

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: April 22, 2004
DAY: Thursday
TIME: 5:00 PM
PLACE: Gresham Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. CONSENT AGENDA

3.1 Consideration of Minutes for the April 15, 2004 Metro Council Regular Meeting.

4. ORDINANCES – FIRST READING

4.1 **Ordinance No. 04-1045**, For the purpose of amending the 2000 Regional Transportation Plan (RTP) for consistency with the interim Federal 2004 RTP and statewide planning goals.

4.2 **Ordinance No. 04-1049**, For the Purpose of Council Approval for Amending Metro Code Section 5.02.060 Relating to the Metro Solid Waste Credit Policy.

4.3 **Ordinance No. 04-1050**, For the Purpose of Amending Section 4.01.050(B) of the Metro Code to Provide for a Reduced Admission Day at the Oregon Zoo.

5. ORDINANCES - SECOND READING

5.1 **Ordinance No. 03-1021A**, For the Purpose of Amending Title 4 of the Urban Growth Management Functional Plan to Improve its Protection of Industrial Land and to Make Corrections. McLain

5.2 **Ordinance No. 03-1022A**, For the Purpose of Amending the Employment and Industrial Areas Map to Add Regionally Significant Industrial Areas in Compliance With Subsection J of Section 3.07.420 of Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan. Park

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| 5.3 | Ordinance No. 04-1040 , For the Purpose of Amending the Metro Urban Growth Boundary, The Regional Framework Plan and the Metro Code to Increase the Capacity of the Boundary to Accommodate Growth in Industrial Employment. <i>(Public Hearing, no final action)</i> . | Park |
| 5.4 | 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. <i>(Public Hearing, no final action)</i> . | Hosticka |
| 5.5 | Ordinance No. 04-1042 , For the Purpose of Amending Metro Code Chapter 5.02 to Amend Disposal Charges and System Fees. <i>(Public Hearing, no final action)</i> . | McLain |
| 5.6 | Ordinance No. 04-1043 , For the Purpose of Amending Metro Code Chapter 5.03 to Amend License and Franchise Fees; and Making Related Changes to Metro Code Chapter 5.01. <i>(Public Hearing, no final action)</i> . | McLain |
| 5.7 | Ordinance No. 04-1044 , For the Purpose of Adopting the Annual Budget For Fiscal Year 2004-05, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency <i>(Public Hearing, no final action)</i> . | Newman |
| 5.8 | Ordinance No. 04-1048 , For the Purpose of Amending Metro Code Chapter 7.01 To Increase the Amount of Additional Excise Tax Dedicated to Funding Metro's Regional Parks and Greenspaces Programs and to Provide Dedicated Funding for Metro's Tourism Opportunity and Competitiveness Account. <i>(Public Hearing, no final action)</i> . | Newman |

6. RESOLUTIONS

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| 6.1 | Resolution No. 04-3442 , For the Purpose of Approving the Year 15 Partnership Plan for Waste Reduction (FY 04-05) | Park |
| 6.2 | Resolution No. 04-3445 , For the Purpose of Amending the 2004-07 Metropolitan Transportation Improvement Program to include new Funding Appropriated to Transportation Projects in the Metro Area By the 2004 Federal Transportation Appropriations Bill. | Park |
| 6.3 | Resolution No. 04-3420 , For the Purpose of Authorizing the Chief Operating Officer to Purchase the Salinas Property in the Tualatin River Access Points Target Area. | Hosticka |

7. CHIEF OPERATING OFFICER COMMUNICATION

8. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for April 22, 2004 Metro Council meeting

<p>Gresham Channel 30 -- MCTV www.mctv.org -- (503) 491-7636 Monday, April 26 at 2 p.m.</p>	<p>Washington County Channel 30 -- TVTV www.yourtvv.org -- (503) 629-8534 Saturday, April 24 at 11 p.m. Sunday, April 25 at 11 p.m. Tuesday, April 27 at 6 a.m. Wednesday, April 28 at 4 p.m.</p>
<p>Oregon City, Gladstone Channel 28 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.</p>	<p>West Linn Channel 30 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times.</p>
<p>Portland Channel 30 (CityNet 30) -- Portland Community Media www.pcatv.org -- (503) 288-1515 Sunday, April 25 at 8:30 p.m. Monday, April 26 at 2 p.m.</p>	

Agenda Item Number 3.1

Consideration of Minutes of the April 15, 2004 Regular Council meetings.

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

MINUTES OF THE METRO COUNCIL MEETING

Thursday, April 15, 2004
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Rod Monroe, Rex Burkholder, Carl Hosticka, Rod Park, Brian Newman

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:02 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSENT AGENDA

3.1 Consideration of minutes of the April 1, 2004 Regular Council Meetings.

3.2 **Resolution No. 04-3443**, For the Purpose of Confirming the Appointments of Mike Huycke and Ray Phelps to the Regional Solid Waste Advisory Committee (SWAC).

3.3 **Resolution No. 04-3444**, For the Purpose of Reappointing Tanya Schaefer to the Regional Solid Waste Advisory Committee (SWAC).

Motion:

Councilor Newman moved to adopt the meeting minutes of the April 1, 2004, Regular Metro Council and Resolution Nos. 04-3443 and 04-3444.

Vote:

Councilors Burkholder, McLain, Monroe, Park, Hosticka, Newman and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

Councilor McLain thanked the new members of the Solid Waste Advisory Committee. They had been long-term members of the Solid Waste industry.

4. ORDINANCES – FIRST READING

Council President Bragdon explained the process for testimony. He said the dates of the public hearings were April 22nd in Gresham a 5:00 p.m., April 29th in Hillsboro at 5:00 p.m., May 6th in Wilsonville at 5:00 p.m., May 27th, June 10th and June 24th at 2:00 p.m. at Metro.

4.1 **Ordinance No. 04-1040**, For the Purpose of Amending the Metro Urban Growth Boundary, The Regional Framework Plan and the Metro Code to Increase the Capacity of the Boundary to Accommodate Growth in Industrial Employment.

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Council President Bragdon assigned Ordinance No. 04-1040 to Council and asked Councilor Park to introduce the ordinance.

Councilor Park gave an overview of the process. He said the Urban Growth Boundary (UGB) was an imaginary line drawn around our region distinguishing land that was urban and suitable for residential or industrial development from land that was rural and unavailable for development. State law had required Metro to maintain an Urban Growth Boundary since the 1970's. The law also required us to keep a 20-year supply of residential and industrial land inside the UGB. Metro reviewed the UGB every 5 years to maintain land supply. Periodic review was necessary because of dramatic population growth in metropolitan area – projected to increase by 500,000 by 2017. Land was selected according to an established hierarchy, urban reserve land, exception land (non-resource land), marginal land, farm or forestland (prioritized by productivity).

He then addressed why do we have a UGB? It limited sprawl – unending highways and subdivisions in suburban and rural areas – and maintained our quality of life in metropolitan area. It supported economic development in urban area, for orderly, efficient delivery of services and utilities. It allowed for coordinated land use and transportation planning. It provided stable development encourages business growth inside UGB. It supported economic development and protection of natural resources outside urban area. The UGB protected farmland and forestland and encouraged agricultural development – one of our most stable economic industries in Oregon.

The 2002 UGB decision studied nearly 80,000 acres of land (77,645 acres). After two years of study, an extensive public outreach process including community meetings and hearings, and consequent revisions, the Council amended the UGB to include 18,638 acres of land – the largest acreage increase in the history of Metro. This expansion included 38,066 dwelling units and 7,554 gross acres of employment land. However, this still left us short approximately 1900 net acres of industrial land because there was not enough land available in the 80,000 studied acres that was appropriate for industrial use. The state Land Conservation and Development Commission (LCDC) issued a remand and directed Metro to complete the remaining industrial land work by June 2004.

He then spoke to the 2004 UGB decision and said Michael Jordan, Metro Chief Operating Officer, would discuss the process that we were following to identify the necessary additional acres of industrial land.

Michael Jordan, Chief Operating Officer, thanked Councilor Park and all of the Council for their involvement. He also thanked Metro staff, Metro Policy Advisory Committee (MPAC) and Metro Technical Advisory Committee (MTAC) members, local jurisdiction officials and staff. He spoke to the number of open houses that had been held and to the upcoming public hearings on the issue. He gave an overview of his recommendation (a copy of his recommendation is included in the record).

Lydia Neill, Planning Department, detailed the technical specifics of the recommendation (a copy the power point presentation was included in the meeting record). Councilor Hosticka asked about the areas in yellow and if the other areas would be adequate to meet the needs? Ms. Neill said yes. Councilor Hosticka said the areas in yellow were put up there for Councilors discussion. Andy Cotugno, Planning Director, reviewed Ordinance No. 04-1040 code language and map language. He further detailed choices the Council had concerning additional lands. He talked about notice to the property owners. Mr. Jordan talked about his feelings concerning this recommendation. They had started with 29,000 acres. They only had to find 10% of that acreage. He and staff had had a tough time. He guaranteed testimony from citizens about acreage they

didn't want included. He spoke to the difficulty of the decision. He spoke to the natural tension in making this decision.

Councilor McLain commented about the agricultural report from Jim Johnson, State of Oregon. They would be holding a work session on his report. She spoke to the importance of the agriculture industry. She acknowledged the tension in making this decision. She was visiting all of the proposed sites being considered. Councilor Hosticka asked about notification. Mr. Cotugno said the notice for the UGB expansion areas had gone out but the Title 4 notice had not gone out yet. Councilor Hosticka talked about the notice and asked that the notice be sent to areas south of Wilsonville. Councilor Park asked about notification to remove certain areas, were citizens being notified? Mr. Cotugno said they would be notified. Councilor Park asked that these citizens be notified as soon as possible so they didn't have to come to testify.

Councilor Park asked about the concept planning area of Springwater and capacity numbers. Mr. Jordan said concept planning had not been completed so they weren't sure of capacity. Councilor McLain asked about clarification of notice and when the notice was sent concerning the staff's recommendation. Mr. Cotugno said the notice was being sent today. Councilor McLain wanted assurance about the legal status of the notification, she asked for a copy of the notice. Council President Bragdon said if Councilors wanted additional areas included, they should speak now. Councilor Monroe echoed Councilor Hosticka's request. Mr. Cotugno said the website did indicate that any parcel that was not recommended was still in play. Councilor Park asked about the King City notification. Ms. Neill said they would be notified. Councilor Park asked about additional acreage that might be considered. Mr. Cotugno said there were no other areas.

Councilor Hosticka asked about Exhibit E and if the green was considered parks. Ms. Neill said the areas in green were for industrial purposes. Councilor Hosticka said if a local government responsible for the planning the area wanted to plan the area for something else beyond industrial, could they do this? Dick Benner, Metro Senior Attorney, responded that when territory was brought into the UGB, there was a requirement for Title 11 planning. While Title 11 planning was going on, it was recognized that new information could indicate that the design type designation might not be appropriate for the area. That land would come out of the Title 11 planning. If the effect created a reduction in the capacity of land that would be something that Council had to account for during the next review. Mr. Cotugno said, annually local governments could request map changes. Those changes would be included on the map. Councilor Hosticka said he wanted to make sure the conditions requested that opportunity. He noticed that south of the Willamette River was excluded from 04-1040. Mr. Jordan said they believed that Council needed to reinforce the protection of agricultural land around the region. They didn't feel it was a good idea to include on specific area. Councilor Hosticka asked about the local jurisdiction Title 11 planning and hadn't they asked local governments to recommend areas. Mr. Cotugno said local government didn't have the authority, Council had to make those considerations at a future date. Council President Bragdon said Ordinance No. 04-1041 would be considered every time Ordinance No 04-1040 was considered. Councilor Monroe asked about the Stafford Triangle and the concept planning by all three local jurisdictions. He asked what would happen if one of those entities did not want to be involved. Mr. Jordan said Clackamas County was the responsible party for completing that concept planning. They couldn't force any jurisdiction to participate. Ms. Neill said school districts had also expressed an interest in concept planning for this area.

Council President Bragdon opened a public hearing on Ordinance No. 04-1040. He reiterated the public hearing schedule.

Charlotte Lehan, Mayor of Wilsonville, said she appreciated the opportunity to speak on this issue. She said there was unhealthy tension. Wilsonville had been a willing participant in planning for the region. She spoke to the necessity for regional equity. She felt that asking Tualatin and Wilsonville to carry 82% of industrial land was out of line. There was a limit where it impacted quality of life. What happened to walkable, livable communities? It seemed to have been lost in this recommendation. She talked about the changing face of industry. She didn't think warehouse and distribution had changed. There was an enormous volume of truck traffic. They couldn't put trucking in the middle of schools and neighborhoods and that was what they were being asked to do in Wilsonville east. She also noted that just yesterday their engineer and Dennis Yee, Metro Economist, had indicated that there was industrial land acreage that had not been counted. She expressed concern about Metro's responsibility and the process for expanding the boundary. She felt they would end up worse off than we were before.

Councilor Hosticka asked about the 232 acres that had not been identified as industrial. Mayor Lehan said it had not yet been zoned. Councilor Hosticka suggested staff look at this acreage to see if it should be included. Councilor Monroe expressed concern about Mayor Lehan's remarks concerning Metro's role.

Council President Bragdon closed the public hearing.

4.2 Ordinance No. 04-1048, For the Purpose of Amending Metro Code Chapter 7.01 to Increase the Amount of Additional Excise Tax Dedicated to Funding Metro's Regional Parks and Greenspaces Programs and to Provide Dedicated Funding for Metro's Tourism Opportunity and Competitiveness Account

Council President Bragdon assigned Ordinance No. 04-1048 to Council.

5. ORDINANCES - SECOND READING

5.1 Ordinance No. 03-1021A, For the purpose of Amending Title 4 of the Urban Growth Management Functional Plan to improve its protection of industrial land and to make corrections.

5.2 Ordinance No. 03-1022A, For the purpose of Amending the Employment and Industrial Areas Map to Add Regionally Significant Industrial Areas in Compliance with Subsection J of Section 3.07.420 of Title 4 (Industrial and other employments areas) of the Urban Growth Management Functional Plan.

Council President Bragdon noted that MPAC had made a recommendation on both of these ordinances. Once Council had absorbed the recommendation, Council would consider these ordinances at next week's Council meeting in Gresham. Mr. Benner, Metro Senior Attorney, said the recommendation on Title 4 had been included in 03-1021B and 03-1022B, which he had provided to Council today. Council President Bragdon said they would consider those recommendations next week in Gresham. Mr. Benner further detailed the recommendation including local jurisdiction parcel recommendations, the airport and medical facilities. He talked about the size of retail operations, land divisions, medical facilities and the difference between the Chief Operating Officer recommendation and MPAC's recommendation. Councilor Park asked about the medical facility issue and why it wouldn't be incorporated. Mr. Benner said MPAC urged moving on this issue faster. He noted the issue of substantial compliance, which was defined in the Code. The language in the MPAC recommendation was different than the Code language. Councilor Burkholder said he had not received a copy of the "B" version.

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Councilor Park asked whether there were any other areas that could be removed. Mr. Benner said the question would be followed up on.

Council President Bragdon said these items would be continued to April 22, 2004 Metro Council meeting in Gresham.

5.3 Ordinance No. 04-1042, For the Purpose of Amending Metro Code Chapter 5.02 to Amend Disposal Charges and System Fees.

5.4 Ordinance No. 04-1043, For the Purpose of Amending Metro Code Chapter 5.03 to Amend License and Franchise Fees; and Making related changes to Metro Code Chapter 5.01.

Council President Bragdon announced that these two ordinances would be considered at the April 22nd, 27th and April 29, 2004 Council meeting in conjunction with Ordinance No. 04-1044.

5.5 Ordinance No. 04-1044, For the Purpose of Adopting the Annual Budget for Fiscal Year 2004-05, Making Appropriations, and Levying Ad Valorem Taxes, and Declaring an Emergency.

Council President Bragdon opened a public hearing on Ordinance No. 04-1044.

Donna Matrazzo, 1930 NW Sauvie Island Rd., Portland OR 97281 supported the excise tax to help fund parks. She talked about Willamette Cove and the late Sandy Hanson commitment to greenspaces. She applauded Council's proposal.

Bob Sallinger, Audubon Society of Portland, 5151 NW Cornell Rd, Portland OR 97210 supported the excise tax to fund parks. He noted that this also supported non-regulatory mechanisms for Goal 5, Fish and Wildlife Protection.

Les Joel, Blue Heron Paper, 419 Main St, Oregon City OR 97045 did not testify.

Walt Hitchcock, 16990 SW Groengate Dr., Sherwood, OR 97140 said he was a former Sherwood Mayor and Green Ribbon Committee Chair. He commended Council on their proposal for reducing solid waste programs to help fund parks. He paraphrased the mission of the Green Ribbon Committee. He spoke to the recommendation from the Committee. This funding laid the foundation for future greenspaces consideration. They had recommending using excise tax to help with funding of parks. Greenspaces were the glue that maintained the livability of the region, helped protection fish and wildlife habitat, and it was a positive building block for Metro, the organization. This helped gain broad support from the region. He urged approval.

Brad Hutton, Area Vice President Hilton Hotels and Portland Oregon Visitors Association (POVA) Board member, 921 SW 6th Ave Portland OR 97201 said he was representing POVA as the board chair. He supported Ordinance No.04-1048. He said the proposal made business sense, it was fiscally sound, the spirit of the proposal was positive. He urged support of the ordinance.

Issa Simpson, AFSCME Council 75, 123 NE 3rd Ave Portland OR 97214, said she represented AFSCME Council. She opposed cuts in representative members. She noted employee suggestions that would help with savings. She said representative members were supportive of Metro's mission. She noted that the Chief Operating Officer had noted how valuable these employees were. In reviewing the budget, this budget was being balanced on the back of represented employees.

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Janice Strand, Metro Scalehouse, 17014 SE Rhone, Portland OR 97236 read her written testimony into the record. She spoke to analysis of the solid waste cuts.

Laurie King, Jobs for Justice, 123 NE 3rd Portland OR 97232, explained what Jobs for Justice was. AFSCME was part of their membership. They were concerned with contracting out and campaigns of privatization. They believed in living wages. She detailed the original wages that Zoo employees made in the retail shop and what ARAMARK employees made.

Chris Neamtzy, City of Wilsonville, 30000 SW Town Center PE Wilsonville, OR 97070 provided written testimony and summarized that testimony for the record. He spoke to the Wilsonville tract and funding for parks. He commended the Council's vision. He noted a letter on behalf of the City's planning commission that had been submitted for the record as well.

Avory Gray, Oregon Zoo Design Division, 12390 NW Barnes Rd #294 Portland OR 97229 spoke to her concerns about the proposed layoffs in the design division (a copy of her remarks are included in the record). She had provided copies of some of the designs from their department, also included in the record.

Sue Marshall, Tualatin Riverkeepers, 16507 SW Roy Rogers Sherwood, OR 97140 said they supported the direction Metro was going in opening up the openspaces and funding through excise tax. There was a potential to leverage big dollars to support the parks programs. She spoke to storm water management and the health of streams. There was much to be done. She was hopeful to have this included in the Goal 5 process.

Katherine Otten, Oregon Zoo, 1223 SE 88th Ave Portland OR 97216 summarized her written remarks.

Stewart Sonderman, Oregon Zoo, 4001 SW Canyon Rd Portland OR 97221 read his remarks into the record.

David Kato, Oregon Zoo Design Services, 1915 SW 139th Ave Beaverton, OR 97005 provided written testimony, which he read into the record. He felt it would be hard to replace the positions that were being cut.

Phil Prewitt, Zoo Keeper, 6116 NE Willow, Portland OR 97213 read a letter from Blair Neuman into the record (a copy of which is included in the meeting record). He spoke to the elimination of the night animal keeper.

Deanna Mueller-Crispin, Tualatin Hills Parks and Recreation District Board member, 8570 SW White Pine Portland OR 97225 read her written remarks into the record. She was concerned about the lack of funding to continue the Goal 5 work.

Zari Santner Portland Parks and Recreation Department, Portland OR did not testify.

Charlotte Lehan, Mayor of Wilsonville, Wilsonville, OR 97070 summarized a letter from City of Wilsonville, supported Ordinance No. 04-1048. She felt it was a logical way to go. These parcels needed to be developed to be used by the public. She was unable to

Will Newman P.O .Box 1106 Canby, OR 97013 did not testify.

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Karen Kennedy Crest West Linn-Wilsonville School District 11265 SW Wilsonville Rd Wilsonville OR 97070, talked about Crest's contribution to education and the Wilsonville Tract. She supported the funding for the Wilsonville Tract. They had worked closely with the City of Wilsonville and Metro to help purchase and developed the master plan for the site. Her school was looking forward to helping develop the site. They were anxious to get started.

Mike Ragsdale, Costa Pacific Communities, 28810 SW 110th Wilsonville OR 97070 said he was a member of the Greenspaces Policy Advisory Committee. He shared the impacts of the Wilsonville Tract. He provided a copy of the Master Plan for the Wilsonville Tract (a copy of which is included in the record). He also included a map of their property and where it was in proximity to the Willamette River. He said this was an opportunity to work with regional openspaces because it gave Metro the opportunity to leverage money to create an amazing piece of contiguous land.

Joe D'Alessandro, POVA, 1000 SW Broadway Portland OR said he was testifying in support of the tourism opportunity fund. It made sense. He talked about the current excise tax on the convention center. This fund would enable them to be much more competitive. The current Visitor Development Fund contributed tremendously. This fund was smart and made sense. He felt economic development would happen because of it.

Karen Mainzer, Oregon Lodging Association, 8565 SW Salish Lane Wilsonville, OR 97070 said she was supporting the Tourism Opportunity and Competitiveness Account. She spoke to the lodging association's contributions. She felt the fund ensured that the public investment that had already been made was protected. She urged support (her testimony was included in the record).

John Fossid, Metro, 600 NE Grand, Portland, OR 97232 talked about the compost bin program. He urged reinstatement of the program into the budget (a copy of his remarks are included in the record).

Jeanne Roy, 2420 SW Broadway Portland OR read her written testimony into the record.

Marlon Warren, 3805 NE 11th Ave Portland OR supported the reinstatement of the design positions at the Oregon Zoo. He urged finding the funding.

Larry Harvey, TCLA, PO Box 19049, Portland OR said they were proud to say they had been a partner with Metro. They endorsed the sustainability goal for the convention center. He noted an email from Harold Polland and Brian Provaset. They both appreciated the proposal. They thought this was a wise business decision on Metro's part. The board voted unanimously to support the proposal.

Damon Mabee, Laborer's Local 483, 1125 SE Madison #206, Portland, OR 97214 said he supported the continuation of the funding for Parks and Openspaces. He was concerned about Park's position cuts. He then spoke to the Zoo positions cuts. The design services, the Zookeeper, maintenance and gardener positions were still essential to the Zoo. He felt they were cutting Indians and not chiefs. He shared some history of the Zoo. Metro needed to look at the Zoo and take a "grow or die" attitude. He felt the Zoo was sliding back to mediocrity. He urged finding an alternative.

Councilor Burkholder asked whom Mr. Mabee represented. Mr. Mabee explained his representation.

Council President Bragdon closed the public hearing. He announced that a public hearing would be held on April 22nd, April 27th and 29th with possible consideration at the April 29, 2004 Council meeting.

6. RESOLUTIONS

6.1 **Resolution No. 04-3441**, For the Purpose of Authorizing the Chief Operating Officer to Award Additional Regional System Fee and Excise Tax Credits in FY 2003-04.

Motion:	Councilor Monroe moved to adopt Resolution No. 04-3441.
Seconded:	Councilor Hosticka seconded the motion

Councilor Monroe spoke to the resolution, which provided partial funding for the rest of the year to the Regional System Fee (RSF) Credit program. He said post-collection recovery contributed 2.7 points toward the regional recovery goal of 62%. This would be cut in half without incentives such as the regional system fee and excise tax credit program. When the Council approved the FY 2003-04 budget, we were aware that the total amount of regional system fee and excise tax credits might exceed the budget. The Council had received regular updates from Mike Hogle, the Solid Waste and Recycling Director, that the credits had exceeded the budget throughout the fiscal year and the budget for credits was exhausted during February 2004. This resolution authorized the Chief Operating Officer to continue granting regional system fee and excise tax credits for the period February 2004 through June 2004. Additional expenditure on RSF credits was limited to \$425,000 (this would also result in \$60,000 in foregone excise tax revenue). He noted that Metro made similar grants last year when the FY 2002-03 credit budget was exhausted.

Councilor Burkholder said he would be voting against this resolution and explained his reasoning. Councilor Park asked about funding mechanisms. Doug Anderson, Finance Manager Solid Waste and Recycling, responded to his question. He spoke to the estimates for funding this year. Councilor McLain said she would be supporting this resolution. It was important to recognize that they had made a commitment this year. They also made a signal to industry that they expected this program to bring us the results that they wanted. They had asked staff to research the issue. Councilor Monroe said this was not money that was given to recyclers, this was money that they were forgiven based on the residual. He urged support.

Vote:

Councilors Park, Hosticka, McLain, Monroe, Newman and Council President Bragdon voted in support of the motion, Councilor Burkholder voted nay. The vote was 6aye/1 nay, the motion passed with Councilor Burkholder voting no.

6.2 **Resolution No. 04-3440**, For the Purpose of Endorsing Metro's Draft Goal 5 Phase 2 ESEE Analysis, Making Preliminary Decisions to Allow, Limit, or Prohibit Conflicting Uses on Regionally Significant Fish and Wildlife Habitat And Directing Staff to Develop a Program to Protect and Restore Regionally Significant Fish and Wildlife Habitat.

Councilor Hosticka explained why Metro was doing this program. He spoke to the vision for the region. They were integrating nature with the urban development. The overall vision was included in Metro's vision statement. Metro Policy Advisory Committee (MPAC) gave the vision guiding this program. He detailed their vision. Michael Jordan, COO, acknowledged Councilor Hosticka's contribution to the process as well as Metro staff's efforts. He said this was an interim narrowing decision to give staff direction to develop a regulatory and non-regulatory program. This was the second phase of a three-step process. He explained the Economic, Social, Energy

and Environmental (ESEE) analysis and the consideration of six options as framed from that analysis. This had been an incredibly thorough process, which had been going on since 1998.

Chris Deffebach, Planning Department, provided a power point presentation on the recommendation (a copy of which is included in the record).

Mr. Cotugno said the resolution was in the packet. This represented an interim step in the process. He spoke to what the resolution was intended to do. He detailed program direction. He said they would hear testimony recommending changes to the direction. There was more work needed on the restoration part of the program. He said they had already done a series of map corrections. There was a need for a map correction process as well as a monitoring of the program. They were also looking direction from Council on both regulatory and non-regulatory programs.

Council President Bragdon opened a public hearing on Resolution No. 04-3440. Councilor Hosticka asked about public comments.

Jim Labbe, Audubon Society of Portland, 5151 NW Cornell, Portland OR 97210, read his written comments into the record.

Susan Murray, 11555 SW Denfield St Beaverton OR 97005 read her written testimony into the record. She appreciated the wildlife and greenspaces in this region. She supported Option 1A and explained why. She urged reconsideration to support Option 1A. She thanked the Council for their work.

Brian Wegener, Tualatin Riverkeepers 16507 SW Roy Rogers Rd Sherwood OR 97140 commented on one specific aspect of the report, the impact areas. He noted the meetings he had attended on this issue. Tualatin Basin had defined inner and outer impact areas. We needed to look at the overall outer impact area and have regulatory program to protect this area. He provided some stories about storm water issues. He felt that the storm water was essential to habitat. He said NOAA Fisheries had been doing work in the north on a creek. When the Coho Salmon returned they were dying before the spawn because of the storm water run off. They needed to look at the entire basin to address protection of fish and wildlife.

Sue Marshall, Tualatin Riverkeepers, 16507 SW Roy Rogers Rd Sherwood OR 97140 summarized her written remarks. She commended the staff and council for their hard work.

Ann Gardner, Schnitzer Investment, said she had some observation concerning industrial lands and floodplains. What habitat function did a flood plain serve if it flooded only every 100-years. She felt we needed to be very careful of the lightly limit in redevelopment of floodplain areas.

JoAutumn Brock, 14260 S. Beemer Way, Oregon City OR 97045 said she had submitted written testimony (a copy of her written testimony is included in the record). She added that she expected to see stronger representation of people representing protection of the environment. She said people moved here because of our natural environment. She had participated in the Goal 5 open houses. She supported Option 1A. We could have development and a healthy environment. She was concerned about stream deterioration. She urged taking action in a positive manner. It was not all about money. She appreciated Council's effort to balance the different priorities.

Council President Bragdon closed the public hearing. He announced that this public hearing would be continued two other held on May 4th and 20th.

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Councilor McLain commented that she appreciated the presentation. We were working with a number of watersheds. It was important that they recognized the Tualatin Basin and Washington County. It was also important to recognize Clackamas County's work even if they were approaching it differently.

7. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordan, COO, thanked the Council staff. Everything worked very smoothly.

8. COUNCILOR COMMUNICATION

There were none.

9. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 5:45 p.m.

Prepared by

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF APRIL 15,
 2004**

Item	Topic	Doc Date	Document Description	Doc. Number
4.1	Executive Summary	4/15/04	To: Metro Council From: Michael Jordan, COO Re: Executive Summary of Ordinance No. 04-1040	041504c-01
5.5	Letter	4/15/04	To: Metro Council From: Dick Schouten, Washington County Commission Re: Supporting Parks funding, Ord No. 04-1044	041504c-02
5.5	Letter	4/15/04	To: Metro Council From: Michael Tannenbaum, Deputy Superintendent of West Linn Wilsonville School District 3JT Re: Supporting proposed 04-05 budget, Ordinance No. 04-1044	041504c-03
5.5	Letter	4/15/04	To: Metro Council From: Blair Neuman (read into the record by Phil Prewitt) Re: opposing cutting night zoo keeper position at Oregon Zoo, Ordinance No. 04-1044	041504c-04
6.2	Letter	4/15/04	To: Metro Council From: Susan Murray Re: Supporting Option 1A for Goal 5 program, Resolution No. 04-3440	041504c-05
6.2	Letter and photos	3/16/04	To: Metro Council From: Richard Cayo Re: Goal 5, Johnson Creek pollution issues, Resolution No. 04-3440	041504c-06
5.5	Letter	4/15/04	To: Metro Council From: Janice Strand Re: concerned about cutting Scalehouse position at Solid Waste Facility, Ordinance No. 04-1044	041504c-07
5.5	Letter	4/15/04	To: Metro Council From: Chris Neamtzu and Kerry Rappold, City of Wilsonville Re: supporting proposed funding for parks particularly Wilsonville Tract, Ordinance No. 04-1044	041504c-08
5.5	Letter	4/15/04	To: Metro Council From: Debra Iguchi and members of the Wilsonville Planning Commission Re: supporting funding for parks in the proposed 04-05 Budget, Ordinance No. 04-1044	041504c-09
6.2	Letter	4/15/04	To: Metro Council From: Sue Marshall, Tualatin Riverkeepers Re: recommendations of Goal 5 program options, Resolution No. 04-3440	041504c-10
5.5	Zoo Design Divisions Annual Report	4/15/04	To: Metro Council From: Ivory Gray Re: examples of Design Divisions work for Oregon Zoo, Ordinance No. 04-1044	041504c-11

5.5	Memo	4/15/04	To: Metro Council From: Katherine Otten Re: cuts in design division at Oregon Zoo, Ordinance No. 04-1044	041504c-12
5.5	Letter	4/15/04	To: Metro Council From: Deanna Mueller-Crispin Re: supported funding for parks in proposed 04-05 budget, Ordinance No. 04-1044	041504c-13
5.5	Letter	4/15/04	To: Metro Council and Michael Jordan From: David Kato Re: cuts in Oregon Zoo design division, Ordinance No. 04-1044	041504c-14
5.5	Letter	4/9/04	To: Metro Council From: Jeanne Roy Re: cuts to Solid Waste budget, Ordinance No. 04-1044	041504c-15
5.5	Letter	4/15/04	To: Metro Council From: Avory Gray Re: cuts to design division at the Oregon Zoo, Ordinance No. 04-1044	041504c-16
5.5	Letter	4/15/04	To: Metro Council From: Stewart Soderman Re: cuts to design division at Oregon Zoo, Ordinance No. 04-1044	041504c-17
5.5	Letter	4/15/04	To: Metro Council From: Charlotte Lehan, Mayor of Wilsonville Re: supporting funding for Wilsonville Tract in 04-05 budget, Ordinance No. 04-1044	041504c-18
6.2	Letter	4/15/04	To: Metro Council From: JoAutumn Brock Re: supporting Option 1A for the Goal 5 program, Resolution No. 04-3440	041504c-19
5.5	Letter	4/15/04	To: Metro Council From: John Fossid Re: recommending maintaining the compost bin program, Ordinance No. 04-1044	041504c-20
6.2	Letter	4/15/04	To: Metro Council From: Jim Labbe, Audubon Society of Portland Re: Comments on Goal 5 recommendation, Resolution No. 04-3440	041504c-21
5.5	Set of three maps of Tonquin Trail	4/15/04	To: Metro Council From: Mike Ragsdale Re: Wilsonville Tract and Tonquin Trail maps and master plan	041504c-22

Agenda Item Number 4.1

Ordinance No. 04-1045, For the Purpose of Amending the 2000 Regional Transportation Plan (RTP) for consistency with the Interim Federal 2004 RTP and Statewide Planning Goals.

First Reading

**Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) ORDINANCE NO. 04-1045
2000 REGIONAL TRANSPORTATION PLAN)
("RTP") FOR CONSISTENCY WITH THE)
2004 INTERIM FEDERAL RTP AND) Introduced by Councilor Rod Park
STATEWIDE PLANNING GOALS)

WHEREAS, the Metro Council approved the 2000 RTP by Ordinance No. 00-869A (For the Purpose of Adopting the 2000 Regional Transportation Plan) on August 10, 2000 as the regional "Transportation System Plan" ("TSP") required by state Goal 12 through the statewide planning Goal 12 through the state Transportation Planning Rule ("TPR"); and

WHEREAS, a key purpose of the regional TSP is to define a system of transportation facilities and services adequate to meet transportations needs and support planned land uses set forth in the 2040 Growth Concept, consistent with the requirements of other statewide planning goals; and

WHEREAS, the Land Conservation and Development Commission approved and acknowledged the 2000 RTP and 2020 Priority System on July 9, 2001, as the regional TSP for the Portland metropolitan region until the next RTP update; and

WHEREAS, the Metro Council directed that the 2004 update to the RTP be narrowed in scope to only address federal planning requirements and approved the 2004 Interim Federal RTP by Resolution No. 03-3380A (For the Purpose of Adopting the 2004 Regional Transportation Plan as the Federal Metropolitan Transportation Plan to Meet Federal Planning Requirements) on December 11, 2003; and

WHEREAS, as a follow-up to the 2004 update, Exhibit "A" identifies consistency amendments to the 2000 RTP to address statewide planning goals and implement the 2004 Interim Federal RTP in anticipation of a major review of RTP policies and projects to be completed by 2007; and

WHEREAS, no major changes to policies and projects are proposed in Exhibit "A"; and

WHEREAS, cities and counties in the region have made amendments to their transportation systems plans in order to comply with Metro's 2000 RTP, and these TSP amendments have generated proposed amendments to the functional system maps in the RTP, new transportation projects and studies and changes in the location, description, cost or timing of previously approved projects; and

WHEREAS, Metro and cities and counties of the region have completed corridor studies and comprehensive planning pursuant to Title 11 of the Urban Growth Management Functional Plan, since adoption of the 2000 RTP, and these plans have generated proposed technical amendments to Chapter 6 (Implementation) of the RTP; and

WHEREAS, Exhibit "B" identifies transportation planning public involvement policy amendments and consolidates Metro and local government public involvement standards related to transportation; and

WHEREAS, the Metro Council has received and considered the advice of its Joint Policy Advisory Committee on Transportation and its Metro Policy Advisory Committee, and all proposed amendments identified in Exhibit "A" and Exhibit "B" have been the subject of a 45-day public review period; and

WHEREAS, the Metro Council held public hearings on amendments to the 2000 RTP identified in Exhibit "A" and Exhibit "B" on May 13 and July 8, 2004; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Text and maps in Chapter 2 (Transportation) of the Regional Framework Plan ("RFP"), and Chapter 1 (Regional Transportation Policy) and Chapter 3 (Growth and the Preferred System) of the 2000 RTP are hereby amended as set forth in Part 1 (Policy Amendments) of Exhibit "A", attached and incorporated into this ordinance.
2. Text and maps in Chapter 5 of the 2000 RTP are hereby amended as set forth in Part 2 (Project Amendments) of Exhibit "A" to identify the scope and nature of the proposed transportation improvements that address the 20-year needs.

3. Text in Chapter 6 (Implementation) of the 2000 RTP is hereby amended as set forth in Part 3 (Technical Amendments) of Exhibit "A" to demonstrate regional compliance with state and federal planning requirements and establish regional TSP and functional requirements for city and county comprehensive plans and local TSPs.
4. The Transportation Planning Public Involvement Policy is hereby amended as set forth in Exhibit "B", attached and incorporated into this ordinance.
5. Metro's 2000 RTP and these amendments to it, together with Titles 2 and 10 of the Urban Growth Management Functional Plan, comprise Metro's 2000 RTP, adopted as the regional functional plan for transportation under ORS 268.390, and the regional transportation system plan required by state planning law.
6. The Findings of Fact and Conclusions of Law in Exhibit "C", attached and incorporated into this ordinance, explain how these amendments to the RTP comply with state transportation and land use planning laws and the RFP.

ADOPTED by the Metro Council this ____ day of July, 2004.

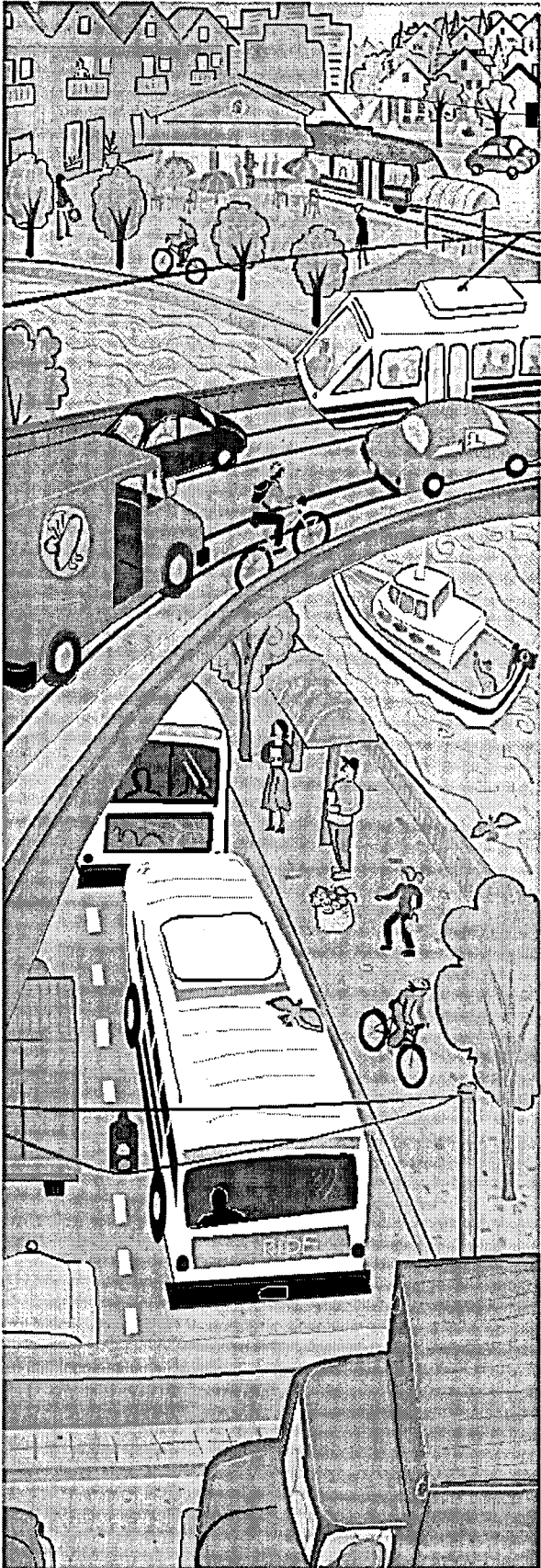
David Bragdon, Council President

ATTEST:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney



Public Review Draft

2000 Regional Transportation Plan Amendments

**No major changes to policies or
projects are proposed.**

April 15, 2004



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Metro serves 1.3 million people who live in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area. The regional government provides transportation and land-use planning services and oversees regional garbage disposal and recycling and waste reduction programs.

Metro manages regional parks and greenspaces and owns the Oregon Zoo. It also oversees operation of the Oregon Convention Center, the Portland Center for the Performing Arts and the Portland Metropolitan Exposition (Expo) Center, all managed by the Metropolitan Exposition Recreation Commission.

Your Metro representatives

Metro Council President – David Bragdon

Metro Councilors – Rod Park, District 1; Brian Newman, District 2; Carl Hosticka, District 3; Susan McLain, District 4; Rex Burkholder, District 5; Rod Monroe, District 6.

Auditor – Alexis Dow, CPA

Metro's web site: www.metro-region.org

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2000 Regional Transportation Plan Amendments

Thank you for taking the time to review proposed amendments to the 2000 Regional Transportation Plan (RTP). The amendments are a follow-up to approval of the 2004 Interim Federal RTP, and establish consistency between the existing 2000 RTP with the new federal plan. **No major changes to policies or projects are proposed.**

Background

On December 11, 2003, the Joint Policy Advisory Committee on Transportation and the Metro Council approved the 2004 Interim Federal RTP by Resolution No. 03-3380A. Originally intended to update the region's transportation plan to meet both state and federal planning regulations, the 2004 update was narrowed to include only those amendments needed to address federal planning regulations.

As a result, Metro now has two, regional transportation plans in place that serve separate purposes:

- **2000 RTP meets state planning requirements**

In 1991, the Land Conservation and Development Commission adopted the Oregon Transportation Planning Rule (TPR). The TPR implements State Land Use Planning Goal 12, Transportation, which was adopted by the Oregon Legislature in 1974. The TPR requires most cities and counties and the state's four MPOs (including Metro) to adopt transportation system plans that consider all modes of transportation, energy conservation and avoid principal reliance on any one mode to meet transportation needs. By state law, local plans in MPO areas must be consistent with the regional transportation system plan (TSP).

In the Portland region, the existing 2000 RTP and 2020 priority system serves as the regional TSP that meets state planning requirements. As the regional TSP, the 2000 RTP will continue to serve as the basis for determining whether regional transportation projects are consistent with state planning goals. Metro is not required to update the regional TSP until 2007.

- **2004 Interim Federal RTP meets federal planning requirements**

The 2004 Interim Federal RTP and 2025 financially constrained system is the "federally recognized" transportation plan that meets federal planning requirements. Projects that are included in the 2025 Financially Constrained System are eligible to receive state and federal funds and have been demonstrated to conform with the Clean Air Act. Metro is not required to update the federal plan until 2007.

Amendments to the 2000 RTP are needed now to reconcile the two plans and maintain consistency between the Federal and State plans.

Public Comment Opportunities

The public comment period begins on Thursday, April 15 and ends at noon on Tuesday, June 1, 2004. Because the amendments to the 2000 RTP represent more of a "housekeeping" effort, the emphasis in the public comment period will be on the proposed changes to the plan, not the overall 2000 RTP document. The proposed amendments to the 2000 RTP are organized into a public review document that is organized as follows:

- Part 1 - policy amendments
- Part 2 - project amendments
- Part 3 - technical amendments

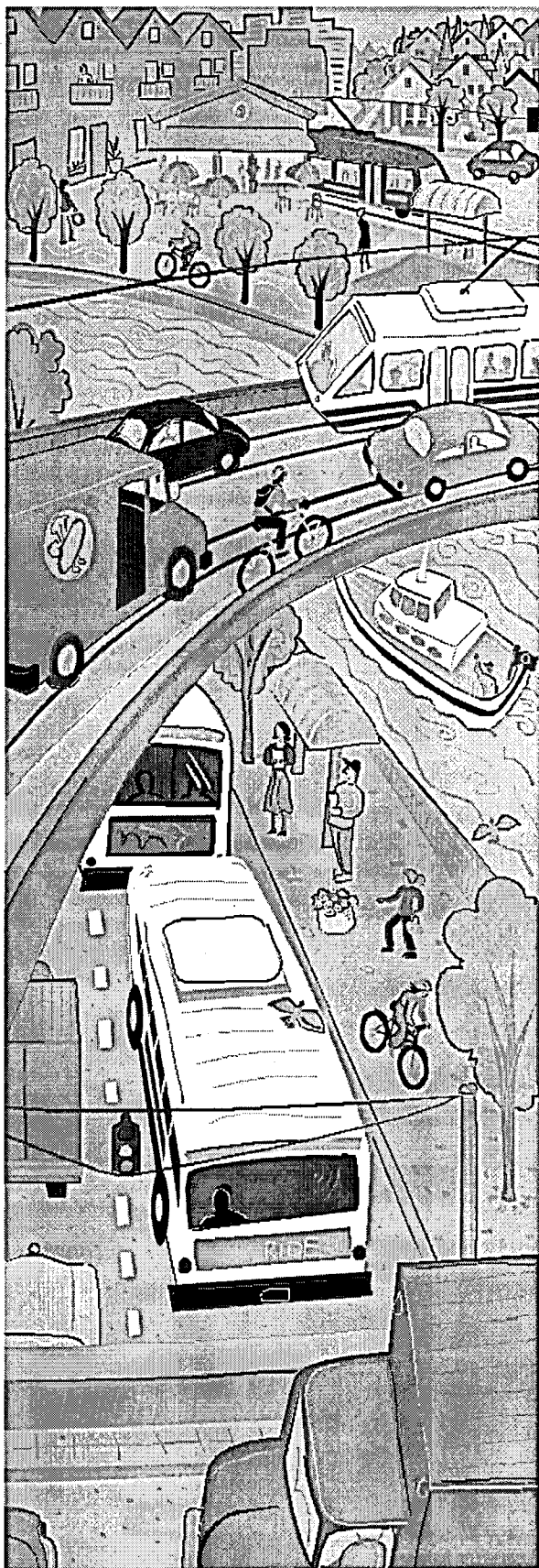
The public review document will be available for review on Metro's web site (<http://www.metro-region.org/rtp>), and as a printed document as part of the 45-day public comment period.

You may submit comments in the following ways:

- on-line from Metro's website: **www.metro-region.org/rtp**
- e-mail to trans@metro-region.org
- mail to Metro, 600 NE Grand Avenue, Portland, Oregon 97232 (attention: Kim Ellis)
- fax to (503) 797-1911
- leave a message on Metro's Transportation hotline at (503) 797-1900, Option 2.
- testify at a Metro Council public hearing on May 13, 2004.

For more information

For more information, call Regional Transportation Planning at (503) 797-1839, or send e-mail to trans@metro-region.org. The hearing impaired can call (503) 797-1804.



Part 1

2000 Regional Transportation Plan Policy Amendments

April 15, 2004



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2000 Regional Transportation Plan Policy Amendments

Thank you for taking the time to review proposed amendments to the 2000 Regional Transportation Plan (RTP). The amendments are a follow-up to approval of the 2004 interim Federal RTP, and establish consistency between the existing 2000 RTP with the new federal plan. **No major changes to policies or projects are proposed.**

Because the amendments to the 2000 RTP represent more of a "housekeeping" effort, the emphasis in the public comment period will be on the proposed changes to the plan, not the overall 2000 RTP document.

Summary of Policy Amendments

A number of local transportation system plans, corridor studies and concept plans for new urban areas have been completed, and approved by local and/or regional officials since the 2000 RTP was approved in August 2000. Policy recommendations from these studies were adopted in the 2004 Interim Federal RTP and are now recommended to be incorporated in the 2000 RTP.

The proposed policy amendments are:

Amendments to Chapter 1 of the 2000 RTP are recommended for Figure 1.4 (Regional Street Design System Map), Figure 1.12 (Regional Motor Vehicle Functional Classification Map), Figure 1.16 (Regional Public Transportation System Map), Figure 1.17 (Regional Freight System Map), Figure 1.18 (Regional Bicycle System Map) and Figure 1.19 (Regional Pedestrian System Map). The specific amendments reflect fine-tuning of the various modal system maps based on local transportation updates.

Amendments to maps in Chapter 3 of the 2000 Regional Transportation Plan, Figure 3.2 (Regional Trails and Greenways), Figure 3.3 (Existing and Proposed Regional Bicycle System) and Figure 3.4 (Existing and Proposed Regional Pedestrian System) to incorporate the Policy Map Amendments identified for Figure 1.18 (Regional Bicycle System Map) and Figure 1.19 (Regional Pedestrian System Map).

Policy text amendments to Chapter 1 to establish two tiers of industrial areas ("regionally significant" and "local") for the purpose of transportation planning and project funding.

The map amendments are listed in table form and the policy text amendments are shown in strikethrough/underscore.

For more information

For more information, call Regional Transportation Planning at (503) 797-1839, or send e-mail to trans@metro-region.org. The hearing impaired can call (503) 797-1804.

Amend Figure 1.4 (Regional Street Design Classification Map) as follows:

**Figure 1.4
Street Design Classification Map**

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
Allen Boulevard	At Murray Boulevard intersection	"Possible boulevard intersection"	Delete "Possible boulevard intersection" designation	Beaverton Comprehensive Plan and Development Code
Hall Boulevard	Allen Boulevard to Denney Road	Regional boulevard	Delete "Regional boulevard" designation	Beaverton Comprehensive Plan and Development Code
Murray Boulevard	At Farmington Road intersection	"Possible boulevard intersection"	Delete "Possible boulevard intersection" designation	Beaverton Comprehensive Plan and Development Code
McLoughlin Boulevard (Highway 99E)	Gloucester Avenue to Arlington Street	Regional Boulevard	Regional Street	Gladstone Town center moved to Main Street
SE Railroad Avenue	SE 37 th Avenue to Linwood Avenue	Not classified	Community Street	Milwaukie TSP
Broadway Bridge		Community Boulevard	Regional Street	Portland TSP
E Burnside Street	108 th Avenue to 117 th Avenue	Regional Boulevard	Regional Street	Portland TSP
E Burnside Street	127 th Avenue to 143rd Avenue	Regional Boulevard	Regional Street	Portland TSP
E Burnside Street	151 st Avenue to 162 nd Avenue	Regional Boulevard	Regional Street	Portland TSP
Burnside Bridge		Community Boulevard	Regional Boulevard	Portland TSP
SW Capitol Highway	SW Galeburn to SW Luradel	Community Street	Community Boulevard	Portland TSP
SW Capitol Highway	SW Brugger to SW Baird	Community Boulevard	Community Street	Portland TSP
SW Capitol Highway	SW Hume to SW Multnomah	Community Street	Community Boulevard	Portland TSP
SW Capitol Highway	SW 31 st to SW 33rd	Community Street	Community Boulevard	Portland TSP

**Figure 1.4
Street Design Classification Map (continued)**

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
SE Clatsop Extension	SE Mt. Scott Boulevard to Deardorf / 132nd	Future Community Corridor	Remove from the RTP street design map or realign south of Willamette National Cemetery boundaries	Portland TSP
NE Cully Boulevard	NE 57 th to NE Prescott Street	Community Street	Community Boulevard	Portland TSP
SE Division Street	SE 129 th to SE 130 th	Regional Street	Regional Boulevard	Portland TSP
SE Division Street	SE 117 th to SE 122nd	Regional Street	Regional Boulevard	Portland TSP
SE Division Street	SE 82 nd to SE 89 th	Regional Street	Community Boulevard	Portland TSP
SE Division Street	SE 75 th to SE 82 nd	Community Street	Community Boulevard	Portland TSP
SE Division Street	SE 33 rd to SE 50th	Community Street	Community Boulevard	Portland TSP
NE 82 nd Avenue	NE Sandy to NE Beech	Regional Street	Regional Boulevard	Portland TSP
NE 82 nd Avenue	NE Thompson to NE Halsey	Regional Street	Regional Boulevard	Portland TSP
SE 82 nd Avenue	SE Mill Street to SE Clinton Street	Regional Street	Regional Boulevard	Portland TSP
SE 82 nd Avenue	SE Raymond to SE Martins	Regional Street	Regional Boulevard	Portland TSP
Foster Road	SE 80 th to SE 82nd	Regional Street	Regional Boulevard	Portland TSP
Foster Road	SE Holgate to SE 75 th	Regional Street	Regional Boulevard	Portland TSP
Hawthorne Bridge		Regional Boulevard	Community Street	Portland TSP
St. Helens Road	NW Harbor through Linnton to north end of Kingsley park	Highway	Urban Road	Portland TSP
NE Killingsworth Street	NE 35 th PL to NE 30 th	Community Street	Community Boulevard	Portland TSP
NE/N Killingsworth Street	NE MLK to N Interstate	Community Street	Community Boulevard	Portland TSP
N Killingsworth Street	N Interstate to N Greeley	Not Classified	Community Street	Portland TSP
N Lombard Street	N Woolsey to N Philadelphia	Community Street	Community Boulevard	Portland TSP

**Figure 1.4
Street Design Classification Map (continued)**

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
N Lombard Street	N Interstate to N Seward	Community Street	Community Boulevard	Portland TSP
N Lombard Street	At Philadelphia Street	Boulevard intersection	Delete	STA coordination meeting
N Lombard Street	At Ida Street	Boulevard intersection	Delete	STA coordination meeting
Macadam Avenue (Highway 43)	Bancroft to Taylor's Ferry Road	Regional Street	Regional Boulevard	STA coordination meeting
McLoughlin Boulevard	Grand/MLK Boulevard to SE Woodard (1 block north of Powell)	Highway	Regional Boulevard	Portland TSP
McLoughlin Boulevard	SE 17 th Avenue to Woodward St.	Highway	Urban Road	Portland TSP
Morrison Bridge		Community Boulevard	Regional Street	Portland TSP
SW Multnomah Boulevard	SW 30 th Avenue to SW 35 th Avenue	Community Street	Community Boulevard	Portland TSP
SE 92 nd Avenue	SE Liebe to SE Harold Street	Regional Boulevard	Not classified	Portland TSP
SE 92 nd Avenue	SE Harold to SE Tolman Street	Regional Boulevard	Community Boulevard	Portland TSP
SE 92 nd Avenue	SE Tolman to SE Duke	Community Street	Community Boulevard	Portland TSP
NE 122 nd Avenue	NE Multnomah to NE Oregon Street	Community Boulevard	Community Street	Portland TSP
SE 122 nd Avenue	SE Stark to SE Morrison Street	Community Street	Community Boulevard	Portland TSP
SE 122 nd Avenue	SE Clinton to SE Powell Boulevard	Community Street	Community Boulevard	Portland TSP
SE/NE Sandy Boulevard	SE 54 th Avenue to NE 47 th Avenue	Community Boulevard	Regional Street	Portland TSP
NE Sandy Boulevard	NE 57 th to NE 82 nd	Regional Street	Regional Boulevard	Portland TSP
NE Sandy Boulevard	NE 122 nd to NE 163 rd	Urban Road	Regional Street	Portland TSP
Sellwood Bridge		Regional Street	Community Street	Portland TSP
SE 17 th Avenue	SE Linn to SE Tacoma	Unclassified	Community Boulevard	Portland TSP
SE 17 th Avenue	SE Tacoma to SE Andover	Community Street	Community Boulevard	Portland TSP
Steel Bridge		Regional Boulevard	Community Street	Portland TSP
NE/SE 39 th Avenue	NE Broadway to SE Holgate	Community Street	Regional Street	Portland TSP

Figure 1.4
Street Design Classification Map (continued)

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
SE 39 th Avenue	SE Holgate to SE Woodstock	Unclassified	Community Street	Portland TSP
Macadam Avenue (Hwy 43)	In West Linn	Regional Boulevard	Regional Street	STA coordination meeting; West Linn to focus boulevard improvements on interior town center streets
Grant Street	Brookwood Parkway to 28th Avenue	No Designation	Community boulevard	Hillsboro TSP
Beef Bend Road		No Designation	Community street	Tigard TSP
Gaarde Street		No Designation	Community street	Tigard TSP
Walnut Street	Gaarde Street to Scholls Ferry Road	No Designation	Community street	Tigard TSP
95th Avenue	Boones Ferry Road to Boeckman Road	Not Classified	Urban Road	Wilsonville TSP
Kinsman Road	Boeckman Road to Barber Street	No Road	Planned Urban Road	Wilsonville TSP
Kinsman Road	Barber Street to Wilsonville Road	Not Classified	Urban Road	Wilsonville TSP
Boeckman Road	Railroad Tracks to 110th Avenue	No Road	Planned Community Street	Wilsonville TSP
Boeckman Road (old Tooze Road)	110th Avenue to Grahams Ferry Road	Not Classified	Community Street	Wilsonville TSP

Amend Figure 1.12 (Regional Motor Vehicle System Map) as follows:

Figure 1.12
Motor Vehicle Functional Classification Map

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
Allen Boulevard	Hall Boulevard to Murray Boulevard	Collector of regional significance	Minor arterial	Beaverton TSP
Hart Road	Murray Boulevard to 170 th Avenue	Collector of regional significance	Minor arterial	Beaverton TSP
Murray Boulevard	Scholls Ferry Road to Barrows Road	Collector of regional significance	Minor arterial	Beaverton TSP

**Figure 1.12
Motor Vehicle Functional Classification Map (continued)**

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
Sandy Boulevard	207 th Avenue to I-84	Collector of regional significance	Minor arterial	Fairview TSP
David Hill Road	Thatcher Road to Sunset Dr (Hwy 47)	No road	Planned minor arterial	Forest Grove TSP
'B' Street (Old Highway 47)	Hwy 47 to Pacific Avenue	Not classified	Minor arterial	Forest Grove TSP
Sunset Drive	Main St. to Hwy 47/ NW Nehalem Highway	Not classified	Collector	Forest Grove TSP
Thatcher Road	David Hill Road to Gales Creek Road	Not classified	Minor arterial	Forest Grove TSP
Riverside Drive Extension			Amend the dashed line to reflect alignment in TSP	Gresham TSP
Railroad Avenue	SE 37 th Avenue to Linwood Avenue	Not classified	Minor arterial	Milwaukie TSP
Stark Street	Kane Road to UGB	Collector	Minor arterial	Multnomah County Functional Classification Study
SE Clatsop Extension	SE Mt. Scott Boulevard to Deardorf / 132nd Avenue	Future collector of regional significance	Remove from the RTP motor vehicle map or realign south of Willamette National Cemetery boundaries	Portland TSP
SE Flavel Street / Mt. Scott Boulevard	SE 82 nd Avenue to the city limits	Minor arterial	Collector of regional significance	Portland TSP
N Interstate Avenue	Fremont Bridge to N Denver Street	Major arterial	Minor arterial	Portland TSP
N Ivanhoe Street	N Philadelphia Avenue to N Lombard Street	Not classified	Minor arterial (should be identified as the US 30 Bypass Route)	Portland TSP
N Richmond Avenue	N Lombard Street to N Ivanhoe Street	Not classified	Minor arterial (should be identified as the US 30 Bypass route)	Portland TSP
Water Avenue On-Ramp	Central Eastside Industrial District	Principal arterial	Delete	Portland TSP

