



**METRO COUNCIL WORK SESSION**  
**MEETING SUMMARY**  
June 19, 2012  
Metro Council Chamber

**Councilors Present:** Council President Tom Hughes and Councilors Shirley Craddick, Carl Hosticka, Kathryn Harrington, Rex Burkholder and Barbara Roberts

**Councilors Excused:** Councilor Carlotta Collette

Council President Tom Hughes convened the Metro Council work session at 2:03 p.m.

**1. ADMINISTRATIVE /CHIEF OPERATING OFFICER COMMUNICATIONS**

Ms. Martha Bennett of Metro reported that the Natural Areas Funding Advisory Committee plans to meet next week for the first time. Ms. Bennett shared the names of those serving on the committee, Chair Fred Miller, Josh Alpert, Marcelo Bonta, Tom Brian, Craig Dirksen, Stacy Dycus, Donita S. Fry, John Griffiths, Lori Luchak, Mike Miller, Wilda Parks, David Pollock, Jazzmin Reece, Stephanie Routh and Pam Wiley. Metro will support the committee Sustainability Center staff including Mary Ann Cassin, Marybeth Haliski and Janet Bebb. Ms. Bennett explained that the committee has been asked to be strategic in considering how to fund the maintenance and preservation of Metro's key investments in natural areas, as well as determine how to save tax payers money in the long term.

Councilors asked for clarification on how the potential funding mechanism for natural areas preservation would broaden Metro's capacity to take care of green spaces, parks and trails. There was discussion on types of funding mechanisms such as the local option tax, and how investment can be maximized and made visible to the public.

Ms. Bennett mentioned developments regarding the West Parking Lot at the Oregon Zoo and described the rationale of past conditional use permits and tension with neighbors in the area. Ms. Bennett informed Council that a resolution authorizing Metro to enter into a lease agreement with Portland Parks and Recreation and the World Forestry Center will be placed on the June 21 meeting agenda. Ms. Cheryl Twete of Metro was asked to expand on the work being done with Portland Parks and Recreation to implement a new management strategy in collaboration with neighbors given their history of concerns.

**2. TITLE 13 COMPLIANCE UPDATE**

Ms. Bennett introduced the Title 13 Compliance Update discussion item by noting that Council remains in the middle of enforcement action with the city of Troutdale and that a public hearing is scheduled for the June 21 meeting. Troutdale's City Council adopted an ordinance which brings the city into compliance with Title 13 of the Urban Growth Management Functional Plan (UGMFP). Nonetheless, Mr. Dick Benner of Metro noted that the Metro Council must conclude the enforcement proceedings by holding the public hearing and adopting an order that dismisses enforcement action.

There was discussion about the possibility of Troutdale's ordinance being appealed. Mr. Benner noted that if appealed, the ordinance would go to the Land Use Board of Appeal (LUBA). In addition, an individual or group would have had to testify at the latest stage of the proceedings to issue an appeal. Ultimately, Mr. Benner explained that LUBA could recognize Metro's order to dismiss the enforcement proceedings as further confirmation that Troutdale now complies with Title 13.

### **3. UPDATE ON THE LAND CONSERVATION AND DEVELOPMENT (LCDC) RULING**

Mr. Benner overviewed the Land Conversation and Development Commission (LCDC) hearings on Metro's Urban Growth Boundary (UGB) and Capacity Ordinances. In April, the Department of Land Conversation and Development (DLCD) issued a report recommending that both ordinances be remanded. Since the DLCD report, Mr. Benner explained that staff has provided evidence and testimony to LCDC affirming Metro's compliance with state land use laws.

Mr. Benner illustrated the four compliance issues DLCD cited in their report and summarized Metro's responses. There was need for clarification regarding the role of modeling using Metroscope, a set of decision support tools that model changes in measures of economic, demographic, land use and transportation activity. Mr. Benner noted that the magnitude of Metro's responsibility to make the greatest place with a modest UGB expansion was a key factor in persuading LCDC to approve the ordinances.

Mr. Benner went on to explain the difficulty in clarifying Metro's housing needs analysis and use of a range forecast in demonstrating capacity. Cities within the UGB complete Title 11 new urban area planning, which Metro then uses to determine the number of housing units available for expansion. Mr. Benner indicated the DLCD had trouble reconciling the collaborative approach Metro and cities undertook to resolve housing needs, density and mix in expansion areas in the region. Additionally, cities within the UGB meet Statewide Planning Goal 9 requirements to provide an inventory of employment sites. Mr. Benner explained that it does not make sense for Metro to reproduce detailed inventories of employment sites completed by local jurisdictions, which was successfully argued at the LCDC hearings.

Mr. Benner discussed the issue regarding analysis of urban reserves, which Metro reconciled with LCDC by providing evidence that appropriate location factors such were used to determine assessment areas. Location factor included flat topography, large parcels, available industrial land, access to existing transportation infrastructure and potential for vibrant communities. Even though not every commissioner was fully satisfied, Mr. Benner noted that after a motion and second, LCDC voted to unanimously to approve the UGB and Capacity Ordinances.

#### **Council Discussion:**

Councilors expressed their appreciation to Mr. Benner and all other staff members who helped make a strong case for Metro's compliance with statewide land use planning goals. There was discussion about learning from the process and proceedings with DLCD and LCDC, and how Metro can prepare for future compliance issues. Mr. Benner noted that with the Urban Reserves finalized, much of the work needed for future UGB expansion decisions will have been done. Mr. Benner then mentioned that the state and LCDC are aware of how cumbersome the UGB process has become. A work group was formed to consider reforming the process. Mr. Benner will participate on the work

group and convey concerns such as redundancy with the work Metro and local jurisdictions are required to produce.

Councilors then discussed the challenges that face the nation, and how staying focused on how to make the most out of what we have will be paramount when considering region-wide land use decisions. It was noted that the range forecast method for determining capacity positions the region to produce vibrant communities on the front end rather than expanding the UGB and hoping sustainable communities emerge. Councilors again commended Mr. Benner and staff for their successful efforts to elucidate Metro's methods for determining capacity and vision for the region.

#### **4. COUNCILOR BRIEFING/COMMUNICATION**

- Councilor Craddick reported that the Intertwine Alliance Board of Directors met to overview milestones and recap their growing list of partners. Councilor Harrington noted that the Intertwines Annual Report will be made available soon. Councilor Craddick mentioned the first Intertwine trail signage will be placed at the Fanno Creek Trailhead.
- Councilor Burkholder recapped his participation in the Pride Parade. Metro also had an information booth set up at the Pride Festival along the waterfront.
- Councilor Harrington noted that the Regional Conservation Strategy will be published this summer.
- Council President Hughes mentioned that the Leadership Council for the Community Investment Initiative (CII) will meet tomorrow to deliberate and adopt the Strategic Plan.
- Council President Hughes explained an issue the African American Chamber of Commerce has brought up regarding potential reforms to First Opportunity Target Area (FOTA), which covers the Portland Expo Center, the Oregon Convention Center (OCC) and the Portland Center for Performing Arts (PCPA).

#### **ADJUORN**

Seeing no further business, Council President Hughes adjourned the Council work session at 3:11 p.m.

Prepared by,



Josh Springer  
Council Office Policy Assistant

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 19, 2012**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>1.0</b>	Agenda	6/21/12	Jun. 21, 2012 Council meeting agenda	61912cw-01