

A G E N D A

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



METRO

Agenda

MEETING: METRO COUNCIL WORK SESSION MEETING
DATE: April 19, 2005
DAY: Tuesday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

- | | | | |
|----------------|-----------|--|---------------------|
| 2:00 PM | 1. | DISCUSSION OF AGENDA FOR COUNCIL
REGULAR MEETING, APRIL 21, 2005/
ADMINISTRATIVE/CHIEF OPERATING OFFICER
AND CITIZEN COMMUNICATIONS | |
| 2:15 PM | 2. | REGIONAL FRAMEWORK PLAN UPDATE | Benner/Oeser |
| 2:45 PM | 3. | REVIEW OF PROPOSED METRO COMMENTS
THE LCDC GOAL 9 DRAFT RULE | Benner |
| 3:15 PM | 4. | BREAK | |
| 3:20 PM | 5. | FY 2005-06 BUDGET DISCUSSION | Rutkowski |
| 4:20 PM | 6. | COUNCIL BRIEFINGS/COMMUNICATION | |

ADJOURN

Agenda Item Number 1.0

AGENDA FOR COUNCIL REGULAR MEETING, APRIL 21, 2005

Metro Council Work Session
Tuesday, April 19, 2005
Metro Council Chamber

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: April 21, 2005
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. **INTRODUCTIONS**
2. **CITIZEN COMMUNICATIONS**
3. **RE-USE PRESENTATION** Burkholder
4. **FINANCIAL STATEMENT AUDIT MANAGEMENT RECOMMENDATIONS** Dow
5. **CONSENT AGENDA**
- 5.1 Consideration of Minutes for the April 14, 2005 Metro Council Regular Meeting.
6. **RESOLUTIONS**
- 6.1 **Resolution No. 05-3541, For the Purpose of Approving the FY 2006 Unified Planning Work Program** Burkholder
- 6.2 **Resolution No. 05-3542, For the Purpose of Certifying That the Portland Metro Area is in Compliance With Federal Transportation Planning Requirements** Burkholder
7. **OREGON LEGISLATIVE UPDATE**
8. **CHIEF OPERATING OFFICER COMMUNICATION**
9. **COUNCILOR COMMUNICATION**

ADJOURN

Television schedule for April 21, 2005 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, Wash. Channel 11 -- Community Access Network www.yourtv.org -- (503) 629-8534 2 p.m. Thursday, April 21 (live)</p>	<p>Washington County Channel 30 -- TVTV www.yourtv.org -- (503) 629-8534 11 p.m. Saturday, April 23 11 p.m. Sunday, April 24 6 a.m. Tuesday, April 26 4 p.m. Wednesday, April 27</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 8:30 p.m. Sunday, April 24 2 p.m. Monday, March 25</p>	

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, (503) 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website www.metro-region.org and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

REGIONAL FRAMEWORK PLAN UPDATE

Metro Council Work Session
Tuesday, April 19, 2005
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: April 19, 2005 Time: Length: 30 minutes

Presentation Title: Regional Framework Plan Update

Department: Planning

Presenters: Sherry Oeser and Richard Benner

ISSUE & BACKGROUND

The Regional Framework Plan, required by Metro's Charter, originally was adopted in 1997. Since then policies have been added and amended; however, much of the original language including significant amounts of background and introductory language remained in the document. As a result, the document became difficult to use and read and contained language that was not only out of date but also misleading. The crux of the Plan – regional policies – were difficult to find amid the narrative text making it difficult to distinguish policy from information. This confusion about what are policies diluted their understanding and effect. This confusion even extended to the Oregon Land Use Board of Appeals during consideration of Metro cases before it.

In an effort to reduce and eliminate this confusion, staff from the Planning and Parks Departments and the Office of Metro Attorney began an effort with the goal of making the Regional Framework Plan more readable and thus more usable by the region's policymakers, staff and citizens. This effort included:

- Reviewing the document,
- Identifying and communicating the policies in the Framework Plan,
- Moving background information to a separate document,
- Removing outdated material and
- Revising the format to make it more consistent throughout the document while remaining "policy neutral"

OPTIONS AVAILABLE

If the Council wishes to make this updated version of the Framework Plan official, the Council would need to adopt it by ordinance.

IMPLICATIONS AND SUGGESTIONS

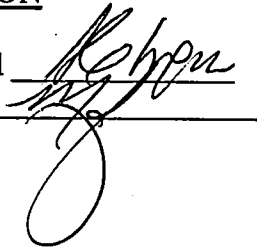
Regional Framework Plan policy 7.9.1 calls for a review of the Regional Framework Plan and functional plans every seven years after consulting with the Metro Policy Advisory Committee. No systematic review of the Framework Plan has been made since its original adoption in 1997. This updated version of the Plan would make such a review easier to accomplish.

QUESTION(S) PRESENTED FOR CONSIDERATION

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

SCHEDULE FOR WORK SESSION

Department Director/Head Approval _____
Chief Operating Officer Approval _____

A handwritten signature in black ink, appearing to read 'K. Brown', is written over a horizontal line that spans across the two approval lines.

