

**A G E N D A**

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**METRO**

**Agenda**

MEETING: METRO COUNCIL WORK SESSION MEETING  
DATE: February 24, 2004  
DAY: Tuesday  
TIME: 1:00 PM  
PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

- |         |    |  |                     |
|---------|----|--|---------------------|
| 1:00 PM | 1. | <b>DISCUSSION OF AGENDA FOR COUNCIL<br/>REGULAR MEETING, FEBRUARY 26, 2004</b>   |                     |
| 1:15 PM | 2. | <b>NEW AREA PLANNING</b>   | Valone              |
| 2:15 PM | 3. | <b>PHASE 2 ECONOMIC, SOCIAL, ENVIRONMENTAL,<br/>ENERGY (ESEE) RESULTS FOR FISH AND WILDLIFE<br/>PROTECTION PROGRAM</b>                                       | Deffebach           |
| 3:15 PM | 4. | <b>2006-09 TRANSPORTATION PRIORITIES AND MTIP<br/>SCHEDULE AND POLICY UPDATE</b>   | Cotugno/<br>Leybold |
| 3:45 PM | 5. | <b>REGIONAL SOLID WASTE MANAGEMENT PLAN<br/>(RSWMP) CONTINGENCY OPTIONS</b>  | Hoglund             |
| 4:15 PM | 6. | <b>EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660 (1) (d)<br/>FOR THE PURPOSE OF DELIBERATING WITH PERSONS<br/>DESIGNATED TO CONDUCT LABOR NEGOTIATIONS.</b> |                     |
| 4:30 PM | 7. | <b>CITIZEN COMMUNICATION</b>   |                     |
| 4:35 PM | 8. | <b>CHIEF OPERATING OFFICER COMMUNICATION</b>   |                     |
| 4:40 PM | 9. | <b>COUNCILOR COMMUNICATION</b>   |                     |

**ADJOURN**

Agenda Item Number 2.0

***NEW AREA PLANNING***

Metro Council Work Session  
Tuesday, February 24, 2004  
Metro Council Chamber

**METRO COUNCIL**

**Work Session Worksheet**

Presentation Date: February 24, 2004      Time: 1:00 p.m.      Length: 1 hour  
Presentation Title: New Area Planning  
Department: Planning  
Presenters: Ray Valone, Dick Benner

**ISSUE & BACKGROUND**

Pursuant to Title 11 of the Functional Plan, all territory added to the UGB as a legislative amendment shall be subject to adopted comprehensive plan provisions by the local governments with jurisdiction over the territory. These provisions shall be consistent with all applicable titles of the Functional Plan and shall contain an urban growth plan diagram and policies (concept plan) that demonstrate compliance with the Regional Framework Plan and the 2040 Growth Concept.

This report covers three topical areas: 1) An update of the new area planning activities throughout the region (Attachment A); 2) Metro's roles in new area planning; and 3) new area planning issues including Title 11 provisions, plan phasing and local government perspectives (Attachment B).

**OPTIONS AVAILABLE**

No formal action is needed by the Council at this time.

**IMPLICATIONS AND SUGGESTIONS**

Accept this status report.

**QUESTION(S) PRESENTED FOR CONSIDERATION**

How frequently does the Council want periodic reports from staff about the progress of new area concept planning?  
Does the Council want to pursue amending Title 11 per the suggested changes in attached report?  
Does the Council want to modify its role in new urban area planning?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION** \_\_ Yes x No  
**DRAFT IS ATTACHED** \_\_ Yes \_\_ No

**SCHEDULE FOR WORK SESSION**

Department Director/Head Approval *Adkins*  
Chief Operating Officer Approval \_\_\_\_\_

ATTACHMENT A

**NEW AREA PLANNING  
(as of February 17, 2004)**

<b>Project</b>	<b>Study Area/Ord # / Design Type(s)</b>	<b>Lead Agency</b>	<b>Status (plan deadline)</b>	<b>Staff<sup>1</sup></b>	<b>Metro Role</b>
Springwater Community Plan	SA 6p,12 / 969B / RSIA, Inner Neighborhood	Gresham	Planning process has begun (3/05)	RV, KE	Serve on Land Use and Transportation work teams
Pleasant Valley Concept Plan	1998 expansion / Town Center, Corridor, Inner Neighborhood	Gresham and Portland	Concept plan and implementation planning completed; adoption scheduled for summer (N/A)	RV, KE	For concept plan, partnered and co-managed project with two cities and two counties; served on project Steering Committee and technical committees. For implementation plan, served on technical committees
Damascus/Boring Concept Plan	SA 13-19 / 969B / TC, Inner Neighborhood, Employment, RSIA, Industrial, Corridor	Clack Co	Core values phase almost complete; inventory phase of concept plan beginning (3/07)	RV, KE, DRC	Partner with Clackamas County to manage project; serve on 4 technical teams and Advisory Committee.
Park Place Master Plan	SA 24p,25p, & 26p / 969B / Corridor, Inner Neighborhood	Oregon City	Developer portion of area to work with neighborhood residents in developing plan for all three sites (3/07)	TO	Provide technical advice as needed; review and comment on work produced by city and consultant
Beavercreek Road	SA 26p / 969B / Industrial	Oregon City	Area residents hired consultant to develop a concept plan	Not assigned	Provide technical advice as needed; review and comment on work produced by city and consultant
South End Road	SA 32p / 969B / Inner Neighborhood	Oregon City	City has no plans for this area yet	Not assigned	Provide technical advice as needed; review and comment on work produced by city and consultant
Villebois Village	1999 expansion / Inner Neighborhood	Wilsonville	Concept plan and comp. plan amendments & zoning complete; change of master plan for east area; south portion cleared for development, pending final agreements	RV	Provided technical advice; reviewed and commented on concept plan and subsequent comprehensive plan amendments

<sup>1</sup> Staff abbreviations: RV = Ray Valone; KE = Kim Ellis; TO = Tim O'Brien; DRC = Data Resource Center

East Wilsonville (Frog Pond Area)	SA 45 / 969B / Inner Neighborhood	Wilsonville	No action, some early talks on part of residents and homebuilders (3/07)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Tonquin Site	SA 47p,49p / 969B / RSIA	Tualatin	These two sites will be planned together and known as 'SW Tualatin'. The city received a TGM grant for \$270,000 and will be starting the planning within next couple of months (3/07)	Not assigned	Not yet been defined, though at least technical advice and review and comment. This project will likely be closely coordinated with the I-5/99W Corridor Study
Tigard Sand and Gravel Site	SA 47p,48 / 990A / RSIA	Tualatin			
Brookman Road Area	SA 54p, 55p / 969B / Inner Neighborhood	Sherwood	No plans for concept planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
Study Area 59	SA 59p / 969B / Corridor, Inner Neighborhood	Sherwood	City to work with school district to site facilities; concept planning and annexation complete within 3 years	RV	Not yet been defined, though at least technical advice and review and comment
Cipole Road	SA 61-1 / 969B / Industrial	Sherwood	No plans for concept planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
99W Area	SA 0 / 986A / Employment, Industrial	Sherwood	No plans for concept planning at this time. City TSP needs to be completed first.	Not assigned	Not yet been defined, though at least technical advice and review and comment
NW Tualatin	SA 61, north portion / 969B / Industrial, Corridor	Tualatin	The city received a TGM grant for \$30,000 and will be starting the planning with next couple of months (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bull Mountain Area	SA 63 / 969B / Outer Neighborhood	Tigard or Wash. Co	City has put planning work on hold until after Bull Mtn Annexation Plan adopted and voted on by citizens in Nov (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bull Mountain Area	SA 64 / 969B / Corridor, Inner Neighborhood	Tigard or Wash. Co	City has put planning work on hold until after Bull Mtn Annexation Plan adopted and voted on by citizens in Nov (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Cooper Mountain	SA 67 / 969B / Outer Neighborhood	Wash. Co or Beaverton or Hillsboro	Wash. Co and Beaverton not pursuing planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
Study Area 69	SA 69 / 969B / Inner Neighborhood	Wash. Co or Beaverton or Hillsboro	Wash. Co. and Hillsboro not pursuing planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
Witch Hazel Community Plan	1999 expansion + SA 71 (969B) / I.N.	Hillsboro	Concept plan complete; City adopted comprehensive plan amendment in February	RV	Served on technical advisory committee; reviewed and commented on concept plan and

Witch Hazel (cont)			2004; zoning will be adopted upon annexation (3/05)		subsequent comprehensive plan amendments
Study Area 77	SA 77p / 969B / Employment	Cornelius	Concept plan complete; City adopted comprehensive plan and zoning amendments, and annexed the area in January 2004 (3/05)	TO	Reviewed and commented on plan and amendments
Shute Road Site	Shute & Evergreen / 983B / RSLA	Hillsboro	Concept plan complete; City adopted comprehensive plan and zoning in late 2003; annexation to Metro is pending (3/05)	RV	Served as technical support on project advisory committee; reviewed and commented on concept plan and subsequent comprehensive plan and zoning amendments
Forest Grove Swap	N/A / 985A / Outer Neighborhood	Forest Grove	Work plan being developed (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bethany	SA 84, 85, 86, 87p / 987A / Corridor, Inner Neighborhood	Beaverton or Wash. Co	City pursuing signatures for annexation of area before committing to planning; city also budgeting money in next cycle for planning; county willing to do planning if two parties cannot come to agreement over annexation strategy (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bonny Slope	SA 93p / 969B / Inner Neighborhood	Multnomah County	County analyzing options to implement Title 11; some land owners looking into privately-lead plan and self-funding	Not assigned	Not yet been defined, though at least technical advice and review and comment
Area 94	SA 89p, 94 / 969B / Outer Neighborhood	Portland	City has not budgeted a concept plan process for FY 04/05, and has not yet determined when it will complete the plan. There is an appeal pending for this area (3/09)	Not assigned	Not yet been defined, though at least technical advice and review and comment

## ATTACHMENT B

### NEW AREA PLANNING ROLES AND ISSUES

#### I. Metro Roles

##### A. Technical Support

1. Land Use
  - Provide support in meeting code and ordinance requirements including information and interpretation of Title 11, UGB ordinance conditions, design types, etc.
  - Provide expertise in 2040 regional planning
  - Goal 5 integration with concept planning
2. Transportation
  - Support with RTP requirements
  - Travel forecast modeling
3. Corridor Planning
  - Coordination with corridor planning
4. Regional Parks & Greenspaces
  - Support and coordination with Metro open spaces and regional trails
5. Data Resource Center
  - Mapping support

##### B. Financial Support

1. Provide direct and in-kind contributions
2. Apply for grants

##### C. Coordination/mediation

1. Coordination responsibility (“all planning activities affecting land uses” within Metro district) under ORS 195.025.
2. Coordination responsibility (urban services) under ORS 195.065.
3. Determination, in consultation with local governments and MPAC, city/county responsibility for Title 11 planning in new urban areas under Metro Code 3.01.040.

#### II. New Area Planning Issues

##### A. Title 11

1. General
  - Integration of Title 11 provisions with ordinance conditions of addition: both adding new universal condition to Title 11 and referencing the ordinance in Title 11
  - Out of date regarding references to RUGGO and Title 6
2. Specific
  - Interim Protection (3.07.1110): This section is not specific on when these provisions sunset. If at time of comprehensive plan and zoning

amendments, then area owners can subdivide without annexation to governing jurisdiction that will implement urban densities.

- Provision for average residential density of at least 10 du/net acre or lower, which could be in conflict with 2040 Growth Concept and/or limit Council's flexibility for new area densities.

3. Housekeeping

- Out of date, e.g. reference to old Title 6
- Specifies dates for submission of plan amendments to Metro that are different from those specified in Title 8
- Mistaken reference in 3.07.1140

B. Local Government Staff – experience with implementing Title 11

- Valerie Counts, City of Hillsboro, worked on Witch Hazel Community Plan and Shute Road plan

C. Specific New Areas

1. Bull Mtn/Cooper Mtn/209<sup>th</sup> areas

- Location of these areas present particular challenges for the affected cities and Wash. Co. Because they are far removed from cities, in some cases not even within their urban service areas, and the county is not in the urbanization business, the likelihood of them being planned within the allotted time frame is unlikely. This results in residents being in an urbanizable area with longer-term temporary restrictions yet unable to develop their land.

2. Bonny Slope (Area 93)

- This 160-acre area consists of many 2-5 acre lots many of which are vacant or have lower value uses. Due to the location and urbanization questions of this area, Multnomah County is assessing how to implement Title 11. Due to this delay, there are reports of property owners selling their land for use as hobby farms. This pattern could preclude the area from developing as an urban area.

3. I-5/99W Corridor Area

- Need for new connector highway included in 2000 RTP. Because a portion of the connector would be on rural land, Metro is required to complete state goal exceptions.
- Related projects and funding
  - *Wash. County Arterial Study*
  - *I-5/99W Corridor Study*
    - *Exceptions Findings*
  - *Tualatin-Sherwood Road/corridor*
  - *Concept planning*
  - *Tonquin Trail Feasibility Study*
- Project coordination & considerations – coordination and timing of how these three projects work together is important
  - Wash. Co. study started summer 2003 and has evolved into more of a corridor study that would result in a location draft environmental



impact statement. The study will result in a “transportation system plan” recommendation for the area that would then guide the direction of the remaining projects. The County hopes to conclude the study in June 2004.

- Tualatin will begin concept planning within next couple of months and will conclude in June 2005. Metro Council’s June decision to add employment land in corridor could affect bigger picture concept planning and land use in area.
- *Questions:* How do these efforts affect the two roadway studies? Will the roadway alignment studies ‘lead’ the land use component?

## 2. Damascus/Boring Concept Plan

- Citizen issues
  - Distrust of governmental agencies, for example: there is not a true partnership with agencies despite MOU signed in 2003; concept plan has been pre-determined; leery that too much industrial land will be sited
  - Want entire area to be planned in one comprehensive effort
- Technical issues
  - Process and coordination of Sunrise Corridor Unit 1 and Unit 2 with concept plan, including completion of a Location Draft EIS for Unit 2
  - Timing and integration of Metro Goal 5 information with concept planning
- Governance/political/service provision issues
  - County line division between Gresham and Clack Co
  - Boundary line between Happy Valley and possible future City of Damascus
  - Boring area’s relationship to County and future City of Damascus
  - City of Sandy concerns about intrusion into Green Corridor along Hwy 26
  - Accelerated planning effort by Clack Co for Rock Creek and Carver areas

Agenda Item Number 3.0

***PHASE 2 ESEE RESULTS FOR FISH AND WILDLIFE HABITAT PROTECTION PROGRAM***

Metro Council Work Session  
Tuesday, February 24, 2004  
Metro Council Chamber

## METRO COUNCIL

### Work Session Worksheet

Presentation Date: 2/24/04      Time:      Length: 60 min

Presentation Title: Phase 2 ESEE Results for the Fish and Wildlife Habitat Protection Program

Department: Planning

Presenters: Deffebach, Ketcham,

#### **ISSUE & BACKGROUND**

The Fish and Wildlife Habitat Protection Program is evaluating the Economic, Social, Environmental and Energy (ESEE) consequences of different protection levels of the regionally significant fish and wildlife habitat. This ESEE analysis is the second step of the State's 3-step process for meeting Goal 5. In October 2003, Metro Council accepted the results of the Phase 1 Economic, Social, Environmental and Energy analysis and directed staff to evaluate six different regulatory approaches to fish and wildlife habitat protection in a Phase 2 ESEE analysis. Three of the options vary the level of protection based on habitat value while three other options vary the level of protection according to habitat and urban development values. By May, Metro Council is scheduled to consider a recommendation for the extent of habitat area protection by specifying where development (or conflicting uses) should be allowed, limited or prohibited. Prior to this consideration, the public will have an opportunity to review the ESEE analysis results at open houses and comment on the recommendation at public hearings.

The analysis in Phase 2 of the ESEE has involved evaluating how the six options compare to a baseline level of habitat protection. Each option was evaluated against economic, social, environmental and energy criteria. For each option, the analysis has considered the effect of the potential loss of habitat and urban development values, the of potential impacts on vacant and developed land and of potential impacts on residential, business and rural areas.

In addition to the regulatory options, the Phase 2 work has evaluated non-regulatory approaches. The Council has reviewed the preliminary analysis of the non-regulatory options, the baseline conditions and the social criteria at previous work sessions.

#### **OPTIONS AVAILABLE**

This presentation is intended to brief Councilors about the findings of the ESEE analysis. No action is requested at this time.

#### **IMPLICATIONS AND SUGGESTIONS**

This ESEE Phase 2 findings and conclusions will be shared with the public at open houses in March. The presentation at the work session is the opportunity for Councilors to review the results prior to broader public presentations. This is an

opportunity for Councilors to ask about the findings and develop an understanding of the material.

**QUESTION(S) PRESENTED FOR CONSIDERATION**

Staff request Councilors to ask questions that help their understanding of the differences between the options and to suggest points for clarification for staff as they prepare for the open houses in March.

**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 \_\_\_\_\_

Agenda Item Number 4.0

***MTIP POLICY DISCUSSION AND DIRECTION***

Metro Council Work Session  
Tuesday, February 24, 2004  
Metro Council Chamber

## METRO COUNCIL

### Work Session Worksheet

Presentation Date: February 24, 2004 Time:

Length: 20 minutes

Presentation Title: 2006-09 Transportation Priorities and MTIP schedule and policy update

Department: Planning

Presenters: Ted Leybold

#### ISSUE & BACKGROUND

Every two years, JPACT and the Metro Council distribute federal transportation funds to local applicants through the Transportation Priorities process. In order to coordinate this process with other transportation funding decisions in the region, the next Transportation Priorities process is tentatively scheduled to begin the application process in April. This process will allocate funds for the fiscal years of 2008 and 2009 and will make any necessary adjustments to previous allocations for years 2006 and 2007 due to project changes.

Policy direction on defining the type of transportation improvements that should be funded is being sought from Metro Council and JPACT. This will allow the application materials and technical evaluation methods to be updated to reflect this policy direction prior to the release of the applications in April. An extensive outreach process preceded the prior Transportation Priorities allocation process in 2002 and resulted in a major revision of program direction. This policy update is scheduled as a housekeeping update to address new issues that have emerged since the 2002 update.

#### OPTIONS AVAILABLE

Council could provide direction of the Transportation Priorities program. Some of the policy issues that should be considered include:

- Potential policy direction changes as a result of the enactment of the Oregon Transportation Investment Acts
- Potential policy direction changes as a result of pending reauthorization of a federal transportation bill
- How to address the ongoing discussion of regionally significant industrial lands
- Direction on transportation control measures (TCMs) that factor bicycle and pedestrian improvements into our air quality conformity calculations
- Effectiveness of demonstration programs, such as Green Streets, in addressing storm water quality, fish passage and habitat protection

- Increased emphasis on intelligent transportation systems (ITS)
- Implementation of the Regional Travel Options strategic plan
- Criteria for projects that benefit wildlife crossings, based on the recent work completed in conjunction with Portland State University
- Use of recycled materials and sustainable practices in transportation projects

Staff will bring a list of policy options and recommendations for these issues to the Council work session.

### **IMPLICATIONS AND SUGGESTIONS**

The policy direction and Transportation Priorities program application will be adopted by Council Resolution prior to release of the application to the regions transportation agencies. Council is requested to provide policy direction to staff that may be incorporated into the resolution and application at this work session.

### **QUESTION(S) PRESENTED FOR CONSIDERATION**

Described above in Options Available section.

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION  Yes  No**  
**DRAFT IS ATTACHED  Yes  No**

### **SCHEDULE FOR WORK SESSION**

Department Director/Head Approval \_\_\_\_\_

Chief Operating Officer Approval \_\_\_\_\_

Agenda Item Number 5.0

***RSWMP CONTINGENCY PLAN NEXT STEPS***

Metro Council Work Session  
Tuesday, February 24, 2004  
Metro Council Chamber



## METRO COUNCIL

### Work Session Worksheet

Presentation date: February 24, 2004      Time:      Length: 30 minutes

Presentation title: RSWMP Contingency Plan Next Steps

Department: Solid Waste and Recycling Department

Presenters: Lee Barrett and Michael Hogle

#### ISSUE & BACKGROUND

In August 2003, the Regional Solid Waste Management Plan (RSWMP) Contingency Plan Work Group was convened to evaluate and recommend required recycling policies that could be implemented in the region if progress toward the 2005 regional waste recovery goal of 62 percent is not adequate.

Upon completion of its work in December 2003, the work group recommended a contingency plan to Metro Council for consideration. The contingency plan was comprised of four strategies to increase recovery targeting construction and demolition, commercial and organics sectors.

Metro Council directed Solid Waste and Recycling Department staff to meet with local government solid waste staff to gather feedback on the work group's recommendations, as well as potential next steps to take. *Attachment A details the responses received from local governments.*

Metro Solid Waste and Recycling Department staff is scheduled to present the contingency plan strategies to the Metro Policy Advisory Committee (MPAC) for consideration on March 10, 2004. Staff will report back to Metro Council with an MPAC recommendation on the contingency plan development.

#### OPTIONS AVAILABLE

This is an informational update to Council on the feedback received from local government solid waste staff on the contingency plan recommendations. Staff is soliciting guidance and suggestions from Council on preparation for the upcoming presentation to MPAC. Council may identify specific questions for MPAC consideration.

#### IMPLICATIONS AND SUGGESTIONS

Staff suggests focusing the presentation to MPAC on the contingency plan's two primary strategies:

- **Contingency Strategy #1-** Metro should require all construction and demolition loads from the region to be processed before landfilling, and

- **Contingency Strategy #2-** Metro should require all local governments to adopt mandatory recycling requirements that require the recycling of specific materials. Metro should provide funding for the expansion of business recycling assistance and outreach programs to jurisdictions that have adopted mandatory recycling.

Based on local government solid waste staff feedback, there is general support for Metro adopting mandatory processing requirements for construction and demolition loads. Metro staff suggests soliciting input from MPAC on possible next steps for implementing this strategy.

