

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

May 12, 2004 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Charles Becker, Nathalie Darcy, Rob Drake, Andy Duyck, Gene Grant, Ed Gronke, Judie Hammerstad, John Hartsock, Tom Hughes, Kent Hutchinson, Margaret Kirkpatrick, Deanna Mueller-Crispin, Doug Neeley, Martha Schrader, Larry Smith

Alternates Present: Larry Cooper, Tim Crail, Jim Bernard, Jack Hoffman, Erik Sten, Nick Wilson

Also Present: Hal Bergsma, City of Beaverton; Beverly Bookin, CCA/CREEC; Cindy Catto, AGC; Bob Clay, City of Portland; Valerie Counts, City of Hillsboro; Brent Curtis, Washington County; Bob Durgan, Anderson Construction; Meg Fernekees, DLCD; Mary Gibson, Port of Portland; Lincoln Herman, Stoel Rives; Laura Hudson, City of Vancouver; Gil Kelley, City of Portland; Jim Labbe, Audubon Society of Portland; Stephen Lashbrook, City of Lake Oswego; Charlotte Lehan, City of Wilsonville; Greg Leo, Coalition to Save the Valley; Sue Marshall, Tualatin Riverkeepers; Doug McClain, Clackamas County; Karen McKinney, City of Hillsboro; Rebecca Ocken, City of Gresham; Loretta Pickerell, Oregon League of Conservation Voters; Pat Ribellia, City of Hillsboro; Marty Stiven, Stiven Planning & Development; David Zagel, TriMet;

Metro Elected Officials Present: Liaisons – Carl Hosticka, Council District 3, Susan McLain, Council District 4; David Bragdon, Council President also present: Brian Newman, District 2

Metro Staff Present: Kim Bardes, Dick Benner, Andy Cotugno, Chris Deffebach, Paul Garrahan, Carol Krigger, Malu Wilkinson

INTRODUCTIONS

Mayor Charles Becker, MPAC Chair, called the meeting to order at 5:04 p.m. Those present introduced themselves.

1. ANNOUNCEMENTS

John Hartsock said that the Committee for the Future of Damascus had collected over 800 signatures and would be filing for incorporation of the City of Damascus on Monday, May 17th.

3. CITIZEN COMMUNICATIONS

There were none.

4. CONSENT AGENDA

Meeting Summary for April 28, 2004.

Motion:	John Hartsock, Clackamas County Special Districts, with a second from Nathalie Darcy, Washington County Citizen, moved to adopt the consent agenda without revision.
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5. COUNCIL UPDATE

Council President Bragdon said that they had completed several public hearings on Goal 5 and the Industrial Land Expansion. He reviewed the Industrial Land Decision Process schedule and how it would impact MPAC. That schedule was available in the back of the room and is attached and forms part of the record. He said that the public hearings on Goal 5 were completed and the May 20th Council meeting would be in the evening in order to provide more access to the public. He said that the Council would appreciate their recommendation on Goal 5 by the end of the evening.

6. GOAL 5 RESOLUTION 04-3440

Chris Deffebach handed out a corrected copy of Attachment 1 with a comparison of staff recommended Modified Option 2B with Goal 5 TAC/WRPAC and MTAC recommendations (yellow copy). That document is attached and forms part of the record. She also handed out Attachment 2: Key Issues for Council Consideration and responses (green copy), which is also attached and forms part of the record. Chris Deffebach then reviewed these materials, and materials from the packet, for the Fish & Wildlife Habitat Protection program.

Ed Gronke asked what the difference was between “strictly limit” and “strictly limit plus?”

Chris Deffebach said that there had been a lot of discussion as to whether there should be a “prohibit” recommendation. Part of the discussion had centered on recent cases that made it difficult to do anything at all in areas that had been designated for “prohibit.” With “strictly limit/plus” they were trying to designate areas that should be heavily protected, but could still provide for human use. For this designation, trails designated for human use would be compensated by increasing the functional value of the habitat. They hoped to set the highest standard, without completely prohibiting use.