M E M O R A N D U M

600 Northeast Grand Avenue | Portland, Oregon 97232-2736
(tel) 503-797-1700 | (fax) 503-797-1797



METRO

DATE: April 11, 2005
TO: Andy Cotugno, Planning Director
FROM: Lydia Neill, Principal Regional Planner
RE: Summary of Comments on Goal 9

Background

The Land Conservation and Development Commission (LCDC) has convened the Economic Development Advisory Committee (EDAC) to review Goal 9 and recommend changes to the commission. The EDAC has met several times and has agreed that the general approach of the goal is sound although some minor updating is needed. Several drafts have been released and comments have been incorporated into the current draft. Further comments must be received by April 28, 2005 to be considered in the update to the rule.

The proposed comments enclosed in a letter to Steven Santos dated April 28, 2005 are intended to further improve the draft by clarifying definitions and the purpose statement to recognize that to improve the economy of the state and the region's competitiveness, a host of issues need to be addressed although some of these issues may go beyond just providing a sufficient supply of land and the scope of this rule. Examples of these issues such are educational funding, workforce training, access to transportation, infrastructure and taxation and fees. The comments also differentiate between employment and industrial uses, eliminate a potential conflict with Metro's one half acre threshold for determining vacant land and emphasize the importance of providing a short-term land supply.

It is our understanding that the issue of coordination between Metro and local governments will be addressed in phase two of the Goal 9 rulemaking so therefore no comments have been made on this issue. Coordination is a key issue because of potential impact on the approach that Metro takes in evaluating land for industrial and employment purposes and expanding the UGB to provide a 20-year land supply, a short-term land supply and to meet the intent in local economic strategies.

Attachments:

Letter to Steve Santos dated April 21, 2005
Goal 9, Draft 5



METRO

April 21, 2005

Steven Santos
Department of Land Conservation & Development
635 Capitol Street, N.E.
Suite 150
Salem, OR 97301-2540

Subject: Proposed Amendments to Goal 9 Rule, Draft 5

Dear Mr. Santos:

Metro submitted comments on the previous draft of the Goal 9 rule amendments. We thank LCDC and the department for responding in this Draft 5 to Metro's comments and concerns. This draft is much improved. We submit the following comments on Draft 5 to improve it further.

660-009-0000 Purpose

In a January 31 letter submitted to LCDC by Metro Council President David Bragdon prior to the Commission's March meeting, Mr. Bragdon commented that economic development involves many more ingredients than a supply of land. We recognize the limits of LCDC's authority to address other components of a comprehensive economic development strategy. Nonetheless, we believe the rule should acknowledge that provision of a supply of land is only part of what should be a larger and more comprehensive strategy. We suggest revising the first sentences of the Purpose section to read as follows:

"The intent of the Land Conservation and Development Commission is to improve the economy of the state. A successful strategy to improve the economy should be comprehensive and should address such matters as workforce training, access to markets and labor, public infrastructure, our system of taxation, fees and incentives and an adequate supply of land for employment growth. The intent of this division is to ensure an adequate land supply for economic development and employment growth in Oregon's communities, and to link planning for an adequate land supply to infrastructure planning, community involvement and coordination among local governments and the state....."

660-009-0005 Definitions

0005(1) (Development constraints): We suggest adding "regulatory barriers" (height limits, e.g.) to the definition of "development constraints."

0005(2) (Industrial): We suggest adding proximity to the definition to emphasize the importance of locating new industrial uses near existing uses to take advantage of the synergistic relationships, suppliers, labor etc.

0005(7) Prime industrial land): The definition of “prime industrial land” is confusing in one respect: one sentence says prime sites have no or few development constraints; the next sentence says brownfield sites – sites with significant development constraints - can be prime land. Because many sites that are prime because they have deep water port access also have significant development constraints, we suggest eliminating the qualifier that prime sites are sites with few or no development constraints. The last sentence could be dropped, and the previous two sentences combined to read: “Prime industrial lands possess site characteristics that are difficult or impossible to replicate, such as direct access to regional freight infrastructure.”

0005(14) (Vacant land): We suggest that you replace “one acre” with “one-half acre.” Metro includes vacant parcels as small as ½-acre in its inventories of “vacant land”; all local governments in the region may rely upon that inventory. We recognize that paragraph 660-009-0015(3)(c) allows cities and counties to broaden their inventories to include lots smaller than one acre. But we hope to avoid a conflict over vacant land between Metro – which inventories down to ½-acre - and one of the cities in the region – which may rely upon (4) to limit its inventory to lots one acre and larger. If inserting “one-half” acre works a hardship on cities outside the metropolitan region, we suggest the ½-acre threshold apply only in MPOs (the rule already makes an MPO/non-MPO distinction for short-term supply requirements) or only to local governments in the metropolitan service district.

660-009-0010 Application

0010(1): The ambiguity of the second sentence of this subsection concerns us. Is this sentence intended only to recognize that counties may wish to plan for existing, acknowledged rural industrial areas and rural communities, or does it also contemplate planning areas for eventual inclusion within an urban growth boundary? If the latter, reference should be made to the urban reserve planning process at OAR 660-021.