**Figure 1.12
Motor Vehicle Functional Classification Map (continued)**

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
Boones Ferry Rd	SW Norwood Road to Nyberg Street	Minor arterial	Major arterial	Tualatin TSP
Lower Boones Ferry Road	Boones ferry Road to Bridgeport Street	Major arterial	Minor arterial	Tualatin TSP
Martinazzi Avenue	Boones Ferry Road to Tualatin Sherwood	Not classified	Minor arterial	Tualatin TSP
Martinazzi Avenue	Tualatin Sherwood to Pinto Drive to Vermillon Drive to Stone Drive to Iowa Driver to Boons Ferry Road	Not classified	Collector	Tualatin TSP
Nyberg Street	65 th Avenue to Tualatin-Sherwood Road	Minor arterial	Major arterial	Tualatin TSP
Tualatin Sherwood Road	Nyberg Street to Cipole Road	Minor arterial	Major arterial	Tualatin TSP
Grant Street	Brookwood Parkway to 28th Avenue	No Designation	Collector of regional significance	Hillsboro TSP
Beef Bend Road	City of Tigard	Collector of regional significance	Minor arterial	Tigard TSP
Gaarde Street	City of Tigard	Collector of regional significance	Minor arterial	Tigard TSP
Walnut Street	Gaarde Street to Scholls Ferry Road	Collector of regional significance	Minor arterial	Tigard TSP
95th Avenue	Boones Ferry Road to Boeckman Road	Not Classified	Collector of Regional Significance	Wilsonville TSP
Kinsman Road	Boeckman Road to Barber Street	No Road	Planned Collector of Regional Significance	Wilsonville TSP
Kinsman Road	Barber Street to Wilsonville Road	Not Classified	Collector of Regional Significance	Wilsonville TSP
Boeckman Road	Railroad Tracks to 110th Avenue	No Road	Planned Minor Arterial	Wilsonville TSP
Boeckman Road (old Tooze Road)	110th Avenue to Grahams Ferry Road	Not Classified	Minor Arterial	Wilsonville TSP

Amend Figure 1.16 (Regional Public Transportation System Map) as follows:

Figure 1.16
Regional Public Transportation System Map

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
181 st Avenue	Gresham	Regional Bus	Frequent Bus	Gresham TSP
I-84 Corridor	Troutdale – Portland	Unclassified	Potential Commuter Rail	Gresham TSP

Amend Figure 1.17 (Regional Freight System Map) as follows:

Figure 1.17
Regional Freight System Map

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
N Lombard Street	N St Louis to N Philadelphia	Road Connector	No designation	STA coordination meeting
McLoughlin Boulevard (Hwy 99E)	Hwy 224 to I-205 south ramps	Main roadway route	Road connector	STA coordination meeting; Main roadway freight route provided by Highway 224 to I-205
N Ivanhoe Street	N St Louis to N Philadelphia	No designation	Road Connector	STA coordination meeting
N St Louis Street	N Lombard to N Ivanhoe	No designation	Road Connector	STA coordination meeting
N Philadelphia Avenue	Lombard to N. Ivanhoe	Road Connector	No designation	ODOT
N. Greeley Avenue	N. Interstate to N. Going	No designation	Road Connector	Portland TSP
Highway 47 Bypass	Tualatin Valley Highway to Sunset	No designation	Main Roadway	ODOT
Tualatin Valley Highway	Hwy 47 bypass to western Forest Grove city limits	Main roadway route	No designation	STA coordination meeting; Freight route provided by Highway 47 bypass
Boones Ferry Road	Day Street to 95th Avenue	Not Classified	Road Connector	Wilsonville TSP

Figure 1.17
Regional Freight System Map (continued)

Elligsen Road	Boones Ferry Road to Parkway Avenue	Not Classified	Road Connector	Wilsonville TSP
95th Avenue	Boones Ferry Road to Boeckman Road	Not Classified	Road Connector	Wilsonville TSP
Kinsman Road	Boeckman Road to Barber Street	No Road	Planned Road Connector	Wilsonville TSP
Boeckman Road	95th Avenue to Proposed Kinsman Road	Not Classified	Road Connector	Wilsonville TSP
Kinsman Road	Barber Street to Wilsonville Road	Not Classified	Road Connector	Wilsonville TSP
Parkway Avenue	Boeckman Road to Town Center Loop W	Not Classified	Road Connector	Wilsonville TSP
Town Center Loop W	Parkway Avenue to Wilsonville Road	Not Classified	Road Connector	Wilsonville TSP
Wilsonville Road	Town Center Loop W to Kinsman Road	Not Classified	Road Connector	Wilsonville TSP

Amend Figure 1.18 (Regional Bicycle System Map) as follows:

Figure 1.18
Regional Bicycle System Map

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
MAX Multi-Use Path	Gresham – Ruby Junction to Cleveland Avenue	None	Regional Corridor Off-street Bikeway	Gresham TSP
Tonquin Trail	Tualatin River to Willamette River	None	No change to classification; update off-street bikeway alignments to reflect regional greenspaces plan	Metro Parks and Greenspaces Master Plan
Lower Tualatin River Greenway Trail	Tualatin River to Willamette River	None	Same as above	Same as above
Washington Square Regional Center Trail	Washington Square	None	Same as above	Same as above
Oregon City Loop Trail	Willamette River to Clackamas River	None	Same as above	Same as above
Trolley Trail Connector	Springwater Trail to Trolley Trail in Milwaukie	None	Same as above	Same as above
East Buttes Power Line Corridor Trail	Springwater Trail to Clackamas River	None	Same as above	Same as above
East Buttes Loop Trail	Powell Butte to Gresham	None	Same as above	Same as above
Scouter Mountain Trail Extension	Scouter Mountain Trail to East Buttes Loop Trail	None	Same as above	Same as above

Amend Figure 1.19 (Regional Pedestrian System Map) as follows:

**Figure 1.19
Regional Pedestrian System Map**

Street Name	Location	Current RTP classification	Proposed RTP classification	Source of change
MAX Multi-Use Path	Gresham-- Ruby Junction to Cleveland Avenue	None	Multi-use Facility	Gresham TSP
Tonquin Trail	Tualatin River to Willamette River	None	No change to classification; update off-street bikeway alignments to reflect regional greenspaces plan	Metro Parks and Greenspaces Master Plan
Lower Tualatin River Greenway Trail	Tualatin River to Willamette River	None	Same as above	Same as above
Washington Square Regional Center Trail	Washington Square	None	Same as above	Same as above
Oregon City Loop Trail	Willamette River to Clackamas River	None	Same as above	Same as above
Trolley Trail Connector	Springwater Trail to Trolley Trail in Milwaukie	None	Same as above	Same as above
East Buttes Power Line Corridor Trail	Springwater Trail to Clackamas River	None	Same as above	Same as above
East Buttes Loop Trail	Powell Butte to Gresham	None	Same as above	Same as above
Scouter Mountain Trail Extension	Scouter Mountain Trail to East Buttes Loop Trail	None	Same as above	Same as above
General	Region	None	Update pedestrian district boundaries to reflect updated 2040 center boundaries	Metro 2040 Growth Concept

Amend page 3-7, Figure 3.2 (Regional Trails and Greenways) to add yellow highlight to the following regional trails to indicate trails are also identified in the Regional Bicycle System Map to reflect policy amendments to Figure 1.18 identified in this packet:

Regional Trail Name	Trail Location
MAX Multi-Use Path	Gresham – Ruby Junction to Cleveland Avenue
Tonquin Trail	Tualatin River to Willamette River
Lower Tualatin River Greenway Trail	Tualatin River to Willamette River
Washington Square Regional Center Trail	Washington Square
Oregon City Loop Trail	Willamette River to Clackamas River
Trolley Trail Connector	Springwater Trail to Trolley Trail in Milwaukie
East Buttes Power Line Corridor Trail	Springwater Trail to Clackamas River
East Buttes Loop Trail	Powell Butte to Gresham
Scouter Mountain Trail Extension	Scouter Mountain Trail to East Buttes Loop Trail

Amend page 3-9, Figure 3.3 (Existing and Proposed Regional Bicycle System) to add the following regional trails to reflect policy amendments to Figure 1.18 identified in this packet:

Regional Trail Name	Trail Location
MAX Multi-Use Path	Gresham – Ruby Junction to Cleveland Avenue
Tonquin Trail	Tualatin River to Willamette River
Lower Tualatin River Greenway Trail	Tualatin River to Willamette River
Washington Square Regional Center Trail	Washington Square
Oregon City Loop Trail	Willamette River to Clackamas River
Trolley Trail Connector	Springwater Trail to Trolley Trail in Milwaukie
East Buttes Power Line Corridor Trail	Springwater Trail to Clackamas River
East Buttes Loop Trail	Powell Butte to Gresham
Scouter Mountain Trail Extension	Scouter Mountain Trail to East Buttes Loop Trail

Amend page 3-11, Figure 3.4 (Existing and Proposed Regional Pedestrian System) to add the following regional trails to reflect policy amendments to Figure 1.19 to reflect policy amendments to Figure 1.19 identified in this packet:

Regional Trail Name	Trail Location
MAX Multi-Use Path	Gresham – Ruby Junction to Cleveland Avenue
Tonquin Trail	Tualatin River to Willamette River
Lower Tualatin River Greenway Trail	Tualatin River to Willamette River
Washington Square Regional Center Trail	Washington Square
Oregon City Loop Trail	Willamette River to Clackamas River
Trolley Trail Connector	Springwater Trail to Trolley Trail in Milwaukie
East Buttes Power Line Corridor Trail	Springwater Trail to Clackamas River
East Buttes Loop Trail	Powell Butte to Gresham
Scouter Mountain Trail Extension	Scouter Mountain Trail to East Buttes Loop Trail

Text Amendments to Section 1.2 of Chapter 1 of the 2000 RTP

1.2 Connecting Land Use and Transportation

While the 2040 Growth Concept is primarily a land use planning strategy, the success of the concept, in large part, hinges on implementation of regional transportation policies identified in this plan. The following are descriptions of each of the 2040 Growth Concept land-use components and the transportation system envisioned to serve them. The 2040 Growth Concept land-use components, called 2040 Design Types, are grouped into a hierarchy based on investment priority. Table 1.1 lists each 2040 Design Type, based on this hierarchy. Figure 1.0 shows the adopted Region 2040 Growth Concept Map.

Table 1.1
Hierarchy of 2040 Design Types

Primary land-use components	Secondary land-use components
Central city	<u>Local industrial areas</u>
Regional centers	Station communities
<u>Regionally significant</u> industrial areas	Town centers
Intermodal facilities	Main streets
	Corridors
Other urban land-use components	Land-use components outside of the urban area
Employment areas	Urban reserves
Inner neighborhoods	Rural reserves
Outer neighborhoods	Neighboring cities
	Green corridors

Source: Metro

1.2.1 Primary Components

The central city, regional centers, regionally significant industrial areas and intermodal facilities are centerpieces of the 2040 Growth Concept, and form the geographic framework for more locally oriented components of the plan. Implementation of the overall growth concept is largely dependent on the success of these primary components. For this reason, these components are the primary focus of 2040 Growth Concept implementation policies and most infrastructure investments.

Central city and regional centers

Portland's central city already forms the hub of the regional economy. Regional centers in suburban locales such as Gresham, Beaverton and Hillsboro are envisioned in the 2040 Growth Concept as complementary centers of regional economic activity. These areas have the region's highest development densities, the most diverse mix of land uses and the greatest concentration of commerce, offices and cultural amenities. They are the most accessible areas in the region by both auto and public transportation, and have very pedestrian-oriented streets.

In the 2040 Growth Concept, the central city is highly accessible by a high-quality public transportation system, multi-modal street network and a regional freeway system of through-routes. Light rail lines radiate from the central city, connecting to each regional center. The street system within the central city is designed to encourage public transportation, bicycle and pedestrian travel, but also accommodate auto and freight movement. Of special importance are the bridges that connect the east and west sides of the central city, and serve as critical links in the regional transportation system.

Regional centers also feature a high-quality radial transit system serving their individual trade areas and connecting to other centers, as well as light rail connections to the central city. In addition, a fully improved network of multi-modal streets tie regional centers to surrounding neighborhoods and nearby town centers, while regional through-routes will be designed to connect regional centers with one another and to points outside the region. The street design within regional centers encourages public transportation, bicycle and pedestrian travel while also accommodating automobile and freight movement.

Regionally significant industrial areas and intermodal facilities

Regionally significant industrial areas serve as “sanctuaries” for long-term industrial activity. A network of major street connections to both the regional freeway system and intermodal facilities primarily serves these areas. Many industrial areas are also served by freight rail, and have good access to intermodal facilities. Freight intermodal facilities, including air and marine terminals, freight rail yards and common carrier truck terminals are areas of regional concern. Access to these areas is centered on rail, the regional freeway system, public transportation, bikeways and key roadway connections.

While industrial activities often benefit from roadway improvements largely aimed at auto travel, there are roadway needs unique to freight movement that are critical to the continued vitality of industrial areas and intermodal facilities.

1.2.2 Secondary components

While more locally oriented than the primary components of the 2040 Growth Concept, town centers, station communities, main streets and corridors are significant areas of urban activity. Because of their density and pedestrian-oriented design, they play a key role in promoting public transportation, bicycling and walking as viable travel alternatives to the automobile, as well as conveniently close services from surrounding neighborhoods. As such, these secondary components are an important part of the region’s strategy for achieving state goals to limit reliance on any one mode of travel and increase walking, bicycling, carpooling, vanpooling and use of transit.

Station communities

Station communities are located along light rail corridors and feature a high-quality pedestrian and bicycle environment. These communities are designed around the transportation system to best benefit from the public infrastructure. While they include some local services and employment, they are mostly residential developments that are oriented toward the central city, regional centers and other areas that can be accessed by rail for most services and employment.

Town centers and main streets

Town centers function as local activity areas that provide close access to a full range of local retail and service offerings within a few miles of most residents. While town centers will not compete with regional centers in scale or economic diversity, they will offer some specialty attractions of regional interest. Although the character of these centers varies greatly, each will function as strong business and civic communities with excellent multi-modal arterial street access and high-quality public transportation with strong connections to regional centers and other major destinations. Main streets feature mixed-use storefront style development that serves the same urban function as town centers, but are located in a linear pattern along a limited number of bus corridors. Main streets feature street designs that emphasize pedestrian, public transportation and bicycle travel.

Local industrial areas

Local industrial areas serve as important centers of local employment and industrial activities. A network of major street connections to both the regional freeway system and intermodal facilities generally serves these areas. Access to these areas is centered on rail, the regional freeway system, public transportation, bikeways and key roadway connections.

While local industrial activities often benefit from roadway improvements largely aimed at auto travel, there are roadway needs unique to freight movement that are critical to the continued vitality of these areas.

Corridors

Corridors will not be as intensively planned as station communities, but similarly emphasize a high-quality bicycle and pedestrian environment and convenient access to public transportation. Transportation improvements in corridors will focus on nodes of activity – often at major street intersections – where transit and pedestrian improvements are especially important. Corridors can include auto-oriented land uses between nodes of activity, but such uses are carefully planned to preserve the pedestrian orientation and scale of the overall corridor design.

Text Amendments to Table 1.2

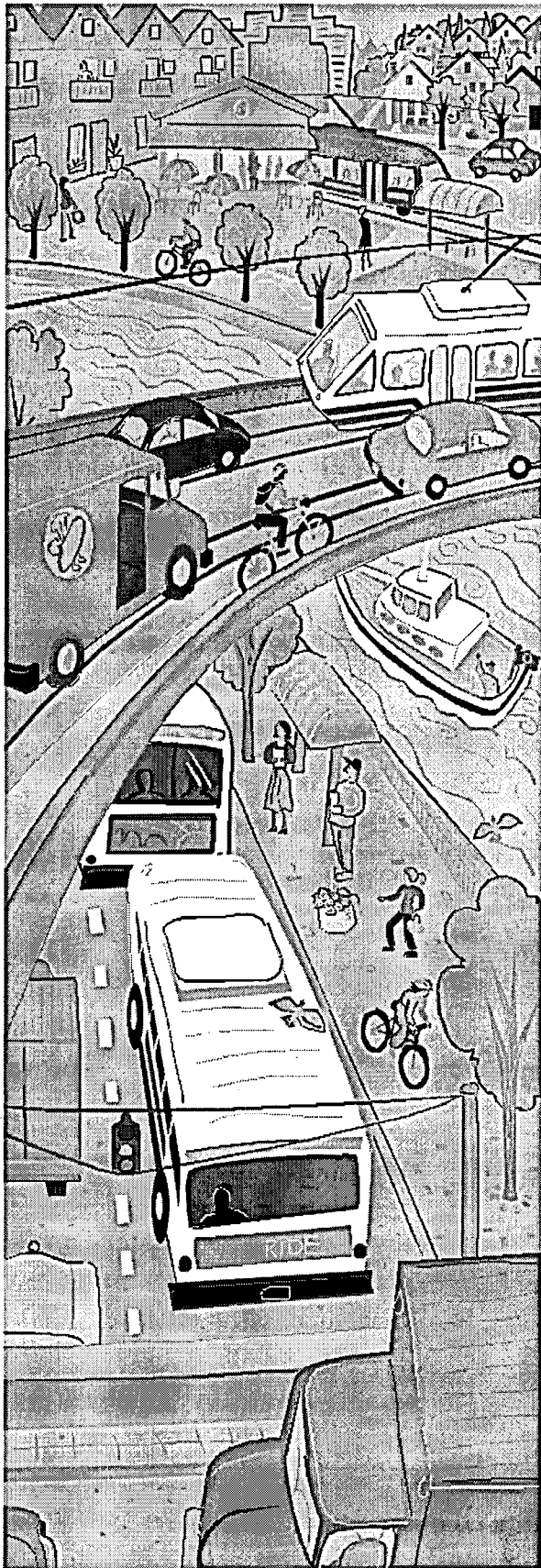
Table 1.2
Regional Motor Vehicle Performance Measures
Deficiency Thresholds and Operating Standards¹

Location	Mid-Day One-Hour Peak			A.M./P.M. Two-Hour Peak					
	Preferred Operating Standard	Acceptable Operating Standard	Exceeds Deficiency Threshold	Preferred Operating Standard		Acceptable Operating Standard		Exceeds Deficiency Threshold	
				1st Hour	2nd Hour	1st Hour	2nd Hour	1st Hour	2nd Hour
Central City Regional Centers Town Centers Main Streets Station Communities	C	E	F	E	E	F	E	F	F
Corridors Regionally Significant Industrial Areas Local Industrial Areas Intermodal Facilities Employment Areas Inner Neighborhoods Outer Neighborhoods	C	D	E	E	D	E	E	F	E
Banfield Freeway ¹ (from I-5 to I-205)	C	E	F	E	E	F	E	F	F
I-5 North* (from Marquam Bridge to Interstate Bridge)	C	E	F	E	E	F	E	F	F
Highway 99E ¹ (from the Central City to Highway 224 interchange)	C	E	F	E	E	F	E	F	F
Sunset Highway ¹ (from I-405 to Sylvan interchange)	C	E	F	E	E	F	E	F	F
Stadium Freeway ¹ (I-5 South to I-5 North)	C	E	F	E	E	F	E	F	F
Other Principal Arterial Routes	C	D	E	E	D	E	E	F	E

Areas of Special Concern
 Areas with this designation are planned for mixed used development, but are also characterized by physical, environmental or other constraints that limit the range of acceptable transportation solutions for addressing a level-of-service need, but where alternative routes for regional through-traffic are provided. Figures 1.13.a-e in this chapter define areas where this designation applies. In these areas, substitute performance measures are allowed by OAR.660.012.0060(1)(d). Provisions for determining the alternative performance measures are included in Section 6.7.7 of this plan. Adopted performance measures for these areas are detailed in Appendix 3.3.

Level-of-service is determined by using either the latest edition of the Highway Capacity Manual (Transportation Research Board) or through volume to capacity ratio equivalencies as follows: LOS C = .8 or better; LOS D = .8 to .9; LOS E = .9 to 1.0; and LOS F = 1.0 to 1.1. A copy of the level of service tables from the Highway Capacity Manual is shown in Appendix 1.6.

¹ Thresholds shown are for interim purposes only; refinement plans for these corridors are required in Chapter 6 of this plan, and will include a recommended motor vehicle performance policy for each corridor.



Part 2

2000 Regional Transportation Plan Project Amendments

April 15, 2004



METRO

PEOPLE PLACES
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2000 Regional Transportation Plan Project Amendments

Thank you for taking the time to review proposed amendments to the 2000 Regional Transportation Plan (RTP). The amendments are a follow-up to approval of the 2004 interim Federal RTP, and establish consistency between the existing 2000 RTP with the new federal plan. **No major changes to policies or projects are proposed.**

Because the amendments to the 2000 RTP represent more of a "housekeeping" effort, the emphasis in the public comment period will be on the proposed changes to the plan, not the overall 2000 RTP document.

Background

A number of projects identified in the 2004 Interim Federal RTP financially constrained system are not included in the 2000 RTP priority system, which represents the set of projects defined as meeting state rules for adequacy. New transportation projects amended into local plans since adoption of the 2000 RTP are required to be in the 2000 RTP priority system in order to advance to construction.

As a result, amendments to the 2000 RTP Priority System (identified in Chapter 5) are recommended for a limited number of projects to allow these projects to advance toward construction during the period in which separate state and federal RTP documents exist. The proposed amendments are limited to projects that meet the following criteria:

1. Project exists in 2004 RTP Financially Constrained System, and
2. Project exists in a local transportation system plan, local/regional corridor plan or local/ regional master plan that is approved by an elected body, through a public process.

Projects that require goal exceptions findings have not be recommended for inclusion in these amendments.

In addition, several projects have been completed since the adoption of the 2000 RTP. The proposed amendments recommend deleting these projects from the 2000 RTP Priority System.

Finally, project amendments identified in the Powell/Foster Corridor Study – Phase 1 recommendations and approved by Metro Resolution No. 03-3373 are included in the proposed amendments to the 2000 RTP priority system.

For more information

For more information, call Regional Transportation Planning at (503) 797-1839, or send e-mail to trans@metro-region.org. The hearing impaired can call (503) 797-1804.

Proposed Amendments to Chapter 5 of 2000 Regional Transportation Plan

Amend Figure 5.8 (West Columbia Corridor Subarea) and corresponding project descriptions on pages 5-37 through 5-39 to add the following 2004 Interim Federal RTP Financially Constrained System projects to the 2000 RTP Priority System:

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
4007	Sauvie Island Bridge Replacement	County CIP and Rural TSP. Project is located outside Metro's Metropolitan Planning Organization (MPO) Planning Boundary and is not required to be in Metro's RTP. Under consideration for OTIA 3 funding.
4029	PDX ITS	Project is in the Port of Portland's adopted 2004 Port Transportation Improvement Plan
4044	Columbia/82nd Avenue Improvements	Port of Portland's adopted 2004 Port Transportation Improvement Plan. Under consideration for OTIA 3 funding.
4045	Airport Way/122nd Avenue Improvements	Port of Portland's adopted 2004 Port Transportation Improvement Plan
4060	Lightrail station/track realignment	Port of Portland's adopted 2004 Port Transportation Improvement Plan
4082	Ramsey Rail Complex	2003 I-5 Transportation and Trade Partnership Strategic Plan approved by JPACT and the Metro Council
4084	East Airport Pedestrian and Bicycle Access Improvements	Port of Portland's adopted 2004 Port Transportation Improvement Plan
4085	Terminal area Bicycle and Pedestrian Improvements	Port of Portland's adopted 2004 Port Transportation Improvement Plan
4086	PIC Bike and Pedestrian Improvements	Port of Portland's adopted 2004 Port Transportation Improvement Plan
4087	Leadbetter Street Extension and Grade Separation	Port of Portland's adopted 2004 Port Transportation Improvement Plan. Under consideration for OTIA 3 funding.
4088	Terminal 4 Driveway Consolidation	Port of Portland's adopted 2004 Port Transportation Improvement Plan. Under consideration for OTIA 3 funding.

Amend Figure 5.8 (West Columbia Corridor Subarea) and corresponding project descriptions on pages 5-37 through 5-39 to **delete** the following 2000 RTP Priority System projects because they have been completed or are under construction:

2000 RTP Priority System #	Project Name
4000	Airport LRT
4019	Lightrail station/track realignment
4020	Airport Way Widening, East
4024	Alderwood Road Extension
4025	Cascades Parkway
4027	Airport Way/Cascades grade separation
4047	NE 33rd Avenue Bikeway
4062	Marine Drive Improvements, Phase 1
4080	Swan Island TMA
4081	Columbia Corridor TMA

Amend Figure 5.9 (Portland Central City Subarea) and corresponding project descriptions on pages 5-43 through 5-47 to **add** the following 2004 Interim Federal RTP Financially Constrained System projects to the 2000 RTP Priority System:

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
1022	I-84/Banfield Trail	Portland TSP
1039	SE Belmont Ramp	Portland TSP. Under consideration for OTIA 3 funding.
1057	Eastbank-Springwater Trail Connector (Three Bridges) Improvement	Portland TSP
1082	SE Grand Avenue Bridgehead Improvements	Portland TSP
1089	East Burnside/NE Couch Couplet and Street Improvements	The E Burnside Improvement is identified in the Portland TSP. the solution of a Burnside/Couch couplet as a design change has policy implications because Couch is not identified on the regional system.
1090	W Burnside/NW Couch Couplet and Street Improvements	The W Burnside Improvement is identified in the Portland TSP. However, the solution of a Burnside/Couch couplet as a design change has policy implications because Couch is not identified on the regional system.
1095	Union Station Multi-modal Center Study	Portland TSP
1097	Naito Parkway Street and Pedestrian Improvements	Portland TSP
1098	Aerial Tram	Portland TSP
1106	Portland Streetcar - Eastside, Phase 1 (Lloyd District)	City Council resolution directs inclusion of project into Portland TSP as part of next update.
1107	Portland Streetcar - Eastside, Phase 2	City Council resolution directs inclusion of project into

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
	(Central Eastside Industrial District)	Portland TSP as part of next update.
1137	Lombard/St. Louis/Ivanhoe Multi-modal Improvements	Portland TSP
1138	Lombard/39th Frequent Bus Improvements	TriMet TIP
1163	I-205/Powell Boulevard/Division interchanges	Phase 1 Powell/Foster Corridor Study recommendation approved by City of Portland, JPACT and the Metro Council; Also identified as a study in Portland's TSP.
1165	I-205 Ramp Right-of-way Acquisition	Phase 1 Powell/Foster Corridor Study recommendation approved by City of Portland, JPACT and the Metro Council.
1166	Capitol Highway/Vermont/30th Avenue Intersection Improvement	Portland TSP
1167	Capitol Highway Bike and Pedestrian Improvements	Portland TSP
1173	Hillsdale TC Pedestrian Improvements	Portland TSP
1199	Barbur Boulevard Pedestrian Access to Transit Improvements	Portland TSP
1209	NW 23rd Avenue Reconstruction	Portland TSP
1225	Lower Albina Area Pedestrian Improvements	Portland TSP
1226	Killingsworth Bridge Bike/Pedestrian Improvements	Portland TSP
1234	Lombard Street Pedestrian Improvements	Portland TSP
1235	Prescott Station Area Street Improvements	Portland TSP
1236	NE 15/Jackson Park Frequent Bus Improvements	TriMet TIP
1237	Fessenden Frequent Bus Improvements	TriMet TIP
1239	NE Sandy Boulevard ITS	Portland TSP
1252	Inner Powell Streetscape Plan	Portland TSP
1271	Linnton Community Bike and Pedestrian Improvements	Portland TSP
1277	NW Champlain Viaduct Reconstruction	Portland TSP
1278	SE 39th Avenue Reconstruction, Safety and Pedestrian Improvements	Portland TSP
1279	Holgate Street Bike and Pedestrian Improvements	Portland TSP

Amend Figure 5.9 (Portland Central City Subarea) and corresponding project descriptions on pages 5-43 through 5-47 to **delete** the following 2000 RTP Priority System projects because they have been completed or are under construction:

2000 RTP Priority System #	Project Name
1000	Interstate MAX LRT
1014	Central City Street Car
1016	Central City Street Car
1021	Peninsula Crossing Trail
1033	Lovejoy Ramp Removal
1034	Lower Albina RR Crossing
1056	Lloyd District TMA Startup
1058	SW Moody Bikeway
1064	N Interstate Bikeway
1065	SE 17th Avenue Bikeway
1066	SE Milwaukie Bikeway
1079	Steel Bridge Pedestrian Way (RATS Phase I)
1081	Eastbank Esplanade
1144	N Portland Road Bikeway
1145	N St. Louis/Fessenden Bikeway
1146	N Greeley/Interstate Bikeway
1207	Barbur Boulevard ITS
1213	NE/SE 122nd Avenue Bikeway
1217	Multnomah Pedestrian District
1229	Woodstock Mainstreet
1257	NE Russell Bikeway

Amend Figure 5.10 (East Multnomah County Subarea) and corresponding project descriptions on pages 5-51 through 5-53 to **add** the following 2004 Interim Federal RTP Financially Constrained System projects to the 2000 RTP Priority System:

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
2029	242nd Avenue Reconstruction	Gresham TSP/County CIP
2039	Regner Road Reconstruction	Gresham TSP
2044	Orient Drive Reconstruction Improvements	Gresham TSP/County CIP
2052	MAX Shared-Use Path (Ruby Junction to Cleveland Station)	Gresham TSP
2076	181st Avenue Frequent Bus Improvements	TriMet TIP
2099	201st/202nd Avenue Corridor Improvements	Gresham TSP/County CIP
2109	Glisan Street Reconstruction Improvements	Gresham TSP/County CIP
2110	MKC Collector (Halsey St. to Arrata St.)	County CIP/Wood Village TSP/Fairview TSP

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
2115	Fairview-Wood Village TC Pedestrian Improvements	Fairview TSP/Wood Village TSP
2120	Sandy Boulevard Bicycle and Pedestrian Improvements	County CIP
2125	Troutdale TC Pedestrian Improvements	Troutdale TSP and Town Center Plan

Amend Figure 5.10 (East Multnomah County Subarea) and corresponding project descriptions on pages 5-51 through 5-53 **to delete** the following projects because they have been completed or are under construction:

2000 RTP Priority System #	Project Name
2062	Gresham Regional Center TMA
2068	I-205 Ramps
2079	185th Avenue Railroad Crossing
2086	NE 138th Avenue Improvements
2087	NE 158th Avenue Improvements
2111	207th Avenue Connector

Amend Figure 5.11 (Pleasant Valley/Damascus Subarea) and corresponding project descriptions on page 5-57 **to add** the following 2004 Interim Federal RTP Financially Constrained System projects to the 2000 RTP Priority System:

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
7034	Foster Road Extension	Approved by Portland, Gresham, Multnomah County and Metro in Pleasant Valley Concept Plan in 2002. Pleasant Valley Implementation Plan (and TSP amendments) to be adopted by Portland and Gresham in September 2004.
7035	Giese Road Extension	See above comment.
7037	172nd Avenue Improvements (Giese to Butler)	See above comment.
7038	172nd Avenue Improvements (Butler to Cheldelin)	See above comment.
7039	Giese Road Improvements	See above comment.
7040	Giese Road Improvements	See above comment.
7041	Foster Road bridge	See above comment.
7042	Giese Road Extension bridge	See above comment.

Amend Figure 5.12 (Urban Clackamas County Subarea) and corresponding project descriptions on pages 5-61 through 5-64 **to add** the following 2004 Interim Federal RTP Financially Constrained System projects to the 2000 RTP Priority System:

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
5020	Highway 213 Improvements	Oregon City TSP
5041	37th Avenue Bike/Ped Improvement	Milwaukie TSP
5052	17th Avenue Trolley Trail Connector	Metro Greenspaces Master Plan and Clackamas TSP
5070	Otty Road Improvements to add turn lanes	Clackamas TSP
5076	Fuller Road Improvements to add turn lanes	Clackamas TSP
5087	West Sunnybrook Road Extension	Clackamas TSP
5098	King Road Frequent Bus Improvements	TriMet TIP
5099	Webster Road Frequent Bus Improvements	TriMet TIP
5126	Oregon City South Amtrak Station Phase 2	Oregon City TSP/Oregon City CIP
5142	Mollala Avenue Frequent Bus Improvements	TriMet TIP
5171	Lake Oswego Transit Station Project	Lake Oswego TSP
5199	I-205 Auxiliary Lanes (I-5 to Stafford Road)	Tualatin TSP. Under consideration for OTIA 3 funding.
5207	Mt. Scott Creek Trail	2000 RTP Bicycle and Pedestrian System Map designation.

Amend Figure 5.12 (Urban Clackamas County Subarea) and corresponding project descriptions on pages 5-61 through 5-64 **to delete** the following projects because they have been completed or are under construction:

2000 RTP Priority System #	Project Name
5018	Highway 213 Intersection Improvements
5022	Highway 213 Widening
5038	Johnson Creek Boulevard, Phase 2
5046	Railroad Crossing Improvements
5065	Clackamas Regional Center TMA Startup
5108	Jennifer Street/135th Avenue Extension
5130	99E/2nd Avenue Realignment
5163	"A" Avenue Reconstruction

Amend Figure 5.13 (South Washington County Subarea) and corresponding project descriptions on pages 5-67 through 5-70 **to add** the following 2004 Interim Federal RTP Financially Constrained System projects to the 2000 RTP Priority System:

2004 RTP Financially Constrained System Project #	Project Name	Project Source and Other Project Comments
6011	Highway 217 Overcrossing - Cascade Plaza	Tigard TSP
6035	Gaarde Street Improvements	Tigard TSP
6057	Washington Square Regional Center Greenbelt Shared Use Path	Tigard TSP. Funded for construction from Hall to Highway 217 and for PE west to Greenburg Rd. through the 2004-07 MTIP. Extension of the trail from Highway 217 to Greenburg with a pedestrian overpass or underpass of Highway 217 is unfunded.
6065	Herman Road Improvements	Tualatin TSP
6076	Myslony/112th Connection	Tualatin TSP
6088	Elligsen Road Improvements	Wilsonville TSP
6093	Barber Street Extension	Wilsonville TSP
6138	Wilsonville Road/I-5 Interchange Improvements (Phase 1 and 2)	Wilsonville TSP. Phase 1 under consideration for OTIA 3 funding.
6142	Upper Boones Ferry Road Improvement	Washington County TSP identifies Boones Ferry as a 2 or 3 lane roadway for ROW acquisition, but not construction

Amend Figure 5.13 (South Washington County Subarea) and corresponding project descriptions on pages 5-67 through 5-70 **to delete** the following projects because they have been completed or are under construction:

2000 RTP Priority System #	Project Name
6014	Greenburg Road Improvements
6033	Walnut Street Improvements, Phase 1
6046	Walnut Street Improvements, Phase 2
6059	Beef Bend Road Improvements
6072	Tualatin Road Improvements
6111	Beef Bend/Elsner Road Improvements
6113	Oregon Street Improvements
6125	Bangy Road Improvements
6128	Carmen Drive Intersection Improvements

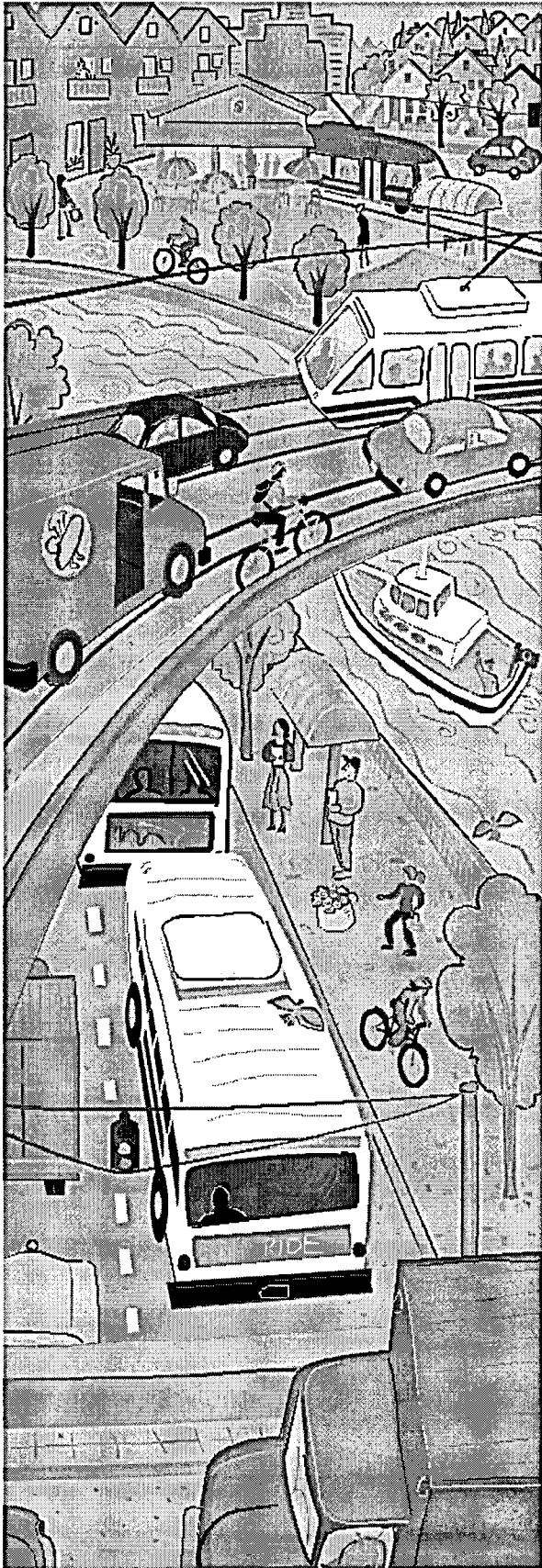
Amend Figure 5.14 (North Washington County Subarea) and corresponding project descriptions on pages 5-73 through 5-77 to **delete** the following projects because they have been completed or are under construction:

2000 RTP Priority System #	Project Name
3007	US 26 Improvements
3026	Millikan Extension
3027	Davis Improvements
3028	Hart Improvements
3085	170th Improvement
3108	Baseline Road Improvements
3110	Jackson School Road Improvements
3130	Evergreen Road Improvements
3132	Cornelius Pass Road Improvements
3136	Brookwood/Parkway Avenue Improvements
3138	Murray LRT Overcrossing and Pedestrian Improvements
3152	Westside TMA
3154	Forest Grove Northern Arterial

- Amend Chapter 5 to incorporate the following Powell/Foster Corridor Study – Phase 1 recommendations (as approved in Metro Resolution No. 03-3373):
 - On page 5-51, delete the description of Project 1164 and replace with "I-205 Ramp Study - Perform a design study to evaluate modifications to the existing overpass at I-205 and Powell Boulevard, including full access ramps to and from I-205. The study should also address impacts to the interchange influence area along Powell Boulevard, Division Street, and SE 92nd Avenue."
 - On page 5-51, delete the description of project number 1163 and replace with "I-205/Powell Boulevard Interchange - Construct improvements to allow full turn movements at the Powell Boulevard and I-205 interchange."
 - On page 5-46, delete the description of project 1228 and replace with "Powell Boulevard/Foster Road Corridor Study Phase 2 -Conduct the next phase of a corridor study that develops multi-modal transportation strategies and specific roadway, bicycle and pedestrian projects that provide access to Pleasant Valley, Damascus, and the Urban Growth Boundary expansion areas. As part of the Phase 2 Powell/Foster Corridor Study, complete 1) a design study of the appropriate cross-section for Foster Road from SE Barbara Welch Road to Jenne Road, 2) a refinement plan of the design options for Highland Drive and Pleasant View Drive, and 3) complete a project development study of a new extension of SE 174th Avenue between Jenne and the future Giese Roads. The study may result in an amendment to planning documents to call for a new extension of SE 174th Avenue in lieu of widening Jenne Road to three lanes between Foster Road and Powell Boulevard (former project 7007)."
 - On page 5-46, add a new RTP project description and project number as follows, "Powell Boulevard Project Development Study Perform a project development

study on Powell Boulevard from I-205 and SE 174th Avenue, with a short-term time frame. Based on costs and timing of needs, the study will develop a phased construction schedule.”

- On page 5-52, delete the description of project 2049 and replace with “Powell Boulevard Improvements - Widen the street to five lanes including sidewalks and bike lanes from SE 174th Avenue to SW Duniway Avenue. Include mid-block pedestrian crossings west of SE 182nd Avenue and at SW Duniway Avenue. Improvements at the intersection of SE 182nd Avenue and Powell Boulevard will include bus pullouts on Powell. Widen the street to three lanes with a raised landscaped median including sidewalks and bike lanes from SW Duniway Avenue to NW Birdsdale Avenue. Widen the street to an imbalanced four-lane cross section including sidewalks and bike lanes from NW Birdsdale Avenue to NW Eastman Parkway, with two westbound travel lanes, a center turn lane and one eastbound travel lane.”
- On page 5-52, delete the description of project 2045 (190th/Highland Drive Improvements), and on page 5-57, and delete the project description for project 7012 (Highland Corridor Plan). Replace project 2045 with “2045 190th Avenue Improvements - Reconstruct and widen 190th Avenue to five lanes from Highland Drive to Butler Road with sidewalks and bike lanes. Widen and determine the appropriate cross-section for Highland Drive and Pleasant View Drive from Powell Boulevard to 190th Avenue based on the recommendations from Phase 2 of the Powell Boulevard/Foster Road Corridor Study.”
- On page 5-57, delete the description of project 7006 and replace with “SE Foster Road Improvements - Widen Foster Road to four lanes from SE 122nd to SE Barbara Welch Road. Widen and determine the appropriate cross section of Foster Road from SE Barbara Welch Road to Jenne Road by completing Phase 2 of the Powell Boulevard/Foster Road Corridor Study in order to meet roadway, transit, pedestrian and bike needs.”
- On page 5-57, delete the description of project 7007 (SE Jenne Road Improvements) and replace with “SE 174th Avenue/North-South Capacity Improvements - Based on the recommendations from the Powell Boulevard/Foster Road Corridor Study (1228), construct a new north-south capacity improvement project in the vicinity of SE 174th Avenue/Jenne Road between SE Powell Boulevard and Giese Road in Pleasant Valley. This replaces former project 7007 which widened Jenne Road to three lanes from Powell Boulevard to Foster Road.”
- On page 5-57, delete project 7016 (Jenne Road Traffic Management Plan). This project is included in Project #7007..



Part 3

2000 Regional Transportation Plan Technical Amendments

April 15, 2004



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2000 Regional Transportation Plan Technical Amendments

Thank you for taking the time to review proposed amendments to the 2000 Regional Transportation Plan (RTP). The amendments are a follow-up to approval of the 2004 interim Federal RTP, and establish consistency between the existing 2000 RTP with the new federal plan. **No major changes to policies or projects are proposed.**

Because the amendments to the 2000 RTP represent more of a "housekeeping" effort, the emphasis in the public comment period will be on the proposed changes to the plan, not the overall 2000 RTP document.

Summary of Technical Amendments

Since the last RTP update, a number of corridor studies and concept plans for new urban areas have been completed, and approved by local or regional officials, or are about to be completed. The results of these studies include a number of technical changes to the RTP implementation chapter that frame future work that must be still be completed, and delete technical requirements that have been addressed by these studies. The changes reflected in the technical amendments include:

Powell-Foster Corridor Study - Phase I Recommendations

I-5 South - Wilsonville Area Study

Regional Travel Option Strategic Planning

RTP Modal Target Study

Damascus/Boring Concept Plan

The technical amendments are shown in strikethrough and underscore.

For more information

For more information, call Regional Transportation Planning at (503) 797-1839, or send e-mail to trans@metro-region.org. The hearing impaired can call (503) 797-1804.

2000 RTP Chapter 6 Technical Amendments

Amend Chapter 6 as shown in strikethrough/underscore:

Section 6.1.2 Air Quality Conformity: Criteria that Constitutes a Conformed Plan

The ~~2020~~2025 ~~Preferred Illustrative and Priority Systems~~ both requires new revenue sources and go beyond federal requirements that long-range transportation plans be based upon "constrained resources." Air quality conformity of this plan will be based on a scaled-down ~~2020~~2025 ~~Priority Illustrative System~~ that can likely be implemented within the federally defined fiscally constrained level of reasonably available resources. This system will be termed the ~~2020~~2025 ~~Fiscally~~ Financially Constrained System. Air quality conformity entails:

- Making reasonable progress on Transportation Control Measures as identified in the SIP
- Staying within the carbon monoxide and ozone emissions budgets set for transportation with the SIP based upon a fiscally constrained transportation network

Portland is currently designated a maintenance area for the National Ambient Air Quality Standards (NAAQS) for ozone and carbon monoxide under the Clean Air Act Amendments of 1990.

Section 6.1.3 Demonstration of Air Quality Conformity

The ~~Financially Constrained System and the 2020 Priority System~~ have been found to conform to federal air quality requirements. Appendix 4.0 provides detailed information to support this finding on the air quality conformity analysis to be completed on the 2025 Financially Constrained System.

Section 6.7.5 Type I – Major Corridor Refinements

Interstate-5 South (Highway 217 to ~~Wilsonville~~Willamette River/Boones Bridge)

This facility serves as the major southern access to and from the central city. The route also serves as an important freight corridor, where Willamette Valley traffic enters the region at the Wilsonville "gateway," and provides access to Washington County via Highway 217. Projections for this facility indicate that growth in traffic between the Metro region and the Willamette Valley will account for as much as 80 percent of the traffic volume along the southern portion of I-5, in the Tualatin and Wilsonville area. A joint ODOT and Wilsonville study¹ concludes that in 2030 widening of I-5 to eight lanes would be required to meet interstate freeway capacity standards set by Metro and ODOT and that freeway access capacity would not be adequate with an improved I-5/Wilsonville Road interchange. For ~~this~~ these reasons, the appropriate improvements in this corridor are unclear at this time. However, I-5 serves as a critical gateway for regional travel and commerce, and an acceptable transportation strategy in this corridor has statewide significance. A major corridor study is proposed to address the following issues:

¹ I-5/Wilsonville Freeway Access Study, DKS Associates, November 2002

- the effects of widening I-205 on the I-5 South corridor
 - the effects of the I-5 to 99W Connector on the Stafford Road interchange and the resultant need for increased freeway access
- ___ the effects of peak period congestion in this area on regional freight mobility and travel patterns
- the ability of inter-city transit service, to/from neighboring cities in the Willamette Valley, including commuter rail, to slow traffic growth in the I-5 corridor
 - the ability to maintain off-peak freight mobility with capacity improvements
 - the potential for better coordination between the Metro region and valley jurisdictions on land-use policies
 - the effects of a planned long-term strategy for managing increased travel along I-5 in the Willamette Valley
 - the effects of UGB expansion and Industrial Lands Evaluation studies on regional freight mobility
 - the effects to freight mobility and local circulation due to diminished freeway access capacity in the I-5/Wilsonville corridor

In addition, the following design elements should be considered as part of the corridor study:

- peak period pricing and HOV lanes for expanded capacity
- provide rapid bus service on parallel Barbur route, connecting Wilsonville to the central city
- provide additional overcrossings in West Portland town center to improve local circulation and interchange access
- provide additional freeway access improvements in the I-5/Wilsonville corridor to improve freight mobility and local circulation, (e.g. a new Boeckman Road interchange)
- add capacity to parallel arterial routes, including 72nd Avenue, Boones Ferry, Lower Boones Ferry and Carmen Drive
- add overcrossings in vicinity of Tigard Triangle to improve local circulation
- extend commuter rail service from Salem to the central city, Tualatin transit center and Milwaukie, primarily along existing heavy rail tracks
- additional I-5 mainline capacity (2030 demand on I-5 would exceed capacity)
 - provision of auxiliary lanes between all I-5 freeway on- and off-ramps in Wilsonville

Powell Boulevard/Foster Road

The concentration potential urban growth boundary expansions in Clackamas County and southeast Multnomah County will place heavy demands on connecting routes that link these areas with employment centers in Portland and Multnomah County. Of these routes, the Foster/Powell corridor is most heavily affected, yet is also physically constrained by slopes and the Johnson Creek floodplain, making capacity improvements difficult. More urban parts of Foster and Powell Boulevard are equally constrained by existing development, and the capacity of the Ross Island Bridge.

As a result, a corridor study is needed to explore the potential for high capacity transit strategies that provide access from the developing Pleasant Valley and Damascus areas to employment areas along the Foster/Powell corridor, Gresham regional center, Columbia South Shore industrial area and central city. Such a study should consider the following transportation solutions:

- aggressive transit improvements, including rapid bus service from Central City to Damascus town center via Powell and Foster roads, and primary bus on 172nd Avenue and to the Gresham regional center, Eastside MAX and Columbia South Shore
- capacity improvements that would expand Foster Road from two to three lanes from 122nd to 172nd avenues, and from two to five lanes from 172nd Avenue to Highway 212, phased in coordination with planned capacity improvements to Powell Boulevard between I-205 and Eastman Parkway
- extensive street network connection improvements in the Mount Scott and Pleasant Valley areas to reduce local travel demand on Foster Road and Powell Boulevard, and to improve access between these areas and adjacent East Multnomah and northeast Clackamas Counties
- ITS or other system management approaches to better accommodate expected traffic growth on the larger southeast Portland network, East Multnomah and northeast Clackamas County network

Powell Boulevard/Foster Road Phase 2

The Powell Boulevard/Foster Road Corridor represents both a key transportation challenge and an opportunity to meet 2040 regional land use goals. The Powell/Foster Corridor is a top priority among corridors requiring refinement plans. Despite policy changes to level-of-service standards that permit greater levels of congestion, significant multi-modal improvements will be needed in order to continue to serve transportation needs of the communities and industrial areas in southeast Portland and Gresham. The corridor is also critical to providing access to the planned growth areas in Pleasant Valley, along with Damascus and Springwater that have recently been added to the Urban Growth Boundary. In addition, the corridor is constrained by significant topographical and environmental features.

As a result of the findings from Phase 1 of the Powell Boulevard/Foster Road Corridor Plan, which was completed in 2003, specific multi-modal projects have been identified that address transportation needs on Powell Boulevard between inner SE Portland and Gresham, and on Foster Road west of Barbara Welch Road. System level decisions for transit service were also made for the corridor.

Several outstanding transportation problems in the Pleasant Valley, Damascus and south Gresham areas, require additional planning work before specific multi-modal projects can be developed and implemented. The Phase 2 plan should closely coordinated with concept plans for Damascus and the Springwater area, in order to incorporate the updated land use and transportation assumptions. It should examine the following transportation solutions and strategies:

Determine the appropriate cross section on Foster Road between Barbara Welch Road and Jenne Road and the project timing, to meet roadway, transit, pedestrian and bike needs.

Explore possibilities for potential new street connection improvements in the Mount Scott area that reduce local travel demand on Foster Road and improve access to the Pleasant Valley area.

Develop conceptual designs and determine right-of-way for an improvement and extension of SE 174th Avenue between Powell Boulevard and Giese Road, or another new north-south roadway in the area, to accommodate travel demand and improve access to Pleasant Valley. The alignment should consider engineering feasibility, land use and environmental affects, safety, and overall costs.

Further define the three-lane Highland Drive and Pleasant View Drive option that was recommended as part of Phase 1. This option needs to address design, operational, and safety-related issues.

Work with local jurisdictions to provide for access management on arterials serving Pleasant Valley and Damascus.

Address other regional north-south transportation needs identified by the Damascus Concept Plan and Springwater concept planning effort. Further evaluate alignment issues, engineering cost estimates, and right-of-way impacts of future roadway projects north of Damascus that are identified as part of the concept planning effort.

6.7.7 Areas of Special Concern

Gateway Regional Center

~~Gateway is at a major transportation crossroads, and suffers and benefits from the level of access that results. The Preferred System analysis shows that from the perspective of employers looking at labor markets, the Gateway area is the most accessible place in the Metro region. At the same time, spillover traffic from the Banfield Freeway corridor exceeds the LOS policy established in Table 1.2 on a number of east/west corridors in the Gateway area, including Halsey, Glisan, Burnside, Stark and Division streets.~~

~~The local TSP should examine the ability of local streets in these areas to absorb travel demand to a degree that cannot be measured in the regional model. A traffic management plan for these streets should be integrated with the overall TSP strategy, but should establish specific action plans and benchmarks for facilities determined to exceed the LOS policy in the local analysis. Alternative mode~~

choices should be identified to further reduce travel demand. The local TSP should also consider strategies for providing better access to LRT, including park and ride facilities at station areas.

Section 6.8 Outstanding Issues

The section describes a number of outstanding issues that could not be addressed at the time of adoption of this plan, but should be addressed in future updates to the RTP.

6.8.2 Damascus/Boring-Pleasant Valley TCSP Concept Planning

~~Metro was recently awarded a special federal TCSP grant from the US Department of Transportation to complete an urban reserve plan for the Damascus-Pleasant Valley area of Clackamas County. The work scope for the project is broad, encompassing land use, transportation, and environmental planning. The project is scheduled to begin in early 2000. The objective of the study is to prepare concept plans for this large urban reserve area in anticipation of future urbanization. Metro will work with a number of local partners to complete the project, including the cities of Portland, Gresham and Happy Valley, and Multnomah and Clackamas counties. A citizen policy advisory committee that includes residents and key stakeholders will guide the project.~~

~~The Damascus-Pleasant Valley planning effort will include conceptual transportation planning for regional facilities in the area, and more detailed street planning for northern portions of the area that are already included in the urban area. Transportation and land use scenarios will be developed to reflect a variety of land use alternatives for the area, and will be analyzed with the regional transportation model.~~

~~The preferred alternative will likely include refinements to the Damascus-Pleasant Valley street functional classifications and transportation improvements included in this plan.~~

Metro received federal grant money for the purpose of completing a concept plan for a new urban area in the Damascus/Boring area. Clackamas County and Metro will jointly develop the concept plan, with the assistance of a Contractor and the participation of area citizens, key organizations, service providers and cities. ODOT will also participate in the process. The concept planning is anticipated to start in winter of 2003, will take approximately two years to complete. There will be extensive public involvement during this process.

The Damascus/Boring Concept Plan will be a cooperative planning effort to create plan and implementation strategies for development of approximately 12,000 acres located south of Gresham and east of Happy Valley in Clackamas County. The concept plan is a follow-up to a December 2002 decision by Metro to bring the area inside the Urban Growth Boundary. The Damascus/Boring Concept plan will be closely coordinated with the environmental analysis of the Sunrise Corridor Unit 1 effort and will address the general need, modes, function, and location of the proposed Sunrise Corridor Unit 2. Important components of the concept plan are expected to include:

A land-use element that locates a combination of uses and densities that support local and regional housing and employment needs, provides a diverse range of housing, and identifies commercial and industrial employment opportunities that allow residents to work near their home

A multi-modal transportation system element that serves interstate, regional and community travel needs and informs the Sunrise Corridor Unit 2 planning process

A natural resources element that identifies natural resource areas and protection strategies

A public infrastructure and facilities element for water, sewer, storm water, parks, schools, fire and police

The concept plan will provide the basis for future comprehensive plan amendments and development code regulations that must be adopted before development can take place. The Damascus/Boring Concept Plan will identify and evaluate multi-modal transportation system alternatives to serve regional and community needs in the area. The alternatives will include combinations of highway, arterial, boulevard and transit improvements that are complemented by a network of local streets, multi-use trails and bicycle and pedestrian connections. If the Damascus/Boring Concept Plan reaffirms that Sunrise Corridor Unit 2 improvements are needed, the concept plan will identify transportation alternatives to be evaluated through a future DEIS process similar to that already initiated for the Unit 1 portion of the Sunrise Corridor.

Proposed amendments to the RTP would be considered upon completion of the study, which is scheduled to conclude in Fall 2002. The preferred alternative will also include future street plans for some local streets that may be incorporated into local TSPs.

6.8.9 TDM Program Enhancements

The TDM Subcommittee is in the process of developing a 3-5 year strategic plan that clearly articulates a new vision and proposed direction for the Regional Travel Options program. The strategic direction is to develop a more collaborative marketing program that eliminates duplication of marketing effort and that delivers a clear message to all of our customers (students, commuters, aging population, shoppers, etc). The regional evaluation program will also become more collaborative as we work to develop performance measure and evaluate progress toward non-SOV modal targets for regional centers and industrial areas. The strategic plan will update TDM policies resulting in RTP Amendments that reflect new strategies for promoting travel options to the region.

In addition, the TDM program should be continually updated to include new strategies for regional demand management. One such strategy that should be considered is the Location Efficient Mortgage (LEM). The LEM is a mortgage product that increases the borrowing power of potential homebuyers in "location efficient" neighborhoods. Location efficient neighborhoods are pedestrian friendly areas with easy access to public transit, shopping, employment and schools. The LEM recognizes that families can save money by living in location efficient neighborhoods because the need to travel by car is reduced. Instead of owning two cars, a family living in a location efficient neighborhood could get by with one - or none. The LEM requires bankers to look at the average monthly amount of money that applicants would be spending on transportation if they had to use a car for day-to-day transport and applies it to the servicing of a larger mortgage. This increases the purchasing power of borrowers when buying a home in location efficient neighborhoods, stimulating home purchases in existing urban areas.

6.8.14 RTP Modal Targets Implementation

Metro was recently awarded state Transportation/Growth Management funds to identify best practices and further clarify what constitutes a minimum requirements for local transportation system plans to meet the RTP modal targets. Metro's primary goal is to ensure that the planning programs be adopted, and that on-the-ground progress be demonstrated over time. However, progress toward the non-SOV

modal targets is an output of the regional travel demand model, but cannot be generated by local jurisdictions. Progress would be periodically evaluated as part of RTP updates. The project will:

Identify best practices and minimum requirements for local governments to demonstrate that local TSPs can meet non-SOV mode split targets in the RTP. Meeting this objective will allow Metro to ensure RTP compliance with Section 660-012-0035(5) of the Transportation Planning Rule.

Ensure that minimum requirements identified are reasonably sufficient to enable local jurisdictions to achieve the Non SOV Modal Targets of Table 1.3 and the Alternative Mode Analysis of section 6.4.6 of the RTP.

Ensure that minimum requirements identified can be carried out by Metro and/or local jurisdictions without a significant commitment of staff time or other resources.

Provide education on the benefits of reducing non-SOV mode trips.

This effort could result in amendments to the RTP.

6.8.15 Defining System Adequacy

Section 660.012.0060 of the Oregon Transportation Planning Rule (TPR) requires local governments to evaluate amendments to acknowledged plans and regulations to ensure that the changes are consistent with planned transportation improvements. For the Metro region, the RTP currently defines the "priority" system of improvements for major transportation facilities as the basis for evaluating such amendments.

Prior to the next update to the 2000 RTP, the issue of defining an adequate system of improvements for the purpose of evaluating local plan amendments should be addressed in detail to ensure a balance between allowing desired development and preventing land use actions that outstrip the public ability to provide transportation infrastructure. This effort should include a cross-section of local and regional interests and state agency officials, and could lead to recommended RTP amendments that implement a new strategy for considering such proposals. The effort should be led jointly by Metro and the Oregon Department of Transportation.