Rob Drake said that, for governmental lands, it would be nice to be able to set some kind of example by having a “prohibit” designation providing that it did not interfere with something that was preplanned or that provided simple access to view wildlife or nature.

Chris Deffebach said it came down to legal interpretation of what “prohibit” meant.

Paul Garrahan said that what Chris Deffebach was referring to was a Portland case that basically said that if you meant “prohibit” then that really meant no conflicting use – nothing at all that in any way would conflict with the habitat. He gave an example of some natural areas that were protected but were also purchased and owned by water service providers. At some point in the future those properties might need to be developed, or access would need to be retained in order to provide water services for the region. If those areas were “prohibit” only, then it would also prohibit those types of activities. Therefore, they wanted to provide something more than the “strictly limit” standard that might apply to privately owned property. It would be a greater level of protection but not “prohibit” for fear of prohibiting some sort of public need project in the future.

Chris Deffebach continued to review the MTAC comments.

Deanna Mueller-Crispin asked if the medium employment value or medium land value were all included in the medium category.

Chris Deffebach said that most of the land that was in the medium urban development value was there because of its design type, not because of its employment density or the land value. The most encompassing of those ways to become a medium urban development value was the design type. She continued to review the comments.

Rob Drake asked if the Tualatin Basin recommended “lightly limit” in impact areas. He wanted to know if Tualatin Basin was proposing something more restrictive than MTAC.

Chris Deffebach said yes, although they had not defined what “lightly limit” would mean in an impact area. She said that about 16,000 impact areas had no resource value right now (no trees left, and/or they were paved). The issue was about the trade-offs between the additional regulatory efforts that would be required in these areas versus the gain of restoring the habitat area because there was no resource value left.

Andy Cotugno referred to page 2 of the transmittal memorandum, which was included in the packet and forms part of the record, and to the series of five (5) recommendations on that page. He said that of those five recommendations, MTAC was probably most split on that issue of increasing protection in impact areas. The sense of the group was that the types of treatments they should be doing in that area mostly dealt with storm-water throughout the basin. They should be pursuing storm-water treatment throughout the basin and not just in the adjacent areas that were designated impact areas.

Rob Drake said it might be helpful to get an explanation from MTAC on the pro/con for this issue.

Chris Deffebach said that the pro was that it was an opportunity, as those areas were redeveloped and they become subject to new regulatory requirements, to help restore areas that would otherwise not be restored. The debate was over what was the best way to encourage that restoration; was it through a non-regulatory approach such as education, or through a regulatory approach?

Rob Drake asked if the “allow” versus “lightly limit” approach had any linkage with Title 3 and those restrictions.

Andy Cotugno said that all the areas were outside of Title 3.

Sue Marshall, Tualatin Riverkeepers, MTAC, Goal 5 TAC, WRPAC, and the Tualatin Basin Steering Committee, said that one thing that was not tested in the study was the possibility of an educational program for those impact areas. The Goal 5 TAC, knowing that the current in those areas would impact the resource, were looking at the possibility of voluntary, educational, and even a regulatory component for the next phase related to storm-water treatment. In the Tualatin Basin, they were also looking at design element, and educational programs that applied to impact areas. From a watershed protection perspective, the Tualatin Basin approach had an additional category that provided the “allow” for outer impact areas.

Doug Neeley said that a lot of redevelopable land, at least in his jurisdiction, was within the flood plain. He said it was a mitigation benefit in terms of cut and fill policies that applied to Title 3. He said that the Tualatin Basin approach was going in an appropriate direction, particularly in those areas that were redevelopment areas.

Andy Cotugno said that all floodplains, both developed and undeveloped, were in the resource category, not in the impact area category.

Chris Deffebach continued review of the MTAC comments.