660-009-0020 Industrial and Other Employment Development Policies

0020(5): We suggest adding language to encourage policies that would help move brownfield sites into the short-term supply category: “Plan policies may include brownfield redevelopment strategies for retaining land in industrial use and for qualifying them as part of a city’s or county’s short-term supply of land.”

660-009-0025 Designation of Lands

The proposed changes to this section are very helpful in understanding local governments’ responsibilities regarding short-term supplies of land. As we noted in earlier comments, a short-term supply of land that is “serviceable” and “ready for construction” (no constraints) is an important objective. But, given the severe limitations on local fiscal capacity to pay for infrastructure, it is likely to be a very difficult objective to achieve.

660-009-0030 Coordination

DRAFT

We understand that the Commission intends to begin a second round of rulemaking to address coordination of Goal 9 planning in the metropolitan area after the end of the 2005 legislative session. With that understanding, we will offer no comment on this section of the rule.

Thank you for the opportunity to comment. Draft 5 is a much-improved set of amendments to the Goal 9 rule.

Sincerely,

Andy Cotugno
Metro Planning and Transportation Director



Department of Land Conservation and Development

DIVISION 009

INDUSTRIAL AND COMMERCIAL ECONOMIC DEVELOPMENT

660-009-0000

Intent and Purpose

The intent of the Land Conservation and Development Commission is to assure an adequate land supply for economic development and employment growth in Oregon's communities. The intent of this division is to link planning for an adequate land supply to infrastructure planning, community involvement and coordination among local governments and the state. The purpose of this division is to aid in implementing the requirements of Goal 9, Economy of the State (OAR 660-015-0000(9)), by implementing and the requirements of ORS 197.712(2)(a) to (d). This rule division responds to legislative direction to assure that comprehensive plans and land use regulations are updated to provide adequate opportunities for a variety of economic activities throughout the state (ORS 197.712(1)) and to assure that comprehensive plans are based on available information about state and national economic trends. (ORS 197.717(2)).

660-009-0005

Definitions

For purposes of this division, the definitions in ORS Chapter 197 and the statewide planning goals apply, unless the context requires otherwise. In addition, the following definitions apply:

(1) "Department": The Department of Land Conservation and Development.

(1) "Development Constraints" means factors that limit or prevent the use of land for economic development. Development constraints include, but are not limited to, wetlands, environmentally sensitive areas such as habitat, environmental contamination, slope, topography, cultural and archeological resources, infrastructure deficiencies, parcel fragmentation, or natural hazard areas.

(2) "Industrial" means employment activities generating income from the production, handling or distribution of goods and related support activities. Industrial employment includes, but is not limited to, those jobs in manufacturing, assembly, fabrication,

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Attachment A

1 processing, storage, logistics, warehousing, distribution and research and development.
2 Industrial uses have special land, infrastructure and transportation requirements.
3 Industrial uses tend to have external impacts on surrounding uses and cluster in
4 traditional or new industrial areas where they are segregated from other non-industrial
5 activities.

6
7 ~~(33)~~ "Locational Factors" means Features which market factors that affect where a
8 particular type of commercial or industrial industrial or other employment -operation will
9 locate. Locational factors include, but are not limited to, proximity to raw materials,
10 supplies, labor, and services, proximity to markets or educational institutions, access to
11 transportation facilities, labor market and workforce factors (e.g., skill level, education,
12 age distribution).

13
14 (4) "Metropolitan Planning Organization (MPO)" means an organization designated by
15 the Governor to coordinate transportation planning on urban land of the state including
16 such designations made subsequent to the adoption of this division. The Longview-
17 Kelso-Rainier MPO is not considered an MPO for the purposes of this division.

18
19 (5) "Other Employment" means all non-industrial employment including the widest range
20 of retail, wholesale, service, non-profit, business headquarters, administrative and
21 governmental activities that are accommodated in retail, office and tech-flex building
22 types. Other employment also includes activities of an entity or organization that serves
23 the medical, educational, social service, recreation and security needs of the community
24 typically in large-scale building formats or multi-building campuses.

25
26 ~~(26)~~ "Planning Area" means The whole area within an urban growth boundary,
27 including unincorporated urban and urbanizable land, except for cities and counties
28 within the Portland, Salem Keizer and Eugene Springfield metropolitan urban growth
29 boundaries. Cities and counties with urban growth management agreements which
30 shall must address the urban areas land governed by their respective plans as specified in
31 the urban growth management agreement for the affected area.

32
33 (7) "Prime Industrial Land" means land suited for traded-sector industries as well as other
34 targeted industrial uses providing critical support to traded-sector industries. Traded-
35 sector industries are businesses, firms or organizations that sell their goods or services in
36 markets for which national or international competition exists, thus importing revenue
37 into the local area. Prime industrial lands possess site characteristics that are difficult or
38 impossible to replicate. Prime industrial lands contain few or no development constraints
39 and have direct access to regional freight infrastructure. Prime industrial land can include
40 industrial brownfield sites as defined in ORS 285A.185.

