case model run covering the time period from 2000-2025. The results of this analysis are reflected in the concept map that shows the areas where these regulations would apply. In general the gains (circled on the map in red) are expected in the large industrial areas comprised of the Columbia Corridor, the Portland Harbor, the Clackamas Industrial District, the Tualatin/Wilsonville Industrial District and the Hillsboro Industrial District. While conversely, industrial losses (circled on the map in yellow) are likely to occur in the Central City, Eastside Industrial area, Highway 217 corridor, Highway 224 corridor and Vancouver CBD³.

Ordinance Intent

Code section 3.7.420 A states that:

Regionally Significant Industrial Areas are those areas that offer the best opportunities for family-wage industrial jobs. Each city and county with land use planning authority over areas shown on the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969 shall drive specific plan designation and zoning district boundaries of the areas from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in subsection C, D and E of the section and the need of individual cities and counties to achieve a mix of types of employment uses.

Recommended Factors

RSIA lands are industrial areas with unique industrial attributes that cannot be duplicated elsewhere in the region especially by the expansion of the urban growth boundary. Industrial areas to consider for designation as Regionally Significant Industrial Areas conform to some or all of the following factors:

Distribution

- Area serves as support industrial land for major regional transportation facilities such as marine terminals, airports and rail yards.

³ Information is based on MetroScope modeling results

Services

- Availability and access to specialized utilities such as specialty gases, triple redundant power, abundant water, dedicated fire and emergency response services

Access

- Within three miles of I-5, I-205, I-84 (within the UGB), State Route 224 (within the UGB), the Columbia Corridor

Proximity

- Located within close proximity of existing like uses

Use

- Predominately industrial uses

Reasons not to designate an industrial area as a RSIA

Not all industrial areas need additional regulator restrictions that come with the RSIA designation. Here are a few examples of reasons why an industrial area should not be designated as a RSIA.

- The industrial site/area is surrounded on several sides by residential uses. In this case it is unlikely that the area will expanded or be maintained over time because of the conflicts with residential uses.
- Existing non-conforming uses located within the area make it unlikely that the conflict between uses will diminish and that over time the area might be better zoned for employment uses or mixed uses.
- Flexibility of employment uses on the site are important for redevelopment to occur.
- Is located in a high demand area for residential use and would be well served by transit were a transition to occur.

Exhibit F to Ordinance No. 02-969B

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong economic climate. To improve the region's economic climate, the plan seeks to protect the supply of sites for employment by limiting incompatible uses within Industrial and Employment Areas. To protect the capacity and efficiency of the region's transportation system for movement of goods and services, and to promote the creation of jobs in centers, the plan encourages efficient patterns and mixes of uses within designated Centers and discourages certain kinds of commercial retail development outside Centers. It is the purpose of Title 4 to achieve these policies. Metro will consider amendments to this title in order to make the title consistent with new policies on economic development adopted as part of periodic review.

3.07.420 Protection of Regionally Significant Industrial Areas

- A. Regionally Significant Industrial Areas are those areas that offer the best opportunities for family-wage industrial jobs. Each city and county with land use planning authority over areas shown on the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969 shall derive specific plan designation and zoning district boundaries of the areas from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in subsection C, D and E of this section and the need of individual cities and counties to achieve a mix of types of employment uses.
- B. Each city and county with land use planning authority over an area designated by Metro on the 2040 Growth Concept Map, as amended by Ordinance No. 02-969, as a Regional Significant Industrial Area shall, as part of compliance with section 3.07.1120 of the Urban Growth Management Functional Plan, derive plan designation and zoning district boundaries of the areas from the Growth Concept Map.
- C. After determining boundaries of Regionally Significant Industrial Areas pursuant to subsections A and B, the city or county shall adopt implementing ordinances that limit development in the areas to industrial uses, uses accessory to industrial uses, offices for industrial research and development and large corporate headquarters in compliance with subsection E of this section, utilities, and those non-industrial uses necessary to serve the needs of businesses and employees of the areas. Ordinances shall not allow financial, insurance, real estate or other professional office uses unless they are accessory to an industrial or other permitted use.
- D. Notwithstanding subsection C, a city or county shall not approve:
 - 1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or
 - 2. Commercial retail uses that would occupy more than five percent of the net developable portion of all contiguous Regionally Significant Industrial Areas.

- E. As provided in subsection C of this section, a city or county may approve an office for industrial research and development or a large corporate headquarters if:
1. The office is served by public or private transit; and
 2. If the office is for a corporate headquarters, it will accommodate for the initial occupant at least 1,000 employees.
- F. A city or county may allow division of lots or parcels into smaller lots or parcels as follows:
1. Lots or parcels less than 50 acres may be divided into any number of smaller lots or parcels;
 2. Lots or parcels 50 acres or larger may be divided into smaller lots and parcels so long as the resulting division yields the maximum number of lots or parcels of at least 50 acres;
 3. Notwithstanding paragraphs 2, 3 and of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
 - a. To provide public facilities and services;
 - b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
 - c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use;
 - d. To reconfigure the pattern of lots and parcels pursuant to subsection G of this section; or
 - e. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.
- G. A city or county may allow reconfiguration of lots or parcels less than 50 acres in area if the reconfiguration would be more conducive to a permitted use and would result in no net increase in the total number of lots and parcels. Lots or parcels 50 acres or greater in area may also be reconfigured so long as the resulting area of any such lot or parcel would not be less than 50 acres.
- H. Notwithstanding subsections C and D of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floor area and 10 percent more land area. Notwithstanding subsection F of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to December 31, 2003.

- J. By December 31, 2003, Metro shall, following consultation with cities and counties, adopt a map of Regionally Significant Industrial Areas with specific boundaries derived from the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969, taking into account the location of existing uses that would not conform to the limitations of non-industrial uses in subsections C, D and E of this section and the need of individual cities and counties to achieve a mix of types of employment uses. Each city and county with land use planning authority over the area shall use the map in the application of the provisions of this section until the city or county adopts plan designations and zoning district boundaries of the area as provided by subsection A of this section.

3.07.430 Protection of Industrial Areas

- A. In Industrial Areas mapped pursuant to Metro Code section 3.07.130 that are not Regionally Significant Industrial Areas, cities and counties shall limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Industrial Areas.
- B. In an Industrial Area, a city or county shall not approve:
1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or
 2. Commercial retail uses that would occupy more than ten percent of the net developable portion of the area or any adjacent Industrial Area.
- C. Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floorspace and 10 percent more land area.

3.07.440 Protection of Employment Areas

- A. Except as provided in subsections C, D and E, in Employment Areas mapped pursuant to Metro Code section 3.07.130, cities and counties shall limit new and expanded commercial retail uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas.
- B. Except as provided in subsections C, D and E, a city or county shall not approve a commercial retail use in an Employment Area with more than 60,000 square feet of gross leasable area in a single building, or commercial retail uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.
- C. A city or county whose zoning ordinance applies to an Employment Area and is listed on Table 3.07-4 may continue to authorize commercial retail uses with more than 60,000 square feet of gross leasable area in that zone if the ordinance authorized those uses on January 1, 2003.

- D. A city or county whose zoning ordinance applies to an Employment Area and is not listed on Table 3.07-4 may continue to authorize commercial retail uses with more than 60,000 square feet of gross leasable area in that zone if:
1. The ordinance authorized those uses on January 1, 2003;
 2. Transportation facilities adequate to serve the commercial retail uses will be in place at the time the uses begin operation; and
 3. The comprehensive plan provides for transportation facilities adequate to serve other uses planned for the Employment Area over the planning period.
- E. A city or county may authorize new commercial retail uses with more than 60,000 square feet of gross leasable area in Employment Areas if the uses:
1. Generate no more than a 25 percent increase in site-generated vehicle trips above permitted non-industrial uses; and
 2. Meet the Maximum Permitted Parking – Zone A requirements set forth in Table 3.07-2 of Title 2 of the Urban Growth Management Functional Plan.

Table 3.07-4
(Section 3.07.420(B))

Clackamas County unincorporated
Commercial
Commercial Industrial

Lake Oswego
General Commercial
Highway Commercial

Troutdale
General Commercial

Hillsboro
General Commercial

Sherwood
General Commercial

Tigard
General Commercial
Commercial Professional

Tualatin
Commercial General

Wilsonville
Planned Development Commercial

Agenda Item Number 4.0

SOLID WASTE POLICY DISCUSSION

Metro Council Work Session
Tuesday, August 5, 2003
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: August 5, 2003

Time: 2:00 pm

Length: One Hour

Presentation Title: Solid Waste and Recycling Policy Discussion / Decision Matrices

Department: Solid Waste and Recycling

Presenters: Mike Hoglund and Doug Anderson

ISSUE & BACKGROUND

As noted in previous Council work sessions, several decisions that will shape the solid waste system for the future are scheduled to be made by the Council over the next six to eight months. A common theme in all the decisions is the allocation of solid waste tonnage, also referred to as "sharing the disposal tonnage pie."

Over the next six to eight months, major Council sharing of the pie decisions will include:

- renewal of local transfer station franchises, with associated tonnage caps;
- renewal of wet-waste non-system licenses;
- proposed new transfer station.

At the July 22 Work Session, the Council prioritized a list of seven "values" that can form the basis for Council decision-making on the issue areas identified above. Those values are:

- protect the public investment in the solid waste system;
- "Pay to Play." Ensure that all segments of the industry pay appropriate fees and taxes (solid waste fees and excise tax);
- ensure the system performs in an "environmentally sustainable" manner;
- preserve convenient public access to disposal (locations and hours);
- ensure regional equity (hauler access to transfer stations and other facilities);
- maintain a Metro funding source;
- ensure reasonable/affordable rates.

In addition, the Council endorsed a threshold objective to "maintain safety and public health throughout the solid waste system" as being a minimal requirement for any decision-related scenarios or options.

OPTIONS AVAILABLE

Solid Waste and Recycling staff are preparing a series of "decision assistance" matrices that can be used as one tool to help analyze various policy scenarios or options. A matrix related to franchise renewals and focusing on wet-waste caps was distributed at the July 22 work session. A slightly revised version of that matrix is attached. Also attached are:

- A revised set of Council values.
- A one-page sheet titled "Sharing the Pie Decisions 2003, Possible Scenarios for the Transfer Capacity Decision along a Regulation – Market Organizing Principle." The sheet is intended to lay out a spectrum of choices for possible scenarios and build off the status quo of current franchises and licenses.
- A blank matrix related to the upcoming Council decision on wet waste non-system license renewals. Note that the column that delineates the design components/operating variables is

different than the "size of caps" design components. Essentially, different decisions may require different variables for developing options or scenarios. While the matrix is blank, scenario headings have been provided.

- A blank matrix related to a new transfer station proposal (i.e., the proposed Columbia Environmental facility). Note that the design components/operating variables mirror the variables on the "size of caps" design components.

Staff will go over the matrices and options at the August 5 work session. Additional work is continuing on the two blank matrices and additional options will be presented for Council discussion.

IMPLICATIONS AND SUGGESTIONS

With Council's comments and suggestions, and general approval, staff would next finalize scenario options and decision matrices for Council consideration as one tool to consider when making decisions that center around "sharing the disposal tonnage pie." The matrices are intended to assist Council decision-making. However, it is likely that other issues will arise and must be considered and included in any assessment of options prior to Council action. With Council's approval, the most significant implication is that staff will proceed to finalize decision matrices and proceed with the analysis necessary to finalize and score each option.

QUESTION(S) PRESENTED FOR CONSIDERATION

The major questions for Council include:

1. Is Council in agreement on the purpose and application of the matrices?
2. Do the scenario options regarding the issue of "size of the caps" reflect an adequate range for Council policy discussion?
3. Do the scenario options seem reasonable for the "wet waste non-system license" and "new transfer station capacity" decisions?
4. Should the values be "weighted" or prioritized within the decision-matrix and then applied to the scenarios? Are there other options for "scoring" the values?
5. Should staff return in September with draft final options for Council comment, revision, and approval? Staff would then complete research and prepare technical information to complete each matrix and identify other issues for Council consideration (i.e., the matrix will not be the decision. Other factors will guide Council decisions, as well.)

