

A G E N D A

600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232-2736



METRO

TEL 503-797-1540 FAX 503-797-1793

MEETING: METRO POLICY ADVISORY COMMITTEE

DATE: June 8, 2005

DAY: Wednesday, 5:00-7:00 p.m.

PLACE: Metro Council Chamber/Annex

NO	AGENDA ITEM	PRESENTER	ACTION	TIME
	CALL TO ORDER	Hoffman		
1	SELF INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS	All		15 min.
2	CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS			5 min.
3	CONSENT AGENDA <ul style="list-style-type: none">• April 13 & 27 and May 11 & 25, 2005• MTAC Appointment	Hoffman	Decision	5 min.
4	COUNCIL UPDATE	Hosticka		5 min.
5	TGM GRANT CORRIDOR/CENTERS RESEARCH RESULTS	Terry Moore, ECONorthwest	Information/ Discussion	45 min.
6	WOOD VILLAGE SALES TAX	Fuller	Information	15 min.
7	NATURE IN NEIGHBORHOODS MODEL ORDINANCE COMMITTEE UPDATE	Deffebach	Information	15 min.
8	UPDATES <ul style="list-style-type: none">• Measure 37• Legislature• Affordable Housing	Liberty	Information	15 min.

UPCOMING MEETINGS:

June 22, 2005 & July 13, 2005

For agenda and schedule information, call Kim Bardes at 503-797-1537. e-mail: bardes@metro.dst.or.us

MPAC normally meets the second and fourth Wednesday of the month.

To receive assistance per the Americans with Disabilities Act, call the number above, or Metro teletype 503-797-1804.

To check on closure or cancellations during inclement weather please call 503-797-1700.

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

April 13, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Ken Allen, Nathalie Darcy, Andy Duyck, John Hartsock, Jack Hoffman, Laura Hudson, Charlotte Lehan, Deanna Mueller-Crispin, Alice Norris, Wilda Parks, Dan Saltzman, Martha Schrader

Alternates Present: Larry Cooper, Tim Crail

Also Present: Hal Bergsma, City of Beaverton; Bev Bookin, CREEC; Ron Bunch, City of Gresham; Cindy Catto, AGC; Bob Clay, City of Portland; Sarah Cleek, THPRD; Valerie Counts, City of Hillsboro; Jennifer DeMuth, Oregon League of Conservation Voters; Dan Drentlaw, City of Oregon City; Bob Durgan, Andersen Construction; Kay Durtschi, MTAC; Craig Dye, Clean Water Services; Mary Gibson, MLIDD; Stacey Hopkins, DLCD; Steve Kelley, Washington County; Jim Labbe, Audubon Society of Portland; Susie Lahsene, Port of Portland; Irene Marvich, League of Women Voters; Doug McClain, Clackamas County; Laura Oppenheimer, The Oregonian; Jonathan Schlueter, Westside Economic Alliance; Andrea Vannelli, Washington County; Ramsay Weit, Washington County Citizen

Metro Elected Officials Present: Liaisons – Carl Hosticka, Council District 3; Susan McLain, District 4; Robert Liberty, Council District 6 others: David Bragdon, Council President

Metro Staff Present: Kim Bardes, Dan Cooper, Andy Cotugno, Paul Garrahan, Lori Hennings, Chris Deffebach

1. SELF-INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS

Councilor Jack Hoffman, MPAC Chair, called the meeting to order at 5:07 p.m.

Chair Hoffman asked those present to introduce themselves, to give a one-minute local update, and to make announcements.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

There were none.

3. CONSENT AGENDA

Meeting Summary March 9 & 23, 2005.

Motion:	John Hartsock, Clackamas County Special Districts; with a second from Andy Duyck, Washington County, moved to adopt the consent agenda and the MTAC appointment without revision.
---------	---

Vote:	The motion passed unanimously.
-------	--------------------------------

4. COUNCIL UPDATE

Councilor Robert Liberty said that he would have to leave the meeting early and therefore gave a brief update on some of the items listed in agenda item no. 6. That update is attached and forms part of the record.

Councilor Carl Hosticka said that there were two major items consuming the time and attention of the Council: 1) the budget, and 2) a group of items for legislation related to the Nature in Neighborhoods effort. He said that there would be four pieces that the Metro Council would be looking at. The first piece would be an ordinance, No. 05-1077, for amendment to the functional plan to incorporate land-use and development standards that would be part of the entire effort. That would be introduced at the next council meeting. That ordinance would then be scheduled for the next meeting of MPAC. He said there would also be a resolution that dealt with the Tualatin Basin Approach. There would be a budget item that would single out Nature in Neighborhoods as a program that Metro would undertake as part of the budget deliberations. Finally there would be a resolution that described the entire effort that Metro was undertaking for Nature in Neighborhoods.