41
42 (8) "Redevelopable Land" means occupied or partially occupied land that may contain
43 permanent improvements with a low value of improvements relative to the value of the
44 land.

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1 ~~(69) "Serviceable": A site is serviceable if means (a) the city or county has determined~~
2 ~~that public facilities, as defined by OAR chapter 660, division 011, currently have~~
3 ~~adequate capacity to serve for development planned for in the service area where the site~~
4 ~~is located or can be upgraded to have adequate capacity, within one year; and (b) For the~~
5 ~~short-term supply of land, serviceable means public facilities either are currently~~
6 ~~extended to available at the site, or can be provided to the site within one year of a user's~~
7 ~~an application for a building permit or request for service extension.~~

8
9 (10) "Short-term Supply of Land" means suitable land that is serviceable and is ready for
10 construction within one year of being selected for development. "Competitive Short-term
11 Supply" means the short-term supply of land provides a range of site sizes and locations
12 to accommodate the market needs of a variety of industrial and other employment uses.

13
14 ~~(7) "Short-Term Element of the Public Facility Plan": means the portion of the public~~
15 ~~facility plan covering year one through five of the facility plan per OAR 660-011-~~
16 ~~0005(3).~~

17
18 ~~(114) "Site Requirement Characteristics": means the physical attributes of a site~~
19 ~~without which necessary for a particular type or types of industrial or other employment~~
20 ~~or commercial use to operate. cannot reasonably operate. Site requirements~~
21 ~~characteristics may include include, but are not limited to, a minimum acreage or site~~
22 ~~configuration including shape and topography, visibility, specific types or levels of~~
23 ~~public facilities and services, or direct access proximity to a particular type of~~
24 ~~transportation or freight facility such as an interstate highway, rail, or deep water~~
25 ~~access) marine port or airport.~~

26
27 ~~(125) "Suitable": A site is suitable means land designated for industrial or other~~
28 ~~employment or commercial use if the site either provides for provides, or can be expected~~
29 ~~to provide the appropriate site requirements characteristics of for the proposed use or~~
30 ~~category of use or can be expected to provide for the site requirements of the proposed~~
31 ~~use within the planning period.~~

32
33 (13) "Total Land Supply" means the industrial and other employment land supply for a
34 20-year planning period. Total land supply includes the short-term supply of land for the
35 industrial or other employment uses identified in a comprehensive plan. Total land
36 supply includes both vacant and redevelopable land.

37
38 (14) "Vacant Land" means land greater than one acre not currently containing permanent
39 buildings or improvements.

40
41 ~~(8) Other definitions: For purposes of this division the definitions in ORS 197.015 shall~~
42 ~~apply.~~

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Attachment A

1
2 **660-009-0010**

3 **Application**
4

5 ~~(1) OAR chapter 660, This division 9 applies only to comprehensive plans for areas~~
6 ~~within urban growth boundaries. This division does not require or restrict Additional~~
7 ~~planning for industrial and other employment uses and commercial development outside~~
8 ~~urban growth boundaries is not required or restricted by this rule. Cities and counties~~
9 ~~subject to this division must adopt Pplan and ordinance amendments necessary to comply~~
10 ~~with this rule shall be adopted by affected jurisdictions~~division.

11
12 (2) Comprehensive plans and land use regulations ~~shall~~must be reviewed and amended as
13 necessary to comply with this ~~rule~~division as amended at the time of each periodic
14 review of the plan (ORS 197.712(3)). Jurisdictions ~~which that~~ have received a periodic
15 review notice from the Department (pursuant to OAR ~~660-019025-0050~~) prior to the
16 effective date of this rule ~~shall~~must comply with this rule at their next periodic review
17 unless otherwise directed by the Commission ~~during their first periodic review.~~

18
19 (3) Jurisdictions may rely on their existing plans to meet the requirements of this
20 ~~rule~~division -if they:

21
22 (a) Review new information about national, state, regional, county and local state
23 ~~and national~~ trends and conclude there are no significant changes in economic
24 development opportunities (e.g., a need for sites not presently provided for by the
25 plan); and

26
27 (b) Document how existing inventories, policies, and implementing measures
28 meet the requirements in OAR 660-009-0015 ~~through to 660-009-00250030.~~

29
30
31 (4) Notwithstanding ~~paragraph section~~ (2), above, a jurisdiction ~~which that~~ changes its
32 plan designations of lands in excess of two acres to or from ~~commercial or industrial or~~
33 employment use, pursuant to OAR chapter 660, division 018 (a post acknowledgment
34 plan amendment), must address all applicable planning requirements,; and:

35
36 (a) Demonstrate that the proposed amendment is consistent with the parts of its
37 acknowledged comprehensive plan which address the requirements of this
38 division; or

39
40 (b) Amend its comprehensive plan to ~~explain~~incorporate the proposed
41 amendment, pursuant to OAR 660-009-0015 ~~through to 660-009-00250030;~~ or

42
43 (c) Adopt a combination of the above, consistent with the requirements of this
44 division.
45

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Attachment A

1 (5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0025 will
2 vary depending upon the size of the jurisdiction, the detail of previous economic
3 development planning efforts, and the extent of new information on local, state and
4 national trends. A jurisdiction's planning effort is adequate if it uses the best available or
5 readily collectable information to respond to the requirements of this rule.