Doug Neeley asked for clarification on what kind of restrictions currently applied outside the classifications they had in the document regarding floodplains, unmapped steeped slopes, and the riparian wildlife. He wanted to know if staff had recommended special designations for those three, apart from what was on the table.

Chris Deffebach said that staff had not changed the recommendation from when it first went out pertaining to the “lightly limit” designation proposed for the Class 2 riparian.

Carl Hosticka said he thought the question was did staff differentiate between undeveloped floodplains and other types of habitat areas.

Chris Deffebach said no they were not included together. The Class 2 classification was developed via a point system.

Doug Neeley said that the staff recommendation was to “moderately limit.”

Chris Deffebach said it was “lightly limit” for high or medium in Class 2, “moderately limit” in low and other.

Kent Hutchinson asked Chris Deffebach to define “parks.”

Chris Deffebach said that “parks” were privately or publicly owned land such as some privately owned golf courses and open spaces.

Kent Hutchinson asked if neighborhood parks would fall under protection.

Chris Deffebach said that if the park had fish and/or wildlife resources then it would fall under protection, not all parks, however, had habitat resources, as they were too small or too developed.

Nick Wilson wanted to talk about offsite transfer development rights. MTAC was recommending that MPAC not pursue that issue. They cited practical concerns for this decision. He was concerned about this and asked Chris Deffebach to speak to the issue.

Chris Deffebach said that on the second attachment from MTAC, in addition to the regulatory items, they laid out recommendations for developing the program. There was discussion on whether they should jump to that topic or continue the review of comments from MTAC.

Doug Neeley said that this seemed like program directions and he wanted to know if they would be coming back to MPAC in the future.

Chris Deffebach said yes. She continued review of materials in the packet (attachment 2).

Gene Grant asked if someone from MTAC could explain their reservations about transferable development rights. He also asked for clarification on a possible conflict between that recommendation, Exhibit C which said that issue should be studied, and a footnote on the revised sheet just handed out (footnote 5 on yellow sheet) that said transferable development rights could be the solution to the

problem. It appeared that one indicated it would not even be considered, another wanted it to be studied, and the third said it is the solution to the problem.

Andy Cotugno said that there was the staff recommendation, which was the draft resolution in front of them that recommended they study it. Whereas the Goal 5 TAC agreed that that was part of the solution and MTAC disagreed. Therefore, there were three opinions from three groups.

Doug McClain said that most of the local governments had a lot of experience using transfer development rights onsite; many programs were based on that. He said that they thought there was very little opportunity to use transferable development rights offsite where they protected the resource, or to use the density that was somehow lost, and to create a bank to transfer somewhere else. He said that there were a myriad of problems with how it would work. They did not know where the receiver sites for the density would be located, so if they had a resource site in Forest Grove, for example, that they wanted to protect, and 50 units of excess density as a result, where and how would that be transferred? There were no receiving sites, but plenty of maximum density sites elsewhere.

Gene Grant asked if the opposition was just to the offsite locations.

Doug McClain said yes – just the offsite. They were okay with the onsite locations.

Gene Grant asked if that was just based on existing lot lines and parcelization. Offsite meant that they were ignoring the lot lines and clustering the development into a larger area in the same exact way that they would for onsite based on arbitrary parcel lot.

Doug McClain said it would be different in those cases where someone came in and aggregated those ownerships.

Gene Grant asked why they couldn't aggregate at the planning level. Parcel owner A could sell those density rights to parcel owner B in the same zone and cluster that density in that area. They would have the same density originally planned for, the same amount of transportation planned for, they would just move it from the resource to the non-resource area.

Doug McClain said that if a neighbor joined in on the application, they would not need it to be that complicated. He said that they would be able to do that as part of the development.

Nick Wilson asked about transfer of boundary expansion rights. He said they were taking land out of the developable pool and they would have to expand the boundary anyway. Why not give those property owners who lose density the right to team up with an owner outside the boundary and designate an area, which they could sell to the highest bidder? He said it would be an area that was slated for expansion, it would have value, and rather than come up with money to purchase those properties, compensate them instead.