Council President Bragdon spoke about the Greenspaces Policy Advisory Committee (GPAC) vision statement. He said that GPAC would be addressing MPAC at the next meeting, and then the Metro Council on May 5th or 12th.

5. NATURE IN NEIGHBORHOODS

Chair Hoffman set the context of what would happen next with Nature in Neighborhoods effort. He said that at the next meeting they would work out some preliminary recommendations for the resolutions and the functional plan. He pointed out sectional maps that showed the conservation areas subject to the functional plan that he had hung in the back of the room for the members to review. He said that he would be sending out a memorandum next week that would set out the agenda and policy items for discussion for the functional plan. He said that May 11th was the date for MPAC to make their final recommendation. He indicated that he would like to have a preliminary report for the Council at the end of the next meeting, so that the Metro Councilors would have some time to review those recommendations beforehand.

Councilor Hosticka reviewed the timeline for the Council review of resolutions and the process that Nature in Neighborhoods would undergo between now and May 12, 2005, including public hearings and staff resource stations. He said that the Metro Council would take action on the resolutions related to the Tualatin Basin and the overall Nature in Neighborhoods plan. After May 12th the Council would wait to see what the state legislature would do regarding Measure 37, and then the Metro Council would take it up again in September for formal adoption.

Ken Allen, Port of Portland, distributed a letter that outlined the Port of Portland's position on the fish and wildlife protection program. That letter is attached and forms part of the record.

5.2 Nature in Neighborhoods

Councilor Hosticka reviewed Resolution No. 05-3574 for Nature in Neighborhoods which was included in the meeting packet and forms part of the record. He said that the Council had decided that it was important to have the whole effort outlined in one piece and that was why the resolution was created.

5.1 Tualatin Basin Approach Update

Andrea Vannelli, Washington County, gave an overview of the Tualatin Basin Goal 5 Program Report. An executive summary of this report is attached and forms part of the record.

Chair Hoffman asked for someone to respond to the Audubon Society's letter as it had raised some questions. The letter in question is attached and forms part of the record.

Hal Bergsma, City of Beaverton, who also serves on the Tualatin Basin Steering Committee (which advises the Coordinating Committee), said that the Coordinating Committee would be drafting a response to the environmental organizations represented in the letter under discussion. He said the response would be distributed to MPAC members in the next week or so.

Councilor Hosticka said that Ms. Lori Hennings, Metro Staff Ecologist, would be talking about the choices before the Metro Council, which were to either accept the Tualatin Basin Plan in total, reject it, and then the local governments in the Tualatin Basin would be subject to the same program alternatives as all other local governments, or accept it with conditions and engage in a dialogue on how it should be incorporated fully into the functional plan.

Mayor Charlotte Lehan asked if they would be able to discuss it at the next MPAC meeting.

Chair Hoffman said that for the next MPAC meeting the members should be prepared to comment and discuss the Tualatin Basin Approach without getting too far into the technical aspects. He said that the people from Washington County and the Metro Planning staff should be able to bring the members up to speed with what they were trying to accomplish and how it would fit into the regional plan. He said that on April 27th the members would put forward preliminary recommendations and then the final recommendation from MPAC to the Metro Council would be on May 11, 2005.

Councilor Hosticka informed the committee members about a resolution that would be published the following day that would list a number of concerns that the staff had suggested the Council should consider. He said that he hoped the resolution would provide structure for the discussion at MPAC. He urged the members to review that resolution after it was released on Thursday.

Lori Hennings, Metro Staff Ecologist, gave an overview of the Tualatin Basin Approach key points. She reviewed several maps posted in the room. She explained the basic difference between the Tualatin Basin Program and Metro's program. She said that the Tualatin Basin program was not laying down regulations on Class 1 and Class 2 habitat on about 30% of the land that would be regulated under Metro's proposed program. She said that there were other considerations to take into account when weighing the merits of each program. She gave a brief overview of those considerations.

Chris Deffebach, Metro Long Range Planning Manager, said that staff had tried to outline the differences and comparisons between the two programs. She said that they had prepared a draft resolution with the Chief Operating Officer (COO) that the members would have an opportunity to comment on at the next meeting.

Councilor Susan McLain said that Metro needed help from the MPAC members on looking at the gap in protection between the two programs. She said that she had confidence in the Tualatin Basin work but that there may be conditions or suggestions that would help make the program better. She expressed concern over how new urban areas would be dealt with. She said that Metro should provide a strong lead on that issue in the program.