6
7 **660-009-0015**

8 **Economic Opportunities Analysis**

9
10 Cities and counties ~~shall~~must review and, as necessary, amend their comprehensive plans
11 to provide an economic opportunities analysis containing the information described in
12 sections (1) ~~through to~~ (4) of this rule. This analysis will compare the demand for land
13 for industrial and other employment uses to the existing supply of such land.

14
15
16 (1) Review of National, ~~and State, Regional, County and Local Trends.~~ The economic
17 opportunities analysis ~~shall~~must identify the major categories of industrial or other
18 employment and commercial uses that could reasonably be expected to locate or expand
19 in the planning area based on ~~available~~ information about national, state, regional, county
20 ~~and or~~ local trends. A use or category of use could reasonably be expected to expand or
21 locate in the planning area if the area possesses the appropriate locational factors for the
22 use or category of use. Cities and counties are strongly encouraged to analyze trends and
23 establish employment projections in a geographic area larger than the planning area and
24 determine a capture rate for the planning area based on the assessment of community
25 economic development potential pursuant to section (4) of this rule.

26
27
28 (2) Identification of Site Requirements Characteristics. The economic opportunities
29 analysis ~~shall~~must identify the types of sites that are ~~likely to be needed by industrial and~~
30 ~~commercial uses which might expand or locate in the planning area. Types of sites shall~~
31 ~~be identified based on the site requirements of expected uses based on the site~~
32 characteristics of expected uses. Local governments Cities and counties ~~should~~are
33 encouraged to survey-examine existing firms in the planning area to identify the types of
34 sites ~~which that~~ may be needed for expansion. Industrial or other employment and
35 commercial uses with compatible site requirements ~~characteristics should~~may be
36 grouped together into common site categories. ~~to simplify identification of site needs and~~
37 subsequent planning;

38
39 (3) Inventory of Industrial and Other Employment and Commercial Lands.
40 Comprehensive plans for all areas within urban growth boundaries ~~shall~~must include an
41 inventory of vacant and significantly underutilized-redevelopable lands within the
42 planning area ~~which are designated for industrial or other employment or commercial~~
43 use;

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1 (a) For sites inventoried under this section, plans must provide the following
2 information:

3 (A) The total number of vacant or redevelopable sites and their site
4 characteristics within each plan or zoning district;

5 (B) A description of any development constraints or infrastructure needs
6 that affect the net contiguous buildable area of sites in the inventory; and

7 (C) For cities and counties within a metropolitan planning organization,
8 the inventory must also include the approximate total acreage and
9 percentage of sites within each plan or zoning district that comprise the
10 short-term supply of land.

11
12
13 (b) When comparing current supply to the projected demand needs under sections
14 (1) to (2) of this rule, cities and counties may inventory contiguous parcels
15 together within a discrete plan or zoning district. Cities and counties may also
16 inventory sites less than one acre.

17
18 (c) Cities and counties that adopt objectives or policies providing for prime
19 industrial land pursuant to OAR 660-009-0020(6) and 660-009-0025(8) must
20 identify and inventory any vacant or redevelopable prime industrial land
21 according to section 3(a) of this rule.

22
23 ~~(a) Contiguous parcels of one to five acres within a discrete plan or zoning district~~
24 ~~may be inventoried together. If this is done the inventory shall:~~

25 ~~(A) Indicate the total number of parcels of vacant or significantly~~
26 ~~underutilized parcels within each plan or zoning district; and~~

27 ~~(B) Indicate the approximate total acreage and percentage of sites within~~
28 ~~each plan or zone district which are:~~

29 ~~(i) Serviceable, and~~

30 ~~(ii) Free from site constraints.~~

31
32 ~~(b) For sites five acres and larger and parcels larger than one acre not inventoried~~
33 ~~in subsection (a) of this section, the plan shall provide the following information:~~

34 ~~(A) Mapping showing the location of the site;~~

35 ~~(B) Size of the site;~~

36 ~~(C) Availability or proximity of public facilities as defined by OAR~~
37 ~~chapter 660, division 11 to the site;~~

38 ~~(D) Site constraints which physically limit developing the site for~~
39 ~~designated uses. Site constraints include but are not limited to:~~

40 ~~(i) The site is not serviceable;~~

41 ~~(ii) Inadequate access to the site; and~~

42 ~~(iii) Environmental constraints (e.g., floodplain, steep slopes, weak~~
43 ~~foundation soils).~~