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION __Yes X No

DRAFT IS ATTACHED __Yes X No

SCHEDULE FOR WORK SESSION

Department Director/Head Approval 

Chief Operating Officer Approval _____

Councilor Values for the Solid Waste System

The following are the values for the solid waste system expressed by Metro Councilors at the public Work Session on July 2, 2003. They are ordered according to the priorities assigned by the Council.*

- 1. Protect the public investment in the solid waste system.**
- 2. “Pay to Play”**
Ensure that participants and users of the system pay appropriate fees and taxes.
- 3. Environmental sustainability. Ensure the system performs in a sustainable manner.**
- 4. Preserve public access to the disposal options (location and hours).**
- 5. Ensure regional equity—equitable distribution of disposal options.**
- 6. Maintain funding source for Metro general government.**
- 7. Ensure reasonable/affordable rates.**

*In addition to each value, the Metro Council has indicated that all system-relate scenarios or decisions will “maintain safety and public health throughout the solid waste system” as a minimal threshold for operation.

“Sharing the Pie” Decisions 2003

Possible Scenarios for the “Transfer Capacity” Decision along a *Regulation—Market* Organizing Principle

Regulation ←		→ Market	
“Harder”	Regulation “Softer”	←Tweak Status Quo Tweak→	Market Orientation Free Market
Metro generally controls the use, allocation and operation of the disposal system to achieve identified objectives.	More control of disposal & system economics than the status quo, but reliance on private initiative for new capacity and response to other disposal needs.	The status quo is generally market-oriented, with some regulation. Market orientation is realized by relatively low barriers to entry and little economic regulation of operations. Wet waste caps are the primary market intervention. Franchise fees are not based on the business value realized or conferred by the franchise.	<p>Metro backs off some of its current control of tonnage flow and material recovery.</p> <p>Metro places virtually no restrictions on the market, except for police power (health & safety) regulation.</p>

Some Differences among Key Design Components

<ul style="list-style-type: none"> • Exclusive franchises (<i>service areas?</i>) • Public control of market entry. • Service levels and performance standards specified • Strict service & performance regulation. • Classical rate regulation • Franchise fee built into regulated rate. 	<ul style="list-style-type: none"> • Non-exclusive franchises • Market entry only to fill a public need. • Comprehensive performance standards specified • Performance standards enforced. • “Performance-based” rates or similar. • Franchise fee based on business realized. (<i>% of revenue</i>) 	<p>Status quo: franchises are not exclusive.</p> <p>Market entry if user qualified, balanced by impact on public policies (mainly fiscal).</p> <p>Performance standards mainly health, safety & nuisance; limited number of other standards (<i>e.g.</i>, min. recovery rate)</p> <p>Inspection and compliance monitoring, with prescriptive option available if needed to meet performance standards.</p> <p>Rates (tip fees, etc.) are not regulated.</p>	<ul style="list-style-type: none"> • Non-exclusive franchises • Market entry if operator qualified • Standards set on health, safety & nuisances only. • Health, safety & compliance inspections. • Rates not regulated. • Fee related to costs, and value conferred by franchise. (<i>\$/ton of cap</i>) 	<ul style="list-style-type: none"> • Licenses (<i>not franchises</i>) • Virtually no restrictions on entry. • Market determines service; regulation left to other gov’ts. • Inspections for fee compliance only. • Rates not regulated. • License fee covers costs only.
		<p>← Fee based on business realized (<i>% of revenue</i>)</p> <p>Franchise Fee nominal.(costs paid through RSF)</p> <p>→ Fee related to value conferred (<i>\$/ton of cap</i>)</p>		

Decisions 2003: Wet Waste Tonnage Authorization (“Size of Caps”)

Three local transfer station franchises—Pride Recycling, Recycle America, Willamette Resources, Inc.—expire on December 31, 2003. All three transfer stations are authorized to accept putrescible (“wet”) waste up to a specified limit, or “cap.” Currently, the caps are 68,250, 65,000 and 65,000 tons per fiscal year, respectively—198,250 tons of wet waste total. (Dry waste accepted at these facilities would be in addition to this 198,250 tons.) Metro franchises are established with an expectation of renewal; however, the provisions of the franchise are subject to modification. Franchise terms are 5 years.

Scenarios

DESIGN COMPONENT (control variables)	REGULATION ORIENTATION	STATUS QUO (WITHOUT TWEAKS)	MARKET ORIENTATION	COMPOSITE SCENARIO
<i>Operating Restrictions</i>				
Wet waste caps	Establish individual caps based on local need; no more than the current cap. Overall tonnage authorization the same (198,250 tons) or less.	Each wet waste cap renewed at ~65,000 tons per fiscal year. Overall tonnage authorization about the same (198,250 tons).	Operators specify the caps for their facilities. Overall tonnage authorization may go up or down; likely up.	
Dry waste caps	None; but see next line.	None.	None.	
Minimum recovery rate	Broad range of performance standards on material recovery.	25% of incoming dry waste	No minimum	
Serve public customers	Required (perhaps with opt-out provision such as helping defray Metro costs of serving public).	Authorized, not required.	Authorized, not required.	

Fees

Regional System Fee and Metro excise tax	On waste accepted.	On disposal, as now.	On disposal, as now.	
Franchise fee	Fee related to business volume (e.g., percent of gross receipts).	Flat nominal annual fee.	Fee related to business potential (e.g., fee based on size of cap).	

Economic Regulation

Market entry barriers/entry criteria. (Not relevant to renewals; descriptions are provided to show the decision environment.)	Applicants bear burden of proof: a) Showing a specific need; and b) This need cannot be met by other means.	Health, safety, operator qualifications, balanced with public costs.	Entry criteria limited to determination that operator is qualified to run the operation & that other permits are in place.	
Regulation of tip fees	Some form of rate regulation is warranted, based on the increase in entry barriers.	No	No	
Service Areas	Many options for discussion.	Many options for discussion.	None	

Scoring Matrix

Councilor’s Values

Protect the public investment in the solid waste system. (1-5)				
“Pay to Play.” Participants & users of the system pay appropriate fees and taxes. (1-5)				
Environmental sustainability. Ensure the system performs in a sustainable manner. (1-5)				
Preserve public access to disposal options—location & hours. (1-4)				
Ensure regional equity—equitable distribution of disposal options. (1-3)				
Maintain funding source for Metro general government. (1-3)				
Ensure reasonable/affordable rates. (1-3)				
Total				

Decisions 2003: Wet Waste Non-System License Renewals

There are currently 3 non-system licenses (NSLs) to haul putrescible waste to landfills not owned by Waste Management: WRI at 45,000 tons (an Allied company), and Arrow Sanitary at 30,000 tons and American Sanitary at 7,500 tons (both Waste Connections companies)—82,500 tons total. All three licenses expire December 31, 2003. NSLs are typically granted for a period of 2 years, but a shorter term is possible. The NSL tonnages are limited by the 10 percent of waste not guaranteed to Waste Management. These decisions directly affect: (1) The price that Metro pays for disposal at Columbia Ridge Landfill (through the declining price schedule of the contract); (2) Metro’s contractual obligation to deliver at least 90 percent of “acceptable” waste (transfer station-type tonnage) to a landfill owned by Waste Management. The current three NSLs were originally granted on a first-come, first-served basis. The choice of mechanism for approving, renewing or denying any putrescible waste NSL should be chosen to put Metro in the best position to defend a potential legal challenge. This mechanism remains to be determined.

Scenarios

DESIGN COMPONENT (control variables)	DENY ALL	APPROVE		LICENSE(S)	COMPOSITE SCENARIO
		LESS IMPACT			

License Conditions

Tonnage authorization				
Option for mid-term tonnage adjustment by Metro.				
Term of license				

Fees

Regional System Fee and Metro excise tax				
License fee				

Allocation Mechanism

First come, first served				
Competitive procurement				
Competitive auction				
Other...				

Scoring Matrix

Councilor’s Values

Protect the public investment in the solid waste system. (1-5)				
“Pay to Play.” Participants & users of the system pay appropriate fees and taxes. (1-5)				
Environmental sustainability. Ensure the system performs in a sustainable manner. (1-5)				
Preserve public access to disposal options—location & hours. (1-4)				
Ensure regional equity—equitable distribution of disposal options. (1-3)				
Maintain funding source for Metro general government. (1-3)				
Ensure reasonable/affordable rates. (1-3)				
Total				

Decisions 2003: New Transfer Station Capacity

The Department has held a pre-application conference with Columbia Environmental on a new local transfer station franchise. Columbia Environmental is a partnership of local independent haulers. Many of these same haulers are associated with Eastside Cooperative providing curbside recycling collection to small independent haulers; and Oregon Recycling Systems that currently operates a clean MRF on the site proposed for the new local transfer station. Columbia Environmental is currently working to obtain land use and access permits; and intends to apply for an operating permit from DEQ. An application to Metro for a local transfer station franchise may be submitted this fall (October 2003 or thereafter).

Scenarios

DESIGN COMPONENT (control variables)	DENY	APPROVE APPLICATION		COMPOSITE SCENARIO
	APPLICATION	LOW IMPACT	STANDARD IMPACT	
<i>Operating Restrictions</i>				
Wet waste caps				
Dry waste caps				
Minimum recovery rate				
Serve public customers				
<i>Fees</i>				
Regional System Fee and Metro excise tax				
Franchise fee				
<i>Economic Regulation</i>				
Market entry barriers/ entry criteria				
Regulation of tip fees				
Service Areas				

Scoring Matrix

Councilor's Values

Protect the public investment in the solid waste system. (1-5)				
"Pay to Play." Participants & users of the system pay appropriate fees and taxes. (1-5)				
Environmental sustainability. Ensure the system performs in a sustainable manner. (1-5)				
Preserve public access to disposal options—location & hours. (1-4)				
Ensure regional equity—equitable distribution of disposal options. (1-3)				
Maintain funding source for Metro general government. (1-3)				
Ensure reasonable/affordable rates. (1-3)				
Total				

M E M O R A N D U M

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

**METRO**

To: Metro Council

From: Chris Deffebach, Long Range Planning Manager

Subject: ESEE Update Information for Council Work Session on 8/5/03

Date: August 2, 2003

The ESEE analysis identifies the trade-offs between the economic, social, energy and environmental factors under an allow, limit or prohibit decision. The analysis illustrates that the consequences of either allowing development on all resource lands or prohibiting development on all resource lands have impacts that make such absolute choices difficult. The ESEE findings support the need for additional analysis, as planned in the Goal 5 work program, of evaluating program options that would allow or prohibit some but not all of the resource lands and further define opportunities to limit conflicting uses.

The ESEE economic analysis includes a methodology for ranking the economic priority of the natural resource lands and assessing the economic trade-offs for an allow, limit or prohibit decision. The purpose of this memo is to introduce the economic ranking methodology and identify opportunities to apply this methodology to define and analyze program options.

The economics analysis concludes that:

- Natural resource areas and the ecosystem services they provide have real value. These values are maximized by a prohibit decision
- The natural resource areas have development value. These values are maximized by an allow decision.

Ecosystem Services

Ecosystem services generally refer to the benefits to society of well-functioning ecosystems. Ecosystem services include the value of flood control and water quality that the natural areas provide in addition to the value that a healthy fish population brings to commercial fishing industry and other industries dependent on natural resources.

Ecosystem services do not function in a working market, where goods can be fairly and openly bought and sold. Metro's consultants, ECONorthwest, have summarized the

literature on ecosystem services and it is available for your review, if you would like, in a draft report.