Chris Deffebach said they had heard a lot of interest in transfer development rights, which was why it was in the staff recommendation.

Tom Hughes asked if they created the concept of saleable transferable development rights did they then create a property right within that transfer that allowed for a density increase regardless of what the local jurisdiction said?

Erik Sten said that they could kind of assume from the document that all land in high impact areas was likely to be developed. He said that the goal at the end of this work was to improve habitat, not just to hang onto what was out there. He said that the only way to do that was to get money for improved habitat out of development.

Judie Hammerstad asked about local implementations. She said that many of the jurisdictions were wrestling with the map because it was not correct. She said that the importance of the local implementation was not only the correction of the inventory maps, but also the input from the local jurisdictions on the program. If Metro wanted to have an effective program they would have to have an extensive amount of cooperation from the local jurisdictions. She said that she hoped there was a piece in the document that included local implementation input. She said that they would like to have the ability to meet the standard with the work that they had already done.

Chris Deffebach asked her if what they wanted was flexibility to tailor to what had already been done. She said that part of the recommendation was to work out something that was both general enough and complex enough to give people guidance. She continued review of the MTAC comments.

Doug Neeley spoke about mitigation. He thought mitigation was a good tool in general although it could be costly. He said that there were a lot of mitigation potentials within public land and if a developer were to come in, they could direct mitigation efforts to those riparian corridors that would be less impacted. He said they could seek mitigation from someplace that was not within the same watershed in which the development was occurring. He said that would be a positive move.

Chris Deffebach continued her review of the MTAC comments.

Chair Becker said that staff was asking MPAC to make a decision on acceptance or modification on the resolution and comments from MTAC.

Andy Cotugno said that the overall recommendation from MTAC was to support the resolution subject to changes and comments that they submitted. They were looking at the resolution as it was presented in the packet.

Rob Drake said he was supportive of not developing the floodplains, but he was concerned that in some cases they could make that land available to developers. He said it would come close to a taking in some cases. He said that he had advocated for the Tualatin Basin group to look at some sort of credit system or payment system for purchasing that type of land.

Motion:	Rob Drake, Mayor of Beaverton, with a second from Nick Wilson, City of Tigard, moved to have the resolution include asking Metro to review either a tax credit or credit of some kind and potential purchase of floodplain land that could otherwise be legally developed.
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Susan McLain said that it sounded a lot like a list that was under non-regulatory type ideas. She wanted to know if they wanted to highlight only the floodplains or did they want to include other non-regulatory items?

Rob Drake said his intent was not to limit it. He said that if they were taking someone's land and if they offered an alternative, it would probably go a lot further to helping them accomplish their goals.

Judie Hammerstad said there was a larger issue than just the floodplains. In the previous iteration of the resolution she said that “moderately limit” was equal to 60% and “strictly limit” was equal to 85%, which did violate the takings problem. They couldn’t really take more than 50%. She said that this issue could be the crux of whether this would be successful or not, and if they were not careful about this issue it would be fodder for an election campaign. There were places where they would like to “strictly limit” or even “prohibit” development, but they couldn’t take someone’s rights away without compensation.

Chris Deffebach said that in the current resolution under Exhibit D, direction on non-regulatory programs, one of the programs was willing-seller acquisitions, there was a recommendation to pursue purchase of land that provided habitat function such as floodplains. It was mentioned in the resolution, but what they were proposing was a little stronger.

Gene Grant said that in his view, what the direction to Council should be was that to the extent that they could allow no loss of development rights through transfers, then they did not have to worry about buying development rights. But to the extent that they couldn’t hold them harmless through some transfer program, if Metro took their development rights, in part, under this program, then Metro should be prepared to pay for it either with money or through an exchange program.

Chris Deffebach re-read the motion for the committee as: To have the resolution include asking Metro to review either a tax credit or credit of some kind and/or potential purchase of floodplain land that could otherwise be legally developed thereby compensating for reduction of development rights.