Chair Hoffman asked two questions: 1) was the resource/habitat protected equally in Washington County as it was in Clackamas County, and 2) were land owners treated the same in Washington County as in Clackamas County?

Ms. Hennings said that she thought that Metro's proposed program covered more land and offered more certainty in terms of regulation. There was less certainty in Metro's non-regulatory program as the Tualatin Basin program already had money lined up for it. That was a big plus for the Tualatin Basin program plan. The Tualatin Basin program was already working on some projects. She said both plans had potential, but she felt that the Tualatin Basin's nonregulatory plan had more power due to the funds already committed to the program. She paraphrased that there was more certainty with Metro's regulatory plan, but more power with the Tualatin Basin's nonregulatory plan.

Chair Hoffman asked if there were guarantees tied to the Tualatin Basin funds being spent on the program and not elsewhere.

Andy Duyck, Washington County, said he would go with the Basin program because they would do restoration along the stream all the way up. He said that they were doing some aggressive voluntary programs that were already paying off. He said that MPAC needed to be careful not to penalize the west side for the progress that they had already made. He said it was not a matter of incorporating what was already being done, but rather proof of a great track record. He said they were fulfilling what they had promised when they started the process. He said that they needed to weigh what they were getting in addition to the Goal 5 program, worth giving up the estimated 30%, which may not be immediately adjacent to the streams.

Mayor Alice Norris, Oregon City, asked how each plan would monitor the programs.

Ms. Deffebach said that the Basin proposal offered two representatives for monitoring and recording. Clean Water Services did a lot of in-stream monitoring and they did a great job in updating the streams inventory. In Metro's functional plan there was a section on monitoring and reporting that would be asking everyone to help Metro accomplish those functions. She said that data changed frequently and when the jurisdictions helped by monitoring and reporting to Metro, then Metro would be able to keep a better regional database. She said that when the recommendations went out they would see that they were proposing institutionalizing the relationship that Metro had developed with cities and counties for the last four years to help keep the data alive because everyone would benefit in using it. She said that the other part of Metro's monitoring was a proposal in the budget for the next year to have a role in assembling the data that was being collected between DEQ, and other agencies, so that they could better pull it all together and keep track of the region.

Chair Hoffman asked Andy Duyck to explain the surface water management fee.

Mr. Duyck said it was paid by all those who paid their sewage bill; sort of like a surcharge but accounted for separately. He asked Craig Dye to speak more to that issue.

Craig Dye, Clean Water Services, said that a surface water management fee was a storm water fee for Washington County. He said it was done in two different ways. For the full service cities, Clean Water Services collect all the SWIM fees and then perform all the storm water management maintenance. Other cities collect the surface water fee of four dollars and then keep three dollars of it and remit one dollar to Clean Water Services. Those cities would take care of much of the maintenance activities in their own jurisdiction.

Chair Hoffman asked how much money was spent per year on restoration.

Mr. Dye said it was roughly about two million dollars per year.

Nathalie Darcy, Washington County Citizen, asked if Ms. Hennings if she could translate the 25%-30% gap into acreage.

Ms. Hennings said it was a range of about 2000+ acres.

Councilor McLain said that those acres were primarily in class 2 and not class 1.

6. UPDATES

6.3 Legislative

Councilor Hosticka gave a report on the Legislative activity for Metro. That report is attached and forms part of the record, it is the same report that Councilor Liberty submitted for the record when he gave his update.

6.2 Measure 37

Councilor Hosticka gave a report on the Legislative activity for Metro. That report is attached and forms part of the record, it is the same report that Councilor Liberty submitted for the record when he gave his update.

6.1 Affordable Housing

Councilor Hosticka gave a report on the Legislative activity for Metro. That report is attached and forms part of the record, it is the same report that Councilor Liberty submitted for the record when he gave his update.

There being no further business, Chair Hoffman adjourned the meeting at 6:40 p.m.

Respectfully submitted,

Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR APRIL 13, 2005

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

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#4 Council Update & #6 Updates	April 2005	Legislative Update for MPAC	041305-MPAC-01
#5 Nature in Neighborhoods	April 2005	Tualatin Basin Goal 5 Program Report Revised Recommendation Executive Summary	041305-MPAC-02
#5 Nature in Neighborhoods	4/13/05	Memorandum from Ken Allen, Port of Portland Commissioner and MPAC member to Jack Hoffman, Chair of MPAC re: Metro's Regional Fish and Wildlife Protection Program	041305-MPAC-03
#5 Nature in Neighborhoods	4/12/05	Letter from Jim Labbe, Audubon Society of Portland; Sue Marshall and Brian Wegener, Tualatin Riverkeepers; Tom Wolf, Trout Unlimited; Gretchen Vadnais, Cedar Mill Creek Watch; and Rock Creek Watershed Partners	041305-MPAC-04
#5 Nature in Neighborhoods	4/8/05	Letter from Doug McClain, Clackamas County, to David Bragdon re: Affordable Housing	041205-MPAC-05