The ESEE analysis has tried to estimate the degree to which the highest value lands for ecosystem services are also the highest value lands from a habitat perspective. The economics analysis concludes that there is a direct and positive relationship (as opposed to a neutral or negative relationship) between the inventory lands with the highest functional value for habitat and the highest functional value for ecosystem services. The analysis does not quantify this relationship.

Development Value

The economics analysis has developed a methodology to determine development value of the resource lands. To account for the value of all lands, the contribution to the economy and their future contribution, the methodology includes three separate measures:

- Property Value – real-estate markets provide a good measure of a property's development value. Value is measured using tax assessors values as a proxy for market value. The assessor's records bring data limitations in that do not reflect the value of land in public ownership, have been affected by proposition 5 and other measures and are below market values, they offer a consistent regional data set.
- Employment potential associated with development. This reflects individual income and contributions to the tax base and economy. This is measured by current job estimates (ES202 data).
- Planning goals, as described in the 2040 Design Type Hierarchy. Unlike the first two measures, which evaluate existing conditions, this measures the relative value of the land for the future, reflecting adopted policy.

Mapping Economic Priorities

Using these three methods, Metro staff produced three map sets illustrating:

- The locations of land for six different property value categories (as reflected by assessor's data) for the region, excluding public institutions and parks for which there are no assessor values. A second map shows a subset of the land values with the natural resource areas. A third set shows a subset of the "highest" economic values and the "highest" resource values.
- The locations of employment for the region, excluding lands that do not generate employment (single-family residential and parks) and estimating employment for vacant lands based on employment on surrounding parcels. A second map shows a subset of the employment per acre with the natural resource areas. A third set shows a subset of the "highest" employment per acre and the "highest" resource values.
- The locations of the four 2040 Design Type Hierarchies with the highest priority in the central city, regional centers and industrial areas, the second in main streets, station communities and town centers, the third in inner and outer neighborhoods

and employment areas and the fourth in rural residential lands and parks. A second map shows a subset of the four policy tiers with the natural resource areas. A third set shows a subset of the “highest” policy tier and the “highest” resource values.

- Finally, a combination map highlights those areas that score highest in at least one value: development value; employment value; or policy value on resource lands.

I have sent all of these maps to you electronically through email.

Next Steps

The Economic Technical Advisory Committee and the Independent Economic Advisory Committee (IEAB) have reviewed the methods for ranking the development and ecosystem service value of land and have generally agreed that the method is appropriate, as long as the limitations in the data are pointed out.

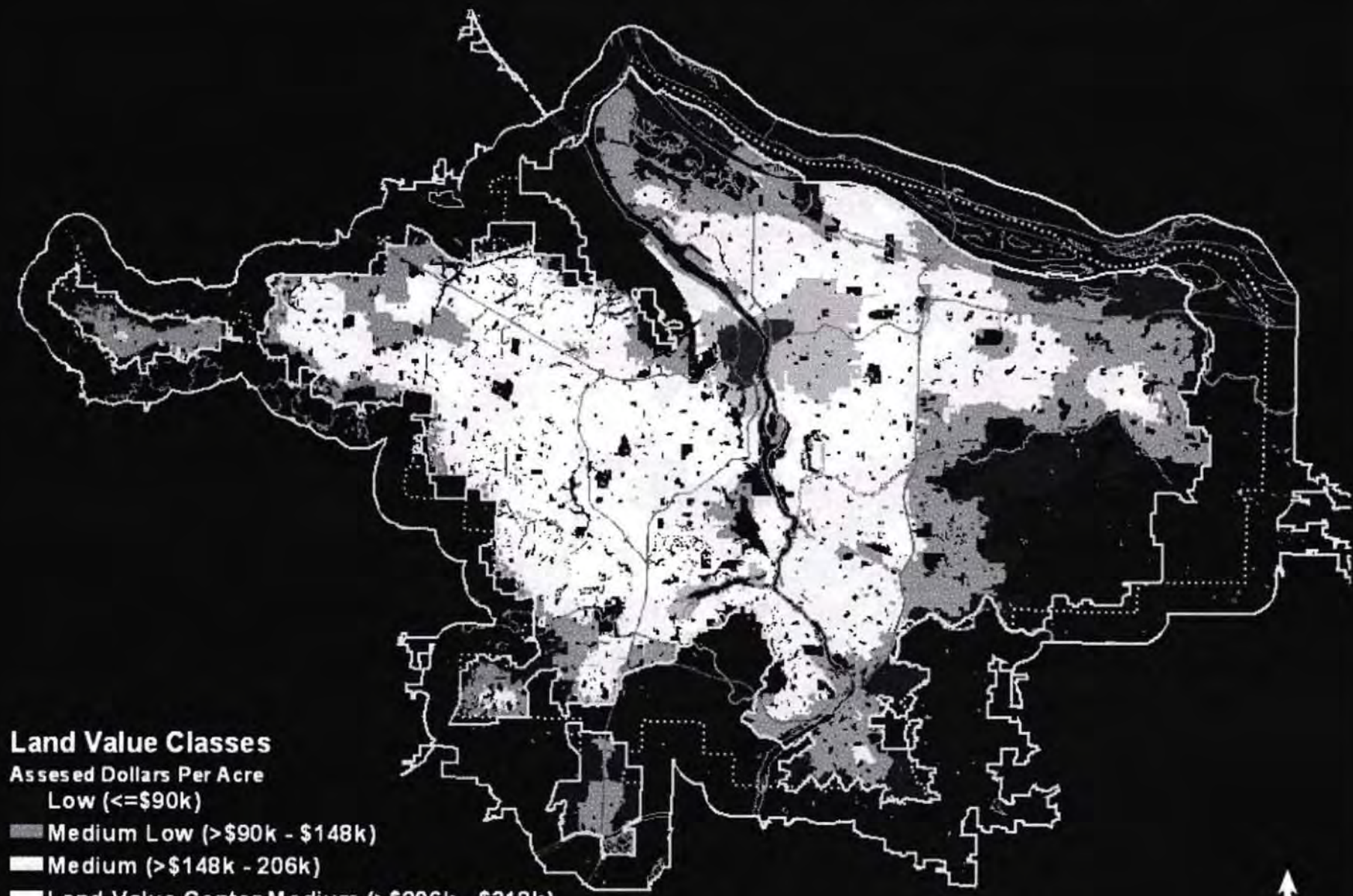
The maps reflect preliminary definitions of high, medium and low development values for the economic ranking. ETAC has requested additional information on the sensitivity of adjusting the thresholds that differentiate high, medium and low. Staff is preparing this for them now. Staff and ECONorthwest, are calculating the number of acres of land that are in the preliminary high economic and high resource value categories and other combinations. This will improve our understanding of the degree of conflict. ETAC will meet again in September to review the sensitivity tests and additional data.

The ESEE analysis points out the trade-offs involved in allowing, limiting or prohibiting development and other activities. The next stage of this work program is to define and evaluate program options. The evaluation of the program options will explore the most significant trade-off issues in more detail. The methodology that has been developed for ranking the economic priority of land in the region can be applied in the program options. Staff will be seeking additional review on the definitions of “high, medium or low” for economic ranking by ETAC and IEAB and direction from Council as part of the definitions of the program options. Council is scheduled to give staff direction to begin evaluation of the program options in October.

Metro Fish and Wildlife Protection Program

Economic Ranking of Resource
Lands, Summary of Maps

STATION STEP 1



Land Value Classes

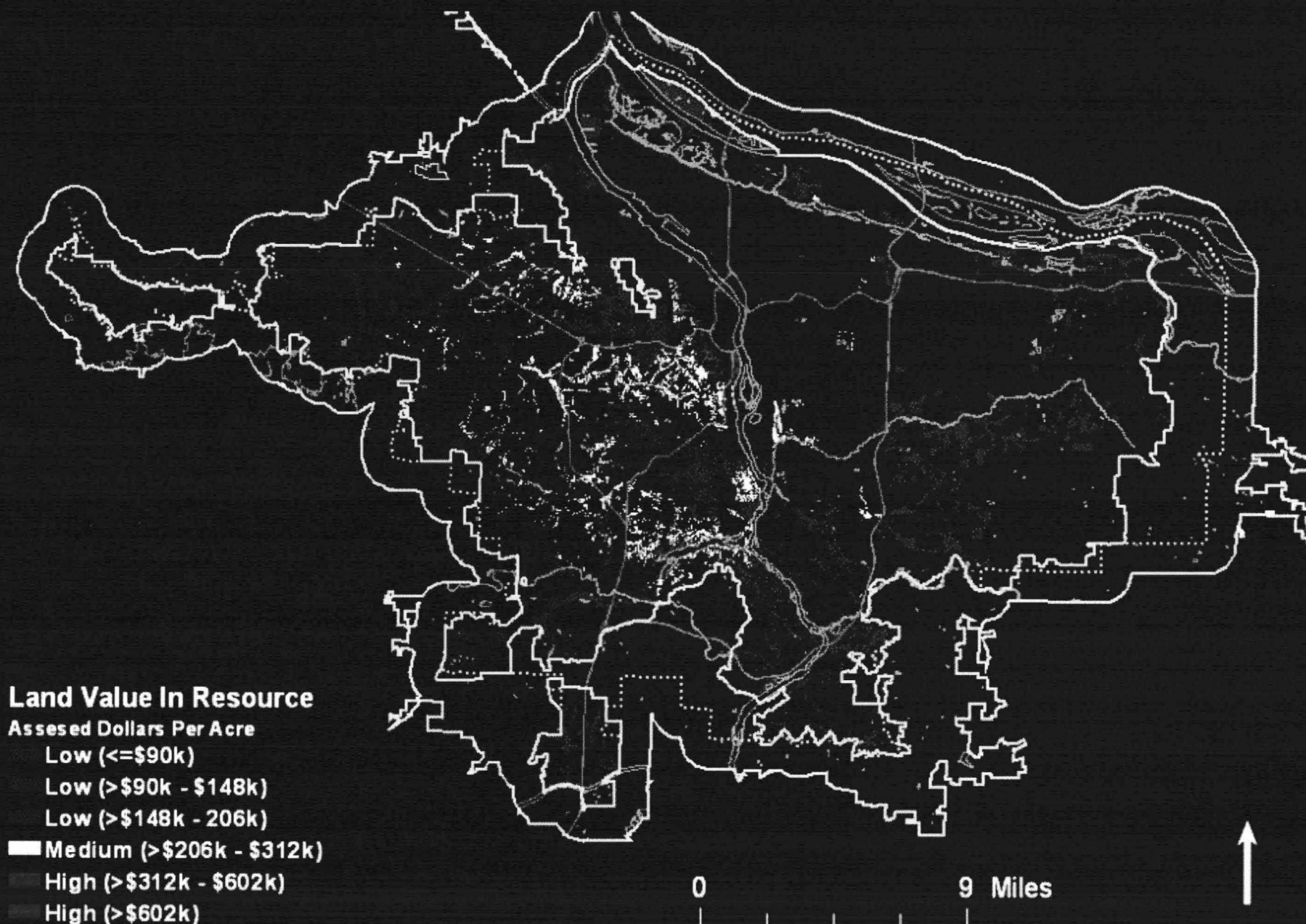
Assesed Dollars Per Acre

- Low ($\leq \$90k$)
- Medium Low ($> \$90k - \$148k$)
- Medium ($> \$148k - 206k$)
- Land Value Center Medium ($> \$206k - \$312k$)
- Land Value Center High ($> \$312k - \$602k$)
- Central City ($> \$602k$)