6.8.16 Wilsonville I-5 South Corridor

Based on the results of the I-5/Wilsonville Freeway Access Study (DKS Associates, November 2002, prepared for ODOT and the City of Wilsonville, with Metro's participation), there will be a future deficiency for freeway access capacity in Wilsonville based on year 2020 PM peak forecasts. Improvements were identified in the City of Wilsonville's 2003 Transportation Systems Plan to address this deficiency, but did not include the effects of the planned southern alignment for the I-5 to 99W Connector to the Stafford Road Interchange, the plans for which were outside of the scope of the TSP. The improvements include an improved local street system in Wilsonville, freeway access improvements and I-5 operational improvements. Improvements to the local roadway system are not adequate by themselves to mitigate the future 2020 interchange access needs without interchange improvements. In evaluating two freeway access improvement alternatives (an enhanced Wilsonville Road diamond interchange and a new Boeckman Road interchange to I-5) it was found that improvements to the Wilsonville Road interchange would be necessary with either interchange alternative. Based upon the findings of study, an enhanced Wilsonville Road diamond interchange, currently in preliminary engineering, is needed to meet future 2020 capacity demands. Implementation of the enhanced Wilsonville Road diamond interchange project depends upon funding availability.

The analysis of future freeway access needs was conducted with a wide range of travel forecasts, assessing the sensitivity of the findings in the 2020 PM peak period with various travel demand assumptions. In each case, the findings noted above were found to be consistent in terms of the required first step being the enhanced Wilsonville Road diamond interchange. However, utilizing an approximation technique to extend 2020 forecasts to 2030, it was found that in 2030 widening of I-5 to eight lanes would be required to meet interstate freeway capacity standards set by Metro and ODOT and that freeway access capacity would not be adequate with the improved I-5/Wilsonville Road interchange and further access improvements would be necessary. Thus, other freeway access improvements (e.g. a new Boeckman Road interchange) must be considered in future regional capacity studies, including the Regional Transportation Plan update, I-5 South Corridor Study, I-5 to 99W Connector and/or a Stafford/I-205 Study in conjunction with possible urban growth boundary expansions and industrial land evaluations.

6.8.17 National Highway System (NHS) Routes Update

A component of the federal requirements that warrants special effort is a needed update to the National Highway System (NHS) designations in the RTP. These routes were originally designated in the early 1990s, and are due for an update that considers 2040 land use and transportation considerations that have since been adopted into regional and local plans. This effort will occur prior to the next RTP update.

How to comment on the amendments to the 2000 Regional Transportation Plan

The public comment period for the amendments begins on April 15, 2004 and ends at noon on June 1, 2004. You may submit comments online at Metro's website:

www.metro-region.org/rtp

Comments may also be mailed or faxed using the form below, or left on Metro's Transportation hotline at (503) 797-1900, Option 2.

Comments:

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Submitted by:

<hr/>	
<i>Name</i>	
<hr/>	
<i>Street Address</i>	<i>City/Zip</i>
<hr/>	<hr/>
<i>Phone</i>	<i>E-Mail</i>
<hr/>	<hr/>
Send me more info:	
<input type="checkbox"/> 2000 RTP Document CD	<i>Other RTP Info:</i> <hr/>
<input type="checkbox"/> 2004 Interim Federal RTP Document CD	
<input type="checkbox"/> Please add me to the RTP interested citizens mailing/e-mail lists	

2000 Regional Transportation Plan Amendments Calendar

- April 15** Public comment period begins; staff recommendation on 2000 RTP amendments released for 45-day public comment period
- April 22** Metro Council first reading of Ordinance on draft 2004 RTP
- May 13** Metro Council public hearing on amendments to 2000 Regional Transportation Plan
- June 1** Public comment period ends at noon
- June 2** MTAC review and discussion of amendments to 2000 Regional Transportation Plan
- June 25** TPAC review and discussion of amendments to 2000 Regional Transportation Plan
- June 9** Tentative final MPAC action on amendments to 2000 Regional Transportation Plan
- July 8** Tentative final JPACT action on amendments to 2000 Regional Transportation Plan
- July 8** Metro Council second reading of Ordinance and consideration of adoption of amendments to 2000 Regional Transportation Plan

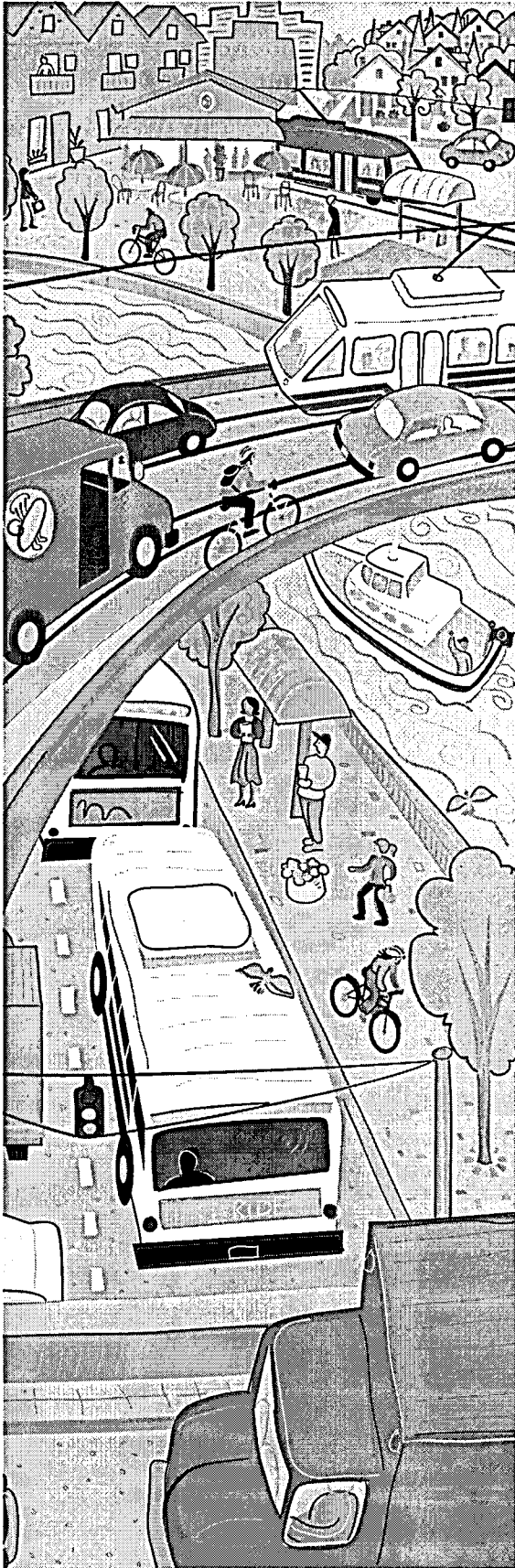
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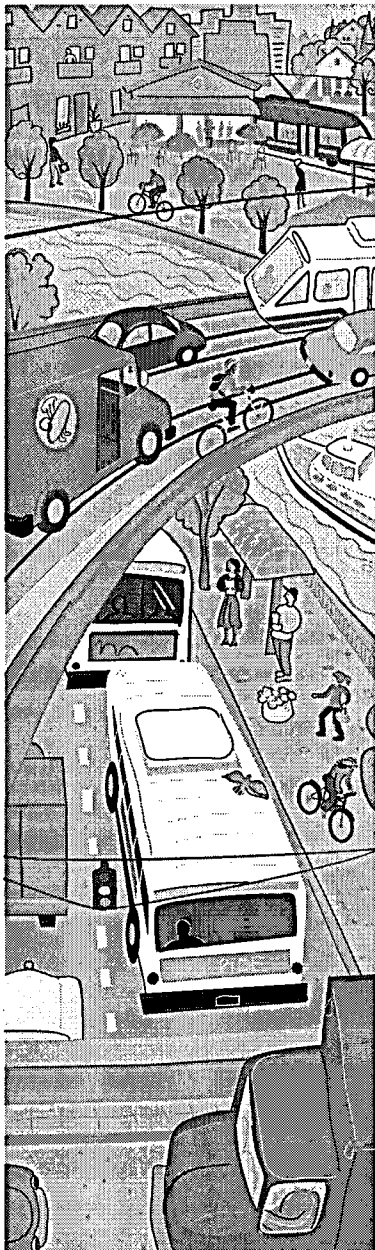


Transportation Planning Public Involvement Policy

April 7, 2004



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Transportation Planning Public Involvement Policy

EXECUTIVE SUMMARY

Public Involvement in Regional Transportation Planning and Funding Activities

Metro's public involvement policy for regional transportation planning and funding activities is intended to support and encourage broad-based public participation in development and review of Metro's transportation plans, programs and projects. The policy was developed in July 1995 in response to citizen interest and changes in state and federal planning requirements. It was revised in January 2004 in concert with the 2004 federal update to the Regional Transportation Plan.

The policy details procedures and guidelines that Metro is expected to follow in order to ensure that public involvement efforts are proactive and provide opportunities for the region's residents and interest groups to actively participate in the development and review of regional transportation plans, programs and major projects.

The policy is intended to focus on Metro's major actions and decisions. Examples covered by these procedures include the Regional Transportation Plan and the Metropolitan Transportation Improvement Program. If a proposed action or decision is clearly a normal course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures.

A detailed public involvement work plan consistent with Metro's public involvement goals and objectives will be developed for each plan, program or project. These specific work plans will include opportunities for public involvement, key decision points and what strategies will be used to seek out and consider the participation of groups that have been historically under-served by the transportation system, such as older, low income



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and minority residents. The work plans also will specify how information related to the project will be disseminated to the public and other interested parties, including public meetings, hearings, Metro's web site, paid advertisements, mailings and flyers.

Public involvement goals

- Provide complete information
- Provide timely public notice
- Provide full public access to key decisions
- Support broad-based, early and continuing involvement

Policy objectives

1. Develop a detailed public involvement plan and clear timeline of decision points early in the transportation planning and funding process.
2. Involve those traditionally under-served by the existing system and those traditionally under-represented in the transportation process and consider their transportation needs in the development and review of Metro's transportation plans, programs and projects. This includes, but is not limited to, minority and low-income households and persons who are unable to own and/or operate a private automobile, such as youth, the elderly and the disabled.
3. Remove barriers to public participation for those traditionally under-represented in the transportation planning process.
4. Involve local, regional and state jurisdictions that own and operate the region's transportation system in the development and review of Metro's transportation plans, programs and projects.
5. Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including but not limited to approval of transportation plans and improvement programs.
6. Provide information on regional transportation planning and funding activities in a timely manner to interested parties.
7. Provide opportunities for the public to provide input on the proposed transportation plan, project or project. Create a record of public comment received and agency response regarding draft transportation plans and programs at the regional level.
8. Provide updated summaries of public comment at key decision points.
9. Provide additional opportunities for public comment if there are significant differences between the draft and final plans.

10. Ensure that development of local transportation plans and programs are conducted according to Metro guidelines for local public involvement.
11. Periodically review and update the public involvement process to reflect feedback from the public.

Public involvement guidelines

A set of public involvement guidelines has been developed to ensure the policy objectives are met. The guidelines are detailed in Section 3. Activities and other opportunities described in each public involvement plan should be consistent with the guidelines established by Metro's policy. The guidelines are more specific for certain types of long-term plans and programs.

Local government public involvement – For transportation plans and projects submitted to Metro for federal funding, local governments should comply with the *Local public involvement checklist* (Appendix H in this document).

Compliance and dispute resolution

The Public Involvement Procedures establish minimum standards for public involvement opportunities that agencies producing transportation plans and programs (and in Metro's case, projects) are expected to follow. However, failure to exactly comply with the procedures contained in the policy shall not, in and of itself, render any decisions or actions invalid.

The dispute resolution process will focus on determining the degree of compliance with the guidelines contained in this policy and the extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of the public involvement procedures. If the spirit of the guidelines contained in this policy has not been met, an agency may be required to conduct additional public involvement activities to ensure there has been adequate public review.

Effective date of policy

This policy will become effective when it is adopted into the Regional Transportation Plan. From that point forward, conformance will be required for public involvement activities pertaining to Metro's transportation plans, programs and project development activities. Metro will periodically, or at least every three years, review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption.

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SECTION 1 INTRODUCTION

Metro's public involvement policy for its regional transportation planning, programming and project development activities was developed to ensure inclusive and effective participation in the formation of public policy. It responds to strong interest in the region and complies with changes to state and federal planning requirements. The policy is intended to support and encourage broad-based public participation in the development and review of Metro's transportation plans, programs and projects. The goal of Metro's public involvement policy is to invite and provide for early and continuing public participation throughout the transportation planning and funding process in the Portland metropolitan region. This policy establishes consistent minimum standards to accomplish this goal; standards beyond these minimums may be applied as warranted and are encouraged.

Adopted in 1991, the federal Intermodal Surface Transportation Efficiency Act (ISTEA) was amended in 1998 as the Transportation Equity Act for the 21st Century (TEA-21). These Congressional acts expanded public participation in the transportation planning process and required increased cooperation among the jurisdictions that own and operate the region's transportation system. These partners include the region's 24 cities, three counties, Oregon Department of Transportation, Oregon Department of Environmental Quality, Port of Portland, TriMet, Washington Regional Transportation Council, Washington Department of Transportation, Southwest Washington Air Pollution Control Authority and other Clark County governments. The acts require urban areas, through a metropolitan planning organization (MPO), to develop and implement a continuing, cooperative, and comprehensive transportation planning process. As the designated MPO for the Portland metropolitan area, Metro is responsible for the transportation planning process, including development of metropolitan transportation plans and transportation improvement programs (TIPs), studies of major transportation investments, and management systems, among others. ISTEA also required MPOs to develop a public involvement process and to incorporate this process into the overall transportation planning process. The public involvement process should be proactive and should provide "complete information, timely public notice, full access to key decisions, and (support) early and continuing involvement of the public in developing plans and (programs)."

Oregon state planning goal 1 is citizen involvement. It requires that each governing body adopt and publicize a program for citizen involvement that is appropriate to the scale of the planning effort. The public involvement program should allow for continuity of information and enable citizens to understand the issues. Goal 1 also calls for regional agencies to use existing local citizen involvement programs established by counties and cities.

Local public involvement procedures and guidelines also have been developed to ensure that there is adequate public participation at the local level in the formulation and adoption of local transportation plans and programs from which projects are drawn and submitted to Metro for federal funding. Compliance with these local procedures will be demonstrated through completing each step outlined in the *Local public involvement checklist* (Appendix H of this document).

SECTION 2 SCOPE OF POLICY

The policy is intended to focus on Metro's major actions and decisions. Metro develops and adopts the Regional Transportation Plan (RTP), the Metropolitan Transportation Improvement Program (MTIP) and other regional transportation plans and programs (see Figure 1 in Appendix A for an overview of the transportation programming and planning process). This public involvement policy applies to all of Metro's transportation plans and programs.

If a proposed action or decision is clearly a normal course-of-business activity that does not significantly affect the public or alter public policy, it may not be necessary to apply these procedures. But if there is a question as to whether a project is broad-based enough to warrant application of these procedures, the agency should follow them to ensure appropriate public notification and participation. Certain (i.e., minor) modifications to the Metropolitan Transportation Improvement Program are specifically exempted by the ISTEA from public involvement requirements (see Appendix G).

Metro also is responsible for development (e.g., identifying design, alignment, cost, etc.) of some projects of a regional scope, such as corridor studies and transit projects. Project development occurs in many phases and not all phases are subject to this policy. Initial planning-oriented project development activities may include preparation of preliminary cost estimates, scope and location. These types of initial project development efforts managed by Metro for major projects on the regional transportation system are subject to this policy to the extent that they help define the project so a decision can be made whether to include the project in a plan and/or program.

Later phases of project development, such as final design and alignment, generally follow a programming decision to fund the project and are not subject to this policy. Existing state and federal guidelines govern the public outreach activities that are required during these later phases. Metro transportation plans, programs and project development activities will be reviewed and approved consistent with the public involvement procedures and guidelines defined in Sections 3 and 4.

SECTION 3 METRO PUBLIC INVOLVEMENT PROCEDURES

The procedures in this section shall apply to all Metro transportation planning, programming (i.e., funding) and project development activities, where Metro acts as the lead agency. Metro will provide for public involvement, consistent with the following goals, objectives and guidelines, in development of its short and long-range regional transportation plans, programs and projects. A detailed public involvement plan should be developed appropriate to each plan, program or project. The overall intent of each public involvement plan should be consistent with the goals and objectives of Metro's policy.

GOAL

Provide complete information, timely public notice, full public access to key decisions, and support broad-based and early and continuing involvement of the public in developing regional transportation plans, programs and projects.

OBJECTIVES

Policy objectives

1. Develop a detailed public involvement plan and clear timeline of decision points early in the transportation planning and funding process.
2. Involve those traditionally under-served by the existing system and those traditionally under-represented in the transportation process and consider their transportation needs in the development and review of Metro's transportation plans, programs and projects. This includes, but is not limited to, minority and low-income households and persons who are unable to own and/or operate a private automobile, such as youth, the elderly and the disabled.
3. Remove barriers to public participation by those traditionally under-represented in the transportation planning process.
4. Involve local, regional and state jurisdictions that own and operate the region's transportation system in the development and review of Metro's transportation plans, programs and projects.
5. Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including but not limited to approval of transportation plans and improvement programs.
6. Provide information on regional transportation planning and funding activities in a timely manner to interested parties.
7. Provide opportunities for the public to provide input on the proposed transportation plan, project or project. Create a record of public comment received and agency response regarding draft transportation plans and programs at the regional level.
8. Provide updated summaries of public comment at key decision points.
9. Provide additional opportunities for public comment if there are significant differences between the draft and final plans.
10. Ensure that development of local transportation plans and programs are conducted according to Metro guidelines for local public involvement.

11. Periodically review and update the public involvement process to reflect feedback from the public.

The following additional objective applies to Metro review of locally developed plans and programs from which projects are drawn and submitted for regional funding:

12. Ensure that development of local transportation plans and programs was conducted according to Metro guidelines for local public involvement as defined in the *Local public involvement checklist*.

PUBLIC INVOLVEMENT PLAN

A public involvement plan will be developed for each Metro program or project. The public involvement plan will specify the opportunities for public involvement, including the opportunities for participation by the general public (workshops, hearings) and by citizen advisory committees, as appropriate. The plan, program or project public involvement plan should identify the under-served (e.g., minority, low income) population and what strategies will be used to seek out and consider their participation. The structure also should identify and describe key decision points.

Each plan, program or project public involvement structure will be subject to the goals, objectives and guidelines described in this section. The public involvement opportunities described in each public involvement plan should be consistent with the guidelines that follow. The guidelines are more specific for certain types of long-term plans and programs. It is recognized that these activities vary significantly and that there are any number of methods that could be employed to meet the overall intent of providing adequate, accessible public involvement during the planning process.

The public involvement structure may be fully defined at the start of the process, or it may be developed in concept (outline format) initially and then refined as a scoping element of the plan, program or project.

GUIDELINES

The purpose of these guidelines is to ensure that all transportation plans, programs and project development activities requiring Metro action include public involvement prior to action by the Metro Council. These guidelines also will help ensure that the goals and objectives for Metro and local public involvement will be achieved.

How to use these guidelines:

All Metro plans, programs and project development activities are subject to the following guidelines. The guidelines for timeliness of notification are more restrictive for long-term, large-scale (i.e., "major") planning and programming efforts than for the other

activities. These long-term, large-scale activities include major updates to the Regional Transportation Plan and the Metropolitan Transportation Improvement Program. These are the two primary ongoing documents guiding improvements to the regional transportation system.

The regional planning process also involves other large-scale planning efforts, such as major planning studies of transportation needs in particular transportation corridors and subareas of the region. These major planning and programming activities are identified in Metro's Unified Work Program, have long-range significance and generally take more than one year to complete.

Metro's review of its regional transportation plans, programs and project development efforts will conform to the following guidelines:

1. Timeliness of notification

Provide minimum advance notice for public participation in regional transportation planning, programming and project development. Minimum required notice will depend on the type of plan, program or project development effort under review. Generally, notice for key decision points or kickoff for any major project, program or plan should be given to the mailing list, neighborhood associations and other stakeholders and interested parties at least 45 days in advance to allow a full cycle of neighborhood and community group meetings between notice and action. A longer lead time is desirable, if possible.

Notices of project kickoff should include information about how to join the project mailing list and how to participate in problem definition, goals and objectives and alternatives to be studied. If a citizen advisory committee (CAC) is to be used – it is optional for any particular plan or program – the advance notice should indicate that a CAC is being recruited. Notices of key decision points should outline how and when decisions will be made and how comment on decisions can be made. For other projects, advance notice will depend on the scope and schedule of the effort. It is recognized that each project is unique and that a very visible or targeted public information effort can somewhat compensate for a shortened time frame when necessary.

As appropriate, notice may be through an announcement on the Metro web site and transportation hotline, a mailing or a newspaper advertisement.

Two weeks' notice to the project mailing list is required for public involvement opportunities and informational activities, understanding that there may be special circumstances where this is not feasible or desirable. It is recognized that each planning activity is unique and that a very visible or targeted public information effort can somewhat compensate for a shortened time frame when necessary. Where possible, neighborhood associations and other interest groups should be notified 45 calendar days in advance. Examples of public involvement events include:

- public hearings or open houses to review proposed plans or programs
- neighborhood meetings or workshops to discuss proposed plans/scoping documents
- JPACT discussion of proposed work scope for major study/plan
- JPACT/Metro Council non-voting discussion of proposed plans/programs.

2. Notification methods

Notices of public hearings, meetings and other activities should be published in a newspaper of general circulation, such as The Oregonian. For projects that are not regional in scope and do not carry a federal requirement to publish regional notice, notice in community newspapers may be substituted. Other media (e.g., radio, television) should be used as needed. In addition, an up-to-date mailing list should be kept to directly notify affected and interested persons and groups. Each mailing list should include interested reporters and neighborhood group contacts. Examples of affected and interested parties are listed in Appendix C. The Metro web site should include listings of all public meetings and key decision points.

3. Content of notifications

Notifications should be easy to understand and provide adequate information and/or indicate how additional information can be obtained. To the extent possible, notifications of public involvement activities should include the following information:

- What action is being undertaken and an explanation of the process.
- What issues are open for discussion (e.g., regional significance).
- Who is holding the event/meeting and to whom comments will be made.
- How the comments will be used.
- How much time is scheduled for public comment at meetings.
- Who should be interested/concerned and what are the major issues.
- Who may be contacted by telephone, in writing or by other means to offer comments and/or suggestions.
- Future opportunities for comment and involvement.
- The purpose, schedule, location, and time of meetings.
- The location(s) where information is available.
- The comment period for written/oral comments.
- The process that may be available for supplementing or modifying the final plan or program (including identifying the anticipated time period for the next plan/program update).

4. Scheduling of meetings

Meetings and hearings should be scheduled to allow the best opportunity for attendance by the general public and interest groups.

5. Access to meetings

Meetings and hearings should be conducted in a convenient and fully accessible location. Meeting/hearing locations should be accessible by transit.

6. Form of communication

All technical and policy information should be summarized so that it is easily understood and usable by the public. The public also should have full access to technical data and analysis. To the extent possible, knowledgeable persons should be available to answer technical and policy questions at key public meetings and hearings. An opportunity should be provided for the public to initiate ideas as well as respond to plans, programs and project ideas proposed by staff.

7. Form and use of public comment

Comment should be invited from a broad range of sources. As appropriate, public comments will be used to revise work scopes and/or draft transportation plans and programs. Summaries of comments received will be up to date and will be forwarded to advisory committees and policy-makers considering the plans, programs and projects. Parties making comments (oral or written) should identify the organization they represent (if any).

8. Feedback/response to public comment

Comments should be responded to in a timely manner. As appropriate, comments and concerns may be addressed as a group rather than individually. A general summary of public comments and agency responses should be provided to participants in the regional planning process, while maintaining a complete record containing copies or transcripts of all public input for public review. For long term plans, programs and projects, a feedback mechanism should be established to occur regularly and to maintain public interest. Significant oral and written comments on the draft RTP and MTIP will become part of the final plan and MTIP.

9. Evaluation/refinement of public involvement process

The public involvement process should be evaluated for effectiveness at regular intervals, or upon the completion of major planning efforts. Major modifications to Metro's general public involvement process should be published for a 45-day public comment period prior to adoption.

10. Advisory committees

Citizen or policy advisory committees may be formed for transportation projects, but they are not required. If used, they are to comply with Title 2.19 of the Metro Code.

11. Remove barriers to involvement

Metro encourages public involvement and technical staff to use creative outreach methods. It is especially important to develop outreach when Metro goes to people rather than asking community members to come to Metro.

SECTION 4: RELATION OF THIS POLICY TO LOCAL PUBLIC INVOLVEMENT PROCESSES

Before a transportation project initiated by a local government can be included in a Metro plan or program, the sponsoring local jurisdiction must demonstrate that the local transportation plan or program – from which the project was drawn – incorporated adequate public involvement by completing the *Local public involvement checklist* (appendix H). This policy seeks to ensure the integrity of local decisions regarding projects (from local plans and programs) submitted for regional funding or other action. Discussion and review of local projects, for possible inclusion in Metro's plans and programs, will focus on regional issues only. Metro expects that local jurisdictions will resolve local issues during local planning and programming, prior to the time projects are forwarded to Metro.

SECTION 5: COMPLIANCE

Metro will be expected to comply with this policy. However, failure to exactly comply with the procedures contained in this policy shall not, in and of itself, render any decisions or actions invalid. If there is question of whether the policy's goals and objectives have been met by Metro's public involvement efforts, the dispute resolution process described later in this section shall apply. The dispute resolution process shall focus on whether Metro made a reasonable attempt to achieve the intent of the policy.

5. A. How the policy and its procedures will be applied

This policy establishes minimum standards for public involvement opportunities that Metro is expected to follow when producing transportation plans, programs and projects. It is recognized, however, that each planning activity is unique and that there may be special circumstances (e.g., extremely short time frame) where strict adherence to the guidelines may not be possible or desirable. Metro can employ a very visible or targeted public information effort to compensate somewhat in the event of an extremely short time frame for a particular activity.

5. B. Dispute-resolution process

The dispute-resolution process will focus on determining the degree of compliance with the guidelines contained in this policy. The extent to which the agency's actions met the intent of the policy by achieving the goals and objectives of procedures will be considered. If it is determined that Metro has not met the spirit of the guidelines contained in this policy, Metro may be required to conduct additional public involvement activities to ensure there has been adequate public review.

Questions of adequacy of compliance with this policy should first be addressed to Metro's planning director. If the dispute cannot be resolved by the planning director, it will be forwarded to Metro's chief operating officer for consideration. If the dispute cannot be resolved by the chief operating officer, it will be forwarded to the Metro Council.

5. C. Effective date of policy

This policy will become effective when it is adopted into the Regional Transportation Plan. From that point forward, conformance with this policy will be required for public involvement activities and adoption decisions pertaining to Metro's transportation plans, programs and project development activities. The following current or upcoming activities will be subject to this policy:

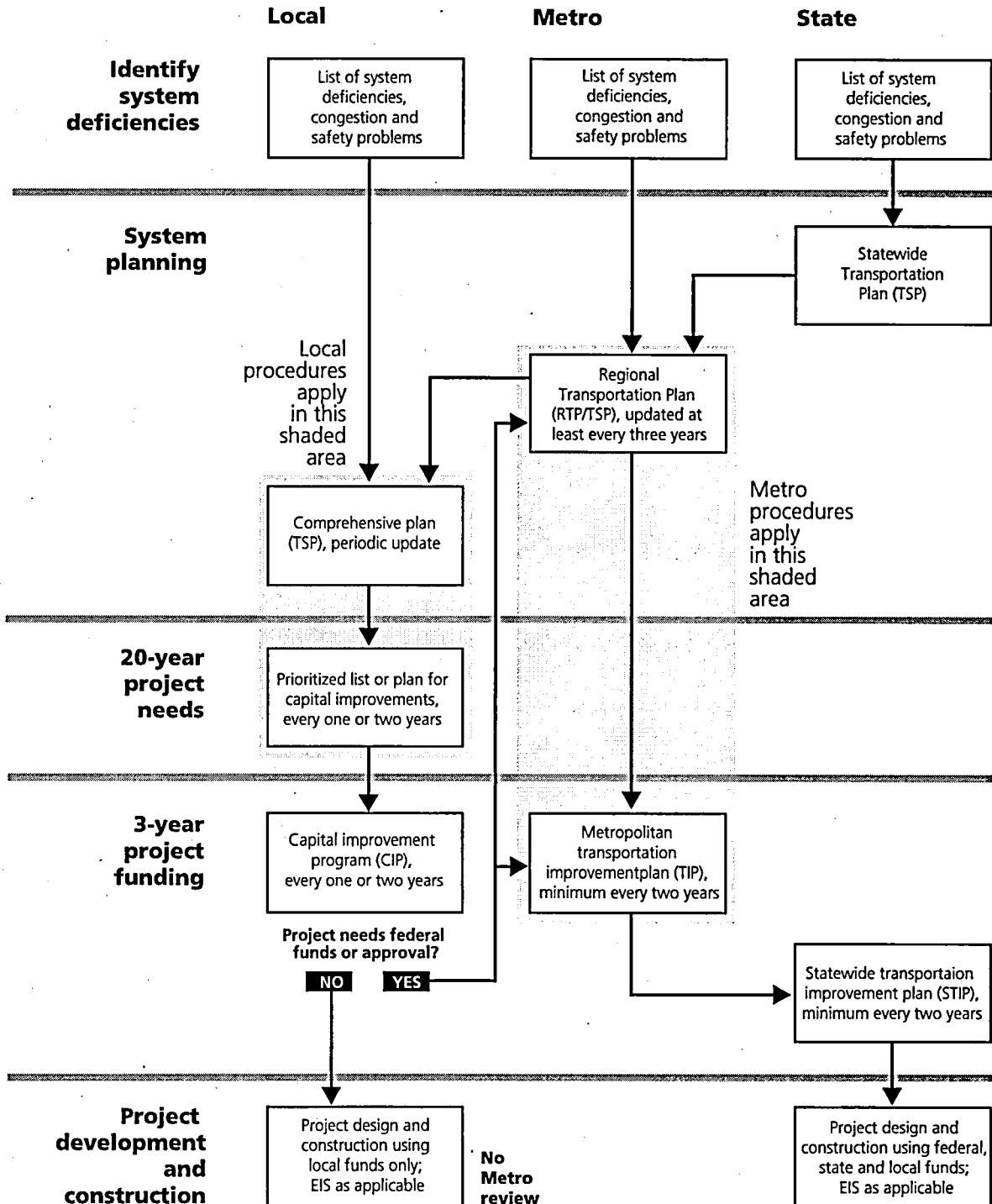
1. Metro transportation plans (e.g., Regional Transportation Plan: 2007 Update)
2. Metro transportation programs (e.g., Fiscal year 2006-09 Metropolitan Transportation Improvement Program)
3. Metro transportation project development activities (e.g., Highway 217 Corridor Study)

5. D. Amendments to policy

Metro will periodically, or at least every three years (consistent with ISTEA), review and evaluate this public involvement policy. Amendments to the policy will require a 45-day public comment period prior to adoption.

APPENDIX A

Transportation Planning and Programming Process



APPENDIX B

Glossary

Citizen advisory committee (CAC) – Selected for a specific issue, project or process, a group of citizens volunteer are appointed by Metro to represent citizen interests on regional transportation issues.

The Intermodal Surface Transportation Efficiency Act (ISTEA), signed into law on Dec. 18, 1991, provides regions and states with additional funding and more flexibility in making transportation decisions. The act places significant emphasis on broadening public participation in the transportation planning process to include key stakeholders, including the business community, community groups, transit operators, other governmental agencies and those who have been traditionally underserved by the transportation system. Among other things, the act requires the metropolitan area planning process to include additional considerations such as land use, intermodal connectivity, methods to enhance transit service and needs identified through the management systems.

The Joint Policy Advisory Committee on Transportation (JPACT) provides a forum for elected officials from area cities and counties and representatives of agencies involved in transportation to evaluate transportation needs and coordinate transportation decisions for the region and to make recommendations to the Metro Council.

The Metro Committee for Citizen Involvement (MCCI) was established (under a different name) by the Regional Urban Growth Goals and Objectives (RUGGO) in 1991. Committee members represent the entire area within the boundaries of Clackamas, Multnomah and Washington counties and are appointed by the Metro Council. According to its bylaws, the mission of the MCCI is to “advise and recommend actions to the Metro Council on matters pertaining to citizen involvement.”

The **Metro Council** is composed of six members elected from districts throughout the metropolitan region and a council president elected regionwide. The council approves Metro policies, including transportation.

Metropolitan planning organization (MPO) is an organization designated by the Governor to provide a forum for cooperative transportation decision-making for the metropolitan planning area. Metro is the MPO for the Oregon portion of the Portland-Vancouver metropolitan area.

Metropolitan Transportation Improvement Program (MTIP) – A staged, multi-year, intermodal program of transportation projects consistent with the metropolitan transportation plan.

Oregon’s statewide planning goals form the framework for a statewide land-use planning program. The 19 goals cover four broad categories: land use, resource management, economic development and citizen involvement. Locally adopted comprehensive plans must be consistent with the statewide planning goals.

Transportation disadvantaged/persons potentially under-served by the transportation system are identified in the ISTEA metropolitan area planning regulations as those individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability. This includes, but is not limited to, low-income and minority households. Persons who are unable to own and/or operate a private automobile (e.g., youth, the elderly and the disabled) also may be included in this category.

Regional Transportation Plan (RTP) – The official intermodal transportation plan developed and adopted through the metropolitan transportation planning process for the metropolitan planning area.

Metro's Regional Urban Growth Goals and Objectives (RUGGOs), adopted in 1991, produced an urban growth policy framework and represents the starting point for the agency's long-range regional planning program.

Signed into law on June 9, 1998, the **Transportation Equity Act for the 21st Century (TEA-21)** authorizes highway, highway safety, transit and other surface transportation programs for the years 1998 through 2003. TEA-21 builds on the initiatives established in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which was the last major authorizing legislation for surface transportation.

The Transportation Planning Rule was adopted in 1991 to implement Statewide Planning Goal 12 (Transportation). The rule requires the state's metropolitan areas to reduce reliance on the automobile by developing transportation system plans that improve opportunities for walking, biking and use of transit, demonstrate reductions in vehicles miles of travel per capita and in parking spaces per capita.

The Transportation Policy Alternatives Committee (TPAC) provides technical input to the JPACT policy-makers. TPAC's membership includes technical staff from the same governments and agencies as JPACT, plus representatives of the Federal Highway Administration and the Southwest Washington Regional Transportation Council. There are also six citizen representatives appointed by the Metro Council.

APPENDIX C

Interested and Affected Parties (examples)

The mailing list of interested and affected parties for any plan, program or project study may include but is not limited to the following. Notification lists should be appropriate to the project, its scope, timeline and budget.

Elected officials

Neighborhood associations

Property owners

Business groups

Users of the facility or corridor

Persons who have previously expressed interest in similar projects or related studies

Persons potentially under-served by the transportation system

APPENDIX D

Notification methods/strategies (examples)

Methods of notifying the public of opportunities for involvement may include but are not limited to:

- News bulletins
- Newsletters
- Public notices
- Distribution of flyers
- Public service announcements
- Electronic bulletin board
- Billboards
- Posters
- News stories
- Advertisements
- Mailings to interested/affected party's list

APPENDIX E

Opportunities for public involvement (examples)

Following are examples and ideas for strategies to provide for public involvement in transportation planning. Many of these ideas and descriptions are taken from "Innovations in Public Involvement for Transportation Planning," distributed jointly by the Federal Highway Administration and the Federal Transit Administration (January 1994). A copy of this document can be obtained from Metro.

This list is meant to provide ideas for consideration. Metro does not intend to prescribe specific strategies for use for any particular project. Jurisdictions are free to choose one or more of the following or to use any other appropriate strategies for their public involvement activities.

Brainstorming is a simple technique used in a meeting where participants come together in a freethinking forum to generate ideas. Used properly – either alone or in conjunction with other techniques – brainstorming can be a highly effective method of moving participants out of conflict and toward consensus.

A **charrette** is a meeting to resolve a problem or issue. Within a specified time limit, participants work together intensely to reach a resolution.

Citizen surveys assess widespread public opinion. A survey is administered to a sample group of citizens via a written questionnaire or through interviews in person, by phone, or by electronic media. The limited sample of citizens is considered representative of a larger group. Surveys can be formal (scientifically assembled and administered) or informal.

A **citizens' advisory committee** is a representative group of stakeholders that meets regularly to discuss issues of common concern. While citizens' advisory committees have been used for many years and the technique itself is not innovative, it can be used very creatively.

A **collaborative task force** is assigned a specific task with a time limit to come to a conclusion and resolve a difficult issue, subject to ratification by official decision-makers. It can be used on a project level or for resolving issues within a project. Its discussion can help agencies understand participants' qualitative values and reactions to proposals. It can aid in development of policies, programs, and services and in allocation of resources.

Focus groups are a tool used to gauge public opinion. Borrowed from the marketing and advertising industry, they define transportation as a product with the public as customers. Focus groups are a way to identify customer concerns, needs, wants, and expectations. They can inform sponsors of the attitudes and values that customers hold and why. Each focus group involves a meeting of a carefully selected group of individuals convened to discuss and give opinions on a single topic.

Media strategies inform the public about projects and programs through newspapers, radio, television and videos, billboards, posters and displays, mass mailings of brochures or newsletters, and distribution of flyers. Better information enhances public understanding of a project or program and is the basis of meaningful public involvement efforts.

A **period for written and oral comments** provides an opportunity for in-depth and more lengthy consideration and response by the public to draft recommendations. A comment period allows interested parties an opportunity to present their opinion on a particular project without the need for attending meetings or hearings.

Public meetings and hearings provide opportunities for information exchange. Public meetings present information to the public in any number of ways and obtain informal input from citizens. Held throughout the planning process, they can be tailored to specific issues or citizen groups and can be informal or formal. Public hearings are more formal events than public meetings and generally focus on a specific proposal or action. Held prior to a decision point, a public hearing gathers citizen comments and positions from all interested parties for public record and input into decisions. Facilitators can be used to effectively guide the discussions at meetings.

Telephone techniques make use of the telephone for two-way communication with the public. The telephone can be used to obtain information and to give opinions. Its use has entered a new era of potential applications to community participation, going beyond question-and-answer techniques toward the evolving new multi-media connections with television and computers.

A **transportation fair** is an event used to interest citizens in transportation and in specific projects or programs. It is typically a one-day event, heavily promoted to encourage people to attend. Attractions such as futuristic vehicles can be used to bring people to the fair, and noted personalities can also draw participants.

Video techniques use recorded visual and oral messages to present information to the public, primarily via videotapes or laser disks. Video information can be presented at meetings or hearings. Many households own a videotape player, which provides an additional opportunity for information dissemination.

Visioning leads to a goals statement. Typically it consists of a series of meetings focused on long-range issues. Visioning results in a long-range plan. With a 20- or 30-year horizon, visioning also sets a strategy for achieving the goals.

APPENDIX F

Public Involvement Provisions excerpted from the Metropolitan Area Planning regulations (23 CFR Part 450 Sub-part C)

§450.316 Metropolitan transportation planning process: Elements.

(1) Include a proactive public involvement process that provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and TIPs and meets the requirements and criteria specified as follows:

(i) Require a minimum public comment period of 45 days before the public involvement process is initially adopted or revised;

(ii) Provide timely information about transportation issues and processes to citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, other interested parties and segments of the community affected by transportation plans, programs and projects (including but not limited to central city and other local jurisdiction concerns);

(iii) Provide reasonable public access to technical and policy information used in the development of plans and TIPs and open public meetings where matters related to the Federal-aid highway and transit programs are being considered;

(iv) Require adequate public notice of public involvement activities and time for public review and comment at key decision points, including, but not limited to, approval of plans and TIPs (in nonattainment areas, classified as serious and above, the comment period shall be at least 30 days for the plan, TIP and major amendment(s));

(v) Demonstrate explicit consideration and response to public input received during the planning and program development processes;

(vi) Seek out and consider the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households;

(vii) When significant written and oral comments are received on the draft transportation plan or TIP (including the financial plan) as a result of the public involvement process or the interagency consultation process required under the U.S. EPA's conformity regulations, a summary, analysis, and report on the disposition of comments shall be made part of the final plan and TIP;

(viii) If the final transportation plan or TIP differs significantly from the one which was made available for public comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts, an additional opportunity for public comment on the revised plan or TIP shall be made available;

(ix) Public involvement processes shall be periodically reviewed by the MPO in terms of their effectiveness in assuring that the process provides full and open access to all;

(x) These procedures will be reviewed by the FHWA and the FTA during certification reviews for TMAs, and as otherwise necessary for all MPOs, to assure that full and open access is provided to MPO decision-making processes;

(xi) Metropolitan public involvement processes shall be coordinated with statewide public involvement processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and costs;

SECTION 450.322 (c): Metropolitan Transportation Plan

There must be adequate opportunity for public official (including elected officials) and citizen involvement in the development of the transportation plan before it is approved by the MPO, in accordance with the requirements of 450.316(b)(1). Such procedures shall include opportunities for interested parties (including citizens, affected public agencies, representatives of transportation agency employees, and private providers of transportation) to be involved in the early stages of the plan development/update process. The procedures shall include publication of the proposed plan or other methods to make it readily available for public review and comment and, in nonattainment [transportation management areas], an opportunity for at least one formal public meeting annually to review planning assumptions and the plan development process with interested parties and the general public. The procedures also shall include publication of the approved plan or other methods to make it readily available for information purposes.

SECTION 450.324 (c): Metropolitan Transportation Improvement Program (TIP)

There must be reasonable opportunity for public comment in accordance with the requirements of 450.316(b)(1) and, in nonattainment [transportation management areas], an opportunity for at least one formal public meeting during the TIP development process. This public meeting may be combined with the public meeting required under 450.322(c). The proposed TIP shall be published or otherwise make readily available for review and comment. Similarly, the approved TIP shall be published or otherwise made readily available for information purposes.

SECTION 450.326: TIP: Modification

Public involvement procedures consistent with 450.316(b)(1) shall be used in amending the TIP, except that these procedures are not required for TIP amendments that only involve projects of the type covered in 450.324(i).

APPENDIX G: DEVELOPMENT OF POLICY

This draft public involvement policy was developed by the Metro Committee for Citizen Involvement and the Transportation Policy Alternatives Committee. This policy incorporates input from public involvement and planning professionals and citizens in the region. Following a 45-day public review and comment period, the policy will be revised as appropriate and submitted to the Metro Council for adoption into the Regional Transportation Plan.

MCCI was established by the Regional Urban Growth Goals and Objectives process and re-affirmed by the 1992 Metro home-rule charter and is assisting the Metro Council in developing and reviewing public involvement procedures for all Metro activities, including planning.

TPAC includes staff from the region's governments and transportation agencies and has six citizen members. This committee provides technical advice on regional transportation issues to Metro's policy-makers. Metro staff also are assisting in development of the procedures and guidelines.

Adoption of the public involvement procedures will occur through review and action by Metro's policy-makers, including the Joint Policy Advisory Committee on Transportation and the Metro Council. JPACT provides a forum for elected officials and representatives of agencies involved in transportation to evaluate needs in the region and to make recommendations to the Metro Council. The Metro Council is composed of six members elected from districts throughout the metropolitan region and a council president elected region-wide. The council approves Metro policies, including transportation.

The draft public involvement procedures will be published for a 45-day public comment period. JPACT and the Metro Council will consider public comment in their review.

APPENDIX H: LOCAL PUBLIC INVOLVEMENT CHECKLIST

Local jurisdictions/project sponsors must complete this checklist for local transportation plans and programs from which projects are drawn which are submitted to Metro for regional funding or other action. Section 3.D of Metro's local public involvement policy for transportation describes the certification process, including completion of this checklist. See Section 3.D for information about the other certification steps.

If projects are from the same local transportation plan and/or program, only one checklist need be submitted for those projects. For projects not in the local plan and/or program, the local jurisdiction should complete a checklist for each project.

The procedures for local public involvement (Section 3) and this checklist are intended to ensure that the local planning and programming process has provided adequate opportunity for public involvement prior to action by Metro. To aid in its review of local plans, programs and projects, Metro is requesting information on applicable local public involvement activities. Project sponsors should keep information (such as that identified in italics) on their public involvement program on file in case of a dispute.

A. Checklist

- 1. At the beginning of the transportation plan or program, a public involvement program was developed and applied that met the breadth and scope of the plan/program. Public participation was broad-based, with early and continuing opportunities throughout the plan/program's lifetime.

Keep copy of applicable public involvement plan and/or procedures.

- 2. Appropriate interested and affected groups were identified and the list was updated as needed.

Maintain list of interested and affected parties.

- 3. Announced the initiation of the plan/program and solicited initial input. If the plan/program's schedule allowed, neighborhood associations, citizen planning organizations and other interest groups were notified 45 calendar days prior to (1) the public meeting or other activity used to kick off public involvement for the plan/program; and (2) the initial decision on the scope and alternatives to be studied.

Keep descriptions of initial opportunities to involve the public and to announce the project's initiation. Keep descriptions of the tools or strategies used to attract interest and obtain initial input.

- ❑ 4. Provided reasonable notification of key decision points and opportunities for public involvement in the planning and programming process. Neighborhood associations, citizen planning organizations and other interest groups were notified as early as possible.

Keep examples of how the public was notified of key decision points and public involvement opportunities, including notices and dated examples. For announcements sent by mail, document number of persons/groups on mailing list.

- ❑ 5. Provided a forum for timely, accessible input throughout the lifetime of the plan/program.

Keep descriptions of opportunities for ongoing public involvement in the plan/program, including citizen advisory committees. For key public meetings, this includes the date, location and attendance.

- ❑ 6. Provided opportunity for input in reviewing screening and prioritization criteria.

Keep descriptions of opportunities for public involvement in reviewing screening and prioritization criteria. For key public meetings, this includes the date, location and attendance. For surveys, this includes the number received.

- ❑ 7. Provided opportunity for review/comment on staff recommendations.

Keep descriptions of opportunities for public review of staff recommendations. For key public meetings, this includes the date, location and attendance. For surveys, this includes the number received.

- ❑ 8. Considered and responded to public comments and questions. As appropriate, the draft documents and/or recommendations were revised based on public input.

Keep record of comments received and response provided.

- ❑ 9. Provided adequate notification of final adoption of the plan or program. If the plan or program's schedule allows, the local jurisdiction should notify neighborhood associations, citizen participation organizations and other interest groups 45 calendar days prior to the adoption date. A follow-up notice should be distributed prior to the event to provide more detailed information.

Keep descriptions of the notifications, including dated examples. For announcements sent by mail, keep descriptions and include number of persons/groups on mailing list.

B. Certification Statement

(project sponsor)

certifies adherence to the local public involvement procedures developed to enhance public participation.

(signed)

(date)

C. Summary of Local Public Involvement Process

Please attach a summary (maximum 2 pages) of the key elements of the public involvement process for this plan, program or group of projects.

APPENDIX I: OREGON'S STATEWIDE PLANNING GOALS AND GUIDELINES

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process. The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies, and special-purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement – To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process.

The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

2. Communication – To assure effective two-way communication with citizens.

Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. Citizen Influence – To provide the opportunity for citizens to be involved in all phases of the planning process.

Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goals and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan, and Implementation Measures.

4. Technical Information – To assure that technical information is available in an understandable form.

Information necessary to reach policy decisions shall be available in a simplified, understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. Feedback Mechanisms – To assure that citizens will receive a response from policy-makers.

Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policy-makers. The rationale used to reach land-use policy decisions shall be available in the form of a written record.

6. Financial Support – To insure funding for the citizen involvement program.

Adequate human, financial, and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

A. Citizen involvement

1. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).

2. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land-use planning should provide information on land-use education to citizens, as well as develop and offer courses in land-use education which provide for a diversity of educational backgrounds in land-use planning.

3. In the selection of members for the committee for citizen involvement, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on the CCI; committee appointees should receive official notification of their selection; and committee appointments should be well publicized.

B. Communication

Newsletters, mailings, posters, mail-back questionnaires, and other available media should be used in the citizen involvement program.

C. Citizen influence

1. *Data Collection* – The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

2. *Plan Preparation* – The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the comprehensive land-use plans.

3. *Adoption Process* – The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

4. *Implementation* – The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out a comprehensive land-use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

5. *Evaluation* – The general public, through the local citizen involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

6. *Revision* – The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process to formally consider the proposed changes.

D. Technical information

1. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.
2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. Feedback mechanism

1. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policy-makers.
2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

F. Financial support

1. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.

Metro
People places • open spaces

Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy and good transportation choices for people and businesses in our region. Voters have asked Metro to help with the challenges that cross those lines and affect the 24 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to protecting open space, caring for parks, planning for the best use of land, managing garbage disposal and increasing recycling. Metro oversees world-class facilities such as the Oregon Zoo, which contributes to conservation and education, and the Oregon Convention Center, which benefits the region's economy.

Your Metro representatives

Metro Council President – David Bragdon

Metro Councilors – Rod Park, District 1; Brian Newman, deputy council president, District 2; Carl Hosticka, District 3; Susan McLain, District 4; Rex Burkholder, District 5; Rod Monroe, District 6.

Auditor – Alexis Dow, CPA

Metro's web site

www.metro-region.org

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 04-1045 FOR THE PURPOSE OF AMENDING THE 2000 REGIONAL TRANSPORTATION PLAN (RTP) FOR CONSISTENCY WITH THE 2004 INTERIM FEDERAL RTP AND STATEWIDE PLANNING GOALS

Date: April 13, 2004

Prepared by: Kim Ellis

PROPOSED ACTION

This ordinance would adopt amendments to the 2000 Regional Transportation Plan (RTP), the regional transportation system plan (TSP) and the regional functional plan for transportation, as required by ORS 268.390, and establish consistency with the state Transportation Planning Rule (TPR) and interim 2004 Federal RTP. No major changes to policies or projects are proposed. The proposed amendments focus on incorporating new transportation projects, and policy and technical updates that were approved in the 2004 Interim Federal RTP on Dec. 11, 2003. Metro is not required to update the regional transportation plan for state planning purposes until 2007.

The amendments to the 2000 RTP, included as Exhibits "A" and "B," are organized as follows:

- Policy Packet (Exhibit A, Part 1) – Chapter 1 of the Regional Transportation Plan (RTP) presents the overall policy framework for specific transportation policies, objectives and actions identified throughout the plan. It also sets a direction for future planning and decision-making by the Metro Council and the implementing agencies, counties and cities.

The Policy Packet includes functional map amendments to various modal system maps and policy text changes to Chapter 1 of the 2000 RTP to establish two tiers of industrial areas ("regionally significant" and "local") for the purpose of transportation planning and project funding. The amendments reflect changes recommended in local transportation plans adopted since 2000 that were endorsed by Metro as "friendly amendments" as part of the local review process, and policy discussions during the 2004 Interim Federal Update to the RTP.

- Project Packet (Exhibit A, Part 2) - Chapter 5 of the 2000 RTP includes a description of the priority system, which is intended to satisfy the state TPR requirements for an "adequate" system, as well as procedures and criteria in Chapter 6 for amending the projects. As the federally recognized system, the 2004 RTP financially constrained system is the source of transportation projects that are currently eligible for state and federal funding. New transportation projects amended into local plans since adoption of the 2000 RTP and that were included in the 2004 Interim Federal RTP financially constrained system would need to be amended into the 2000 RTP priority system in order to advance to project development planning and construction prior to 2007, when the next RTP update is required.

The Project Packet identifies a list of projects recommended for amendment into Chapter 5 of the 2000 RTP, which defines the 2020 RTP Priority System. The packet was limited to new projects recommended in local transportation plans or corridor studies adopted since 2000 and endorsed by Metro as "friendly amendments" as part of the local review process and that were included in the updated financially constrained system as part of the 2004 Federal Update. The amendments include project recommendations from the I-5 Trade Corridor Partnership Study, Powell/Foster Corridor Study (Phase 1), Pleasant Valley Concept Plan, Powell Boulevard Streetscape Study and the McLoughlin Boulevard Enhancement Plan. Projects that require goal exceptions findings have not be

recommended for inclusion in these amendments. Local jurisdictions will address their local land use regulations through the land use permitting process that will occur during the final design and construction phases of a particular project.

- **Technical Packet (Exhibit A, Part 3)** - Chapter 6 of the 2000 RTP establishes regional compliance with state and federal planning requirements, and sets requirements for city and county compliance with the RTP. This chapter also identifies future studies needed to refine the RTP as part of future updates. These future studies are consistent with state TPR provisions that require refinement planning in areas where a transportation need exists, but further analysis is required to define specific solutions. Since the 2000 RTP update, a number of corridor studies and concept plans for new urban areas have been completed, and approved by local or regional officials, or are about to be completed.

The Technical Packet incorporates several technical changes to Chapter 6 of the 2000 RTP that delete technical requirements that have been addressed through recently adopted corridor studies and frame future work that must still be completed as part of future updates to the RTP. The changes reflected in the technical amendments include recommendations from the following planning efforts: Powell-Foster Corridor study (Phase I), I-5 South – Wilsonville Area study and Regional Travel Option strategic planning.

- **Transportation Planning Public Involvement Policy (Exhibit B)** – The Transportation Planning Public Involvement Policy identifies public involvement standards that must be met when Metro develops transportation projects and programs. Standards include outreach to communities underserved by transportation projects, public notices and opportunities for comment. The policy also defines standards that local governments must meet when developing projects that are submitted to Metro for funding.

Exhibit B, as recommended by the Metro Committee for Citizen Involvement, incorporates updates identified during a periodic review of the transportation planning public involvement policy and consolidates Metro and local government public involvement standards related to transportation.

BACKGROUND

The most pressing need for amendments to the 2000 RTP is to establish regional consistency with statewide planning goals for policies and projects adopted in the 2004 Interim Federal RTP to allow projects to advance toward project development and possibly construction during the period in which separate state and federal RTP documents exist.

On December 11, 2003, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2004 Interim Federal Regional Transportation Plan (RTP) by Resolution No. 03-3380A. The 2004 RTP update was narrowed to include only those amendments needed to address federal planning regulations and ensure continued certification by federal agencies. As a result, the 2004 update focused on updating the 2000 RTP financially constrained system. Amendments to the plan that address state planning goals and Transportation Planning Rule requirements were deferred to the next scheduled update, due for completion in 2007.

As a result, Metro now has two, regional transportation plans in place that serve separate purposes:

- **2000 RTP meets state planning requirements and serves as the basis for land use decisions in the region**
In 1991, the Land Conservation and Development Commission adopted the Oregon Transportation Planning Rule (TPR). The TPR implements State Land Use Planning Goal 12,

Transportation, which was adopted by the Oregon Legislature in 1974. The TPR requires most cities and counties and the state's four MPOs (including Metro) to adopt transportation system plans that consider all modes of transportation, energy conservation and avoid principal reliance on any one mode to meet transportation needs. By state law, local plans in MPO areas must be consistent with the regional transportation system plan (TSP).

In the Portland region, the existing 2000 RTP and 2020 priority system serves as the regional Transportation System Plan (TSP) that meets state planning requirements, as required by the Transportation Planning Rule. As the regional TSP, the 2000 RTP serves as the regional strategy for addressing transportation needs, integrating land use and transportation to implement the 2040 Growth Concept, and determining whether regional transportation projects are consistent with state planning goals until the next RTP update. Metro is not required to update the regional TSP until 2007.

- **2004 Interim Federal RTP meets federal planning requirements**

The 2004 Interim Federal RTP and 2025 financially constrained system is the "federally recognized" transportation plan that meets federal planning requirements. Projects that are included in the 2025 Financially Constrained System are eligible to receive state and federal funds and have been demonstrated to conform with the Clean Air Act. Metro is not required to update the federal plan until 2007.

Because the amendments to the 2000 RTP represent more of a "housekeeping" effort, the emphasis in the public comment period will be on the proposed changes to the plan, not the overall 2000 RTP document.

Public Comment Opportunities

A public comment period was held on the proposed Transportation Planning Public Involvement Policy updates from February 2 to March 18, 2004. The updated policy was available for review on Metro's website, and printed copies were available upon request. A single comment was received on the policy. The Metro Committee for Citizen Involvement approved the revised public involvement policy in April, which reflected comments received during the comment period.

A second public comment period was held on the proposed policy, project and technical amendments was held from April 15 to June 1, 2004. Because this update of the RTP constitutes a "housekeeping" effort, the emphasis in the public comment period was on the staff recommended changes to the plan as identified in the public review document, not the overall RTP document. The proposed amendments were consolidated into a single public review document that was available for review on Metro's website. The Metro Council held a public hearing on May 13, 2004 on Exhibits "A" and "B."

The Metro Council is being asked to approve Exhibits "A," "B" and "C" and direct this Ordinance, and Exhibits "A," "B" and "C" upon its adoption by the Metro Council be submitted to the Department of Land Conservation and Development for review and acknowledgement that these documents are consistent with statewide planning goals.

ANALYSIS/INFORMATION

1. Known Opposition

None known.

2. Legal Antecedents

Previous related Metro Council actions include:

- Metro Ordinance No. 00-869A, adopting the 2000 RTP as the regional transportation system plan for the Portland metropolitan region.
- Metro Resolution No. 02-3186A, amending the 2000 RTP and 2002 MTIP to incorporate OTIA bond projects.
- Metro Ordinance No. 02-946A, amending the 2000 RTP to incorporate post-acknowledgement amendments to the 2000 RTP.
- Metro Ordinance 03-1007A, amending the 2000 RTP to incorporate the two phases of the South Corridor Study.
- Metro Resolution 03-3351, amending the 2000 RTP and MTIP to incorporate the South Corridor LRT Project recommendations.
- Metro Resolution 04-3080A, approving the 2004 Federal Update to the Regional Transportation Plan as the Federal Metropolitan Transportation Plan to meet federal planning requirements.

3. Anticipated Effects

Approval of this Ordinance completes an interim update to the 2000 RTP to meet federal planning requirements and allows projects in the updated 2004 RTP financially constrained system to be funded and allowed to proceed to project development, and possibly construction, during the development of the 2007 RTP. Projects, in particular, need to be included in both documents in order to receive federal and state funding and move forward to construction during the period when separate state and federal transportation plans are in place. Several projects are under consideration for federal earmarks and state funding through the Oregon Transportation Investment Act III.

The Council is considering a budget proposal to postpone the next scheduled update to the RTP to allow more staff resources to be devoted to the 2040 Re-evaluation. This proposal would defer the bulk of the next RTP update to 2006-07, which would still meet state and federal planning requirements. In the interim, Metro will likely be asked amend the RTP, as necessary, to incorporate projects resulting from corridor studies or other transportation planning efforts.

If this proposal is approved, staff recommends that an explanatory handout be provided for the general public in the short term, since a Fall 2004 start to the next RTP update has been widely discussed.

4. Budget Impact

None.

RECOMMENDED ACTION

Adopt Ordinance 04-1045.

Agenda Item Number 4.2

**Ordinance No. 04-1049, For the Purpose of Council Approval for Amending Metro Code Section 5.02.060
Relating to the Metro Solid Waste Credit Policy.**

First Reading

**Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber**

be assessed on negotiated repayment schedules. Payments will be applied first to finance charges and then to the oldest amount past due. In addition to any other finance charge or fee, any account that has been forwarded to any collection agency for collection will also be charged a collection fee in the amount of 30% of the past-due balance owing at the time of collection.