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

April 27, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Charles Becker, Nathalie Darcy, Rob Drake, Andy Duyck, Dave Fuller, John Hartsock, Jack Hoffman, Tom Hughes, Richard Kidd, Charlotte Lehan, Deanna Mueller-Crispin, Alice Norris, Wilda Parks, Tom Potter, Martha Schrader, Ted Wheeler

Alternates Present: Larry Cooper, David Ripma

Also Present: Hal Bergsma, City of Beaverton; Bev Bookin, CREEC; Ron Bunch, Bob Clay, City of Portland; City of Gresham; Sarah Cleek, THPRD; Debbie Collard, Ball Janik, LLP; Valerie Counts, City of Hillsboro; Danielle Cowan, City of Wilsonville; Brent Curtis, Washington County; Meg Fernekees, DLCD; Barbara Fryer, City of Beaverton; Carol Chesarek, Citizen; Mary Gibson, Multnomah County Drainage District; Kim Gilmer, GPAC; Steve Greagor, City of Hillsboro; Stacy Hopkins, DLCD; Mike Houck, Urban Greenspaces Inst.; Jim Jacks, City of Tualatin; Gil Kelley, City of Portland; Steve Kelley, Washington County; Jim Labbe, Audubon Society of Portland; Susie Lahsene, Port of Portland; Stephan Lashbrook, City of Lake Oswego; Jim Laubenthal, Port of Portland; Irene Marvich, League of Women Voters; Doug McClain, Clackamas County; Mike Ragsdale, GPAC; Pat Ribellia, City of Hillsboro; Jonathan Schlueter, Westside Economic Alliance; Andrea Vannelli, Washington County; David Zagel, TriMet; Jim Zehren, GPAC

Metro Elected Officials Present: Liaisons – Carl Hosticka, Council District 3; Susan McLain, Council District 4; Robert Liberty, Council District 6 others:

Metro Staff Present: Kim Bardes, Dan Cooper, Andy Cotugno, Paul Garrahan, Paul Ketcham

Chair Hoffman called to the meeting to order at 5:10 p.m., made several announcements, and explained the agenda for the evening.

1. GOAL 9 (ECONOMIC DEVELOPMENT) COMMENTS

Andy Cotugno, Metro Planning Director, reviewed the Goal 9 materials that were included in the packet.

Tom Hughes, Mayor of Hillsboro, said that the coordination piece would be dealt with according to what LCDC had set during the second phase. He said that he was trying to think of a way to resolve that issue without having language that would give coordination authority to a regional body that would coordinate how the jurisdictions approach economic develop. If that issue was resolved in the first series of negotiations, what then would be left to negotiate in the second series?

Mr. Cotugno said that the letter did not suggest resolving that issue now, as part of this series, because until they handled all the other requirements it would be difficult to nail down the coordination issue.

Mayor Hughes said that in some respects it didn't even call into question the ability to separate the whole coordination from the other issue. He said it was very difficult to talk about short-term land supply. He said he had a concern with the definition of short-term land supply. He said he was sympathetic to including brown fields in short-term land supply, but did that then mean they needed to identify the definition of short-term? If a brown field would take as long and require as much infrastructure investment to become shovel-ready as a site that didn't have infrastructure, was it really short-term?

Mr. Cotugno said that the reason for suggesting additional language on brown-field was so that local government could be proactive on getting both green-fields and brown-fields ready for development. The local government could be proactive in getting sites cleaned up and by providing infrastructure. He said that the staff was not saying designate brown-fields as short-term because if you can't turn dirt in a year, then it is not short-term. If, however, they take action to clean up a site so that it could become short-term, that was a good thing to do and was better than writing a rule that instructed jurisdictions to only prepare green-fields for development.

Mayor Hughes said he agreed with that point. He said he just wanted to make sure they weren't making any changes to the definition of "short-term."

2. GREENSPACES POLICY ADVISORY COMMITTEE VISION STATEMENT

Councilor Susan McLain introduced Mike Ragsdale, Greenspaces Policy Advisory Committee (GPAC) Chair, and gave a brief overview of the history of the Greenspaces Program and Policy Advisory Committee.

Mr. Ragsdale, Chair of GPAC, reviewed the materials included in the packet and the handout, which is attached and forms part of the record. Mr. Ragsdale introduced members of the committee that were present and gave an overview of the committee vision and goals.