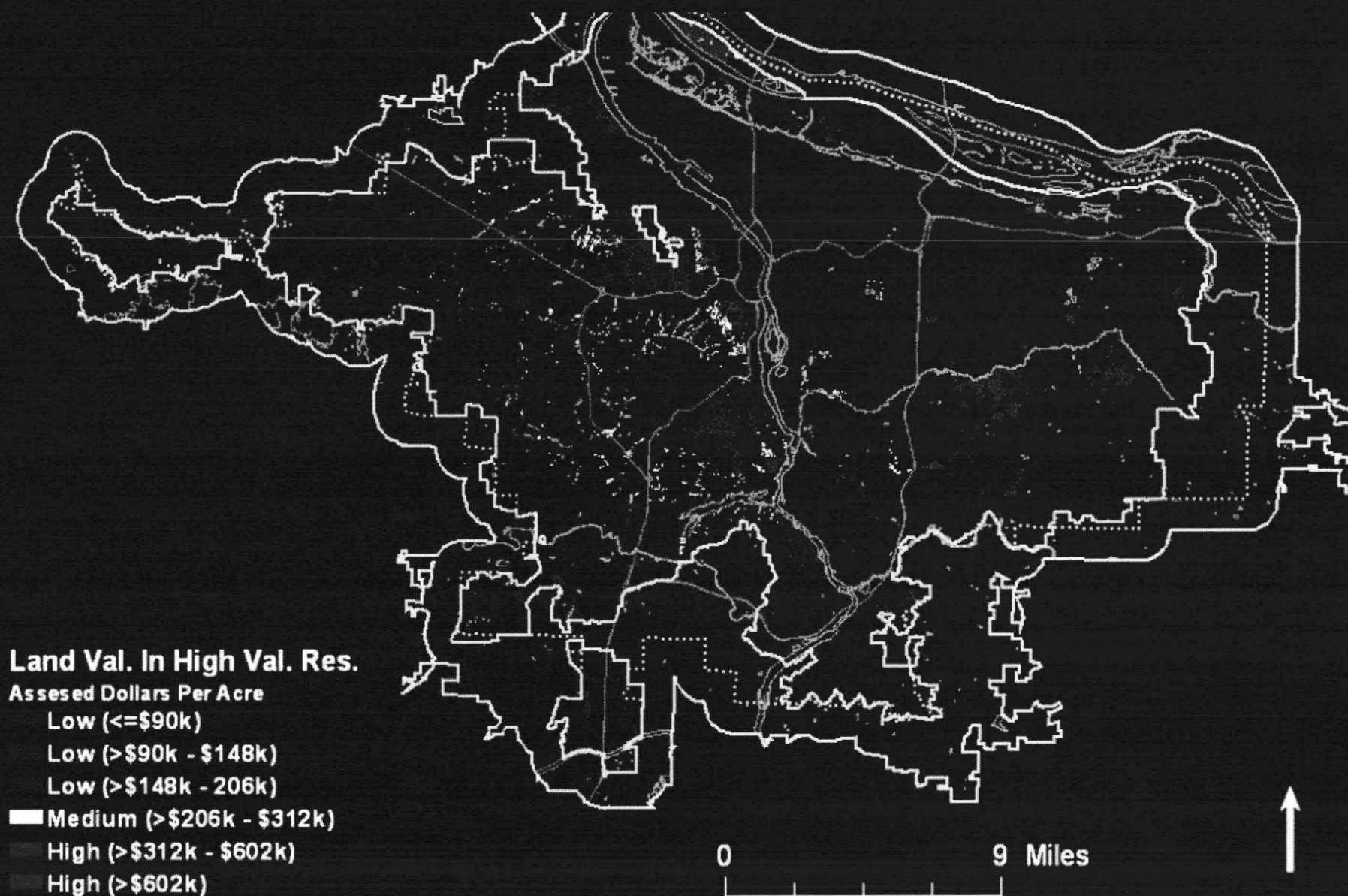
0 9 Miles



Land Value on Resource Land

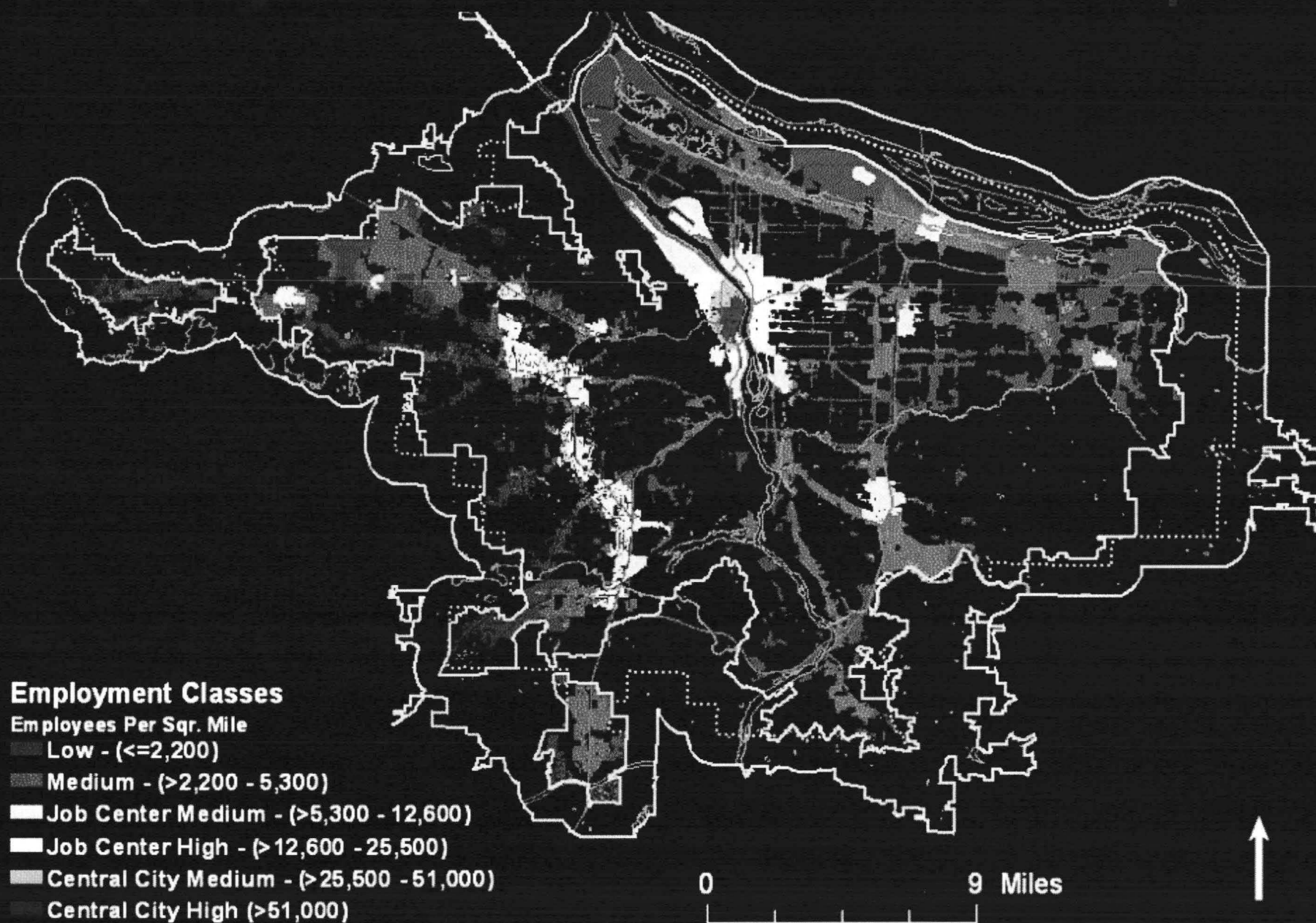


Land Value on High Value Resource Land

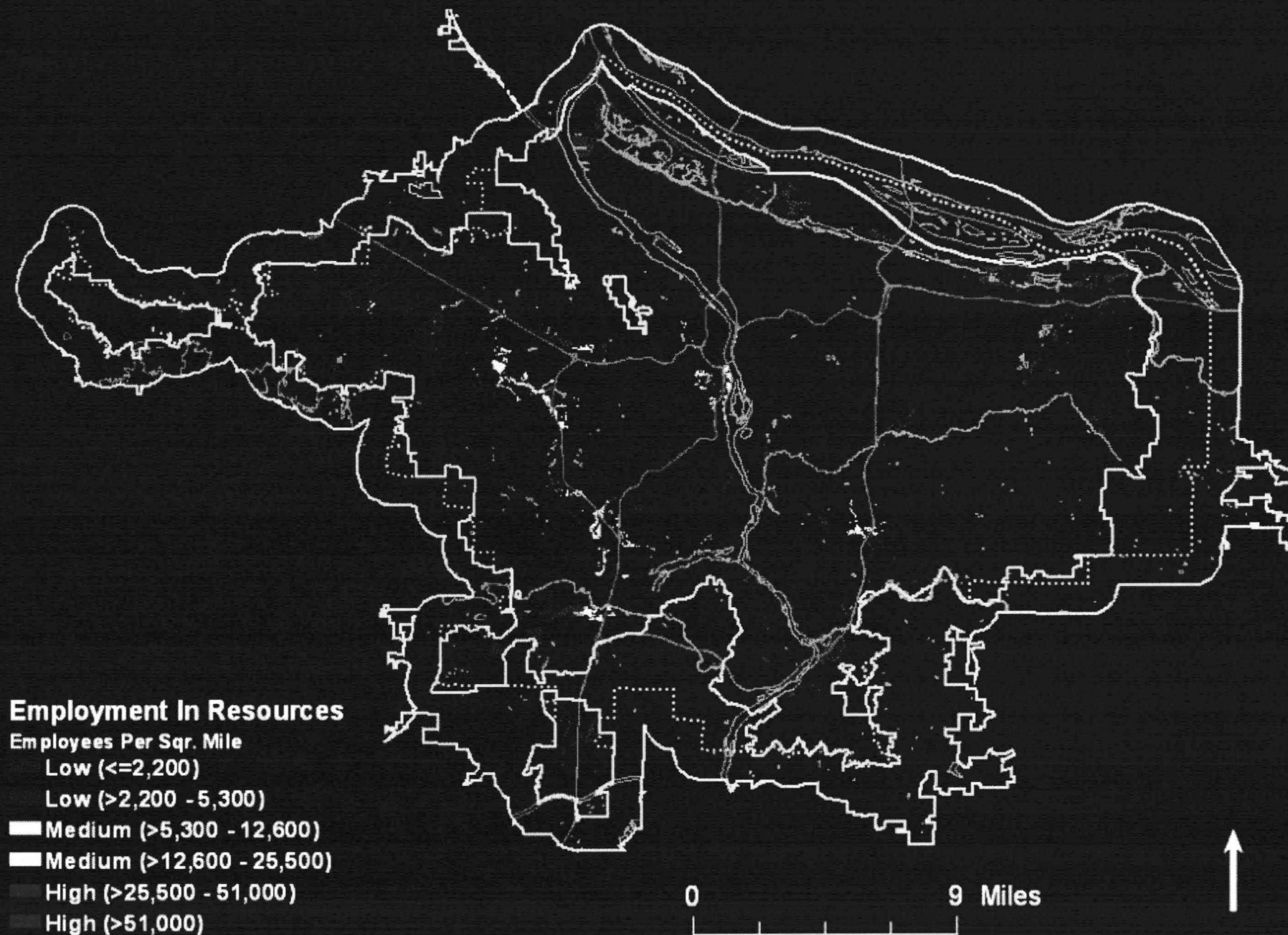


Employment Classification Step 1

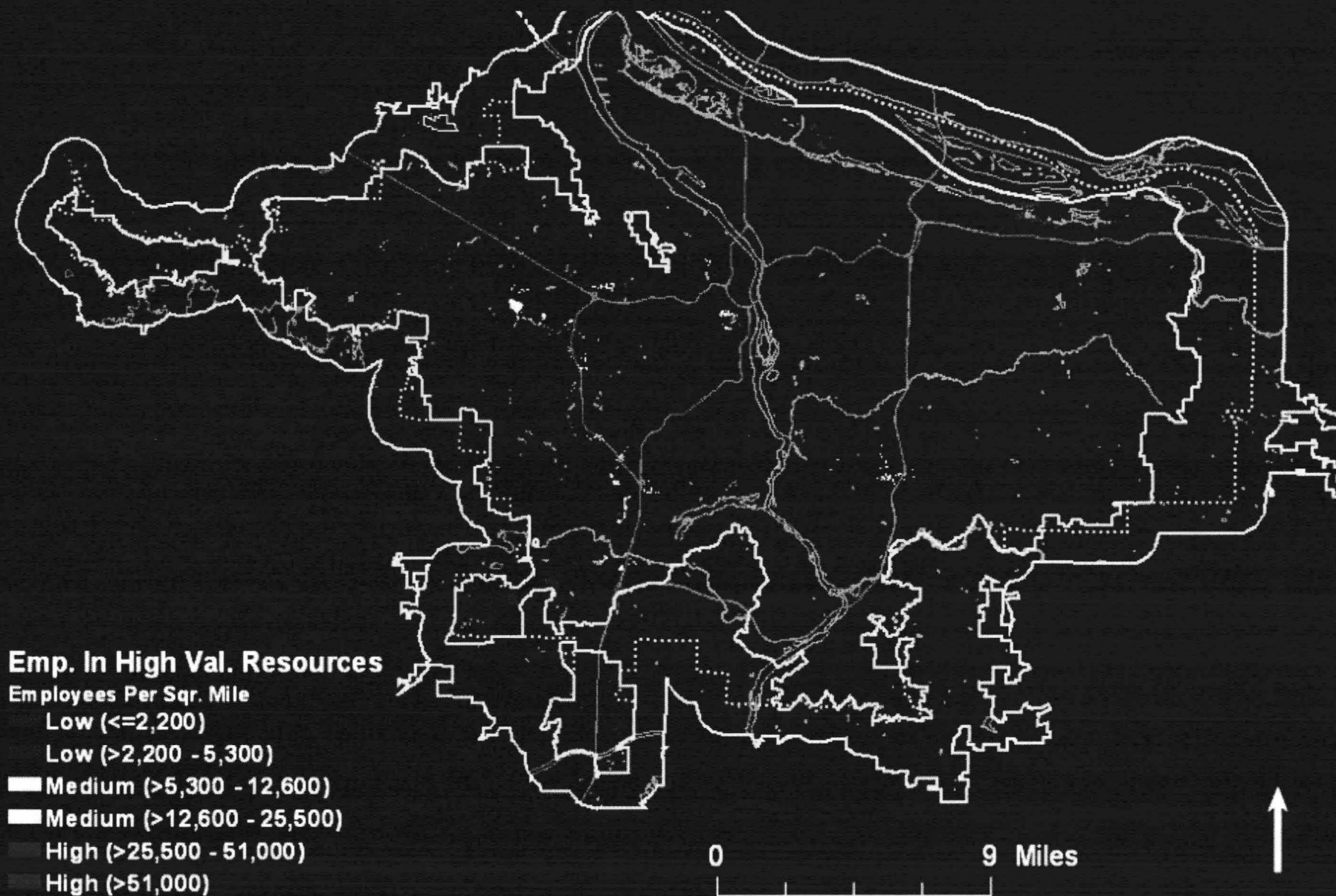
Employment Classification Step 1



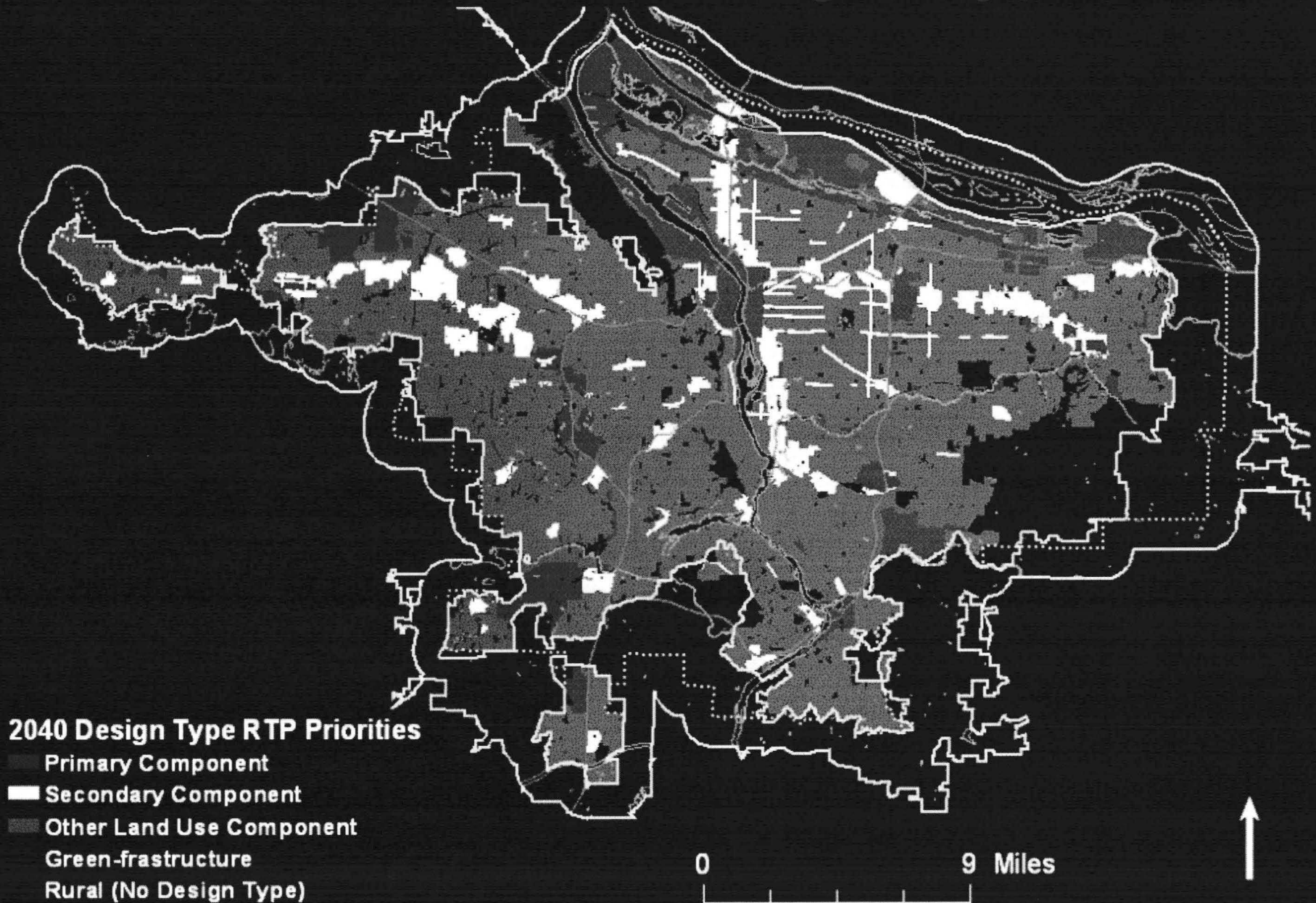
Employment on Resource Land



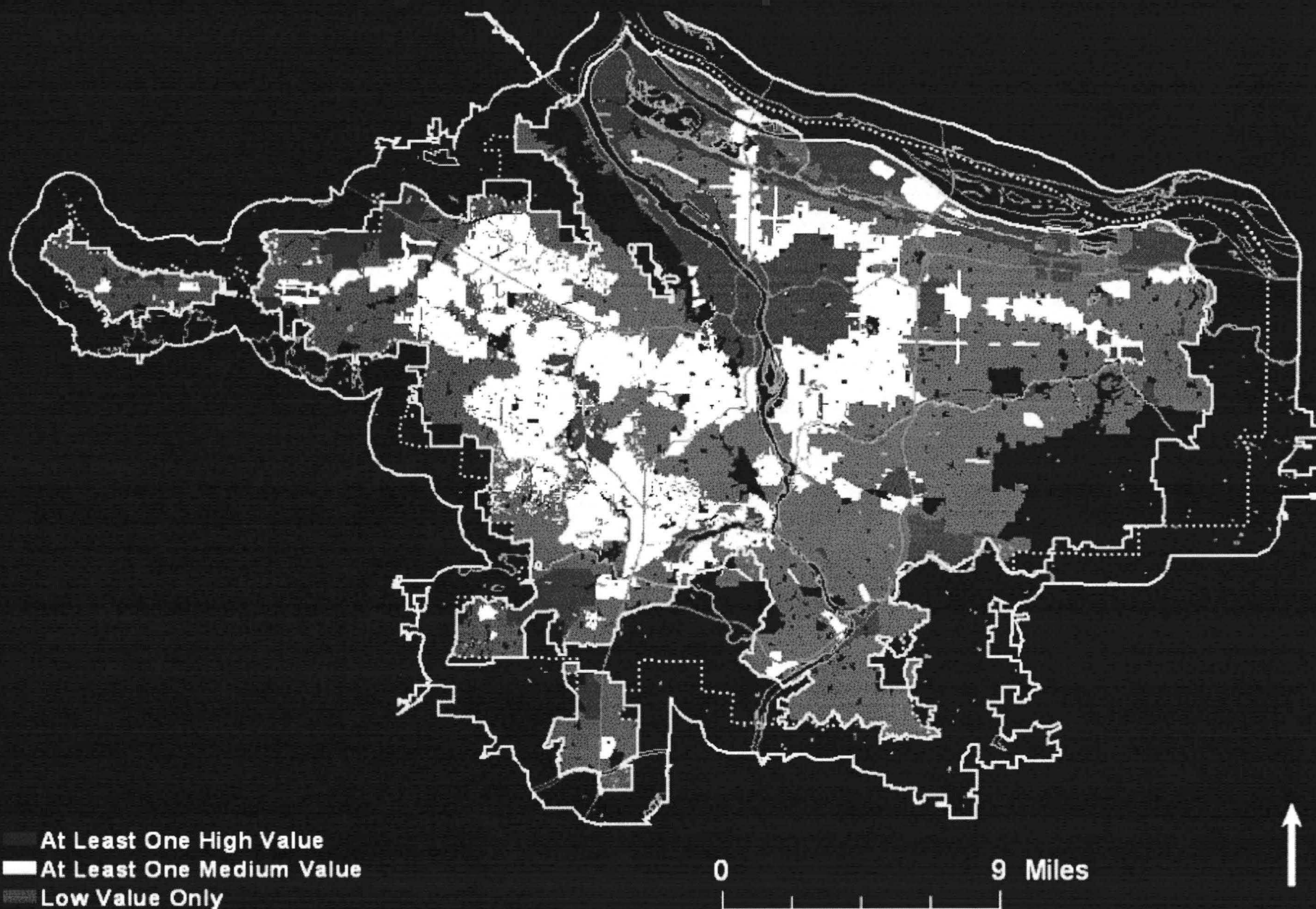
Employment on High-Value Resource Land



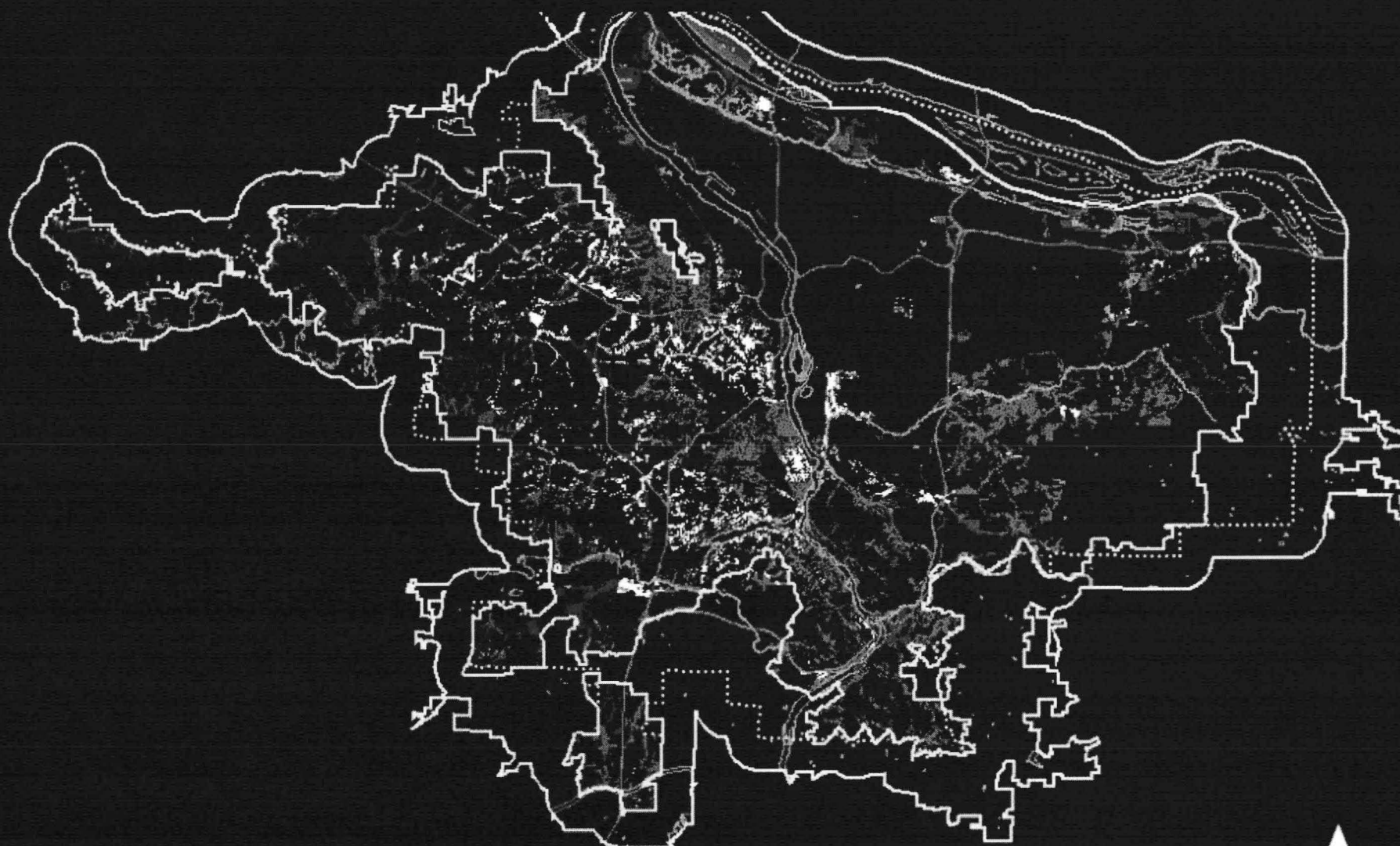
Region 2040 Design Types



Summary: Development Value



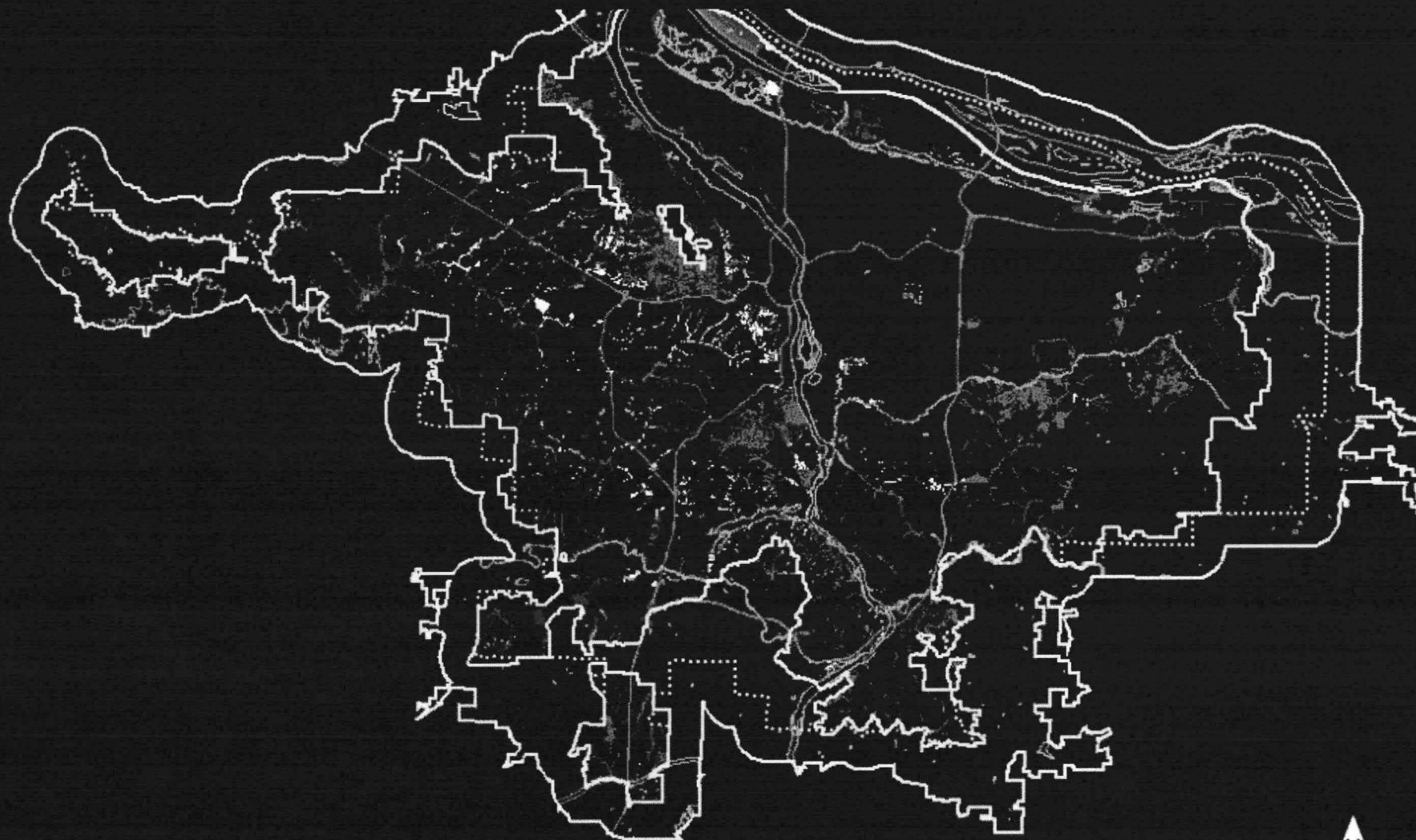
Component Summary in Resource



- At Least One High Value In Resource
- At Least One Medium Value in Resource
- Low Value Only in Resource

0 9 Miles

Component Summary in High-Value Resource



- At Least 1 High Val. In High Val. Res.
- At Least 1 Med. Val. in High Val. Res.
- ▨ Low Val. Only in High Val. Res.

0 9 Miles

Regional Fish and Wildlife Habitat Protection Program

ESEE Findings
Metro Council Work Session
8/05/03

ESEE

- Economic, Social, Environment and Energy consequences analysis is the second step of the three step Goal 5 process
- Follows the designation of natural resource inventory
- Precedes an allow, limit prohibit map and program development

ESEE Findings

- Natural resources in urban areas have value
 - Amenity and recreation
 - Efficiency for provision of services
 - Ethics, values
- Protection helps meet other environmental requirements
- But there are trade-offs

ESEE Findings

- An Allow or Prohibit decision would affect Economic, Social, Environment and Energy
- The right balance between preserving and developing natural areas is not obvious
- ESEE findings create a basis of facts as a foundation for the public debate and decision-making

ESEE Trade-Offs: Economic

- Land has economic value for ecosystem services and for development purposes but the extent of the conflict is reduced by resource location and use
 - Many resource lands are in parks, developed or already constrained
 - Much of the vacant buildable land is not located on land with the highest value resource values
 - The majority of resource lands are outside intense urban areas and have lower economic value