Andy Cotugno said that they were not acting on the overall resolution, but rather adding to comments that MTAC had already made. They still needed to decide what their overall motion would be pertaining to the resolution.

Vote:	The motion passed unanimously.
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Motion:	Doug Neeley, City of Oregon City, with a second from Nathalie Darcy, Citizen of Washington County, moved to accept MTAC’s recommendation to include a “strictly limit plus” category on parks and rural areas, specifically those areas that were essentially natural areas.
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Nick Wilson added that this would be based on the map – after map corrections had been made. He said that the jurisdictions all had trail plans that were not built yet because, in many cases, the trail went through wetlands. It would be expensive to put up boardwalks, but he said that he would like to see development of parks/trails in wetlands as a possibility.

Carl Hosticka said that part of that would be addressed by what they meant by “strictly limit plus.” In a discussion at WRPAC it was said that ultimately they would look at the functions available in an area. If they perceived that they were degrading the functions overall, then they would take actions to avoid that activity. Consideration of activities would be done in a way that would improve the quality of the site.

Tom Hughes said that the advantage of what MTAC had recommended was that it was logical that there would be some parklands that would have a “prohibit” designation. The problem was that if “prohibit” meant complete restriction, then in terms of maintenance, there would be a serious problem as it introduced a liability. The idea of “strictly limit” did, however, help them protect parklands that they did not want to ever develop.

Motion:	Doug Neeley, City of Oregon City, with a second from Nick Wilson, City of Tigard, moved to accept MTAC's recommendation to include a "strictly limit plus" category on parks and rural areas, specifically those areas that were essentially natural areas.
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Vote:	The motion passed unanimously.
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Motion:	Tom Hughes, Mayor of Hillsboro, with a second from Gene Grant, Mayor of Happy Valley, moved to modify the resolution to include MTAC's recommendation on Class 1 and Class A riparian wildlife to move from the "medium limit" urban values to a "strictly limit" category.
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Tom Hughes said that when they originally started with the RSIA all of the high value industrial lands were in an RSIA category. That concept got warped into something different during the course of the process and now the designation no longer reflected value but rather simply reflected a designation.

Doug Neeley said that, looking at the table, the Class A upland wildlife would be taken from a "moderately limit" to a "lightly limit," which concerned him a great deal. It would also affect the Class 1 riparian wildlife areas. Therefore the two highest classes for riparian and upland wildlife were essentially shifted into "lightly limit" which he felt was not acceptable.

Nathalie Darcy said that MTAC recommended that they would only provide strict limits on those properties that had a low urban development value. That essentially was the same as saying that economic factors would trump the environment factors. She expressed concern that that would not get them back to their objectives through Goal 5 to repair, protect, and restore a continuous ecologically viable streamside corridor system.

Erik Sten said he could not support shifting Class A land to a lower protection level. He said that he did, however, agree with the intent behind the MTAC recommendation to make some industrial land re-developable.

Tim Crail said that to the extent that there were Class 1 and Class A areas in the town centers and other areas that were currently at a medium development value, and that those were the most important areas to protect, he had to agree with Erik Sten. In areas that were highly developed, or slated to be highly developed, those values already in existence needed to be preserved in order to create a corridor where fish and wildlife habitat may be protected or allowed to increase. He said that those areas needed more protection, not less protection.

Tom Hughes said that the issue was not to diminish the Class A wildlife. They had already said that high value land deserved "lightly limit" classification. The issue that was raised by MTAC was that in some jurisdictions land identified by class was in fact high urban development value land. He said that they should apply protection based on the value of the land and not on the designation of where it was located.

Erik Sten said that changing the level of protection seemed the wrong response to that issue.

Tom Hughes said that much of the value of the land in the region was in those categories so it was not that Hillsboro's industrial section should be reclassified as RSIA's, or a regional center, or central city, it was that it was not in any of those categories, but was valuable land.