Ted Wheeler, Citizen – Multnomah County, asked if they intended the advisory committee to continue when the groundwork was completed. He wanted to know what their long-term goals were.

Mr. Ragsdale said that he was not certain yet. He said that one of the task forces would provide guidance for that.

Rob Drake, Mayor of Beaverton, asked GPAC not to penalize the Tualatin Basin program under a Greenspaces program and he wanted to know if money would still be disbursed somewhat equally?

Mr. Ragsdale said that the committee had not gotten that far, but that the task forces would be addressing those issues. He said they certainly hoped to help the "have-nots" while not penalizing the "haves."

Mayor Drake said that as a region they needed to get as much protection as they could before it went away.

Mr. Ragsdale said that one area strong in resources could still be lacking in some way; they would be looking at public plazas and the whole gamut of parks and recreation.

Deanna Mueller-Crispin, Washington County Special Districts, asked what role or relationship the GPAC committee would be expected to have in developing a potential ballot measure.

Mr. Ragsdale said that the Metro Council had specifically requested that GPAC take that issue up as an agenda item and to provide advice on what might be included in the ballot measure. He said that they would be working on that in the task forces.

Charlotte Lehan, Mayor of Wilsonville, asked what role GPAC would play with the Nature in Neighborhoods, Goal 5 program.

Mr. Ragsdale said that they would be working with that program but that GPAC was not the entity that would be shaping the program. He said that GPAC would like to benefit from existing programs.

Mr. Wheeler asked if that information would be on the Metro website.

Jim Desmond, Metro Parks and Greenspaces Director, said that it was not on the website yet, but that it would be soon.

3. NATURE IN NEIGHBORHOODS

Chair Hoffman gave some context of where the Nature in Neighborhoods had reached and then introduced Chris Deffebach, Long Range Policy Planning Manager.

Ms. Deffebach reviewed the timeline for the two resolutions and the ordinance. She then highlighted the major points of the staff recommendations in the draft legislation. She also reviewed the Metro Technical Advisory Committee (MTAC) comments, which she distributed, and which are attached and form part of the record. All the basic materials were included in the packet and therefore form part of the record. There was a handout for the Tualatin Basin Approach, which is attached and forms part of the record.

Chair Hoffman asked Gil Kelley, City of Portland, and Doug McClain, Clackamas County, both also members of MTAC, to comment on what MTAC had discussed at the last meeting.

Mr. Kelley said that there were more unresolved issues than issues that had been resolved at MTAC. He said that they would continue work on that at the next meeting. He said that there had been general agreement about removing all reference to Measure 37. He said that the definition to “practicable” still included part of Measure 37 and that needed to come out. He said there was general acknowledgement of “avoid, minimize, and mitigate” applying across the region in the discretionary process, but there would be nuances about how that got applied. There was also general acceptance about relaxing residential densities to implement the program. He said that they all agreed that they needed more time to implement the program. He said that the issues outlined in Chair Hoffman’s index seemed to be on target. He said that MTAC had not taken a position on the Tualatin Basin Approach.

Mr. McClain said that MTAC was not much further along than MPAC on evaluating the program. He said that they also had a lot of work to do.

Mayor Drake said he had nagging concerns about Measure 37. He wondered how much discussion MTAC had on how the legislature would define things as a result of Measure 37. He wondered if there had been discussion at MTAC about whether waiting for further definition from state legislature would provide a roadmap about where they could or couldn’t go with some of the issues.

Mr. Kelley said that was one of the variables they had discussed along with what the Department of Environmental Quality (DEQ) might determine and the Total Maximum Daily Load (TMDL) requirement and whether or not that would affect the program; whether there was an insulating effect from Measure 37 claims. He said there was a general feeling that they should remain silent on Measure 37. He said that MTAC had proposed that there was a claim process for Measure 37, and it was up to each jurisdiction to make a judgment on the detail of their own rules. He said it had not seemed necessary for MTAC to try to pre-judge what should be in the ordinance about possible Measure 37 impacts. He said that there was just too much unknown about the effects of Measure 37.

Mr. McClain said that they had thought perhaps to place a note qualifying that Measure 37 still had not been resolved and that it would have to be revisited after the state made a ruling.

Councilor Robert Liberty said that everyone handicapped the legislature in his or her own way. He said that based on what had transpired since Measure 7 passed, he estimated the probability of the legislature passing something that significantly modified Measure 37 at above 50%. He said that speaking as only one member of the Metro Council, he felt that when Metro asked local governments to do something that might increase their liability for Measure 37 claims, then Metro had the responsibility to address those claims. He said that he thought trying to frame the content of Measure 37 in language right now was a mistake because how they determined value, or reduction of value, etc. would be sorted out over time. He said that Metro staff had started to develop a claims process and that would apply to any claim made against Metro whether it was Measure 37, or any other title.