ESEE Trade-Offs: Economic

- Conflicts between ecosystem service value and development value remain because
 - Cumulative effect of either losing large amounts of land for economic activity or environmental purposes
 - Low value land from regional perspective can be high value land for local perspective

ESEE Trade-Offs: Economic

- Extent of the economic impacts are reduced by the availability of land elsewhere in the region or outside UGB
 - Some development types can be accommodated within the region; e.g. in centers
 - Other development types may be less flexible; e.g. industrial or single family

ESEE Trade-Offs: Social

- Social benefits of preserving resource areas that must be balanced by the private costs of the preservation
 - Public property (air, water, fish, wildlife) and private property rights (including aggravation) are at stake
- The value of broader social benefits must be balanced by value of conflicting uses
 - The resource lands have a value for cultural heritage, regional identity, education, public health and safety which would be lost with an allow decision

ESEE Trade-offs: Social

- Equity between meeting today's needs and preserving benefits for the future
 - Preserving resources for future generations is a social value that must be balanced by the costs of doing so today.

ESEE Trade-Offs: Environmental

- Loss of riparian wildlife resources is greatest for lands with high functional values
 - Loss of Class 1 riparian wildlife areas impacts habitat more than in Class 2 and loss of Class 2 impacts habitat more than in Class 3
- Loss of upland wildlife areas is greatest for lands with high functional values and with connectivity role
 - Lower value upland wildlife areas can provide critical role in connectivity

ESEE Trade-Offs: Environmental

- Loss can be mitigated if forest canopy is preserved
 - Tree canopy is very important to several functional qualities – it provides habitat, absorbs pollution and reduces hydrological impacts by slowing and retaining runoff.
- Loss can be magnified when activity results in hydrological impacts
 - Changes to streams have far-reaching environmental impacts

ESEE Trade-Offs: Energy