Given that there was not consensus at the local government staff level for the development of mandatory business recycling requirements, Metro staff suggests getting feedback from MPAC on potential next steps and alternatives to this strategy. MPAC may also comment on increased funding for recycling assistance and outreach.


*Attachment B outlines potential implementation actions pertaining to Contingency Strategy #1 and #2.*

#### **QUESTION(S) PRESENTED FOR CONSIDERATION**

- Does Council recommend moving forward with briefing MPAC and moving forward with Contingency Strategies #1 and #2 as described in Attachment B?
- What modifications, if any, would Council like to make to Attachment B?

**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 \_\_\_\_\_

**Regional Solid Waste Management Plan  
Contingency Plan Recommendations  
Local Government Meeting Summary**



**METRO**  
PEOPLE PLACES • OPEN SPACES

Prepared by:  
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### Appendices

<b>Appendix A: Contingency Plan Recommendations.....</b>	<b>A-1</b>
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**Regional Solid Waste Management Plan  
Contingency Plan Recommendations  
Local Government Meeting Summary**

**REPORT OVERVIEW**

In August 2003, the Regional Solid Waste Management Plan (RSWMP) Contingency Plan Work Group was convened to evaluate and recommend required recycling policies that could be implemented in the region if progress toward the 2005 regional waste recovery goal of 62 percent is not adequate.

Upon completion of its work in December 2003, the work group recommended a contingency plan to Metro Council for consideration. The contingency plan was comprised of four strategies to increase recovery targeting construction and demolition, commercial and organics sectors (see Appendix A).

Metro Council directed Solid Waste and Recycling Department staff to meet with local government solid waste staff to gather feedback on the work group's recommendations, as well as potential next steps to take. This report summarizes feedback received from local governments.

**MEETING COMPOSITION**

Lee Barrett, Waste Reduction & Outreach manager, and Marta McGuire, Waste Reduction & Outreach Planner, met with eight jurisdictions in the Metro region (see Table 1) to gather feedback on the recommended contingency plan.

**Table 1. Local Government Solid Waste Staff**

<b>Name</b>	<b>Position Title</b>	<b>Jurisdiction</b>
Scott Keller	Solid Waste & Recycling Program Manager	City of Beaverton
Cindy Tatham	Waste Reduction Program Coordinator	City of Beaverton
Ken Spiegle	Community Environment Division Manager	Clackamas County
Rick Winterhalter	Waste Reduction Coordinator	Clackamas County
Susan Ziolk	Waste Reduction Coordinator	Clackamas County
Matt Korot	Recycling & Solid Waste Program Manager	City of Gresham
Sara Jo Chaplen	Project Manager	City of Hillsboro
JoAnn Herrigel	Community Services Director	City of Milwaukie
Judy Crockett	Program Specialist	City of Portland
Susan Anderson	Office of Sustainability Director	City of Portland
Bruce Walker	Solid Waste & Recycling Program Manager	City of Portland
Kevin Rauch	Environmental Specialist	City of Troutdale
Mark Altenhofen	Solid Waste Management Supervisor	Washington County

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## LOCAL GOVERNMENT MEETING SUMMARY

In February 2003, individual meetings were held with eight jurisdictions in the Metro region to discuss the contingency plan recommendations. The meetings focused on three main issues:

1. General concerns and feedback;
2. Additional information needed to make decisions about development; and
3. Input on next steps for the contingency plan development, including how Metro Council should proceed.

At each meeting, Metro and local government staff discussed the tradeoffs associated with the contingency plan strategies and potential alternatives. The following summary outlines local government comments with respect to each contingency strategy:

**Contingency Strategy #1: Metro should require all construction and demolition (C&D) loads from the region to be processed before landfilling.** With the exception of Hillsboro and Washington County, the majority of local government solid waste staff supported the development of mandatory processing requirements. Washington County and Hillsboro staff expressed concern that the new requirements may cause a local facility closure, which would likely impact haulers and ratepayers. Other local government staff interviewed also recognized the impact on the local facility and expressed some concern, but not to the same degree. With additional information on hauler and ratepayer cost impacts, Washington County and Hillsboro may be able to support a mandatory requirement.

**Contingency Strategy #2: Metro should require all local governments to adopt mandatory recycling requirements that require the recycling of specific materials. Metro should provide funding for the expansion of business recycling assistance and outreach programs to jurisdictions that have adopted mandatory recycling.** Clackamas County and the cities of Portland, Beaverton, Troutdale, and Milwaukie supported the premise of Contingency Strategy #2. Staff from Washington County and the cities of Gresham and Hillsboro, however, felt that mandatory recycling would not be appropriate for their jurisdictions at this point in time. Instead, staff in these jurisdictions felt committed to being held accountable to hard recovery goals, but wanted the flexibility to meet those targets using programs that each felt would work best within its community. Overall, there was universal support for increased recycling assistance and outreach funding among the local governments.

**Contingency Strategy #3: Metro should require all dry waste loads from the region to be processed before landfilling.** All of the jurisdictions interviewed agreed this strategy should be examined and evaluated following the implementation of Contingency Strategy #1. City of Portland staff expressed concern that this strategy may send the wrong message to generators. Staff does not want the region to move away from a source-separated approach.

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**Contingency Strategy #4: Metro should evaluate organics contingency strategies, including mandatory business requirements and residential collection with yard debris, in one year.** There was general consensus among local governments in support of the development of organics collection programs in the region. Local governments are interested in evaluating the success of organics programs once they are rolled out in the region.

Overall, local government staff indicated they would like additional information on the following:

- **Mandatory processing of C&D loads cost impacts-** Information on the cost impacts of mandatory processing requirements on haulers and ratepayers.
- **Enforcement measures-** Outline of potential enforcement measures for mandatory processing of C&D loads and commercial recyclables.
- **Model ordinances-** Sample mandatory business recycling ordinances from other communities in the United States.
- **Mandatory business recycling requirements cost impacts-** Information on the cost impacts of mandatory business recycling requirements.

## DETAILED FEEDBACK

The jurisdiction-by-jurisdiction summary that follows provides more detailed comments received by local governments regarding each of the contingency plan strategies. Some of the jurisdictions met jointly with Metro staff to discuss the contingency plan. In those instances, the jurisdictions' feedback is grouped together.

### Beaverton

**Contingency Strategy #1-** No explicit concerns about the implementation of mandatory processing of C&D loads were expressed. Staff supported further development of this strategy.

**Contingency Strategy #2-** Although Beaverton staff general supported the development of mandatory business recycling requirements with increased recycling assistance, they believed the time frame identified in the contingency plan was not feasible and suggested that the strategy be further defined within the Regional Solid Waste Management Plan update process. Staff would like Metro to provide more detailed information and direction on potential mandatory program elements including target materials and potential enforcement measures.

**Contingency Strategy #3-** Following the implementation and evaluation of mandatory processing of C&D loads, staff suggested examining if the requirements should be extended to cover to all dry waste.

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**Contingency Strategy #4-** Staff supported the development of organics collection in the region. They will evaluate program development once a processor is located and other municipalities have successfully implemented a collection program.

### **Clackamas County and City of Milwaukie**

**Contingency Strategy #1-** Overarching support of the program, but staff expressed the need to consider the potential impact of the program on the facilities in the region.

**Contingency Strategy #2-** Overall, staff supported the development of this strategy, but strongly suggested that this policy change be presented as a regional goal, rather than a Metro mandate. Staff also indicated that local jurisdictions, especially the smaller ones with limited staff, will need to be educated on why mandatory recycling is necessary. Action: Clackamas County and City of Milwaukie staff would like additional information on potential enforcement measures and sample mandatory recycling ordinances from other municipalities.

**Contingency Strategy #3-** Representatives felt that extending the requirements to cover all dry waste processing should be examined after the implementation and evaluation of mandatory processing of C&D loads.

**Contingency Strategy #4-** With regard to residential organics collection, staff expressed the need to consider the impact on yard debris processing facilities and the potential rate implications.

### **Gresham**

**Contingency Strategy #1-** Staff was in favor of Metro adopting requirements for processing of C&D loads.

**Contingency Strategy #2-** At this point in time, staff supports increased recycling assistance program funding, but does not support mandating business recycling. Staff suggested setting recovery rate or program performance requirements for their jurisdiction. If the recovery rate is not achieved, then mandatory requirements could be examined.

**Contingency Strategy #3-** Like other local governments, Gresham staff agreed that processing requirements for all dry waste should be examined after the implementation and evaluation of Contingency Strategy #1.

**Contingency Strategy #4-** Staff concurred that organics strategies should be assessed in one year. Gresham will evaluate developing a program once a processor is located and the City of Portland has successfully implemented a collection program. Staff is currently working on developing a collection cost model and expects to bring a rate proposal to its Council in the fall, which would provide the foundation for implementing a program.



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## Portland

**Contingency Strategy #1-** Portland solid waste staff supported Metro moving forward with the design and adoption of mandatory processing requirements. They also felt Metro facilities should be included under the requirement. Staff noted the potential impact on the Washington County facility and would like to see the facility continue to operate under the new requirement. Staff pointed out that a mandatory C&D requirement will support Portland's green building program. The city currently has staff to provide technical assistance to support C&D requirements.

**Contingency Strategy #2-** The City of Portland is the only city in the region that already has mandatory business recycling requirements. Portland staff strongly indicated their support for the development of mandatory recycling requirements throughout the region coupled with an expanded technical assistance and outreach program. Staff expressed that increased recycling assistance and outreach is a critical component of a mandatory recycling program.

**Contingency Strategy #3-** Portland staff was less supportive of the development of Contingency Strategy #3 because it may send the wrong message to the generator. Staff does not want programs to move away from a source-separated approach.

**Contingency Strategy #4-** The City of Portland is in the process of developing an organics collection program for the commercial sector, and is working with Metro to locate a processor.

## Washington County and City of Hillsboro

**Contingency Strategy #1-** Staff expressed general support for the premise of mandatory processing requirements, but had strong concerns about the impact on local facilities, haulers and ratepayers. Washington County and Hillsboro haulers have limited choices of where they can take their material. Before staff can make a decision about supporting the adoption of this requirement, staff needs information on other processing options that are available to their haulers, as well as travel time and cost implications.

**Contingency Strategy #2-** Like Gresham, Washington County and Hillsboro staff supported increased recycling assistance program funding, but was not in favor of mandating business recycling. Washington County staff is concerned about putting additional requirements on businesses. Staff would like additional information on the cost impacts of mandatory recycling requirements on haulers and ratepayers.

**Contingency Strategy #3-** Representatives felt that extending the requirements to cover all dry waste processing should be examined after the implementation and evaluation of mandatory processing of C&D loads.

**Contingency Strategy #4-** There was general support for the development of organics collection in the Metro region.

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## **Troutdale**

**Contingency Strategy #1-** Staff supported the adoption of mandatory processing requirements. Staff specified that Metro facilities should be included under the requirement and held to the same standard as other facilities in the region.

**Contingency Strategy #2-** Staff supported evaluating mandatory recycling as a strategy to increase recovery within the Regional Solid Waste Management Plan update. Staff does not believe mandatory business recycling requirements will have a negative impact on businesses. Staff would like additional information on cost implications for mandatory recycling requirements and potential enforcement measures.

**Contingency Strategy #3-** Following the implementation and evaluation of mandatory processing of C&D loads, staff suggested examining if the requirements should be extended to cover to all dry waste.

**Contingency Strategy #4-** Like other local governments in the region, Troutdale staff supported the development of organics collection in the metro region.

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## **Appendix A: Contingency Plan Recommendations**

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## CONTINGENCY PLAN RECOMMENDATIONS

With the goal of reaching the 62 percent recovery rate by 2005, the Contingency Plan Work Group recommends the following strategies:

**Strategy #1: Metro should require all construction and demolition loads from the region to be processed before landfilling, beginning July 1, 2004.** This strategy targets additional recovery in the building industry sector. Facilities that are franchised or licensed in the Metro region are currently required to perform recovery on construction and demolition loads at minimum recovery rate of 25 percent. Designated Facility Agreements with facilities outside the region would need to be revised to either: 1) require material recovery at the facility; or 2) require the facility to accept only material that has been processed (MRFed). It is recommended that Metro facilities be included under this requirement.

**Strategy #2: Metro should require local governments to adopt mandatory business recycling requirements that require the recycling of specific materials.** Metro should provide additional funding to expand business recycling assistance and outreach programs to jurisdictions that have adopted mandatory recycling, with the following conditions:

- Beginning July 1, 2004, Metro should provide additional funding to local jurisdictions for expanded business recycling assistance and outreach.
- If by January 1, 2005, the development of a mandatory recycling program is not underway in individual jurisdictions, those jurisdictions should not be eligible to receive the additional funding for expanded recycling assistance and outreach.
- If by January 1, 2006, a mandatory recycling program is not in place in individual jurisdictions, those jurisdictions should not receive recycling assistance and outreach funding (including both present program funding and additional contingency funding).

The Contingency Plan Work Group recommends that Metro provide additional funding for the Commercial Technical Assistance Program (\$400,000 per year) and commercial recycling outreach campaigns (\$110,000 per year) beginning in FY 04-05. The proposed funding doubles the FY 03-04 business recycling assistance program and commercial outreach budget. These strategies target additional recovery in the commercial sector, where the greatest amount of tonnage is needed to meet the 2005 recovery goal.

**Strategy #3: Metro should require all dry waste loads from the region to be processed before landfilling.** Dry waste does not include food or other putrescible waste. Typically, recyclables in a dry waste load include paper, wood, metal and glass. The work group recommends that this strategy be implemented after the adoption of mandatory recycling requirements and expanded business recycling assistance and outreach to capture any remaining recyclables in dry waste loads. This strategy may be implemented in a similar manner as Contingency Strategy #1.

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**Strategy #4: Metro should evaluate organics contingency strategies in one year.**

The Contingency Plan Work Group strongly supports Metro's efforts and leadership in developing an organics collection program for the region. At this time, the work group feels it is premature to implement contingency measures and recommends evaluating the following strategies to increase recovery in one year:

- 1) Mandatory recovery of food waste from certain sized businesses; and
- 2) Residential organics collection (food waste collected with yard debris).

In this evaluation, factors for consideration should include: 1) a processor is located and operational; 2) at least two jurisdictions have organics collection programs established; and 3) at least 5,000 tons (over baseline of 12,000 tons) of organics are being recovered.



## Contingency Plan Implementation

Target Sector	#	Recommended Strategy	Potential Implementation Actions
Building Industry	1	Metro should require all construction and demolition loads from the region to be processed.	<ul style="list-style-type: none"> <li>• Council directs staff to refine technical analysis including evaluating the costs, benefits and tonnage estimates.</li> <li>• Council directs staff to convene a work group to develop program details including an operational definition of C&amp;D loads, recovery level requirements and enforcement measures.</li> <li>• Council directs staff to revise regulatory instruments to include a mandatory recovery requirement.</li> <li>• Council directs staff to submit a change order for Metro transfer station facilities to require additional recovery from C&amp;D loads.</li> </ul>
Commercial	2	Metro should require local governments to adopt mandatory business recycling requirements that require the recycling of specific materials. Metro provides funding for the expansion of business recycling assistance and outreach programs to jurisdictions that have adopted mandatory recycling according to the specified conditions.	<ul style="list-style-type: none"> <li>• Council directs staff to refine technical analysis including evaluating the costs, benefits and tonnage estimates.</li> <li>• Council directs staff to work with local governments and businesses to develop program details of a mandatory business recycling program and seek MPAC comments and recommendations.</li> <li>• Council amends the RSWMP to require all local governments to adopt mandatory recycling ordinances.</li> <li>• Council directs staff to facilitate a process to assist local governments in adopting mandatory recycling ordinances.</li> <li>• Council approves budgetary add-package for additional recycling assistance and outreach funding.</li> </ul>

## A G E N D A

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**METRO**

**Agenda**

MEETING: METRO COUNCIL REGULAR MEETING  
 DATE: February 26, 2004  
 DAY: Thursday  
 TIME: 2:00 PM  
 PLACE: Metro Council Chamber

**CALL TO ORDER AND ROLL CALL**

1. **INTRODUCTIONS**
2. **CITIZEN COMMUNICATIONS**
3. **SECOND FINANCIAL QUARTERLY REPORT** Short
4. **GOVERNMENT FINANCE OFFICERS ASSOCIATION BUDGET AWARD** Stringer
5. **CONSENT AGENDA**
  - 5.1 Consideration of Minutes for the February 19, 2004 Metro Council Regular Meeting.
6. **ORDINANCES – FIRST READING**
  - 6.1 **Ordinance No. 04-1041**, For the Purpose of Amending Metro's Regional Framework Plan to better protect the region's farm and forest land industries and land base, and Declaring an Emergency.
7. **ORDINANCES - SECOND READING**
  - 7.1 **Ordinance 04-1033**, For the Purpose of Amending Metro Code Chapter 3.09 (Local Government Boundary Changes) to Allow Use of the Expedited Process for Changes to the Metro District Boundary and to Clarify Criteria for Boundary Changes, and Declaring an Emergency. McLain
  - 7.2 **Ordinance No. 04-1035**, For the Purpose of Amending Metro Code Chapter 2.04 To Require Retention of Contract Records by Metro Contractors and to Assure the Ability of Metro to Audit Contract Records. Newman

7.3 **Ordinance No. 04-1039**, For the Purpose of Amending the FY 2003-04 Budget and Appropriations Schedule by Transferring \$450,000 from Contingency to Capital Outlay in the General Account in the Solid Waste Revenue Fund, and Declaring an Emergency. McLain

8. **RESOLUTIONS**

8.1 **Resolution No. 04-3424**, For the purpose of Authorizing the Chief Operating Officer to enter into an Intergovernmental Agreement with TriMet for completion of the South Corridor Project Final Environmental Impact Statement. Monroe

8.2 **Resolution No. 04-3427**, For the Purpose of Responding to USDOT Concerns, Revising the Conformity Determination Report and Re-adopting the Portland Area Air Quality Conformity Determination for the 2004 Regional Transportation Plan and 2004-07 Metropolitan Transportation Improvement Program. (*PUBLIC HEARING ONLY, NO FINAL ACTION*) Monroe

9. **CONTRACT REVIEW BOARD**

9.1 **Resolution No. 04-3425**, For the purpose of Authorizing the Chief Operating Officer to Amend the Environmental consultant contracts to Complete the South Corridor Project Final Environmental Impact Statement. Newman

9.2 Solid Waste report on possible Solid Waste Contract Extension for Transfer Stations Hoglund

9.3 **Resolution No. 04-3426**, For the Purpose of Authorizing the Exemption from Competitive Bidding Requirements and Authorizing Issuance of RFP #04-1091-SWR for the Operation of Metro South and/or the Metro Central Transfer Stations. Park

10. **EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.**

10.1 **Resolution No. 04-3421**, For the Purpose of Authorizing the Execution Of a Seven-Year Lease with Oregon Park Development, LLC. Park

11. **CHIEF OPERATING OFFICER COMMUNICATION**

12. **COUNCILOR COMMUNICATION**

**ADJOURN**



## **Planning Department "Buck-A-Ton" Excise Tax Proposal**

February 24, 2004

### **Background**

It is proposed that a one-dollar per ton increase in excise tax on Solid Waste Disposal be adopted, phased in over three years, for enhancement of Metro's Planning program. This memo is intended to provide a framework for this proposal, relative to the existing work program funded through both excise taxes and grants. It is assumed, for purposes of this proposal, that the excise tax would phase-in as follows:

- Year 1 - \$400,000 (at 1/3<sup>rd</sup> of a dollar)
- Year 2 - \$824,000 (at 2/3<sup>rd</sup> of a dollar with 3% escalation)
- Year 3 - \$1,273,080 (at \$1 with 3% escalation x 2-years)
- Year 4 - \$1,311,272 (at \$1 with 3% escalation x 3-years)

This proposal is heavily weighted toward the Growth Management functions of Metro that are almost exclusively funded through the Excise Tax. There are many Transportation programs that could be undertaken with increased funding but these will be sought through more conventional transportation grant funding sources. In cases where this proposal does include a Transportation Program, it is recommended for inclusion because there is a local match requirement, it is not grant eligible or it furthers Metro's land use interests.

### **Base Program**

The Base Budget has been developed based upon the same level of excise tax resources in FY 04-05 as in FY 03-04. This is \$4,054,761, which accounts for removal of the one-time increases provided in FY 03-04 for the Centers Program (\$100,000) and the Goal 5 Economic Review Panel (\$17,550). In addition to excise tax funding, the proposed Planning Department budget includes \$13.5 million in funding from other sources, predominately transportation grants. A portion of the Base excise tax is used to provide local match for this grant-funded budget. Key features of the Base Budget are as follows:

- A. Community Development Section – 5.5 FTE (reduce 1.5 FTE) – 84% Excise Tax
  - The Base Budget is based upon completing Periodic Review June 2004 with limited costs in FY 04-05 for LCDC acknowledgement. With this task completed, staffing is reduced by 1.0 FTE. The remainder of the staff would be budgeted on work program tasks as follows:
    - (a) New urban area concept planning – 1.63 FTE
    - (b) Functional Plan implementation and compliance - .41 FTE
    - (c) UGB Administration - .05 FTE + consultant for processing
    - (d) 2040 Reevaluation – 3.61 FTE

B. Combined TOD/Centers Program – 2.5 FTE (Combine Existing FTE) – 98% Grants  
The Base Budget is structured around combining the current TOD Program with the Centers Program to focus the efforts on implementing, rather than planning, public and private developments in Centers.