Mayor Hughes said it was hard to write an ordinance right now when they didn't know what the outcome regarding Measure 37 would actually be after the legislature made it's decision.

Councilor Carl Hosticka pointed out that Metro Council had adopted a time frame that they would not officially adopt the resolution until the state had made a decision on Measure 37, which was estimated to be in September 2005.

Mayor Drake said that he had thought the responsibility was more on the cities and not on Metro.

Mayor Lehan said that she did not think they were taking advantage of the exemptions that Measure 37 offered by tying into the federal regulations of the water quality act and the endangered species act. She said that the essence of riparian protection was water quality. She said that while it would not offer a guarantee against a Measure 37 claim, it would put the burden on the claimant to prove that a site was not essential to compliance with the regulation.

Mayor Alice Norris, City of Oregon City, asked if MPAC was going to develop a consensus on some issues by the end of the evening.

Chair Hoffman said that was his hope. He said that they would also include comments for staff.

Motion #1:	Alice Norris, City of Oregon City, with a second from Martha Schrader, Clackamas County, proposed that staff eliminate language in the draft plan related to Measure 37 and use a footnote approach instead.
------------	--

Vote on Motion #1:	The motion passed unanimously.
--------------------	--------------------------------

Councilor Liberty said that Measure 37 included another exemption for pollution control. He said he wanted to reference that the state laws did not necessarily set a minimum. He said that he felt that Measure 37 was a law that all of them would implement, but the Nature in Neighborhoods plan had a lot of pollution control benefits, and those ought to be acknowledged and recognized. That would be one way to achieve wildlife and habitat protection: by protecting water quality. He said that those goals were the same and expressing that as part of a pollution control agenda, as well as a federal mandate, made sense.

Motion #2:	Mayor Lehan, City of Wilsonville, with a second from Mayor Norris, City of Oregon City, moved to recommend to Metro Council to beef up the intent language to incorporate references to the clean water act and the endangered species act, more than what was currently in the draft, and fold in the pollution aspect of Measure 37.
------------	--

Mayor Drake asked if DEQ had validated the Goal 5 process.

Councilor McLain said that if they included those connections then they would have to show how those connected items of clean water, pollution control, and endangered species were being addressed by specifics in the program. She said that they had been waiting to hear from those agencies on what they would agree to in regards to specific coverage.

Mayor Drake asked if that was a flaw in the motion.

Mr. Cotugno said that they had good information in the science report that was part of the overall package and that established that connection. He said that he did not foresee a problem in making that connection.

After some discussion on this issue Mayor Richard Kidd, City of Forest Grove, suggested that if MPAC chose to include Motion #2 in the plan then DEQ would have something to validate or dispute if it was necessary.

Vote on Motion #2:	The motion passed unanimously.
--------------------	--------------------------------

Mr. Wheeler suggested that they should discuss consistency of standards. He suggested that they should apply consistent standards across the region regarding avoid, minimize and mitigate in all habitat conservation areas.

There was discussion on this and about the definition of “practicable.”

Motion #3:	Ted Wheeler, Citizen – Multnomah County, moved to support a regional standard that would include avoid, minimize, and mitigate, and provide regional standards across jurisdictions which supported the language in the current functional plan.
------------	--

Mayor Drake said that Washington County’s recommendation had in some instances taken a different viewpoint re: Tualatin Basin Resolution. He asked if Brent Curtis, Washington County, should talk about this issue. There was discussion about how the motion should be worded and an amendment to the motion was made.

Amendment to Motion #3:	Ted Wheeler, Citizen – Multnomah County, moved to support a regional standard that would include avoid, minimize, and mitigate, and provide regional standards across jurisdictions which supported the language in the current functional plan, but did not take action related to the Tualatin Basin motion.
-------------------------	--

Chair Hoffman asked to hold off on the Tualatin Basin approach for the next meeting. There was discussion about avoid, minimize, and mitigate for the functional plan for class 1 and 2 riparian habitat and the Tualatin Basin plan on the west side of the region versus what would/could apply on the east side of the region. Due to the concerns over how the Tualatin Basin plan would affect the decision, Chair Hoffman asked the members to table motion #3 with regards to the Tualatin Basin plan, and instead

amend the motion to approve the avoid, minimize, and mitigate for all class 1 and 2 that was currently in the functional plan to apply everywhere.