- Preserving trees and other vegetation can reduce energy use but it can increase energy use if protection results in additional UGB expansion
 - Trees and other vegetation reduce the need to cool air and water and to clean air
 - Auto use is a major energy user (petroleum)
 - Limits on road construction in protection areas may increase auto trip lengths
 - If new development can not be located within the UGB, UGB expansion would increase vehicle miles traveled (VMT)

Implications of ESEE for Program Options

- The ESEE Findings help focus the debate in the program option phase
- Key debate is level of regulatory protection for:
 - The best natural areas and how to maintain the connectivity and ecological functions of the system?
 - Lands with fewer habitat values?
 - Lands that provide the greatest opportunity for additional economic activity?
 - Lands with lower economic activity?
- Ability of non-regulatory tools to:
 - Equitably distribute benefits and burdens
 - Protect and restore resource lands

Key Points for Program Options

- Vary the level of regulation with the resource function
- Vary the level of regulation with economic ranking value
- Apply different restoration and protection tools to vacant and developed parcels
- Use incentives, education, acquisition and mitigation to preserve and restore resources

Upcoming Decisions

- Aug 12 – Seek Council direction on release of public outreach materials, including program options
- Oct 23 – Seek Council direction on set of program options for evaluation
- May 2004 - Seek Council direction on a program
- By Dec '04 -Seek Council adoption of a program

METRO GOAL 5

I'm Ed Labinowicz, representing the Land Use Committee of the Gresham Butte Neighborhood Association, speaking in support of a Metro Goal 5 regulatory program (that is consistent with the Goal 5 Vision Statement--a program) to cover the entire region rather than just the new areas within the UGB.

The importance of Metro Goal 5 regulation can be illustrated by Gresham's recent adoption of its Hillside Code Revision without factoring in environmental & livability issues. (While some attention was naturally given to Goal 7 safety issues in Council deliberations, virtually no attention was paid to overlapping /interconnected Goal 5 considerations.)