C. Long-Range Planning Section – 6.6 FTE (Reduce 1.4 FTE) – 100% Excise Tax  
The Base Budget is based upon reducing the FTE on the Fish & Wildlife Program by 1.0 FTE in July 2004 and completing the Fish & Wildlife Program by January 2005 with FTE reduced by another position at that time (1 FTE reduced for .4 of a year).  
The overall section would be budgeted on work program tasks as follows:

1. Completion of Fish & Wildlife Program, LCDC acknowledgement, local plan implementation – 4.2 FTE + \$79,000 M&S
2. Stormwater exploratory effort - .2 FTE
3. Affordable Housing – 1.0 FTE + \$55,000 M&S
4. Performance Measures - .9 FTE
5. Regional Emergency Management - .05 FTE
6. Regional Water Supply Consortium - .05 FTE

D. Regional Transportation Planning Section – 8 FTE – 84% Grants  
The Base Budget is based upon continuation of the same level of excise tax resources as the prior fiscal year. It also includes the transfer of the Regional Travel Options Program from TriMet to Metro. The overall section would be budgeted on work program tasks as follows:

1. RTP Update – 1.45 FTE
2. MTIP – 1.75 FTE
3. Regional Travel Options – 1.35
4. Livable Streets - .7 FTE
5. Local Implementation - .4 FTE
6. Support for Big Look - .85 FTE
7. Performance Measures - .3 FTE
8. Support for Concept Planning - .75 FTE
9. Support for Transportation Ballot Measure - .45 FTE

E. Corridor Planning Section – 11 FTE – 98% Grants  
The Base Budget is based upon continuation of the same level of excise tax resources as the prior fiscal year and reflects a reduction of 1 FTE vacancy from FY 03-04. The work program is predominately funded through grants to carry out specific corridor studies through MTIP and other federal and regional sources. The overall section would be budgeted on work program tasks as follows:

1. South Corridor – 5.2 FTE
2. Interstate/Wilsonville-Beaverton Commuter Rail - .4 FTE
3. Willamette Shore - .6 FTE
4. Hwy 217 Corridor – 2.5 FTE

5. I-5/99W Corridor - .2 FTE
6. Sunrise Corridor - .25 FTE
7. Foster/Powell – Phase 2 - .5 FTE
8. Freight Planning - .65 FTE
9. Bi-State Coordination - .2 FTE
10. Elderly & Disabled Transit Planning - .25 FTE
11. Transportation Ballot Measure - .25 FTE

F. Travel Forecasting Section – 10 FTE – 98% Grants

The Base Budget is based upon continuation of the same level of excise tax resources as the prior fiscal year. The work program is predominately funded through grants budgeted for various transportation studies undertaken by Metro and the other transportation jurisdictions in the region. The Base Budget reflects the elimination of the Technical Services Director position. The overall section would be budgeted on work program tasks as follows:

1. Model Development, Refinement, Data collection, Forecasting – 3.5 FTE
2. Services outside Metro - .6 FTE
3. Services inside Metro – 6.9 FTE

F. Data Resource Center – 14.6 FTE – 30% Excise Tax, 21% Solid Waste, 14% Grants, 28% Sales, 7% Parks

The Base Budget is based upon an increase in level of excise tax resources as the prior fiscal year with a reduction of funding from the Solid Waste Department. The core budget for the DRC is for database maintenance, map and aerial photo updates and population, employment and land use forecasts funded through pooled resources from the Excise Tax, Solid Waste, Grants, Sales and Parks. The remaining DRC budget is based upon a fee-for-service model with direct charges to users inside and outside Metro. The overall section would be budgeted on work program tasks as follows:

1. Database Maintenance, Mapping updates, Forecasting – 7.1 FTE
2. Services to Planning – 3.4 FTE
3. Services to other Metro Departments - .9 FTE
4. Services outside Metro – 3.2 FTE

G. Public Outreach – 3 FTE (assigned to Public Affairs)

The Base Budget incorporates the elimination of 1.2 FTE temporary staff and 1.0 vacancy budgeted for public outreach in FY 03-04. The remaining 3 full time FTE are budgeted in the Planning Fund based upon the programs they provide support for but are assigned to the Public and Governmental Affairs Department. In this manner, the time of these individuals and those already budgeted in Public and Government Affairs can be most effectively coordinated.

H. Administration – 11.75 FTE

This includes the Planning Department Director, the Regional Planning Program

Director, the Administrative Services Manager, staff responsible for managing grants and contracts and clerical support staff. The Base Budget reflects the elimination of the Regional Planning Division Director position and a .5 reduction in clerical support.

## **Add-Programs**

Presented below and in summary form on Attachment A are 9 concept proposals for using the proposed Excise Tax increase in the Planning Department. These are presented to illustrate the program areas that could be feasibly undertaken and is subject to refinement based upon direction of Council and further refinement of the scope of each activity by staff.

In summary, the proposals represent resources needed to both stabilize the existing funding base for the department and take on an expanded work program in response to Council and regional expectations. This proposal reflects the addition of 1.5 excise tax funded positions.

### **1. Base Excise Tax Programs**

Starting in Year 2, it is necessary to budget for the difference between the escalation rates of expected costs (5% for Personnel and 2% for Materials & Services) vs. the escalation rate of the Base Excise Tax revenue (2%). This requires \$105,000 in Year 2, increasing to \$215,000 in Year 3 and \$335,000 in Year 4. The alternative to this would be to reduce staffing levels approximately 1 FTE per year. Since the core excise tax funded programs include approximately 12 FTE in this budget, staff reductions of 1 FTE per year would have a very significant negative impact. The alternative to these reductions in the core programs would be to reduce an already minimal level of local match on grant-funded programs.

### **2. Transfer to Support Services**

In FY 04-05, there is uncertainty regarding the cost of PERS fringe benefits due to changes made by the Oregon Legislature and pending court challenges. The Planning Department budget provides for a department-wide PERS cost of 33.85% of salary. In addition, the budget provides a PERS Reserve of 6.65% of salary on excise tax-funded salaries. This PERS Reserve is not included on grant-funded salaries because a reserve fund for a possible expense is not grant eligible. Included in Add-Package #2 is \$58,000 to enable the Planning Fund to pay its share of this PERS Reserve on Support Services salaries. This item is carried forward in Years 2, 3 and 4 with a 5% escalator.

### **3. Expanded Centers/TOD Program (See Attachment B: Facilitating Successful Development in 2040 Centers)**

The Base Budget reflects an effort to leverage the expertise and transportation grant funding allocated through the MTIP to the Transit-Oriented Development (TOD) Program into broader efforts to support public and private development activities in

Centers regionwide. This Add-Package takes this objective further with the addition of another FTE in Year 1 and a commitment of funding for grants to local government and private investment projects of \$100,000 in Year 1, increasing to \$150,000 in Year 2, \$200,000 in Year 3 and \$250,000 in Year 4. The intent of these resources would be to work with local governments, business organizations and private developers to realize their redevelopment objectives. This could involve technical assistance to provide design and architectural services for a proposed project or financial services to define the project's pro forma and financial feasibility. This could then lead to capital improvement funding through the MTIP allocation for either infrastructure improvements or in the development proposal itself.

With the expanded staff resources, there could also be increased attention to seeking state and federal grants from sources not typically pursued by Metro. In addition, it would provide the capacity to assist these jurisdictions in developing competitive applications for grants. Finally, the expanded staff resource would provide the capacity to disseminate information to interested parties throughout the region.

4. 2040 Reevaluation – The Big Look (See Attachment C: Regional Growth Concept - Update and Refinement)

The most significant new undertaking proposed is the multi-year reevaluation of the 2040 Growth Concept. The Base Budget includes the needed staff resources but lacks funding for needed consulting and outreach support. The Add Program ramps up these resources in Years 2 and 3 and then reduces back down to a smaller effort in Year 4. Year 1 is a preparatory period with funding to upgrade and expand the geographic scope of Metro's land use forecasting tool, Metroscope and funding toward the Greater Metropolitan area Employment Lands Study (GMELS). Years 2 and 3 are the big outreach years to evaluate and seek input on alternatives, concluding with adoption of Metro plans. Year 4 concludes the process with the next periodic round of UGB amendments as necessary. The specific add package items are as follow:

Metroscope Upgrade and Expansion	\$ 75,000
GMELS	\$ 50,000
Consultant support – Year 2	\$100,000
Consultant support – Year 3	\$100,000
Outreach – Year 2	\$250,000
Outreach – Year 3	\$250,000
Outreach – Year 4	<u>\$ 50,000</u>
Total	\$855,000

5. UGB Expansion Concept Planning

With the UGB expansions of 2002 and 2004 and when the 2040 Reevaluation is completed, including appropriate expansions to the Urban Growth Boundary in 2009, there is a need for Concept Planning in the expansion areas. Although Metro does not have sole responsibility, there are limited resources at the local level. This Add-Package proposes to provide funding toward this need as follows:

Year 1	\$100,000
Year 2	\$100,000
Year 3	\$100,000
Year 4	\$250,000

6. Regional Travel Options

The Base Budget provides for the transfer of the oversight, marketing and evaluation functions for the Regional Travel Options Program from TriMet to Metro, consistent with the 5-year Strategic Plan adopted by Resolution No. 04-3400. A task still to be determined is the local match arrangements for the overall program, a portion of which will be Metro's responsibility.

7. Transportation Engineer

Metro has been successful in directing the MTIP toward implementation of the 2040 Growth Concept. This has been accompanied by development of street design guidelines in the form of "Livable Streets" and "Green Streets" manuals and ODOT adoption of Special Transportation Areas where there is the ability to apply a new "Urban" chapter of their Highway Design Manual. However, the specific design of every street project is different, especially Boulevard projects in Centers. To ensure successful development of these projects, it is proposed to add a licensed civil engineer to the staff to interface with ODOT and local engineering staff. The position is proposed to be funded 50% through this excise tax funded add-package with 50% funded through transportation grants. This add-package is proposed to be implemented in Year 2 and includes a 5% escalator thereafter.

8. Transportation Ballot Measure

In January 2003, the Transportation Investment Task Force recommended that the Metro Council consider referring a ballot measure to the voters to fund a package of transit, highway, street, bike and pedestrian improvements throughout the region. Recent discussions between the Task Force, JPACT and the Metro Council have concluded that a work program should be developed to prepare such a ballot measure for the Council to consider referral in November of 2006 or 2008. The work program to develop such a measure can be funded through transportation planning grants. However, once a ballot measure is referred to the voters, there must be a privately financed effort to fund the advocacy campaign and there is a need for non-grant sources to fund dissemination of public information. In Spring, 2006 (Year 2) and Fall, 2006 (Year 3), there is a proposed add-package to provide \$50,000 of excise tax funding each period to pay for this staff support leading up to the election. This is necessary because the Planning Department staff in question need to be shifted from other projects funded through grants.

9. Corridor Planning

The Corridor Planning Section is predominately funded through transportation grants and contracts and therefore, their work program priorities are shaped by the availability of these resources. For comparison, the Metro funded share of the 3 transportation sections in the Base FY 04-05 budget are as follows:

Regional Transportation Planning	14%
Travel Forecasting	13%
Corridor Planning	3%

It is proposed that excise tax funding be added to the Corridor Planning Section in the amount of \$100,000 in Year 3 and 4. This funding would be provided to facilitate incorporation of land use issues into the corridor studies and provide a portion of the resources needed to develop a long range strategic plan for further additions to the LRT, streetcar and other fixed-guideway elements of the transit system.

## Planning Department - "Buck-A-Ton" Excise Tax Proposal

February 24, 2004

Item	<b>Year 1 - FY 04-05 Available</b>	<b>\$400,000</b>		
1	Base Excise Tax Programs	\$0	Gap between revenue and expense escalator	
2	Transfer to Support Services	\$58,000	PERS Reserve	
3	Centers Program	\$100,000	Grants & Contracts for combined Centers/TOD Program	
3	Centers Program	\$90,000	1.0 FTE for Centers/TOD Program	
4	Data Resource Center	\$75,000	Upgrade Metroscope for Big Look	
4	GMELS	\$50,000	Contribution to Phase 2	
5	Community Development	\$100,000	Consulting support for Concept Planning	
	TOTAL	\$323,000		
	Balance Available	\$77,000		
	<b>Year 2 - FY 05-06 Available</b>	<b>\$824,000</b>		*
1	Base Excise Tax Programs	\$105,000	Gap between revenue and expense escalator	*
2	Transfer to Support Services	\$61,000	PERS Reserve	*
3	Centers Program	\$150,000	Grants & Contracts for combined Centers/TOD Program	
3	Centers Program	\$94,500	1.0 FTE for Centers/TOD Program	*
4	Community Development	\$100,000	Consulting support for Big Look	
4	Public Affairs	\$250,000	Public Outreach M&S for Big Look	
5	Community Development	\$100,000	Consulting support for Concept Planning	
6	Regional Travel Options	\$25,000	Local Match	
7	Transportation Planning	\$55,000	.5 FTE Engineer	
8	Transportation	\$50,000	Staff support for Transportation Ballot Measure	
	TOTAL	\$940,500		
	Balance Available	-\$116,500		
	<b>Year 3 - FY 06-07 Available</b>	<b>\$1,273,080</b>		*
1	Base Excise Tax Programs	\$215,000	Gap between revenue and expense escalator	*
2	Transfer to Support Services	\$64,000	PERS Reserve	*
3	Centers Program	\$200,000	Grants & Contracts for combined Centers/TOD Program	
3	Centers Program	\$99,225	1.0 FTE for Centers/TOD Program	*
4	Community Development	\$100,000	Consulting support for Big Look	
4	Public Affairs	\$250,000	Public Outreach M&S for Big Look	
5	Community Development	\$100,000	Consulting support for Concept Planning	
6	Regional Travel Options	\$26,250	Local Match	*
7	Transportation Planning	\$57,750	.5 FTE Engineer	*
8	Transportation	\$50,000	Staff support for Transportation Ballot Measure	
9	Corridor Planning	\$100,000	Address Land Use & LRT System Priorities	
	TOTAL	\$1,262,225		
	Balance Available	\$10,855		
	<b>Year 4 - FY 07-08 Available</b>	<b>\$1,311,272</b>		*
1	Base Excise Tax Programs	\$335,000	Gap between revenue and expense escalator	*
2	Transfer to Support Services	\$67,000	PERS Reserve	*
3	Centers Program	\$250,000	Grants & Contracts for combined Centers/TOD Program	
3	Centers Program	\$104,186	1.0 FTE for Centers/TOD Program	*
4	Public Affairs	\$50,000	Public Outreach M&S for UGB Review	
5	Community Development	\$250,000	Consulting support for Concept Planning	
6	Regional Travel Options	\$27,563	Local Match	*
7	Transportation Planning	\$60,638	.5 FTE Engineer	*
9	Corridor Planning	\$100,000	Address Land Use & LRT System Priorities	
	TOTAL	\$1,244,386		
	Balance Available	\$66,886		
	Cumulative Balance Available	\$38,241		

\* 3%/year growth rate on \$1/Ton; 2% on M&S; 5% on Personnel; 2% on Base Excise Tax



## **Facilitating Successful Development in 2040 Centers**

February 24, 2004

### **Background**

Through numerous policy actions, the Metro Council has shown its desire to see development and redevelopment in Centers throughout the region. Centers include a broad array of areas, including the Central City, Regional Centers, Town Centers, Main Streets, Light Rail Station Communities and to some extent Corridors. It is in these areas that Metro seeks to attract more development at higher density to minimize the need to expand the urban growth boundary and to facilitate the best use of the existing transportation infrastructure. These transportation and land use objectives are the foundation of the region's growth management strategy.

To date, there has been significant progress as evidenced in the improvement in the refill rate for region-wide residential development and the rate of residential development occurring within Centers. However, as an element of Metro's Periodic Review adopted in December 2002, the council established an increased emphasis on development in Centers. This took the form of adopting a more aggressive target for redevelopment and infill accompanied by adoption of a Centers Chapter, new Title 6, in the Urban Growth Management Functional Plan.

In the recent examination of the need for added industrial land to the Urban Growth Boundary, there is increased debate over the need for land to support office development and the trade-off of accommodating this development in industrial areas versus in Centers. This raises the need to recognize the policy conflict between the desire to accommodate office growth in Centers versus the higher cost of redevelopment in Centers. As such, relying solely on office development in Centers could have a negative economic development impact. Facilitating office development in Centers would help mitigate this possible economic development impact.

Metro has been a promoter of development in Centers for many years. The purpose of the Light Rail Transit (LRT) work has been to facilitate development within Centers that are connected by LRT. Metro participated in updates to local comprehensive plans to implement the 2040 Growth Concept, including numerous Centers Plans throughout the region. The MTIP allocation criteria have been revised to favor improvements that support redevelopment in Centers, especially through the construction of Boulevard improvements in Centers. MTIP funding has been allocated to the TOD Program to directly invest in land for development of mixed-use, higher density developments adjacent to LRT and more recently for development projects in Centers not connected by LRT. In a report prepared by Leland and Associates and Parsons Brinkerhoff, a blueprint for implementation of a more aggressive Metro Centers Program has been developed.

This Add-Package is in direct response to the Metro Council's policy directives.

## **Base Budget**

The Base Budget combines the 2.0 FTE (funded by MTIP) in the TOD Program with .5 FTE (funded by excise tax) from the Community Development Section into a new combined Centers/TOD Program. These resources would continue to pursue specific transit-oriented development projects using allocated MTIP funds. However, the intent is to expand the program to provide more technical resources to jurisdictions and developers in the 2040 Centers. The staff, operating in an advisory capacity, will provide input on the feasibility of proposed development projects and provide guidance on necessary actions for successful implementation. In addition, there will be regular dissemination of news relating to Center developments.

Through the use of MTIP funding, this program can provide modest resources for technical support in the form of architectural and design services and financial feasibility support. This new group will have access to the Community Development Section for assistance in responding to land use code requirements, the RTP Section for street design support, the Corridor Planning Section for transit design support, the Data Resource Center for data and forecasts and the Office of Metro Attorney for property acquisition support.

## **Proposed ADD Package**

The proposed Add Package includes:

- 1.0 FTE in Year 1 (for a total of 3.5 FTE) plus funding for Materials & Services in the amount of \$100,000 in Year 1
- \$150,000 in Year 2
- \$200,000 in Year 3
- \$250,000 in Year 4

By leveraging federal monies and some existing excise tax, the addition of staff and funds for M & S will result in the following products:

1. Project Financing Technical Assistance – Assistance will be provided to developers and local governments in seeking financing for proposed projects. This will provide technical assistance for the developer in identifying equity capital and mortgage financing for Center projects, linking to creative lenders for gap financing. It will also include use of tax credit financing (particularly for affordable housing), vertical housing tax abatement and location-efficient mortgages.
2. Development Opportunity Program – This will provide “quick turnaround” technical, financial, pro-forma, design and outreach assistance in circumstances where immediate assistance is needed for a proposed development to ensure maximum benefit to the center.

3. Grant writing support – Assistance will be provided to local governments to pursue potential grant sources, including the Oregon Departments of Economic and Community Development, Housing, Land Conservation, Development and Environmental Quality and from Federal Departments of Housing and Urban Development, Transportation, Economic Development and EPA.
4. Provide technical assistance through the Centers Resource Center with the collection and dissemination of examples of local development codes that reduce the barriers to redevelopment, examples of successful developments and the key features that produce success, information of the availability of conventional and grant financing, and of a regular newsletter to update activities throughout the region.
5. Data Services – Work with the Data Resource Center to establish a portfolio of regularly updated data, forecasts and mapping useful to local governments, business associations and individual developers interested in promoting development in Centers. Examples include vacancy rates, lease rates, redevelopable land availability, planned public and private improvements, etc.
6. Marketing Materials – As local governments begin to undertake the Title 6 requirements, Metro can provide assistance in developing market profiles for the Centers.
7. Future Metro funding programs – As work progresses in the Parks Department on development of a possible ballot measure and the Planning Department on a possible transportation ballot measure, the Centers/TOD group will identify improvements to consider including those measures that facilitate development in Centers. Examples include boulevards, street connectivity, improved access to the regional highway and transit system, and development of public spaces and trails. In addition, there is a need to research sources of increased capital financing for Center developments.
8. GMELS – Participate in the Greater Metropolitan Employment Lands Study (GMELS) to ensure adequate analysis of opportunities for meeting the need to accommodate employment growth in Centers.
9. Advocate, where needed, public investment in Centers, such as government and public buildings.

**REGIONAL GROWTH CONCEPT – UPDATE AND REFINEMENT**  
**(THE BIG LOOK)**

**PROPOSED PLANNING PROCESS**

**February 24, 2004**

In 1991, Metro initiated a growth management planning process to address long term growth issues related to urban form and transportation. The 2040 Growth Concept was adopted in 1995 and followed with the adoption of land use, transportation, water quality and affordable housing requirements to be implemented by local governments as well as major planning by the cities and counties. Now nearly 15 years later, it is time to review the elements of the 2040 Growth Concept and ask what has worked; were there unexpected results – either positive or negative – and have new growth management issues surfaced which should be addressed at the regional level?

Adding to the timeliness of a need to review the 2040 Growth Concept is the Council's experience with the recent Urban Growth Boundary (UGB) expansion in 2002. With adding over 18,000 acres for urbanization in 2002 and possibly another 2,000 acres in June 2004, several key growth issues have arisen:

- That including a large area around Damascus provides the opportunity to create a complete urban community rather than making expansions around the edge that are only big enough to accommodate subdivisions;
- State law requiring "exception lands" as the first lands to be urbanized and prime agricultural lands last was possible to achieve to meet the 2002-2022 housing need but all future expansions will inevitably impact prime agricultural land;
- The movement of Metro's UGB is interconnected to the neighboring jurisdictions and future movement will escalate conflicts;
- Development in 2040 Centers is a very important growth management strategy and is slow in coming to fruition. Metro must demonstrate significant evidence that the 2040 Centers can accommodate the infill and redevelopment forecasted, otherwise, future growth will have to be accommodated primarily through expansion of the UGB; and
- The State hierarchy of lands for expansion of the UGB does not speak to protecting wildlife corridors.

A comprehensive evaluation of the 2040 Growth Concept and the implementing regional policies that set the vision to 2040 is proposed before the next Periodic Review of the UGB. This discussion paper outlines the general steps and timetable to undertake such a process.

**Phase 1 – How Are We Doing? (September 2004 – September 2005)**

**A. Review of the 2040 Growth Concept**

2040 Regional Framework Plan policy discussion: What is working/what is not working? This policy discussion would be the first step in critiquing 2040 and forms the foundation for developing alternative urban forms and new policies for Phase 2.