- (e) An account that is 15 days past due, as defined in 5.02.060(c), may be placed on a cash only basis, until all past due disposal and finance charges are paid. An account that has been placed on a cash only basis more than twice during any 12-month period may be closed. Facility access may be denied to a person whose account is past due and unpaid for 30 days. A decision to place an account on a cash only basis or deny facility access shall be at the discretion of the ~~Director of the Department of Administrative Services~~ Chief Financial Officer
- (f) An account customer that sells, terminates, or makes a substantial change in the scope of its business after its application for credit has been approved must notify Metro immediately. Failure to provide the notice required by this subsection may result in termination of credit at Metro facilities pending reapplication for credit.
- (g) The Department of Finance and Administrative Services may adjust accounts receivable and reverse finance charges in accordance with prudent credit practices. Adjustments over \$500 \$1,000 shall be reported to the council in writing on a monthly basis, ~~and adjustments over \$10,000 shall require council approval.~~
- (h) The Chief Operating Officer may end pursuit of an account receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further collection costs. Such action shall be reported to the council in writing on a monthly basis when the amount exceeds \$500, \$1,000, and amounts over \$10,000 shall require council approval.

ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

Attest:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 04-1049, FOR THE PURPOSE OF COUNCIL APPROVAL FOR AMENDING METRO CODE section 5.02.060 RELATING TO THE METRO SOLID WASTE CREDIT ACCOUNT POLICY

Date: April 8, 2004

Prepared by: Bill Stringer

BACKGROUND

There is a need to update Metro's credit account policy to improve efficiency in the Finance Department and credit management and administrative procedures.

ANALYSIS/INFORMATION

1. **Known Opposition** None
2. **Legal Antecedents** Metro code section 5.02.060
3. **Anticipated Effects**
 - Clarification of the date upon which Metro will impose a past-due charge for customers
 - More cost effective credit management and collections procedure
 - Increased efficiency in Finance with improved credit management and administrative procedures
4. **Budget Impacts** No direct budget impact. Improvement of the credit management procedure might decrease number of collection accounts.

RECOMMENDED ACTION

Approve proposed amendment of Metro Code section 5.02.060.

Agenda Item Number 4.3

**Ordinance No. 04-1050, For the Purpose of Amending Section 4.01.050(B) of the Metro Code to
Provide for Reduced Admission Day at the Oregon Zoo.**

First Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) Ordinance No. 04-1050
SECTION 4.01.050(B) OF THE METRO)
CODE TO PROVIDE FOR A REDUCED)
ADMISSION DAY AT THE OREGON ZOO) Introduced by Council President David Bragdon

WHEREAS, the Oregon Zoo recognizes the need to offer reduced admission prices to the community; and

WHEREAS, the Oregon Zoo's free admission day has caused traffic congestion and safety and security issues; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Metro Code Section 4.01.050 is amended to read as follows:

"4.01.050 Admission Fees and Policies

(a) Regular Fee Schedule

Adult (12 years and over)	\$9.00
Youth (3 years through 11 years)	\$6.00
Child (2 years and younger)	Free
Senior Citizens (65 years and over)	\$7.50

(b) Free and Reduced Admission

- (1) The Director may set free or reduced price admission rates for groups, special events, or as otherwise in accordance with this Chapter.
- (2) A free admission pass will entitle the holder only to enter the Zoo without paying an admission fee.
- (3) A reduced admission pass will entitle the holder only to enter the Zoo by paying a reduced admission fee.
- (4) Free or reduced admission passes may be issued to the following groups or individuals and shall be administered as follows:
 - (A) Metro employees shall be entitled to free regular Zoo admission upon presentation of a current Metro employee identification card.

- (B) Metro elected officials shall be entitled to free admission.
- (C) Free admission passes in the form of volunteer identification cards may, at the Director's discretion, be issued to persons who perform volunteer work at the Zoo. Cards shall bear the name of the volunteer, shall be signed by the Director, shall be non-transferable, and shall terminate at the end of each calendar year or upon termination of volunteer duty, whichever date occurs first. New identification cards may be issued at the beginning of each new calendar year for active Zoo volunteers.
- (5) Admission to the Zoo shall be at a reduced rate for all persons during a portion of a day each month, as determined by the Director.

(c) Special Events. The Zoo, or portions thereof, may be utilized for special events designed to enhance Zoo revenues during hours that the Zoo is not normally open to the public. The number, nature of, and admission fees for such events shall be determined by the Zoo Director.”

ADOPTED by the Metro Council this ____ day of _____ 2004.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 04-1050, FOR THE PURPOSE OF AMENDING METRO CODE SECTION 4.10.050, TO PROVIDE FOR A REDUCED ADMISSION DAY AT THE OREGON ZOO

Date: April 9, 2004

Prepared by: Tony Vecchio

BACKGROUND

The Oregon Zoo offers free admission to all visitors on the second Tuesday of each month from 1:00 PM until closing. On the free Tuesday in August of 2003, the Zoo accommodated over 16,500 visitors, a record high attendance, which resulted in safety issues for the visitors on grounds, parking issues, and significant traffic issues resulting in complaints from ODOT due to congestion impacting downtown traffic throughout the afternoon and evening. In addition, the Zoo faces significant financial pressure due to the extra staffing for gate and security staff required on those days without supporting admission revenue. The Zoo is also missing revenue opportunities, especially during the summer months, where tourists make up a large portion of our visitors.

The impact on social service agencies will be mitigated through complimentary Zoo admission passes for those groups who cannot otherwise afford to come to the Zoo.

ANALYSIS/INFORMATION

1. **Known Opposition** None known.
2. **Legal Antecedents** Metro Code Section 4.01.050 Admission Fees and Policies identifies policies on Zoo admission fees, and requires the Zoo to offer free admission for all persons during a portion of a day each month, to be designated by the Director.
3. **Anticipated Effects** Anticipated effects include less crowds and additional revenue generated on the reduced admission days. The impact on social services groups will be mitigated through complimentary passes for less busy days. This will decrease safety and security issues and reduce traffic congestion.
4. **Budget Impacts** Additional revenue will be generated.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this ordinance.

Agenda Item Number 5.1

Ordinance No. 03-1021A, For the Purpose of Amending Title 4 of the Urban Growth Management Functional Plan to Improve its Protection of Industrial Land and to Make Corrections.

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING TITLE 4) Ordinance No. 03-1021A
OF THE URBAN GROWTH MANAGEMENT)
FUNCTIONAL PLAN TO IMPROVE ITS) Introduced by Michael J. Jordan, Chief Operating
PROTECTION OF INDUSTRIAL LAND AND) Officer with the concurrence of David Bragdon,
TO MAKE CORRECTIONS) Council President

WHEREAS, by Ordinance No. 02-969B on December 5, 2002, the Metro Council amended Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan (UGMFP) in order to increase the capacity of Industrial Areas for industrial uses and to encourage non-industrial uses to locate in Centers and other 2040 Growth Concept design types; and

WHEREAS, the purpose section of Title 4 declared the Council's intention to consider amendments to the title as part of Metro's current periodic review; and

WHEREAS, local governments and others have asked for clarification of some of the provisions of Title 4 to aid in its implementation and to correct certain provisions in the title; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Title 4 (Industrial and Other Employment Areas) of the UGMFP, is hereby amended as indicated in Exhibit A, attached and incorporated into this ordinance, to improve the implementation of Title 4 by cities and counties of the region.
2. The Findings of Fact and Conclusions of Law in Exhibit B, attached and incorporated into this ordinance, explain how these amendments comply with the Regional Framework Plan and state planning laws.
3. The Chief Operating Officer shall submit this ordinance and its exhibits to the Land Conservation and Development Commission no later than June 30, 2004, as part of Metro's completion of Task 2 of periodic review pursuant to LCDC's Partial Approval and Remand Order 03-WKTASK-001524 dated July 7, 2003.

ADOPTED by the Metro Council this ____ day of _____ 2003.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit A to Ordinance No. 03-1021A

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong economic climate. To improve the region's economic climate, the plan seeks to protect the supply of sites for employment by ~~limiting incompatible uses within the types and scale of non-industrial uses in Regionally Significant Industrial Areas, Industrial Areas and Employment Areas.~~ To protect the capacity and efficiency of the region's transportation system for movement of goods and services and to promote the creation of jobs in centers, the plan encourages efficient patterns and mixes of uses within designated Centers and ~~discourages~~ limits certain kinds of commercial retail development outside Centers. It is the purpose of Title 4 to achieve these policies. Given the need for flexibility in planning for future industrial and commercial development, Metro will consider amendments to this title in order to make the title consistent with new policies on economic development adopted evaluate this title, using performance measures and indicators established pursuant to Title 9 (Performance Measures), as part of its periodic review analysis of the urban growth boundary pursuant to ORS 197.299.

3.07.420 Protection of Regionally Significant Industrial Areas

- A. ~~Regionally Significant Industrial Areas are those areas that offer the best opportunities for family-wage industrial jobs. Each city and county with land use planning authority over areas shown on the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969~~ Employment and Industrial Areas Map shall derive specific plan designation and zoning district boundaries of the areas from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in subsections C, and D and E of this section and the need of individual cities and counties to achieve a mix of types of employment uses.
- B. Each city and county with land use planning authority over an area designated by Metro on the 2040 Growth Concept Map, as amended by Ordinance No. 02-969B, as a Regional Significant Industrial Area shall, as part of compliance with ~~Section 3.07.1120 Title 11 (Planning for New Urban Areas)~~ of the Urban Growth Management Functional Plan, derive plan designation and zoning district boundaries of the areas from the Growth Concept Map.
- C. After determining boundaries of Regionally Significant Industrial Areas ~~pursuant to subsections A and B as prescribed in this section,~~ the city or county shall ~~adopt implementing ordinances that limit development in the areas to industrial uses, uses accessory to industrial uses, offices for industrial research and development and large corporate headquarters in compliance with subsection E of this section, utilities, and those non-industrial uses necessary to serve the needs of businesses and employees of the areas. Ordinances shall not allow financial, insurance, real estate or other professional office uses unless they are accessory to an industrial or other permitted use.~~ revise its implementing ordinances to limit uses to the following:
1. Industrial uses;
 2. Offices for industrial companies, including research and development; and
 3. Uses that support industrial activities, such as utility facilities and services, employee training facilities, and occupational rehabilitation clinics; and

4. The following non-industrial uses:

- a. Retail commercial uses, such as stores and restaurants, subject to subsection D of this section;
- b. Processing centers, such as call centers, and offices for non-industrial companies and services, such as corporate headquarters, professional services, and medical clinics, all subject to subsection D of this section;
- c. Retail sales of products manufactured on the site; and
- d. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public.

D. ~~Notwithstanding subsection C, a~~ A city or county shall not approve:

- 1. ~~A commercial retail use with more than~~ A retail commercial use described in 3.07.420C(4)(a) that would occupy more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or
- 2. ~~Commercial~~ Retail commercial uses described in 3.07.420C(4)(a) or processing centers or offices described in 3.07.420C(4)(b) that would occupy more than five percent of the net developable portion of all contiguous land within that portion of any Regionally Significant Industrial Areas subject to its land use planning jurisdiction.

E. ~~As provided in subsection C of this section, a city or county may approve an office for industrial research and development or a large corporate headquarters if:~~

- 1. ~~The office is served by public or private transit; and~~
- 2. ~~If the office is for a corporate headquarters, it will accommodate for the initial occupant at least 1,000 employees.~~

FE. A city or county may allow division of lots or parcels into smaller lots or parcels as follows:

- 1. Lots or parcels less than 50 acres may be divided into any number of smaller lots or parcels.
- 2. ~~Lots or parcels larger than 50 acres or larger~~ Lots or parcels larger than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields the maximum number of lots or parcels at least one lot or parcel of at least 50 acres.
- 3. Lots or parcels 50 acres or larger created pursuant to paragraph (2) of this subsection may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the lot or parcel has been developed with industrial uses described in 3.07.420C(1) or (2).

34. Notwithstanding paragraphs 2, 3 and of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

- a. To provide public facilities and services;
- b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
- c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use;
- ~~d. To reconfigure the pattern of lots and parcels pursuant to subsection G of this section; or~~
- ed. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

~~G. A city or county may allow reconfiguration of lots or parcels less than 50 acres in area if the reconfiguration would be more conducive to a permitted use and would result in no net increase in the total number of lots and parcels. Lots or parcels 50 acres or greater in area may also be reconfigured so long as the resulting area of any such lot or parcel would not be less than 50 acres.~~

HE. Notwithstanding subsections C and D of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floor area and 10 percent more land area. Notwithstanding subsection ~~F~~ E of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to December 31, 2003. A city or county may allow a change from industrial use to a non-industrial use described in 3.07.420C(4) so long as the changes falls within the limitation prescribed in subsection D(2) of this section.

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

3.07.430 Protection of Industrial Areas

- A. ~~In Industrial Areas mapped pursuant to Metro Code section 3.07.130 that are not Regionally Significant Industrial Areas, cities and counties shall limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Industrial Areas.~~
- B. ~~In an Industrial Area, a city or county shall not approve:~~
1. ~~A commercial retail commercial use with described in 3.07.420C(4)(a) that would occupy more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or~~
 2. ~~Commercial retail commercial uses described in 3.07.420C(4)(a) or processing centers or offices described in 3.07.420C(4)(b) that would occupy more than ten percent of the net developable portion of the area or any adjacent land within that portion of any Industrial Area subject to its land use planning jurisdiction.~~
- C. ~~Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floorspace floor area and 10 percent more land area. A city or county may allow a change from industrial use to another use so long as the change falls within the limitation prescribed in subsection B(2) of this section.~~

3.07.440 Protection of Employment Areas

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

3. The comprehensive plan provides for transportation facilities adequate to serve other uses planned for the Employment Area over the planning period.
- E. A city or county may authorize new commercial retail uses with more than 60,000 square feet of gross leasable area in Employment Areas if the uses:
1. Generate no more than a 25 percent increase in site-generated vehicle trips above permitted non-industrial uses; and
 2. Meet the Maximum Permitted Parking – Zone A requirements set forth in Table 3.07-2 of Title 2 of the Urban Growth Management Functional Plan.

STAFF REPORT

FOR THE PURPOSE OF AMENDING TITLE 4 OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN TO IMPROVE ITS PROTECTION OF INDUSTRIAL LAND AND TO MAKE CORRECTIONS

ORDINANCE NO. 03-1021A

FOR THE PURPOSE OF AMENDING THE EMPLOYMENT AND INDUSTRIAL AREAS MAP TO ADD REGIONALLY SIGNIFICANT INDUSTRIAL AREAS IN COMPLIANCE WITH SUBSECTION J OF SECTION 3.07.420 OF TITLE 4 (INDUSTRIAL AND OTHER EMPLOYMENT AREAS) OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

ORDINANCE NO. 03-1022A
Introduced by Michael Jordon, Chief Operating Officer with the concurrence of David Bragdon, Council President

Date: October 22, 2003

Prepared by: Mary Weber

BACKGROUND

The Metro Council adopted new measures to protect and maintain the supply of industrial land for future industrial uses. Ordinance 02-969B, adopted on December 5, 2002, amended the Title 4 Industrial and Other Employment Areas regulations in order to increase the capacity of industrial areas for industrial uses and to encourage non-industrial uses to locate in Centers and other 2040 design type areas. Also in this ordinance the Metro Council created a new 2040 design type entitled Regionally Significant Industrial Areas (RSIA). The Metro Council adopted a generalized map of RSIA's depicting certain industrial areas that lay within the urban growth boundary (UGB). The new Title 4 language requires that the Metro Council delineate specific boundaries for the RSIA's derived from the generalized map by December 31, 2003. Together these two ordinances, Title 4 regulations, Ordinance 03-1021 and mapping of the RSIA's, Ordinance 03-1022, address the State requirements to show how the region is using its industrial lands efficiently.

The new Title 4 regulations specifically limit the amount and square footage of retail and office uses that might otherwise find industrial locations suitable for business. The 2002-2022 Urban Growth Report: An Employment Land Need Analysis (UGR) estimates that approximately 2,800 acres of the supply/need vacant industrial land is developed for non-industrial uses. The UGR assumes a potential savings of 1,400 acres of industrial land from implementing the new measures.

As reported in the UGR, the total vacant industrial land need is 9,366 net acres. The industrial land need estimate assumes that 2,800 acres of the industrial land is consumed by non-industrial uses.

	Net Vacant Acres
Demand	9,366
Supply	3,681
Deficit (Net need)	5,685
RSIA Policy Savings	1,400
Adjusted Deficit	4,285
2002 Decision	2,317
Deficit	1,968

Staff has been working with local governments to identify Title 4 Industrial lands as RSIA's for the pre-2002 UGB area. As part of this process, local governments identified several implementation issues that they asked Metro to address. Several local governments were reluctant to work with Metro on mapping the RSIA's until the code issues were addressed. Primarily, the issues had to do with clarification of the code. The issues are:

- clarification of what are accessory uses and whether they are counted as part of the 5% commercial
- retail cap;
- clarification of how to treat airport facilities
- how to calculate the retail sales cap for RSIA's that cross multiple jurisdictions
- locating corporate headquarters of industrial uses in a location different than the main manufacturing facility
- reuse of office buildings in industrial zones and three implementation issues, (1) creating non-conforming uses, (2) financing and (3) enforcement, and;
- do large parcels (50 acres) stay large parcels forever, or can they be subdivided over time with conditions

Staff also took this opportunity to do some housekeeping changes to Title 4 code. The recommended code changes are contained in proposed Ordinance 03-1021.

Metro staff, after consultation with cities, counties and other interests, developed a set of factors to consider in the identification of RSIA's. These factors reflect the locational and siting characteristics from Metro Council Resolution No. 03-3341A. As directed by Title 4, Metro staff worked with cities and counties in the region to apply the factors to designated Industrial Areas within their jurisdictions. Several local governments, Portland, Gresham, Wilsonville and Clackamas County, submitted recommended Industrial Areas for consideration as RSIA's. Striving for region-wide consistency, Metro staff also applied the factors to areas in cities and counties that chose not to submit candidate areas. The factors are:

- Distribution - Area serves as support industrial land for major regional transportation facilities such as marine terminals, airports and rail yards.
- Services - Availability and access to specialized utilities such as specialty gases, triple redundant power, abundant water, dedicated fire and emergency response services
- Access - Within 3 miles of I-5, I-205, I-84 (within the UGB), State Route 224 (within the UGB)
- Proximity - Located within close proximity of existing like uses
- Use - Predominantly industrial uses

Ordinance 03-1021 – Code Changes

Staff has worked with local governments to resolve most of the implementation issues. The recommended changes to the Title 4 code represents this work. Two issues remain unresolved to the satisfaction of some local governments and that is the issue of subdivision of 50+ acre parcels overtime and reuse of new industrial office buildings. The Metro Council stated that these two issues are policy issues not clarification issues and that at the next periodic review cycle the Metro Council would evaluate Title 4. Included in this staff report as attachment 1 are written comments from local government regarding the code language.

Ordinance 03-1022 – Mapping RSIA's

Staff conducted a general assessment of the areas on the *Potentially Regionally Significant Industrial Area* map (included as attachment 2) and found that the following areas meet the factors and are also lands that meet the general site and location criteria for industrial uses.

- Areas 1 – Hillsboro industrial area, south of Highway 26
- Areas 2, 3-4, 5 and 6 – Northwest Industrial Area, Rivergate, Swan Island and Columbia Corridor
- Area 12 - Clackamas distribution area around Hwy 212/224
- Area 14 - Brooklyn Yards

As part of the analysis staff also presented to the Metro Council areas to be considered in the future for designation as RSIA's:

- Area 9, Wilsonville industrial area
- Area 10, Tualatin industrial area
- Area 7, Troutdale industrial area

These areas, as they exist today, are local industrial districts. In the case of Wilsonville and Tualatin, if additional lands were added to the UGB for industrial uses and the I-5/99W connector improved truck access to I-5 then these areas would be appropriate for designation as RSIA's. In regard to Troutdale, the uses are local in nature and there is no opportunity to expand the industrial area or connect it to the Columbia South Shore industrial area. However, if the Reynolds Metals site were to redevelop as an intermodal facility, much of the area would redevelop into uses supporting an intermodal facility. If this were the case then the Troutdale industrial area would also be appropriate for designation as a RSIA.

The Metro Council at their worksession on October 21 directed staff to include the local government recommendations, Metro staff recommendations and also add to the map accompanying the Ordinance 03-1022, Area 7 in Troutdale, Area 10 in Tualatin and Area 9 in Wilsonville and a portion of Area 15, the "Brickyards site" in Gresham from the *Potentially Regionally Significant Industrial Area* map. The Metro Council draft Title 4 map that includes the recommended RSIA's is attachment 3.

To better estimate the savings gained in efficiency from the Title 4 regulations, Metro staff recommends taking additional time to calculate the savings. This analysis will be completed prior to the Metro Council's UGB decision in June, 2004.

Known Opposition

A number of local jurisdictions have concerns regarding the perceived loss of flexibility from the adopted RSIA regulations. Staff was able to work with local staff to resolve several of the implementation issues. However, there are two outstanding issues that were not resolved. The issues are:

- Reuse of new industrial office building by non-industrial uses
- Subdivision over time of parcels that are 50 acres or larger

Legal Antecedents

Title 4 is part of the adopted and acknowledged Growth Management Functional Plan. Authority to amend the 2040 Growth Concept map comes from ORS 268.380 and ORS 268.390(5). The authority to amend the Employment and Industrial Areas Map comes from Ordinance No. 02-969B.

Anticipated Effects

Adoption of Ordinance 03-1022 will result in fulfilling the requirements in Metro code section 3.07.420I, which requires Metro to adopt a map of Regionally Significant Industrial Areas with specific boundaries that is derived from the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969B.

Adoption of Ordinance 03-1021 resolves several implementation issues and gives local governments clearer instructions as to the Metro Council's intent.

The effective date of the new Title 4 regulations is March 5, 2004. Local governments have one year to adopt a local map and make changes to their codes. Local government compliance is anticipated for March 5, 2005.

Budget Impacts

The new regulations go into effect in March of 2004. Metro Council regularly budgets for planning staff to work with local government on compliance issues. Additional excise tax will be needed for Data Resource Center research services to establish the amount of commercial retail development that exists in the Title 4 RSIA's and Industrial areas. This analysis is needed so that Metro can give guidance to local governments about the amount of commercial retail development that may be allowed on the vacant industrial lands in these areas. Sections 3.07.420D(2) and 3.07.430B(2) of the Metro code limits commercial retail uses to five or ten percent of the net developable portion of all contiguous RSIA's and Industrial areas. It will be necessary to establish a "base line" from which to evaluate proposals

RECOMMENDED ACTION

Adopt Ordinances 03-1021A and 03-1022A.

Agenda Item Number 5.2

Ordinance No. 04-1022A, For the Purpose of Amending the Employment and Industrial Areas Map to Add Regionally Significant Industrial Areas in Compliance with Subsection J of Section 3.07.420 of Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan.

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) Ordinance No. 03-1022A
EMPLOYMENT AND INDUSTRIAL AREAS MAP)
TO ADD REGIONALLY SIGNIFICANT)
INDUSTRIAL AREAS IN COMPLIANCE WITH)
SUBSECTION J OF SECTION 3.07.420 OF TITLE)
4 (INDUSTRIAL AND OTHER EMPLOYMENT) Introduced by Michael J. Jordan, Chief
AREAS) OF THE URBAN GROWTH) Operating Officer with the concurrence of
MANAGEMENT FUNCTIONAL PLAN) David Bragdon, Council President

WHEREAS, the Metro Council adopted an Employment and Industrial Areas Map as part of Title 4 (Retail in Employment and Industrial Areas) in Ordinance No. 96-647C on November 21, 1996; and

WHEREAS, the Council amended the Regional Framework Plan ("RFP") by Exhibit D to Ordinance No. 02-969B, adopted on December 5, 2002, to establish a new 2040 Growth Concept design type entitled "Regionally Significant Industrial Area" ("RSIA") and to add Policies 1.4.1 and 1.4.2 to protect such areas by limiting conflicting uses; and

WHEREAS, by Exhibit F to Ordinance No. 02-969B the Council amended Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan ("UGMFP") to implement Policies 1.4.1 and 1.4.2 of the RFP; and

WHEREAS, by Exhibit E of Ordinance No. 02-969B the Council adopted a "Generalized Map of Regionally Significant Industrial Areas" depicting certain Industrial Areas that lay within the UGB prior to its expansion as part of Task 2 of periodic review as RSIA's; and

WHEREAS, Title 4 calls upon the Council to delineate specific boundaries for RSIA's derived from the "Generalized Map of Regionally Significant Industrial Areas" after consultation with cities and counties by December 31, 2003; and

WHEREAS, the Metropolitan Planning Advisory Committee ("MPAC") recommended that, given the importance of traded-sector industries and the capacity and function of critical transportation facilities to the movement of freight in the region, the Industrial Areas near those transportation facilities that are most critical for the movement of freight should be designated as RSIA's; and

WHEREAS, Metro has consulted with cities and counties by asking each of them to make recommendations to Metro for the designation of RSIA's in appropriate Industrial Areas, and by seeking advice from the Metropolitan Policy Advisory Council; and

WHEREAS, the Council held public hearings to receive testimony on proposed designation of RSIA's on November 13 and December 4, 2003; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Employment and Industrial Areas Map adopted by the Council by Ordinance No. 96-647C is hereby amended, as shown on Exhibit A, attached and incorporated into this ordinance, to depict the boundaries of RSIA's pursuant to subsection ~~JI~~ of Section 3.07.420 of Title 4 (Industrial and Other Employment Areas) of the UGMFP, in order to ensure more efficient use of the areas for traded-sector and other industries reliant upon the movement of freight and to protect the areas for industrial use following Policies 1.4.1 and 1.4.2 of the RFP and Title 4 function and capacity of those transportation facilities within the region that are most critical for the movement of freight.
2. The Findings of Fact and Conclusions of Law in Exhibit B, attached and incorporated into this ordinance, explain how the designation of these areas as RSIA's complies with the Regional Framework Plan, Title 4 (Industrial and Other Employment Areas) of the UGMFP and state planning laws.
3. The Chief Operating Officer shall submit this ordinance and its exhibits to the Land Conservation and Development Commission no later than June 30, 2004, as part of Metro's completion of Task 2 of periodic review pursuant to LCDC's Partial Approval and Remand Order 03-WKTASK-001524 dated July 7, 2003.

ADOPTED by the Metro Council this ____ day of _____ 2003.

David Bragdon, Council President

ATTEST:

Approved as to Form:




Recording Secretary

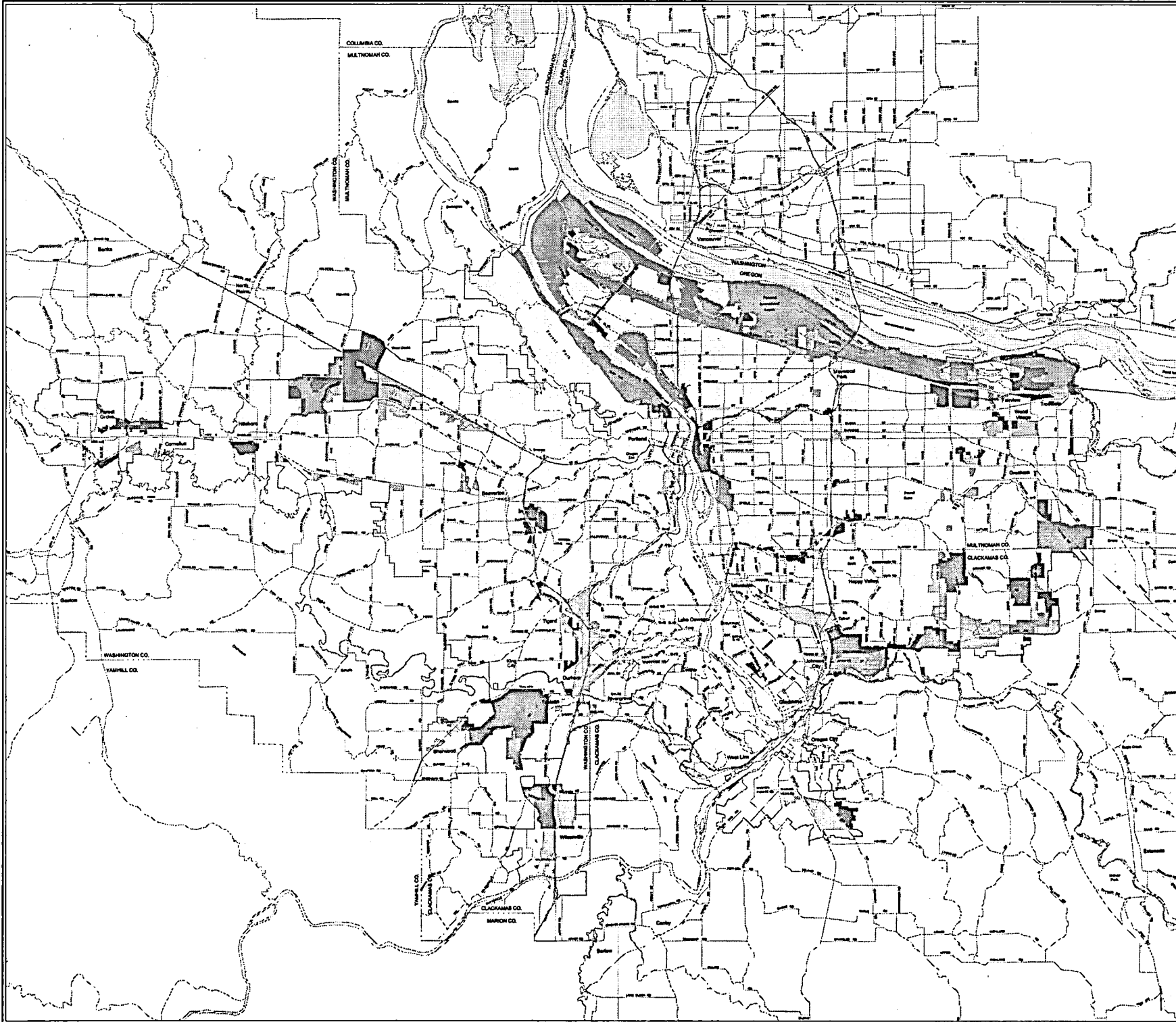
Daniel B. Cooper, Metro Attorney

Regionally Significant Industrial Areas

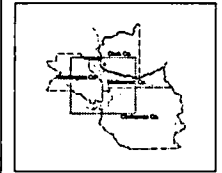
Ordinance #03-1022 A

12/10/2003

-  Title 4 Employment Land
-  Title 4 Industrial Land
-  Title 4 Regionally Significant Industrial Area



THIS MAP IS A GENERALIZATION OF THE DATA SHOWN ON THE ORIGINAL MAPS AND IS NOT INTENDED TO BE USED FOR LEGAL PURPOSES. THE USER ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS. THE DATA IS PROVIDED AS IS AND WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE AND NONINFRINGEMENT. THE USER SHALL INDEMNIFY AND HOLD THE PROVIDER HARMLESS FROM ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE USE OF THIS MAP.



STAFF REPORT

FOR THE PURPOSE OF AMENDING TITLE 4 OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN TO IMPROVE ITS PROTECTION OF INDUSTRIAL LAND AND TO MAKE CORRECTIONS

ORDINANCE NO. 03-1021A

FOR THE PURPOSE OF AMENDING THE EMPLOYMENT AND INDUSTRIAL AREAS MAP TO ADD REGIONALLY SIGNIFICANT INDUSTRIAL AREAS IN COMPLIANCE WITH SUBSECTION J OF SECTION 3.07.420 OF TITLE 4 (INDUSTRIAL AND OTHER EMPLOYMENT AREAS) OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

ORDINANCE NO. 03-1022A
Introduced by Michael Jordon, Chief Operating Officer with the concurrence of David Bragdon, Council President

Date: October 22, 2003

Prepared by: Mary Weber

BACKGROUND

The Metro Council adopted new measures to protect and maintain the supply of industrial land for future industrial uses. Ordinance 02-969B, adopted on December 5, 2002, amended the Title 4 Industrial and Other Employment Areas regulations in order to increase the capacity of industrial areas for industrial uses and to encourage non-industrial uses to locate in Centers and other 2040 design type areas. Also in this ordinance the Metro Council created a new 2040 design type entitled Regionally Significant Industrial Areas (RSIA). The Metro Council adopted a generalized map of RSIA's depicting certain industrial areas that lay within the urban growth boundary (UGB). The new Title 4 language requires that the Metro Council delineate specific boundaries for the RSIA's derived from the generalized map by December 31, 2003. Together these two ordinances, Title 4 regulations, Ordinance 03-1021 and mapping of the RSIA's, Ordinance 03-1022, address the State requirements to show how the region is using its industrial lands efficiently.

The new Title 4 regulations specifically limit the amount and square footage of retail and office uses that might otherwise find industrial locations suitable for business. The 2002-2022 Urban Growth Report: An Employment Land Need Analysis (UGR) estimates that approximately 2,800 acres of the supply/need vacant industrial land is developed for non-industrial uses. The UGR assumes a potential savings of 1,400 acres of industrial land from implementing the new measures.

As reported in the UGR, the total vacant industrial land need is 9,366 net acres. The industrial land need estimate assumes that 2,800 acres of the industrial land is consumed by non-industrial uses.

	Net Vacant Acres
Demand	9,366
Supply	3,681
Deficit (Net need)	5,685
RSIA Policy Savings	1,400
Adjusted Deficit	4,285
2002 Decision	2,317
Deficit	1,968

Staff has been working with local governments to identify Title 4 Industrial lands as RSIA's for the pre-2002 UGB area. As part of this process, local governments identified several implementation issues that they asked Metro to address. Several local governments were reluctant to work with Metro on mapping the RSIA's until the code issues were addressed. Primarily, the issues had to do with clarification of the code. The issues are:

- clarification of what are accessory uses and whether they are counted as part of the 5% commercial
- retail cap;
- clarification of how to treat airport facilities
- how to calculate the retail sales cap for RSIA's that cross multiple jurisdictions
- locating corporate headquarters of industrial uses in a location different than the main manufacturing facility
- reuse of office buildings in industrial zones and three implementation issues, (1) creating non-conforming uses, (2) financing and (3) enforcement, and;
- do large parcels (50 acres) stay large parcels forever, or can they be subdivided over time with conditions

Staff also took this opportunity to do some housekeeping changes to Title 4 code. The recommended code changes are contained in proposed Ordinance 03-1021.

Metro staff, after consultation with cities, counties and other interests, developed a set of factors to consider in the identification of RSIA's. These factors reflect the locational and siting characteristics from Metro Council Resolution No. 03-3341A. As directed by Title 4, Metro staff worked with cities and counties in the region to apply the factors to designated Industrial Areas within their jurisdictions. Several local governments, Portland, Gresham, Wilsonville and Clackamas County, submitted recommended Industrial Areas for consideration as RSIA's. Striving for region-wide consistency, Metro staff also applied the factors to areas in cities and counties that chose not to submit candidate areas. The factors are:

- Distribution - Area serves as support industrial land for major regional transportation facilities such as marine terminals, airports and rail yards.
- Services - Availability and access to specialized utilities such as specialty gases, triple redundant power, abundant water, dedicated fire and emergency response services
- Access - Within 3 miles of I-5, I-205, I-84 (within the UGB), State Route 224 (within the UGB)
- Proximity - Located within close proximity of existing like uses
- Use - Predominantly industrial uses

Ordinance 03-1021 – Code Changes

Staff has worked with local governments to resolve most of the implementation issues. The recommended changes to the Title 4 code represents this work. Two issues remain unresolved to the satisfaction of some local governments and that is the issue of subdivision of 50+ acre parcels overtime and reuse of new industrial office buildings. The Metro Council stated that these two issues are policy issues not clarification issues and that at the next periodic review cycle the Metro Council would evaluate Title 4. Included in this staff report as attachment 1 are written comments from local government regarding the code language.

Ordinance 03-1022 – Mapping RSIA's

Staff conducted a general assessment of the areas on the *Potentially Regionally Significant Industrial Area* map (included as attachment 2) and found that the following areas meet the factors and are also lands that meet the general site and location criteria for industrial uses.

- Areas 1 – Hillsboro industrial area, south of Highway 26
- Areas 2, 3-4, 5 and 6 – Northwest Industrial Area, Rivergate, Swan Island and Columbia Corridor
- Area 12 - Clackamas distribution area around Hwy 212/224
- Area 14 - Brooklyn Yards

As part of the analysis staff also presented to the Metro Council areas to be considered in the future for designation as RSIA's:

- Area 9, Wilsonville industrial area
- Area 10, Tualatin industrial area
- Area 7, Troutdale industrial area

These areas, as they exist today, are local industrial districts. In the case of Wilsonville and Tualatin, if additional lands were added to the UGB for industrial uses and the I-5/99W connector improved truck access to I-5 then these areas would be appropriate for designation as RSIA's. In regard to Troutdale, the uses are local in nature and there is no opportunity to expand the industrial area or connect it to the Columbia South Shore industrial area. However, if the Reynolds Metals site were to redevelopment as an intermodal facility, much of the area would redevelop into uses supporting an intermodal facility. If this were the case then the Troutdale industrial area would also be appropriate for designation as a RSIA.

The Metro Council at their worksession on October 21 directed staff to include the local government recommendations, Metro staff recommendations and also add to the map accompanying the Ordinance 03-1022, Area 7 in Troutdale, Area 10 in Tualatin and Area 9 in Wilsonville and a portion of Area 15, the "Brickyards site" in Gresham from the *Potentially Regionally Significant Industrial Area* map. The Metro Council draft Title 4 map that includes the recommended RSIA's is attachment 3.

To better estimate the savings gained in efficiency from the Title 4 regulations, Metro staff recommends taking additional time to calculate the savings. This analysis will be completed prior to the Metro Council's UGB decision in June, 2004.

Known Opposition

A number of local jurisdictions have concerns regarding the perceived loss of flexibility from the adopted RSIA regulations. Staff was able to work with local staff to resolve several of the implementation issues. However, there are two outstanding issues that were not resolved. The issues are:

- Reuse of new industrial office building by non-industrial uses
- Subdivision over time of parcels that are 50 acres or larger

Legal Antecedents

Title 4 is part of the adopted and acknowledged Growth Management Functional Plan. Authority to amend the 2040 Growth Concept map comes from ORS 268.380 and ORS 268.390(5). The authority to amend the Employment and Industrial Areas Map comes from Ordinance No. 02-969B.

Anticipated Effects

Adoption of Ordinance 03-1022 will result in fulfilling the requirements in Metro code section 3.07.420I, which requires Metro to adopt a map of Regionally Significant Industrial Areas with specific boundaries that is derived from the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969B.

Adoption of Ordinance 03-1021 resolves several implementation issues and gives local governments clearer instructions as to the Metro Council's intent.

The effective date of the new Title 4 regulations is March 5, 2004. Local governments have one year to adopt a local map and make changes to their codes. Local government compliance is anticipated for March 5, 2005.

Budget Impacts

The new regulations go into effect in March of 2004. Metro Council regularly budgets for planning staff to work with local government on compliance issues. Additional excise tax will be needed for Data Resource Center research services to establish the amount of commercial retail development that exists in the Title 4 RSIA's and Industrial areas. This analysis is needed so that Metro can give guidance to local governments about the amount of commercial retail development that may be allowed on the vacant industrial lands in these areas. Sections 3.07.420D(2) and 3.07.430B(2) of the Metro code limits commercial retail uses to five or ten percent of the net developable portion of all contiguous RSIA's and Industrial areas. It will be necessary to establish a "base line" from which to evaluate proposals

RECOMMENDED ACTION

Adopt Ordinances 03-1021A and 03-1022A.

Agenda Item Number 5.3

Ordinance No. 04-1040, For the Purpose of Amending the Metro Urban Growth Boundary, the Regional Framework Plan and the Metro Code to Increase the Capacity of the Boundary to Accommodate Growth in Industrial Employment

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE) ORDINANCE NO. 04-1040
METRO URBAN GROWTH BOUNDARY,)
THE REGIONAL FRAMEWORK PLAN AND)
THE METRO CODE TO INCREASE THE)
CAPACITY OF THE BOUNDARY TO)
ACCOMMODATE GROWTH IN) Introduced by the Metro Council
INDUSTRIAL EMPLOYMENT)

WHEREAS, by Ordinance No. 02-969B (For The Purpose Of Amending The Urban Growth Boundary, The Regional Framework Plan And The Metro Code In Order To Increase The Capacity Of The Boundary To Accommodate Population Growth To The Year 2022), the Council amended Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan to increase the capacity of industrial land to accommodate industrial jobs; and

WHEREAS, by Ordinance No. 02-969B, the Council added capacity to the UGB but did not add sufficient capacity to accommodate the full need for land for industrial use; and

WHEREAS, the Metro Council submitted Ordinance No. 969B, in combination with other ordinances that increased the capacity of the UGB, to the Land Conservation and Development Commission (LCDC) as part of Metro's periodic review of the capacity of its UGB; and

WHEREAS, on July 7, 2003, LCDC issued its 'Partial Approval and Remand Order 03-WKTASK-001524' that approved most of the Council's decisions, but returned the matter to the Council for completion or revision of three tasks: (1) provide complete data on the number, density and mix of housing types and determine the need for housing types over the next 20 years; (2) add capacity to the UGB for the unmet portion of the need for land for industrial use; and (3) either remove tax lots 1300, 1400 and 1500 in Study Area 62 from the UGB or justify their inclusion; and

WHEREAS, the Council completed its analysis of the number, density and mix of housing types and the need for housing over the planning period 2002-2022 and incorporated its conclusions in a revision to its Housing Needs Analysis; and

WHEREAS, the Council increased the capacity of the UGB both by adding land to the UGB and by revising the Regional Framework Plan and Title 4 of the UGMFP to meet the previously unmet portion of the need for land for industrial use; and

WHEREAS, the Council decided to remove tax lots 1300, 1400 and 1500 in Study Area 62 from the UGB; and

WHEREAS, the Council consulted its Metropolitan Policy Advisory Committee and the 24 cities and three counties of the metropolitan region and considered comments and suggestions prior to making this decision; and

WHEREAS, prior to making this decision, the Council sent individual mailed notification to more than 100,000 households in the region and held public hearings on Title 4 and the efficient use of industrial land on December 4 and 11, 2003, public workshops at six locations around the region in March, 2004, on possible amendments to the UGB, and public hearings on the entire matter on April 22 and 29, May 6, and June 10 and 24, 2004; now, therefore

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

1. Policy 1.12 of the Regional Framework Plan is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance, to guide the choice of farmland for addition to the UGB when no higher priority land is available or suitable.
2. Title 4 (Industrial and Other Employment Areas) of the Urban Growth Management Functional Plan is hereby amended, as indicated in Exhibit B, attached and incorporated into this ordinance, to improve implementation of Title 4 by cities and counties in the region.
3. The Employment and Industrial Areas Map is hereby amended, as shown in Exhibit C, attached and incorporated into this ordinance, to depict the boundaries of Regionally Significant Industrial Areas pursuant to Policy 1.4.1 of the Regional Framework Plan in order to ensure more efficient use of the areas for industries reliant upon the movement of freight and to protect the function and capacity of freight routes and connectors in the region.
4. The Revised Housing Needs Analysis, January 24, 2003, is hereby further revised, as indicated in Exhibit D, Addendum to Housing Needs Analysis, April 5, 2004, attached and incorporated into this ordinance, to comply with the first item in LCDC's "Partial Approval and Remand Order 03-WKTASK-001524"
5. The Metro UGB is hereby amended to include all or portions of the Study Areas shown on Exhibit E and more precisely identified in the Industrial Land Alternative Analysis Study, February, 2004, Item (c) in Appendix A, subject to the conditions set forth in Exhibit F, and to exclude tax lots 1300, 1400 and 1500 in Study Area 62 and the southeast portion of Study Area 9

from the UGB, also shown on Exhibit E and more precisely identified in the Staff Report, "In Consideration of Ordinance No. 04-1040, For the Purpose of Amending the Metro Urban Growth Boundary, the Regional Framework Plan and the Metro Code to increase the capacity of the Boundary to Accommodate Growth in Industrial Employment", Item (a) in Appendix A. Exhibits E and F are attached and incorporated into this ordinance to comply with the second and third items in LCDC's "Partial Approval and Remand Order 03-WKTASK-001524."

6. The Appendix, attached and incorporated into this ordinance, is hereby adopted in support of the amendments to the UGB, the Regional Framework Plan and the Metro Code in sections 1 through 3 of this ordinance. The following documents comprise the Appendix:
- a. Staff Report, "In Consideration of Ordinance No. 04-1040, For the Purpose of Amending the Metro Urban Growth Boundary, the Regional Framework Plan and the Metro Code to increase the capacity of the Boundary to Accommodate Growth in Industrial Employment", April 5, 2004.
 - b. 2002-2022 Urban Growth Report: An Employment Land Need Analysis, June 24, 2004 Supplement.
 - c. Industrial Land Alternative Analysis Study, February, 2004.
 - d. Measure 26-29 Technical Report: Assessment of the Impacts of the June, 2004, UGB Expansion on Property Owners.
 - e. Industrial Land Expansion Public Comment Report, March, 2004.
 - f. "An Assessment of Potential Regionally Significant Industrial Areas", memorandum from Mary Weber to Dick Benner, October 21, 2003.
 - g. "Recommended Factors for Identifying RSIA's", memorandum from Mary Weber to MTAC, June 30, 2003.
 - h. "Slopes Constraints on Industrial Development", memorandum from Lydia Neill to David Bragdon, November 25, 2003.
 - i. "Limited Choices: The Protection of Agricultural Lands and the Expansion of the Metro Area Urban Growth Boundary for Industrial Use", prepared by the Metro Agricultural Lands Technical Workgroup, April, 2004.
 - j. "Technical Assessment of Reducing Lands within Alternatives Analysis Study Areas", memorandum from Lydia Neill to David Bragdon, October 30, 2003.
 - k. Agriculture at the Edge: A Symposium, October 31, 2003, Summary by Kimi Iboshi Sloop, December, 2003.
 - m. "Industrial Land Aggregation Methodology, Test and Results", memorandum from Lydia Neill to David Bragdon, September 24, 2003.
 - n. "Industrial Areas Requested by Local Jurisdictions", memorandum from Tim O'Brien to Lydia Neill, July 29, 2003.

- o. 'Industrial Land Locational and Siting Factors', memorandum from Lydia Neill to David Bragdon, June 9, 2003.
 - p. 'A Review of Information Pertaining to Regional Industrial Lands', memorandum from Dick Benner to David Bragdon, January 26, 2004.
 - q. Map of Freight Network and Freight Facilities, Metro, November, 2003.
 - r. 'Evaluating the Industrial Land Supply with Projected Demand', memorandum from Lydia Neill to David Bragdon, May 14, 2003.
 - s. 'Identifying 2003 Industrial Land Alternatives Analysis Study Areas', memorandum from Tim O'Brien to Lydia Neill, July 9, 2003.
 - t. 'For the Purpose of Reducing the Land Under Consideration in the 2002 and 2003 Alternatives Analysis for Meet the Remaining Need for Industrial Land through Urban Growth Boundary Expansion', Staff Report, November 18, 2003.
 - u. 'Formation of Industrial Neighborhoods', memorandum from Lydia Neill to David Bragdon, October 24, 2003.
 - v. 'Developed Lots 5 Acres and Smaller Outside the UGB', memorandum from Amy Rose to Lydia Neill, November 18, 2003.
 - w. 'Employment Land Included in the 2002 Urban Growth Boundary Expansion', memorandum from Andy Cotugno to David Bragdon, March 10, 2003.
 - x. 'Identifying Additional Land for Industrial Purposes', memorandum from Tim O'Brien to Lydia Neill, March 7, 2003.
7. The Findings of Fact and Conclusions of Law in Exhibit G, attached and incorporated into this ordinance, explain how this ordinance complies with state law, the Regional Framework Plan and the Metro Code.

ADOPTED by the Metro Council this 24th day of June, 2004.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit A to Ordinance No. 04-1040

[1.12] Protection of Agriculture and Forest Resource Land

1.12.1 Agricultural and forest land outside the UGB shall be protected from urbanization, and accounted for in regional economic and development plans, consistent with this Plan. However, Metro recognizes that all the statewide goals, including Statewide Goal 10, and Goal 14, Urbanization, are of equal importance to Goals 3 and 4, which protect agriculture and forest resource lands. These goals represent competing and, some times, conflicting policy interests which need to be balanced.

[1.12.1] 1.12.2 [Rural Resource Lands

Rural resource lands outside] When the Council must choose among agricultural lands of the same soil capability classification for addition to the UGB [that have significant resource value should actively be protected from urbanization. However, not all land zoned for exclusive farm use is of equal agricultural value], the Council shall choose agricultural land deemed less important to the continuation of commercial agriculture in the region.

[1.12.2] 1.12.3 [Urban Expansion

Expansion of the UGB shall occur in urban reserves, established consistent with the urban rural transition objective. All urban reserves should be planned for future urbanization even if they contain resource lands.] Metro shall enter into agreements with neighboring cities and counties to carry out Council policy on protection of agricultural and forest resource policy through the designation of Rural Reserves and other measures.

[1.12.3] 1.12.4 Farm and Forest Practices

[Protect and support the ability for farm and forest practices to continue. The designation and management of rural reserves by the Metro Council may help establish this support, consistent with the Growth Concept. Agriculture and forestry require long term certainty of protection from adverse impacts of urbanization in order to promote needed investments] Metro shall work with neighboring counties to provide a high degree of certainty for investment in agriculture in agriculture and forestry and to reduce conflicts between urbanization and agricultural and forest practices.

Exhibit B to Ordinance No. 04-1040

TITLE 4: INDUSTRIAL AND OTHER EMPLOYMENT AREAS

3.07.410 Purpose and Intent

A. The Regional Framework Plan calls for a strong economic climate. To improve the region's economic climate, [the plan] **Title 4** seeks to **provide and** protect [the] a supply of sites for employment by limiting [incompatible uses within] **the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial Areas and Employment Areas. Title 4 also seeks to provide the benefits of "clustering" to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks [T]to protect the capacity and efficiency of the region's transportation system for the movement of goods and services, and to [promote the creation of jobs within designated Centers and discourages certain kinds of commercial retail development outside Centers] encourage the location of other types of employment in Centers, Employment Areas, Corridors, Main Streets and Station Communities. [It is the purpose of Title 4 to achieve these policies.] The Metro Council will [consider amendments to this title in order to make the title consistent with new policies on economic development adopted] evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic [review] analysis of the capacity of the urban growth boundary.**

3.07.420 Protection of Regionally Significant Industrial Areas

A. Regionally Significant Industrial Areas (RSIA) are those areas [that offer the best opportunities for family-wage industrial jobs] **near the region's most significant transportation facilities for the movement of freight and other areas most suitable for movement and storage of goods.** Each city and county with land use planning authority over [areas] **RSIAs** shown on the [Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969] **Employment and Industrial Areas Map** shall derive specific plan designation and zoning district boundaries of [the areas] **RSIAs within its jurisdiction** from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in [subsection C, D and E] this section, and [its] **the need [of individual cities and counties] to achieve a mix of [types of] employment uses.**

B. [Each city and county with land use planning authority over an area designated by Metro on the 2040 Growth Concept Map, as amended by Ordinance No. 02-969, as a Regionally Significant Industrial Area shall, as part of compliance with section 3.07.1120 of the Urban Growth Management Functional Plan, derive plan designation and zoning district boundaries of the areas from the Growth Concept Map] **Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit the size and location of new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate, legal, medical and dental offices - to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 3,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:**

1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and

2. Training facilities whose primary purpose is to provide training to meet industrial needs.

C. [After determining boundaries of Regionally Significant Industrial Areas pursuant to subsections A and B, the city or county] **Cities and counties shall [adopt implementing ordinances that limit development in the areas to industrial uses, uses accessory to industrial uses, offices for industrial research and development and large corporate headquarters in compliance with subsection E of this section, utilities, and those non-industrial uses necessary to serve the needs of businesses and employees of the areas] review their land use regulations and revise them, if necessary, to include measures to limit the siting and location of new buildings for the uses described in subsection B and for non-industrial uses that do not cater to daily customers - such as bank or insurance processing centers - to ensure that such uses do not reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003, below standards set in the 2004 Regional Transportation Plan or require added road capacity to prevent falling below the standards.**

D. [Notwithstanding subsection C, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project;
or

2. Commercial retail uses that would occupy more than five percent of the net developable portion of all contiguous Regionally Significant Industrial Areas] **No city or county shall amend its land use regulations that apply to lands shown as RSIA on the Employment and Industrial Areas Map to authorize uses described in subsection B that were not authorized prior to July 1, 2004.**

E. [As provided in subsection C of this section, a city or county may approve an office for industrial research and development or a large corporate headquarters if:

1. The office is served by public or private transit; and

2. If the office is for a corporate headquarters, it will accommodate for the initial occupant at least 1,000 employees]

[F. A city or county] **Cities and counties** may allow division of lots or parcels into smaller lots or parcels as follows:

1. Lots or parcels [less] **smaller** than 50 acres may be divided into any number of smaller lots or parcels[;].

2. Lots or parcels [50 acres or] larger **than 50 acres** may be divided into smaller lots and parcels **pursuant to a master plan approved by the city or county** so long as the resulting division yields [the maximum number of lots or parcels of] at least [50 acres] **one lot or parcel of at least 50 acres in size[;].**

3. **Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has**

been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed, with uses described in subsection B of this section.

4. Notwithstanding paragraphs 2[,] **and** 3 [and] of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

- a. To provide public facilities and services;
- b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
- c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; **or**
- d. **[To reconfigure the pattern of lots and parcels pursuant to subsection G or this section]**
- [e.]** To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

[G. A city or county may allow reconfiguration of lots or parcels less than 50 acres in area if the reconfiguration would be more conducive to a permitted use and would result in no net increase in the total number of lots and parcels. Lots or parcels 50 acres or greater in area may also be reconfigured so long as the resulting area of any such lot or parcel would not be less than 50 acres.]

[H] F. Notwithstanding subsections **[C and D] B** of this section, a city or county may allow the lawful use of any building, structure or land existing at the time of adoption of its ordinance to implement this section to continue and to expand to add up to 20 percent more floor area and 10 percent more land area. Notwithstanding subsection E of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to **[December 31, 2003] July 1, 2004.**

3.07.430 Protection of Industrial Areas

A. [In Industrial Areas mapped pursuant to Metro Code section 3.07.130 that are not Regionally Significant Industrial Areas, c] Cities and counties shall [limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Industrial Areas] review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers – such as financial, insurance, real estate, legal, medical and dental offices - in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:

1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and

2. Training facilities whose primary purpose is to provide training to meet industrial needs.

B. [In an Industrial Area, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of retail sales area in a single building or in multiple buildings that are part of the same development project; or

2. Commercial retail uses that would occupy more than ten percent of the net developable portion of the area or any adjacent Industrial Area] Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection A to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on Metro's Freight Network Map, November, 2003. Such measures may include, but are not limited to restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.

C. No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection A of this section that were not authorized prior to July 1, 2004.

D. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:

1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.

2. Lots or parcels larger than 50 acres may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.

3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection A of this section.

4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:

a. To provide public facilities and services;

b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;

c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or

d. To allow the creation of a lot for financing purposes when the created lot is part of a master planned development.

E. Notwithstanding [subsection B] subsection A of this section, a city or county may allow the lawful use of any building, structure or land existing at the time of [enactment of an] adoption of its ordinance [adopted pursuant to this section] to implement this section to continue and to expand to add up to 20 percent more [floorspace] floor area and 10 percent more land area. Notwithstanding subsection D of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to July 1, 2004.

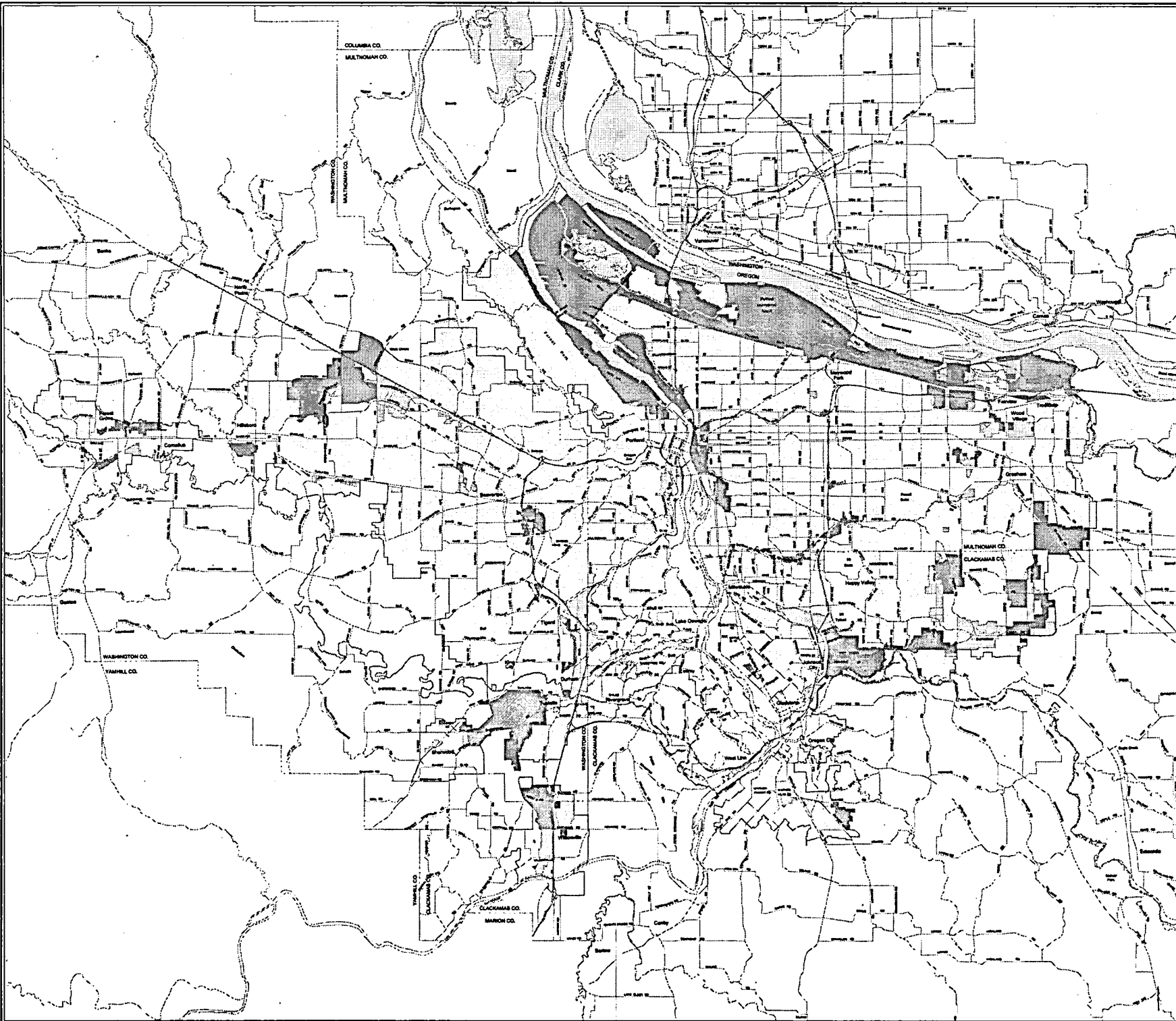
3.07.440 Employment Areas

- A. Except as provided in subsections C, D and E, in Employment Areas mapped pursuant to Metro Code Section 3.07.130, cities and counties shall limit new and expanded retail commercial uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas.
- B. Except as provided in subsections C, D and E, a city or county shall not approve a commercial retail use in an Employment Areas with more than 60,000 square feet of gross leasable area in a single building, or retail commercial uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.
- C. A city or county whose zoning ordinance applies to an Employment Area and is listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if the ordinance authorized those uses on January 1, 2003.
- D. A city or county whose zoning ordinance applies to an Employment Area and is not listed on Table 3.07-4 may continue to authorize retail commercial uses with more than 60,000 square feet of gross leasable area in that zone if:
1. The ordinance authorized those uses on January 1, 2003;
 2. Transportation facilities adequate to serve the retail commercial uses will be in place at the time the uses begin operation; and
 3. The comprehensive plan provides for transportation facilities adequate to serve other uses planned for the Employment Area over the planning period.
- E. A city or county may authorize new retail commercial uses with more than 60,000 square feet of gross leasable area in Employment Areas if the uses:
1. Generate no more than a 25 percent increase in site-generated vehicle trips above permitted non-industrial uses; and
 2. Meet the Maximum Permitted Parking – Zone A requirements set forth in Table 3.07-2 of Title 2 of the Urban Growth Management Functional Plan.