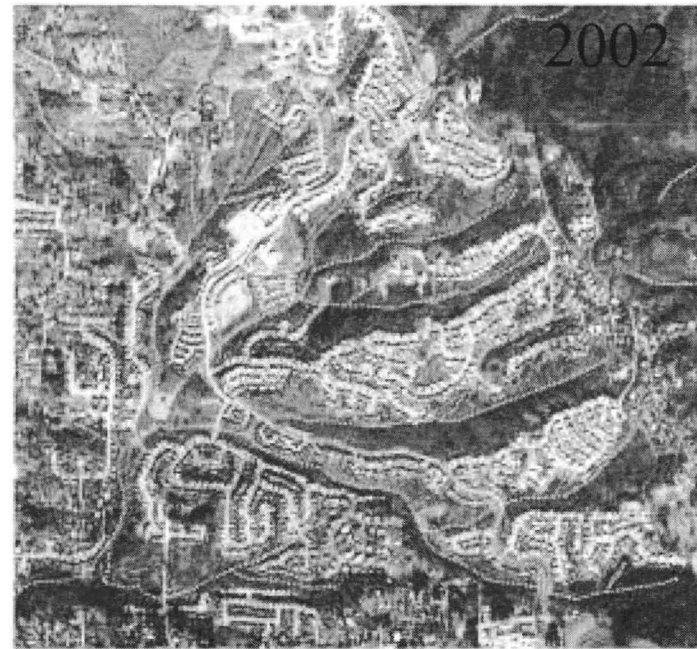
Absent from the Gresham City Council's deliberation on the Hillside Code was any mention of a complex web of interrelated factors, including clear cutting of trees, massive grading, steep slopes and their impact ^{not only} on slope stability, ^{but} on their destruction of high quality wildlife habitat found on the forested buttes, and on the future appearance of Gresham's green buttes--the city's natural & visual resources. Further, not discussed by the City Council were how, clear cutting & massive grading of steep slopes altered natural drainage ways, increased downslope soil erosion and flashiness of stormwater flow into Johnson Creek--in turn impacting downstream flooding, water quality and salmon restoration efforts.

All of these critical concerns related to hillside development were ignored, despite an expert panel having clearly addressed them at the earlier session of the continued hearing. Professional testimony challenging the City's Hillside proposal on these Goal 5 issues had been provided by a geotechnical engineer, an engineering geologist, a botanist, a geomorphologist, a hydrological engineer, a watershed scientist, a consulting arborist, an erosion control professional, and landscape architect.

Without a Metro Goal 5 regulatory program in place to provide the incentive to seriously consider Hillside Development Codes within a larger, integrated framework including environmental/livability issues, cities can simply bypass them until such time as they are required to do so. By then, damage has been done. It is difficult to backtrack & revise hillside codes that are in place and even more difficult to restore lost habitat. Gresham's experience points out the importance of a Metro Goal 5 regulatory program for the entire region, and not just for newly acquired areas. ^{leadership in providing}

Ed Labinowicz
1326 SE Linden Ct
Gresham, OR 97030

Are existing regulations inside the Urban Growth Boundary (UGB) adequate to protect the ecological functions and values provided by floodplains, riparian corridors, and steep slopes?



Development in Cedar Mill Creek Watershed 1984 and 2002.

Photo by Jim Little

080503c-04

Title 3's balance-cut-and-fill: Adequate to protect the ecological functions of floodplains?



Between 1998 and 2000 the Portland-Metro region lost roughly 568 acres of vacant floodplain lands, a 9% reduction. At this rate, the region's remaining undeveloped floodplain could be developed in about 20 years (Source: Metro March 2003, Performance Measures Report).



**Many
headwater
streams not
protected by
Title 3.**



Rock Creek Headwaters

**Are Existing Regulations Adequate?
A Gresham subdivision along Kelly Creek.**



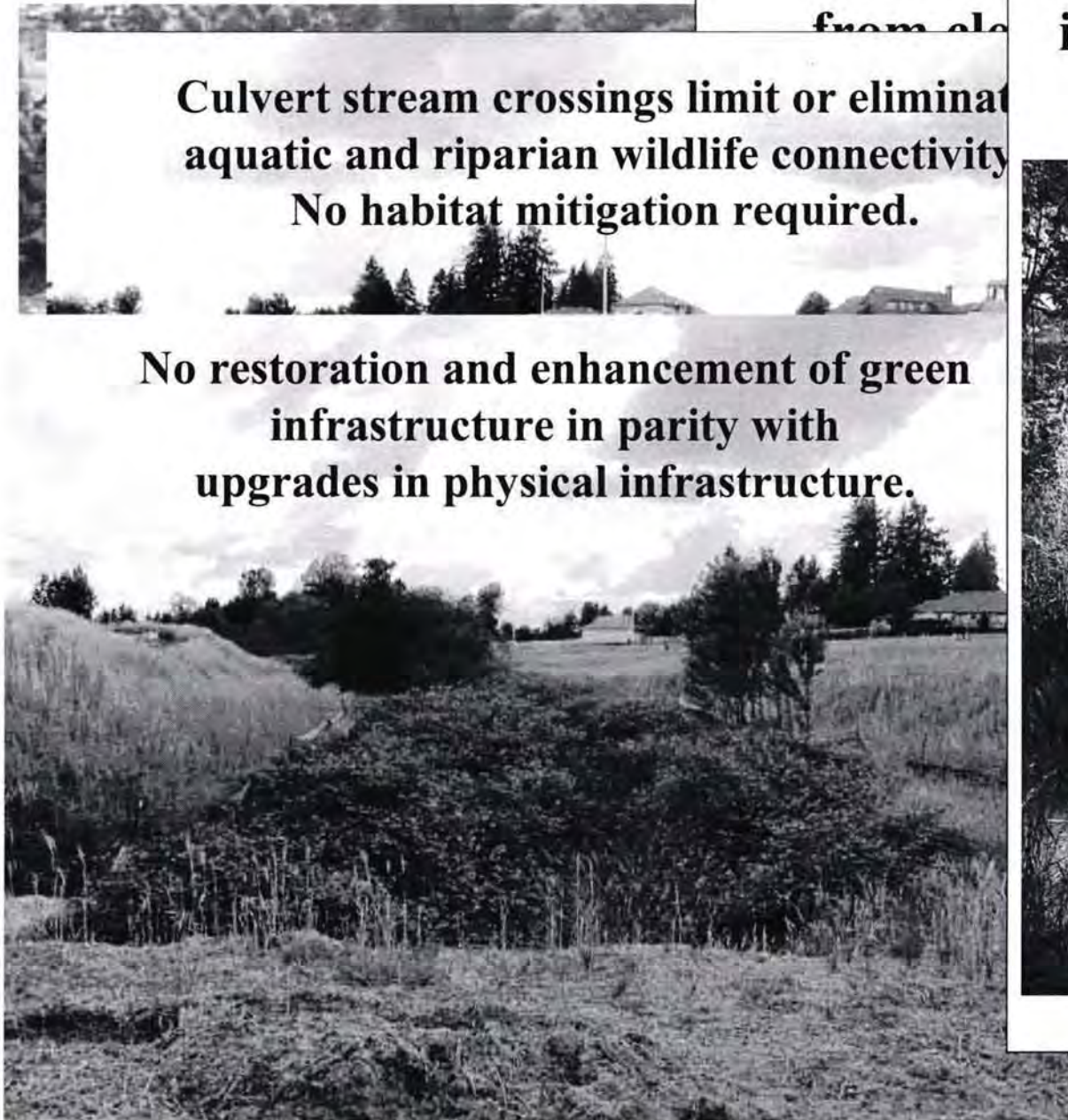
Existing standards inadequate

**Culvert stream crossings limit or eliminate aquatic and riparian wildlife connectivity.
No habitat mitigation required.**

No restoration and enhancement of green infrastructure in parity with upgrades in physical infrastructure.

Lost resources from elevated

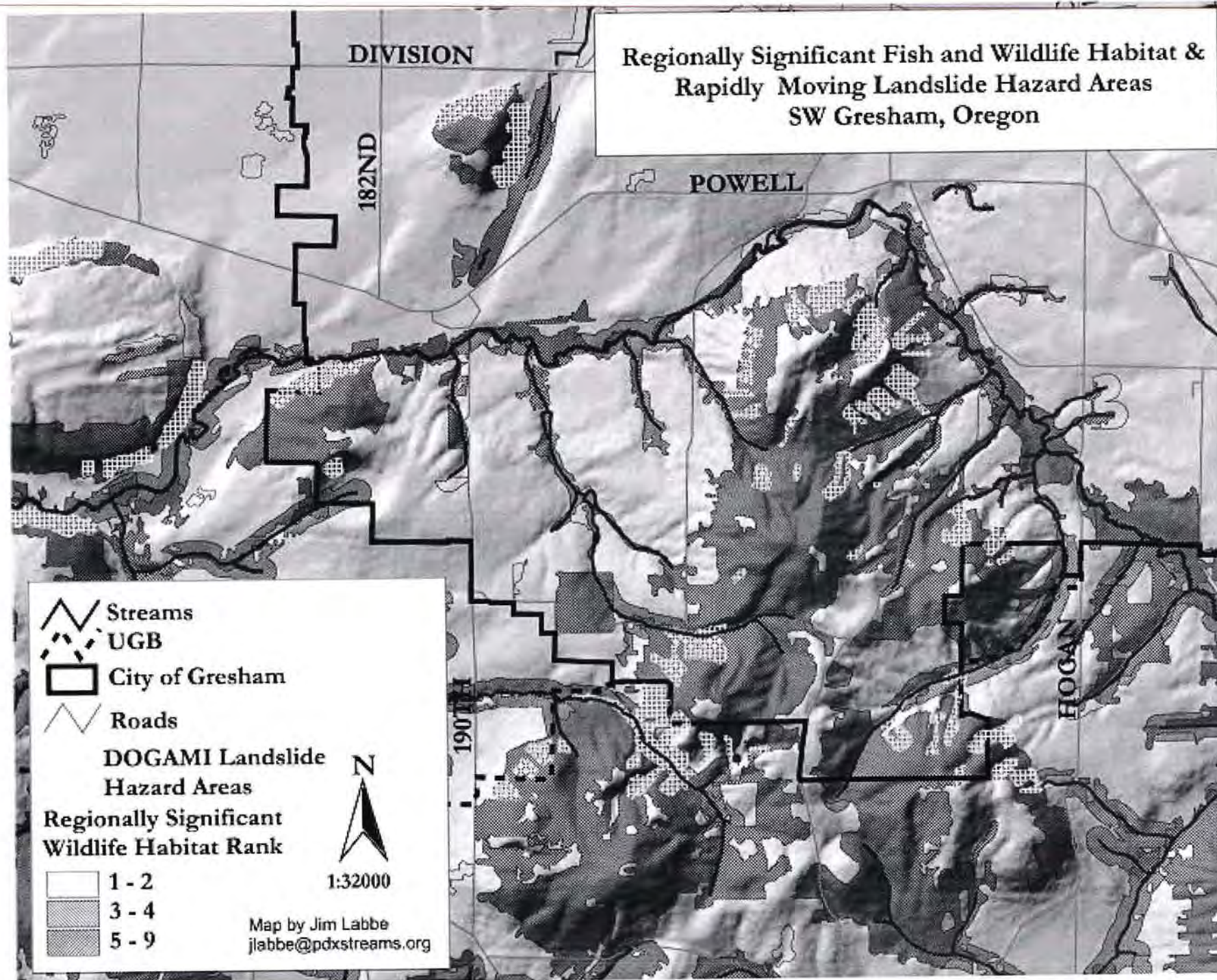
15-50' vegetated corridor insufficient for fish and wildlife habitat.