Undertake a public critique of 2040: Many regional stakeholders, both public and private, are responsible for planning or implementing aspects of the region's growth management policies. Now is an important time to provide a forum to solicit comments from those stakeholders on the effectiveness of the 2040 Growth Concept and how the growth managements policies should be modified.

Update Regional Transportation Plan: Complete an update to the Regional Transportation Plan based on the 2025 forecast to meet State requirements for an update every five to seven years (must be completed between 2005-2007). This update will be based on current policy and be completed in 2005 in anticipation of a major update later to incorporate the Council's directions after the completion of The Big Look.

## **B. Research and Development of Better Analytical Tools:**

During Phase 1, it is important to carry out research and build better analytical tools in preparation for the urban form analysis phase. The research would include:

Update forecast: Develop a base case forecast of population, employment and generalized land use patterns to 2030, 2040, 2050 and 2060.

Prepare MetroScope Base Case: Complete a land use and transportation evaluation of the growth effects of the 2040 and 2060 forecast. This analysis is a rigorous assessment of the long-term performance of the region's growth management policies. It will provide measures of land use efficiency, redevelopment rates, the development of performance from 2040 Centers, housing affordability, and transportation performance, etc. The Base Case will run parallel to Metro's Bi-Annual Performance Measures Report, thereby providing an analysis of recent trends and likely future conditions.

Increase data coverage: Metro's GIS coverage is limited to its jurisdictional boundaries. In order to more fully explore urban form scenarios, GIS coverage needs to be expanded to included land data for a broader geographic region and include natural resource data and agricultural lands data.

Update Travel Behavior Survey: The success of the 2040 Growth Concept was and is dependent on the successful use of alternatives to the single occupant automobile, especially in mixed-use areas. It is apparent now, based upon national statistics, that distinctly different travel patterns are developing in the Metro region evidenced by a high level of transit and bike usage and a declining level of vehicle travel per capita. However, travel forecast models based on the 1995 Travel Behavior Survey do not account for these recent changes. It will be important to field an updated travel behavior survey before undertaking an analysis of the urban form scenarios.

Improve employment land information: A better understanding of the need and use of land for employment purposes is needed. An initial effort has begun, through a public/private effort called the Greater Metropolitan Employment Lands Study (GMELS). The first phase of the study included a scoping on the issue data collected and development of a research proposal. This research is particularly important as we develop the urban form scenarios and consider the need for industrial lands; the use of industrial lands for non-industrial purposes; the viability of employment growth in 2040 Centers and the possibility for employment growth in other areas such as corridors.

Efficiency improvements: As part of the periodic review of the UGB, Metro must demonstrate the capacity of the urban area. This involves a two-part exercise: First, Metro must demonstrate that land is being used efficiently and that additional capacity inside the existing urban area can or cannot be

achieved. Secondly, Metro is required to explore and institute new policies to implement the land efficiency measures and only then can capacity be added through amendment of the UGB. During the 1990s, Metro identified centers as nodes to increase zoned capacity, adopted minimum density requirements and parking standards. Metro must explore new efficiency measures before the next review of the UGB. Corridors and employment areas may yield opportunities to integrate new housing units through redevelopment and infill. The amount of potential capacity, and understanding a potential market response will be necessary before this idea is tested in MetroScope analysis.

Agricultural lands research: Metro has just scratched the surface in understanding the needs of the agriculture industry. Before Metro begins developing urban form scenarios, it is important to better understand the land and location needs of agriculture and potential threats from further urban development. The Oregon State Department of Agriculture is currently completing an initial evaluation of general areas outside the UGB that may accommodate the expansion of the UGB for industrial development without being harmful to the agricultural industry. Additional data and cooperation from the department is needed to broaden the scope of what areas require permanent protection from urbanization.

Citizen involvement during Phase 1 is targeted at:

- Stakeholders;
- Developing relationships with neighboring communities;
- Surveying the general public about growth issues; and
- General education.

## **Phase 2 – Development/Analysis of Growth Alternatives (April 2005 to June 2007)**

### **A. Development and Analysis of Alternative Urban Form Scenarios**

Define urban form scenarios: Based upon the critique of the 2040 Growth Concept and the base case analysis, urban form scenarios will be developed and forecasted using MetroScope. It is not possible to determine the characteristics of these scenarios at this time, but it is reasonable to expect scenarios to be formed around different levels of subregional growth, different areas of agricultural or natural resource protection, expectations for development in 2040 Centers, intensification of the use of land in employment areas and corridors and level of growth in neighboring jurisdictions. A subregional analysis, whether as a method of evaluation or the basis of an urban form scenario, will be included in this phase. As with the 2040 planning process, these scenarios should be viewed as concepts to test a policy approach and lessons will be gleaned from all the scenarios which will then be used as the building blocks for the final preferred urban form.

Evaluate and seek input on the urban form scenarios: A standard set of measures will need to be developed to evaluate the scenarios. These measures will come from our past experience with MetroScope, the Performance Measures Report and the public critique of the 2040 Growth Concept.

### **B. Development of Policies and Implementation Tools**

Identify implementation tools: The success of The Big Look will depend on the actions taken by state, regional and local governments and the private sector. This element of the planning process is an action plan that follows the analysis. The action plan could include changes in regulations at the state or federal level, funding and investment strategies, tools to address intergovernmental cooperation in a large metropolitan region and changes to Metro's and local jurisdictions' plans and policies. In tandem with identification of tools is the identification of the measures of success which would include establishing "benchmarks" defining what level of performance measures are intended to be achieved.

During Phase 2, reaching the general public and stakeholders will be critical to understanding the public's willingness to make specific trade-offs. Education and soliciting public opinion is the goal of the Phase 2 effort.

### **Phase 3 – Adoption (April 2007 to June 2008)**

At the conclusion of Phase 2, it is proposed that the following agency policies be updated to reflect the revised growth management strategies:

Future Vision - The 1992 Metro Charter requires an update to the Future Vision every 15 years. This update should be carried out as an obvious next step in The Big Look process rather than as an independent process;

Update Regional Framework Plan including a policy on subregional issues as appropriate;

Update 2040 Growth Concept Map to reflect policy changes;

Update Urban Growth Management Functional Plan to reflect policy changes; and adopt

Urban Reserves sufficient to accommodate UGB expansion for a 10 to 30 year period.

Phase 3 is the critical public outreach phase of The Big Look. A comprehensive approach should be developed that engages a broad array of public and private sector stakeholders. As urban form scenarios are developed and evaluated, it will be important to develop methods for the public to visualize trade-offs and to provide meaningful input into the decision.

### **Phase 4 – Periodic Review of the UGB (January 2008 to December 2009)**

Urban Growth Boundary – Through application of the Urban Reserves and an extensive public process in Phase 2, the 2009 UGB review process should take a minimal effort. To meet State requirements, it will be necessary to adopt an updated 20-year population and employment forecast, compile a housing and jobs urban growth report documenting the demand and supply of land and adopt actions to increase the capacity of the UGB either through actions to use land within the existing boundary more efficiently or to expand the boundary. *Note: This overall approach is predicated on a change in statutory requirements from the current five year review cycle to a seven year cycle. This change would establish December 2009 as the new deadline (seven years after the December 2002 UGB actions).*

Regional Transportation Plan – An update to the RTP will be needed to extend it to 2030 and incorporate transportation policies and improvements to implement the results of The Big Look.

Phase 4 outreach to the public may be limited to more conventional involvement of stakeholders, open houses and public hearings.

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ATTACHMENT A

NEW AREA PLANNING  
(as of February 17, 2004)

Project	Study Area/Ord # / Design Type(s)	Lead Agency	Status (plan deadline)	Staff <sup>1</sup>	Metro Role
Springwater Community Plan	SA 6p,12 / 969B / RSIA, Inner Neighborhood	Gresham	Planning process has begun (3/05)	RV, KE	Serve on Land Use and Transportation work teams
Pleasant Valley Concept Plan	1998 expansion / Town Center, Corridor, Inner Neighborhood	Gresham and Portland	Concept plan and implementation planning completed; adoption scheduled for summer (N/A)	RV, KE	For concept plan, partnered and co-managed project with two cities and two counties; served on project Steering Committee and technical committees. For implementation plan, served on technical committees
Damascus/Boring Concept Plan	SA 13-19 / 969B / TC, Inner Neighborhood, Employment, RSIA, Industrial, Corridor	Clack Co	Core values phase almost complete; inventory phase of concept plan beginning (3/07)	RV, KE, DRC	Partner with Clackamas County to manage project; serve on 4 technical teams and Advisory Committee.
Park Place Master Plan	SA 24p,25p, & 26p / 969B / Corridor, Inner Neighborhood	Oregon City	Developer portion of area to work with neighborhood residents in developing plan for all three sites (3/07)	TO	Provide technical advice as needed; review and comment on work produced by city and consultant
Beavercreek Road	SA 26p / 969B / Industrial	Oregon City	Area residents hired consultant to develop a concept plan	Not assigned	Provide technical advice as needed; review and comment on work produced by city and consultant
South End Road	SA 32p / 969B / Inner Neighborhood	Oregon City	City has no plans for this area yet	Not assigned	Provide technical advice as needed; review and comment on work produced by city and consultant
Villebois Village	1999 expansion / Inner Neighborhood	Wilsonville	Concept plan and comp. plan amendments & zoning complete; change of master plan for east area; south portion cleared for development, pending final agreements	RV	Provided technical advice; reviewed and commented on concept plan and subsequent comprehensive plan amendments

<sup>1</sup> Staff abbreviations: RV = Ray Valone; KE = Kim Ellis; TO = Tim O'Brien; DRC = Data Resource Center



**METRO COUNCIL**

**Work Session Worksheet**

Presentation Date: February 24, 2004      Time: 1:00 p.m.      Length: 1 hour  
Presentation Title: New Area Planning  
Department: Planning  
Presenters: Ray Valone, Dick Benner

**ISSUE & BACKGROUND**

Pursuant to Title 11 of the Functional Plan, all territory added to the UGB as a legislative amendment shall be subject to adopted comprehensive plan provisions by the local governments with jurisdiction over the territory. These provisions shall be consistent with all applicable titles of the Functional Plan and shall contain an urban growth plan diagram and policies (concept plan) that demonstrate compliance with the Regional Framework Plan and the 2040 Growth Concept.

This report covers three topical areas: 1) An update of the new area planning activities throughout the region (Attachment A); 2) Metro's roles in new area planning; and 3) new area planning issues including Title 11 provisions, plan phasing and local government perspectives (Attachment B).

**OPTIONS AVAILABLE**

No formal action is needed by the Council at this time.

**IMPLICATIONS AND SUGGESTIONS**

Accept this status report.

**QUESTION(S) PRESENTED FOR CONSIDERATION**

How frequently does the Council want periodic reports from staff about the progress of new area concept planning?

Does the Council want to pursue amending Title 11 per the suggested changes in attached report?

Does the Council want to modify its role in new urban area planning?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION**  Yes  No  
**DRAFT IS ATTACHED**  Yes  No

**SCHEDULE FOR WORK SESSION**

Department Director/Head Approval *John*  
Chief Operating Officer Approval \_\_\_\_\_

East Wilsonville (Frog Pond Area)	SA 45 / 969B / Inner Neighborhood	Wilsonville	No action, some early talks on part of residents and homebuilders (3/07)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Tonquin Site	SA 47p,49p / 969B / RSIA	Tualatin	These two sites will be planned together and known as 'SW Tualatin'. The city received a TGM grant for \$270,000 and will be starting the planning within next couple of months (3/07)	Not assigned	Not yet been defined, though at least technical advice and review and comment. This project will likely be closely coordinated with the I-5/99W Corridor Study
Tigard Sand and Gravel Site	SA 47p,48 / 990A / RSIA	Tualatin			
Brookman Road Area	SA 54p, 55p / 969B / Inner Neighborhood	Sherwood	No plans for concept planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
Study Area 59	SA 59p / 969B / Corridor, Inner Neighborhood	Sherwood	City to work with school district to site facilities; concept planning and annexation complete within 3 years	RV	Not yet been defined, though at least technical advice and review and comment
Cipole Road	SA 61-1 / 969B / Industrial	Sherwood	No plans for concept planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
99W Area	SA 0 / 986A / Employment, Industrial	Sherwood	No plans for concept planning at this time. City TSP needs to be completed first.	Not assigned	Not yet been defined, though at least technical advice and review and comment
NW Tualatin	SA 61, north portion / 969B / Industrial, Corridor	Tualatin	The city received a TGM grant for \$30,000 and will be starting the planning with next couple of months (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bull Mountain Area	SA 63 / 969B / Outer Neighborhood	Tigard or Wash. Co	City has put planning work on hold until after Bull Mtn Annexation Plan adopted and voted on by citizens in Nov (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bull Mountain Area	SA 64 / 969B / Corridor, Inner Neighborhood	Tigard or Wash. Co	City has put planning work on hold until after Bull Mtn Annexation Plan adopted and voted on by citizens in Nov (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Cooper Mountain	SA 67 / 969B / Outer Neighborhood	Wash. Co or Beaverton or Hillsboro	Wash. Co and Beaverton not pursuing planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
Study Area 69	SA 69 / 969B / Inner Neighborhood	Wash. Co or Beaverton or Hillsboro	Wash. Co. and Hillsboro not pursuing planning at this time	Not assigned	Not yet been defined, though at least technical advice and review and comment
Witch Hazel Community Plan	1999 expansion + SA 71 (969B) / I.N.	Hillsboro	Concept plan complete; City adopted comprehensive plan amendment in February	RV	Served on technical advisory committee; reviewed and commented on concept plan and

Witch Hazel (cont)			2004; zoning will be adopted upon annexation (3/05)		subsequent comprehensive plan amendments
Study Area 77	SA 77p / 969B / Employment	Cornelius	Concept plan complete; City adopted comprehensive plan and zoning amendments, and annexed the area in January 2004 (3/05)	TO	Reviewed and commented on plan and amendments
Shute Road Site	Shute & Evergreen / 983B / RSIA	Hillsboro	Concept plan complete; City adopted comprehensive plan and zoning in late 2003; annexation to Metro is pending (3/05)	RV	Served as technical support on project advisory committee; reviewed and commented on concept plan and subsequent comprehensive plan and zoning amendments
Forest Grove Swap	N/A / 985A / Outer Neighborhood	Forest Grove	Work plan being developed (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bethany	SA 84, 85, 86, 87p / 987A / Corridor, Inner Neighborhood	Beaverton or Wash. Co	City pursuing signatures for annexation of area before committing to planning; city also budgeting money in next cycle for planning; county willing to do planning if two parties cannot come to agreement over annexation strategy (3/05)	Not assigned	Not yet been defined, though at least technical advice and review and comment
Bonny Slope	SA 93p / 969B / Inner Neighborhood	Multnomah County	County analyzing options to implement Title 11; some land owners looking into privately-lead plan and self-funding	Not assigned	Not yet been defined, though at least technical advice and review and comment
Area 94	SA 89p, 94 / 969B / Outer Neighborhood	Portland	City has not budgeted a concept plan process for FY 04/05, and has not yet determined when it will complete the plan. There is an appeal pending for this area (3/09)	Not assigned	Not yet been defined, though at least technical advice and review and comment

**ATTACHMENT B**

**NEW AREA PLANNING ROLES AND ISSUES**

**I. Metro Roles**

**A. Technical Support**

1. Land Use
  - Provide support in meeting code and ordinance requirements including information and interpretation of Title 11, UGB ordinance conditions, design types, etc.
  - Provide expertise in 2040 regional planning
  - Goal 5 integration with concept planning
2. Transportation
  - Support with RTP requirements
  - Travel forecast modeling
3. Corridor Planning
  - Coordination with corridor planning
4. Regional Parks & Greenspaces
  - Support and coordination with Metro open spaces and regional trails
5. Data Resource Center
  - Mapping support

**B. Financial Support**

1. Provide direct and in-kind contributions
2. Apply for grants

**C. Coordination/mediation**

1. Coordination responsibility (“all planning activities affecting land uses” within Metro district) under ORS 195.025.
2. Coordination responsibility (urban services) under ORS 195.065.
3. Determination, in consultation with local governments and MPAC, city/county responsibility for Title 11 planning in new urban areas under Metro Code 3.01.040.

**II. New Area Planning Issues**

**A. Title 11**

1. General
  - Integration of Title 11 provisions with ordinance conditions of addition: both adding new universal condition to Title 11 and referencing the ordinance in Title 11
  - Out of date regarding references to RUGGO and Title 6
2. Specific
  - Interim Protection (3.07.1110): This section is not specific on when these provisions sunset. If at time of comprehensive plan and zoning

amendments, then area owners can subdivide without annexation to governing jurisdiction that will implement urban densities.

- Provision for average residential density of at least 10 du/net acre or lower, which could be in conflict with 2040 Growth Concept and/or limit Council's flexibility for new area densities.

3. Housekeeping

- Out of date, e.g. reference to old Title 6
- Specifies dates for submission of plan amendments to Metro that are different from those specified in Title 8
- Mistaken reference in 3.07.1140

B. Local Government Staff – experience with implementing Title 11

- Valerie Counts, City of Hillsboro, worked on Witch Hazel Community Plan and Shute Road plan

C. Specific New Areas

1. Bull Mtn/Cooper Mtn/209<sup>th</sup> areas

- Location of these areas present particular challenges for the affected cities and Wash. Co. Because they are far removed from cities, in some cases not even within their urban service areas, and the county is not in the urbanization business, the likelihood of them being planned within the allotted time frame is unlikely. This results in residents being in an urbanizable area with longer-term temporary restrictions yet unable to develop their land.

2. Bonny Slope (Area 93)

- This 160-acre area consists of many 2-5 acre lots many of which are vacant or have lower value uses. Due to the location and urbanization questions of this area, Multnomah County is assessing how to implement Title 11. Due to this delay, there are reports of property owners selling their land for use as hobby farms. This pattern could preclude the area from developing as an urban area.

3. I-5/99W Corridor Area

- Need for new connector highway included in 2000 RTP. Because a portion of the connector would be on rural land, Metro is required to complete state goal exceptions.
- Related projects and funding
  - *Wash. County Arterial Study*
  - *I-5/99W Corridor Study*
    - *Exceptions Findings*
  - *Tualatin-Sherwood Road/corridor*
  - *Concept planning*
  - *Tonquin Trail Feasibility Study*
- Project coordination & considerations – coordination and timing of how these three projects work together is important
  - Wash. Co. study started summer 2003 and has evolved into more of a corridor study that would result in a location draft environmental

impact statement. The study will result in a “transportation system plan” recommendation for the area that would then guide the direction of the remaining projects. The County hopes to conclude the study in June 2004.

- Tualatin will begin concept planning within next couple of months and will conclude in June 2005. Metro Council’s June decision to add employment land in corridor could affect bigger picture concept planning and land use in area.
- *Questions:* How do these efforts affect the two roadway studies? Will the roadway alignment studies ‘lead’ the land use component?

## 2. Damascus/Boring Concept Plan

- Citizen issues
  - Distrust of governmental agencies, for example: there is not a true partnership with agencies despite MOU signed in 2003; concept plan has been pre-determined; leery that too much industrial land will be sited
  - Want entire area to be planned in one comprehensive effort
- Technical issues
  - Process and coordination of Sunrise Corridor Unit 1 and Unit 2 with concept plan, including completion of a Location Draft EIS for Unit 2
  - Timing and integration of Metro Goal 5 information with concept planning
- Governance/political/service provision issues
  - County line division between Gresham and Clack Co
  - Boundary line between Happy Valley and possible future City of Damascus
  - Boring area’s relationship to County and future City of Damascus
  - City of Sandy concerns about intrusion into Green Corridor along Hwy 26
  - Accelerated planning effort by Clack Co for Rock Creek and Carver areas

**Raymond Valone - RE: New area planning issues**

**From:** "Harker, Jonathan" <Jonathan.Harker@ci.gresham.or.us>  
**To:** "Raymond Valone" <valoner@metro.dst.or.us>  
**Date:** 2/23/2004 3:50 PM  
**Subject:** RE: New area planning issues  
**CC:** "Vanderkooy, Terry" <Terry.Vanderkooy@ci.gresham.or.us>

Ray -- sorry it took me so long to get back to you. Here are few "off the cuff" issues. Also where and when is the meeting. Terry is thinking of attending (just to listen and learn). Thanks, Jonathan

- Capital Improvement Projects -- Additions of large UGB expansion areas (such as the Pleasant Valley 1,500 acres) means development of complete new infrastructure systems for transportation, water, wastewater, stormwater and parks that is much different than more traditional, incremental and small annexations. Impacts on cities can include:
  - System Development Charges (SDCs/TIFs) for construction of needed improvements can be significantly larger than existing city charges. Blended rates can impact existing development in the City whereas separate additional charges could be disincentive to development of new planning areas. Similar issues also play out for utility rates.
  - Strain bonding capacity for CIP facilities. Improvement Projects will need to occur before or concurrent with urban development and before SDCs are collected in the new planning area. Cities have limited capacity to bond for improvements (such as a new water reservoir). This can create needs to prioritize between existing city needs and the needs of the new planning area and in some cases (such as Pleasant Valley and Springwater) between the needs of new planning areas.
- Annexation Plan. Pleasant Valley's 1,500 acres is currently broken up into 424 tax lots (and about 385 ownerships). This poses significant challenges to annexations and subsequent developments that will facilitate completing infrastructure systems, cohesive neighborhoods, natural resource protection and all the other elements that Title 11 provides are plan for. Metro could look into facilitating corporations to bring together multiple property owners and interests in a way that benefits the realizing of the concept plan created under Title 11.
- Natural Resources. New planning areas will invariably have significant stream and wetland complex areas. (Pleasant Valley has the Kelley/Mitchell Creek tributary to Johnson Creek system). Unlike the built current UGB areas where Title 3 (& Goal 5) mostly deal with what is left the new planning areas have great opportunities for protecting and restoring more complete and functioning natural resource systems. However, none of the standard funding mechanisms are adequate to acquire and restore all of the land associated with those areas. The NR system in Pleasant Valley is around 30% of the total acreage and it may be impractical to expect that "regulation" alone can result in protection and restoration. Can these NR systems be seen more like regional infrastructure (green) much like arterial roadways are seen (and funded) as regional infrastructure?
- It is difficult for local jurisdictions to "budget" for the planning efforts that go into these large areas. Planning for Pleasant Valley received federal and state grant funds but still required (and continues to require) significant amount of local funding and staffing. This can result in "trade-offs" with other planning efforts in the existing city (and thus can effect other aspects of implementing 2040). Some regional source of funding for planning new plan areas is likely needed.