Gene Grant asked for clarification on the motion. He thought the motion was to move those town centers, and main streets into the high urban category, but not to adopt MTAC recommendation for the medium urban.

Chris Deffebach said that it would essentially eliminate the medium category, they would all move to the high designation.

Motion:	Chris Deffebach read the components of the motion which was to move the medium urban development values and include those design types into the high category, which would change the protection in the Class 1 riparian and the Class A wildlife from “moderately limit” to “lightly limit” and the former from “strictly limit” to “moderately limit.”
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Vote:	The motion failed with a vote of six (6) yeas, ten (10) nays, and two (2) abstentions. (Two members arrived late and missed this vote).
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Motion:	John Hartsock, Clackamas County Special Districts, with a second from Ed Gronke, Clackamas County Citizen, moved to recommend Resolution 04-3440 as in the packet with the revised attachment as was qualified by MPAC.
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Amendment to motion:	Gene Grant, Mayor of Happy Valley, with a second from Ed Gronke, Citizen of Clackamas County, proposed an amendment to modify the “strictly limit” and “moderately limit” portion of Exhibit C to say “any loss of development rights should be compensated by either a transfer of development rights or other form of compensation.”
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Motion:	Tim Crail, Multnomah County Citizen, with a second from Doug Neeley, City of Oregon City, moved to delete the part of the amendment which says “any loss of development rights should be compensated by transfer development rights or some other form of compensation.”
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Doug Neeley said that his concern was defining what would constitute a loss of development.

Judie Hammerstad said that they had resource protection zones in Lake Oswego. They had a development application, which they approved but only to be able to develop 50% because that was allowed without getting into a taking. With the motion before them, they would have to pay for that and they did not want to get into a situation where they had to pay for everything.

John Hartsock said that it said “to work to minimize loss of development capacity, consider development of the TDR program or other form of compensation to compensate for the loss.” That explains how to set the program up, but not the program. He cautioned them that with Initiative 36 they should be mindful.

Carl Hosticka asked Gene Grant if he meant that they should study it, or was he trying to give direction about what the program should be?

Gene Grant said that he was not trying to define the program, but rather that the degree of compensation should be determined. They should strive to avoid taking development rights without compensation.

Vote:	The motion to delete the part of the amendment, which says “any loss of development rights should be compensated by transfer development rights or some other form of
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	compensation” passed with a vote of eleven (11) yeas, four (4) nays, and five (5) abstentions.
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Motion:	John Hartsock, Special Districts Clackamas County, with a second from Ed Gronke, Clackamas County Citizen, moved to recommend Resolution 04-3440 with a revised attachment 1 as amended by the previous motions, and revising “strictly limit” and “moderately limit” in Exhibit C, under the last sentence where it says “consider development of the transfer development program or other forms of compensation.”
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Erik Sten said that he would like to amend the motion to emphasize that the work includes existing local Goal 5 programs baseline analysis. This was for two reasons: 1) they did not want to confuse the citizens and 2) they did not want to overstate the amount of developable land that was lost.

Andy Cotugno said the baseline alternative that all the alternatives were compared against did not include all of the local Goal 5 programs. It included a standardized Title 3 program across the region. However, the report and the analysis acknowledged that local programs go farther than that baseline program. If the motion was to literally go back and revise that baseline program to map and reflect all the local programs and then publish a revised ESEE analysis to account for the six alternatives as they compared to that baseline program, that would add a significant amount of work and time to the program. If, on the other hand, the motion was to acknowledge that there were other programs out there that go farther than the baseline that was in the document, then that could be readily accommodated.