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Attachment A

1 (4) Assessment of Community Economic Development Potential. The economic
2 opportunities analysis shall estimate the types and amounts of industrial and
3 ~~commercial development other employment uses~~ likely to occur in the planning area. The
4 estimate shall be based on information generated in response to sections (1) through
5 to (3) of this rule and shall consider the planning area's economic advantages and
6 ~~disadvantages of attracting new or expanded development in general as well as particular~~
7 ~~types of industrial and commercial uses.~~ Relevant economic advantages and
8 disadvantages to be considered should include but need are not be limited to:

- 9
- 10 (a) Location, size and buying power relative to markets;
 - 11
 - 12 (b) Availability of key transportation facilities for freight mobility;
 - 13
 - 14 (c) ~~Key p~~Public facilities as defined by OAR chapter 660, division 11 and public
15 services;
 - 16
 - 17 (d) Labor market factors;
 - 18
 - 19 (e) ~~Materials and energy availability and cost~~ Access to suppliers and utilities;
 - 20
 - 21 (f) Necessary support services;
 - 22
 - 23 (g) ~~Pollution control requirements~~ Air attainment or limited water quality areas; or
 - 24
 - 25 (h) Educational and technical training programs.

26

27 Cities and counties are strongly encouraged to assess community economic development
28 potential through a visioning process based on public input in conjunction with state
29 agencies. Cities and counties are strongly encouraged to use the assessment of
30 community economic development potential to form the community economic
31 development objectives pursuant to OAR 660-009-0020(1)(a).

32

33

34 **660-009-0020**

35 **Industrial and ~~Commercial~~ Other Employment Development Policies**

36

37 (1) Comprehensive plans ~~for planning areas subject to this division shall~~ must include
38 policies stating the economic development objectives for the planning area. Policies
39 must be based on the community economic opportunities analysis prepared pursuant to
40 OAR 660-009-0015 and must provide the following:

41

42 (2) ~~For urban areas of over 2,500 in population policies shall be based on the analysis~~
43 ~~prepared in response to OAR 660-009-0015 and shall provide conclusions about the~~
44 ~~following:~~

45

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Attachment A

1 (a) Community Economic Development Objectives. The plan shall must state the
2 overall objectives for economic development in the planning area and identify
3 categories or particular types of industrial and ~~commercial~~ other employment uses
4 desired by the community. Policy objectives may identify the level of short-term
5 supply of land the planning area needs. Cities and counties are strongly
6 encouraged to select a competitive short-term supply of land as a policy objective.
7 ~~Plans may include policies to maintain existing categories, types or levels of~~
8 ~~industrial and commercial uses;~~

9
10 (b) Commitment to Provide a Competitive Short-Term Supply. Cities and
11 counties within a metropolitan planning organization must adopt a competitive
12 short-term supply of land as a community economic development objective for
13 the industrial and other employment uses selected through the economic
14 opportunities analysis pursuant to OAR 660-009-0015.

15
16 (cb) Commitment to Provide Adequate Sites and Facilities. Consistent with
17 policies adopted to meet subsection (a) of this section, the pThe plan shall must
18 include policies committing the city or county to designate designating an
19 adequate number of sites of suitable sizes, types and locations, and ensure The
20 plan must also include policies, through the public facilities plan, to provide
21 necessary public facilities through the public facilities plan for the planning area.

22
23 (2) Plans may include policies to maintain existing categories or levels of industrial and
24 other employment uses including maintaining downtowns or central business districts.

25
26 (3) Plans for cities and counties within a metropolitan planning organization or that adopt
27 policies relating to the short-term supply of land, must include detailed strategies to
28 prepare the total land supply for development and replace the short-term supply of land as
29 it is developed. These policies must describe timelines, events or both, that trigger local
30 review of the short-term supply of land is needed.

31
32 (4) Plan policies may emphasize the expansion of and increased productivity from
33 existing industries and firms as a means to facilitate local economic development.

34
35 (5) Plan policies may include brownfield redevelopment strategies for retaining land in
36 industrial use.

37
38 (6) Cities and counties are strongly encouraged to adopt plan policies pertaining to prime
39 industrial land pursuant to OAR 660-009-0025(8).

40
41 (7) Plan policies may include additional approaches beyond the land supply to implement
42 this division including, but not limited to:

43 (a) Tax incentives and disincentives;

44 (b) Land use controls and ordinances;

45 (c) Preferential tax assessments;

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- 1 (d) Capital improvement programming;
- 2 (e) Property acquisition techniques;
- 3 (f) Public/private partnerships; or
- 4 (g) Intergovernmental agreements.

5
6
7 **660-009-0025**

8 **Designation of Lands for Industrial and ~~Commercial~~ Other Employment Uses**

9
10 Cities and counties must adopt measures adequate to implement policies adopted
11 pursuant to OAR 660-009-0020 shall be adopted. Appropriate implementing measures
12 include amendments to plan and zone map designations, land use regulations, and public
13 facility plans.:

14
15 (1) Identification of Needed Sites. The plan shall must identify the approximate number,
16 and acreage and site characteristics of sites needed to accommodate industrial and
17 commercial other employment uses to implement plan policies. The need for sites should
18 be specified in several broad "site categories," (e.g., light industrial, heavy industrial,
19 commercial office, commercial retail, highway commercial, etc.) combining compatible
20 uses with similar site requirements. It is not necessary Plans do not need to provide a
21 different type of site for each industrial or commercial other employment use, which may
22 locate in the planning area. Compatible uses with similar site characteristics may be
23 combined into broad site categories. Several broad site categories will provide for
24 industrial and commercial other employment uses likely to occur in most planning areas.
25 Cities and counties may also designate mixed-use zones to meet multiple needs in a given
26 location.