-----Original Message-----

**From:** Raymond Valone [mailto:valoner@metro.dst.or.us]  
**Sent:** Tuesday, February 17, 2004 4:13 PM  
**To:** Harker, Jonathan  
**Subject:** New area planning issues

JH,

Would you give me a brief description of the points you wanted to raise with the Metro Council re: Title 11 planning. I think it would be helpful and I will then raise them. I have included my outline of issues for you to peruse (Att B), along with the table showing status of planning for your info (Att A).

thanks!



## Metro Fish and Wildlife Habitat Protection Program

Phase II ESEE Findings and  
Project Schedule  
February 24, 2004



## Vision Statement

"The overall goal is to conserve, protect, and restore a continuous ecologically viable streamside corridor . . . integrated with surrounding urban landscape . . . to be achieved through conservation, protection and appropriate restoration . . . through time."

"...stream & river corridors maintain connections with adjacent upland habitats, form an interconnected mosaic of urban forest and other fish and wildlife habitat..." *October 2000*







## Current Habitat Protection

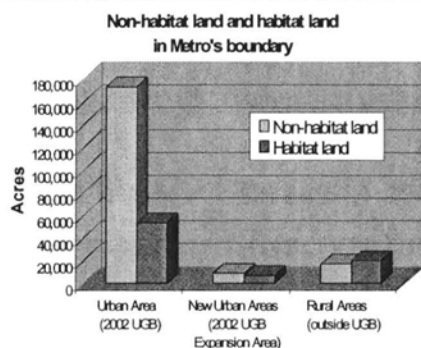
- Acquisition program (8,000 acres)
- Restoration
- Education
- Water Quality & Flood Management (Title 3)
- Additional local Goal 5 programs



## Goal 5 Process

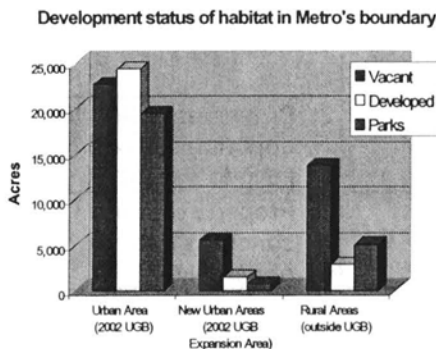
- Adopt inventory of Regionally Significant Fish and Wildlife Habitat (*completed 2002*)
- Analyze Economic, Social, Environmental, Energy (ESEE) consequences of allowing, limiting, prohibiting development in habitat and impact areas and define regulatory treatment (*in process*)
- Define program (*next step*)
  - Regional program for local implementation
  - Riparian District Plan
  - Other variations

## Regional Fish and Wildlife Habitat



- 80,000 habitat acres – about 1/3 of total region;
- About a quarter of urban land is habitat
- In new urban lands, about half is habitat
- In rural areas outside the UGB, over half is habitat

## Development Status of Regional Habitat



- Two-thirds of urban habitat is developed or in park status
- In new urban areas (e.g., Damascus), almost three-quarters of habitat is vacant
- Outside the urban areas, well over half of the habitat is vacant



## Approach to ESEE

- ✓ Identify uses that conflict with habitat functions
- ✓ Identify adjacent areas that could affect habitat
- ✓ Define habitat classes by function
- ✓ Define urban development values
- ✓ Conceptually define Allow, Limit Prohibit treatments
- ✓ Complete general ESEE analysis
- ✓ Complete ESEE analysis of options



## Comparison of Non-regulatory and Regulatory Protection

<b>Non-regulatory</b>	<b>Regulatory</b>
1. Uncertain protection	1. Certainty of protection
2. Restoration can be achieved	2. Preserves restoration opportunities and can include mitigation
3. Minimizes property owner concerns	3. Property owner concerns (takings, real or perceived)
4. Can apply to non-land use activities	4. Triggered by land use permit
5. Application limited by \$\$ and willing landowners	5. Addresses entire system to the same degree



## Potential Non-regulatory Approaches

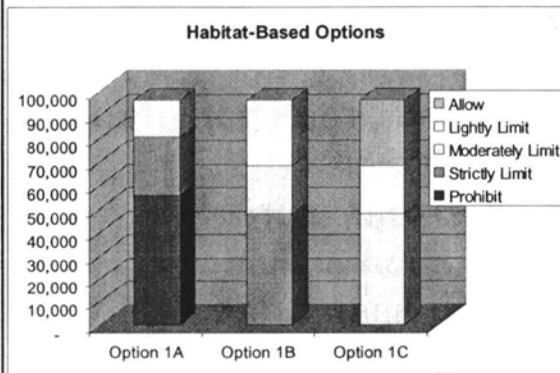
- Stewardship and recognition programs
- Restoration and protection grants
- Information center
- Technical assistance program
- Habitat education activities
- Volunteer and agency led restoration activity
- Property tax reduction
- Acquisition



## Six Regulatory Options

- 3 habitat based options
  - applies **allow, limit & prohibit** treatments according to ecological value (Riparian I, II, III and Upland wildlife A, B, C) to habitat and impact areas
- 3 habitat and urban development value based
  - modifies **allow, limit & prohibit** treatments by urban development values based on land value, employment density and 2040 policy priorities
  - Rural outside the urban area and parks has no urban development value

### 3 Habitat-Based Options

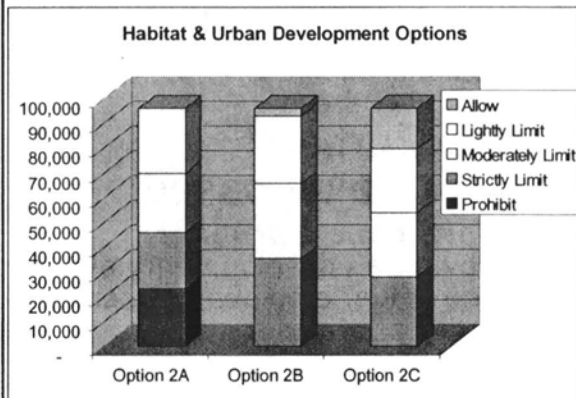


**Option 1A:** Prohibits development on Class 1, 2 & A; strictly limits Class 3, B & C and lightly limits impact areas

**Option 1B:** Strictly limits Class 1 & A, moderately limits Class 2 & B and lightly limits the rest

**Option 1C:** Moderately limits Class 1 & A, lightly limits Class 2 & B, allows on the rest

### 3 Habitat & Urban Development Options

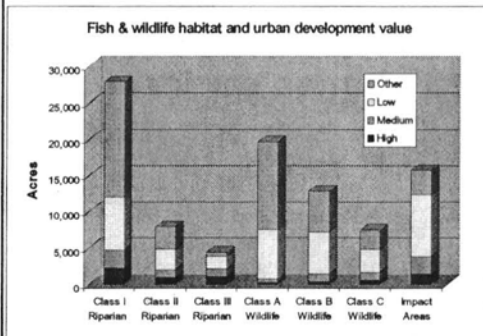


**Option 2A:** High and medium value urban areas have moderately or lightly limit except in high value riparian

**Option 2B:** High urban value areas have lightly limit or allow; medium urban value areas have moderately or lightly limit

**Option 2C:** All high urban value areas have allow and medium value areas have lightly limit or allow

## Potential Conflicts Between Habitat and Urban Development



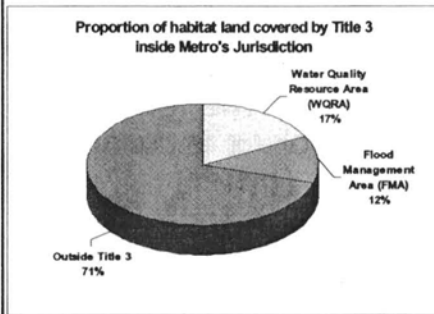
- High habitat and high urban development value is small %
- Much of the land in all categories is rural and parks (other)
- A substantial portion of all habitat classes has "low" urban development value mostly residential land

## Analysis of Option Performance



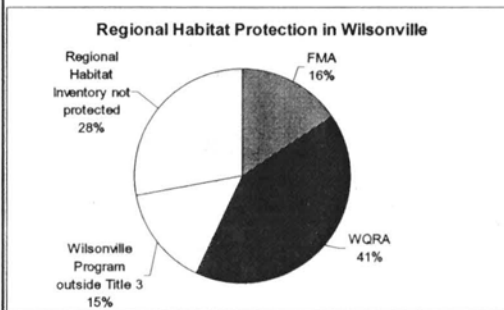
- Compares to baseline
- Relies on conceptual definition of allow, limit, prohibit
- Regulatory options are assessed based on 20 criteria
  - 17 criteria based on Phase I ESEE analysis
  - Two criteria focused on federal regulations: endangered species & clean water
  - One criterion considers the increment of additional regulations as compared to three local habitat protection programs
- Results depict tradeoffs

## Baseline Protection (Title 3 Water Quality & Flood Management)

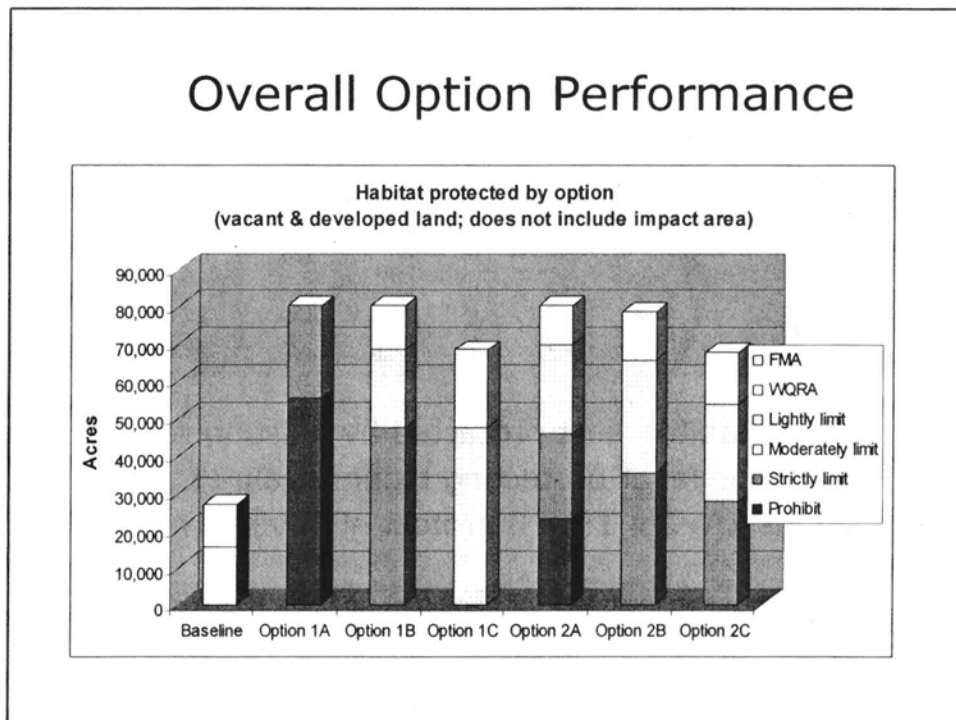
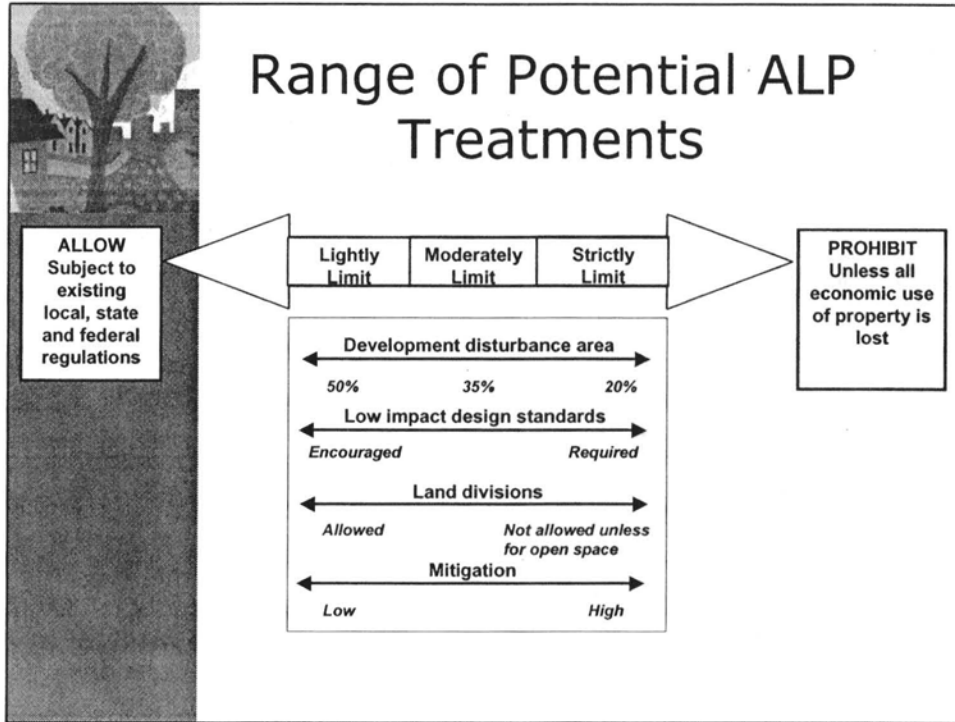


- Covers almost 30% of habitat, mostly in Class I-III riparian corridors
- WQRA offer protection in "limit" range
  - 15'-50'; up to 200' setbacks from water feature
- FMA offer little habitat protection
  - Design standards (e.g., balance cut & fill)

## Example of Local Protection



- Metro's baseline does not include local habitat protection
- Some jurisdictions provide substantial habitat protection
  - 72% of the habitat inventory has some protection in Wilsonville
- Local plans provide inconsistent protection overall



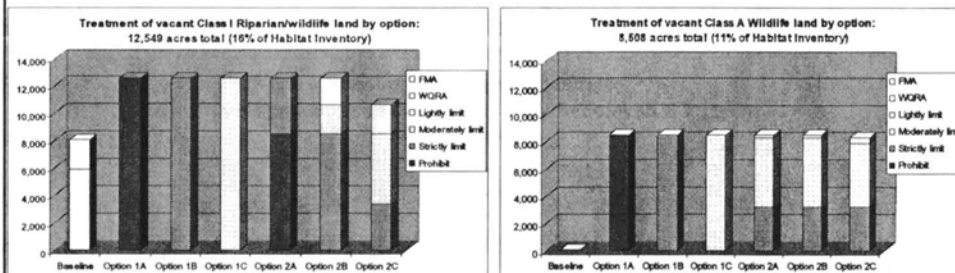




## Overall Option Comparison (cont.)

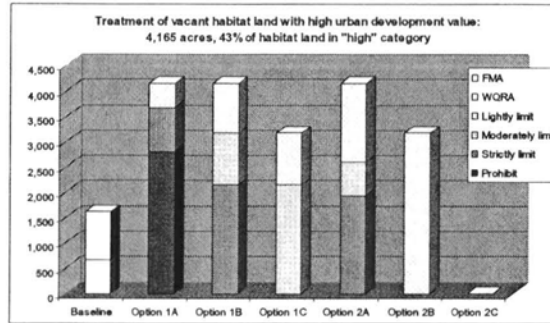
- More restrictive treatments in Options 1A & 2A :
  - Preserve more ecosystem services
  - Support cultural values of habitat
  - Protect more habitat & restoration opportunities
  - Conserve green infrastructure
- Less restrictive treatments in options 1C & 2C:
  - Minimize increases in urban development costs
  - Minimize impact on property owners
  - Reduce connectivity and biodiversity
  - Reduce need for UGB expansions

## Highest Value Habitat on Vacant Land



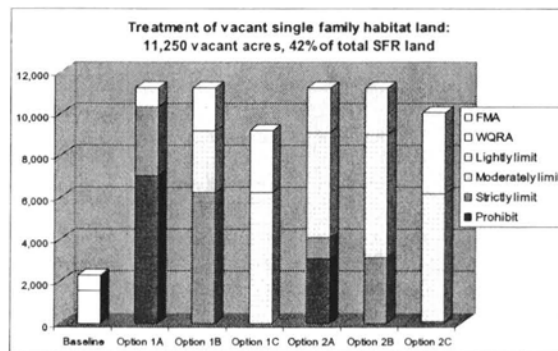
- Upland habitat least protected by existing regulations
- All options favor protecting highest value habitat
- Options 1A, 2A, 1B, 2B protect high value habitat best
  - promote conservation of sensitive species & at risk habitats
  - protect cultural heritage
  - retain ecosystem services & amenity values

## High Value Vacant Urban Development Land



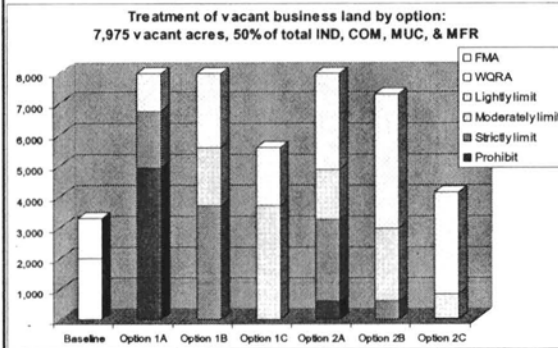
- Less restrictive treatments in options 2C, 2B and 1C, would lead to lowest costs for development in high urban value areas
- More restrictive treatments in options 1A, 1B and 2A would increase urban development costs and could lead to UGB expansion

## Impacts on Households



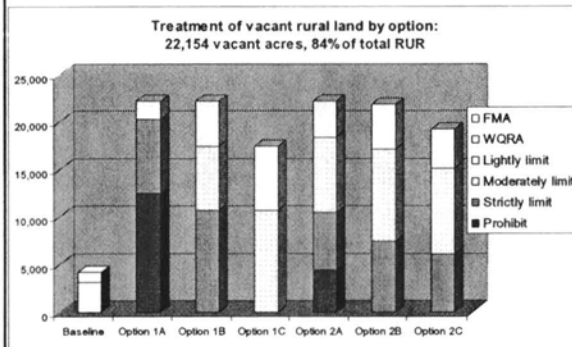
- Options 1C & 2C apply the least restrictions to residential land:
- Residential land is affected by all options:
  - Is located in all habitat classes
  - Is not favored by urban development options

## Impacts on Business Land



- Option 2C results in no new regulations on over half of vacant business land
- Options that apply less stringent treatments to business land:
  - Promote urban development priorities
  - Minimize impact on business owners
  - Lessen impact on job location and choice
  - Allow for compact urban development

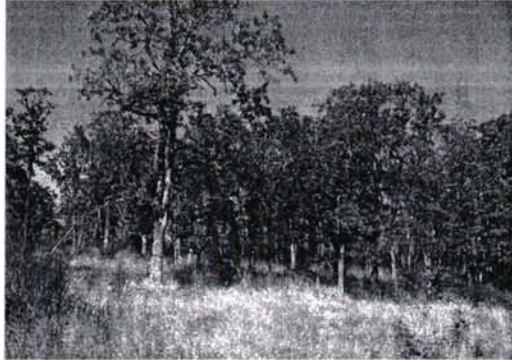
## Impacts on Rural Areas



- Rural land is mostly vacant
- Rural land in UGB expansion areas have urban development priorities
- Provide unique opportunities to preserve habitat & ecosystem services
- Options applying fewer restrictions (1C, 2C) will:
  - Minimize impacts on rural landowners
  - Maximize future development opportunities



## Choosing an Option



- Metro Council is scheduled to consider the results of this Phase II analysis and public comment to recommend:
  - Non-regulatory approaches to develop further
  - A regulatory option (or variation of an option) to develop into a habitat protection program



## Schedule

- *Jan-Feb 04:* draft Phase 2 Report, committee review, public notice
- *Mar 04:* Open Houses and other outreach; review of ESEE reports
- *Apr-May 04:* Recommendation, Council hearings and ESEE decision
- *June-Sept 04:* Define program and draft regional ordinance
- *Oct-Dec 04:* public notice, outreach, Council hearings and consideration of regional ordinance