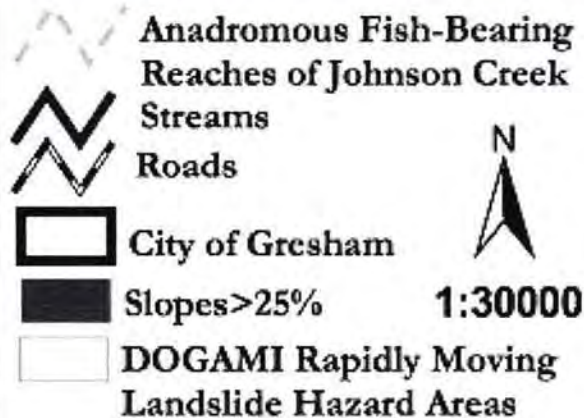
Upland Wildlife Habitat and Hillslope Development in the City of Gresham

**Approximately 231 acres of
regionally significant fish and
wildlife habitat in the Gresham
Buttes are located in State
(DOGAMI) designated Landslide
Hazard Areas.**

**Regionally Significant Fish and Wildlife Habitat &
Rapidly Moving Landslide Hazard Areas
SW Gresham, Oregon**

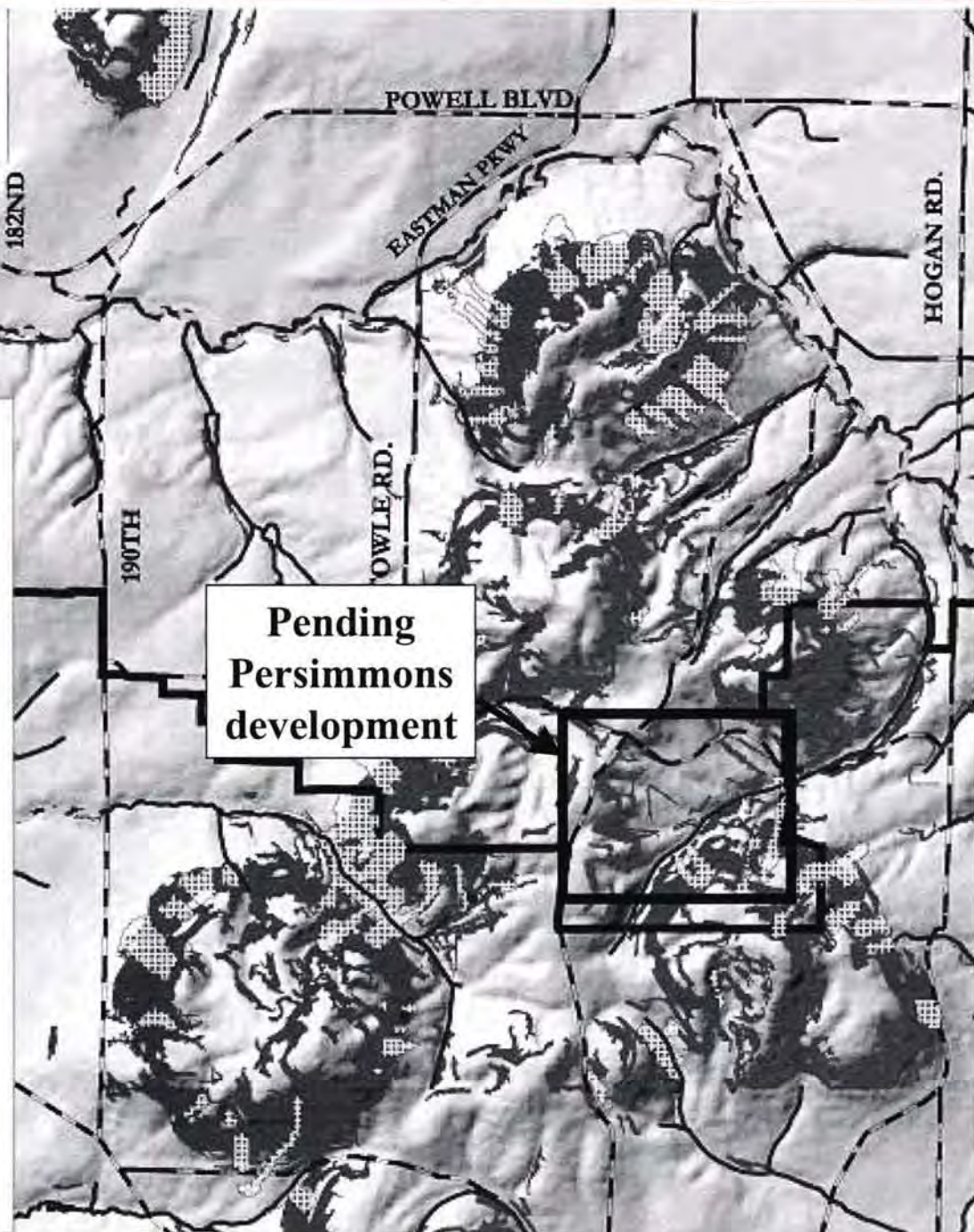


Steep Slopes, Landslide Hazard Areas, and Anadromous Fish Distribution SW Gresham, Oregon

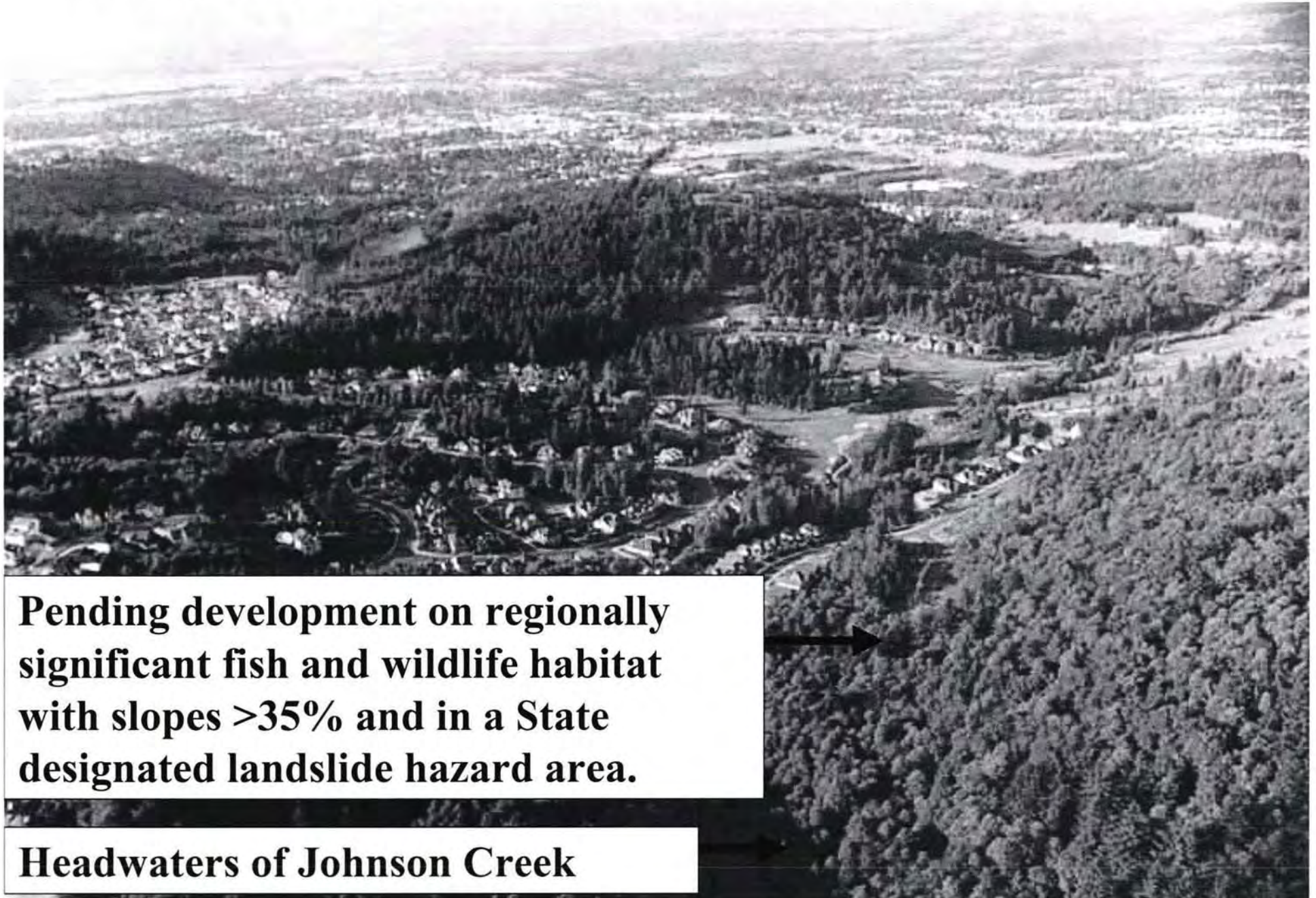


Data Sources: Percent slope areas on this map are derived from a USGS 2-foot resolution Digital Elevation Model (DEM). The landslide hazard areas are from DOGAMI Interpretative Map Series IMS-22. Hazard areas were modeled and calibrated at 1:24,000 scale with limited field evaluations and comparison with historic landslide inventories. Maps cannot serve as a substitute for site-specific investigations by qualified practitioners. Fish distribution data is from the Oregon Department of Fish and Wildlife. All other data are from Metro's Regional Land Information System (RLIS).

Map prepared by Jim Labbe,
jlabbe@pdxstreams.org.



Persimmons Development in Gresham Buttes

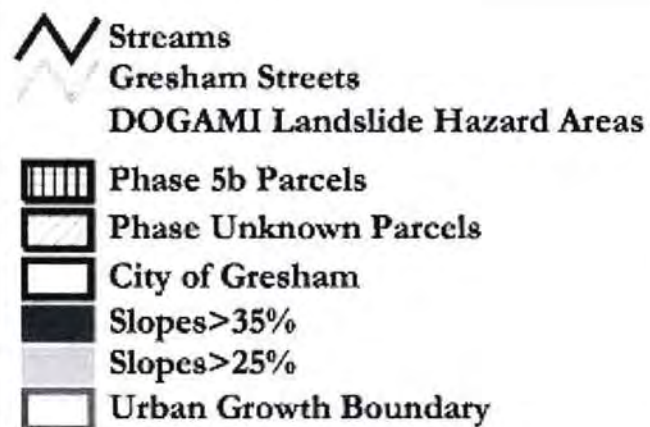


Pending development on regionally significant fish and wildlife habitat with slopes $>35\%$ and in a State designated landslide hazard area.

Headwaters of Johnson Creek

Persimmons Properties, Steep Slopes, and Rapidly Moving Landslide Hazard Areas, City of Gresham, Oregon.

Data Sources: Percent slope areas on this map are derived from a USGS 2-foot resolution Digital Elevation Model (DEM). The landslide hazard areas are from DOGAMI Interpretative Map Series IMS-22. Hazard areas were modeled and calibrated at 1:24,000 scale with limited field evaluations and comparison with historic landslide inventories. Maps cannot serve as a substitute for site-specific investigations by qualified practitioners. All other data are from Metro's Regional Land Information System (RLIS).



1:12000

500 0 500 1000 1500 Feet

Map by Jim Labbe 4/21/03
jlabbe@pdxstreams.org



080503c-05

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: August 7, 2003
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. CONSENT AGENDA

3.1 Consideration of Minutes for the July 31, 2003 Metro Council Regular Meeting.

4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 03-1017**, An Ordinance Authorizing Full Faith and Credit Obligations to Refund the Metro Regional Center Project Bonds and other Outstanding Loans, and Repealing Inconsistent Provisions of Metro Ordinances, and Declaring an Emergency.

5. CHIEF OPERATING OFFICER COMMUNICATION

6. COUNCILOR COMMUNICATION

ADJOURN