Amendment to motion:	Erik Sten, City of Portland, with a second from Ed Gronke, Clackamas County Citizen, proposed an amendment to the motion to ensure that the program that was developed recognized the existing Goal 5 program could go beyond the baseline that was incorporated in the Metro ESEE analysis.
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Vote:	The amendment passed unanimously.
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Motion:	John Hartsock, Special Districts Clackamas County, with a second from Ed Gronke, Clackamas County Citizen, moved to recommend Resolution 04-3440 with a revised attachment 1 to have the resolution include asking Metro to review either a tax credit or credit of some kind and/or potential purchase of floodplain land that could otherwise be legally developed thereby compensating for reduction of development rights, and revising “strictly limit” and “moderately limit” in Exhibit C to say “consider development of the transfer development program or other forms of compensation,” and including the amendment to ensure that the program that was developed recognized the existing Goal 5 program could go beyond the baseline that was incorporated in the Metro ESEE analysis.
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Chris Deffebach wanted to clarify that the amendment to Exhibit C that said to look at TDRs or other forms of compensation superseded what MTAC had said about not considering these.

Vote:	The motion passed unanimously.
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7. CHIEF OPERATING OFFICER RECOMMENDATION ORDINANCE 04-1040

Andy Cotugno introduced the ordinance and reviewed where the ordinance had reached. He also reviewed the large map that was on display for the members.

Judie Hammerstad said that the two areas that they were interested in having deleted was the Borland area because of lack of productivity and Frog Pond. The Borland area was 575 acres that were recommended to come into the UGB with only 151 acres that would be industrial. That was less than 25%, so over 71% of those acres were non-industrial. The Frog Pond area was much more difficult to serve than it originally looked like in the Chief Operating Officer's original recommendation. They were not asking to have those acres taken out and have the need reduced. They were proposing instead that other acreage be substituted. She said that there had been a lot of cooperation between the local jurisdictions in identifying acres that were either within the UGB or that could come into the UGB, with the cooperation of the local jurisdictions who wanted to serve those areas and to include them. The two areas that she already mentioned, Frog Pond and Borland Road, did not have the support of local jurisdictions. Instead, they would like to propose the following substitutions: There would be 93 acres net in Oregon City that were recently annexed but not yet zoned, and they were shown on the comprehensive plan for industrial use. Wilsonville had 200 acres net that were also annexed to Wilsonville but not yet zoned, but were identified within the comprehensive plan for future industrial expansion. She recommended adding the Noyer Creek site in Clackamas County and it had 285-300 net acres of land. They were zoned EFU but were needed to provide sewer service to the Boring area to avoid multiple lift stations, and also would provide industrial acreage for job growth in Boring. The area also included two large parcels of 258 acres. The Quarry site (236 acres) was partially zoned EFU and the topsoil was already removed through aggregate operations, so it was therefore not farmable EFU land. Troutdale had 39 net acres that were identified by the City of Troutdale staff as additional industrial acreage near the Troutdale airport that was designated industrial in their comprehensive plan. This area was separate from the former Alcoa site that was still under debate. There was the Evergreen site, which the City of Hillsboro had identified in three increments of 256 acres, 172 acres, and 152 acres, which made up 1,524 acres that could be included in the recommendation. She said that they would recommend to the staff that they take a look at these particular acres that jurisdictions were willing to serve, and include this in the recommendation for the Metro Council instead of the Borland area and Frog Pond area.

Andy Cotugno said that these were a set of possible amendments to bring back to the next meeting of MPAC and assess them so that they could decide whether or not they wanted to consider them.

Doug Neeley said that it seemed appropriate to include those lands as industrial because they were already within the UGB and covered by jurisdiction's comprehensive plans. It would be no different than designations on lands that they would be pulling in as a result of a new expansion. They also had the same kind of designation as the land that was being considered.

Brian Newman said that the list Judie Hammerstad had read from sounded like a mix of areas that were inside the boundary but for whatever reason didn't get counted correctly, and others that were outside the boundary but weren't in the study areas.

Judie Hammerstad said that they weren't in the recommendation but the local jurisdiction's were interested in including those lands. It seemed reasonable to have staff take a look at the proposal to see if it would be an appropriate to include.