**Fish and Wildlife Habitat Protection Plan Regulatory Program Options Matrix**

Potential criteria, indicators and measures for evaluation of program options	Criteria Summary	Habitat Based Regulatory Program Options			Habitat and Urban Development Based Regulatory Program Options		
		Option 1A. Most habitat protection	Option 1B. Moderate habitat protection	Option 1C. Least Habitat protection	Option 2A. Most habitat protection	Option 2B. Moderate habitat protection	Option 2C. Least Habitat protection
<b>Economic factors</b>							
1. Supports urban development priorities	Examines how well program options perform to support urban development priorities. A ranking system identifies the relative importance of land for urban development using three measures: land value, employment density, and 2040 Design Types.	<b>6</b> <sup>1</sup> Greatest negative impact overall on urban development priorities from prohibit and strictly limit treatments.	<b>4</b> All treatments have some negative impacts on urban development priorities but less than 1A and 2A due to the absence of prohibit treatments.	<b>2</b> Performs second to 2C for this criterion; greatest number of acres of allow treatments; no acres of strictly limit or prohibit treatments.	<b>5</b> Comparable to 1B although some negative impacts due to prohibit treatments in some low development value lands.	<b>3</b> Supports urban development values more than 1B due to lightly limit treatments in development priority areas; no prohibit treatments.	<b>1</b> Provides the greatest support for urban development priorities; lends greater support than 1C for high and medium development values.
2. Supports economic values associated with ecosystem services such as flood control	Ecosystem services have economic value. Ecosystem services are the benefits to society of well-functioning ecosystems that provide clean air and water, flood control, recreation, and amenity values. Examines how well program options perform to support ecosystem services.	<b>1</b> Greatest retention of ecosystem services across all classes of habitat.	<b>3</b> Comparable to 2A but retains more higher quality wildlife habitat services.	<b>6</b> Least retention of ecosystem services overall for all classes of habitat.	<b>2</b> Comparable to 1B, but retains more higher quality riparian services.	<b>4</b> Comparable to 2A but retains fewer higher quality riparian services.	<b>5</b> Provides fewer ecosystem services compared to 2B due to more allow and lightly limit treatments.
3. Promotes recreational use and amenities	Focuses on the recreational benefits—both active and passive, of retaining habitat. While more strict treatments generally apply to land in parks and open space status, the treatments applied to other habitat lands do vary significantly.	<b>1</b> Promotes recreational benefits to greatest extent by protecting highest quality habitat lands with prohibit treatments.	<b>3</b> Performs comparably to 2B, but better provision of recreation amenities in areas of medium and high development value.	<b>6</b> Provides least support for recreational opportunities.	<b>2</b> Performs better than 1B and 1C due to the mix of prohibit and strictly limit treatments especially for high value riparian habitat.	<b>4</b> With no allow or prohibit treatments, it protects Parks and Open Space lands better than 1B, but less than 1B in other urban areas.	<b>5</b> Performs better than 1C due to higher protection of Parks and Open Space lands.
4. Distribution of economic tradeoffs	Describes the extent to which the various treatments for a given program option varies by land ownership (public versus private) and by regional zoning. This approach highlights zoning types and ownership classes that would bear a disproportional share of impacts relative to their total acreage within the region.	In general, publicly-owned lands bear a higher proportion of the most restrictive treatments than do privately-owned lands. Rural and Parks and Open Space zones carry a disproportional share of the burden of treatments relative to their share of total acres in Metro's jurisdiction. Zoning types with urban residential and business uses would shoulder a smaller share of the burden of treatments relative to their proportion of total acres in Metro's jurisdiction. For any given program option, the non-business related land uses (POS, RUR, and SFR) would receive more restrictive treatments than would business related land uses (MFR, MUC, COM, IND).					
5. Minimizes need to expand the urban growth boundary	Describes the effects of program options on the need to expand the urban growth boundary (UGB). Program options that would increase the likelihood of expanding the UGB are those that apply more restrictive treatments to vacant lands.	<b>6</b> Greatest negative impact from prohibit and strictly limit treatments and most likely of all options to promote UGB expansion.	<b>4</b> No prohibit treatments; supports developing vacant lands more than 1A or 2A.	<b>1</b> Greatest support for developing vacant land and least likely to promote UGB expansion.	<b>5</b> More negative impact on developing vacant lands compared to 1B because of prohibit treatments on riparian habitats in low urban value lands.	<b>3</b> Supports developing vacant lands more than 1B because of less restrictive treatments and no prohibit treatments.	<b>2</b> Second only to 1C in supporting development of vacant lands; allow treatments for high urban value lands and no prohibit treatments.
<b>Social factors</b>							
6. Minimizes impact on property owners	Analyzes three main groups: households, businesses, and rural areas in terms of the acreage affected by program option treatments. Options that apply more stringent treatments to a larger part of the landscape have more impact on property owners compared to those that do not and will rank lower for this criterion.	<b>6</b> Affects the most property owners with the highest level of restrictive treatments regardless of zoning type.	<b>4</b> Affects the same number of property owners as Options 1A and 2A, but none would receive a prohibit treatment and a larger number would receive lightly limit.	<b>1</b> Affects the fewest property owners with stringent treatments.	<b>5</b> Despite applying urban development values, this option affects a large number of property owners with stringent treatments, especially in residential and rural areas.	<b>3</b> Urban development values reduce the amount of business land receiving stringent treatments but residential and rural areas receive strictly and moderately limit treatments.	<b>2</b> Most business land receives an allow treatment under this option but a substantial number of residential and rural property owners are affected.
7. Minimizes impact on location and choices for housing and jobs	Examines the social implications of program options on the urban land supply as it relates to people's basic needs for housing, jobs and urban services. It also looks at the social implications of urban growth boundary expansions.	<b>6</b> This option has a significant effect on the location and choices available for jobs and housing.	<b>4</b> This option applies a similar level of protection to residential and employment land.	<b>2</b> Residential land fares better under this option but employment land is substantially more impacted than in Option 2C.	<b>5</b> Employment land fares substantially better than residential land under this option.	<b>3</b> Urban development values affect the amount of employment land receiving stringent treatments; residential land receives some benefit as well.	<b>1</b> Employment land benefits the most from the application of the urban development values; however, residential land would receive almost the same treatments as in Option 1C.
8. Preserves resources for future generations	Examines program options based on the perspective of species diversity and environmental quality as well as the	<b>1</b>	<b>3</b>	<b>6</b>	<b>2</b>	<b>4</b>	<b>5</b>

<sup>1</sup> Represents ranking of program option for criterion; 1 is highest rank, meaning it performs the best of the six options; 6 is lowest rank.  
DRAFT Options Matrix February 2004

### Fish and Wildlife Habitat Protection Plan Regulatory Program Options Matrix

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		Option 1A. Most habitat protection	Option 1B. Moderate habitat protection	Option 1C. Least Habitat protection	Option 2A. Most habitat protection	Option 2B. Moderate habitat protection	Option 2C. Least Habitat protection
	potential economic benefits derived from fish and wildlife habitat. Relates performance to the concept that our children and grandchildren should be able to enjoy the resources we do now.	Preserves the most habitat for future generations by applying strict treatments to all habitat types.	A moderate level of protection is applied across the landscape, focused on high value habitat.	Leaves the most habitat at risk for loss to future generations, also reduces potential for restoration.	Applying urban development values reduces the amount of habitat preserved but this option still protects a substantial amount of habitat.	Close to the same level of protection as 1B, but more habitat is left unprotected in areas of high urban development value.	Habitat in areas of high urban development value is not preserved, more protection than Option 1C.
9. Maintains cultural heritage and sense of place	Examines program options from the perspective of their ability to maintain cultural heritage, regional identity, sense of place, and neighborhood character. It assumes protection of fish and wildlife habitat preserves many important social values.	<b>1</b> Protects Class I habitat and Habitats of Concern better than all other options. Prohibit treatments could result in an expansion of the UGB.	<b>3</b> Next to 1A in terms of protection of Class I habitat and Habitats of Concern and with less potential for expansion of the UGB.	<b>6</b> Applies the lowest level of protection to the highest value habitat of all options.	<b>2</b> Comparable to 1A, but less protection of cultural heritage and sense of place in areas with high urban development value.	<b>4</b> A large amount of Class I and Habitats of Concern receive stringent treatments in this option, with lightly limit applied to areas of high urban development value.	<b>5</b> Similar to 2B; however, a small amount of these highest value habitat areas would be lost in some urban areas.
10. Preserves amenity value of resources (quality of life, property values, views)	Examines program options in terms of their ability to preserve amenity value of habitat land on quality of life, property values, and regional attractiveness.	<b>1</b> Preserves amenity value consistently in all four of the highest habitat classes.	<b>3</b> Applies consistent level of protection to habitat, but riparian habitats are not as well preserved as in 2A.	<b>6</b> Retains the least amount of amenity value in wildlife habitat areas, provides slightly more protection for riparian habitat.	<b>2</b> Applying the urban development values results in a small loss of amenity value in areas with high urban development value; preserves more amenity value in riparian habitat than wildlife habitat.	<b>4</b> Urban development values result in very similar protection for wildlife habitat as 2A, but riparian protection would be less than in 1B.	<b>5</b> Amenity value provided by the highest value wildlife habitat receives similar protection to 2A, but the other habitat receives less stringent treatment.
<b>Environmental factors</b>							
11. Conserves existing watershed health and restoration opportunities	Examines the amount of fish and wildlife habitat protected or partially protected by each regulatory program option to assess whether the option preserves habitat, existing ecosystem functions, and restoration opportunities for the future.	<b>1</b> Provides the most effective protection for the highest value resources (class I and class A habitat); also provides the highest protection levels for the remaining resource categories.	<b>3</b> Protects all classes of riparian habitat substantially less compared to 1A and 2A, especially Class III riparian. Performs at a higher level than 2A for wildlife habitat.	<b>6</b> Lowest protection levels for all resources. In particular, classes III and C are predominantly allow. Puts riparian functions substantially at risk.	<b>2</b> Provides excellent protection for the majority of class I resources, and good protection for other riparian classes; protection level is diminished for wildlife habitat; however, option 1B provides better protection for wildlife habitat than 2A.	<b>4</b> Performs moderately well for the higher classes in both riparian and wildlife habitat; poses substantial risk to habitat in classes III and C, due to lower protection levels and some allow treatments.	<b>5</b> Low protection levels for all habitat classes. Likely to result in significant habitat loss and ecosystem function over time in both developed and vacant lands.
12. Retains multiple functions provided by forest canopy cover	Examines protection of forest canopy under each program option. Forest canopy plays a major role in all five ecological functions mapped in Metro's riparian habitat inventory, and forest habitat comprise the majority of the wildlife inventory.	<b>1</b> Protects the most canopy cover of any program option.	<b>2</b> Substantially less protection than option 1A; this option performs better than remaining options but similarly to options 1B and 2A.	<b>6</b> Lowest protection levels for forest canopy, with 47 percent of vacant and developed urban in Lightly Limit or Allow. Likely to result in significant forest habitat loss over time.	<b>3</b> Similar to 1B.	<b>4</b> Overall protection levels lower than options 1B and 2A.	<b>5</b> Low protection levels for forest canopy, putting substantial forest canopy at risk with 38% of vacant and developed urban in lightly limit and allow treatments.
13. Promotes riparian corridor connectivity and overall habitat connectivity.	Examines ability of program options to maintain connectivity of habitat along rivers, streams and wetlands to ensure continued ecological functioning of the aquatic ecosystem. It also examines the relative risk to all fish and wildlife habitat, including upland wildlife habitat and any disproportionate spatial impacts on habitat posed by the six program options.	<b>1</b> Most likely of all program options to promote riparian corridor continuity and overall habitat connectivity.	<b>3</b> Performs better for small connector habitats than 2A, but does not perform as well for riparian corridor continuity and protecting resource sites from disproportionate impacts.	<b>6</b> Likely to result in most reduction of regional connectivity of all program options. In particular, class C wildlife habitat is 100% allow under this option.	<b>2</b> For riparian corridor continuity and protecting resource sites from disproportionate impacts, program option 2A performs best. However, for risk to smaller connector habitats, 1B is the best performer.	<b>4</b> Performs at a reduced, but fairly consistent, level compared to other program options.	<b>5</b> Greatly reduces protection levels and is likely to result in significantly reduced regional connectivity.
14. Conserves habitat quality and biodiversity provided by large habitat patches	Examines extent to which program options promote retention of large habitat patches. Program options that perform better in this regard are more likely to retain the region's biological diversity. Larger habitat patches are more valuable to native wildlife than smaller patches because more species are	<b>1</b> Provides the most effective protection for large habitat patches, with protection levels of prohibit or strictly	<b>2</b> Protection level diminished, but still good, with strictly or moderately limit for all habitat; moderate risk to	<b>6</b> Likely to result in significant fragmentation of large patches. Performs similar to 2C except 1C applies less	<b>3</b> Protects large habitat patches slightly less than Option 1B. Three percent of vacant, unprotected habitat	<b>4</b> Less protection compared to 2A. Seven percent of vacant, unprotected habitat would fall under Lightly Limit	<b>5</b> Likely to result in significant fragmentation of large patches. Six percent of vacant, unprotected habitat

### Fish and Wildlife Habitat Protection Plan Regulatory Program Options Matrix

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	retained over time, and species sensitive to human disturbance still have a place to live.	limit for all habitat.	fragmentation of large patches, particularly with trends toward higher density development.	protection to all habitat classes, with 25 percent of vacant, unprotected habitat in Lightly Limit and 75 percent in Moderately Limit.	would fall under Lightly Limit, with the remainder in Moderately Limit (51 percent), Strictly Limit (28 percent), or Prohibit (18 percent). No Allow.	in this option, with the remainder in or Moderately Limit (55 percent) or Strictly Limit (38 percent).	in Allow, 12 percent in Lightly Limit, 56 percent in Moderately Limit, and 26 percent in Strictly Limit. No Prohibit.
15. Supports biodiversity through conservation of sensitive habitats and species	Examines ability of program options to protect Habitats of Concern and other sensitive habitats that may be disproportionately at risk due to natural scarcity, habitat loss, or other factors.	<b>1</b> Provides the highest protection levels for both Habitats of Concern and Class I riparian by assigning a Prohibit designation to all acres.	<b>2/3</b> Performs well for Habitats of Concern, which includes more than twice as many acres as Class I riparian. However, Option 2A performs better for Class I riparian.	<b>5</b> Substantially lower protection levels, but consistent among development status and resource type, with all acres falling within Moderately Limit.	<b>2/3</b> Performs best for Class I riparian, and at a higher protection level than 1B provides Habitats of Concern.	<b>4</b> Performs better than 1C or 2C for all Habitats of Concern, and for developed urban Class I riparian. However, for vacant Class I riparian Option 2B and 1C perform similarly.	<b>6</b> Likely to result in substantial loss of sensitive habitats and sensitive species. Provides lowest protection levels to Class I riparian and Habitats of Concern.
<b>Energy Factors</b>							
16. Promotes compact urban form	Examines the amount of fish and wildlife habitat protected or partially protected under program options; the zoning type and development status influence whether the option increases the need for UGB expansions. A compact urban form conserves energy by reducing transportation-related energy output and infrastructure needs, and also reduces the spatial extent of vegetation loss and the urban heat island effect.	<b>6</b> Greatest negative impact on urban development priorities and on development potential for existing vacant industrial, mixed use, and commercial lands.	<b>4</b> No prohibit treatments for urban development priorities, but significantly stronger impact than 2A or 1A. For vacant industrial, mixed use, and commercial lands, performs at a slightly reduced level compared to option 2A.	<b>1</b> Provides greatest support for development of lands with high urban development value and the second-best support for allowing development on existing vacant industrial, mixed use, and commercial lands.	<b>5</b> Slightly more negative for urban development priorities than 1B because a small proportion of prohibit treatment. For vacant industrial, mixed use, and commercial lands, performs slightly better than option 1B.	<b>3</b> Performs better than options 2A or for urban development priorities and allowing development on existing vacant industrial, mixed use, and commercial lands.	<b>2</b> Provides good support for lands with high urban development value, and excellent support for lands with medium urban development value. Provides the best support for allowing development on existing vacant industrial, mixed use, and commercial lands.
17. Promotes green infrastructure	Examines the ability of program options to address the energy benefits provided by green infrastructure as a type of ecosystem service. Trees and other vegetation reduce energy demand by moderating stream and air temperature increases, flooding, and air pollution associated with energy use.	<b>1</b> Provides highest protection levels for all habitats and best protection to forest canopy cover and ecosystem services.	<b>3</b> Substantially reduced protection for all riparian habitat compared to 1A and 2A. Ecosystem services also reflect this ranking. For wildlife habitat, performs better than 2A. For forest canopy, fairly similar to option 2A.	<b>6</b> Places nearly half of all forest canopy at risk through low or no protection levels. Low protection levels for all resources; likely to result in substantial loss of riparian and upland habitat functions, ecosystem services, and forest canopy over time.	<b>2</b> Protection level excellent for high-value riparian habitat, and good for other habitat classes. Ecosystem services also reflect this ranking. However, 1B provides better protection for upland wildlife habitat. Options 2A and 1B fairly similar for forest canopy.	<b>4</b> Options 2B, 2C and 1C ranked identically for habitat, tree canopy, and ecosystem service protection. Moderate performance for higher riparian and wildlife classes, less protection for lower habitat classes. Similar findings for forest canopy and ecosystem services.	<b>5</b> Places nearly 40 percent of all forest canopy at risk through low or no protection levels. Low protection levels for all resources. Likely to result in substantial loss of riparian and upland habitat functions, ecosystem services, and forest canopy over time.
<b>Other Factors</b>							
18. Assists in protecting fish and wildlife protected by the federal Endangered Species Act	Not complete						
19. Assists in meeting water quality standards required by the federal Clean Water Act	Not complete						
20. Increases protection of habitat beyond existing levels	Not complete						

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**2006-09 Transportation Priorities:**  
*Investing in the 2040 Growth Concept*  
**Calendar of Activities**

**2004**

<b>February-March</b>	Policy Review and Direction for 2006-09 Program.
<b>February 24</b>	Council Work Session on policy direction.
<b>February 27</b>	TPAC comment on policy direction.
<b>March 3</b>	MTAC comment on policy direction.
<b>March 9</b>	Possible Council Work Session on policy direction.
<b>March 10</b>	MPAC comment on policy direction.
<b>March 11</b>	JPACT action on policy direction.
<b>March 18</b>	Metro Council action on policy direction.
<b>March</b>	Update of Technical Criteria to reflect Program policy direction. Development of application, set funding targets.
<b>March 19</b>	MTIP Subcommittee review/comment on draft application, technical criteria and measures.
<b>March 26</b>	TPAC review/comment on draft application, technical criteria and measures.
<b>April 5</b>	Solicitation of project/program applications begins.
<b>June 30</b>	Applications due to Metro. Draft ODOT STIP submitted for comment. Draft TriMet TIP submitted for comment.
<b>July</b>	Review of scope, schedule and budget. Score technical rankings.
<b>August</b>	MTIP Subcommittee review of technical rankings, ODOT STIP and TriMet TIP
<b>August 27</b>	TPAC action on First Cut List.
<b>September 9</b>	JPACT action on First Cut List.



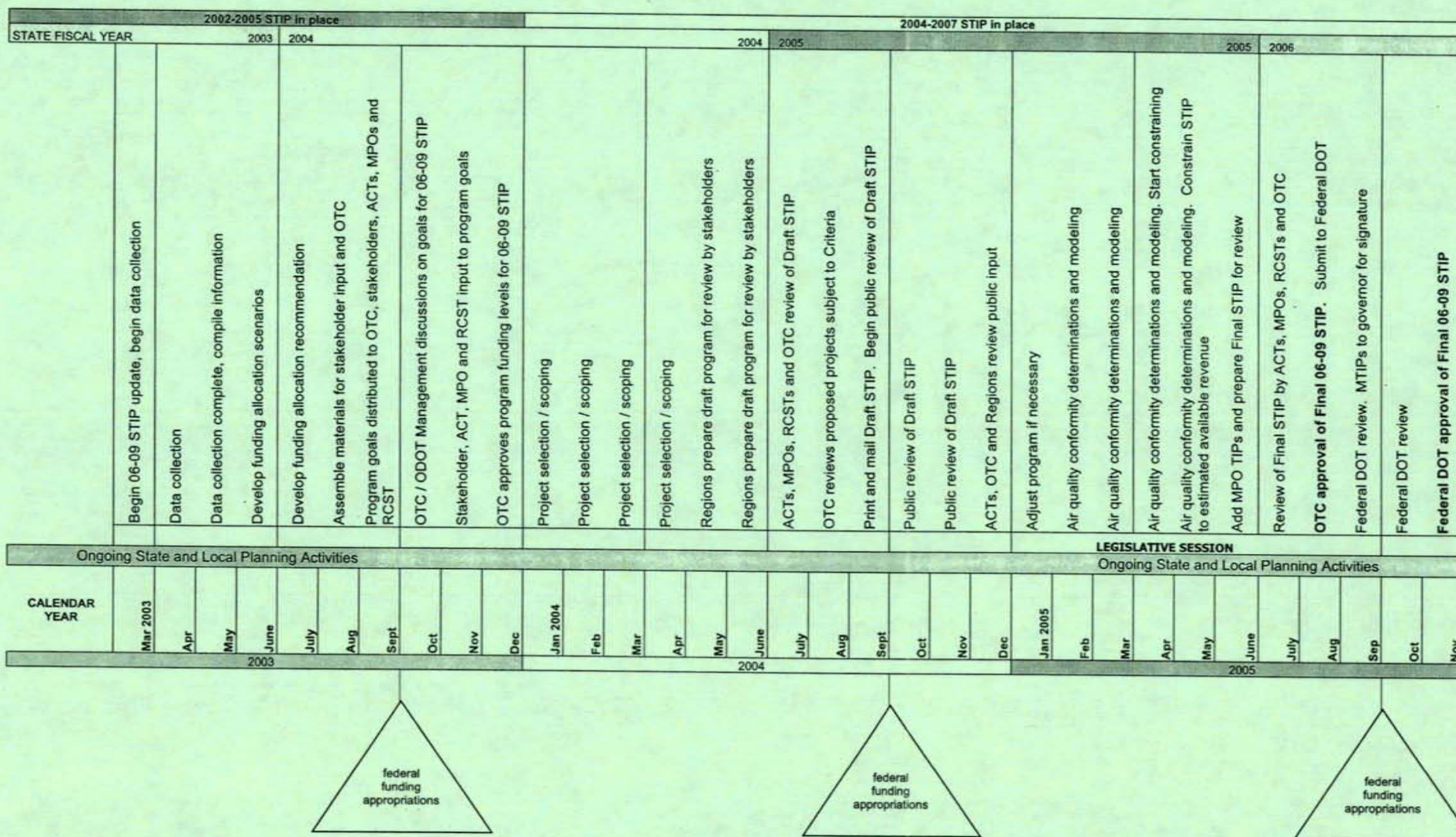
# **DRAFT**

- September 16** Metro Council action on First Cut List.
- October-Nov.** Public comment period, listening posts on First Cut List, ODOT STIP and TriMet TIP.
- December** Publish public comment material. Policy discussion and direction on narrowing Final Cut List and draft ODOT STIP and TriMet TIP.