27
28 (2) Long-Term Total Supply of Land Land Supply. Plans shall must designate serviceable
29 land suitable to meet the site needs identified in section (1) of this rule. Except as
30 provided for in section (5) of this rule, the total acreage of land designated in each site
31 category shall must at least equal the projected land needs for each industrial or other
32 employment use category during the 20-year planning period. Jurisdictions need not
33 designate sites for neighborhood commercial uses in urbanizing areas if they have
34 adopted plan policies which provide clear standards for redesignation of residential land
35 to provide for such uses. Designation of industrial or commercial lands which involve an
36 amendment to the urban growth boundary must meet the requirements of OAR 660-004-
37 0010(1)(e)(B) and 660-004-0018(3)(a).

38
39 (3) Short-Term Supply of Serviceable Sites Land. Plans for cities and counties within a
40 metropolitan planning organization or that adopt policies relating to the short-term supply
41 of land, must designate suitable land to respond to economic development opportunities
42 as they arise.

43
44 (a) Except as provided for in subsections (b) and (c), cities and counties subject to
45 this section must adopt policies and designate land within the urban growth

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1 boundary that constitute 25 percent or more of the total land supply as short-term
2 supply.

3
4 (b) Affected cities and counties that are unable to achieve the target in subsection
5 (a) above may set an alternative target based on their economic opportunities
6 analysis.

7
8 (c) A planning area with a site enrolled in Oregon's industrial site certification
9 program pursuant to ORS 284.565 satisfies the requirements of this section.

10
11
12 ~~(4) If the local government is cities and counties are required to prepare a public facility~~
13 ~~plan by OAR Chapter chapter 660, Division division 011 it they shall must complete~~
14 ~~implement subsections (a) through to (c) of this section at the time of periodic review.~~
15 ~~Requirements of this rule apply only to local government city and county decisions made~~
16 ~~at the time of periodic review. Subsequent implementation of or amendments to the~~
17 ~~comprehensive plan or the public facility plan which that change the supply of~~
18 ~~serviceable industrial land are not subject to the requirements of this rule subsection.~~
19 ~~Local governments Cities and counties shall must:~~

20
21 ~~(a) Identify serviceable industrial and commercial other employment sites.~~
22 ~~Decisions about whether or not a site is serviceable shall be made by the affected~~
23 ~~local government The affected city or county in consultation with the local service~~
24 ~~provider, if applicable, must make decisions about whether or not a site is~~
25 ~~serviceable. Local governments Cities and counties are encouraged to develop~~
26 ~~specific criteria for deciding whether or not a site is "serviceable." Local~~
27 ~~governments Cities and counties should are strongly encouraged to also consider~~
28 ~~whether or not extension of facilities is reasonably likely to occur considering the~~
29 ~~size and type of uses likely to occur and the cost or distance of facility extension;~~
30

31 ~~(b) Estimate the amount of serviceable industrial and commercial other~~
32 ~~employment land likely to be needed during the short-term element planning~~
33 ~~period of for the public facilities plan. Appropriate techniques for estimating land~~
34 ~~needs include but are not limited to the following:~~

35 ~~(A) Projections or forecasts based on development trends in the area over~~
36 ~~previous years; and~~

37 ~~(B) Deriving a proportionate share of the anticipated 20-year need~~
38 ~~specified in the comprehensive plan.~~

39
40 ~~(c) Review and, if necessary, amend the comprehensive plan and the short-term~~
41 ~~element of the public facilities plan set to maintain that a three-year short-term~~
42 ~~supply of serviceable sites is scheduled for each year, including the final year, of~~
43 ~~the short-term element of the public facilities plan land. Amendments appropriate~~
44 ~~to implement this requirement include but are not limited to the following:~~

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- 1 (A) Changes to the ~~short-term element of the public facilities plan to add~~
2 ~~or reschedule projects which to~~ make more land serviceable;
3 (B) Amendments to the comprehensive plan ~~which that~~ redesignate
4 additional serviceable land for industrial or other employment or
5 ~~commercial use~~; and
6 (C) Reconsideration of the planning area's economic development
7 objectives and amendment of plan policies based on public facility
8 limitations.

9
10 (d) ~~If the local government a city or county is unable to meet their requirements of~~
11 this section, it shall must identify the specific steps needed to provide expanded
12 public facilities at the earliest possible time.

13
14 (5) Institutional Uses. Cities and counties are not required to designate institutional uses
15 needed for government facilities on privately owned land when implementing section (2)
16 of this rule. Cities and counties may designate land in an industrial or other employment
17 land category to compensate for any institutional land demand that is not designated
18 under this section.