Andy Cotugno said that if they were to adopt what she was suggesting then there would be some areas coming out and other areas going in and that expressed recognition of some industrial capacity.

Judie Hammerstad agreed and added that some of the suggested areas already had infrastructure in place to serve.

Martha Schrader said she thought it was reasonable proposal.

Tom Hughes agreed with the comments on the Evergreen site. They did, however, have some qualms about moving Waible Creek. He asked if Jim Jacks could present for the City of Tualatin and their resolutions pertaining to this issue.

The committee allowed for him to speak.

Jim Jacks, City of Tualatin, reviewed the resolutions, which are attached and provide part of the record.

Carl Hosticka said that in the Tualatin area, between Tualatin and Wilsonville, there had been extensive discussion about bifurcating that area and taking in half of it, or designating the portions to the north next to Tualatin as residential. He wondered if they had come to any conclusion yet, or did they simply say that they did not want any of it?

Jim Jacks said that issue came up in terms of location for the I-5 and 99W connector. That connector could potentially go in to the Tualatin area between the two cities. Until they knew where the corridor for the connector might go, they would like to leave that area out. They were studying several alternatives to identify 3-4 corridors and then they could work on determining which location would be best for the connector.

Judie Hammerstad asked the MPAC committee members to identify if there was a consensus as to where they were heading.

There was general agreement that they were heading in the right direction.

Chair Becker said that decision would be made at the next meeting. He asked if they wanted any response from MTAC on this proposal.

Members said no.

There being no further business, Chair Becker adjourned the meeting at 7:21 p.m.

Respectfully submitted,

Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR MAY 12, 2004

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

DOCUMENT

AGENDA ITEM	DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#6 Goal 5 Resolution	May 2004	Revised Attachment 1, Comparison of staff recommended Modified Option 2B with Goal 5TAC/WRPAC and MTAC recommendations (yellow)	051204-MPAC-01
#6 Goal 5 Resolution	May 12, 2004	Attachment 2. Key issues for Council consideration and responses. (green)	051204-MPAC-02
#6 Goal 5 Resolution	May 7, 2004	Memo from Mike Houck to MPAC and Metro Council re: Goal 5 Process and MTAC ESEE Recommendations, Ribbons of Green or Scraps of Green?	051204-MPAC-03
#6 Goal 5 Resolution	May 11, 2004	Email from John Frewing to MPAC members re: Irreversible Action in Not Maximizing Protection of Undeveloped Floodplains	051204-MPAC-04
#6 Goal 5 Resolution	May 11, 2004	Email from Jim Labbe to Becky Tate re: MPAC Meeting	051204-MPAC-05
#7 COO Recommendation Ordinance 04-1040	May 5, 2004	Letter from Bill Wyatt, Port of Portland to David Bragdon re: Proposed Ordinance 04-1040, Industrial UGB Expansion	051204-MPAC-06
#7 COO Recommendation Ordinance 04-1040	April 29, 2004	Memo to MPAC from Dave Volz re: testimony regarding the UGB expansion	051204-MPAC-07
#7 COO Recommendation Ordinance 04-1040	May 10, 2004	Testimony to MPAC regarding Inclusion of Oregon City Golf Club North Parcel in the Metro UGB by Rose Holden	051204-MPAC-08
#7 COO Recommendation Ordinance 04-1040	May 12, 2004	Email from Jim Jacks to MPAC regarding UGB Agenda Item – including Tualatin resolutions and supporting maps	051204-MPAC-09
#7 COO Recommendation Ordinance 04-1040	May 2004	Maps of sites included in the UGB expansion study	051204-MPAC-10
#7 COO Recommendation Ordinance 04-1040	May 2004	Chief Operating Officer's Recommended Areas map, Ordinance 04-1040	051204-MPAC-11
#5 Council Update & #7 COO Recommendation Ordinance 04-1040	May 11, 2004	Industrial Land Decision Process Includes Title IV and UGB Expansion Proposed Schedule	051204-MPAC-12