## **2005**

- January** Develop any new information to respond to narrowing policy direction.
- January** MTIP Subcommittee review of new information.
- January 28** TPAC action on Final Cut List and Final ODOT STIP and TriMet TIP.
- February 3** Public hearing on draft Final Cut List at Metro Council and Final ODOT STIP and TriMet TIP.
- February 10** JPACT action on Final Cut List and Final ODOT STIP and TriMet TIP pending air quality analysis.
- February 16** Metro Council action on Final Cut List and Final ODOT STIP and TriMet TIP pending air quality analysis.
- March - April** Programming of funds. Air quality conformity analysis.
- May** Public review of draft MTIP with air quality conformity analysis.
- June 1** Adopt MTIP, including final ODOT STIP and TriMet TIP, and submit to USDOT for concurrence.
- June 30** Receive concurrence from USDOT; submit to ODOT for incorporation into STIP.

## 2006-2009 STIP DEVELOPMENT TIMELINE



STIP = Statewide Transportation Improvement Program    ACT = Area Commission on Transportation    RCST = Regional Community Solutions Team    MPO = Metropolitan Planning Organization    OTC = Oregon Transportation Commission    ODOT = Oregon Department of Transportation    DOT = Department of Transportation

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 04-3431 FOR THE PURPOSE OF ADOPTING THE POLICY DIRECTION, PROGRAM OBJECTIVES, PROCEDURES AND CRITERIA FOR THE TRANSPORTATION PRIORITIES 2006-09 ALLOCATION PROCESS AND METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP).

March 18, 2004

Presented by: Ted Leybold

PROPOSED ACTION

This resolution would approve a report outlining the policy direction, program objectives, and procedures that will be used during the Transportation Priorities 2006-09 Allocation Process and MTIP update to nominate, evaluate, and select projects to receive federal transportation funds in the fiscal year 2008-09 biennium.

BACKGROUND

The Metro Council and the Executive Officer are preparing a request to local jurisdictions to submit projects to Metro for evaluation and award of regional flexible transportation funding. Regional flexible transportation funds are those portion of federal funds accounted for in the MTIP that are allocated through the JPACT/Metro Council decision-making process. This process is referred to as the Transportation Priorities 2006-09 allocation.

Metro and ODOT update the MTIP/STIP every two years to schedule funding for the following four-year period. The Transportation Priorities 2006-09 allocation encompasses the four-year period of federal fiscal year's 2004 through 2007 (FY 06 - FY 09). This update will therefore adjust, as necessary, funds already allocated to projects in FY 06 and FY 07 in the current approved MTIP. It will also allocate funds to new projects in the last two years of the new MTIP (i.e., FY 08 and FY 09).

The regional flexible funds available in the Transportation Priorities 2006-09 allocation is composed of two types of federal transportation assistance, which come with differing restrictions. The most flexible funds are surface transportation program (STP) funds that may be used for virtually any transportation purpose, identified in the Financially Constrained RTP, short of building local residential streets.

The second category of money is Congestion Mitigation/Air Quality (CMAQ) funds. CMAQ funds cannot be used to build new lanes for automobile travel. Also, projects that use CMAQ funds must demonstrate that some improvement of air quality will result from building or operating the project.

Prior to the previous Transportation Priorities allocation process and MTIP update a major outreach effort led to the adoption of a report outlining the policy direction, program objectives, and procedures to be used during the Transportation Priorities 2004-07 Allocation Process and MTIP update. Since that time, several policy issues have emerged that potentially affect the Transportation Priorities process and MTIP. Following is a summary of those issues and recommended changes to address them. Exhibit A is an amended version of the existing policy report, reflecting recommended changes to provide policy direction, program objectives and procedures for the Transportation Priorities 2006-09 allocation process and MTIP update.

The format of this summary is to identify the policy issues that have emerged since adoption of the existing policy report, list options for addressing the policy and to highlight in bold those options that are

recommended. If the recommendation includes changes to the existing policy report, Exhibit A highlights those proposed changes in underline/strikeout text.

### **1. Integration of 2004-07 Narrowing and General Program Policies**

During the 2004-07 Transportation Priorities process, JPACT directed technical staff on how to provide recommendations to narrow from the First Cut list to a Final Cut list. This direction included policies that could be considered as an update to general program policies for the 2006-09 process.

One policy directive received during the narrowing process was to develop a recommendation that funded projects in all types (Type I and II) mixed-use and industrial areas.

#### Options:

**a. Change the general policy direction statement regarding priority land used areas from “centers” to “Tier I and II 2040 mixed-use areas”.**

A second policy directive was develop a recommendation that emphasized non-road//bridge projects.

#### Options:

- a. Eliminate road modernization/reconstruction and bridge as mode categories.
- b. Limit the total cost of road related or bridge projects as a percentage of the total cost target from each coordinating committee to the percentage of STP funds of the total regional flexible funds available to allocate.**
- c. Strengthen policy statement on purpose of regional flexible funds.**

### **2. Refine the Transportation Priorities program focus in response to the additional funding resources provided by the recent Oregon Transportation Investment Acts (OTIA I – III).**

Recent acts by the state legislature has increased the available revenue for transportation improvements in the region. This includes \$34 in highway modernization, \$22 in road capacity projects and \$122 million in highway, bridge and road reconstruction and maintenance funding expected in this region by 2010 (need to add OTIA III freight modernization; portion of \$100 million state wide, and state bridge maintenance revenues; portion of \$1.3 billion state wide when defined).

This increase in state revenue dedicated to road maintenance, road expansion and bridge repair and reconstruction represents the first major increase in state resources in more than a decade. Prior to this increase, regional flexible funds were used to fund a number of highway capacity projects, such as the I-5/Highway 217 interchange, capacity improvements on Highway 26, the Tacoma Street over crossing of Highway 99E and the Nyberg Road interchange.

However, these allocations were made with the knowledge that few other resources were available for these improvements, and at the expense of smaller, multi-modal improvement that could have been funded with regional flexible funds, instead. A key policy issue in this MTIP update is to determine degree to which the current increase in state highway revenue argues for less emphasis on such projects with regional flexible funds. Currently, main-stem highway capacity improvements are limited under the existing MTIP policies, but there is no limit on allocation for road expansion, highway interchanges, or Preliminary Engineering for major highway capacity projects.

Options:

- a. Eliminate road modernization/reconstruction and bridge as mode categories.
- b. **Limit the total cost of road related or bridge projects as a percentage of the total cost target from each coordinating committee to the percentage of STP funds of the total regional flexible funds available to allocate.**
- c. **Strengthen policy statement on purpose of regional flexible funds.**

**3. Direction on funding of Bicycle and Pedestrian transportation control measures for air quality**

The Transportation Priorities funding in 2006-07 did not meet the yearly average for providing miles of pedestrian and bicycle improvements but had to rely on a defined ODOT maintenance project and over building from previous years to meet this requirement as reported in the MTIP.

**The general program policy statement will be updated to state that the Transportation Priorities process will fund a minimum of the average annual requirement for implementation of the pedestrian and bicycle improvements required by the State Implementation Plan for air quality.**

**4. Review 30% match requirement for multi-use paths more than 1 mile outside of Tier I and town center land use areas.**

As these projects meet the other stated policy objectives of the Transportation Priorities program, do not have other sources of dedicated revenues, are a transportation control measure the region is obligated to implement and is a component of the regional transportation infrastructure that has system wide needs and yet is in relative infancy compared to other systems elements (road and transit network), implementing agencies have requested Metro review the 30% match requirement for these improvements outside 1 mile of a Tier I or town center land use.

Options:

- a. **No change in policy.**
- b. Allow multi-use path improvements to be eligible for the full 89.73% federal match.

**5. Introduction of street connectivity as an evaluation criteria for the Road Modernization mode category**

Currently, congestion relief, cost-effectiveness of providing congestion relief, safety and 2040 land-use impacts are the four evaluation criteria for road modernization projects. Metro has adopted as part of the region's Congestion Management System policies standards for providing street connectivity prior to adding capacity to existing roads. However, the Transportation Priorities technical evaluation does not provide any technical evaluation of whether or how road capacity projects address the street connectivity standards.

Options:

- a. No change to the existing road modernization evaluation criteria.
- b. **Add street connectivity as an evaluation criteria to the road modernization category.**

## 6. Direction on Intelligent Transportation Systems (ITS)

While this category of projects has received several allocations of regional funding in the past, the Transportation Priorities process did not provide any funding for ITS in 2006-07. This is an eligible CMAQ activity and means of increasing the efficiency of existing road infrastructure. An ITS subcommittee of TPAC is in the process of being created to formally organize implementation of these technologies on a regional scale. Currently, there is no policy direction within the Transportation Priorities program regarding ITS. It has been technically ranked with road capacity projects.

### Options:

- a. No changes this round – charge ITS subcommittee to develop recommendations for 2008-2011.
- b. Create a separate technical evaluation category for ITS projects.** (Note: addition of street connectivity as an evaluation measure for road modernization projects would penalize ITS projects if left in the road modernization category.)
- c. If other policy limits are placed on road projects, exempt ITS projects.**
- d. Work with ITS subcommittee to develop technical evaluation criteria.**

## 7. Regionally Significant Industrial Lands

The Regional Transportation Plan has been amended to recognize regionally significant industrial lands as a Tier I 2040 land-use priority over other industrial lands subsequent to the policy update of the 2004-07 Transportation Priorities process.

**The technical scoring for freight and road projects will be updated to award more points to projects that serve regionally significant industrial lands as a Tier I priority and other industrial lands as a Tier II priority in, similar to the difference between regional and town centers.**

## 8. ODOT applications to supplement STIP projects

In an effort to improve the delivery of transportation services in the region and coordination between ODOT and regional/local policy objectives, ODOT and Metro staff have discussed the possibility of early notification of ODOT preservation and maintenance projects to allow for application for regional flexible funds, supplemental ODOT funds and local funds to address missing or substandard pedestrian and/or bicycle facilities as a part of the project.

### Options:

- a. Encourage ODOT staff to identify modernization revenues to fund missing pedestrian and bicycle elements in state preservation and maintenance projects.
- a. Encourage ODOT staff to apply for Transportation Priority revenues to fund missing pedestrian and bicycle elements in state preservation and maintenance projects.
- c. Encourage ODOT staff to consider joint funding for missing pedestrian and bicycle elements in state preservation and maintenance projects by identifying potential state modernization or other revenues and by applying for Transportation Priority funds. Requests should be made in context of coordination with the STIP to fully disclose need for additional regional funds for state projects and the potential impacts to the state modernization program within the region.**

## 9. Green Streets

### - Green Trails

The Metro Parks and Greenspaces Department has recently published a best practices guidebook on the construction of trails and multi-use paths in an environmentally sensitive manner.

#### Options:

- a. Require all multi-use paths funded through Transportation Priorities be constructed consistent with the design guidelines of the Green Trail handbook.
- b. Require all multi-use paths funded through Transportation Priorities consider the design guidelines of the Green Trail handbook during project development.**
- c. Award technical bonus points for projects that commit to meeting particular design elements of the Green Trail handbook as identified by TPAC.

### - Use of Recycled Materials in Transportation Projects

After the application process for the 2004-07 Transportation Priorities process had begun, program staff received a request from Metro Solid Waste and Recycling staff for inclusion of recycled materials for projects funded by the Transportation Priorities program. This is an effort to address a Federal Highway Administration (FHWA) directive to consider using recycled materials on transportation projects and to increase the market for recycled materials.

#### Options:

- a. Incorporate educational statement in Transportation Priorities and MTIP supporting FHWA directive that when selecting materials for transportation projects, recycled materials should be considered first**
- b. Award bonus points for commitment to certain level of use of recycled materials in road and multi-use path projects as identified by TPAC.**

### - Wildlife Crossings

The Transportation Planning section was a project client for a Portland State University urban planning masters program effort to develop a supplemental best practices guidebook to constructing wildlife crossings into transportation facilities.

#### Options:

- a. Have Metro submit a Transportation Priorities 2006-09 application to further study this issue, update the Creating Livable Streets guidebooks, and develop policy amendments.**
- b. Award bonus points for commitment to create a wildlife crossing within a road project demonstrated to be in a wildlife crossing location.
- c. List as a specific qualitative criteria for consideration and allow deduction of cost of wildlife crossing elements from the cost-effectiveness calculation.

## ANALYSIS/INFORMATION

1. **Known Opposition:** Metro staff is unaware of any opposition at this time.
2. **Legal Antecedents:** Federal planning regulations designate JPACT and the Metro Council as the Portland Area Metropolitan Planning Organization responsible for allocating federal highway and transit funds to projects in the metropolitan area. Preparation of an MTIP is the means prescribed for doing this. JPACT and the Metro Council have adopted a policy direction for the Transportation Priorities 2004-07 allocation process and MTIP update through Metro Resolution No. 02-3206. This Resolution updates that policy direction for the Transportation Priorities 2006-09 allocation process and MTIP update by amending the policy report as shown in Exhibit A. Projects approved for inclusion in the MTIP must come from a conforming, financially constrained transportation plan. The 2004 RTP is the current conforming plan.
3. **Anticipated Effects:** Adoption of this resolution will provide policy guidance to the process of allocating regional flexible transportation funds. This new policy guidance will refine how Metro staff solicits projects for funding, how project applications will be technically ranked for policy implementation, the public outreach and decision making process to select projects for funding and the ability to analyze and provide public information concerning the effectiveness of the MTIP program in addressing program policies.
4. **Budget Impacts:** none.

## RECOMMENDED ACTION

Metro Council to approve Resolution No. 04-3431.

TL: RC



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE POLICY )  
DIRECTION, PROGRAM OBJECTIVES, )  
PROCEDURES AND CRITERIA FOR THE )  
TRANSPORTATION PRIORITIES 2006-09 )  
ALLOCATION PROCESS AND METROPOLITAN )  
TRANSPORTATION IMPROVEMENT PROGRAM )  
(MTIP). )

RESOLUTION NO. 04-3431

Introduced by  
Councilor Rod Park  
JPACT Chair

WHEREAS, JPACT and the Metro Council are identified in federal regulations as the Portland Area Metropolitan Planning Organization responsible for the allocation of federal highway and transit funding; and

WHEREAS, federal regulations identify preparation of a metropolitan transportation improvement program (MTIP) as the means for programming of such funds; and

WHEREAS, the Transportation Priorities program is the process by which two categories of federal funds, Surface Transportation Program (STP) and Congestion Management/Air Quality (CMAQ) are allocated within the region by JPACT and the Metro Council; and

WHEREAS, new Transportation Priorities and MTIP policy direction, program development and evaluation criteria were adopted following a major outreach process prior to the previous Transportation Priorities allocation process; and

WHEREAS, several policy issues have emerged since the adoption of the previous Transportation Priorities and MTIP policy guidance; and

WHEREAS, JPACT proposes the Transportation Priorities 2006-09 and MTIP policy direction, program development and evaluation criteria will be updated as defined in Exhibit A; and

WHEREAS, further opportunity for agency and public input to the project evaluation and selection process will be provided during the fall of 2004, prior to the narrowing to a final list of projects and programs to be allocated funds; now, therefore,

BE IT RESOLVED,

- 1. The Transportation Priorities 2006-09 and MTIP policy direction, program development and evaluation criteria stated in Exhibit A are approved.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Carl Hosticka, Presiding Officer

APPROVED AS TO FORM:

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Daniel B. Cooper, General Counsel

**Exhibit A**  
**To Metro Resolution 04-3431**

**Transportation Priorities 2006-09 Allocation Process and  
Metropolitan Transportation Improvement Program  
Update Policy Report**

Metro Staff Recommendation to TPAC  
February 24, 2004

## **Regional Transportation Funding and the Transportation Priorities Program**

There are several different sources of transportation funding in the region, many of which are dedicated to specific purposes or modes.

Recent data demonstrates that approximately \$425 million is spent in this region on operation and maintenance of the existing transportation system. While there are unmet needs within operations and maintenance, the relatively small potential impact that regional flexible funds would have on these needs and because there are other potential means to address these needs, JPACT and the Metro Council have adopted policy against using regional flexible funds for these purposes. Exceptions include the Transportation Demand Management (TDM) programs as they have demonstrated a high cost-effectiveness at reducing the need for capital projects, because they lack other sources of public funding to leverage private funding and because they directly benefit priority 2040 land-use areas. A second exception is expenditures on the expansion of transit service. This exception has been limited to situations where the transit provider can demonstrate the ability to fund the increased transit service in the subsequent MTIP funding cycle.

Capital spending in the region for new capital transportation projects outside of regional flexible funding is approximately \$180 million per year. This includes funding for state highways, new transit capital projects, port landside facilities and local spending.

Approximately \$26 million of regional flexible funds are spent each year in the Metro region. This funding is summarized in the following Figure 1.

### **Figure 1**

This summary of revenue spending does not include the one-time revenues from the OTIA bond programs recently passed by the state legislature. This includes \$34 in highway modernization, \$22 in road capacity projects and \$122 million in highway, bridge and road reconstruction and maintenance funding expected in this region by 2010 (need to add OTIA III freight modernization; portion of \$100 million state wide, and state bridge maintenance revenues; portion of \$1.3 billion state wide).

This increase in state revenue dedicated to road maintenance, road expansion and bridge repair and reconstruction represents the first major increase in state resources in more than a decade. Prior to this increase, regional flexible funds were used to fund a number of highway capacity projects, such as the I-5/Highway 217 interchange, capacity improvements on Highway 26, the Tacoma Street over crossing of Highway 99E and the Nyberg Road interchange.

However, these allocations were made with the knowledge that no other resources were available for these improvements, and at the expense of smaller, multi-modal improvement that could have been funded with regional flexible funds, instead. A key policy issue in this MTIP update is to determine degree to which the current increase in state highway revenue argues for less emphasis on such projects with regional flexible funds. Currently, main-stem highway capacity improvements are limited under the existing MTIP policies, but there is no limit on allocation for road expansion, highway interchanges, or Preliminary Engineering for major capacity projects.

### **2004-07 Transportation Priorities Allocation Process and Policy Direction**

The 2004-07 Transportation Priorities process began with the adoption of the following program policy direction.

The primary policy objective for the MTIP program and the allocation of region flexible transportation funds is to:

- Leverage economic development in priority 2040 land-use areas through investment to support
  - centers,
  - industrial areas and
  - UGB expansion areas with completed concept plans

Other policy objectives include:

- Emphasize modes that do not have other sources of dedicated revenues
- Complete gaps in modal systems
- Develop a multi-modal transportation system

An application process was adopted to implement this policy direction. It included retaining a technical rating of 2040 land use criteria and creating a monetary incentive to applying agencies to nominate projects that best leverage development of 2040 priority land-use areas. While further advancing the program objectives, this option retained flexibility to fund projects that do not directly benefit a regional priority land-use area but that are deemed to be important and effective transportation projects due to other considerations.

This process was referred to as the Region 2040 Match Advantage and is summarized as follows:

- A. Projects that highly benefit:
  - i. Centers, main streets, and station communities
  - ii. Industrial areas and inter-modal facilities
  - iii. UGB concept plan areasare eligible for up to 89.73% match of regional funds.
  
- B. Planning, TOD, TDM and Green Street Demonstration projects are also eligible for up to an 89.73% match of regional funds.
  
- C. Projects determined to not provide a direct, significant benefit to a priority land-use area would be eligible for up to a 70% match of regional funds.

D. No funding for operations or maintenance, except for TDM programs and start-up transit operations that demonstrate capacity for future operation funds to replace regional flexible funds by the next MTIP funding cycle.

E. The technical measures of the 2040 land use criteria have been modified and the method for determining which projects qualify for a regional match of up to 89.73% were developed using lessons learned from current centers and industrial lands research and the Pleasant Valley concept plan and implementation study. Technical measures attempt to rate the direct benefit (or negative effect) of a project to the priority land-use area, not simply assess whether a project is located in or near the priority area.

Additionally, a smaller cost target to limit the number of applications submitted to Metro through the Coordinating Committee process was adopted. The cost target was reduced from 200% of a potential share of funds based on rough geographic equity of fund distribution to 150%. Initially, this was considered as a means that could allow elimination of a step in the allocation process that screens the project list down to a First Cut list. However, the two-step screening process was retained.

#### Screening and Evaluation Criteria

Screening and evaluation criteria were reviewed and direction adopted for the 2004-07 Transportation Priorities program.

#### *Screening Criteria for all projects*

- Highway, road and boulevard projects must be consistent with regional street design guidelines
- Project designs must be consistent with the Functional Classification System of the 2000 RTP
- Project on RTP Financially Constrained list
- Project has received support of governing body at a public meeting as a local priority for regional flexible funding. Adoption of a resolution at a public meeting would qualify as receiving support of the governing body. Documentation of such support would need to be provided prior to release of a technical evaluation of any project.
- Statement that project is deliverable within funding time frame and brief summary of anticipated project development schedule

#### *Evaluation Criteria*

##### 1. 2040 Criteria

Review the work of the current centers research and industrial lands studies to clarify how transportation funding can most effectively leverage successful development of these priority land-use areas. This includes developing methods to distinguish between the readiness of different mixed-use areas and industrial areas to develop and methods to evaluate and measure the positive and negative impacts of a project or program on leveraging development of a priority land use area other than simply the location of the facility. Applications were scored on how the project contributes to the most critical objectives a center plan or industrial area needs to achieve to become a successful area in terms of 2040 development objectives and to describe what actions the local jurisdiction is taking to address its most critical needs.

## 2. Multi-modal Road Projects

The provision of pedestrian and bicycle improvements within priority 2040 priority land-use areas as a part of a road modernization or reconstruction project qualified a project for additional technical points over a multi-modal road project outside of these priority areas. The creation of new pedestrian and bicycle improvements qualified a road project for additional technical points over a road project that simply moved or replaced pedestrian and/or bicycle facilities.

Similarly, the TIP Subcommittee was asked to review potential methods for awarding additional technical points to road projects that provide a significant freight or transit benefit, particularly benefits supporting priority land-use areas over road projects that do not provide this multi-modal benefit. However, no method of adjusting the technical score for these considerations was developed.

## 3. Qualitative Criteria

The use of qualitative criteria was limited as a means for technical staff to recommend elevating a project to receive funding over other higher technically ranked projects within their same project categories.