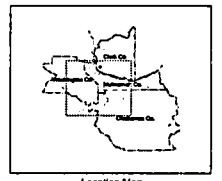
Title 4 Industrial and Employment Areas

Ordinance No. 04-1040
Exhibit C

-  Employment Land
-  Industrial Land
-  Regionally Significant Industrial Areas



This map was prepared for the purpose of illustrating the proposed industrial and employment areas. It is not intended to be used as a legal document. The information on this map is based on the best available data at the time of preparation. The information on this map is not guaranteed to be accurate, complete, or up-to-date. The information on this map is not intended to be used as a legal document. The information on this map is not intended to be used as a legal document.



Location Map


NOVA
NOVA DATA & DEVELOPMENT CENTER
1000 NE 10TH AVENUE, SUITE 1000, PORTLAND, OREGON 97232
TEL: 503/253-1111 FAX: 503/253-1111
WWW.NOVA-ORIG.COM

**Exhibit D to Ordinance No. 04-1040
Addendum to Housing Needs Analysis
April 5, 2004**

I. INTRODUCTION

The attached three Tables satisfy the requirements of ORS 197.298(5)(a)(E) to provide at least 3 years of data on the number, density and average mix of housing for vacant, partially vacant, redevelopment and infill (refill) and mixed use designated land. Table 5(a)(E) – 1 provides number, density and mix data on refill land for the period 1997 through 2001. Table 5(a)(E) – 2 provides the same data for development on vacant and partially vacant land for the period 1998 through 2001. Table 5(a)(E) – 3 displays the number, density and mix data for development on mixed use land for the period 1998 – 2001.

As noted in the original Housing Needs Analysis submission, the data in the attached Tables are subsets of more aggregated data contained in the original Housing Needs Analysis Report. While interesting and informative, the data in the attached Tables do not contradict the conclusions and actions taken in conjunction with the Urban Growth Report and periodic review. Nor do the data affect the determinations of the overall average density and overall mix of housing types at which residential development must occur in order to meet housing needs through 2022, as depicted in the original Housing Needs Analysis, pages 2 through 7 and Figures 3.1, 3.2, 3.3, 5.1 and 5.3.

The remainder of the report consists of an explanation of methodology and data sources and a synopsis of the data content of each of the tables.

II. METHODOLOGY AND DATA SOURCES

A. Data Sources

In order to retrospectively meet the requirements of State Statute we made maximum use of Metro's RLIS archived data that extend back in some degree to 1995. These data consist of the following elements:

1. Land use data at the tax lot level designating land by vacant, developed and zoning category.
2. County assessor tax lot data showing use, value, sales data, etc.
3. Geo-coded building permit data by building type.
4. Air photos for each year taken approximately in July of each year with a trend of improving resolution level over time.

B. Sampling Approach

We elected to measure the data using a 20% sampling approach so that we could manually audit each of the selected data points to insure accuracy. Machine processing of the data is not possible due to the following sources of measurement error.

1. Building permit geo-coding variability as approximately 70% of building permits actually geo-code exactly to the correct tax lot.

2. Building permit data error due to incomplete reporting, undetected duplicates and inaccurate descriptions of building type, work done and location.
3. Slight registration discrepancies between tax lot maps, air photos and archived land use coverages.
4. Variability between the time a building permit is issued, building takes place and the tax lot is created and enumerated in the County Assessor's tax lot coverage. The practical consequence of this is often that a row house constructed on a 2,500 sq. ft. lot appears to be on a 100,000 sq. ft. plus lot because the subdivision plat is not yet available in the data base.

For multi-family units we modified the 20% sample to include 100% of all building permits for 20 or more units and applied the 20% rate to permits of under 20 units. This avoided the potential sampling errors associated with having a few permits for multi-family of over 100 or more units.

C. Expansion Back to the Population Totals

Because we elected a 100% count of multi-family the sample was not self-weighting. As a consequence after the analysis was complete we used a two phase approach to estimate the building permit population. First, we expanded our sample by building type back to the totals reported in our building permit data base. Secondly, since our building permit data base is incomplete relative to the totals reported to the State and Federal Government, we expanded our building permit data base to match the County totals by building type.

D. Definition of Entities Being Measure

State Statute requires we report on the number and densities by building type of development on "refill", "vacant", "partly vacant" and "mixed use" land. These entities we define and discuss in the context of our RLIS data base and measurement protocols as follows:

1. **Refill:** Housing units developed on land that Metro already considers developed in its data base. Refill is further divided into redevelopment and infill. Redevelopment occurs after an existing building has been removed. Infill is additional building without removal of existing buildings.
 - a. **Method of Measurement:** We measure refill by counting the number of permits that locate on land Metro considers developed in the next fiscal year. For instance for the year "1998" we would compare the RLIS developed and vacant lands inventory for the year ending June 30, 1998 with all building permits issued beginning July 1, 1998 and ending June 30, 1999. Building permits located on land Metro classed vacant as of June 30, 1998 would be classed as development on vacant land and permits landing on land Metro classed as developed as of June 30, 1998 would be classed as refill.
 - b. **Measurement Protocols:** As noted earlier we select a 20% sample of all permits for new residential construction from the RLIS data base for the relevant years (with the exception of the 100% of multi-family permits equal to or exceeding 20 units). Each permit is scrutinized manually by a

trained intern using the RLIS data base and air photos to insure it is properly located and that the permit is for valid construction that did occur as the permit indicated. The analyst then determines whether the permit constitutes refill or vacant land development. Beginning with this study the analyst further classifies the permit to "legal – Urban Growth Report" refill and "economic – MetroScope" refill. This distinction results from the fact that RLIS analysts classify some individual lots in developing green field areas as developed prior to actual development occurring and also classify land cleared for urban renewal areas as vacant. In the former case the economic interpretation is development on new and in the latter case the economic interpretation is refill development. However, to be consistent with the RLIS land accounting system on which the Urban Growth Report is based we classify development the way RLIS accounts for it. On the other hand, the MetroScope land use model used for forecasting and policy evaluation counts green field development as vacant land consumption and urban renewal as refill (redevelopment). Consequently, we report refill data for both classifications.

2. **Vacant and partially vacant:** In RLIS tax lots that are "completely vacant" (90% vacant) are classed as totally vacant. If the unoccupied portion of a tax lot with development exceeds ½ acre, the unoccupied portion is classed a partially vacant. Green field sites under development may transition from vacant to partially vacant, back to totally vacant to developed and back again to totally vacant depending on the patterns of tax lot subdivision activity and zone changes. This also is true for urban renewal redevelopment sites. There are also a limited number of partially vacant sites in established residential areas where present zoning would allow further subdivision and development.
 - a. ***Method of Measurement:*** Using the audited building permit sample we machine processed the permits classed as legally vacant to fully vacant and partially vacant. Due to map registration discrepancies the RLIS developed lands coverage for 1997 could not be used so we dropped 600 observations for that year. In addition, another 1400 observations failed the machine screening in that they could not be conclusively classed as either vacant or partially vacant without manual auditing. The 2000 observations excluded from the vacant and partially vacant analysis resulting in the number of units developed on some type of vacant land dropping from 39,000 to 25,000. Though not relevant to the refill study or overall results, discussions with RLIS analysts indicated that the machine filtering process was more likely to exclude partially vacant than vacant tax lots. The bias, resulting from this procedure was minimized, by restating our inventory totals of vacant and partially vacant land using the same screening procedures.
 - b. ***Measurement Protocols:*** Once the refill data base was reclassified between vacant and partially vacant, we tabulated all the development on vacant land by the type of vacant land it fell on by building type (multi-family and single family) and by lot size.

3. **Mixed use development:** In our RLIS data base mixed use development is classed as MUC1, MUC2 and MUC3. From the original audited refill data base we selected all the records of building permits that fell on land classed as MUC1, MUC2 or MUC3 regardless of whether it was refill, vacant or partially vacant. Again matching the RLIS land use inventory for 1997 proved problematic for machine selection procedures and this year was excluded. The resulting selection process produced 402 observations representing over 4,600 units constructed from 1998 through 2001.

E. Years of Data Included in the Retrospective Analysis

We included building permit data from 12/97 through 6/2002 that could be reliably recovered and geo-coded from our existing RLIS data base. This time period allows us to evaluate 5 years of recent history in regard to “refill” and 4 years of history for “vacant”, “partly vacant” and “mixed use” land.

III. SYNOPSIS OF RESULTS

A. Data Table 5E1: Refill Numbers by Type and Density 1997 – 2001

The data displayed on Table 5E1 show the amount of residential development of vacant and refill land that occurred during the period 1997 through 2001. During that period nearly 54,000 dwelling units located within the Metro region.¹ Of the 54,000 dwelling units, 26.5% occurred as refill according to the legal – Urban Growth Report definition. Using the economic-MetroScope definition 30.4% were refill reflecting the increasing importance of redevelopment in urban renewal areas and centers. Nearly 20,000 of the units constructed were multi-family with a legal refill rate of 31.5% and an economic rate of 40.2%. 34,000 units constructed were single family with a legal refill rate of 23.6% and an economic rate of 24.7%. Average lot sizes are also reported for every category.² For multi-family average lot sizes range from 1,800 to 2,000 sq. ft. depending on category. For single family average lot sizes range from 6,600 to 8,400 sq. ft. with refill development generally in the 6,500 – 7,000 sq. ft. range.

B. Table 5E1(a): Median Lot Size Data

This table provides additional and somewhat more meaningful weighted median lot size data. When we compare the average lot sizes in Table 5E1, we observe substantive differences in most cases. In general the median lot sizes are 30% less for vacant single family, 25% more for vacant multi-family, 25% less for refill single family and 30% less for refill multi-family. For all types combined the weighted median is 27% less for vacant and 26% less for refill. Assuming that the present median is a superior measure of long run average lot size, the combined weighted median of 4,417 sq. ft. should be used to determine vacant land consumption. This figure combined with the 39,619 units located on legally vacant land over the 5 year period implies a land consumption of slightly over 4,000 net buildable acres. Using a plausible range of gross to net conversion factors of .55 - .7 yields a gross buildable acre consumption of 1,150 to 1,450 acres per year, within the range estimated in the original Housing Needs Analysis.³

¹ Real Estate Report for Metropolitan Portland, Oregon, Spring 2003. Numbers are based on building permits summarized at the County level and only approximate the UGB. This procedure slightly overstates UGB land consumption.

² Average as contrasted to median inflates land consumption as the measure is substantially influenced by a few large lot single family permits on urban land still zoned RRFU that will subsequently be subdivided. RLIS procedure of assuming ½ acre of land consumption for permits on non-subdivided land also inflates average lot size.

³ While appearing precise, attempting to estimate long run densities and land consumption from individual lot sizes involves substantial uncertainties. The most serious of these is the gross to net conversion factor as we only observe

C. Table 5E2: Housing on Fully Vacant and Partially Vacant Land

The accompanying table presents the required data on development on a subcategory of vacant land – fully vacant land and land partially vacant. As noted in the methods section, fully or partially vacant is classified relative to the tax lot existing at the time of the RLIS vacant and developed lands inventory. As also noted in the methods section, due to procedures and quirks of the land development and reporting process land may be fully vacant, partially vacant or developed refill land several times during the development process. In addition as a result of attempting to categorize and measure “partially vacant” we discover that the acreage totals are extremely volatile and sensitive to whatever criteria we use in the machine query process to differ partial from full. Very minor discrepancies between vacant land coverages and assessor’s tax lot coverages can dramatically change the inventories of fully and partially vacant. In the methods section we note that we use the same selection criteria for both the inventory totals and the classification of the refill sample into fully and partially vacant.

Of the over 39,000 legal vacant units located in the Metro Region for the period 1997 – 2001 we were able to reliably classify 25,000 units covering the period 1998 – 2001. Of these 15,500 (62.6%) were on fully vacant land and 9,300 (37.4%) were on partially vacant land. Looking at *Table 5E2(a) Fully Vacant and Partially Vacant Land Inventory 1998 – 2001* (replacing Table 4.1AB in the original Housing Needs Analysis) that on average partially vacant comprised 34.3% of the vacant land inventory. In sum development on partially vacant land overall has been occurring at roughly the same rate as development on fully vacant land and appears to not be materially different.

At the same time we recognize that there are a number of instances where partially vacant land shares a tax lot with a high valued single family home. In order to better understand the likelihood of further development under these circumstances, we used our single family sales price study to estimate the “optimum lot size” by neighborhood and house size. We define optimum lot size as the lot size at which at the loss of value to a homeowner by selling off part of his lot just equals the amount he gains by selling the land. If the homeowner sells more land, the value of his house declines more than he gains by the sale. Conversely, if he sells less land, the land unsold contributes less to the value of his home than the amount he would receive were he to sell it. Making that calculation for Dunthorpe we found that a \$1,000,000 home on 5 acres would have a positive incentive to sell off land down to about 1 – 1.5 acres. By comparison, a \$600,000 home on 1 acre would have an incentive to sell off no more than ½ acre. Significantly, in 2000 the average Dunthorpe selling price was \$590,000 for a 3,100 sq. ft. house on a 22,000 sq. ft. lot, almost exactly the optimum lot size determined from our estimates. On average then we would expect Dunthorpe to have no additional capacity other than that resulting from subdivision of lots at least 1 acre to sizes no smaller than ½ acre. Optimum lot size calculations vary dramatically by neighborhood. For instance, the average house in the Powellhurst-Gilbert neighborhood has a positive incentive to sell off land down to and sometimes below a 5,000 sq. ft. lot minimum. This is more often the case within the Metro region notwithstanding the exceptionally high value areas such as Dunthorpe.

D. Table 5E3: Housing on Mixed Use Designated Land

As required by statute the accompanying table shows development for the period 1998 – 2001 that occurred on land Metro considered at the time of development to be MUC1, MUC2 and MUC3. As pointed out in the methods section, the mixed use inventory includes refill, vacant and partially vacant

net buildable land consumption and cannot measure land lost to streets, parks, schools, freeways, etc. The second drawback is that average lot size measures are always exaggerated by a few large lot placements (often of manufactured homes) done by private individuals that will undoubtedly be further subdivided sometime in the future.





lands. Over the 4 year period we noted 4,600 housing units developed of which 3,000 were multi-family and 1,600 were single family. Average lot size for multi-family was 1,400 sq. ft. and single family lot size was 2,300 sq. ft. Table 5E3(a) depicts the 2040 Plan mixed use capacity as of 8/98. Total mixed use capacity at that time was roughly 23,000 units. Mixed use development constituted about 11% of residential development for the 4 year period 98 – 2001. As of 1998, mixed use capacity of 23,000 units constituted 12% of the capacity 193,000 dwelling unit capacity estimated at the time. As was the case with vacant and partially vacant, this sub-classification of land type seems to produce housing at a rate commensurate with its proportion of the land inventory.

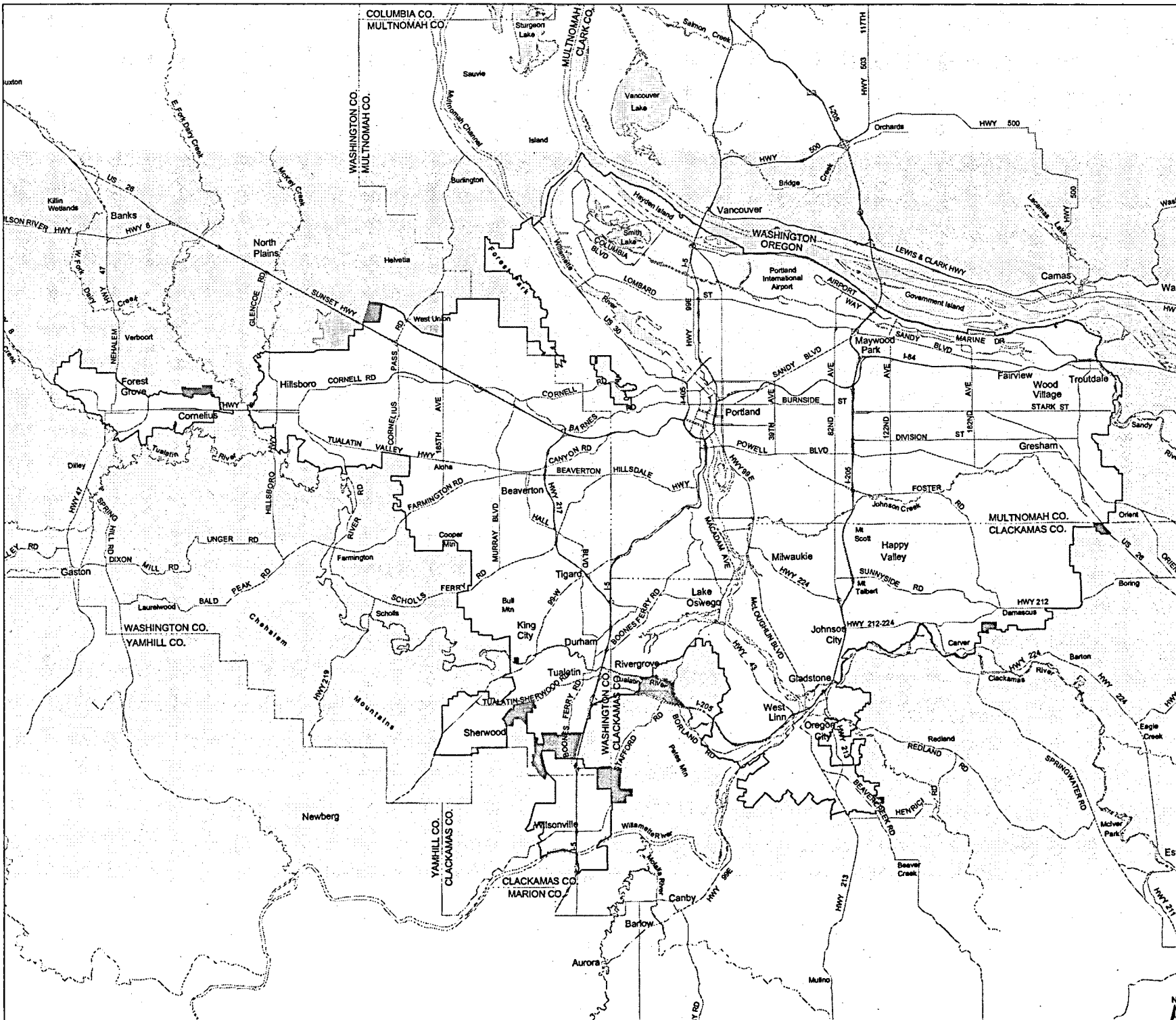
Chief Operating Officer's Recommended Areas

Ordinance 04-1040
Exhibit E

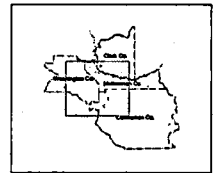
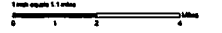
Note: The Metro Council may consider land for possible inclusion in the UGB for industrial use even if it is not in the Chief Operating Officer's recommendation.

Areas Recommended for UGB Expansion

-  Recommended Areas
-  Additional Areas Under Consideration
-  Areas to be Removed
-  Urban Growth Boundary



Legend: Areas Recommended for UGB Expansion, Additional Areas Under Consideration, Areas to be Removed, Urban Growth Boundary.



Location Map



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**Exhibit F to Ordinance No. 04-1040
Conditions on Addition of Land to the UGB**

I. GENERAL CONDITIONS APPLICABLE TO ALL LANDS ADDED TO THE UGB

A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (“UGMFP”), section 3.07.1120 (“Title 11 planning”) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years after the effective date of this ordinance. Specific conditions below identify the city or county responsible for each study area.

B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit E of this ordinance to the planning required by Title 11 for the study area.

C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area until the effective date of the comprehensive plan provisions and land use regulations adopted to implement Title 11.

D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansions of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

E. Each city or county with land use planning responsibility for an area included in the UGB by this ordinance shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (“RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit C). If the Council places a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.

G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, each city and county with land use responsibility for a study area included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (“LCDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider, in the city or county’s application of Goal 5 to its Title 11 planning, any inventory of regionally significant Goal 5 resources and any preliminary decisions to allow, limit or prohibit conflicting uses of those resources that is adopted by resolution of the Metro Council.

II. SPECIFIC CONDITIONS FOR PARTICULAR AREAS

A. Damascus Area

1. Clackamas County and Metro shall complete Title 11 planning requirements through the incorporation of this area into the greater Damascus/Boring Concept Plan planning effort currently underway. This planning shall be completed within the same time frame as specified in Ordinance No. 02-969B.
2. In the planning required by Title 11, subsections (A) and (F) of section 3.07.1120, Clackamas County or any future governing body responsible for the area shall provide for annexation of those portions of the area whose planned capacity is sufficient to support transit to the Tri-met District.
3. In the planning required by Title 11, subsections (A) and (F) of section 3.07.1120, Clackamas County or any future governing body responsible for the area shall provide for annexation of those portions of the area whose planned capacity is sufficient to support transit to the Tri-met District.

B. Beavercreek Area

1. Clackamas County or, upon annexation to Oregon City, the city and county, with Metro, shall complete Title 11 planning for the area.
2. This area shall be planned in conjunction with the adjoining tax lot added to the UGB in 2002, under Ordinance No. 02-969B.

C. Borland Area – North of I-205

1. Clackamas County or, upon annexation to the City of Tualatin, the city and county, in coordination with the Cities of Lake Oswego, Tualatin, and West Linn and Metro, shall complete Title 11 planning within four years following the effective date of Ordinance No. 04-1040. The county and city, in conjunction with Lake Oswego and West Linn and Metro shall recommend long-range boundaries in the Stafford Basin and general use designations for consideration by the Council in future expansions of the UGB.
2. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

D. Tualatin Area

1. Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within four years of the effective date of Ordinance No. 04-1040.

2. Title 11 planning shall incorporate the general location of the projected right of way location for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan.
3. The governments responsible for Title 11 planning shall consider using the I-5/99W connector as a boundary between the city limits of the City of Tualatin and the City of Wilsonville in this area.

E. Quarry Area

1. Washington County or, upon annexation to the cities of Tualatin or Sherwood, the cities, and Metro shall complete Title 11 planning for the area.
2. Title 11 planning shall, if possible, be coordinated with the adjoining area that was included in the UGB in 2002 under Ordinance No. 02-969B.
3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

F. Coffee Creek Area

1. Washington and Clackamas Counties or, upon annexation of the area to the City of Wilsonville, the city, and Metro shall complete the Title 11 planning for the area within four years of the effective date of Ordinance No. 04-1040.
2. The concept planning shall incorporate the general location of the projected right of way location for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan.

G. Wilsonville East Area

1. Clackamas County or, upon annexation of the area to the City of Wilsonville, the city, and Metro shall complete the Title 11 planning for the area within two years of the effective date of Ordinance No. 04-1040.
2. In the planning required by Title 11 a buffer shall be incorporated to mitigate any adverse effects of locating industrial uses adjacent to residential uses located southwest of the area.
3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

H. Cornelius

1. Washington County, or, upon annexation of the area to the City of Cornelius, and Metro shall complete the Title 11 planning for the area.

I. Helvetia

1. Washington County, or upon annexation of the area to the City of Hillsboro, the city, and Metro shall complete the Title 11 planning for the area.
2. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

**Ordinance No. 04-1040
Exhibit G
Findings and Conclusions
(available prior to adoption)**

STAFF REPORT

IN CONSIDERATION OF ORDINANCE 04-1040 FOR THE PURPOSE OF AMENDING THE URBAN GROWTH BOUNDARY, THE REGIONAL FRAMEWORK PLAN, THE FUNCTIONAL PLAN AND THE METRO CODE TO ACCOMMODATE THE GROWTH IN INDUSTRIAL EMPLOYMENT

Date: April 15, 2004

Prepared by: Lydia Neill

BACKGROUND

Metro is required to assess the capacity of the urban growth boundary (UGB) every five years under ORS 197.299(1). Metro is currently in Periodic Review with the Department of Land Conservation and Development (DLCD) under work program approval order #001243. As part of this review Metro is required to forecast and provide a 20-year land supply for residential, commercial and industrial uses inside the UGB. The Metro Council had forecasted a shortage of 38,700 dwelling units, 140 acres of commercial land and 4,285 acres of industrial land for the period from 2002 to 2022. In December 2002 the Metro Council added 18,638 acres of land to the UGB that satisfied all of the demand for residential and commercial land but only a portion of the need for industrial land.

A remand work order was issued by the Land Conservation and Development Commission (LCDC) due to the incomplete actions on industrial lands and several other issues. The remand order 03-WK Task 001524 requires Metro to fulfill the industrial land need, complete the Housing Needs Analysis by providing data on the number mix and housing types required by ORS 197.296(5), and either remove tax lots 1300, 1400 and 1500 adjacent to King City or provide a justification for their inclusion in the UGB by June 2004.

Industrial Lands Shortfall

The 2002-2022 Urban Growth Report: An Employment Land Need Analysis Updated December 2002 (Employment UGR), identified a demand for industrial land of 4,285 net acres and a demand for commercial land of 140 net acres. The Metro Council's December expansion decision included roughly half of the industrial land need. The 2002 UGB decision added 2,850 net acres of job land to the UGB that is divided among three 2040 design types; 533 net acres of employment land, 818 net acres of industrial land and 1,499 net acres of Regionally Significant Industrial Area (RSIA) land.¹ Thus, there is a current industrial land need of 1,968 net acres and a commercial land surplus of 393 net acres.

Employment UGR- Acres Needed By Sector

The Employment UGR identified the demand for vacant industrial land by sector and distributed the demand by parcel size. This demand allocation reflects past demand, development practices and existing land use policies. The demand is described in gross acres rather than net acres to allow discussion and

¹ RSIA's are a 2040 design type that identifies industrial areas that have regional significance because of their location near the region's most important transportation facilities for the movement of traded sector freight.

comparison of different study areas and tax lots on a consistent geography.² The general demand for vacant industrial land is distributed as follows:

- 70 percent warehouse and distribution
- 13 percent general industrial
- 17 percent tech/flex³

Warehouse and Distribution Demand Summary

Approximately 70 percent of the total demand for industrial land is needed for warehouse and distribution use. Warehouse and distribution include the following standard industrial classification (SIC) codes: 40-45 and 50, 51 which is represented by railroad, motor freight, air transportation, postal services and wholesale trade of durable and non-durable goods. The greatest demand for parcels (5,979 acres or 72 percent) for warehouse and distribution use is in the small to mid-range category of lot sizes (1 to 25 acres).⁴ There is a strong demand in the southern portion of the Metro area for warehouse/distribution land due to the location of existing uses and the relative advantages this area due to access to I-5.⁵

General Industrial Demand Summary

The demand for general industrial vacant land is the smallest of the three industrial sectors (13 percent). General industrial includes SIC's 20-34, 37 and 39 which represent food products, textiles, apparel, lumber, furniture, paper, printing, petroleum related, primary metals, stone, glass, concrete, construction and mining, transportation equipment and miscellaneous manufacturing. The greatest need for land in the general industrial category is in the 1 acre and under category. The under 1 acre up to 5 acre lot size categories represent 80 percent of the general industrial land need. According to the Employment UGR there is no demand for lots greater than 50 acres in size for this sector.

Tech/Flex Demand Summary

Tech flex represents 17 percent of the demand for industrial land. Tech/flex includes SIC's 35, 36, 38 and 737 which are represented by industries specializing in industrial/commercial machinery, computer equipment, electronic/electrical equipment, instruments, data processing/services and software development. Portland and the westside areas account for over 53 percent of the total demand for tech/flex land in the region. The greatest need for lots appears to be in the under 1 acre and up to 5 acres in size (53 percent). This demand corresponds to growth in start-ups and spin-offs from existing industries already located here in the region. A sizable demand also exists for lots in the mid-size 10 to 25 acre and large size categories between 50 to 100 acres. No demand appears to exist within the 100 plus acre range, although a decision by a single large industrial user cannot be accounted for in the economic forecast.

The Employment UGR defines the land need by industrial sector and parcel size categories as shown below:

Table 1. Demand for Parcel Sizes By Industrial Sector

Sector Type	under 1	1 to 5	5 to 10	10 to 25	25 to 50	50 to 100	+ 100	Total Demand
Warehouse/ Distribution	617	1,923	2,124	1,932	648	534	502	8,280
General Industrial	776	467	98	154	53	0	0	1,548
Tech Flex	562	509	122	315	186	334	0	2,028
Total (in gross acres)	1,955	2,899	2,344	2,401	887	868	502	11,856

² Gross vacant buildable acres in this analysis have removed Title 3 lands.

³ Tech-flex development is a building type that provides flexible space to accommodate a variety of users from light assembly, product storage and research.

⁴ Memorandum titled "Evaluation of the Industrial Land Supply with Projected Demand", dated May 14, 2003.

⁵ MetroScope modeling analysis completed in 2002.

The majority of the industrial land demand is for sites 25 acres or less. Warehouse/ Distribution and Tech Flex have the highest demand for lots in the 25 to 100 acre categories.

Industrial Land Supply Available to Meet Demand

The supply of vacant land available to meet the needs of industry is calculated for the land inside of the existing UGB and in the areas that were added to the UGB in December 2002. Gross acres have been calculated by removing only Title 3 resource areas.

The supply of vacant industrial land is concentrated in Portland and the eastern portion of the region. The 2002 UGB expansion included over 4,000 industrial acres that are mainly concentrated in the Damascus and South Gresham (Springwater) areas.⁶ The smallest supply of lots falls within the 50-100 plus acre lot ranges indicating that there are few choices for large lot users within the existing UGB.

Table 2. Comparison of Supply and Demand (in gross acres)

	under 1	1 to 5	5 to 10	10 to 25	25 to 50	50 to 100	plus 100	Total supply
Total Supply	400	2,388	1,889	2,159	1,765	536	111	9,249
Total Demand	1,955	2,899	2,344	2,401	887	868	502	11,856
Surplus/ (Deficit)	(1,555)	(511)	(455)	(242)	878	(332)	(391)	(2,607)

After identifying the size of the deficit and the number and sizes of parcels required to meet the industrial land need a methodology was developed to complete the Alternatives Analysis Study based on the Statewide Planning Goals 2 and 14.

STATEWIDE PLANNING GOALS 14 and 2

Goal 14, Urbanization provides for an orderly and efficient transition from rural to urban use. The goal defines the use of urban growth boundaries as a tool to identify and separate urbanizable land from rural lands. Establishing or changes the boundary shall be based upon the balancing of the following factors:

- demonstration of the need for land based on population and growth forecasts for housing, employment and livability purposes;
- maximizing the efficiency of land uses within and on the fringe of the existing urban area;
- evaluating the environmental, energy, economic and social consequences;
- retention of agricultural land with class I being the highest priority for retention and class VI being the lowest; and
- demonstration of compatibility or urban uses with nearby agricultural activities.

Goal 14 describes a number of requirements that must be met that may be in conflict with one another. The Goal does not contemplate satisfying all elements but requires a balancing of impacts.

A key element in addressing the hierarchy requirements is defining which lands are suitable for industrial purposes. Metro is focused on meeting a very narrow land need. This land need can only be satisfied on land that has very specific characteristics. Goal 14 allows Metro to define the type of land necessary to meet the needs for industrial land. The suitability of land is established by identifying the characteristics of land for warehouse and distribution, general industrial and tech flex uses. The type of the land needed for industrial purposes is less substitutable than for other types for employment or residential purposes.

Goal 2 part II—Exceptions, governs Land use Planning and applies to the UGB amendment process because it establishes a land use planning process, a policy framework and a basis for taking exceptions to

⁶ Includes the Damascus area and Gresham (industrial, including regionally significant lands)

the goal. An exception can be taken if the land is physically developed or irrevocably committed to uses not permitted by the goal.

Alternatives Analysis Methodology and the Priority of Lands

Lands considered for inclusion in the UGB must meet the requirements in Statewide Planning Goal 14 and the State statute regarding the priority lands (ORS 197.298).⁷ The five-tier hierarchy of land begins with exception lands and progresses through to resource lands containing a range from the poorest to the best soils. This tier system is used to map soil types, establish the predominance of soils and allow comparison of study areas. For example, Tier 5 lands contain a majority of the best soils for agriculture class I and II soils. The tiers of land are defined as follows:

- Tier 1 – exception land contiguous to the UGB and non-high value resource land completely surrounded by exception land;
- Tier 1a – exception land not contiguous to the UGB (within the one mile extent of study area boundaries);
- Tier 2 – marginal land, a unique classification of non-resource land in Washington County that allows dwelling units on EFU land;
- Tier 3 – resource land that may be needed to serve exception land;
- Tier 4 – resource land, majority of class III & IV soils, some class I & II soils; and
- Tier 5 – resource land, majority of class I and II soils, some class III and IV soils

The 2002 Alternatives Analysis Study was supplemented with additional lands after the December 2002 UGB expansion decision removed over 18,000 acres. A total of 59,263 acres of land remained from the 2002 Alternatives Analysis Study after the 2002 expansion of the UGB. The 2003 Alternatives Analysis Study added another 9,071 acres of land bringing the total under study to over 68,334 acres. The land added to the 2003 Study contains mostly Tier 5 resource lands that are made up of class I and II soils. These soil classes were not examined in the 2002 study.

Reducing The Lands Under Consideration

The Metro Council reduced the Alternatives Analysis Study lands under consideration from 68,334 acres to 29,000 acres in December 2003 by adopting Resolution No. 03-3386B. The reduction in the 2002/2003 Alternatives Analysis Study areas was based on a technical assessment using industry location and siting factors (slope, proximity to industry and access), area size, proximity to the UGB and size and location of committed uses. The following factors were applied to the 68,334 acres to reduce the areas under study:

- Areas were removed that contained a majority of parcels that were less than 5 acres and were already developed;
- Areas were removed if they fell below the minimum size threshold (300 acres) for an industrial neighborhood and were not located adjacent to an existing industrial neighborhood;⁸
- Areas were removed when the majority of an area contained large expanses of land, located within a floodplain and/or had slopes greater than 10 percent; and
- Areas were removed that were contiguous to the UGB but were not located within one mile of existing Title 4 areas and/or industrial areas and are more than two miles from an interchange unless these areas may be needed to provide services to areas suitable for industrial uses.⁹

The remaining Alternative Analysis Study contained 29,071 gross acres, of which 9,179 acres are Tier 1 exception land. The remaining land is a combination of Tier 3, Tier 4 and Tier 5 – resource land, majority of class I & II soils, some class III & IV soils and prime timberland. Tier 5 lands are the lowest priority land under ORS 197.298 to be considered for urbanization because they contain the best soils for

⁷ The Hierarchy of Lands is depicted in a chart labeled Attachment 1.

⁸ A study was completed to determine a minimum size

⁹ Includes: Highway 99, Tualatin Valley Highway, I-84, I-5, I-205 and I-405.

agriculture. The boundary of individual study areas is limited to approximately one mile from the current UGB, which is consistent with the methodology applied in the 2002 Alternatives Analysis Study.

APPLICATION OF METRO POLICIES

Metro's management of the UGB is guided by standards and procedures that are consistent with the policies identified in Sections 1 through 6 of the Regional Framework Plan (Framework Plan). These policies were formulated to guide the decision-making regarding expansion of the UGB, growth management, protection of natural resources and to provide definition of the urban form for the region. These policies have been applied to the Alternatives Analysis lands under consideration areas as part of the evaluation of lands for possible inclusion into the UGB. The policies discussed below do not take precedence over criteria in state law but can be applied within the decision-making process to lands that are located within the same tier classification or class of soils.

Regional Framework Plan, Section 1: Land Use

This section contains specific goals and objectives adopted to guide Metro in future growth management land use planning. Listed below in full or in part are the policies that are expressly or implicitly apply to this UGB expansion decision.

Policy 1. Urban Form

The quality of life and the urban form of our region are closely linked. The Growth Concept is based on the belief that we can continue to grow and enhance livability by making the right choices for how we grow. The region's growth will be balanced by:

- Maintaining a compact urban form, with easy access to nature;
- Preserving existing stable and distinct neighborhoods by focusing commercial and residential growth in mixed-use centers and corridors at a pedestrian scale;
- Assuring affordability and maintaining a variety of housing choices with good access to jobs and assuring that market-based preferences are not eliminated by regulation; and
- Targeting public investments to reinforce a compact urban form.

Policy 1.2 Built Environment

Development in the region should occur in a coordinated and balanced fashion as evidenced by:

- A regional "fair-share" approach to meeting the housing needs of the urban population.
- The provision of infrastructure and critical public services concurrent with the pace of urban growth and that supports the 2040 Growth Concept.
- The continued growth of regional economic opportunity, balanced so as to provide an equitable distribution of jobs, income, investment and tax capacity throughout the region and to support other regional goals and objectives.
- The coordination of public investment with local comprehensive and regional functional plans.
- The creation of a balanced transportation system, less dependent on the private automobile, supported by both the use of emerging technology and the location of jobs, housing, commercial activity, parks and open space.

Policy 1.3.1 Affordable Housing

The Metro Council, with the advice and consultation of the Metro Policy Advisory Committee (MPAC), determined that affordable housing is a growth management and land use planning matter of metropolitan concern and will benefit from regional planning. Metro will develop Affordable Housing Production Goals as part of a Regional Affordable Housing Strategy for meeting the housing needs of the urban population in cities and counties in the Metro region. The purpose of this Section 1.3 of the Regional Framework Plan is to address the need for a regional affordable housing strategy, in order to provide affordable housing opportunities throughout the region.

This purpose will be achieved through:

- A diverse range of housing types available within the region and within the cities and counties inside Metro's urban growth boundary;
- Sufficient and affordable housing opportunities available to households of all income levels that live or have a member working in each jurisdiction and subregion;
- An appropriate balance of jobs and housing of all types within subregions;
- Addressing current and future need for and supply of affordable housing in the process used to determine affordable housing production goals; and
- Minimizing any concentration of poverty.

Policy 1.4 Economic Opportunity

Metro should support public policy that maintains a strong economic climate through encouraging the development of a diverse and sufficient supply of jobs, especially family wage jobs, in appropriate locations throughout the region. In weighing and balancing various values, goals and objectives, the values, needs, choices and desires of consumers should also be taken into account. The values, needs and desires of consumers include:

- Low costs for goods and services;
- Convenience, including nearby and easily accessible stores; quick, safe, and readily available transportation by all modes;
- A wide and deep selection of goods and services;
- Quality service;
- Safety and security; and
- Comfort, enjoyment and entertainment.

Expansions of the UGB for industrial or commercial purposes shall occur in locations consistent with this plan and where, consistent with state statutes and statewide goals an assessment of the type, mix and wages of existing and anticipated jobs within subregions justifies such expansion. The number and wage level of jobs within each subregion should be balanced with housing cost and availability within that subregion. Strategies should be developed to coordinate the planning and implementation activities of this element with Policy 1.3, Housing and Affordable Housing, and Policy 1.8, Developed Urban Land. According to the Regional Industrial Land Study, economic expansion of the 1990s diminished the region's inventory of land suitable for industries that offer the best opportunities for new family-wage jobs. Sites suitable for these industries should be identified and protected from incompatible uses.

Policy 1.4.1 Industrial Land

Metro, with the aid of leaders in the business and development community and local governments in the region, shall designate as Regionally Significant Industrial Areas those areas with site characteristics that make them especially suitable for the particular requirements of industries that offer the best opportunities for family-wage jobs.

Policy 1.4.2 Industrial Land

Metro, through the Urban Growth Management Functional Plan, and local governments shall exercise their comprehensive planning and zoning authorities to protect Regionally Significant Industrial Areas from incompatible uses.

Policy 1.6 Growth Management

The management of the urban land supply shall occur in a manner consistent with state law that:

- Encourages the evolution of an efficient urban growth form;
- Provides a clear distinction between urban and rural lands;
- Supports interconnected but distinct communities in the urban region;

- Recognizes the inter-relationship between development of vacant land and redevelopment objectives in all parts of the urban region; and
- Is consistent with the 2040 Growth Concept and helps attain the region's objectives.

Policy 1.7 Urban/Rural Transition states "There should be a clear transition between urban and rural land that makes best use of natural and built landscape features and that recognizes the likely long-term prospects for regional urban growth.

- **Boundary Features** – The Metro UGB should be located using natural and built features, including roads, rivers, creeks, streams, drainage basin boundaries, floodplains, power lines, major topographic features and historic patterns of land use or settlement."

Policy 1.7.2 Sense of Place

Historic, cultural, topographic and biological features of the regional landscape that contribute significantly to this region's identity and "sense of place" shall be identified. Management of the total urban land supply should occur in a manner that supports the preservation of those features, when designated, as growth occurs.

Policy 1.8 Developed Urban Land

Opportunities for and obstacles to the continued development and redevelopment of existing urban land shall be identified and actively addressed. A combination of regulations and incentives shall be employed to ensure that the prospect of living, working and doing business in those locations remains attractive to a wide range of households and employers. In coordination with affected agencies, Metro should encourage the redevelopment and reuse of lands used in the past or already used for commercial or industrial purposes wherever economically viable and environmentally sound. **Redevelopment and Infill** - When Metro examines whether additional urban land is needed within the UGB, it shall assess redevelopment and infill potential in the region. The potential for redevelopment and infill on existing urban land will be included as an element when calculating the buildable land supply in the region, where it can be demonstrated that the infill and redevelopment can be reasonably expected to occur during the next 20 years. Metro will work with jurisdictions in the region to determine the extent to which redevelopment and infill can be relied on to meet the identified need for additional urban land. After this analysis and review, Metro will initiate an amendment of the UGB to meet that portion of the identified need for land not met through commitments for redevelopment and infill.

Policy 1.9 Urban Growth Boundaries

It is the policy of Metro to ensure that expansions of the UGB help achieve the objectives of the 2040 Growth Concept. When Metro expands the boundary, it shall determine whether the expansion will enhance the roles of Centers and, to the extent practicable, ensure that it does. The regional UGB, a long-term planning tool, shall separate urbanizable from rural land and be based in aggregate on the region's 20-year projected need for urban land. The UGB shall be located consistent with statewide planning goals and these RUGGOs and adopted Metro Council procedures for UGB.

Policy 1.11 Neighbor Cities states "Growth in cities outside the Metro UGB, occurring in conjunction with the overall population and employment growth in the region, should be coordinated with Metro's growth management activities through cooperative agreements which provide for:

- **Separation** – The communities within the Metro UGB, in neighbor cities and in the rural areas in between will all benefit from maintaining the separation between these places as growth occurs. Coordination between neighboring cities, counties and Metro about the location of rural reserves and policies to maintain separation should be pursued."

Policy 1.12 Protection of Agriculture and Forest Resource Lands states "Agricultural and forest resource land outside the UGB shall be protected from urbanization and accounted for in regional

economic and development plans consistent with this plan. However, Metro recognizes that all the statewide goals, including Statewide Goal 10, Housing and Goal 14, Urbanization, are of equal importance to Goals 3 and 4, which protect agriculture, and forest resource lands. These goals represent competing and, sometimes, conflicting policy interests which need to be balanced.

- *Rural Resource Lands* – Rural resource lands outside the UGB that have significant resource value should actively be protected from urbanization. However, not all land zoned for exclusive farm use is of equal agricultural value.
- *Urban Expansion* – Expansion of the UGB shall occur in urban reserves, established consistent with the urban rural transition objective. All urban reserves should be planned for future urbanization even if they contain resource lands.
- *Farm and Forest Practices* – Protect and support the ability for farm and forest practices to continue. The designation and management of rural reserves by the Metro Council may help establish this support, consistent with the 2040 Growth Concept. Agriculture and forestry require long-term certainty of protection from adverse impacts of urbanization in order to promote needed investments.”

Policy 1.13 – 1.13.3 Citizen Participation

The following policies relate to participation of Citizens:

Metro will encourage public participation in Metro land use planning, follow and promote the citizen participation values inherent in RUGGO Goal 1, and encourage local governments to provide opportunities for public involvement in land use planning and delivery of recreational facilities and services.

Policy 2.1 Regional Transportation Plan, Inter-governmental coordination

Coordinate among the local, regional and state jurisdictions that own and operate the region’s transportation system to better provide for state and regional transportation needs. These partners include the cities and counties of the region, Metro, the Oregon Department of Transportation (ODOT), the Oregon Department of Environmental Quality, the Port of Portland and Tri-Met. Metro also coordinates with RTC, C-Tran, the Washington Department of Transportation (WashDOT), the Southwest Washington Air Pollution Control Authority (SWWAPCA) and other Clark County Governments on bi-state issues.

Policy 3. Urban Form

“Facilitate implementation of the 2040 Growth Concept with specific strategies that address mobility and accessibility needs and use transportation investments to leverage the 2040 Growth Concept.”

Policy 5.1.1 Earthquake Hazard Mitigation

Metro will use the relative earthquake hazard maps for a variety of planning purposes, including:

- Urban Growth Boundary selection;
- Public facility plans;
- Transportation planning;
- Solid waste management plans;
- Natural hazard mitigation programs;
- Parks and greenspaces planning.

Metro Code 3.01.020(b) through (e) establishes criteria that is based upon the Goal 14 factors discussed on page 3. These policies are applicable to the UGB expansion process and guide decision-making

between similarly situated lands.¹⁰ Goal 14 requires a weighing and balancing of a number of different factors to decide which lands are most suitable for urbanization.

DISCUSSION OF SUITABILITY FACTORS FOR INDUSTRY

Application of the location and siting factors to the lands in the 2002 and 2003 Alternatives Analysis Study areas determined which lands were most suitable for industrial purposes. The location and siting factors were developed for warehouse/distribution, general industrial and tech flex uses.

Siting Factors For Warehouse and Distribution, Tech/Flex, General Industrial Uses

The following industrial sectors have specific site characteristics that are determined by building types needed for warehouse and distribution, general industrial and tech-flex uses. These industry types were identified in the adopted Employment UGR.

In order to identify the land characteristics suitable for warehouse and distribution, general industrial, tech-flex, a number of interviews were conducted with industry professionals that specialize in land acquisition, site development and facility management.¹¹

Warehouse and Distribution

Access is key to the warehouse and distribution industry. Warehouse and distribution requires freeway access via an arterial or collector street system. Since transportation of goods is the primary purpose of these businesses, ease of access and the ability to move goods on-site is a primary concern. The value or premium that a business places on access is somewhat dependent upon whether the movement of goods is in bulk or results from primary manufacturing. Bulk suppliers and users tend to locate close to Port of Portland facilities that utilize rail, barge and container operators. Local distributors place a higher premium on sites that are centrally located and as a result are willing to trade off congestion for a location that can reach a number of places in the region. Manufacturers that produce precision products may require access to the airport for shipping rather than utilizing marine or truck modes of transportation.

Suitable sites for warehouse/distribution should contain the following characteristics:

- Freeway access (I-5, I-84, I-205) within 3-5 miles of an interchange via an arterial street, no intermediate conflicting uses such as residential, schools and high traffic generating commercial uses;
- New locations need to provide enough area for a number of uses not just one single site;¹²
- Slopes of less than 5 percent, larger buildings are more difficult to accommodate on sloped sites
- Highway 26 on the west-side is not desirable due to congestion unless a firm serves the local market.

General Industrial

General industrial building types can accommodate light to heavy manufacturing activities and encompass a wide range of activities from research, development and manufacturing and fabrication.

General industrial sites need the following site characteristics:

- Freeway access within 3 miles of an interchange via an arterial street;
- Net parcel sizes: between 1-5 acres and 10-20 acres, depending upon shape and constraints;

¹⁰ Similarly situated lands are those lands that are located within the same Tier classification. For example, if Metro Council was deliberating between exception lands (Tier 1) they would be able to apply Policy 1.1 that discusses neighboring cities and maintaining a physical separation of communities within the Metro UGB.

¹¹ The siting and location characteristics were discussed in a memorandum titled "Industrial Land Location and Siting Factors" and dated June 9, 2003.

¹² The size of new industrial areas was discussed in a memorandum titled "Formation of Industrial Neighborhoods" and dated October 24, 2004.

- Location near other firms to provide access to an adequate labor pool;
- Stable soils, flat sites to reduce required site work, truck access;
- Manufacturing sites greater than 20 acres, must have slopes less than 2 to 3 percent, the larger the building the less likely a project can accommodate slopes greater than 3 percent,
- Manufacturing sites between 1-5 acres, slopes no more than 5 to 10 percent.

Tech/Flex

As the name implies these buildings are constructed to be flexible in nature and be easily configured to meet different space requirements. Generally, the site requirements are not as restrictive as the requirements for warehouse/distribution or general industrial sites. A site that is developed for tech-flex use can tolerate greater variations in slope by utilizing multiple buildings to accommodate topographic constraints. They can accommodate light assembly, product or material storage, research activities and may contain a small amount of office. Buildings used for high-tech purposes require stable soils to minimize vibration and specialized public facilities like specialty gases, triple redundant power, high volume water and fire/emergency response units.

Tech/flex users have the following site needs:

- Net parcel size greater than 10 acres;
- Availability of specialized utilities such as specialty gases, triple redundant power, abundant water, dedicated fire and emergency response services;
- Stable soils;
- Located within close proximity of existing hi-tech companies and suppliers;
- Access to airport, no more than 45 minute mid-day travel time for passenger purposes; and
- Limited rolling topography within a site but overall slope no greater than 5 percent.

Common Site and Location Factors

- Industrial sites need land that is sloped no more than 5 percent (3 to 5 percent is preferable).
- Freeway access is a critical component for warehouse and distribution industries although it is also important for general industrial and tech flex where access is more focused on the movement of people rather than on the movement of goods.
- Mid-day access to the airport within 45 minutes is important for general industrial and tech flex mainly for the movement of people. The Portland International Airport and to a certain degree the Hillsboro Airport satisfies some of the passenger demand. This Hillsboro Airport is currently limited to smaller aircraft due to runway limitations.
- Industries desire to be located near similar uses due to underlying common site characteristics, the need for access to suppliers and to provide access to a workforce.

Testing Slope Parameters for Industrial Users

The interviews with professionals discussed above emphasized the importance of slope to development of industrial sites. The slopes discussed were less (3-5 percent) than the 10 percent threshold that Metro used to screen lands for suitability. A series of case study interviews were done with representatives from National Association of Industrial and Office Properties (NAIOP), industrial real estate brokers and an engineering firm that specializes in industrial construction.¹³ This analysis affirmed that in general the maximum slope on lands used for industrial purposes must be less than 10 percent to minimize inefficiencies and costs of obtaining large flat areas on a site for construction of an industrial building. A slope factor of less than 10 percent has been used as a threshold for identifying which lands would be viable for industrial development because Metro is conducting a regionalized analysis rather than a site specific study.

¹³ The Slope Case Study examined five hypothetical sites and calculated the costs associated with developing an industrial use.

Industrial Land Supply Available to Meet Demand - Aggregation Potential

Metro examined the likelihood of consolidating small parcels of land in study areas to fulfill large parcel needs identified in the Employment UGR.¹⁴ The demand for larger parcels is based on the needs of growing companies already located in the region as well as new companies entering the region.

Parcels over greater than 50 acres are desirable for the following reasons:

- *Ease of development*- they allow more opportunities to accommodate natural resources, slopes, odd shapes, internal circulation challenges and access requirements.
- *Flexibility*- lots can be configured into smaller parcels to meet individual firm needs, provide additional opportunities for financing and be responsive to changing market demands.
- *Growth potential*- allows expansion opportunities for existing firms so they can remain in a single location and still have opportunities to grow their business. This provides the region a competitive advantage for the retention of existing firms.
- *Site Planning on larger parcels*- allows more efficient and cohesive site development to occur and allows the opportunity for phasing and greater land utilization.

All of the study areas were analyzed to determine the potential for land aggregation in the following consolidated lot size categories: 5 to 25 acres, 25 to 50 acres, 50 to 100 and 100 plus acre sizes. All of the areas under study were analyzed for aggregation potential characterized by lot size ranges of 5 to 25 acres, 25 to 50 acres and 50 to 100 plus acres. It was assumed that separate contiguous tax lots under a common ownership could be treated as a single site. The following decision rules were applied: 1) no more than two separate property owners for lots 5 to 25 acres, 2) three property owners for lots 25 to 50 acres and, 3) four property owners 50 to 100 plus acres to assemble lots within this size range. Aggregated lots were configured in square or rectangular shapes wherever possible to maximize the development area. The location of natural resources and slopes were also considered in defining which lots had the greatest aggregation potential.

The following conclusions were reached from the aggregation study:

- The smaller the study area size the less likely it is to be able to form large lots (50 to 100 plus acres). Study areas over 500 acres provided greater potential for achieving a range of larger lot sizes.
- Exception areas generally have more limited aggregation potential because of committed uses (rural residential, churches, schools) and they contain smaller parcels than exclusive farm use (EFU) areas.
- Generally the areas containing the greatest aggregation potential also have some of the lowest per acre land value.

FULFILLING THE NEED FOR INDUSTRIAL LAND

Adopting Efficiency Measures

As part of the tasks to complete Periodic Review, Metro is examining ways to use land more efficiently and adopting policies to maximize the use of land within the UGB. In 2002, Metro adopted provisions in the Urban Growth Management Functional Plan, Title 4 that limits non-industrial uses in industrial areas. Subsequent to its adoption, local governments and industry representatives have come before the Metro Council to make the case that traditional land use categories are now less relevant to understanding industrial uses because many industrial activities including research and development, office and manufacturing often occur in the same facility. Testimony also indicated that there are conflicting opinions regarding the need for large parcels and the need for flexibility in dividing larger parcels.¹⁵

¹⁴ Employment UGR page 23.

¹⁵ Memorandum titled, A Review of Information Pertaining to Regional Industrial Lands, dated January 26, 2004.

Amendments to Title 4 are projected to preserve land for industrial uses by restricting the amount and types of commercial uses that locate on industrial land. The results of the efficiencies gained from amending Title 4 are discussed below.

Title 4 discussion - Urban Growth Report Supplement

The proposed Title 4 regulations specifically limit the amount and square footage of retail and office uses that might otherwise find industrial locations suitable for business in order to achieve the policy savings discussed in the Employment UGR. The Employment UGR assumes a potential savings of 1,400 acres of industrial land from implementing new measures and mapping of RSIA lands.¹⁶ The table below compares the existing land supply with the demand for industrial land and makes an assumption that Title 4 policy changes will be adopted and reduce the deficit of industrial land.

Table 4. Urban Growth Report Reconciliation

Supply and Demand Comparison	Net Vacant Acres
Demand	9,366
Supply	3,681
<i>Deficit</i>	<i>(5,685)</i>
RSIA and Title 4 Policy Savings	1,400
Adjusted (Deficit)	(4,285)
2002 UGB Decision	2,317
Remaining Industrial Land Need	(1,968)

Commercial Land Surplus

The Employment UGR identified a commercial land surplus of 393 acres. The surplus is based upon the available supply of land for commercial purposes and an assumption that a percentage of commercial activities would continue to take place on industrially zoned lands. Testimony received during the discussion of revisions to Title 4, argued the traditional building types accommodating office and industrial uses are merging based on the needs of a knowledge-based economy. Approximately 30 percent of the land need identified in the Employment UGR is for tech-flex and general industrial uses which can include research and development and other uses. These uses have higher job densities that are consistent with office type buildings. Based on this fact additional flexibility has been incorporated into Title 4 regulations to accommodate the need for industrial office uses. Concurrently, these same types of office, industrial uses, (i.e. software development etc.) could also locate on commercial land in traditional office building types. Therefore the surplus of commercial land is being applied to help satisfy the overall need for industrial lands.

Table 5. Application of the Commercial Land Surplus

Supply and Demand Comparison	Net Vacant Acres
Industrial Land Need	1,968
Less Commercial Land Surplus	(393)
Remaining Industrial Land Need	1,575

AMENDING THE UGB

Metro will also consider amending the UGB to meet the remaining land need. Lands will be chosen from the 29,000 acres identified in Resolution No. 03-3386B.

¹⁶ Employment UGR, page 46.

Discussion of Alternative Analysis Study Areas

Approximately 29,000 acres of land are contained in the Alternatives Analysis Study that have the potential to satisfy the remaining industrial land need. The Alternatives Analysis Study included an Environmental, Social, Energy and Economic (ESEE) analysis, assessed agricultural compatibility and productivity (acres of buildable land) as well as an evaluation of the feasibility of providing public facilities.¹⁷ Each of thirty-one study areas was examined in detail to determine if it met the location factors of two miles from an interchange and one mile from existing industries. Some study areas were excluded from further consideration even though they met the location factors discussed above but were not deemed suitable for industrial use due to parcelization, constraints due to existing development patterns, location and extent of natural resources, servicing and urban form and/or negative impacts on agricultural uses. What follows is an area by area assessment. Maps of all areas discussed are included in Attachment 2- Study Area Maps.

Areas Not Suitable for Industrial Use Due to Location Factors

The following areas are located more than two miles from an interchange and one mile from existing industries and therefore have not been recommended for inclusion in the UGB for industrial use.

Pleasant Home

The Pleasant Home study area (southeast of Gresham) is located more than two miles from interchanges on Highway 26 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. The area is approximately 1.2 miles from the current UGB and is highly parcelized with a very high percentage of parcels less than 5 acres (83 percent) and less than 10 acres (94 percent). Most of the small-developed parcels are located in pockets along SE Dodge Park Road, SE Pleasant Home Road, SE Altman Road and SE Cottrell Road, which result in the formation of three dispersed mostly non-developed areas ranging in size from 100 to 176 gross acres composed of larger parcels.

However these larger parcel areas are at a minimum over 1.2 miles from existing sewer services and are constrained by surrounding residential uses and environmental resources. It would not be economically feasible to extend services 1.2 miles for a relatively small amount of land and extending such a long cherry stem is not good urban form. In addition the area is 1.2 miles from the City of Gresham, which will be problematic for Title 11 planning. For the reasons mentioned above related to the committed uses on small parcels, the distance from the current UGB, urban form, and complications for Title 11 planning, this area is removed from further consideration.