19
20 (6) Compatibility. Cities and counties are strongly encouraged to manage encroachment
21 and intrusion of incompatible uses. Strategies for managing encroachment and intrusion
22 of incompatible uses include, but are not limited to, providing transition areas around
23 uses having negative impacts on surrounding areas, design criteria, district designation
24 and limiting non-essential uses within districts.

25
26 (7) Availability. Cities and counties may consider availability when designating the
27 short-term supply of land. Available land is vacant or redevelopable land likely to be on
28 the market for sale or lease at prices consistent with the local real estate market. Methods
29 for determining lack of availability include, but are not limited to:

- 30 (a) Bona fide offers for purchase or purchase options in excess of real market
31 value have been rejected in the last 24 months;
32 (b) Site is listed for sale at more than 150% of real market values;
33 (c) Owner has not made timely response to inquiries from local or state economic
34 development officials; or
35 (d) Sites in any industrial or other employment land category lack diversity of
36 ownership where more than 51% of sites in a category are controlled by a single
37 owner or entity.

38
39 ~~(84) Sites for Uses with Special Siting Requirements~~ Characteristics. Jurisdictions ~~Cities~~
40 and counties which that adopt objectives or policies ~~to provide~~ providing for specific uses
41 with special site requirements-needs shall must adopt policies and land use regulations ~~to~~
42 provide providing for the needs of those uses. ~~Special site requirements-needs include, but~~
43 ~~need are not be limited to large acreage sites, special site configurations, direct access to~~
44 transportation facilities, prime industrial lands, or sensitivity to adjacent land uses, or

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1 coastal shoreland sites designated as especially-suited for water-dependent use under
2 Goal 17. Policies and land use regulations for these uses shallmust:

3
4 (a) Identify sites suitable for the proposed use;

5
6 (b) Protect sites suitable for the proposed use by limiting land divisions and
7 permissible uses and activities ~~to those which that~~ would not interfere with
8 development of the site for the intended use; and

9
10 (c) Where necessary to protect a site for the intended industrial or other
11 employment or commercial use include measures ~~which that~~ either prevent or
12 appropriately restrict incompatible uses on adjacent and nearby lands.

13
14 **660-009-0030**

15 **Multi-Jurisdiction Coordination**

16
17 (1) Cities and counties are strongly encouraged to coordinate when implementing OAR
18 660-009-0015 to 660-009-0025.

19
20 (2) Jurisdictions that coordinate under this rule may:

21 (a) Conduct a single coordinated economic opportunities analysis; and

22
23 (b) Designate lands among the coordinating jurisdictions in a mutually agreed
24 proportion.

25
26 (3) Cities and counties under Metro's jurisdiction are subject to the authority and
27 requirements of Metro's regional functional and framework plans.

28

Agenda Item Number 3.0

***REVIEW OF PROPOSED METRO COMMENTS
THE LCDC GOAL 9 DRAFT RULE***

Metro Council Work Session
Tuesday, April 19, 2005
Metro Council Chamber

METRO COUNCIL

Work Session Worksheet

Presentation Date: 4/18/05

Time:

Length:

Presentation Title: Revisions to Goal 9

Department: Planning

Presenters: Lydia Neill

ISSUE & BACKGROUND

The Land Conservation and Development Commission (LCDC) is updating Goal 9, Economic Development Administrative Rule. LCDC has formed an Economic Development Advisory Committee (EDPAC) to evaluate changes to the Goal. General recommendations included a greater emphasis on developing and maintaining a short-term land supply and encouraging more multi-jurisdictional coordination. Phase II of the project that is aimed at addressing coordination issues is not included in this draft. Staff has reviewed the proposed changes to the rule and has prepared a letter describing additional changes that are recommended to strengthen and clarify the rule.

OPTIONS AVAILABLE

Revise the comments that staff is recommending or choose to not provide any additional comments to LCDC.

IMPLICATIONS AND SUGGESTIONS

The changes to Goal 9 have the potential to indirectly impact Metro's review of the urban growth boundary and the coordination between Metro and local jurisdiction's development of and implementation of economic development strategies.

QUESTION(S) PRESENTED FOR CONSIDERATION

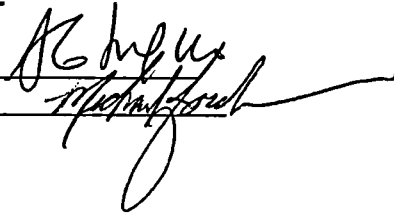
Are these proposed changes consistent with Metro's interest in maintaining a healthy economy? Do these changes maintain or facilitate Metro's evaluation of the urban growth boundary?

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

SCHEDULE FOR WORK SESSION

Department Director/Head Approval _____

Chief Operating Officer Approval _____

Handwritten signatures in black ink. The top signature is written over the Department Director/Head Approval line, and the bottom signature is written over the Chief Operating Officer Approval line.

Agenda Item Number 5.0

FY 2005-06 BUDGET DISCUSSION

Metro Council Work Session
Tuesday, April 19, 2005
Metro Council Chamber