### Qualitative criteria

- Minimum logical project phase
- Linked to another high priority project
- Over-match
- Past regional commitment\*
- Includes significant multi-modal benefits
- Affordable housing connection
- Assists the recovery of endangered fish species
- Other factors not reflected by technical criteria

Any project could receive a recommendation from Metro staff or TPAC for funding based on these administrative criteria only if it is technically ranked no more than 10 technical points lower than the highest technically ranked project not to receive funding in the same project category (e.g. a project with a technical score of 75 could receive funding based on administrative criteria if the highest technically ranked project in the same project category that did not receive funding had a technical score of 85 or lower).

\* Previous funding of Preliminary Engineering (PE) does constitute a past regional commitment to a project and should be listed as a consideration for funding. Projects are typically allocated funding for PE because they are promising projects for future funding. However, Metro does not guarantee a future financial commitment for construction of these projects.

## 4. Green Streets Design Elements

A new category of funding was established in the 2004-07 process; Green Streets Demonstration projects. Further, elements of green street designs that had an established record of performance, were added as a means of obtaining bonus points within the technical scoring of the road and boulevard categories.

## 5. Measurement of Safety Criteria

In the interest of broadening the technical scoring of projects from accident data only, an "expert analysis" approach using general guidelines of safety considerations, including but not limited to Safety Priority Indexing System (SPIS) data, was developed for all relevant project categories as a means of providing a comprehensive method for considering safety issues. This approach will utilize a panel of project professionals to review each project relative to a list of quantitative and qualitative safety considerations and score each project accordingly.

### Solicitation, Allocation and Follow-up Process Issues

There were several changes to the 2004-07 Transportation Priorities process used to solicit and allocate regional flexible funds.

1. Additional Time for Application Process; A third month was added to the project solicitation phase of the process. This allowed more time to for coordination among jurisdictional staff and for completing the applications.
2. Public Kick-off Notice; To address concerns about the ability for community interest groups and jurisdictional staff from outside of transportation agencies to influence project applications, Metro provided public announcements of the kick-off of the application process and provided interested parties with a list of local agency contacts.
3. Regional Objectives; In order to provide better information about regional objectives, successful project examples and assistance on completing project applications, Metro staff provided presentations to jurisdictional staff early in the solicitation period at coordinating committee meetings.
4. STIP Coordination; Metro and ODOT attempted to identify areas for coordination related to STIP projects that could be supplemented with Transportation Priorities funding applications and Transportation Priorities staff attended public comment meetings of the STIP with information about the Transportation Priorities process.
5. MTIP Subcommittee; The MTIP Subcommittee of TPAC was used to review the draft technical scoring by project staff.
6. Public Outreach; Metro will utilize a public involvement program consistent with Metro's policies on public involvement. This included early notification of process kick-off and key decision points and opportunities for comment and a response to those comments. Key components included the ability of the public to review and comment on the projects and their technical rankings and draft First Cut list on Metro's website and a formal public hearing on the recommended allocation package prior to the final decision meetings of JPACT and the Metro Council.
7. Public Information; Increasing public understanding of the MTIP and Transportation Priorities program was increased through the inclusion of Metro information, including signage, on funded project or program materials, participation in public events and new informational materials, and Metro's website highlighting funded projects.



8. Allocation Follow-up Activities; Metro committed to improve project monitoring to ensure project development that is consistent with application materials post-construction data collection (particularly with demonstration projects) and awards or other recognition for quality project implementation.

#### **Policy Direction to Narrow from First Cut List to Final Cut List**

After adoption of the First Cut List, a policy discussion of JPACT and the Metro Council resulted in the following direction to technical staff for development of a recommendation to a Final Cut List.

1. Honor Prior Commitments
2. Metro Planning Funded
3. Land Use and Economic Development Direction:
  - Invest in all types of 2040 mixed-use and industrial lands
  - Emphasize non-road/bridge projects to maximize development and multi-modal objectives in mixed-use areas
  - Screen all projects and programs on their relationship to the implementation of mixed-use and/or industrial area plans and development (2040 technical score, qualitative issues/public comments)

## **Transportation Priorities 2006-09 Update**

Metro staff recommends the 2006-09 Transportation Priorities process retain the updates that evolved from the extensive outreach process of the 2004-07 effort. Additional policy, technical and process issues were identified during implementation of and subsequent to the 2004-07 process, however, that should be addressed prior to kick off of the 2006-09 process.

### **Policy Refinement Issues**

- Integration of 2004-07 narrowing directives and General Program Policies (Investing in Tier I and Tier II mixed-use and industrial areas and emphasis on non road/bridge projects)
- Program policy direction changes in response to Oregon Transportation Investment Acts (OTIA I-III).
- Direction on funding of Bicycle and Pedestrian transportation control measures for air quality
- Review 30% match requirement for multi-use paths
- Policy direction on Intelligent Transportation Systems (ITS)
- Incorporate directives on Regionally Significant Industrial lands
- ODOT applications to supplement urban highway preservation projects
- Green Streets
  - Green Trails; directives to Multi-Use path category
  - Encourage use of recycled materials in transportation projects
  - Wildlife Crossings

### **Technical Refinement Issues**

- Technical Implementation of Policy refinement directives
- 2040 Qualitative technical score – Community Focus Attachment C refinement
- Safety technical score methodology
- Use of system level data and project level data to evaluate congestion relief

### **Process Refinement Issues**

- Jurisdiction and Agency program/application review at TPAC and JPACT  
TOD, RTO, ITS, Clackamas Co., Multnomah Co., City and Port of Portland, Washington Co., TriMet/SMART, Metro Planning, ODOT (STIP).
- Joint Public Outreach with ODOT STIP and including Transit Federal funding summary
- Directives to Narrow from First Cut List to Final Cut List to be developed by JPACT and Metro Council in December 2004.
- Engineering review of application scope, schedule and budget.

## **Transportation Priorities 2006-09 Policy Refinement Recommendations**

### **1. Integration of 2004-07 Narrowing and General Program Policies**

During the 2004-07 Transportation Priorities process, JPACT directed technical staff on how to provide recommendations to narrow from the First Cut list to a Final Cut list. This direction included policies that could be considered as an update to general program policies for the 2006-09 process.

To integrate the policy directive received during the narrowing process to fund projects in all types (Type I and II) of mixed-use and industrial areas and to emphasize non-road/bridge categories, Metro staff recommends the following changes to the general program policy directive.

The primary policy objective for the MTIP program and the allocation of region flexible transportation funds is to:

- Leverage economic development in priority 2040 land-use areas through investment to support
  - centers, designated Tier I and II 2040 mixed-use areas
  - industrial areas and
  - Tier I and II 2040 mixed-use and industrial areas within UGB expansion areas with completed concept plans

Other policy objectives include:

- Emphasize modes that do not have other sources of dedicated revenues
- Complete gaps in modal systems
- Develop a multi-modal transportation system
- Meet the average annual requirements of the State Implementation Plan for air quality for the provision of pedestrian and bicycle facilities

Furthermore, road and bridge related projects will be limited to no more than 60% of the total cost of candidate projects submitted for application by each of the County coordinating committees and the City and Port of Portland. This is equivalent to the percentage of regional flexible funds derived from the Surface Transportation Program.

## **2. Refine the Transportation Priorities program focus in response to the additional funding resources provided by the recent Oregon Transportation Investment Acts (OTIA I – III).**

Recent acts by the state legislature have increased the available revenue for transportation improvements in the region. This includes \$34 in highway modernization, \$22 in road capacity projects and \$122 million in highway, bridge and road reconstruction and maintenance funding expected in this region by 2010 (need to add OTIA III freight modernization; portion of \$100 million state wide, and state bridge maintenance revenues; portion of \$1.3 billion state wide when defined).

This increase in state revenue dedicated to road maintenance, road expansion and bridge repair and reconstruction represents the first major increase in state resources in more than a decade. Prior to this increase, regional flexible funds were used to fund a number of highway capacity projects, such as the I-5/Highway 217 interchange, capacity improvements on Highway 26, the Tacoma Street over crossing of Highway 99E and the Nyberg Road interchange.

However, these allocations were made with the knowledge that few other resources were available for these improvements, and at the expense of smaller, multi-modal improvement that could have been funded with regional flexible funds, instead. A key policy issue in this MTIP update is to determine degree to which the current increase in state highway revenue argues for less emphasis on such projects with regional flexible funds. Currently, main-stem highway capacity improvements are limited under the existing MTIP policies, but there is no limit on allocation for road expansion, highway interchanges, or Preliminary Engineering for major highway capacity projects.

To address this change in revenue availability, Metro staff recommends strengthening the general program policy statement to emphasize the purpose of these funds as supporting modes other than roads, highways or bridges and to limit the cost of these types of applications from the county coordinating committees and City and Port of Portland to no more than 60% of their available funding target.

### **3. Direction on funding of Bicycle and Pedestrian transportation control measures for air quality**

The Transportation Priorities funding in 2006-07 did not meet the yearly average for providing miles of pedestrian and bicycle improvements but had to rely on a defined ODOT maintenance project and over building from previous years to meet this requirement as reported in the MTIP.

The general program policy statement will be updated as indicated above to state that the Transportation Priorities process will fund a minimum of the average annual requirement for implementation of the pedestrian and bicycle improvements required by the State Implementation Plan for air quality.

### **4. Review 30% match requirement for multi-use paths more than 1 mile outside of Tier I and town center land use areas.**

As these projects meet the other stated policy objectives of the Transportation Priorities program, do not have other sources of dedicated revenues, are a transportation control measure the region is obligated to implement and is a component of the regional transportation infrastructure that has system wide needs and yet is in relative infancy compared to other systems elements (road and transit network), implementing agencies have requested Metro review the 30% match requirement for these improvements outside 1 mile of a Tier I or town center land use. No change to the match requirement is recommended at this time by Metro staff.

### **5. Introduction of street connectivity as an evaluation criteria for the Road Modernization mode category**

Currently, congestion relief, cost-effectiveness of providing congestion relief, safety and 2040 land-use impacts are the four evaluation criteria for road modernization projects. Metro has adopted as part of the region's Congestion Management System policies standards for providing street connectivity prior to adding capacity to existing roads. However, the Transportation Priorities technical evaluation does not provide any technical evaluation of whether or how road capacity projects address the street connectivity standards.

Metro staff recommends the addition of street connectivity as an evaluation criteria for the road modernization category to increase the technical ranking score of projects that increase street connectivity.

### **6. Direction on Intelligent Transportation Systems (ITS)**

While this category of projects has received several allocations of regional funding in the past, the Transportation Priorities process did not provide any funding for ITS in 2006-07. This is an eligible CMAQ activity and means of increasing the efficiency of existing road infrastructure. An ITS subcommittee of TPAC is in the process of being created to formally organize implementation of these technologies on a regional scale. Currently, there is no policy direction

within the Transportation Priorities program regarding ITS. It has been technically ranked with road capacity projects.

Metro staff recommends creating a separate technical ranking category for ITS projects. This highlights ITS projects as a distinct and important component of the Congestion Management System strategy and component of the regional transportation strategy. It is also necessitated by the addition of street connectivity as an evaluation criteria in the road modernization category (where ITS projects were historically evaluated) as ITS projects by their nature could not be evaluated on their impact to street connectivity criteria.

Furthermore, ITS projects will not be subject to the cost limitation placed on road and bridge related projects applications from the coordinating committees.

Metro staff is directed to work with the ITS subcommittee of TPAC to develop technical evaluation criteria for this new category.

#### **7. Regionally Significant Industrial Lands**

The Regional Transportation Plan has been amended to recognize regionally significant industrial lands as a Tier I 2040 land-use priority over other industrial lands subsequent to the policy update of the 2004-07 Transportation Priorities process. The technical scoring for freight and road projects will be updated to award more points to projects that serve regionally significant industrial lands as a Tier I priority and other industrial lands as a Tier II priority in, similar to the difference between regional and town centers.

#### **8. ODOT applications to supplement STIP projects**

In an effort to improve the delivery of transportation services in the region and coordination between ODOT and regional/local policy objectives, Metro staff recommends early coordination with ODOT staff to consider joint funding for missing pedestrian and bicycle elements in state preservation and maintenance projects by identifying potential state modernization or other revenues and by applying for Transportation Priority funds. Requests should be made in context of coordination with the STIP to fully disclose need for additional regional funds for state projects and the potential impacts to the state modernization program within the region.

#### **9. Green Streets**

##### **- Green Trails**

The Metro Parks and Greenspaces Department has recently published a best practices guidebook on the construction of trails and multi-use paths in an environmentally sensitive manner. Metro staff recommends that funding awards to multi-use path projects be conditioned to consider the design guidelines of the Green Trail handbook during project development.

##### **- Use of Recycled Materials in Transportation Projects**

To respond to the Federal Highway Administration (FHWA) directive on the use of recycled materials in federal highway projects and to create stronger markets for recycled materials, Metro staff recommends that materials related to the Transportation Priorities allocation process include a summary of the FHWA directive. Additionally, Metro staff

shall work with TPAC to attempt to develop a method for the award of technical bonus points for the commitment of a project applicant to use certain types or levels of recycled materials in road or multi-use path projects.

**- Wildlife Crossings**

The Transportation Planning section was a project client for a Portland State University urban planning masters program effort to develop a supplemental best practices guidebook to incorporating wildlife crossings into transportation facilities. Metro staff recommends that Metro should submit a Transportation Priorities 2006-09 application to further study this issue, formally update the Creating Livable Streets guidebooks, and develop policy amendments to the Transportation Priorities program and/or the Regional Transportation Plan.

## **Transportation Priorities 2006-09 Technical Refinement Issues**

Metro staff is directed to work with TPAC to address the following technical evaluation issues.

### **1. Street Connectivity as Technical Measure for Road Capacity projects**

Implementation of new policy directive summarized above.

### **2. Develop technical criteria for a new Intelligent Transportation System modal category**

Utilize the ITS Subcommittee to implement new policy directive summarized above.

### **3. Attempt to develop technical bonus points for use of recycled materials**

Attempt to develop a method for the award of technical bonus points for the commitment of a project applicant to use certain types or levels of recycled materials in road or multi-use path projects. Implementation of new policy directive summarized above.

### **4. Refinement of 2040 Qualitative Technical Score – Attachment C**

Additional knowledge has been developed about the development of mixed-use areas and their relationship to transportation infrastructure since the development of the 2004-07 Transportation Priorities process. The “Community Focus” qualitative analysis will be updated to reflect refinements in evaluating differences between the readiness of planned mixed-use areas to develop and the relationship between a potential transportation investment and the potential success in the development of a mixed-use area. The attachment will also be clarified on how individual elements of the qualitative summary contribute to the overall technical score.

### **5. Safety Technical Score Methodology**

Applicants will be asked to provide information regarding specific safety factors that will be evaluated by a panel of transportation professionals. The method by which the panel will use this information in developing their project scores will be described in the application.

### **6. Use of system level data and project level data to evaluate congestion relief**

Resolve the issue of when or how to use project level data to supplement system level data when analyzing expected congestion relief provided by a candidate road project application.

## **Transportation Priorities 2006-09 Process Refinement Issues**

Metro staff is directed to implement the following changes to the application process.

### **1. Jurisdiction and Agency program/application review at TPAC and JPACT**

Arrange for the following programs and coordinating committees to provide presentations at TPAC and JPACT as a summary of their program and/or their package of project/program candidate applications. TOD Program, RTO Program, ITS status update, Clackamas County, Multnomah County., City and Port of Portland, Washington County, TriMet/SMART, Metro Planning, ODOT (STIP Presentation).

### **2. Joint public outreach process with ODOT STIP process and Transit funding summary**

A joint public outreach process with the ODOT State Transportation Improvement Program will be implemented. This outreach will include participation by the regions transit agencies to provide information on their planned development and expenditures of the 2006-09 period.

### **3. Directives to technical staff on development of recommendations to narrow from a First Cut list to a Final Cut list**

Directives to technical staff on the development of recommendations to narrow from a First Cut List to a Final Cut List are to be developed by JPACT and Metro Council after the adoption of the First Cut list. This was a process element that was instigated during the previous Transportation Priorities allocation process. It is now a scheduled process element expected in the December 2004 time frame.

### **4. Engineering Review of Application Scope, Schedule and Budget**

Metro staff will work with ODOT staff to investigate whether consultant services can be provided to review candidate project applications for accuracy of scope, schedule and budget to ensure projects can be delivered as described in the application and ranked fairly against similar projects.





## Contingency Plan Implementation

Target Sector	#	Recommended Strategy	Potential Implementation Actions
Building Industry	1	Metro should require all construction and demolition loads from the region to be processed.	<ul style="list-style-type: none"> <li>• Council directs staff to refine technical analysis including evaluating the costs, benefits and tonnage estimates.</li> <li>• Council directs staff to convene a work group to develop program details including an operational definition of C&amp;D loads, recovery level requirements and enforcement measures.</li> <li>• Council directs staff to revise regulatory instruments to include a mandatory recovery requirement.</li> <li>• Council directs staff to submit a change order for Metro transfer station facilities to require additional recovery from C&amp;D loads.</li> </ul>
Commercial	2	Metro should require local governments to adopt mandatory business recycling requirements that require the recycling of specific materials. Metro provides funding for the expansion of business recycling assistance and outreach programs to jurisdictions that have adopted mandatory recycling according to the specified conditions.	<ul style="list-style-type: none"> <li>• Council directs staff to refine technical analysis including evaluating the costs, benefits and tonnage estimates.</li> <li>• Council directs staff to work with local governments and businesses to develop program details of a mandatory business recycling program and seek MPAC comments and recommendations.</li> <li>• Council amends the RSWMP to require all local governments to adopt mandatory recycling ordinances.</li> <li>• Council directs staff to facilitate a process to assist local governments in adopting mandatory recycling ordinances.</li> <li>• Council approves budgetary add-package for additional recycling assistance and outreach funding.</li> </ul>

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**Strategy #4: Metro should evaluate organics contingency strategies in one year.**

The Contingency Plan Work Group strongly supports Metro's efforts and leadership in developing an organics collection program for the region. At this time, the work group feels it is premature to implement contingency measures and recommends evaluating the following strategies to increase recovery in one year:

- 1) Mandatory recovery of food waste from certain sized businesses; and
- 2) Residential organics collection (food waste collected with yard debris).

In this evaluation, factors for consideration should include: 1) a processor is located and operational; 2) at least two jurisdictions have organics collection programs established; and 3) at least 5,000 tons (over baseline of 12,000 tons) of organics are being recovered.

## 2004-05 Budget/RIF Timeline

- Feb 10<sup>th</sup> Department budgets due to Council President
- Feb. 17<sup>th</sup> **Planning Dept. RIF presentation to managers**
- Feb. 19<sup>th</sup> **Mtg. with Labor Reps. re: Budget, Freeze and ESAP**
- Feb. 20<sup>th</sup> Council President's proposed budget is solidified
- Feb. 20<sup>th</sup> Zoo – All Staff  
COO announces Soft Freeze and ESAP program discusses probable RIF.
- Feb. 23<sup>rd</sup> **Soft Freeze Message (E-Mail) 2/24/2004**  
**Employee Suggestions Award Program (ESAP) Message (E-Mail)**
- Feb. 23<sup>rd</sup> **SWR RIF presentation to managers**  
**FASD RIF presentation to managers**  
**MTG with CFO to discuss FTE reductions**
- Formulate 1<sup>st</sup> scenario re: possible RIF
- Feb. 24<sup>th</sup> **Zoo RIF presentation to managers**  
**Briefing to council at work session in Executive Session**
- Feb. 26<sup>th</sup> MRC – All Staff  
COO announces Soft Freeze and ESAP program discusses probable RIF
- Feb 27<sup>th</sup> Have each department communicate with employee(s) that their position is possibly being cut from 2004-05 budget.
- Talking Points:
- Explain projected 2004-05 financial picture of the department.  
Explain that this reduction is not based on individual job performance.  
Briefly, discuss that this **MAY** or **MAY NOT** mean that they are going to be laid off.  
Depending on employees bumping rights under the CBA.  
Council has not passed budget and can make changes to budget.  
Departments refer specific employees to HR.
- HR will coordinate discussion with other employees if they are the least senior in a particular classification.**
- HR will coordinate with Department Directors if a bumping scenario in another department affects their department.**
- Feb 27<sup>th</sup> HR meets with LIUNA and AFSCME to discuss possible RIF

- March 4<sup>th</sup>**      **PARKS RIF presentation to managers**
- March 17<sup>th</sup>      Full Council: Review of GF, Planning and Regional Parks Budget
- March 24<sup>th</sup>      Full Council: Review of MERC, Zoo, SWR
- March 31<sup>st</sup>      Full Council: Review of Central Services Budgets
- April 1<sup>st</sup>          Formal Council Session – Public Hearing  
                          Budget is a public document  
                          Amendments to proposed budget can occur during this process
- April 21<sup>st</sup>      Council Work Session: Discussion of proposed amendments
- April 29<sup>th</sup>      Formal Council Session – Vote on proposed amendments / Public Hearing
- **Formulate 2nd scenario re: approved RIF**
- Have department communicate with employee(s) that their position has been approved to be cut from 2004-05 budget.
- Talking Points:
- Explain that this reduction is not based on individual job performance. Briefly, discuss that this **MAY** or **MAY NOT** mean that they are going to be laid off.  
 Depending on employees bumping rights under the CBA.  
 Departments refer specific employees to HR.
- HR will coordinate discussion with other employees if they are the least senior in a particular classification.**
- May 15<sup>th</sup>          Budget approved and sent to TSCC
- May 31<sup>st</sup>**          **Layoff Notices must be delivered to employees**  
**HR resources web site for laid-off employees (earlier implementation likely)**
- June 9<sup>th</sup>          Tax Supervising and Conservation Commission Hearing  
                          Amendments can be considered by Council after TSCC review.
- June 17<sup>th</sup>      Formal Council Session – Adoption of Budget
- June 30<sup>th</sup>      Last day of employment for laid-off employees
- July 1**            **Laid-off employees are placed on recall list for appropriate classification**