Bluff Road

The Bluff Road study area (east of Boring) is located more than two miles from selected interchanges on Highway 26 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. This exception land area is highly parcelized with a very high percentage of parcels less than 5 acres (81 percent). Almost all parcels are less than 10 acres in size (99 percent). The average lot size is just over 3 acres and 85 percent contain homes. Just over half (57 percent) of the total land area is considered vacant and buildable. The small, developed parcels are dispersed throughout the area. The high degree of parcelization, existing residential development, and environmental constraints from three streams and 24 wetlands restrict the feasibility of consolidating parcels and constructing new industrial buildings. The area is approximately five miles from the UGB and the City of Sandy will not provide services to the area. All wastewater generated from this area will need to be transported to the Willamette or Columbia Rivers for discharge. The area is heavily involved in agricultural activity and its inclusion in the UGB would have a high impact on adjacent agricultural activities. For the reasons mentioned above related to the committed uses on small parcels, the distance

¹⁷ Industrial Land Alternatives Analysis Study, dated February 2004.

from the current UGB, impacts on adjacent agricultural activities, and urban services, this area is not recommended for further consideration.

Oregon City East

The Oregon City East study area is divided into two separate sections, separated by a canyon that contains Holcomb Creek that is approximately 1,400 feet wide. The eastern most section, which contains Tier 4 resource land and exception land, is the furthest from the UGB and is located more than two miles from an interchange on Interstate 205 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. This section does contain a few large undeveloped parcels. However, they are constrained by environmental resources including Holcomb Creek, tributaries to Holcomb Creek, wetlands and steep slopes. Based on the over two-mile distance from I-205, separation of the section by the Holcomb Creek canyon and the environmental resources, the eastern section of the Oregon City East study area is not recommended for further consideration.

The western section of the study area is contiguous to the UGB and is within two miles from an interchange on Interstate 205. It is exception land except for one parcel of Tier 5 resource land. There is one access route from I-205 to the study area through an existing neighborhood up a long hill. The study area is not contiguous to the Oregon City city limits, which may prove problematic for Title 11 planning. This section is highly parcelized with a very high percentage of parcels less than 5 acres (94 percent) and all but one (19 acres) less than 10 acres in size. The average lot size is 1.6 acres and 92 percent contain homes. As a result there is a very small area of approximately 67 gross acres that is mostly undeveloped. The small amount of undeveloped land and the adjacent location of the existing residential development reduces the economic feasibility of consolidating parcels large enough for the development of a new industrial area. Due to the committed uses on small parcels in the exception land areas, the one access route of over two miles through an existing residential neighborhood within the UGB, and the very small amount of undeveloped land, this portion of the study area is not recommended for further consideration.

Beavercreek

The portion of the Beavercreek study area (south of Oregon City) that is generally south of Beaver Creek, S Tioga Road and S Wilson Road is located more than two miles from an interchange on Interstate 205 as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. This southern portion of this exception land study area is highly parcelized with a high percentage of parcels less than five acres in size (83 percent) and less than 10 acres (91 percent). The average lot size is 3.7 acres and 84 percent contain homes, not counting the 9 one plus acre lots that are currently vacant adjacent to the Stone Creek Golf Course which is owned by Clackamas County. Most of the small-developed parcels are located in pockets along S Beavercreek Road, S Wilson Road, and S Lammer Road, which result in the formation of five, dispersed mostly undeveloped areas ranging in size from 74 (12 owners) to 338 (19 owners) gross acres composed of larger parcels.

However, these larger parcel areas are at a minimum just under one mile from existing sewer services, contain numerous property owners and are constrained by surrounding residential uses and environmental resources (Beavercreek Map 1). It would not be economically feasible to extend services this distance for such a small amount of land and extending such a long cherry stem is not good urban form. The one-mile distance from the Oregon City limits will be problematic for Title 11 planning. For the reasons mentioned above related to the committed uses on small parcels, the distance from the current UGB, urban form, and complications for Title 11 planning, this area is not recommended for further consideration.

The northern portion of this exception land study area is contiguous to the UGB and within 1 mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. However, more than half of the parcels in this portion of the study area that are adjacent to the UGB are developed with single-family homes. This portion of the study area is also highly parcelized with a very high

percentage of parcels less than five acres (93 percent) and less than 10 acres in size (98 percent). Sixty-four percent of the parcels that are less than 5 acres in size are less than one acre in size. The average lot size is 1.8 acres and 84 percent contain homes. The percentage of parcels that contain homes increases to 89 percent if the 29 less than one-acre lots currently vacant in the Three Mountains subdivision are included. Most of the small-developed parcels are located in pockets along S Beaver Creek Road, S Henrici Road, and Highway 213, which result in the formation of three, dispersed mostly undeveloped areas ranging in size from 32 (four owners) to 197 (16 owners) gross acres composed of larger parcels.

Generally these larger parcel areas contain numerous property owners and are almost surrounded by existing residential development that restricts the feasibility of consolidating parcels and constructing new industrial buildings (Beaver Creek Map 2). There are two main access routes for both sections of the study area that travel through a major portion of Oregon City and the study area is approximately five miles from I-205. For the above-mentioned reasons related to committed uses on small parcels, the resulting small amount of buildable land, distance to I-205, this portion of the study area is not recommended for further consideration.

Wilsonville West

The western portion of this area, west of SW Tooze Road in the vicinity of SW Malloy Way is located more than two miles from an interchange on Interstate 5 as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map (Wilsonville West Map 1). Within this section of the study area are three pockets of exception land that collectively total 94 acres of land. The largest pocket of exception land is approximately 67 acres in size and is located along the west edge of the study area, two miles from the current UGB. Seventeen of the 23 parcels contain homes and the average lot size is 2.9 acres. The two remaining exception land areas are located in the central portion of the study area and are 12 and 15 acres in size and contain seven and three parcels respectively. Six of the seven parcels in the 12-acre section contain homes and the average parcel size is 1.75 acres. All three of the other exception land parcels contain homes and average five acres in size.

The remaining portion of this section of the Wilsonville West study area is composed of 303 acres of Tier 5 resource land divided into two areas. The first resource land area is near the intersection of SW Tooze Road and SW Baker Road and is 86 acres in size divided between eight property owners. This resource land section is located on the northern edge of the study area and is almost completely surrounded by resource land not within the study area that is actively farmed and/or contains homes. It is approximately one mile to the current UGB. The second resource land area straddles SW Baker Road south of SW Tooze Road and is 217 acres in size divided between 17 property owners. To the north and south are actively farmed areas and to the east and west are rural residences. Urbanization of these resource land sections would have an impact on adjacent agricultural activities. Due to the fact this study area section is greater than one mile from an existing industrial area and two miles from an interchange, the committed uses on small parcels in the exception land areas, the resource land is Tier 5 farmland, and most of the area is a minimum of one mile from the current UGB, this portion of the study area is not recommended for further consideration.

The eastern portion of the study area is within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area Map and/or is also within two miles of a selected interchange on Interstate 5 (Wilsonville West Map 2). This section is a mixture of Tier 4 resource land (386 acres) and exception land (167 acres). Metro Parks and Greenspaces owns a 38-acre parcel, which is the largest exception land parcel in this section and is adjacent to the current UGB in the northeast corner of the study area. A second exception land area is located along SW Grahams Ferry Road and is 55 acres in size. Eighteen of the 25 parcels contain homes and the average lot size is 2.2 acres.

The third exception land area is located near SW Grahams Ferry Road and SW Malloy Way. All but one of the remaining 43 exception land parcels is less than five acres in size and all but six have residences. The average lot size in this exception land area is three acres. The high degree of committed uses and the numerous small parcels within the exception land areas restricts the feasibility of consolidating parcels and constructing new industrial buildings. The Tier 4 resource land contains a large expanse of floodplain that separates the remainder of the study area from the city limits to the east. This eastern portion of the study area contains 192 acres of environmentally constrained land (Title 3 and slopes greater than 10 percent). The western edge of the city limits, adjacent to the study area is entirely open space land purchased by Metro Parks and Greenspaces. The large amount of environmental resources and the continuous swath of open space land adjacent to and within the study area on the east side limits the possibility of providing city services from the east.

The future extension of SW Boeckman Road through this environmentally sensitive area may present some opportunity to provide urban services to the west. However, the extension of SW Boeckman Road is a two-lane facility intended to serve local circulation between east and west Wilsonville. Improving the facility beyond the present two lanes to accept additional capacity would be difficult because of the extensive natural resources in the area. Consequently the SW Boeckman Road extension does not overcome the other limitations of the study area. Due to the committed uses on small parcels in the exception land areas and the great amount of environmental resources and nearby designated open space, this portion of the study area is not recommended for further consideration.

Sherwood East

The portion of the Sherwood East study area that is south of SW McConnell Road and SW Morgan Road is located more than two miles from Highway 99W as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. This southern section of the study area contains 156 acres of Tier 5 resource land in 10 parcels and 8.9 acres of exception land in two parcels. To the south of the resource land section is a large area of resource land not within the study area that is actively farmed and/or contains homes. To the north is resource land within the study area that is also involved in agricultural activities. It is approximately one half mile to the current UGB.

Urbanization of this resource land section would have an impact on adjacent agricultural activities. The two exception land parcels are each five acres in size and contain homes. Due to the fact this study area section is greater than one mile from an existing industrial area and over two miles from Highway 99W, the two exception land parcels are compromised with single-family homes, the resource land is Tier 5 farmland, and most of the areas are a minimum of 1/2 mile from the current UGB, this portion of the study area is not recommended for further consideration.

The remaining portion of the study area is within either two miles of Highway 99W and/or one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. It is made up of three pockets of exception land, located on the western and eastern edges and in the center of the study area adjacent to the UGB. Tier 5-resource land is between the exception land areas. The western exception land pocket is centered on SW Ladd Hill Road, contains 14 parcels and is 24 acres in size. The average parcel size is 1.7 acres and 10 of the 14 parcels have homes. The four vacant parcels total 4.3 acres and three of them are less than one acre in size. The central exception land pocket is centered on SW Baker Road, contains 14 parcels and is 62 acres in size. The average parcel size is 4.4 acres and 12 of the 14 parcels have homes. The two vacant parcels total five acres, are adjacent to the UGB and currently are wooded. The eastern exception land pocket is east of SW Baker Road and north of SW Morgan Road. It contains 28 parcels, is 141 acres in size and the average parcel size is 5 acres. Eighteen of the parcels are less than five acres in size and 10 are greater than five acres, the largest being 11 acres in size. All but two of the parcels contain homes and the two vacant parcels total 8.3 acres, take access off of SW Baker Road and are not adjacent to each other. The vast majority of the Tier 5 resource land (309 acres) is currently in agricultural production. Nine of the 14 parcels do have an associated residence and all but one

of the five vacant parcels is associated with an adjacent active farming activity. This active farming area is part of a larger farming community that stretches south into the Wilsonville West study area. One hundred and thirty-eight acres or 60 percent of this northern portion of the study area acreage is environmentally constrained under current Title 3 regulations and/or slopes greater than 10 percent. A large portion of the environmental resources occurs on the Tier 5 resource land.

The two main roads (SW Sherwood Blvd. and SW Murdock Road) that provide access to the entire study area from Tualatin Sherwood Road and Highway 99W to the north travel through established neighborhoods within the City of Sherwood. Due to the committed uses on small parcels in the exception land areas, the great amount of environmental resources, the Tier 5 resource land that is part of a larger farming community and the potential impacts to the adjacent residential areas inside the UGB, this remaining portion of the study area is not recommended for further consideration.

Farmington

The portion of the Farmington study area that is south of SW Rosedale Road is located more than two miles from Tualatin Valley Highway as well as more than one mile from an existing industrial area designated on the Title 4 Employment and Industrial Area Map. This southern section of the study area contains mostly Tier 5 resource land (427 acres) and some exception land (97 acres). It has a fairly high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (86 percent). All but one of the forty-one exception land parcels is less than five acres in size and all but two have homes. The average lot size of the exception land portion is 2.4 acres. The majority of this portion of the study area is Tier 5 and contains high-value farmland. Urbanization of this area would have a high impact on adjacent agricultural activities. The nearest city limits are approximately two miles away, which will be problematic for Title 11 planning. There are no existing sewer services adjacent to the property that can provide gravity service thus extra territorial extensions through resource land or extensive infrastructure is required to provide service. Due to the fact this southern portion of the area does not meet the access and proximity factors, is mostly Tier 5 resource land, sewer services are difficult, Title 11 planning complications, and the exception land is highly compromised with single family homes, this portion of the study area is not recommended for further consideration.

The northern portion of the study area, north of SW Rosedale Road is within two miles of Tualatin Valley Highway. This 176 acre Tier 5 northern section is high-value farmland and urbanization of this area would have a high impact on adjacent agricultural activities. The nearest city limits are over one mile away, which will be problematic for Title 11 planning. There are no existing sewer services adjacent to the property that can provide gravity service thus extra territorial extensions through resource land or extensive infrastructure is required to provide service. Due to the fact this portion of the area is Tier 5 resource land, there is no adjacent city to complete the Title 11 planning, and providing sewer services is difficult this portion of the study area is not recommended for further consideration.

Jackson School Road

The southwest corner of the study area that coincides with a pocket of exception land (101 acres) is located more than two miles from selected interchanges on Highway 26 as well as more than one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. All but six of the twenty-eight exception land parcels are less than five acres in size and all but three have either homes or an institutional use. The average lot size of this exception land section is 3.6 acres. There are no existing large diameter sewers in the area. Thus extensive downstream improvements or construction of new sewers through a developed residential area is required to provide service. Due to the fact this portion of the area does not meet the access and proximity factors, sewer services are difficult and the exception land is highly compromised with single family homes and the largest parcel contains a church, this portion of the study area is not recommended for further consideration.

The remainder of the study area contains Tier 5 resource land (883 acres) and a very small portion of exception land (27 acres) that is within two miles from selected interchanges on Highway 26 as well as one mile from existing industrial areas designated on the Title 4 Employment and Industrial Area map. Seven of the 12 parcels in this small exception land section contain homes and three of the five vacant parcels are owned by the Port of Portland and are located in the runway protection zone for the Hillsboro Airport. Land uses prohibited from the runway protection zone include residences and places of public assembly, such as schools, office buildings, churches and other uses with similar concentrations of people. All 12 parcels are less than five acres in size and the average lot size is 2.3 acres.

The resource land component is high-value farmland and is part of a larger expanse of large parcel farmland that extends north to Highway 26 and to the west for a number of miles. Urbanization of this area would have a high impact on adjacent agricultural activities. Three of the resource land parcels are owned by the Port of Portland and are located in the runway protection zone for the Hillsboro Airport. There are no existing large diameter sewers in the area. Thus extensive downstream improvements or construction of new sewers through a developed residential area is required to provide service. Due to the fact the exception land portion is highly compromised with single-family homes, a total of five parcels (113 acres) are in public ownership within the runway protection zone, sewer services are difficult and the resource land is Tier 5 farmland, this portion of the study area is not recommended for further consideration.

STUDY AREAS MEETING AT LEAST ONE LOCATION FACTOR

The following areas meet at least one of the location factors (within two miles of an interchange or one mile from existing industrial uses) but are not been recommended for inclusion in the UGB for industrial use. The reasons for exclusion are discussed in detail by area.

Gresham

This area of Tier 3 resource land and exception land is within one mile of a planned industrial land area (Springwater) that is identified on the Title 4 Employment and Industrial Area map. Most of the land that is adjacent to the UGB is the Tier 3 resource land. Overall the area is highly parcelized with a very high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (91 percent). The average lot size is just over 4 acres and 73 percent contain homes. The majority of the developed parcels are along the main thoroughfares of SE Orient Drive, SE Dodge Park Blvd., SE Chase Road, SE 282nd Avenue and SE 302nd Avenue. As a result there are five dispersed mostly undeveloped areas ranging in size from 40 to 230 gross acres composed of larger parcels (see Gresham Map 1). Area 3 (40 gross acres, two owners) and Area 2 (69 gross acres, five owners) are one mile and three quarter miles respectively from the current UGB.

It would not be economically feasible to extend services these distances for such a small amount of land and extending such a long cherry stem is not good urban form. Area 4 (192 gross acres, 24 owners) is one quarter mile from the current UGB that includes the recently added Springwater industrial area. The City of Gresham has initiated an infrastructure master plan for this area with an expected completion date of 18 months. Area 4 is Tier 3 resource land, contains numerous property owners and is constrained by surrounding residential uses and environmental resources along Johnson Creek that reduces the feasibility of consolidating parcels and constructing a new industrial neighborhood. Area 1 (230 gross acres, 33 owners) is adjacent to the UGB and is mostly Tier 3 resource land. It contains numerous property owners, is adjacent to established residential development inside the UGB and is constrained by environmental resources along Kelley Creek, which flows through the center, reducing the feasibility of consolidating parcels and constructing a new industrial neighborhood. Area 5 (144 acres, 11 owners) is Tier 3 resource land and is adjacent to the UGB that includes the recently added Springwater industrial area. As noted above the City of Gresham has initiated an infrastructure master plan for this area with an expected completion date of 18 months. Johnson Creek flows through the middle of the area, essentially forming

two smaller areas. The study area is home to three schools and is heavily involved in agricultural activity. Inclusion of this study area could negatively affect the schools and would have a high impact on adjacent agricultural activities. Urbanization of the study area, except for Area 1 noted above, would be inconsistent with the proposed intergovernmental agreement between Multnomah County and the City of Gresham that identifies SE 282nd Avenue as a rural/urban edge management area to preserve the nursery land to the east. For the reasons mentioned above related to Tier 3 resource land, distance to the current UGB, committed uses on smaller parcels and environmental resource constraints, this area is not recommended for further consideration.

Boring

This area of Tier 3 & 5 resource land and exception land is within one mile of a planned industrial land area (SE 242nd Ave, Damascus expansion area) that is identified on the Title 4 Employment and Industrial Area map. Overall the area is highly parcelized with a very high percentage of parcels less than five acres (81 percent) and less than 10 acres in size (95 percent). The average lot size is 3.8 acres and 71 percent contain homes. The majority of the developed parcels are along the main thoroughfares of Highway 212, SE Orient Drive, SE Revenue Road, SE Brooks Road, SE 282nd Avenue and SE 312th Avenue as well as in the community of Boring. As a result there are three dispersed mostly undeveloped areas ranging in size from 129 to 337 gross acres composed of larger parcels (see Boring Map 1). Area 1 (129 gross acres, 15 owners) is Tier 3 resource located on the north side of Highway 212 and is contiguous to the current UGB. Over three quarters of the area is constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 24 net buildable acres of land for industrial development. Area 2 (337 gross acres, 18 owners) is Tier 5 resource land and exception land that straddles Highway 212 between the community of Boring and Highway 26. The exception land portion totals 58 acres between 13 property owners and is located south of Highway 212 near the junction with Highway 26.

The majority of the resource land is north of Highway 212 and includes the John Holmlund Nursery headquarters. This area is approximately two miles from the current UGB line that includes the Damascus expansion area. It would not be economically feasible to extend services this distance for a relatively small amount of land and extending such a long cherry stem is not good urban form. Area 3 (270 gross acres, 22 owners) is Tier 5 resource land that straddles Highway 26 in the vicinity of SE 282nd Avenue. The area is approximately 1,000 feet from the current UGB of the recently added Springwater industrial area that extends between Highway 26 and SE Telford Road.

As noted previously the City of Gresham has initiated an infrastructure master plan for this area with an expected completion date of 18 months. Over forty percent of the area is constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 158 net buildable acres of land for industrial development. The Oregon Department of Environmental Quality Three Basin Rule requires that all wastewater generated from this entire study area will need to be transported to the Willamette River or Columbia River for discharge. The existing Boring treatment plant cannot be expanded and Clackamas County plans to phase out the plant and connect to the system as it extends east from the Damascus expansion area. For the reasons mentioned above related to Tier 5 resource land, committed uses on small parcels and distance from existing sewer services and other constraints, this area is not recommended for further consideration.

Noyer Creek

This area of Tier 5 resource land and exception land is within one mile of a planned industrial land area (SE 242nd Ave, Damascus expansion area) that is identified on the Title 4 Employment and Industrial Area map. Three hundred and seventeen acres of the total 381 acres is resource land, the majority of which is the Leo Gentry Nursery. The portion of the study area along SE Bartell Road is exception land, is 34 acres in size and contains eight parcels, all of which have homes. This small area is not contiguous

to the main study area. A second exception land area is located east of SE 232nd Avenue, is 29 acres in size and contains five parcels, all of which have homes. This area is contiguous to the UGB at the southern edge of the Damascus expansion area. The high level of committed uses and the small parcel sizes within these exception land areas reduces the economic feasibility of consolidating parcels and developing a new industrial development. The resource land portion of the study area totals 317 acres in 18 parcels, with only nine property owners including the Gresham Barlow School District that owns the 19.5-acre Deep Creek Elementary School site.

The Oregon Department of Environmental Quality Three Basin Rule requires that all wastewater generated from this entire study area will need to be transported to the Willamette River or Columbia River for discharge. Currently there are no sanitary sewers in the immediate area and service is to be provided by the system that is to be extended to serve the Damascus expansion area to the west and north. For the reasons mentioned above related to Tier 5 resource land, committed uses on small parcels, the great distance from existing sewer services and potential negative impacts to the school, this area is not recommended for further consideration.

Oregon City South

This area of exception land and a small amount of Tier 4 resource land is within one mile of a planned industrial land area (S Beaver Creek Road) that is identified on the Title 4 Employment and Industrial Area map. Overall the study area is highly parcelized with a very high percentage of parcels less than five acres (83 percent) and less than 10 acres in size (94 percent). The average lot size is 3.9 acres and 88 percent contain homes. Less than half (34 percent) of the total land area is considered vacant and buildable. The majority of the developed parcels are along S Thayer Road, S Maplelane Road, and S Waldow Road. As a result there is one mostly undeveloped area. However, it contains numerous power lines that run to and from a 34 acre Portland General Electric substation. The high level of committed uses, the small parcel sizes, and the PGE infrastructure reduces the economic feasibility of consolidating parcels and creating a new industrial development. The Oregon City School District owns a 55-acre parcel of Tier 4 resource land that is partially in agricultural production. This parcel along with the 26-acre parcel to the north that is also partially in agricultural production makes up the resource land in the study area. These two resource land parcels are located in the very northeast corner of the study area. Sewer services would require a new trunk line to the existing 48-inch collector at Highway 213 and Abernathy Road and upgrades to the Tri-Cities plant. The study area is not contiguous to the Oregon City limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to committed uses on small parcels, existing PGE infrastructure, sewer service difficulties and possible difficulties with Title 11 planning, this area is removed from further consideration.

Borland Road South

This area of three separate exception land sections is within two miles of a selected interchange on Interstate 205. Overall the entire study area is highly parcelized with a very high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (98 percent). The average lot size is 3.2 acres and 97 percent contain homes. Less than half (45 percent) of the total land area is considered vacant and buildable. The majority of the developed parcels are along SW Ek Road, SW Borland Road, and SW Johnson Road and SW Tualatin Loop. As a result there is no large mostly undeveloped area within the three study area sections. The high level of committed uses and the small parcel sizes reduces the economic feasibility of consolidating parcels and creating a new industrial development. The Tualatin River separates the three study area sections from the UGB and each other. Thus numerous river crossings are required to provide urban services as there are no sewer or water services currently in the study area. There is no direct access to the study area from the City of West Linn, which may prove problematic for Title 11 planning. For the reasons mentioned above related to committed uses on small parcels, urban service difficulties and possible difficulties with Title 11 planning, this area is not recommended for further consideration.

Norwood/Stafford

This area of exception land and a very small amount of Tier 2 resource land is within two miles of selected interchanges on Interstates 5 & 205. Overall the study area is highly parcelized with a very high percentage of parcels less than five acres (80 percent) and less than 10 acres in size (99 percent). The average lot size is 3.9 acres and 86 percent contain homes. A little over half (59 percent) of the total land area is considered vacant and buildable. The developed parcels are evenly dispersed throughout the study area and the majority of the homes are located in the center of the parcels. As a result there is one mostly undeveloped area located off of SW Stafford Road in the southern portion of the study area (Norwood/Stafford Map 1). Area 1 is 132 acres of exception land in 21 parcels with 14 property owners and is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 93 net buildable acres of land for industrial development. The area currently does not have urban services. This area is over two miles from interchanges on I-5 & 205 and is at a minimum of 1.25 to 1.5 miles from urban services in the City of Wilsonville or the City of Tualatin. It would not be economically feasible to extend services these distances for such a small amount of land and extending such a long cherry stem is not good urban form. The area is isolated from nearby cities by I-5 and I-205, which would be problematic for Title 11 planning. For the reasons mentioned above related to committed uses on small parcels, urban service difficulties and difficulties with Title 11 planning, this area is not recommended for further consideration.

Wilsonville South

This area of Tier 5 resource land and exception land is within two miles of a selected interchange on Interstate 5. Overall the area has a high percentage of parcels (84 percent) less than 10 acres in size. The average lot size is 7.9 acres and 73 percent contain homes. Less than half (49 percent) of the total land area is considered vacant and buildable. The largest parcel (142 acres) is owned by Clackamas County and houses the Oregon State University North Willamette Research and Extension Service facility. The Langdon Farms Golf Club comprises a 173-acre site composed of 12 parcels. Both of these sites are considered developed under Metro's land productivity methodology.

The study area contains three sections of exception land. The first exception land area is west of Interstate 5, is 33 acres in size with 9 parcels. Three of the parcels totaling 4.5 acres do not contain homes, one of which is owned by the Oregon Department of Transportation. The second exception land area is south of NE Miley Road in the top center portion of the study area. This area is 69 acres in size with 69 parcels, of which all but three have homes. The three vacant parcels (13 acres) are under the same ownership as an adjacent parcel that does contain a home. The 10-acre vacant parcel currently has some agricultural activity. The third exception land area is in the northeast corner of the study area, north of NE Browndale Farm Road. This area contains 95 acres in 33 parcels, of which all but four have homes. Three of the four vacant parcels are under the same ownership as an adjacent parcel that does contain a home. The total acreage of the four vacant parcels is 6.2 acres. The high level of committed uses and the small parcel sizes of these exception land areas reduce the economic feasibility of consolidating parcels and creating a new industrial development. As expected almost all of the developed area is in the exception land sections and the golf club. This results in two areas of mostly undeveloped parcels that abut the State agricultural facility (Wilsonville South Map 1). Area 1 is Tier 5 resource land that totals 327 acres with eight property owners. The area contains a small amount of developed land and minimal environmental resources that results in 296 acres of buildable land. Area 2 is also Tier 5 resource land that totals 175 acres with two property owners, one of which owns 1.6 acres and the other the remaining 173.4 acres. This area also contains a small amount of developed land and minimal environmental resources that results in 166 acres of buildable land. Both of these areas are extensively involved in agricultural activities and urbanization of these areas would have a high impact on adjacent agricultural activities to the south.

The City of Wilsonville has determined that it would need to provide new water and sewer lines across the Willamette River to meet the demands of the entire study area. There may be other options to provide service but these may also require extensive upgrades to the existing system. For the reasons mentioned above related to committed uses on small parcels in the exception land areas, urban service difficulties, Tier 5 resource land and negative impacts to adjacent agricultural areas, this area is not recommended for further consideration.

Brookman Road

This area of Tier 4 & 5 resource land and exception land is within two miles of Highway 99W. Overall the study area has a high percentage of parcels (88 percent) less than 10 acres in size, the average lot size is 6.4 acres and 75 percent contain homes. Twenty-seven percent of the total study area acreage is environmentally constrained under current Title 3 regulations and/or slopes greater than 10 percent. Just over half (52 percent) of the total land area is considered vacant and buildable. Almost all of the developed parcels are located on either SW Brookman Road, SW Middleton Road, and Old Highway 99W. As a result there are three areas of mostly undeveloped parcels distributed in the three main study area sections (Brookman Road Map 1). Area 1 is located west of Highway 99W, is 102 gross acres in size with nine property owners, and is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 87 net buildable acres of land for industrial development. The area is Tier 5 resource land except for the four western most parcels that are exception land and total 22 gross acres.

Almost the entire area is involved in agricultural activity and this farmland is part of a larger segment of active farmland that stretches to the west and to the north. Urbanization of this area would result in an increase in vehicle miles traveled along Highway 99W and SW Chapman Road, which could negatively affect the agricultural areas to the west and north as well as the commercial district along Highway 99W inside the UGB. Area 2 is located south of SW Brookman Road along SW Middleton Road and SW Labrousse Road. It is 146 gross acres in size, contains 31 parcels owned by 24 property owners, and is mostly exception land. There are two parcels of Tier 4 resource land that total 11.3 acres in southeast corner of the area. The area is very constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 63 net buildable acres of land for industrial development. Area 3 consists of one 54-acre parcel of Tier 5 resource land that is located south of SW Brookman Road. This parcel is very constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this area provides 25 net buildable acres of land for industrial development.

The entire study area is located adjacent to the land that was included in the UGB in 2002. Thus existing urban services are at a minimum 0.25-mile away. The City of Sherwood has indicated that providing services to the 2002 expansion area will require considerable improvements to the current system and any additional land would compound the difficulty in providing services. For the reasons mentioned above related to constrained land in the exception land and resource land areas, Tier 5 resource land and negative impacts to adjacent agricultural areas, and additional difficulties in providing urban services, this area is not recommended for further consideration.

Sherwood West

The study area of Tier 4 & 5 resource land and exception land is within two miles of Highway 99W. The study area is divided into three separate sections, two of which are grouped together and are approximately 1,000 feet from the third section. Overall this study area has a fairly high percentage of parcels (70 percent) less than 10 acres in size, the average lot size is 6.4 acres and 59 percent contain homes. Over half (67 percent) of the total land area is considered vacant and buildable and the developed parcels are evenly distributed throughout the area. The southern portion of the study area consists of two separate sections that contain both Tier 4 and 5 resource land and exception land (Sherwood West Map

1). In one section is Tier 5 resource land and exception land that are adjacent to the UGB, with the resource land (117 gross acres) north of SW Krugger Road and most of the exception land (101 gross acres) to the south of SW Krugger Road. A portion of the resource land is currently in agricultural production. The exception land is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section of the southern portion of the study area provides 169 net buildable acres of land for industrial development. The second section of the southern portion is approximately 0.5 mile from the UGB further west along SW Krugger Road. This small 57 acre section contains 38 acres of Tier 4 resource land and 19 acres of exception land that is intermixed. The area is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this portion of the area provides 29 net buildable acres of land for industrial development. It would not be economically feasible to extend services 0.5 mile past the Tier 5 resource land for such a small amount of exception and Tier 4 land and extending a cherry stem does not result in good urban form. The northern portion of the study area, totaling 86 gross acres contains exception land to the north of SW Edy Road and Tier 5 resource land to the south of SW Edy Road. Both the Tier 5-resource land portion and the exception land portion are constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this northern portion of the study area provides 53 net buildable acres of land for industrial development. The exception land portion is over ½ mile from existing urban services and one quarter mile from land that was added to the UGB in 2002. It would not be economically feasible to extend services one quarter mile past the 2002 expansion area for such a small amount of land and extending a cherry stem does not result in good urban form.

The majority of the land adjacent to the entire study area that is inside the UGB is currently or expected to be developed for residential purposes. Urbanization of this area could increase the existing traffic level on Highway 99W in the five corners area of Sherwood prior to the construction of the future I-5 to 99W connector. Twenty-seven percent of the total study area acreage is environmentally constrained under current Title 3 regulations and/or slopes greater than 10 percent. For the reasons mentioned above related to constrained land in the exception land and resource land areas, Tier 5 resource land, urban form, negative impacts to adjacent residential areas, and transportation impacts, this area is not recommended for further consideration.

Hillsboro South

This area of Tier 5 resource land is classified as high value farmland and is within two miles of Tualatin Valley Highway. The study area is essentially composed to two separate areas based on parcel sizes (Hillsboro South Map 1). Area 1 is composed of two parcels of 200 and 270 acres in size that are in agricultural production, with one property owner. A majority of the area adjacent to the east inside the UGB is in residential development. Area 2 contains the remaining 321 acres in 22 parcels with 16 owners. Fifteen of the 22 parcels are less than 10 acres in size and 12 of those are less than five acres and are located in one small pocket of residential use on the western of the area. Area 2 is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section provides 226 net buildable acres of land for industrial development. The adjacent land to the east of this section was added to the UGB in 2002 and is to be developed for residential purposes. The land further to the east is extensively developed with residences. There are no existing sewer services adjacent to the entire study area that can provide gravity service. Thus extra territorial extensions through resource land or extensive infrastructure is required to provide service, which is difficult for the service provider to construct. The vast majority of the study area is not contiguous to the current city limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to constrained land, Tier 5 resource land, and negative impacts to adjacent residential areas, this area is not recommended for further consideration.

Forest Grove West

This Tier 5 resource land study area is classified as high-value farmland and is within two miles of Tualatin Valley Highway. The area consists of pockets of small parcels that contain residences, many of which are associated with adjacent large-scale agricultural activities. This area is part of a larger expanse of agricultural land that extends east to the City of Hillsboro city limits and north to Highway 26. Urbanization of the study area would have a high impact on adjacent agricultural activities in this large farming community. Adjacent to the south is an established residential neighborhood, additional land planned for residential use, and the Forest Grove High School that could be negatively impacted by increased traffic flow. The vast majority of the study area is not contiguous to the current city limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to Tier 5 resource land and negative impacts to adjacent agricultural and residential areas, this area is not recommended for further consideration.

STUDY AREAS EXCLUDED DUE TO ADDITIONAL ANALYSIS

The following areas meet both of the geographic factors but have not been recommended for inclusion in the UGB for industrial use. They were not deemed suitable for industrial use due to parcelization, constraints due to existing development patterns, location and extent of natural resources, servicing and urban form and/or negative impacts on agricultural uses.

Oregon City North

This area of Tier 3 & 5 resource land and exception land is within two miles of an interchange on Interstate 205 as well as within one mile of industrial land that is identified on the Title 4 Employment and Industrial Area map. Overall the area is parcelized with a high percentage of parcels less than five acres (74 percent) and less than 10 acres in size (90 percent). The average lot size is five acres and 74 percent contain homes. A little over half (63 percent) of the total land area is considered vacant and buildable. The study area is composed of four sections of land separated into two distinct east west segments that are separated by approximately 1,000 feet. The east segment (Oregon City North Map 1) is not contiguous to the UGB and contains 55 acres of exception land in Area 1 that has nine homes on 11 parcels. Area 1 is somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section provides 30 net buildable acres of land for industrial development. Area 2 contains 285 acres of Tier 5 resource land in 17 parcels with 12 owners and homes. This area is also somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. As a result this section provides 191 net buildable acres of land for industrial development.

The eastern section is approximately 1.25 miles from the current UGB via S Forsyth Road. It would not be economically feasible to extend services 1.25 miles past the western segment of the study area for this relatively small amount of buildable land and extending such a long cherry stem does not result in good urban form. The west segment (Oregon City North Map 2) contains 54 acres of Tier 3 resource land in Area 1 that is the only portion that is contiguous to the UGB and would be needed to provide services to the remainder of the area. Area 3 contains 52 acres of Tier 5 resource land in seven parcels with six homes and owners in the top portion of the west segment. The remaining portion of this segment contains 81 parcels that total 280 acres of exception land in Area 2. Eighty percent of the parcels are less than five acres in size and 75 percent of the parcels have homes. The developed parcels are evenly dispersed along S Forsythe Road, S Brunner Road and S Highland Road, which results in no mostly undeveloped areas in Area 2. This area is also somewhat constrained by existing development, Title 3 resources and slopes greater than 10 percent. S Forsythe Road is the only road that connects the UGB to the west section of the study area. Thus urban services can only be extended through this one section of Oregon City on S Forsythe Road that travels uphill through an existing neighborhood. For the reasons mentioned above related to Tier 5 resource land, committed uses on small parcels, urban form, and negative impacts to adjacent residential areas due to one access route, this area is not recommended for further consideration.

Forest Grove East

This Tier 5 resource land study area is classified as high-value farmland and is within two miles of Tualatin Valley Highway as well as within one mile of industrial land that is identified on the Title 4 Employment and Industrial Area map. The area consists of pockets of small parcels that contain residences, many of which are associated with adjacent large-scale agricultural activities. This area is part of a larger expanse of agricultural land that extends to the east to the City of Hillsboro city limits, to the north to Highway 26 and to the west in the Forest Grove West study area. Urbanization of the study area would have a high impact on adjacent agricultural activities in this large farming community. There is a linear swath of environmental resources on the north side of Highway 47 that could impact the ability to provide services to the area (Forest Grove East Map 1). The vast majority of the study area is not contiguous to the current city limits, which may prove problematic for Title 11 planning. For the reasons mentioned above related to Tier 5 resource land, negative impacts to adjacent agricultural areas, environmental impacts that may impact urban services and Title 11 planning, this area is not recommended for further consideration.

DISCUSSION OF SUITABLE ALTERNATIVES ANALYSIS AREAS

The following is a discussion of the individual study areas that are recommended for inclusion in the UGB for industrial purposes. The descriptions include unique facts that pertain to these areas shown on a map titled the Chief Operating Officer's recommendation in Attachment 3. A summary of the aggregation and suitability factors follows this discussion.

Beavercreek

This one 63 gross acre parcel in the Beavercreek study area is located adjacent to the land that was included in the UGB in 2002 for industrial purposes and is designated on the Title 4 Employment and Industrial Area map. This Tier 4 resource land parcel contains the remaining portion of the Oregon City Golf Club that was not included in the UGB in 2002. The City of Oregon City, along with the property owners of the land included in the UGB in 2002, is currently in the process of completing the Title 11 planning for the area that includes a portion of the Oregon City Golf Club. Including this parcel will allow the 2002 industrial land expansion area to be planned more efficiently and logically, as the entire golf course operation will be included in the Title 11 planning process. For the reasons mentioned above related to the UGB splitting an existing golf course and an efficient and comprehensive Title 11 planning process, this 30 net buildable acre parcel is recommended for further consideration.

Borland Road North

This 575 gross acre portion of the Borland Road study area is located adjacent to an interchange on Interstate 205. This portion of the study area is south of the Tualatin River, entirely exception land and is contiguous to the UGB and the City of Tualatin city limits. Urban services will be provided by the City of Tualatin and infrastructure improvements will be needed to alleviate impacts to the existing system. This area contains land that is the topographic low point for a portion of the greater Stafford/Rosemont basin and any urban services that are planned for this expansion area must take into account the future needs of the entire basin. This will allow for the future urbanization of the entire basin in an efficient and logical planned manner that will result in the desired urban form. Interstate 205 and the Tualatin River buffer the expansion area from existing agricultural activities, thus urbanization would have little impact on adjacent agricultural activity. For the reasons mentioned above related to the entire area being exception land, the availability of urban services, the minimal impact on adjacent agricultural activities and the opportunity to comprehensively plan the entire basin, this 164 net buildable acre portion of the study area is recommended for further consideration.

Wilsonville East

This 641 gross acre portion of the Wilsonville East study area is located within two miles of an interchange on Interstate 5 and a portion of the area is also within one mile of an existing industrial area

designated on the Title 4 Employment and Industrial Area map. The area is located south of SW Elligsen Road on both the east and west sides of SW Stafford Road and north of SW Advance Road. The area is entirely Tier 5 resource land and is contiguous to the UGB and the City of Wilsonville city limits. Urban services are available but major infrastructure improvements may be needed depending on the type of industrial user. The area is part of a larger agricultural community however; the Newland Creek canyon isolates the area from the main component of farmland to the east. Thus urbanization may have an impact on the small amount of adjacent agricultural activity to the south between the study area and the Willamette River. There are three Bonneville Power Administration easements that cross the area that essentially excludes a large portion of the area from future residential development. A portion of the area is adjacent to a 2002 residential expansion area that provides the opportunity for both areas to be planned and developed in a cohesive manner and also allows for the more efficient urbanization of both sides of lower SW Stafford Road. For the reasons mentioned above related to the ability to provide urban services, the low impact on adjacent agricultural activity, the impact of the power line easements on future urbanization for residential purposes, and the opportunity to comprehensively plan the two expansion areas, this 460 net buildable acre portion of the study area is recommended for further consideration.

Coffee Creek

This 264 gross acre portion of the Coffee Creek study area is located within two miles of an interchange on Interstate 5 as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area stretches from just north of SW Tonquin Road, south to SW Grahams Ferry Road west of the Coffee Creek Correctional Facility. The western edge of this expansion area is the extensive floodplain that is along Coffee Lake Creek. The area is entirely exception land except for one parcel of Tier 4 resource land (4.6 acres) at the very northern edge. The small portion north of SW Tonquin Road was originally in the Quarry study area but is included in the Coffee Creek expansion area due to its close proximity to the Coffee Creek area and the ½ mile separation from the remainder of the Quarry expansion area. The parcels that contain the floodplain were included in their entirety so the UGB would not split parcels. Therefore there is a considerable amount of acreage within the area that is constrained and is not expected to develop. This floodplain area is part of a larger natural resource corridor and inclusion of this portion in the expansion area provides the opportunity to examine additional protection measures or open space uses through the Title 11 planning process. The southern portion of this expansion area is located adjacent to the west of a 2002 industrial land expansion area, which will allow the two areas to be planned and developed in a cohesive manner, also through the Title 11 process. Currently sufficiently sized water and sewer lines are available to service the 2002 expansion area. Additional upgrades may be needed to service this southern portion of the expansion area. Urban services also currently extend to the Coffee Creek Correctional Facility; additional upgrades to these services may be needed to service the remainder of the expansion area. This portion of the study area is isolated from agricultural areas by the UGB and environmental resources, thus urbanization will have no impact on adjacent agricultural activity. For the reasons mentioned above related to the area being almost entirely exception land, the opportunity to comprehensively plan the two expansion areas, the ability to provide urban services and the low impact on adjacent agricultural activity, this 97 net buildable acre portion of the study area is recommended for further consideration.

Quarry

This 354 gross acre portion of the Quarry study area is located within two miles of Highway 99W as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located south of NE Oregon Street and SW Tualatin Sherwood Road between SW Tonguin Road and SW 120th Avenue. The area is entirely Tier 4 resource land except for one-half of one parcel in the very northeast corner of the expansion area that is exception land. Infrastructure improvements are necessary for both water and sewer services and the exact city service boundaries between the cities of Tualatin and Sherwood need to be determined. This area is adjacent to a 2002

industrial land expansion area, in which the City of Tualatin is currently involved in the Title 11 planning process. A portion of this area may be included in that process. Urbanization of this expansion area would have no impact on adjacent agricultural activity as non-agricultural lands surround the area. There is very small amount of environmental resources within the expansion area thus urbanization will have a minor impact on environmental resources. For the reasons mentioned above related to the ability to provide urban services, the possible opportunity to comprehensively plan a portion of the area with the previous expansion area, and the low impact on adjacent agricultural activity and environmental resources, this 236 net buildable acre portion of the study area is recommended for further consideration.

Cornelius

This 206 gross acre portion of the Cornelius study area is located within two miles of the Tualatin Valley Highway as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located on the north side of the City of Cornelius, north of Council Creek between NW Cornelius Schefflin Road and NW Hobbs Road. NW Hobbs Road also forms the northern boundary of the eastern portion of the expansion area. The area contains two exception land segments on the east and west ends with a 43 acre Tier 5 resource land segment in between. The City of Cornelius currently has sufficient urban services adjacent to the south to meet the needs of the expansion area. The two-parcel resource land portion of the expansion area provides for the efficient looping of urban services between the two exception land areas and is the minimum amount of resource land necessary to accomplish this service provision efficiency requirement. For the reasons mentioned above related to the majority of the area being exception land, the ability of the City of Cornelius to provide urban services, and the portion of resource land is needed to provide efficient urban services, this 91 net buildable acre portion of the study area is recommended for further consideration.

Damascus

This 102 gross acre study area is located within one mile of a planned industrial area (Damascus) designated on the Title 4 Employment and Industrial Area map. The area is located south Highway 212 and east of SE Keller Road and is entirely Tier 4 resource land. The area is currently included in the secondary study area of the Damascus/Boring Concept Plan and can easily be transferred into the primary study area, allowing for the comprehensive planning and development of urban services for both expansion areas. This industrial land area will provide additional employment for the planned Damascus Town Center a short one-half mile away. Forested land and the Richardson Creek canyon isolate the area from the larger area of farmland to the south and southeast, thus urbanization would have a minimal impact on adjacent agricultural activity. Urbanization will also have a minimal impact on natural resources due to the minimal amount of natural resources within the expansion area. For the reasons mentioned above related to the area currently being in the secondary study area of the Damascus/Boring Concept Plan, the opportunity to comprehensively plan this area in conjunction with the Damascus Town Center area, and the minimal impact on adjacent agricultural activities and environmental resources, this 69 net buildable acre portion of the study area is recommended for further consideration.

Tualatin

This 646 gross acre study area is located within two miles of an interchange on Interstate 5 as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located between the cities of Tualatin and Wilsonville west of Interstate 5 and is entirely exception land. The cities of Tualatin and Wilsonville will be the service providers although the exact service boundaries need to be determined. Improvements and extensions of the water and sewer lines, both inside and outside the UGB is to be expected. The area is surrounded by non-agricultural uses therefore there will be no impact to adjacent agricultural activity. The majority of the environmental resources are concentrated in the central portion of the area, which facilitates resource protection under normal development scenarios and reduces the overall impact on the resources. For the reasons mentioned above related to the area being entirely exception land, the ability to provide urban services, no impacts

on adjacent agricultural activities and the ability to reduce impacts to the environmental resources, this 339 net buildable acre portion of the study area is recommended for further consideration.

Helvetia

This 249 gross acre portion of the Helvetia study area is located within two miles of an interchange on Highway 26 as well as within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located north of NW Jacobson Road, west of NW Helvetia Road and south of NW West Union Road. The area contains 87 acres of exception land and 162 acres of Tier 5 resource land. This portion of the Helvetia study area was stand-alone study area 81 in the 2002 Alternatives Analysis Study and the resource land portion was identified as Tier 3 resource land. Therefore for this determination the resource land is again identified as Tier 3 resource land. Water services are available in NW Jacobson Road and NW West Union Road. Sewer Services are available in NW Jacobson Road and along a portion of the eastern edge of the area that should allow for gravity service. There is a power line easement along the eastern edge of the area that restricts the future urbanization for residential purposes. Inclusion of this area provides an identifiable UGB boundary along NW Helvetia and NW West Union Roads and provides good urban form by squaring off the UGB along these roadways. In addition, this provides a logical edge for the expanse of farmland north of Highway 26 that extends to North Plains. For the reasons mentioned above related to a portion of the area being exception land and the fact the resource land is needed to serve the exception land, the ability to provide urban services, the power line easement that reduces the future use as residential land and the identifiable UGB boundary that provides good urban form, this 149 net buildable acre portion of the study area is recommended for further consideration

ADDITIONAL AREAS CONSIDERED FOR UGB EXPANSION

The following area is not recommended for inclusion in the UGB but may need to be considered if the Metro Council elects to change the recommendation regarding Title 4.

Evergreen

The 985 acre study area is located within two miles of an interchange on Highway 26 and is within one mile of an existing industrial area designated on the Title 4 Employment and Industrial Area map. The area is located north of NW Evergreen Road, west of the 2002 Shute Road expansion area, south of Highway 26. The area contains 355 acres of exception land located along NW Sewell Road on the west and the portion of NW Meek Road near NW Birch Avenue and NW Oak Drive in the northeast corner of the study area. Between these two exception land areas is 600 acres of Tier 5 resource land. Adequate water services are available in NW Evergreen Road and sewer service is separated into two sections. The southeast corner of the area can be served by gravity to two existing lines 1,400 feet to the south. There are no existing large diameter sewers available to serve the remainder of the area. Thus extensive downstream improvements or construction of new sewers through a developed residential area is required. Overall urbanization of the area would have a moderate impact on adjacent agricultural land to the west which could be minimized or increased depending on the amount and location of UGB expansion. For instance, exception land along NW Sewell Road could provide a buffer for the agricultural land to the west if it remained outside the UGB and the resource land to the east was included in the UGB. On the other hand if only a portion of the resource land was included in the UGB the remaining resource land may have greater impacts, as it would be isolated from the larger farming community. Similarly impacts to environmental resources will vary based on the amount and location of the land included in the UGB. Therefore, depending on the expansion area boundaries and the resulting impact to agricultural activities and environmental resources, this area may be considered for inclusion in the UGB.

West Union

This 368 gross acre portion of the West Union study area is within 2 miles of an interchange on Highway 26 and the majority of the area is also within 1 mile of industrial land that is identified on the Title 4

Employment and Industrial Area map. This section is located generally south of Holcomb Lake and north of NW West Union Road, between NW Cornelius Pass Road and NW 185th Avenue. The area is adjacent to the UGB and includes approximately 11.5 acres of exception land in two small pockets along NW West Union Road where it intersects with NW Cornelius Pass Road (10.8 acres) and NW 185th Avenue (0.7 acres). The remainder of this portion of the study area is resource land that contains mostly class 1 and 2 soils, which when analyzed by itself would be identified as Tier 5 resource land, compared to the Tier 4 classification for the entire study area. There is an existing 18-inch water service line in NW West Union Road. Extensions of the gravity sewer lines to the Rock Creek plant are required to serve the area. The area is constrained by Title 3 resources and slopes greater than 10 percent. As a result this section provides 133 net buildable acres of land for industrial development. Urbanization of this portion of the study area would have minimal impact on adjacent agricultural activities as the environmental resources isolate the area from the agricultural lands to the north. However, urbanization will impact this large environmental resource area that includes a Metro Parks and Greenspaces acquisition property. Adjacent to the south is an established residential neighborhood that is located in the area between NW West Union and Highway 26 that is not in the Hillsboro city limits. Therefore, depending on the resulting impact to the environmental resources and the overall net buildable acreage desired, this area may be considered for inclusion in the UGB.

UGB-Expansion Areas- Applying Industrial Land Factors

All of the proposed UGB expansion areas meet all or the majority of the location and siting factors (access, proximity to other industrial users and slopes of less than 10 percent) as well as follow the hierarchy of lands progression described in Goal 14.

Of the three siting and location factors accessibility is a key factor because 70 percent of the land need is for warehouse and distribution type uses or approximately 1,377 acres. The majority of the recommended lands will be focused on areas with access to an interchange two miles of I-5, I-84 and I-205. A small portion of the supply may satisfy a localized warehouse and distribution need (50-75 acres). An example of a localized warehouse and distribution facility is the Stewart Stiles Company that is located in the City of Cornelius in an area that has poor access to major transportation facilities but is successful because it serves a local market. Small localized uses may choose to locate in various parts of the region to serve an individual user but this cannot be relied on to fulfill the overall warehouse and distribution need.

The following chart compares the recommended sites and evaluates their ability to fulfill a regional demand for warehouse and distribution land. Regional warehouse and distribution facilities need to be located within two miles of an interchange along I-5, I-84 or I-205. The recommended areas of Tualatin, Quarry, Borland Road North, Coffee Creek and Wilsonville East fulfill 1,270 acres of the 1,377 acre demand for warehouse and distribution land.

Table 5. Comparison of the Expansion Areas According Sector Need and Suitability Factors

EXPANSION AREAS	TOTAL ACRES	NET ACRES	Satisfy Warehouse/Dist. Demand	SUITABILITY FACTORS		
				Access	Proximity	Slope less 10%
Damascus West	102	69	0	✓	✓	✓
Tualatin	646	339	339	✓	✓	✓
Quarry (p)	354	236	236	✓	✓	✓
Borland Rd N. (p)	575	164	164	✓	✓	✓
Beavercreek. (p)	63	30	0	--	✓	✓
Coffee Creek (p)	264	97	97	✓	✓	✓
Wilsonville East (p)	641	460	460	✓	✓	✓
Cornelius (p)	206	91	0	✓	✓	✓
Helvetia (p)	249	149	0	✓	✓	✓
TOTAL	3,100	1,635	1,296			

Aggregation Potential

The following areas have the potential to satisfy the parcel size requirements for warehouse and distribution, general industrial and tech flex uses. Industry representatives indicated that warehouse and distribution uses require a minimum of 20 acres, general industrial requires 25 acres or less and tech flex generally requires a range from 50 to 100 acres.

The recommended areas were examined for the possibility of forming larger lots to satisfy the parcel size demand discussed in the Employment UGR. The Employment UGR reported a deficit of 8 parcels in the 10-25 acre range, 4 parcels in the 50-100 acre range and 3 parcels in the 100 plus acre range. A similar methodology was applied as discussed in the aggregation study discussed earlier in this report. The 100 acre lot size category is made up of 100 acre parcels formed by aggregating tax lots under the same ownership and by forming parcels under multiple ownerships. The Wilsonville East area and Helvetia have the best potential for fulfilling large lot (50 acres and greater) demand. The recommended areas have the following aggregation potential:

Table 6. Aggregation Potential of Recommended Areas

EXPANSION AREAS	10-25 acres (Deficit- 8 tax lots)	50-100 acres (Deficit- 4 tax lots)	100 plus acres (Deficit- 3 tax lots)
Damascus West	0	1	0
Tualatin	10	0	0
Quarry (p)	3	0	1
Borland Rd N. (p)	5	1	1
Beavercreek (p)	0	1	0
Coffee Creek (p)	5	0	0
Wilsonville East (p)	5	1	2
Cornelius (p)	3	1	0
Helvetia (p)	2	1	2
TOTAL	33	6	6

PROPOSED POLICY CHANGES

Part of Metro’s review of the UGB includes examining ways to obtain more efficient utilization of land that is currently located inside of the UGB. The proposed Title 4 amendments are one way of demonstrating to LCDC that Metro is achieving additional efficiencies inside of the UGB to meet the need in addition to adding land. The Metro Council adopted new measures to protect and maintain the supply of industrial land for future industrial uses in Ordinance 02-969B, adopted December 5, 2002.

Title 4 Industrial and Other Employment Areas regulations were amended in order to increase the capacity of industrial areas for industrial uses and to encourage non-industrial uses to locate in Centers and other more appropriate 2040 design type areas. The revisions also created a new 2040 design type entitled RSIA. The Metro Council adopted a generalized map of RSIA areas. The Title 4 language that was amended in 2002 requires that the Metro Council delineate specific boundaries for the RSIA areas derived from the generalized map by December 31, 2003. Two ordinances were introduced in 2003, amending the Title 4 regulations and mapping the RSIA areas, Ordinance 03-1021B and Ordinance 03-1022B. Both ordinances have been discussed in 2004 and as a result the revisions to the 2002 legislation and mapping of RSIA areas is included in Ordinance 04-1040.

Metro staff, after consulting with cities, counties and other interests, developed a set of factors to consider in the identification of RSIA areas. As directed by Title 4, Metro staff worked with cities and counties in the region to apply the factors to designated Industrial Areas within their jurisdictions. Several local governments, Portland, Gresham, Wilsonville and Clackamas County, submitted recommended Industrial Areas for consideration as RSIA areas. Striving for region-wide consistency, Metro staff also applied the factors to areas in cities and counties that chose not to submit candidate areas. The factors are:

- *Distribution* - Area serves as support industrial land for major regional transportation facilities such as marine terminals, airports and rail yards;
- *Services* - Availability and access to specialized utilities such as specialty gases, triple redundant power, abundant water, dedicated fire and emergency response services;
- *Access* - Within 3 miles of I-5, I-205, I-84 (within the UGB), State Route 224 (within the UGB);
- *Proximity* - Located within close proximity of existing like uses; and
- *Primary Use* - Predominantly industrial uses.

As referred to in an earlier section on *Adopting Efficiency Measures* there was testimony that indicated that there are conflicting opinions regarding the need for large parcels (over 50 acres) and that there needed to be flexibility for dividing larger parcels. Staff has worked with local governments and a subcommittee of Metro Policy Advisory Committee (MPAC) to resolve most of the implementation issues that have been raised. The recommended changes in 2004 to the Title 4 code represents this work. The committee discussed the following issues:

- Limiting the size of retail uses that are appropriate in industrial districts;
- Limiting FIRE uses in industrial areas and determining whether these uses can be distinguished from other office uses that locate in industrial districts¹⁸;
- Mapping of RSIA areas and determining whether they should reflect freight access and current uses of property;
- Providing flexibility within industrial districts due to the changing nature of industrial uses;
- Allowing medical clinics and hospitals in industrial and RSIA areas;
- Classifying traded sector uses and determining their location within industrial districts;
- Establishing performance standards to maintain freight transportation access and movement; and
- Allowing subdivision of larger parcels over time.

Staff recommends that amendment to Title 4 include a limitation on retail uses for single users of 5,000 square feet in industrial areas and 3,000 square feet in RSIA areas, a performance based transportation requirement for non-industrial offices and no specialized allowances for medical and hospital uses in industrial and RSIA areas. Staff recommends the proposed local jurisdiction RSIA areas be adopted. The proposed Title 4 language is included in Exhibit B and the RSIA map is included in Exhibit C of Ordinance No. 04-1040.

¹⁸ FIRE: finance, insurance and real estate uses.

Mapping of RSIA's

Staff conducted a general assessment of the areas on the *Employment and Industrial Lands Map* and found that the following areas meet the factors and are also lands that meet the general site and location criteria for industrial uses. These areas are uniquely situated to take advantage of the region's highway, rail and port facilities. The majority of these areas are located along the freight access routes including main roadway routes and roadway connectors shown on Metro's Regional Freight Map. This map identified areas that are critical for freight movement and provides a basis for selection of freight improvement projects in the Regional Transportation update completed in 2003. The general locations are as follows:

- Hillsboro industrial area, south of Highway 26
- Northwest Industrial Area, Rivergate, Swan Island and Columbia Corridor
- Clackamas distribution area around Highway 212/ 224
- Brooklyn railroad yards
- Wilsonville industrial area
- Tualatin industrial area
- Troutdale industrial area

Another site previously considered for status as an RSIA is the Reynolds Metals site that contains approximately 700 acres located in Multnomah County east of the City of Troutdale. This brownfield site is currently undergoing remediation and is being considered for redevelopment as an intermodal rail/truck facility by the Port of Portland and other industrial development. Much of the area is predicted to redevelop into uses supporting an intermodal facility although the site has not been re-mediated or sold to the Port at this time. The site has a number of physical impediments such as wetlands, floodplains, BPA easements and location of transmission lines and substations. If this area does redevelop as an intermodal facility it would become a key component of the region's transportation network and an RSIA designation at that time would be appropriate.

After additional discussion at MTAC and MPAC and completion of analysis by Metro, it was determined that there was a wide discrepancy between employment and industrial areas on the Title 4 map and how the areas were zoned. For example, in one jurisdiction an area would be designated employment and in another jurisdiction industrial, with similar allowed uses. What has resulted is a general reluctance by local governments to change the underlying zones in industrial areas and a questioning of the use of the Title 4 map as a guide about where the additional restrictions should take place.

For this reason staff recommends accepting the local governments candidates for RSIA's which generally fit the rule's intent to protect the areas where the movement of freight is essential shown in Exhibits B and C as part of Ordinance No. 04-1040. A map of the RSIA areas is contained in Attachment 4.