Second Amendment to Motion #3:	Chair Hoffman moved to support a regional standard that would include avoid, minimize, and mitigate, and for all class 1 and 2 that was currently in the functional plan to apply everywhere.
--------------------------------	---

Councilor Hosticka said that he thought it would work in the following order: 1) adopt the functional plan that would apply everywhere, and 2) then consider the Tualatin Basin approach.

Mr. Wheeler withdrew the motion in its entirety as it was agreed that there was need for more discussion.

Vote on last amendment to Motion #3:	The motion failed as it was withdrawn by Mr. Wheeler, and due to a desire by the members to discuss in more depth the Tualatin Basin plan and its relation to the Metro staff plan.
--------------------------------------	---

Martha Schrader, Clackamas County, asked to discuss the timing of implementation or rollout for the plan. She requested a longer time-line than two years for implementation as she did not feel that would be enough time to roll out the functional plan in an effective manner. She requested a 4-year timeline.

There was discussion about the merits of 2-years, versus 3-years, versus 4-years for implementation. There was also discussion about adding or implementing an "extension" process.

Motion #4:	Richard Kidd, Mayor of Forest Grove, with a second from Charlotte Lehan, Mayor of Wilsonville, moved to keep the current language of the functional plan which laid out a 2-year time line for implementation, but to add an extension process as outlined in Title 8.
------------	--

Vote on Motion #4:	The motion passed unanimously.
--------------------	--------------------------------

Chair Hoffman said that the proposed functional language would require every jurisdiction in the region to remove barriers to habitat friendly practices in all the blue and green areas outlined on the displayed map. If there was a barrier to habitat friendly development practices in uplands, woodlands, forests, or forested canopies, they would have to remove those barriers to allow a developer to use habitat friendly development. That meant that they would have to use environmentally friendly materials in the development. All jurisdictions would be required to eliminate those barriers that prohibit or impede cluster development in those areas on the map (green or blue areas).

Mayor Drake expressed concern over shifting densities, especially to radically reducing densities and he suggested that they should use the phrase "consider" rather than "mandate." He wanted to avoid shifting the burden from an existing neighborhood to save it, and he wanted it to be saved, but at the same time if you were living in that neighborhood and suddenly had a new ordinance that you hadn't anticipated then there would be competing interests.

Ms. Deffebach said that there had been a lot of discussion on which word or phrase to use and she said it was an important issue. She explained that the functional plan proposed several approaches: 1) encourage, 2) provide incentives by reducing the barriers, and 3) use requirements where possible or where it was

technically feasible and practical to use them. The current proposal had the middle step, which was more than encourage, but in class 1 and 2 riparian areas take the extra step and require them to be used if they were technically feasible and practical. There was discussion about these three approaches.

Mayor Norris asked if a new science would automatically be added to the list and if it would apply?

Ms. Deffebach said that the list was neither exhaustive nor static. She said that the intent was to do better now and in the future than they had done in the past, and to make it as flexible as possible for that purpose.

Chair Hoffman asked if they wanted to meet on May 4 as well as May 11th?

It was decided that they would meet on May 11 but that Nature in Neighborhoods would be the only agenda item.

There being no further business, Chair Hoffman adjourned the meeting at 7:03 p.m.

Respectfully submitted,

Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR APRIL 27, 2005

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

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
#1 Goal 9	4/21/05	Memorandum to Jack Hoffman from Andy Cotugno re: Summary of Comments on Goal 9	042705-MPAC-01
#1 Goal 9	4/21/05	Letter to Steve Santos from Metro Staff re: Proposed Amendments to Goal 9 Rule, Draft 5	042705-MPAC-02
#1 Goal 9	3/31/05	Draft 5, March 31, 2005, Attachment A, Department of Land Conservation and Development, Division 009 Economic Development red-lined copy	042705-MPAC-03
#3 Nature in Neighborhoods	2/27/05	Memorandum to MPAC from Andy Cotugno re: MTAC comments on Ordinance No. 05-1077	042705-MPAC-04
#3 Nature in Neighborhoods	4/27/05 revised	Comparison of Metro Title 3 and 2004 CWS Standards (Revised 4/27/05)	042705-MPAC-05