Regional Framework Plan Amendments

The Framework Plan is proposed to be amended to add policy language to guide UGB decisions and minimize impacts on the agricultural industry. Comments from participants at the symposium called "Agriculture at the Edge" spurred the proposed policy changes. Potential expansion of the UGB has different impacts on nursery operations, farm related businesses and individual operation. Changes to Chapter 1, Land Use Policy 1.12 are proposed to provide greater certainty for farmers regarding urbanization and reduce potential conflicts. Staff recommends removing the reference to south of the Willamette River at this time until all other potential physical boundaries have been considered in a measured and thorough process. There are a number of potential edges that could define the regional urban form such as the Clackamas River, the Multnomah Channel and/or the Tualatin River. The proposed changes provide the following policy guidance:

- When choosing land among the same soil class consider impacts on commercial agriculture, and
- Develop agreements with neighboring cities and counties to protect agriculture.

This change to the Framework Plan is timely because over half of the areas being considered are EFU lands and a number of the exception areas contain extremely productive agricultural uses.

MEETING GOAL 1 REQUIREMENTS

Goal 1: Citizen Involvement, requires formation of a citizen involvement program to insure that the public is involved throughout the land use process. Goal 1 also requires that planning efforts be coordinated with federal, state, special purpose districts and local governments.

Metro's public outreach efforts for Periodic Review have consisted of open houses, meetings, mailed notice, website information and public hearings to reach as many citizens and interest groups as possible. Over 65,000 notices were mailed to property owners, interested parties, trade and advocacy groups to solicit comments and receive information from the public on the upcoming decision to amend Metro policies and expand the UGB. A postcard notice was provided to all property owners inside the recommended areas and those properties located within 500 feet of the proposed expansion areas. A similar notice was provided to property owners affected by the proposed changes to Title 4. In addition to these meetings all technical work products were reviewed by the Metro Technical Advisory Committee (MTAC), the MPAC and the Metro Council in public meetings.

Public Open Houses

Six open houses were held in March and April 2004 throughout the region. The open houses provided project overview presentations and opportunities for individual discussion with staff on specific areas under consideration. Staff received over 800 responses from the public in the form of phone calls, comment cards and emails. These open houses were conducted prior to the release of the Chief Operating Officers recommendation contained in ordinance 04-1040 so that comments and concerns could be included in the recommendation.

Agricultural Symposium

Metro sponsored a symposium called "Agriculture at the Edge" in October 2003 to discuss conflicts between the agricultural industry and urban areas and to gain a broader perspective of the needs of the agricultural community. The symposium provided a forum for farmers to express concerns regarding the loss of land to urbanization, industry needs and challenges due to traffic, loss of water, vandalism and conflicts between the industrial use of farming and developed residential uses. Several LCDC Commissioners attended the event as well as the Metro Council. Over 185 people attended the event. The farm community urged the Metro Council to consider farming as an industry with land needs and to not see the land located outside of the UGB as a future urban holding zone.

Local Government Coordination

The Metro Council met with the Marion County Board of Commissioners in January 2004 to discuss the upcoming UGB expansion and the location of a study area south of Willamette River which borders Marion County. The Commissioners stressed the importance of continued coordination and the importance of maintaining a viable agricultural industry in the valley. A part of keeping this industry healthy is limiting urban incursions into land that is productive for agricultural use, the County stated their opposition to Metro expanding the UGB south of the Willamette River.

Local government coordination has been a continuous effort throughout the Periodic Review project. All correspondence received from local governments have been responded to in a timely manner and in writing. This staff report and ordinance will be mailed to all local elected officials in the region after to the first reading of Ordinance No. 04-1040 on April 15, 2004.

Public Hearings

Two series of public hearings are scheduled to provide opportunities for citizens and effected parties to address the Metro Council. A series of three public hearings are scheduled in April and early May to begin to take testimony on the contents of Ordinance 04-1040. A second series of public hearing will be held in May and June to consider possible revisions to the ordinance and to finalize the decision by the deadline of June 30, 2004.

COMPLETING PERIODIC REVIEW

In addition to Title 4 revisions and adjustment to the need numbers the following areas are proposed by the Chief Operating Officer for expansion of the UGB to meet the industrial land shortfall of 1,575 net acres. The areas are proposed because they meet the requirements in Goal 14 in the following order: 1) are exception lands that meet the suitability factors identified for warehouse and distribution, general industrial and tech flex uses, 2) are the lowest quality farmland that meets the suitability factors or, 3) are located on higher quality farmland but are necessary to meet the specific need for warehouse and distribution use or tech flex or general industrial uses.

Assigning 2040 Design Types and Conditions

All areas proposed for inclusion in the UGB must be assigned a 2040 design type of either Industrial or RSIA. Concept planning as required in Title 11 of the Functional Plan will determine the location and extent of the boundaries of the industrial areas. All areas except Borland Road North of 205 and Tualatin are proposed to be assigned an RSIA designation. Borland Road North of 205 and Tualatin areas are proposed to be assigned an industrial designation at this time recognizing that these areas contain a number of conflicting uses and constraints that may reduce their effectiveness for industrial development. It is expected that the concept planning for these areas will resolve these conflicts. In addition general conditions will apply to all sites to specify Title 11 requirements and some areas may have specific conditions recommended to address unique issues. Briefly the following specific conditions are recommended:

- Damascus- include planning for this area into the larger Damascus effort;
- Beavercreek- combine concept planning for this area with the adjoining tax lot under the same ownership;
- Wilsonville East- require a buffer between adjoining residential uses to the east, designate as an RSIA; and
- Cornelius- designate as an RSIA;
- Helvetia- designate as an RSIA;
- East Coffee Creek and Tualatin- require finalization of the I-5/ 99W connector and planning for appropriate industrial edges within these areas, the right of way alignment may defines the City boundaries for Wilsonville and Tualatin in this area.

The specific conditions are contained in Exhibit F in Ordinance No. 04-1040.

KNOWN OPPOSITION

The policy changes to the Title 4 ordinance and map address a number of local jurisdiction's concerns regarding the perceived loss of flexibility with the application of RSIA regulations. Staff was able to work with local staff to resolve a number of implementation issues as well as address policy concerns over flexibility and uses that are permitted in industrial areas. Key stakeholders may still have concerns based upon the regulation of office uses, location of medical facilities and size of commercial uses that serve industrial areas.

The proposed changes to the Regional Framework Plan have been supported by a number of jurisdictions that have the desire to protect farmland and limit the extent of the growth of the region south of the Willamette River. These concerns stem from perceived impacts on the greater Willamette Valley. Some

members of the business community and the Port of Portland have expressed a desire to consider this area for industrial development due to its location and access to I-5. Conversely, the issue has been hotly debated and there is countervailing concern that imposing limits on the urban form of the region should not preclude a larger more comprehensive discussion that will follow completion of this Periodic Review.

LEGAL ANTECEDENTS

Title 4 is part of the adopted and acknowledged Urban Growth Management Functional Plan. Authority to amend the 2040 Growth Concept map comes from ORS 268.380 and ORS 268.390(5). UGB evaluation and amendment requirements are found in ORS 197.298 and 197.299.

ANTICIPATED EFFECTS

Adoption of Ordinance 04-1040 will result in fulfilling the requirements in Metro code section 3.07.420I, which requires Metro to adopt a map of Regionally Significant Industrial Areas with specific boundaries that is derived from the Generalized Map of Regionally Significant Industrial Areas adopted in Ordinance No. 02-969B.

Adoption of Ordinance 04-1040 resolves Title 4 implementation issues and gives local governments clearer instructions as to the Metro Council's intent. This ordinance also fulfills the intent of the DLCD remand order #03-WK Task 001524 to ensure that additional savings can be achieved on existing industrial lands prior to expansion of the UGB. The effective date of the new Title 4 regulations is September 5, 2004. Local governments will have two years following LCDC's acknowledgement to adopt a local map and make changes to their codes.

Regional Framework Plan Amendments

Amendments to the Regional Framework Plan require no action on the part of local governments. The adoption of amendments to Chapter 1, Land Use Policy 1.112 is considered an emergency because it has bearing on the UGB decision and is due because of the immediacy of the June 30, 2004 deadline.

Adoption of the UGB amendments

Title 11 requires completion of Concept Plans for all areas included in the UGB within two years of Metro's ordinance or as specified in conditions of approval (areas have been conditioned from 4-6 years). Typically concept plans are completed in partnership with the county, adjoining city and Metro prior to urbanization.

Other Issues

There are two areas that are recommended for removal from the UGB. Tax lots 1300,1400 and 1500 (18 acres) that were included in the remand work order from LCDC are recommended for no further action and removal from the UGB.

A small area located in the Springwater industrial area (east of Gresham, 90 acres) is recommended to be removed from the UGB for the following reasons: 1) it was originally added to the UGB amendment area to facilitate the extension of services and after preliminary concept planning it was determined that this area is not needed and, 2) a significant portion of the area is constrained by existing development, natural resources and slopes.

The remand work order specified that additional information was needed to fulfill the requirements in the Housing Needs analysis. Based on the findings in this analysis Metro has determined that no adjustments to the UGB are required as a result of this analysis.¹⁹ This analysis is discussed under a separate memorandum.

¹⁹ Housing Needs Analysis, dated April 2004.

BUDGET IMPACTS

The UGB and Metro Code amendments will go into effect in September 2004. Additions to the UGB include FTE for monitoring and minor participation in concept planning. Metro has a commitment of 1.43 FTE dedicated to ongoing concept planning in Hillsboro, Damascus, Gresham and the City of Tualatin. Planning in the Stafford Basin and around the City of Wilsonville. Additional FTE and potential grants to local governments may be needed. Implementation of Metro Code changes requires a corresponding amendment of local planning ordinances to implement the intent of these policies. Compliance monitoring is already included in the 2004/ 2005 budget. Community Development staff currently monitors all ongoing zone, comprehensive plan and code changes at the jurisdictional level as well as other project responsibilities.

RECOMMENDED ACTION

Adopt Ordinance 04-1040 to amend the UGB to provide a 20-year supply of land for industrial purposes, amend the Metro Code Title 4 to protect industrial land, amend the Employment and Industrial Lands Map and amend the Regional Framework Plan to limit the impacts on the agricultural industry.

The areas included in this recommendation address all of the remaining industrial land need. The recommendation also presents several other policy options to complete amendments to Title 4 and to the method of applying the commercial land surplus to the industrial land need. These outcomes discussed are the application of the commercial surplus to the industrial land need (applying or not applying) and permeations of Title 4 that include allowing hospital and medical facilities in industrial and RSIA areas. The options are as follows:

- 1) Use the 393 commercial surplus to be used to satisfy a portion of the industrial demand- *included in the recommendation;*
- 2) Do not use the 393 commercial surplus to satisfy a portion of the industrial land need therefore the overall land need would be 1,968- *1,575 acres has been incorporated into the recommendation;*
- 3) Allow hospitals and medical clinics to be located in Title 4 and RSIA's industrial areas without being restricted to the retail limitation of 5,000 and 20,000 square feet, the net effect is an increase in the industrial land need by 300 acres.²⁰ The total acreage need increase to either 1,875 acres (if commercial surplus is also applied) or 2,268 acres if not.

The areas included in this recommendation provide land choices to resolve these policy issues. Due to application of the factors in Goal 14 and the application of the siting and location factors the base recommendation of 1,635 acres is recommended to be included to satisfy the remaining industrial land need.

²⁰ 300 acres is based on a projection of a need for 3-5 hospitals on 50 acre sites and the need for 5-6 clinics located on 25 acre sites over the next 20 years. Hospital and clinic uses are classified as employment uses in the Employment UGR.

Table 7. Recommended UGB Expansion Areas

RECOMMENDED EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
Damascus West	102	69	Tier 4 - Resource	Industrial	✓	✓	✓
Tualatin	646	339	Tier 1-Exception	Industrial	✓	✓	✓
Quarry (p)	354	236	Tier 4 -Resource	Industrial	✓	✓	✓
Borland Rd N. (p)	575	164	Tier 1 -Exception	Industrial	✓	✓	✓
Beavercreek	63	30	Tier 4 -Resource	Industrial	--	✓	✓
Coffee Creek (p)	264	97	Tier 1 - Exception	Industrial	✓	✓	✓
Wilsonville East (p)	641	460	Tier 5 - Resource	RSIA	✓	✓	✓
Cornelius (p)	206	91	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Helvetia (p)	249	149	Tiers 1 & 3 - Mixed	RSIA	✓	✓	✓
TOTAL	3,100	1,635					

(p) partial areas

Table 8. Additional Areas for Consideration

EXPANSION AREAS	TOTAL ACRES	NET ACRES	TIER and DESIGNATION	2040 Design Type	SUITABILITY FACTORS		
					Access	Proximity	Slopes less 10%
West Union (p)	368	133	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
Evergreen (p)	985	730	Tiers 1 & 5 - Mixed	RSIA	✓	✓	✓
TOTAL	1,353	863					

(p) partial areas

Attachments:

Attachment 1- Goal 14 Chart

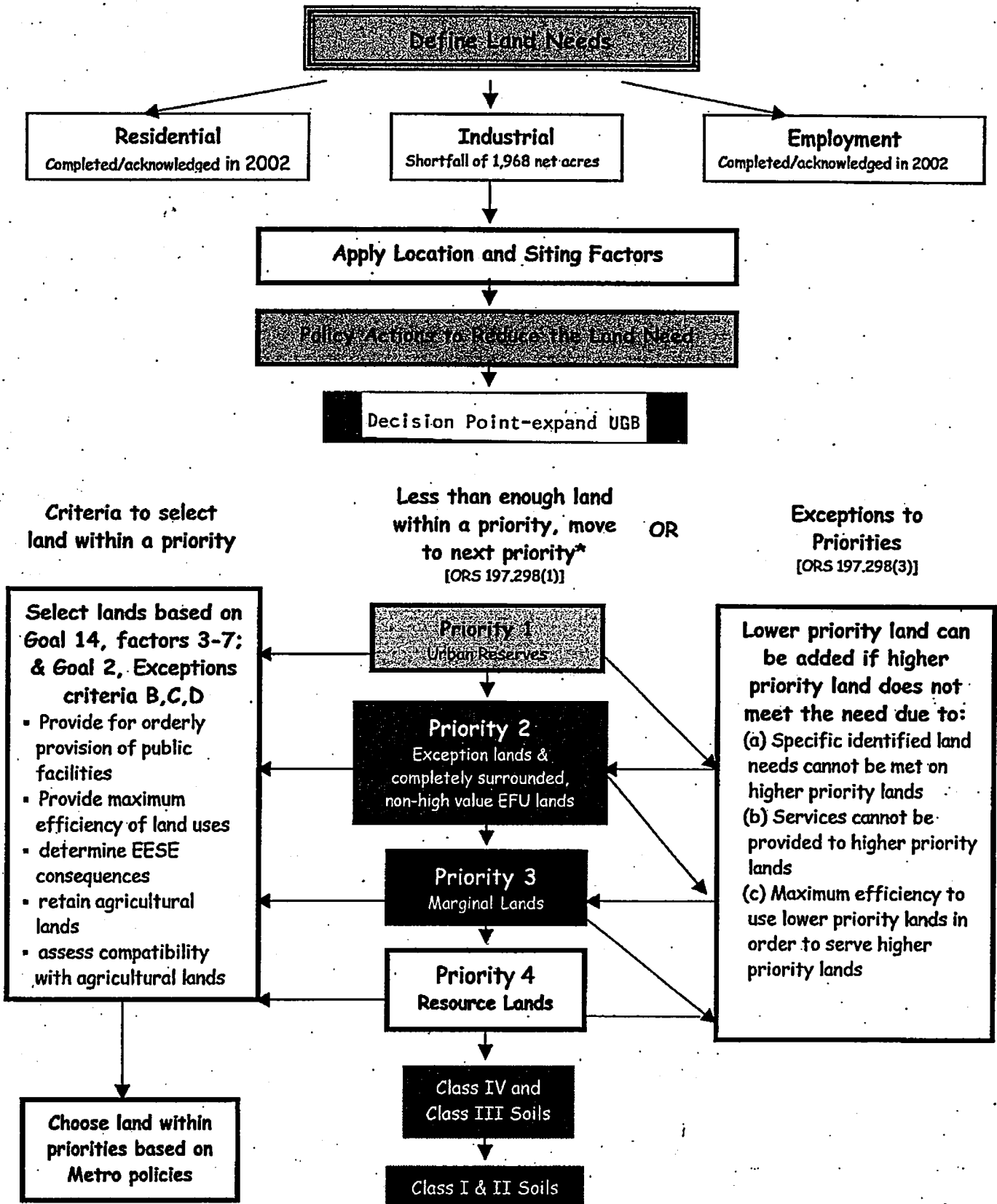
Attachment 2- Study Area Maps

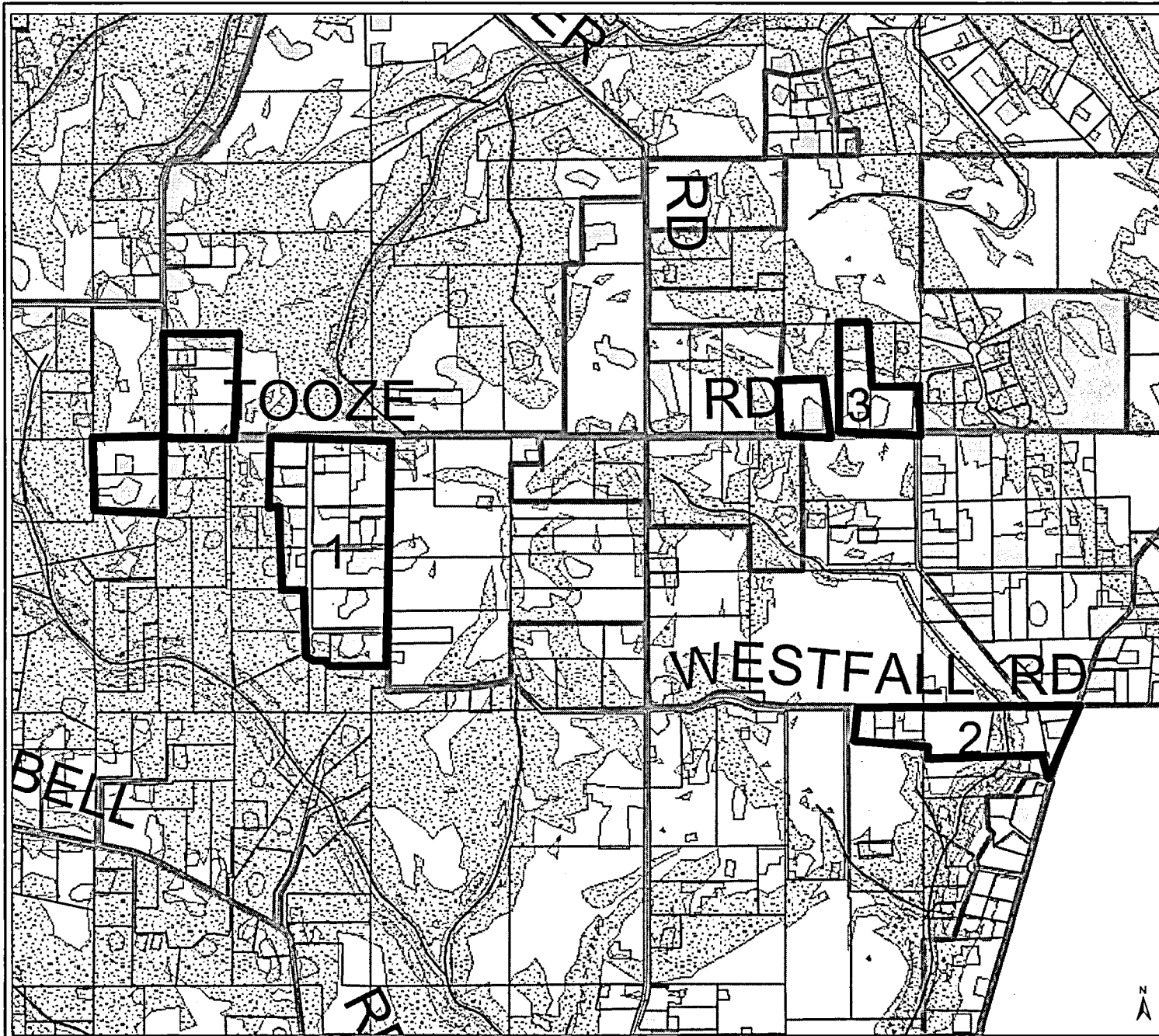
Attachment 3- Chief Operating Officer's Recommended Areas Map

Attachment 4- Title 4 Map

I:\gm\community_development\share\Task 3\2002 2003 Areas\recommendation\STAFF REPORT.doc

Goal 14: Where to Satisfy the Region's 20-Year Urban Land Needs Through UGB Expansion





R E G I O N A L L A N D I N F O R M A T I O N S Y S T E M

Wilsonville West Study Area

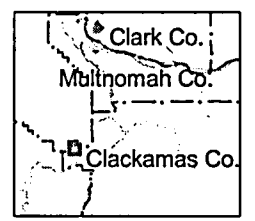
Map 1

- Wilsonville West Study Area
- Developed Land
- Constrained Land -
Matted Title 3 and
Slopes Greater than 10%

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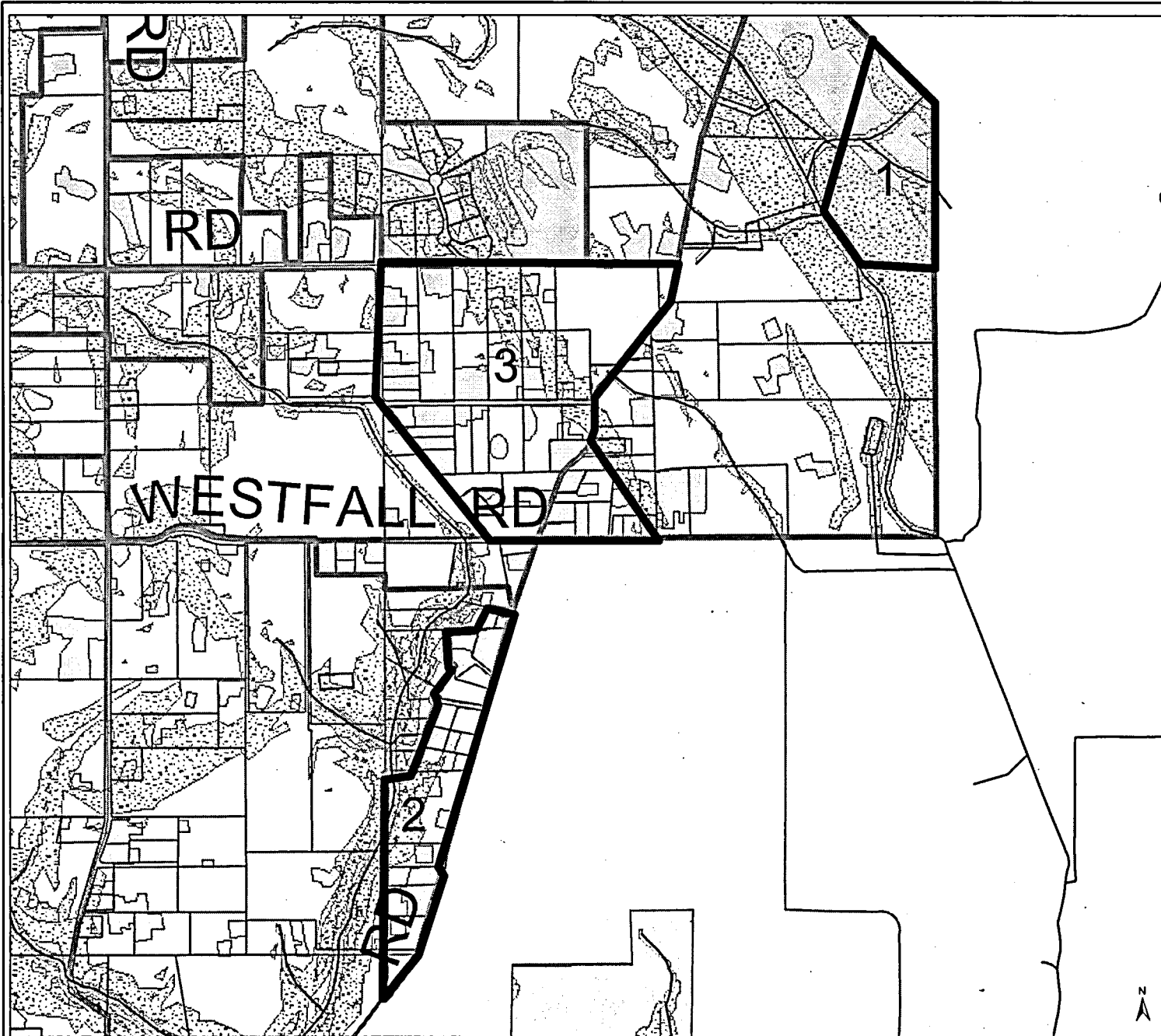


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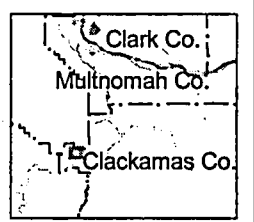
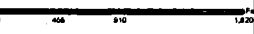
Wilsonville West Study Area

Map 2

-  Wilsonville West Study Area
-  Developed Land
-  Constrained Land -
Modeled Title 3 and
Slopes Greater than 10%

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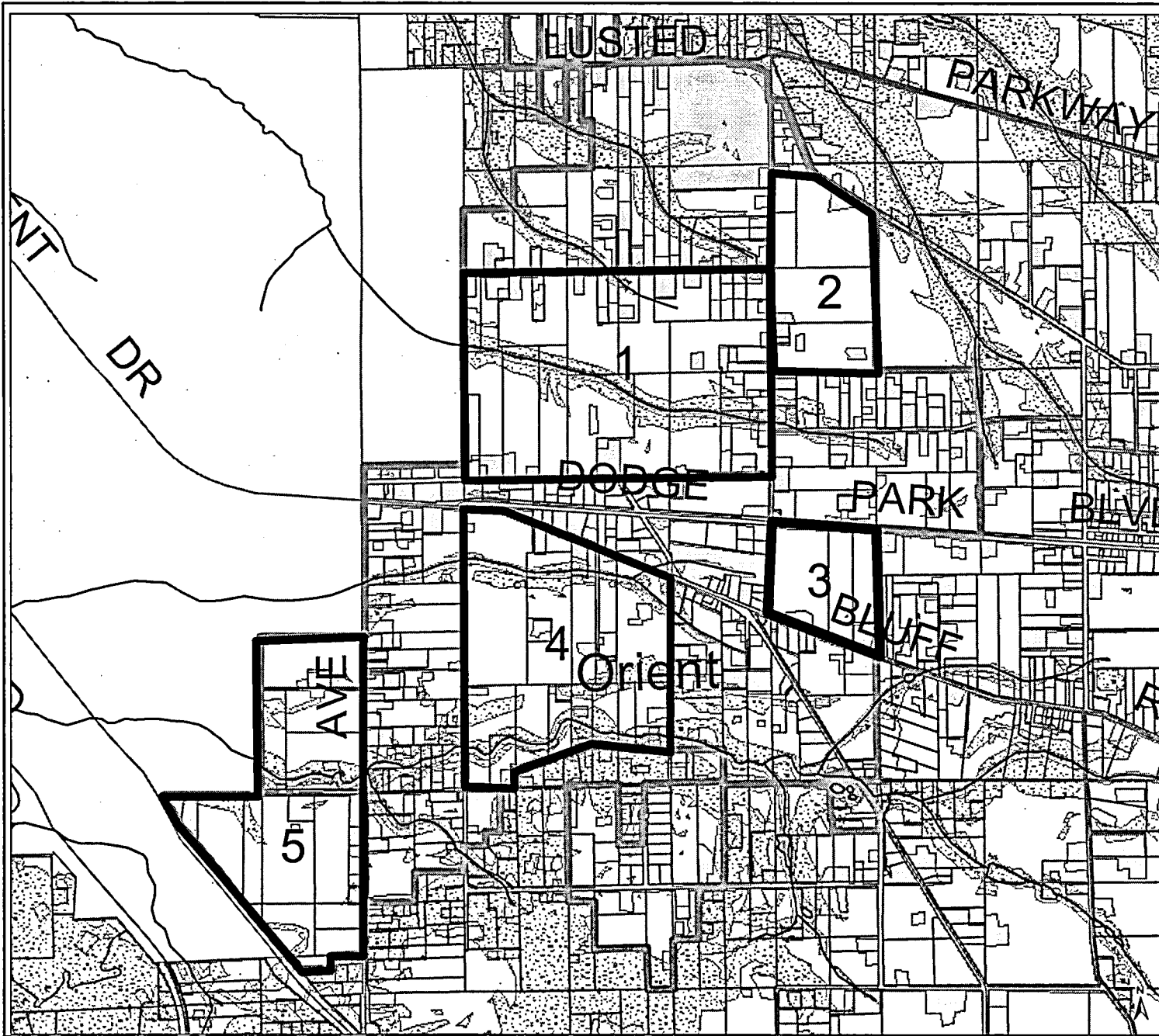
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Gresham Study Area

Map 1

- Gresham Study Area
- Developed Land
- Constrained Land -
Mortgage Title 3 and
Slopes Greater than 10%

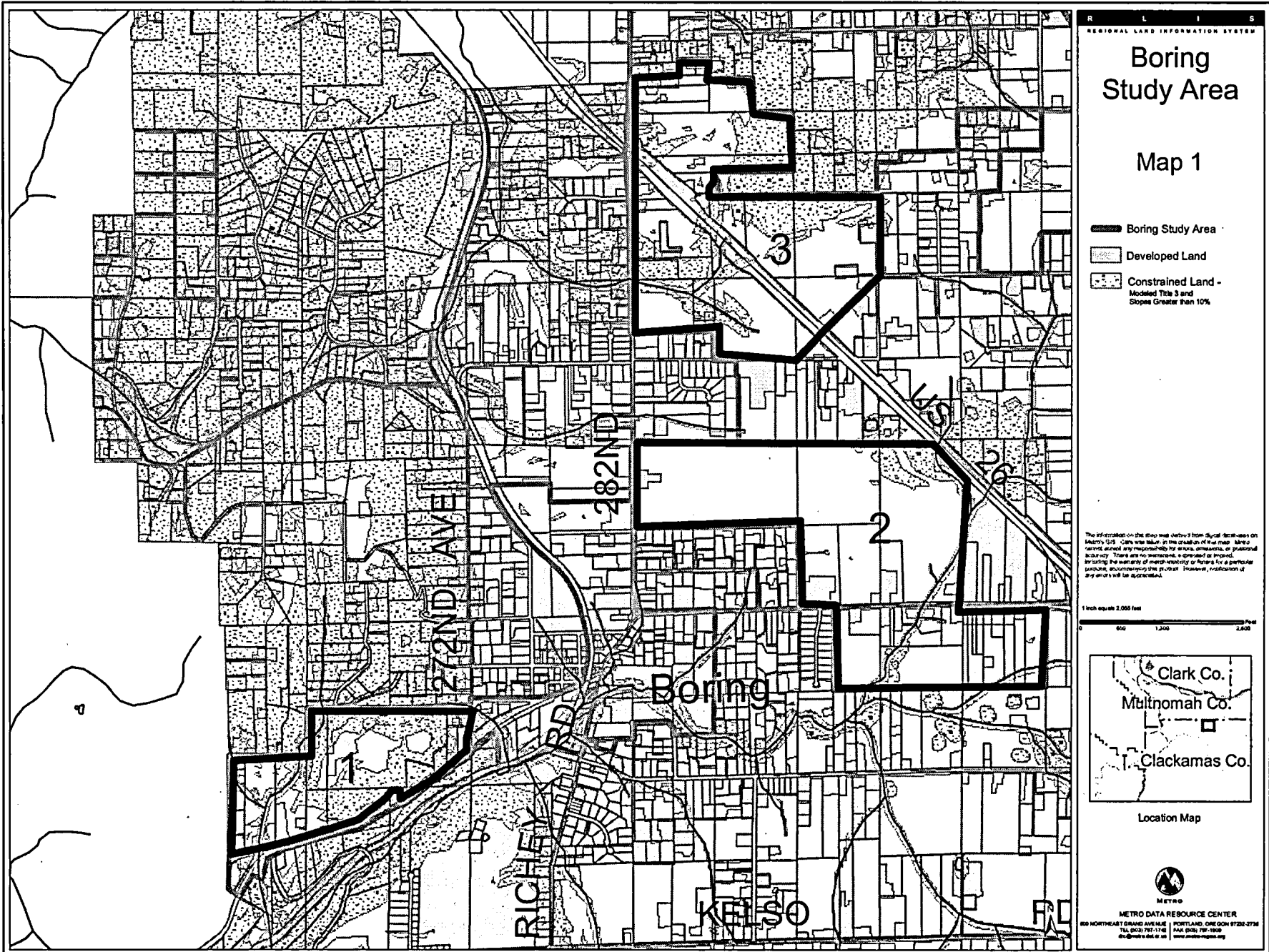
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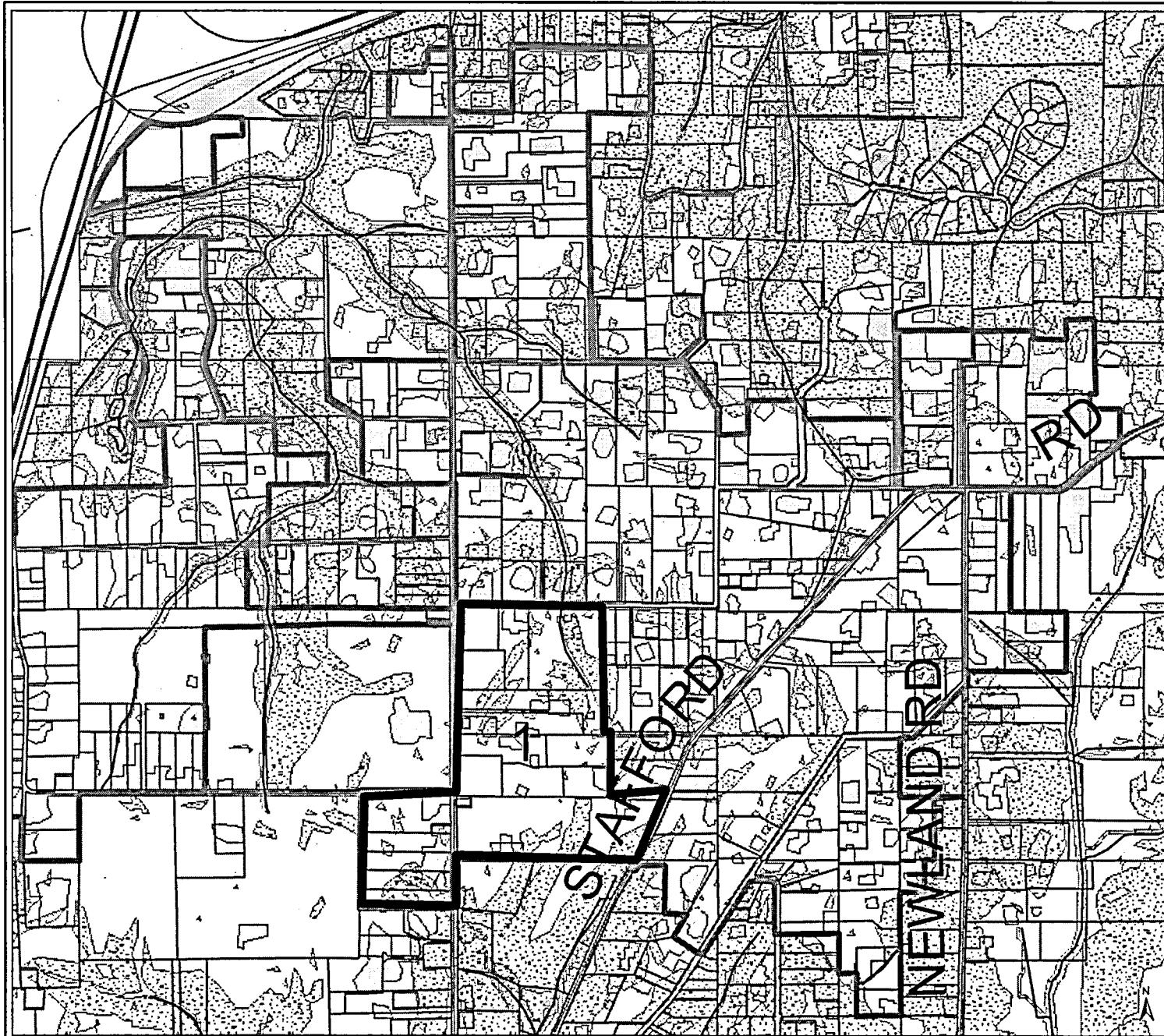
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Multnomah Co.
Clackamas Co.

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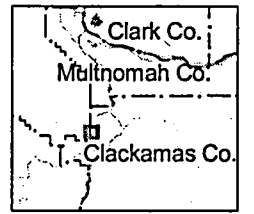
Norwood/ Stafford Study Area

Map 1

- Norwood/Stafford Study Area
- Developed Land
- Constrained Land -
Modeled Title 3 and
Slopes Greater than 10%

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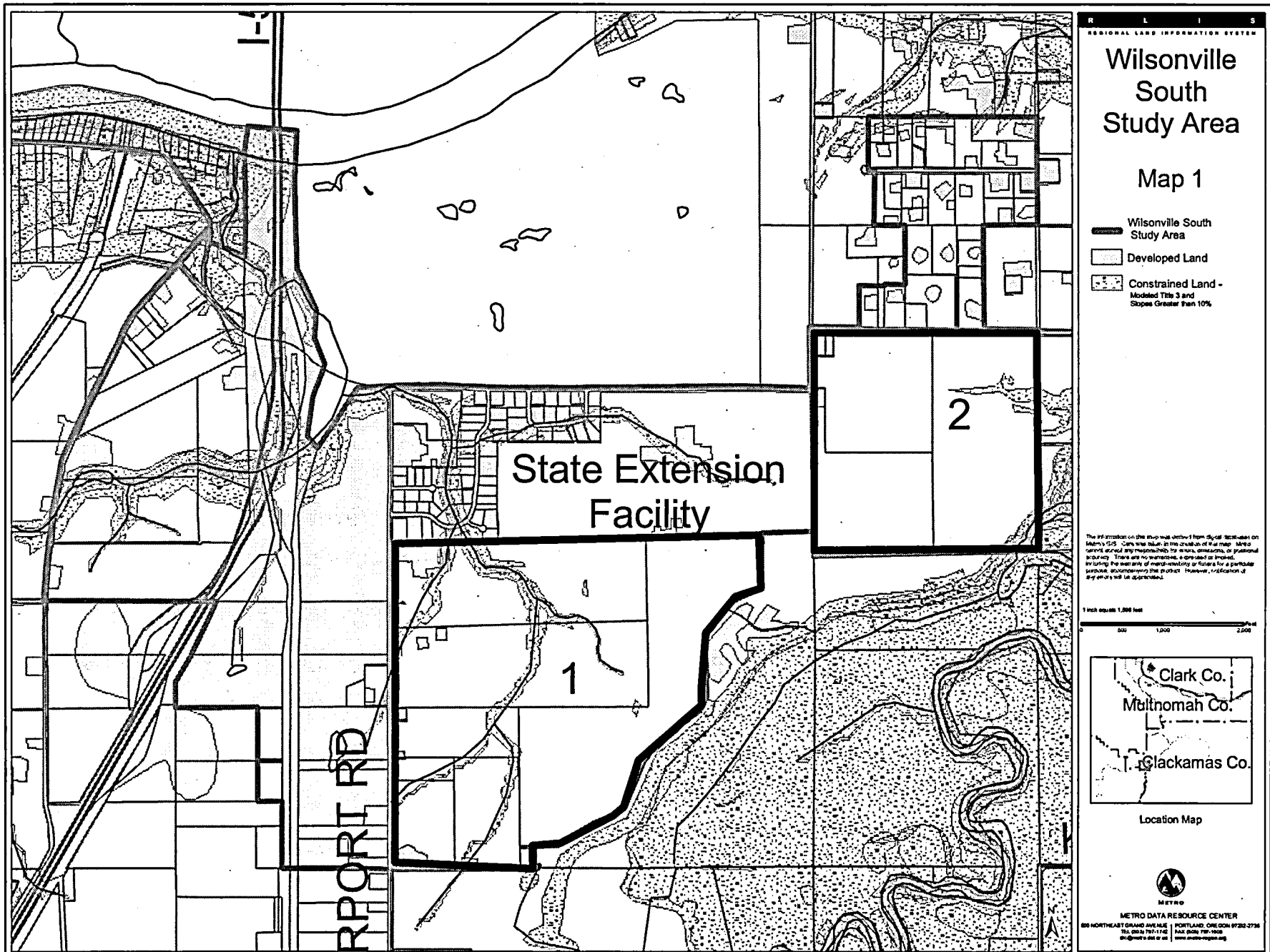
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Location Map






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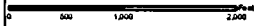
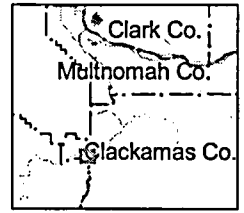
Wilsonville South Study Area

Map 1

-  Wilsonville South Study Area
-  Developed Land
-  Constrained Land -
Modelled Title 3 and
Slopes Greater than 10%

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
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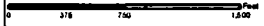
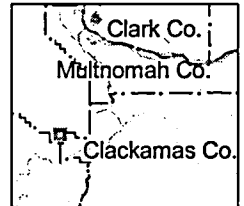
Brookman Road Study Area

Map 1

-  Brookman Road Study Area
-  Developed Land
-  Constrained Land -
Matted Title 3 and
Slopes Greater than 10%

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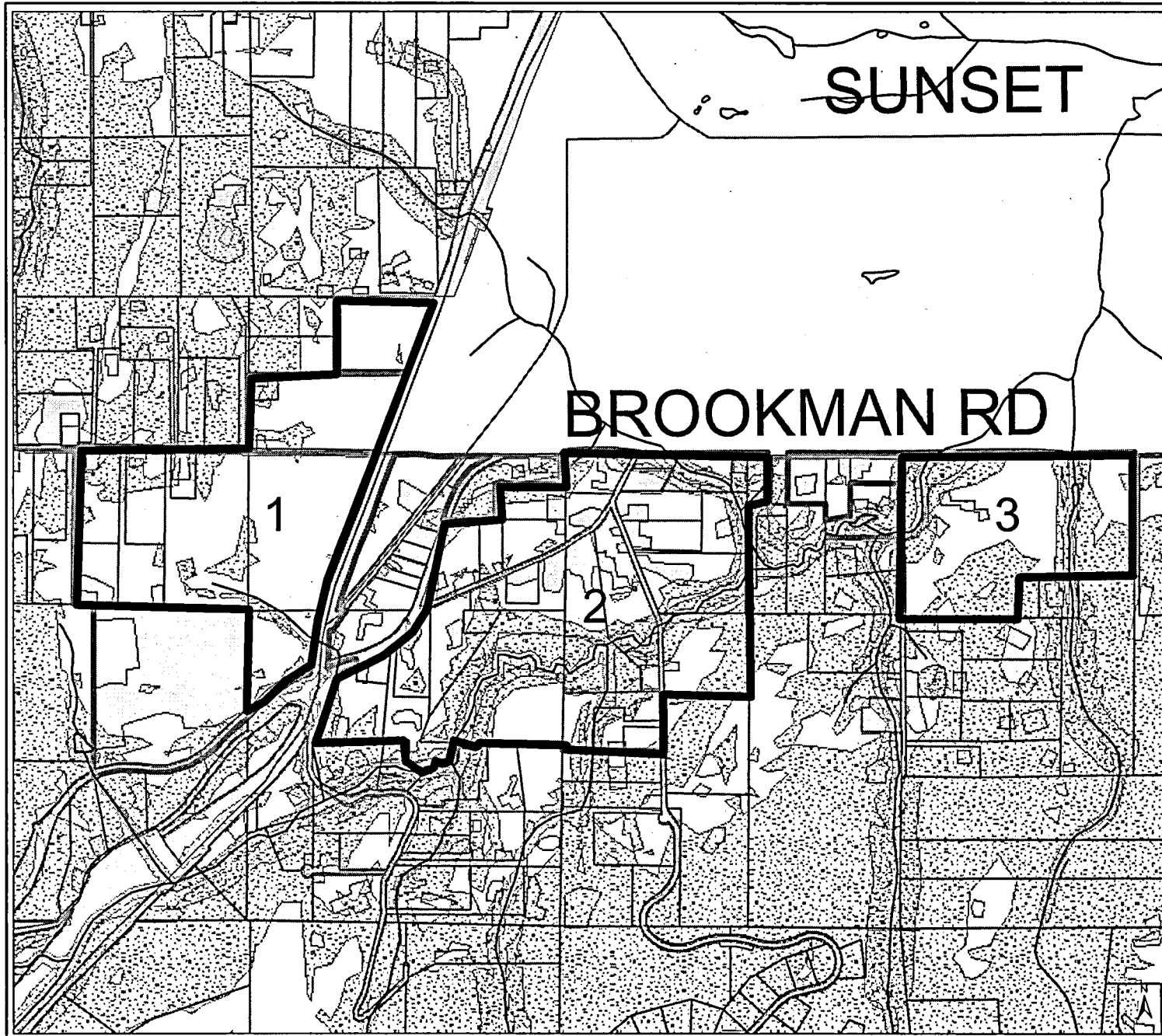
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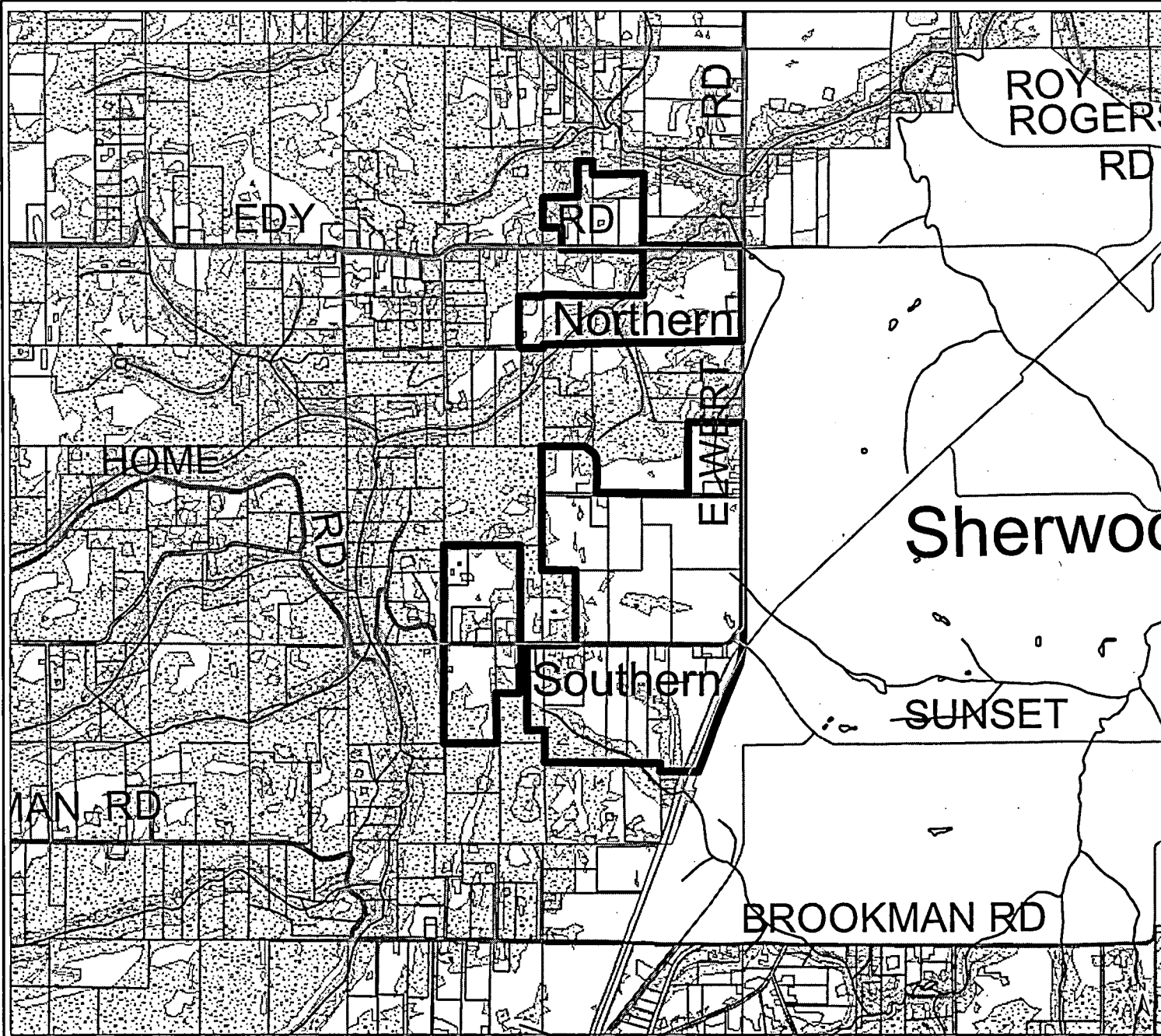



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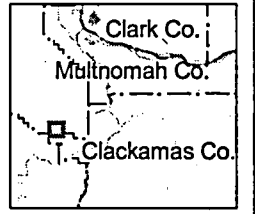
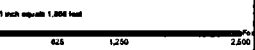
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Sherwood West Study Area

Map 1

-  Sherwood West Study Area
-  Developed Land
-  Constrained Land - Modeled Title 3 and Slopes Greater than 10%

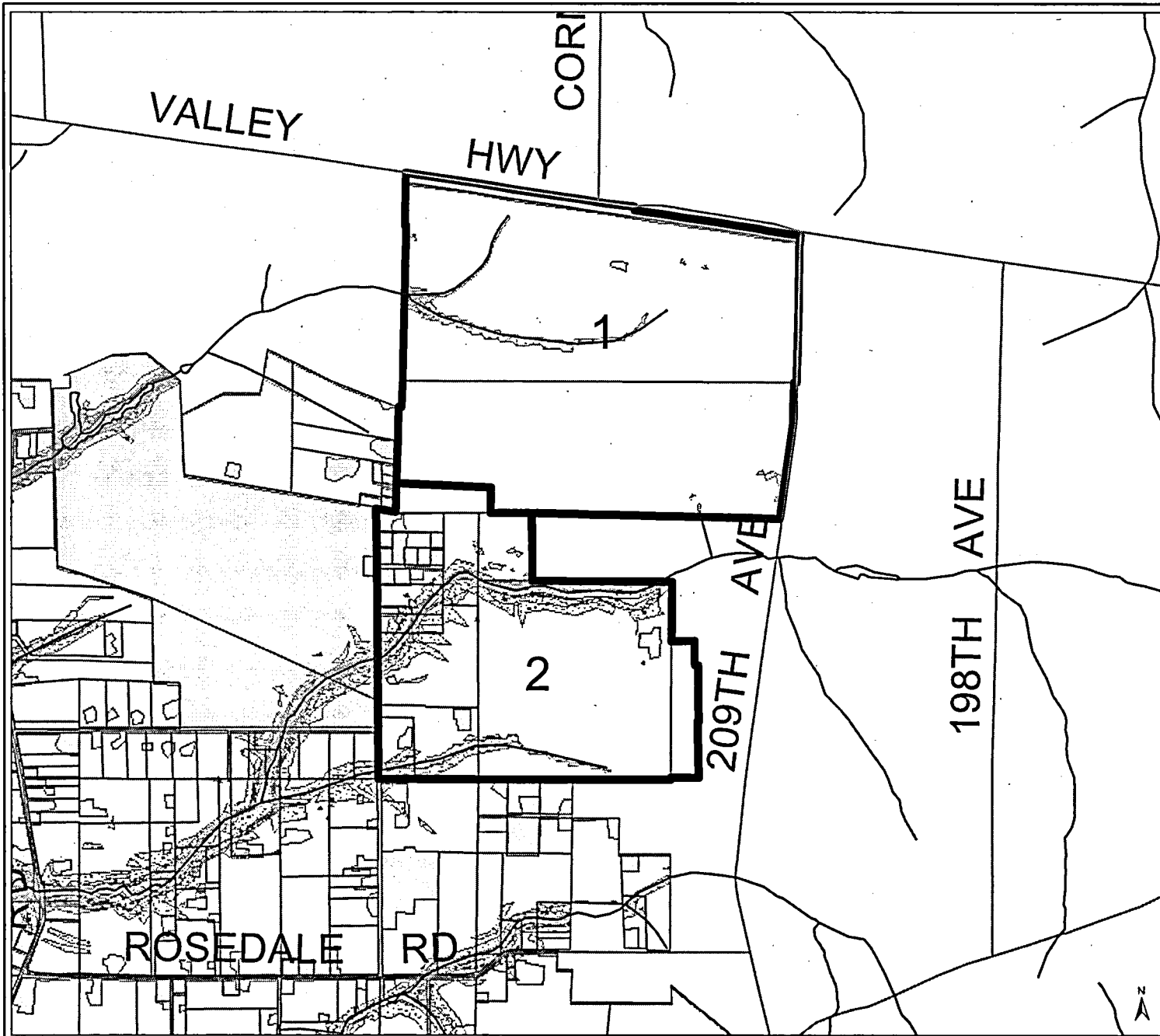
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Hillsboro South Study Area

Map 1

- Hillsboro South Study Area
- Developed Land
- Constrained Land - Modified Title 3 and Slopes Greater than 10%

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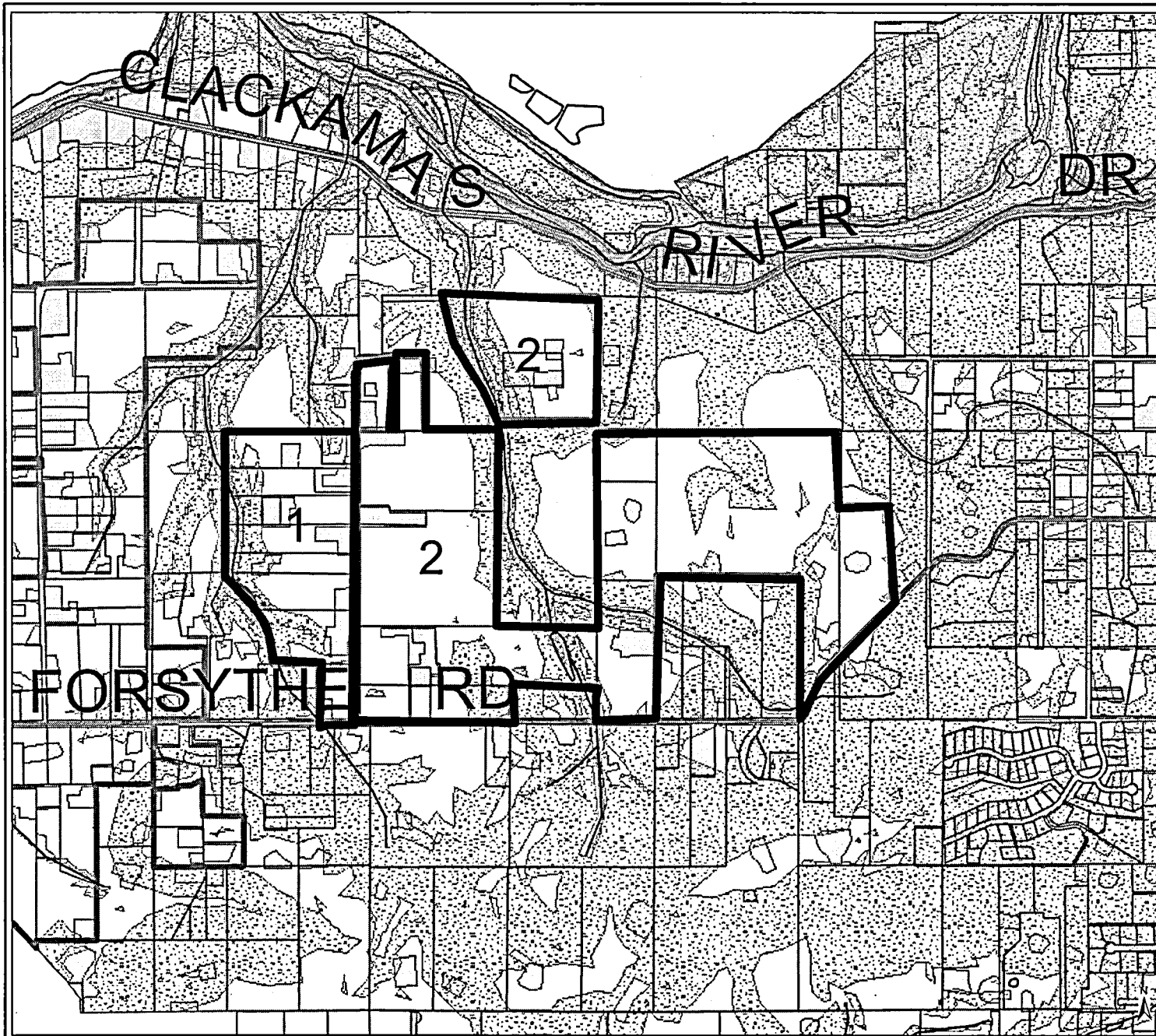
1 inch equals 1,000 feet

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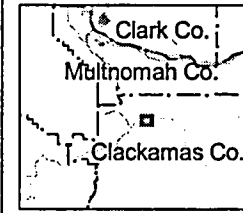
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Oregon City North Study Area

Map 1

-  Oregon City North Study Area
-  Developed Land
-  Constrained Land -
Modeled Title 3 and
Slopes Greater than 10%

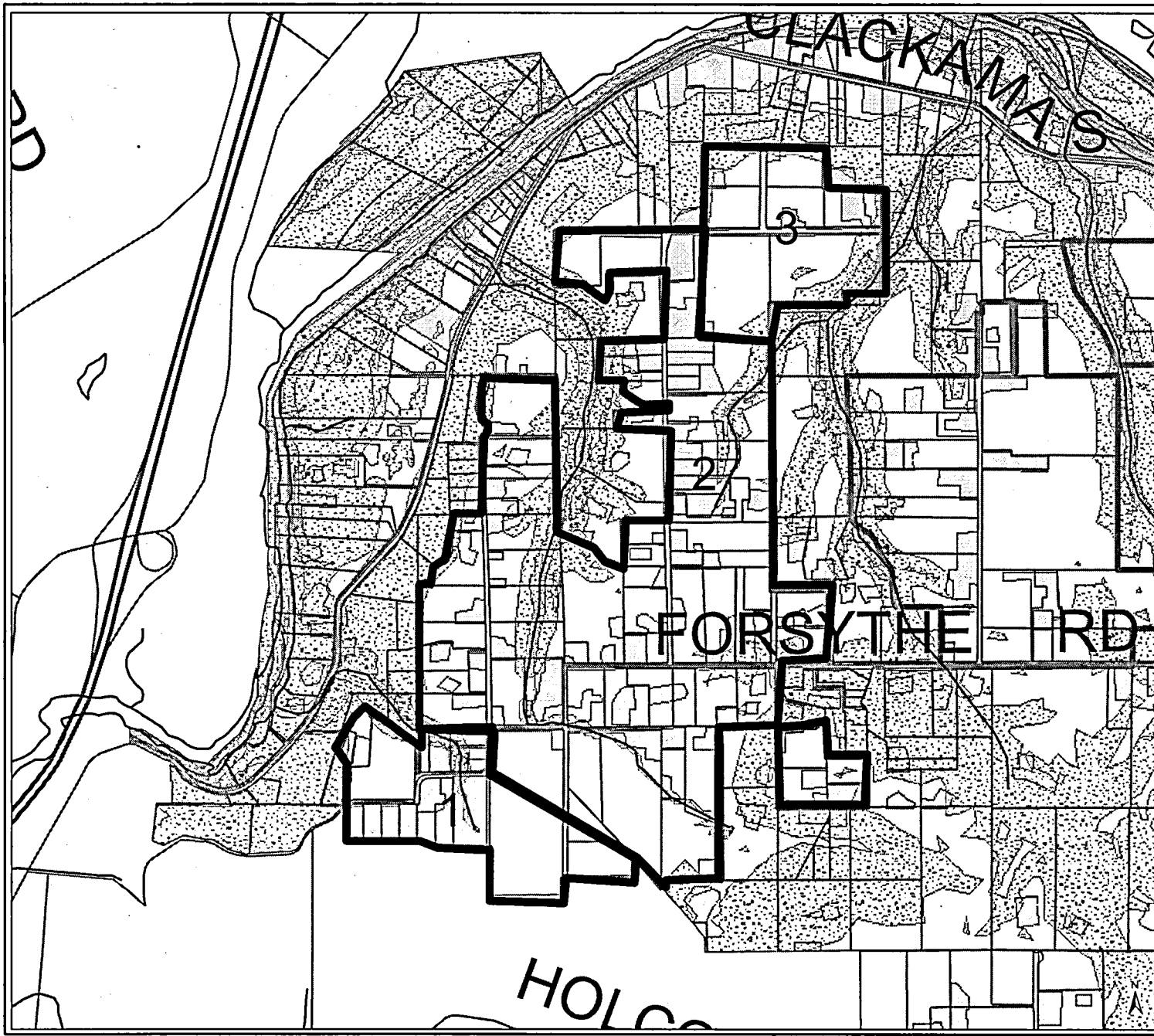
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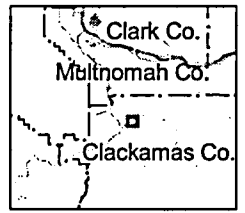
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RESIDENTIAL LAND INFORMATION SYSTEM

Oregon City North Study Area

Map 2

-  Oregon City North Study Area
-  Developed Land
-  Constrained Land -
Modeled Title 3 and
Slopes Greater than 10%

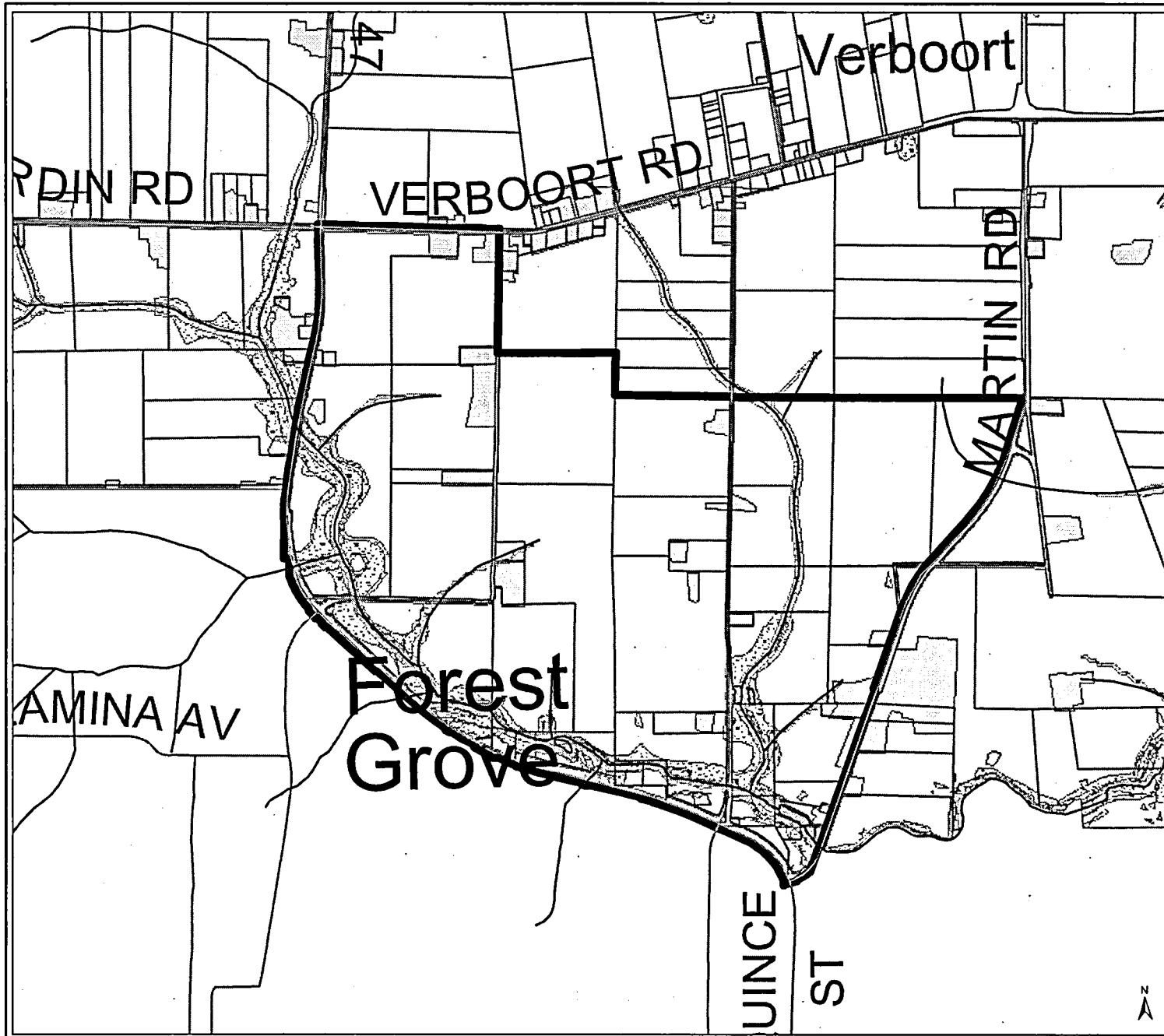
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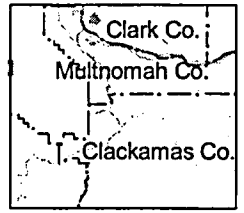
R L I S
REGIONAL LAND INFORMATION SYSTEM

Forest Grove East Study Area

Map 1

-  Forest Grove East Study Area
-  Developed Land
-  Constrained Land - Modelled Title 3 and Slopes Greater than 10%

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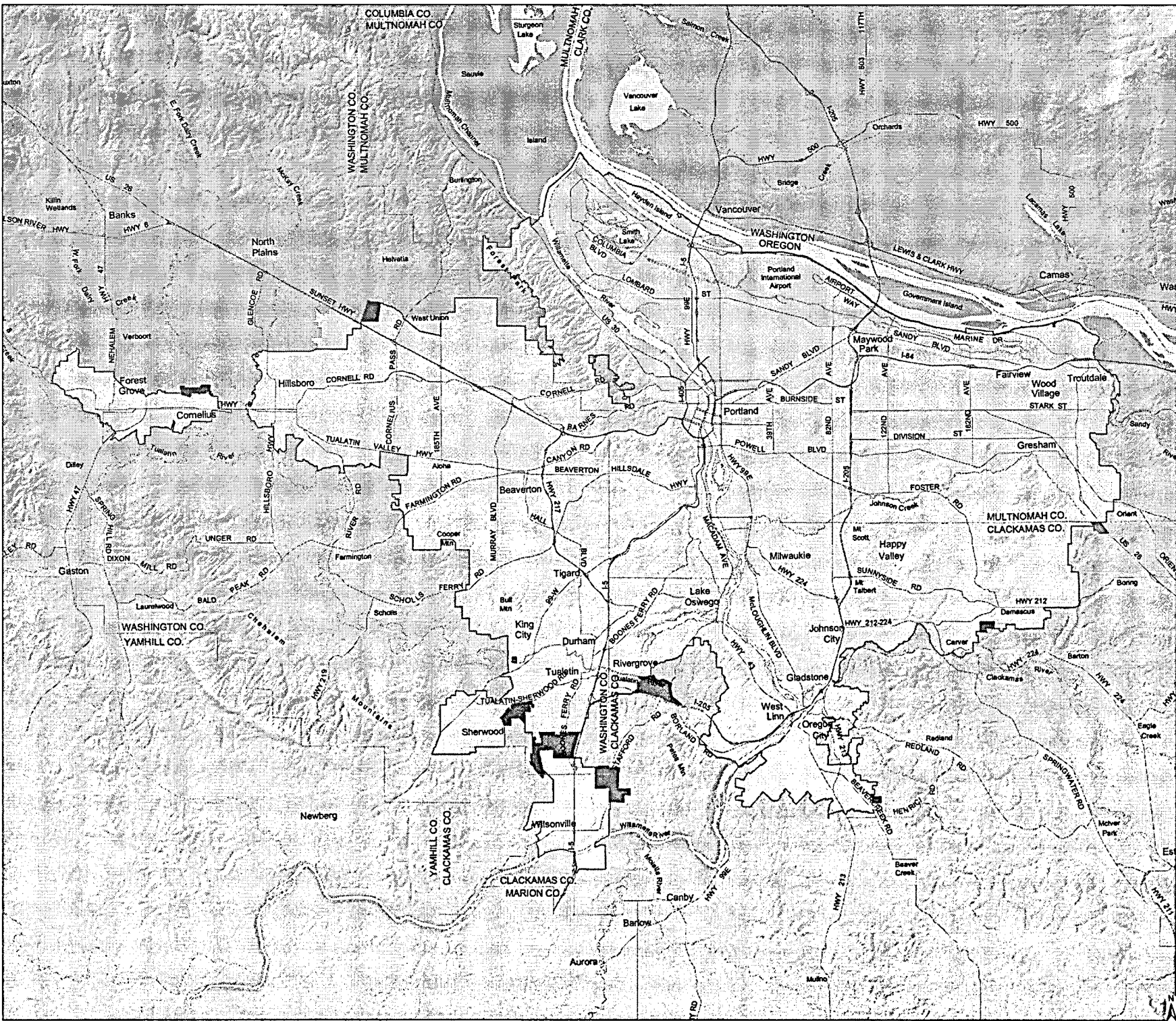


Chief Operating Officer's Recommended Areas

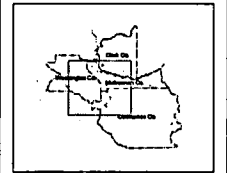
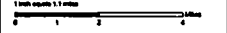
Ordinance 04-1040

Note: The Metro Council may consider land for possible inclusion in the UGB for industrial use even if it is not in the Chief Operating Officer's recommendation.

- Areas Recommended for UGB Expansion
-  Recommended Areas
 -  Additional Areas Under Consideration
 -  Areas to be Removed
 -  Urban Growth Boundary



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BY: [unreadable]
FOR: [unreadable]

Agenda Item Number 5.4

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.

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

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)
ORDINANCE NO. 04-1041
Introduced by Councilor Carl Hosticka

WHEREAS, Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Resource Land of Metro's Regional Framework Plan (RFP) calls upon Metro to protect agricultural and forest land, but it does not offer guidance on how to achieve the policy when the Metro Council must expand the urban growth boundary (UGB) to accommodate long-term urban population or employment growth and must choose agricultural or forest land to satisfy a portion of the need for land; and

WHEREAS, Metro sponsored a symposium on agriculture in the larger region around the Metro Area on October 31, 2003 ("Agriculture at the Edge"), at which farmers and others in the agricultural industry expressed concern for the loss of land to urbanization and conflicts between urban use and farm practices and asked Metro to think of agriculture as an industry rather than as a reserve for future UGB expansion; and

WHEREAS, Metro is studying approximately 29,000 acres of land, including 9,000 acres of agricultural land, for possible addition to the UGB for industrial use, and must choose approximately 2,000 acres from among those lands; and

WHEREAS, the Metro Council wants to avoid harm to the agricultural industry in the region; now, therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

- 1. Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Resource Land of Metro's Regional Framework Plan (RFP) is hereby amended as shown in Exhibit A, attached and incorporated into this ordinance.
- 2. The Findings of Fact and Conclusions of Law, attached as Exhibit B and incorporated into this ordinance, explain how the amendment of Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Resource Land of the RFP complies with state and regional planning laws.
- 3. This ordinance is necessary for the immediate preservation of public health, safety and welfare because the Metro Council must make a decision on expansion of the UGB for industrial land by June 24, 2004, to comply with Remand Order 03-WKTASK-001524 of the Land Conservation and Development Commission. An emergency is therefore declared to exist, and this ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

///
///
///
///

ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

Attest:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

Exhibit A to Ordinance No. 04-1041
Metro's Regional Framework Plan
Chapter 1 Land Use, Policy 1.12 Protection of Agriculture and Forest Lands

1.12—Protection of Agriculture and Forest Resource-Lands

1.12.1 Agricultural and forest resource-land outside the UGB shall be considered a regional economic and cultural resource and be protected from urbanization, and accounted for in regional economic and development plans, consistent with this Plan statewide planning laws. However, Metro recognizes that all the statewide goals, including Statewide Goal 10, Housing and Goal 14, Urbanization, are of equal importance to Goals 3 and 4 which protect agriculture and forest resource lands. These goals represent competing and, some times, conflicting policy interests which need to be balanced.

1.12.12 Rural Resource Lands

Rural resource lands outside the UGB that have significant resource value should actively be protected from urbanization. However, not all land zoned for exclusive farm use is of equal agricultural value, the Metro Council shall choose agricultural land deemed less important to the continuation of commercial agriculture in the region, and shall not choose agricultural land south of the Willamette River and west of the Pudding River.

1.12.23 Urban Expansion

Expansion of the UGB shall occur in urban reserves, established consistent with the urban rural transition objective. All urban reserves should be planned for future urbanization even if they contain resource lands. Metro shall enter into agreements with neighboring cities and counties to carry out Metro Council policy on protection of agricultural and forest resource policy through the designation of Rural Reserves and other measures.

1.12.34 Farm and Forest Practices

Protect and support the ability for farm and forest practices to continue. The designation and management of rural reserves by the Metro Council may help establish this support, consistent with the Growth Concept. Agriculture and forestry require long term certainty of protection from adverse impacts of urbanization in order to promote needed investments. Metro shall work with neighboring counties to provide a high degree of certainty for investment in agriculture and forestry and to reduce conflicts between urbanization and agricultural and forest practices.

**Exhibit B to Ordinance No. 04-1041
Findings of Facts and Conclusions of Law**

[TO FOLLOW]

STAFF REPORT

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

Date: March 1, 2003

Prepared by: Lydia M. Neill
Principal Regional Planner

PROPOSED ACTION

Adoption of Ordinance No. 04-1041 amending Metro's Regional Framework Plan to add policy language to guide urban growth boundary (UGB) expansion decisions.

BACKGROUND AND ANALYSIS

The Metro Council is in the process of completing its UGB decision under the state's periodic review process that includes meeting the remaining deficit of 1,968 net acres for industrial land.

In the process of meeting that need for industrial land, the Metro Council will be considering whether to expand the UGB onto farmland. Meeting the industrial land shortfall affects other industries such as local agriculture and nursery operations that are currently operating outside of the UGB. The agricultural industry will be affected differently, depending on which farmland comes into the UGB, due to differences in productivity of land, location near other farm-related businesses and the massing of farm uses. Discussion on a regional level is needed to develop a clear policy to guide the selection of additional employment lands for inclusion into the UGB.

In order to emphasize the importance of agriculture and urban form in these boundary discussions, a change has been proposed to Metro's Regional Framework Plan (RFP). Chapter 1, Land Use Policy 1.12 of the RFP addresses the protection of agriculture and forest resources. Policy 1.12 does not address potential conflicts with agriculture or forestry practices with the expansion of the UGB.

The proposed policy changes would offer more specific guidance for selection of farmland for inclusion within the UGB, with emphasis on avoiding land that is more important for commercial agriculture in the region. The changes also call for efforts by Metro to work with local governments in the region to reduce the uncertainty faced by farmers in an area of increasing urbanization and the growing conflicts with farming practices.

The proposed changes provide policy guidance by:

- Establishing the Willamette River south of Wilsonville as a natural boundary for the UGB;
- Using the hierarchy of lands under state law as one basis for evaluating the importance of particular farmland to the agricultural industry; and
- Working with neighboring cities and counties to provide the region's farmers with longer-term certainty and better protection for their practices.

BUDGET IMPACT

Adoption of this ordinance does not have an immediate budget impact. Metro completes an evaluation of the impacts on agricultural lands as part of the Alternative Analysis that is prepared for all significant UGB expansions. Although impacts on agricultural land are included in the Alternatives Analysis study, the level of research will need to be expanded to assess the impacts of

including farmland in the UGB on the agricultural industry. This work may require additional resources.

Agenda Item Number 5.5

Ordinance No. 04-1042, For the Purpose of Amending Metro Code Chapter 5.02 to Amend Disposal Charges and System Fees.

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 04-1042
METRO CODE CHAPTER 5.02 TO)
AMEND DISPOSAL CHARGES AND) Introduced by: Michael Jordan, Chief Operating
SYSTEM FEES) Officer, with the concurrence of David Bragdon,
) Council President

WHEREAS, Metro Code Chapter 5.02 establishes solid waste charges for disposal at Metro South and Metro Central transfer stations; and,

WHEREAS, Metro Code Chapter 5.02 establishes fees assessed on solid waste generated within the District or delivered to solid waste facilities regulated by or contracting with Metro; and,

WHEREAS, pursuant to its charge under Metro Code Chapter 2.19.170, the Solid Waste Rate Review Committee, has reviewed the Solid Waste & Recycling department's budget and organization, and has recommended methodological changes to the calculation of administrative and overhead costs, and the allocation of these costs to rate bases; and,

WHEREAS, Metro's costs for solid waste programs have increased; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Section 5.02.025 is amended to read:

5.02.025 Disposal Charges at Metro South & Metro Central Station

(a) The fee for disposal of solid waste at the Metro South Station and at the Metro Central Station shall consist of:

- (1) The following charges for each ton of solid waste delivered for disposal:
 - (A) A tonnage charge of ~~\$42.55~~ 47.75 per ton,
 - (B) The Regional System Fee as provided in Section 5.02.045,
 - (C) An enhancement fee of \$.50 per ton, and
 - (D) DEQ fees totaling \$1.24 per ton;
- (2) All applicable solid waste taxes as established in Metro Code Chapter 7.01, which excise taxes shall be stated separately; and
- (3) A Transaction Charge of ~~\$9.506.00~~ for each Solid Waste Disposal Transaction.

(b) Notwithstanding subsection (a) of this section, there shall be a minimum solid waste disposal charge at the Metro South Station and at the Metro Central Station for loads of solid waste weighing ~~220340~~ pounds or less of \$17, which shall consist of a minimum Tonnage Charge of ~~\$7.50~~ 11.00 plus a Transaction Charge of ~~\$9.506.00~~ per Transaction.

(c) Total fees assessed in cash at the Metro South Station and at the Metro Central Station shall be rounded to the nearest whole dollar amount, with any \$0.50 charge rounded down.

(d) The Director of the Solid Waste & Recycling Department may waive disposal fees created in this section for Non-commercial Customers of the Metro Central Station and of the Metro South Station under extraordinary, emergency conditions or circumstances.

Section 2. Metro Code Section 5.02.045 is amended to read:

5.02.045 System Fees

(a) Regional System Fee: Solid waste system facility operators shall collect and pay to Metro a Regional System Fee of ~~\$13,2046.57~~ per ton for the disposal of solid waste generated, originating, collected, or disposed of within Metro boundaries, in accordance with Metro Code Section 5.01.150.

(b) Metro Facility Fee: Metro shall collect a Metro Facility Fee of \$1.09 per ton for all solid waste delivered to Metro Central Station or Metro South Station.

(c) System fees described in paragraph (a) shall not apply to exemptions listed in Section 5.01.150(b) of this Code.

Section 3. Effective Date

The provisions of this ordinance shall become effective on July 1, 2004, or 90 days after adoption by Metro Council, whichever is later.

ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 04-1042 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02 TO AMEND DISPOSAL CHARGES AND SYSTEM FEES

Date: February 24, 2004

Prepared by: Douglas Anderson

BACKGROUND

Summary

Ordinance No. 04-1042, and a companion Ordinance No. 04-1043, would establish solid waste fees (but not excise tax) for FY 2004-05. The two ordinances are related, and changes to one should be reflected in changes to the other.

Ordinance No. 04-1042 is the basic rate ordinance adopted by Council each year. This ordinance amends Metro Code Chapter 5.02 to set three basic rates: the transaction fee and tonnage charge at Metro transfer stations, and the Regional System Fee charged against all regional solid waste disposal. By setting these rates, the Metro tip fee is established. The ordinance also adjusts the minimum load charge to reflect these changes.

Depending on the Council's decisions on the Solid Waste & Recycling budget, acceptance of the recommendations of the Solid Waste Rate Review Committee, and the FY 2004-05 excise tax, the Metro tip fee would rise from its current \$67.18 per ton to either \$68.44 or \$70.97 per ton—an increase ranging from \$1.26 to \$3.79 per ton. This increase is exaggerated by the fact that the current tip fee is subsidized by \$1, but the FY 2004-05 rates are proposed at their full cost recovery levels. Depending on these same decisions, the transaction fee (an important component of the disposal charge at Metro transfer stations) would remain flat at \$6.00 or rise as much as \$3.50, to \$9.50. This difference is largely a function of the Solid Waste Rate Review Committee recommendations.

The companion Ordinance No. 04-1043 amends Metro Code Chapter 5.03 to establish new license and franchise fees to be charged at privately-owned facilities. These new fees, recommended by the Solid Waste Rate Review Committee, are designed to recover Metro's costs of regulating private facilities. Unlike Metro's other rates, the new license/franchise fees would not be incurred by customers of Metro transfer stations. By absorbing some of the costs currently recovered by the Regional System Fee, these new charges reduce the Regional System Fee. If Ordinance No. 04-1043 is not adopted, the level of the Regional System Fee in Ordinance No. 04-1042 would have to be adjusted.

Because of the budget schedule this year, the numerical values of the FY 2004-05 rates had not been reviewed by the Solid Waste Rate Review Committee as of the filing deadline for the ordinances. This review is expected before mid-March, and should be forwarded to Council prior to March 25, which is the last day to make substantive amendments to the ordinances and remain on track for a July 1 implementation date for the new rates.

Every year, the Council adjusts solid waste rates to account for changes in costs, tonnage, and to remain in compliance with the rate covenant of the bonds. Council must adopt rates by ordinance. The Metro Charter requires at least 90-days between adoption of the rate ordinance and the effective date of the rates. Historically, Metro has targeted July 1 as the effective date for new rates. This date is a matter of

convenience, allowing for business planning and coordination by Metro, local governments and the solid waste industry. However, there is no legal requirement to meet this date.

An additional element this year is a detailed study of the Department's cost structure by the Solid Waste Rate Review Committee ("RRC"). The RRC requested this study after the FY 2003-04 rate process, in order to improve the quality of their professional recommendations.

The cost study has implications for rates, because a basic starting principle in rate-setting (and articulated by the RRC) is that recovery of costs should be related to the causes of those costs. More simply put, users (or beneficiaries) should pay for the goods and services they consume, all else equal. If the cost is generated by a public policy choice—say, the provision of hazardous waste collection—then the beneficiaries should pay. For example, in the case of hazardous waste, all regional ratepayers contribute to paying the costs of Metro's program.

The RRC recognizes that this principle is a starting point, and not the only determinant of rates. However, the RRC felt that they were not in a position to give Council the best advice until they had a firmer empirical grasp on the basic mechanisms that generate Metro's solid waste costs.

As a result of the cost study, the RRC makes 3 general recommendations on allocations and rates, listed below. **Ordinances No. 04-1042 and 04-1043 reflect these recommendations on cost allocations.** As mentioned in the summary, however, the RRC has not yet reviewed the specific numerical FY 2004-05 results of these allocation policies, as the budget was not yet available.

Summary

Rate Review Committee Recommendations on Cost Allocations and Rates

1. *Maintain a financial model of the true full cost of programs and services, and allocate fully-loaded programs and services largely according to the current rate model.*

This recommendation is based on the RRC's opinion that the current rate model (1) allocates the direct costs of programs and services appropriately—with the exception of private facility regulatory costs and debt service; and (2) does not work as well for relating the costs of administration and overhead with the activities that cause those costs. See Table 1 (next page) for more details.

2. *Establish a new fee.*

A new fee, to be levied on non-Metro users of the system should be established. This recommendation is consistent with collecting the true and full costs of programs from the persons who cause the cost—in this case, privately-owned and Metro-regulated facilities.

3. *Extend the philosophy above to the recovery of debt service.*

Debt service (amortized capital costs) should be partitioned into two elements, one representing the cost of utilized capital, and the other representing the cost of underutilized, or "stranded" capacity. Users—Metro customers—should pay for the utilized portion, and the entire region should pay for the stranded capacity through the Regional System Fee.

For more background on these points, see Table 1, "Rate Review Committee Preliminary Findings on Cost Allocations," on the following page.

**Table 1
Rate Review Committee Preliminary Findings on Cost Allocations**

Center	Direct Costs	Administrative Support & Overhead
Disposal services	Currently allocated to Metro customers. RRC agrees with status quo	<p>Administration & overhead are currently allocated to all regional ratepayers through the RSF. Therefore, Metro customers as a group pay for administration & overhead in proportion to tonnage—currently 47.5%, or about \$3.1 million. Non-Metro customers pay the balance.</p> <p>The RRC’s preliminary findings on the \$6.45 million in administration, overhead and service transfers in the FY 2003-04 budget, are:*</p> <ul style="list-style-type: none"> □ Disposal operations generate administrative and overhead costs of about \$2.10 million. This amount should be paid by the persons who cause those costs; namely, transfer station customers. □ Regional programs (such as hazardous waste and waste reduction) are responsible for about \$4.15 million. This amount should be paid by the beneficiaries of those programs; namely, all regional ratepayers. □ Private facility regulation generates about \$204,000 of administration and overhead. This amount should be paid by the persons who cause those costs; namely, Metro-regulated facilities. <p>In order to better associate the activities that generate these costs, the RRC recommends that:</p> <ol style="list-style-type: none"> 1. The true administrative costs of programs and services be established; 2. These costs be added to the direct costs of programs and services; 3. These fully-loaded programs and services be allocated to rate bases according to the recommendations on direct costs (column left).
Programs	<p>Currently allocated to all regional ratepayers through the RSF.</p> <p>RRC recommends that regulatory and auditing functions be allocated to a new fee paid by non-Metro customers, and agrees that the balance should remain allocated to the RSF.</p>	
Debt service	Recommend dividing into two parts, representing (1) utilized capacity & (2) underutilized, or “stranded” capacity. Allocate the utilization portion to Metro customers (representing payment for use), and the stranded portion to the RSF (representing policy that all ratepayers should pay for public investments undertaken on the behalf of the region).	

* Observation. A fair allocation of administration & OH costs to Metro customers would be the entire \$2.1 million associated with disposal operations, plus \$2 million (47.5%, the tonnage share) of the costs associated with regional programs, for a total of \$4.1 million. Thus, the “tonnage share” allocation that is implicit within the current rate model collects about \$1 million less from Metro customers than when full costs and cost causation are accounted for.

Comparative Analysis of the Rates

Staff employed the RRC’s allocation recommendations to calculate the rates in this ordinance. These rates and the effect on Metro’s tip fee are shown in the following table. The figures in the column under “This Ordinance” are the rates implemented by Ordinance No. 04-1042 as filed.

Although the overall increase in the tip fee is reasonable and in historical range (less than \$2, or 1.9 percent), the changes in the various components are large (over 50 percent increase in the case of the transaction fee). In the past, the RRC has recommended against abrupt “steps” in the rates; and for this

reason, staff expects the RRC to look critically at the implementation path and phasing of its recommendation once the committee has had the opportunity to review these results.

Table 2
Components of the Metro Tip Fee & Change, FY 2003-04 to 2004-05
 Shown for 2 Different Rate Models and 2 Excise Tax Scenarios
 (all figures in dollars per ton)

Rate Component	Current Rates (FY 2003-04)	FY 2004-05 Rates			
		Based on Current Rate Model		This Ordinance	
		Rates	Change	Rates	Change
Transaction Fee	\$6.00	\$6.00	-	\$9.50	\$3.50
Disposal Operations	\$42.55	\$43.79	\$1.24	\$47.45	\$4.90
Regional System Fee	\$16.57 ¹	\$16.30	(\$0.27) ¹	\$13.20	(\$3.37) ¹
Excise Tax	\$6.32	\$6.61 ²	\$0.29	\$6.61 ²	\$0.29
DEQ Fees	\$1.24	\$1.24	-	\$1.24	-
Host Fee	\$0.50	\$0.50	-	\$0.50	-
Tip Fee	\$67.18¹	\$68.44	\$1.26	\$69.00	\$1.82
<i>With new excise tax³</i>	<i>\$67.18</i>	<i>\$70.41</i>	<i>\$3.23</i>	<i>\$70.97</i>	<i>\$3.79</i>

- 1 The FY 03-04 rate is subsidized ("bought down") by the fund balance. The unit cost is about \$1 higher at \$17.56, making the unsubsidized tip fee \$68.18/ ton. For better comparability, \$1 should be subtracted from the changes. (For example, the 2004-05 tip fee under the current rate model would become an increase of only 26¢ rather than \$1.26.)
- 2 Assumes extension or elimination of the sunset on the tax for Parks. The resulting total rate of \$6.61 is: base excise tax rate of \$5.58, plus \$1.03 for Parks.
- 3 Assumes \$8.58 total rate = base excise tax rate of \$5.58 + \$3.00 additional tax.

Metro also imposes charges on privately-owned facilities and non-system licensees. These charges are added to the private per-ton costs. The fees are shown in Table 3.

Table 3
Components of Metro Charges on Privately-Owned, Metro-Regulated Facilities
 Rates and Changes, FY 2003-04 to 2004-05
 Shown for 2 Different Rate Models and 2 Excise Tax Scenarios
 (all figures in dollars per ton)

Private Facility Charges	Current Rates (FY 2003-04)	FY 2004-05 Rates			
		Based on Current Rate Model		This Ordinance	
		Rates	Change	Rates	Change
Regional System Fee	\$16.57 ¹	\$16.30	(\$0.27)	\$13.20	(\$3.37)
Excise Tax	\$6.32	\$6.61 ²	\$0.29	\$6.61 ²	\$0.29
License/Franchise Fee ³	-	-	-	\$0.88 ³	\$0.88
Total charges	\$22.89	\$22.91	\$0.02	\$20.69	(\$2.20)
<i>With new excise tax⁴</i>	<i>\$22.89</i>	<i>\$24.88</i>	<i>\$1.99</i>	<i>\$22.66</i>	<i>(\$0.23)</i>

—Footnotes to this table may be found at the top of the next page—

- 1 This rate is subsidized (“bought down”) by the fund balance. Unit cost rate is ~\$1 higher at \$17.56. All other rates in this table are unsubsidized rates. The excise tax is calculated by a separate formula set forth in Metro Code Chapter 7.01.
- 2 Assumes extension or elimination of the sunset on the tax for Parks. The resulting total rate of \$6.61 is: base excise tax rate of \$5.58, plus \$1.03 for Parks.
- 3 The License/Franchise Fee shown is the average rate per ton. Rates incurred at individual facilities may be higher or lower than this figure.
- 4 Assumes \$8.58 total rate = base excise tax rate of \$5.58 + \$3.00 additional tax.

INFORMATION/ANALYSIS

1. Known Opposition.

Although no specific opposition has been voiced as of this writing, there is precedent for opposition to solid waste rate increases. The following are historical reactions from various user groups:

Haulers. Haulers’ reactions to rate increases have been mixed. But generally, haulers tend to dislike rate increases because these costs are passed on to their customers, and the haulers are typically the first in line to field the resulting complaints and potential loss of business. In some local jurisdictions that regulate haulers’ service charges, the allowed rate-of-return is based on the cost-of-sales; and in some of these cases, haulers may profit mildly from a rate increase because it increases the base on which their rate of return is calculated. However, historically, the majority of haulers have testified that negative customer relations issues outweigh any other advantages to rate increases, and therefore haulers have generally opposed such increases.

Ratepayers. Ratepayers’ costs will go up. Ratepayers typically oppose rate increases, although increases of \$1 to \$2 per ton have historically not motivated significant opposition. However, the current economic climate may magnify the effect of any rate increase.

Mixed Reaction.

Recycling Interests. Recycling interests have historically supported higher disposal fees, because that makes recycling relatively more attractive. However, because the Regional System Fee is levied on disposal only, it is a powerful region-wide price incentive for recycling—and for this reason, recycling interests would tend to disagree with reductions in the Regional System Fee.

Probable Support.

Private Facility Operators. Private solid waste facility operators have historically supported increases in Metro’s tip fee because their own private tip fees can follow the public lead—so long as the increase is not due primarily to the Regional System Fee, which is a cost to these same operators. Because this ordinance raises the tip fee through an increase in the tonnage charge and transaction fee, and at the same time *reduces* the Regional System Fee (although this reduction is partially offset by the imposition of the new license/franchise fee), facility operators are likely to support this change.

Private Disposal Site Operators. Landfills and private transfer stations simply pass any changes in the Regional System Fee on to their customers. The reduction of the system fee means that private operators have an opportunity to reduce or hold the line on their own tip fees. As all but one local private disposal operation are rate regulated (the exception being Forest Grove Transfer Station), the increase in the Metro tip fee is not likely to confer any relative pricing advantages.

2. **Legal Antecedents.** Metro's solid waste rates are set in Metro Code Chapter 5.02. Any change in these rates requires an ordinance amending Chapter 5.02. Metro reviews solid waste rates annually, and has amended Chapter 5.02 when changes are warranted.
3. **Anticipated Effects:** This ordinance will increase the cost of disposal at Metro transfer stations. Historically, most private facilities have mirrored the Metro increases. The reduction of the Regional System Fee will improve operating margins at private facilities, which provides Metro with an opportunity to examine the level of Regional System Fee credits.
4. **Budget Impacts.** These rates are designed to recover fully the department's budgeted costs. These rates are in full compliance with the rate covenant of the solid waste revenue bonds.

RECOMMENDATION

The Chief Operating Officer generally recommends adjustment of solid waste rates to recover costs and remain in compliance with the bond covenant. However, the Chief Operating Officer awaits the final findings and recommendations of the Solid Waste Rate Review Committee before taking a specific position on Ordinance No. 04-1042.

Agenda Item Number 5.6

Ordinance No. 04-1043, For the Purpose of Amending Metro Code Chapter 5.03 to Amend License and Franchise Fees; and Making Related Changes to Metro Code Chapter 5.01.

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 04-1043
METRO CODE CHAPTER 5.03 TO)
AMEND LICENSE AND FRANCHISE) Introduced by: Michael Jordan, Chief Operating
FEES, AND MAKING RELATED) Officer, with the concurrence of David Bragdon,
CHANGES TO METRO CODE) Council President
CHAPTER 5.01)

WHEREAS, Metro Code Chapter 5.03 establishes fees for solid waste facilities that are franchised by Metro; and,

WHEREAS, the Solid Waste Rate Review Committee has reviewed the Solid Waste & Recycling Department's budget, and has recommended that certain costs of regulating solid waste facilities, currently recovered from the Regional System Fee, instead be recovered from license or franchise fees; and,

WHEREAS, the FY 2004-05 Regional System Fee set forth in Metro Code section 5.01.045, as amended by Section 2 of Ordinance No. 04-1042, reflects the reallocation of certain regulatory costs to license and franchise fees; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 5.03 shall be retitled "License and Franchise Fees and Related Fees."

Section 2. Metro Code Section 5.03.010 is amended to read:

5.03.010 Purpose and Authority

It is the purpose of this chapter to establish solid waste disposal license and franchise fees charged to persons regulated pursuant to Metro Code Section Chapter 5.01-140; fees on persons licensed to use a non-system facility pursuant to Metro Code section 5.05.035; and fees collected from users of facilities operating under special agreements with Metro adopted pursuant to Metro Code section 5.05.030, hereafter "Designated Facility Agreements."

Section 3. Metro Code Section 5.03.020 is repealed.

Section 4. Metro Code Section 5.03.030 is amended to read:

5.03.030 Annual License, Franchise and Designated Facility Fees

(a) Licensees, Franchisees and parties to Designated Facility Agreements, issued a solid waste disposal franchise, shall pay to Metro an annual franchise fees as set forth in this section. Such fees shall be paid in the manner and at the time required by the Chief Operating Officer or before January 1 of each year for that calendar year.

(b) ~~Annual solid waste disposal franchise fees shall be consist of a fixed charge \$300 per site as set forth in the following table; plus a charge per ton of solid waste, exclusive of source-separated material, accepted by the site, as set forth in the following table.~~

<u>Entity</u>	<u>Fixed Site Fee</u>	<u>Tonnage Fee</u>
<u>Party to a DFA</u>	<u>\$0</u>	<u>\$0.77</u>
<u>Licensees:</u>		
<u>Tire Processor</u>	<u>\$300</u>	<u>- \$0 -</u>
<u>Yard Debris</u>	<u>\$300</u>	<u>- \$0 -</u>
<u>Roofing Processor</u>	<u>\$300</u>	<u>- \$0 -</u>
<u>Non-System</u>	<u>\$300</u>	<u>\$0.77</u>
<u>Mixed waste/other</u>	<u>\$3,000</u>	<u>\$0.77</u>
<u>Franchisee</u>	<u>\$5,000</u>	<u>\$0.77</u>

(c) ~~Notwithstanding the charges set forth in subsection (b), provided, however, that said Fixed Site Fee shall be \$100 per site with no (\$0) Tonnage Fee for each non-system licensee franchised site that only transports/receives waste exclusively from the a licensed or franchisee facility, or a company, partnership or corporation in which the franchisee has a financial interest in, and is held in the same name as, the non-system licensee.~~

(de) ~~Licensees, franchisees and parties to Designated Facility Agreements who are issued licenses, franchises or Designated Facility Agreements during a calendar year shall pay a fee computed on a pro-rated quarterly basis such that one-quarter the same proportion of the annual fee shall be charged for any quarter or portion of a year quarter that the license, franchise or Designated Facility Agreement is in effect. The franchisee shall thereafter pay the fee annually as required by subsection (a) of this section. Franchise fees shall not for any reason be refundable in whole or in part. Annual franchise fees shall be in addition to franchise application fees.~~

Section 5. Metro Code Section 5.03.040 is amended to read:

5.03.040 Non-Payment of Franchise Fees

(a) The issuance of any license, franchise or Designated Facility Agreement shall not be effective unless and until the annual franchise fee has been paid for the calendar year for which the franchise is issued.

(b) Annual franchise fees are due and payable on January 1 of each year. Failure to remit said fee by said date shall constitute a violation of the Metro Code and of the franchise and shall subject the franchisee to enforcement pursuant to Code Section 5.01.180 in addition to any other civil or criminal remedies Metro may have.

Section 6. Metro Code Section 5.03.050 is amended to read:

5.03.050 Transfer and Renewal

For purposes of this chapter, issuance of a franchise shall include renewal and transfer of a franchise; provided, however, that no additional annual franchise fee shall be paid upon transfer or renewal when the annual franchise fee for the franchise being renewed or transferred has been paid for the calendar year in which the transfer or renewal becomes effective.

Section 6. Metro Code Section 5.01.140 is amended to read:

5.01.140 License and Franchise Fees

(a) The annual fee for a solid waste License ~~or shall not exceed three hundred dollars (\$300), and the annual fee for a solid waste Franchise shall be as set forth in Metro Code Chapter 5.03, not exceed five hundred dollars (\$500).~~ The Council may revise these fees upon 90 days written notice to each Licensee or Franchisee and an opportunity to be heard.

(b) The License or Franchise fee shall be in addition to any other fee, tax or charge imposed upon a Licensee or Franchisee.

(c) The Licensee or Franchisee shall pay the License or Franchise fee in the manner and at the time required by the Chief Operating Officer.

Section 7. Effective Date

The provisions of this ordinance shall become effective on July 1, 2004 or 90 days from the date this ordinance is adopted, whichever is later.

ADOPTED by the Metro Council this _____ day of _____, 2004.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Christina Billington, Recording Secretary

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 04-1043 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.03 TO AMEND LICENSE AND FRANCHISE FEES, AND MAKING RELATED CHANGES TO METRO CODE CHAPTER 5.01

Date: February 24, 2004

Prepared by: Douglas Anderson

BACKGROUND

Summary

Ordinance No. 04-1043, and a companion Ordinance No. 04-1042, would establish solid waste fees (but not excise tax) for FY 2004-05. The two ordinances are related, and changes to one should be reflected in changes to the other.

This Ordinance No. 04-1043 amends Metro Code Chapter 5.03 to establish new license and franchise fees to be charged at privately-owned facilities. These new fees, recommended by the Solid Waste Rate Review Committee, are designed to recover Metro's costs of regulating private facilities. Unlike Metro's other rates, the new license/franchise fees would not be incurred by customers of Metro transfer stations. By absorbing some of the costs currently recovered by the Regional System Fee, these new charges reduce the Regional System Fee. If Ordinance No. 04-1043 is not adopted, the level of the Regional System Fee in Ordinance No. 04-1042 would have to be adjusted.

Because of the budget schedule this year, the numerical values of the FY 2004-05 rates had not been reviewed by the Solid Waste Rate Review Committee as of the filing deadline for the ordinances. This review is expected before mid-March, and should be forwarded to Council prior to March 25, which is the last day to make substantive amendments to the ordinances and remain on track for a July 1 implementation date for the new rates.

This ordinance emerged from the detailed study of the Department's cost structure by the Rate Review Committee ("RRC") this year. A basic starting principle in rate-setting (and articulated by the RRC) is that recovery of costs should be related to the causes of those costs, all else equal. Through their work this year, the RRC came to understand that certain of Metro's costs—regulation and auditing—are incurred because of the existence and operation of private solid waste facilities. Therefore, according to the basic principle, the regulated community should bear those costs. The RRC recommended that Metro investigate annual license and franchise fees to recover those costs.

This ordinance amends Metro Code Chapter 5.03, Disposal Site Franchise Fees, to accomplish this task. As Ordinance No. 04-1043 is closely related to the elements of the annual rate ordinance amending Metro Code Chapter 5.02 (Ordinance No. 04-1042), the reader is directed to the staff report for that ordinance for more information on the RRC's findings and recommendation.

INFORMATION/ANALYSIS

1. **Known Opposition.**

Although no specific opposition has been voiced as of this writing, this ordinance represents a new concept that has not had wide distribution and review.

Because this ordinance would reduce the Regional System Fee by reallocating costs to the new license and franchise fees, in general, persons who currently pay the RSF would be in favor of this ordinance. This is a broad class of persons, as the RSF is levied on all regional waste.

The licensees and franchisees who would be subject to the new fee can generally be assumed to be in opposition. However, two points argue against them being in strong opposition: (1) the license/franchise fee is less than the amount by which the RSF dropped, and so their entire fee burden will drop; (2) facility owners were well represented and participated in the public meetings when this fee was developed.

2. **Legal Antecedents.** Metro's license and franchise fees are set in Metro Code chapters 5.01 and 5.03 (where they currently conflict). Any change in these fees requires an ordinance amending Chapter 5.03 (and by implication, 5.01). This ordinance also corrects the discrepancies between Chapters 5.01 and 5.03.
3. **Anticipated Effects:** This ordinance will decrease the Regional System Fee levied on all regional ratepayers. The separate funding base helps to stabilize revenue.
4. **Budget Impacts.** These rates are designed to recover fully the department's costs of regulating private disposal facilities.

RECOMMENDATION

The Chief Operating Officer agrees with the principles embodied in this ordinance. However, the Chief Operating Officer awaits the final findings and recommendations of the Solid Waste Rate Review Committee before taking a specific position on Ordinance No. 04-1043.

Agenda Item Number 5.7

**Ordinance No. 04-1044, For the Purpose of Adopting the Annual Budget
for Fiscal Year 2004-05, Making Appropriations, and Levying Ad Valorem Taxes,
and Declaring an Emergency.**

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE)
ANNUAL BUDGET FOR FISCAL YEAR 2004-)
05, MAKING APPROPRIATIONS, AND)
LEVYING AD VALOREM TAXES, AND)
DECLARING AN EMERGENCY)

ORDINANCE NO 04-1044

Introduced by
David Bragdon, Council President

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 2004, and ending June 30, 2005; and

WHEREAS, recommendations from the Multnomah County Tax Supervising and Conservation Commission have been received by Metro (attached as Exhibit A and made a part of the Ordinance) and considered; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 2004-05 Metro Budget," in the total amount of TWO HUNDRED EIGHT THREE MILLION SIX HUNDRED THIRTEEN THOUSAND FOUR HUNDRED FOURTY SIX (\$283,613,446) DOLLARS, attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, at the rate of \$0.0966 per thousand dollars of assessed value for Zoo operations and in the amount of EIGHTEEN MILLION SIXTY FOUR THOUSAND FIVE HUNDRED TWENTY FOUR (\$18,064,524) DOLLARS for general obligation bond debt, said taxes to be levied upon taxable properties within the Metro District for the fiscal year 2004-05. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from <u>the Limitation</u>
Zoo Tax Rate Levy	\$0.0966/\$1,000	
General Obligation Bond Levy		\$18,064,524

3. The Regional Parks Fund is hereby renamed the Regional Parks Operating Fund. The purpose of the fund remains the same.

4. The Regional Parks Capital Fund is hereby created for the purpose of accounting for major capital improvement and renewal and replacement reserves for the Regional Parks & Greenspaces Department and facilities. Major revenue sources for the fund include but are not limited to

grants, donations, excise tax contributions from the General Fund, and other revenues or contributions identified for capital purpose. In the event of the elimination of this fund, any fund balance shall revert to any fund designated for similar purpose, or to the Regional Parks Operating Fund.

5. In accordance with Section 2.02.040 of the Metro Code, the Metro Council hereby authorizes positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 2004, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

6. The Chief Financial Officer shall make the filings as required by ORS 294.555 and ORS 310.060, or as requested by the Assessor's Office of Clackamas, Multnomah, and Washington Counties.

7. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 2004, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council on this _____ day of June, 2004.

David Bragdon, Council President

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 04-1044 FOR THE PURPOSE OF ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2004-05, MAKING APPROPRIATIONS AND LEVYING AD VALOREM TAXES, AND DECLARING AN EMERGENCY

Date: March 12, 2004

Presented by: David Bragdon
Council President

BACKGROUND

I am forwarding to the Council for consideration and approval my proposed budget for fiscal year 2004-05.

Council action, through Ordinance No. 04-1044 is the final step in the process for the adoption of Metro's operating financial plan for the forthcoming fiscal year. Final action by the Council to adopt this plan must be completed by June 30, 2004.

Once the budget plan for fiscal year 2004-05 is adopted by the Council, the number of funds and their total dollar amount and the maximum tax levy cannot be amended without review and certification by the Tax Supervising and Conservation Commission. Adjustments, if any, by the Council to increase the level of expenditures in a fund are limited to no more than 10 percent of the total value of any fund's appropriations in the period between Council approval at the end of April and adoption in June.

Exhibits B and C of the Ordinance will be available at the public hearing on April 1, 2004.

ANALYSIS/INFORMATION

1. **Known Opposition** – Council hearings will be held on the Proposed Budget during the month of April 2004. Several opportunities for public comments will be provided. Opposition to any portion of the budget will be identified during that time.
2. **Legal Antecedents** – The preparation, review and adoption of Metro's annual budget is subject to the requirements of Oregon Budget Law, ORS Chapter 294. Oregon Revised Statutes 294.635 requires that Metro prepare and submit its approved budget to the Tax Supervising and Conservation Commission by May 15, 2004. The Commission will conduct a hearing during June 2004 for the purpose of receiving information from the public regarding the Council's approved budget. Following the hearing, the Commission will certify the budget to the Council for adoption and may provide recommendations to the Council regarding any aspect of the budget.
3. **Anticipated Effects** – Adoption of this ordinance will put into effect the annual FY 2004-05 budget, effective July 1, 2004.
4. **Budget Impacts** – The total amount of the proposed FY 2004-05 annual budget is \$283,613,446 and 650.85 FTE.

RECOMMENDED ACTION

The Council President recommends adoption of Ordinance No. 04-1044.

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Agenda Item Number 5.8

Ordinance No. 04-1048, For the Purpose of Amending Metro Code Chapter 7.01 to Increase the Amount of Additional Excise Tax Dedicated to Funding Metro's Regional Parks and Greenspaces Programs and to Provide Dedicated Funding for Metro's Tourism Opportunity and Competitiveness Account

Second Reading

Metro Council Meeting
Thursday, April 22, 2004
Gresham Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 04-1048
METRO CODE CHAPTER 7.01.023 TO)
INCREASE THE AMOUNT OF)
ADDITIONAL EXCISE TAX DEDICATED) Introduced by Metro Council
TO FUNDING METRO'S REGIONAL PARKS) President David Bragdon
AND GREENSPACES PROGRAMS AND TO)
PROVIDE DEDICATED FUNDING FOR)
METRO'S TOURISM OPPORTUNITY AND)
COMPETITIVENESS ACCOUNT)

WHEREAS, In July 1992, the Metro Council approved Resolution No. 92-1637, thereby adopting the Metropolitan Greenspaces master plan that identifies a desired regional system of parks, natural areas, trails and greenways for fish, wildlife and people; and

WHEREAS, The Metropolitan Greenspaces Master Plan states that Metro will seek a regional funding mechanism to assemble and develop a regional greenspaces system and assume operations and management for components of the system in cooperation with local governments; and

WHEREAS, In December 1997, the Metro Council approved Resolution No. 97-715B, thereby adopting the Regional Framework Plan that set regional policy to inventory, protect and manage a regional system of parks, natural areas, trails and greenways for fish, wildlife and people; and

WHEREAS, The Regional Framework Plan states that Metro, in cooperation with local governments, shall pursue the identification and implementation of a long-term, stable funding source to support the planning, acquisition, development, management and maintenance of the regional greenspaces system; and

WHEREAS, in December 2001, the Council-appointed "Green Ribbon Committee" of citizens and local officials designated a specific list of parks maintenance and facility development needs and recommended solid waste excise tax revenue be dedicated to this purpose; and

WHEREAS, On March 28, 2002, the Metro Council approved Ordinance No. 02-939A, amending the Metro Excise Tax set forth in Metro Code Chapter 7.01 to provide revenues for Metro's Regional Parks and Greenspaces Programs; and

WHEREAS, over the course of the last year, the Regional Parks and Greenspaces staff has developed and presented to Council specific, detailed expenditure plans for developing and operating 4 new facilities open for public use, expanding habitat restoration and landbanking on open space properties, providing enhanced environmental education and volunteer stewardship activities at the new facilities, and fully funding the renewal and replacement needs of the current and proposed facilities managed by Metro; and

WHEREAS, enhancing the revenues directed to the operations of the Oregon Convention Center through Metro's Tourism Opportunity and Competitiveness Account will benefit the economic development of the entire Metro region; now therefore,

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 04-1048 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 7.01.023 TO INCREASE THE AMOUNT OF ADDITIONAL EXCISE TAX DEDICATED TO FUNDING METRO'S REGIONAL PARKS AND GREENSPACES PROGRAMS AND TO PROVIDE DEDICATED FUNDING FOR METRO'S TOURISM OPPORTUNITY AND COMPETITIVENESS ACCOUNT

Date: April 7, 2004

Prepared by: Jim Desmond
Mark B. Williams

BACKGROUND

1. Regional Parks and Greenspaces Program

On March 28, 2002, the Metro Council passed Ordinance 02-939A to provide for interim funding for Regional Parks and Greenspaces programs by increasing the Excise Tax on Solid Waste by \$1.00 per ton and dedicating that funding to the Regional Parks and Greenspaces Department. That ordinance provided that this additional excise tax was to be repealed June 30, 2004. On March 25, 2004, that repeal date was eliminated.

The \$1 per ton achieves several goals within the Regional Parks and Greenspaces programs. Most importantly, it stopped the significant draws on fund balance that were projected, just to maintain the core programs and keep the parks open. Some additional resources were allocated to the Natural Resources Stewardship program to better manage the open space properties purchased under the 1995 Open Spaces bond measure. The new resources provided for the continuation of the Regional Trails program beyond the 1995 Open Spaces bond measure and partially funded the renewal and replacement needs of the department. This \$1 per ton stopped the financial hemorrhaging of the regional park system, but did not solve the longer term financial problems or provide for public access to open space sites.

Implicit in the purchase of over 8,000 acres of natural areas and trail access with the 1995 Open Spaces bond measure is the opening of some of these properties for public use and enjoyment. Currently, access to these sites is limited to educational programs and tours lead by staff.

In the fall of 2001, a committee of interested citizens and government representatives formed the Green Ribbon Committee. Their work resulted in a report to the Metro Council in December 2001, recommending which open space sites should be prioritized for providing public access. It was recommended by the committee that the capital development of these sites be paid for through solid waste excise tax revenue.

The proposed ordinance, establishing an additional \$2 per ton excise tax on solid waste, with \$1.50 dedicated to Regional Parks, sets out to provide the resources necessary to develop the highest priorities in the Green Ribbon Committee's Report. The proposal provides the resources necessary to minimally develop Cooper Mountain (west of Beaverton), Mt. Talbert (east of I-205 near Milwaukie) the Wilsonville Tract property, and Willamette Cove (south of the St. Johns area in North Portland). The proposal also includes the longer term revenue necessary to operate three of these new facilities and provide expanded environmental education programming and volunteer activities at those new parks in suburban portions of the region.

The additional revenue generated from this Ordinance will fulfill our obligation to the residents of the region to take care of what we already have by fully providing for the renewal and replacement needs for the capital developments at the all of the regional park facilities, including the new proposed parks. This prudent action will better balance the operation, maintenance and capital needs of the regional park facilities and avoid the need for future levies, emergency funding measures or park closures.

Additional resources will result in better stewardship of the natural areas acquired under the bond measure through the removal of invasive weeds, restoring wetland and riparian areas, planting trees, shrubs and other plants, all toward the goal of improved water quality and increased watershed health.

The Regional Parks and Greenspaces staff has developed and presented to Metro Council detailed plans for increasing its commitment to renewal and replacement, expanding habitat restoration and environmental education programs, and developing and operating these new facilities. The first year implementation of these plans is incorporated in the Council President's Proposed Budget for FY 2004-05.

Increasing the excise tax support for Regional Parks and Greenspaces programs an additional \$1.50 per ton of solid waste will get Metro most of the way, but additional excise tax support of approximately \$1 per ton will be necessary to fully realize the goals outlined in this staff report. This additional support would be necessary beginning in fiscal year 2005-06.

2. Tourism Opportunity and Competitiveness Account

In fiscal year 2002-03, the \$116 million expansion of the Oregon Convention Center came in on time and under budget. The expansion almost doubled the size of the center, positioning Portland to compete for a much larger share of the national and international convention market, and add jobs to the region's economy. At the time the funding package was assembled for the facility's expansion, operating funds were identified to sustain the facility in the short term, with the recognition that the Metro Council, along with public and private sector stakeholders, would develop a longer term solution. This proposal, to increase the excise tax on solid waste by \$2.00 per ton, with \$.50 per ton allocated to the Tourism Opportunity and Competitiveness Account, would contribute to the long term viability and competitiveness of the Oregon Convention Center, helping to enable the center to achieve its intended economic benefits for the region.

A recent study performed by a national consultant confirmed that the Oregon Convention Center is underfunded. The study by C. H. Johnson and Associates shows that the Convention Center is operating at a fraction of the average subsidy that its competitors enjoy. The lack of additional funding to help pay for the operation and maintenance of the expanded Convention Center has resulted in MERC being required to operate a facility which has been doubled in size with only 5 additional staff persons. Staffing levels now are insufficient to meeting the building's operational and maintenance needs, and no funds are available to contribute to renewal and replacement—thus putting this important public asset at risk for the future.

Since the events of September 11, 2001 and the downturn in the national travel and meeting industries, competition for scarce visitor dollars has become intense. Now, the Metro region must compete with much larger "Tier One" locations such as Las Vegas or San Francisco—parts of the country that never used to compete for the smaller events that typically consider the Portland metro region. These factors led the Council to create the Metro Oregon Convention Center Advisory Committee last year, with representatives from the local hospitality community and civic leaders. That Committee advised Metro to examine the possibility of dedicated excise tax dollars to help fund the Center, so as to keep it competitive with other, better funded jurisdictions.

The Tourism Opportunity and Competitiveness Account will create a fund that will assist the Convention Center in maintaining its competitive position in an increasingly difficult convention and meeting business. The funds generated from the proposed excise tax will be available for specific proposals that will assist with Convention Center operation, maintenance, and marketing. The Council will decide which Convention Center related projects ought to be funded on an annual basis in a manner similar to that employed successfully by the Visitor Development Fund (VDF), which was created to assist in marketing the newly expanded convention center and bring economic impact generating events to the region.

ANALYSIS/INFORMATION

1. **Known Opposition** The solid waste industry has raised concerns about the impact this tax will have on the solid waste tip fee. Staff has been working with representatives of the solid waste industry to discuss these issues.
2. **Legal Antecedents** The Metropolitan Greenspaces Master Plan adopted by Council through Resolution No 92-1637 identifies a desired regional greenspaces system, and the Regional Framework Plan adopted by Metro by Resolution No. 97-715B states Metro, in cooperation with local governments, shall pursue the identification and implementation of a long term, stable funding source to support the planning, acquisition, development, management and maintenance of the regional greenspaces system. Ordinance 02-939A established the \$1 per ton excise tax on solid waste and dedicated it to Regional Parks and Greenspaces programs, and Ordinance 04-1037 eliminated the sunset provision.
3. **Anticipated Effects** This action will establish an additional \$2 per ton of excise tax on solid waste dedicating \$1.50 to Regional Parks and Greenspaces Department and \$0.50 to the Tourism Opportunity and Competitiveness Account. It is anticipated that the additional tax will be passed on directly to the generators of the solid waste through invoices or billings.
4. **Budget Impacts** This action does not authorize any budget authority. It provides for revenues to be allocated through the regular budget process, to be used to balance against authorized expenditures. The full year effect of this action would be to provide \$1.8 million for the Regional Parks and Greenspaces Department and \$595,000 for the Tourism Opportunity and Competitiveness Account; however, the effective date of the ordinance may result in only 10 months of revenue collection for FY 2004-05. The excise tax will increase with CPI and may fluctuate with solid waste tonnage. A full 12 months of revenue is assumed in the Council President's Proposed Budget for FY 2004-05.

RECOMMENDED ACTION

Council President David Bragdon recommends passage of Ordinance No. 04-1048 for the purpose of amending Metro Code Chapter 7.01.023 to increase the amount of additional excise tax dedicated to funding Metro's Regional Parks and Greenspaces programs and to provide dedicated funding for Metro's Tourism Opportunity and Competitiveness Account.