#3 Nature in Neighborhoods	4/25/05	Memorandum to MPAC and MTAC from Alan Yeakley and Connie Ozawa re: Updated Research Results and Response to the April 20, 2005 Memo from Valerie Counts et al	042705-MPAC-06
#3 Nature in Neighborhoods	4/26/05	Letter from Jim Labbe, Sue Marshall, Tom Wolf to MPAC and MTAC re: Response to April 20 memo Washington County Planners regarding proposed Tualatin Basin Goal 5 Program	042705-MPAC-07
#3 Nature in Neighborhoods	4/26/05	Letter from the City of Portland, Tom Potter and Dan Saltzman to MPAC, MTAC re: Nature in Neighborhoods Policy Issues	042705-MPAC-08
#3 Nature in Neighborhoods	4/26/05	Email from Chair Jack Hoffman to MPAC, MTAC re: index to the policy issues regarding Nature in Neighborhoods	042705-MPAC-09
#3 Nature in Neighborhoods	4/27/05	Letter from City of Portland, Tom Potter, Dan Saltzman re: Nature in Neighborhoods Policy Clarifications	042705-MPAC-10
#3 Nature in Neighborhoods	04/27/05	Letter from City of Wilsonville, Charlotte Lehan to MPAC and Chair Jack Hoffman re: Nature in Neighborhoods	042705-MPAC-11
#3 Nature in Neighborhoods	4/27/05	Letter to Metro Council and MPAC from Ball Janik, Dana Krawczuk, re: Nature in Neighborhoods – Ordinance no. 05-1077, Resolution No. 05-3577, and Resolution No. 05-3574	042705-MPAC-12
#3 Nature in Neighborhoods	8/9/04	Letter to Tualatin Basin Natural Resource Coordinating Committee from Ball Janik, Dana Krawczuk, re: Testimony for Tualatin Basin Goal 5 Program	042705-MPAC-13
#3 Nature in Neighborhoods	4/27/05	Letter to MPAC from Ball Janik, Christen White and Kristin Udvari, re: Regionally Significant Educational or Medical Facilities	042705-MPAC-14
#3 Nature in Neighborhoods	4/27/05	Memorandum from Ken Allen and Bill Wyatt with the Port of Portland, to Jack Hoffman re: Metro's Nature in Neighborhoods program	042705-MPAC-15
#3 Nature in Neighborhoods	4/27/05	Letter from Bob Sallinger, Audubon Society re: Airport Exemptions	042705-MPAC-16
Misc.	3/18/05	Letter from City of Tualatin, Lou Ogden, to David Bragdon re: Affordable Housing	042705-MPAC-17

MPAC Meeting Record

April 27, 2005

Page 9

Misc.	4/25/05	Letter from Tom Hughes to Jack Hoffman and David Bragdon re: Title 7: Affordable Housing	042705-MPAC-18
--------------	---------	--	----------------

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

May 11, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Charles Becker, Nathalie Darcy, Rob Drake, Andy Duyck, Dave Fuller, Bernie Giusto, John Hartsock, Jack Hoffman, Kent Hutchinson, Joe Keizur, Richard Kidd, Charlotte Lehan, Deanna Mueller-Crispin, Alice Norris, Dan Saltzman, Martha Schrader

Alternates Present: Larry Cooper, Tim Crail, Ed Gronke, Diane Linn

Also Present: Hal Bergsma, City of Beaverton; Doug Bollam, Citizen; Bev Bookin, CREEC; Ron Bunch, City of Gresham; Tom Brian, Washington County; Cindy Catto, AGC; Bob Clay, City of Portland; Sarah Cleek, THPRD; Gary Clifford, Multnomah County; Debbie Collard, Ball Janik, LLP; Valerie Counts, City of Hillsboro; Sara Culp, Tom Potter’s Office; Brent Curtis, Washington County; Carol Chesarek, Citizen; Kay Durtschi, MTAC; Craig Dye, Clean Water Services; Barbara Fryer, City of Beaverton; Thomasina Gabriele, Institutional Facilities Coalition; Lisa Godwin, Providence Health System; Stacy Hopkins, DLCD; Delna Jones, Providence Health System; Steve Kelley, Washington County; Jim Labbe, Audubon Society of Portland; Susie Lahsene, Port of Portland; Stephan Lashbrook, City of Lake Oswego; Leeanne MacColl, League of Women Voters; Sue Marshall, Tualatin Riverkeepers; Doug McClain, Clackamas County; Laura Oppenheimer, The Oregonian; Pat Ribellia, City of Hillsboro; Jonathan Schlueter, Westside Economic Alliance; Michael Sykes, City of Forest Grove; Thane Tienson, Landye Bennett; Andrea Vannelli, Washington County; Ty Wyman, Providence Health System; David Zagel, TriMet

Metro Elected Officials Present: Liaisons – Carl Hosticka, Council District 3; Susan McLain, Council District 4; Robert Liberty, Council District 6 others: Brian Newman, Council District 2; David Bragdon, Council President

Metro Staff Present: Kim Bardes, Andy Cotugno, Chris Deffebach, Paul Garrahan, Paul Ketcham, Mike Wetter, Malu Wilkinson

Chair Hoffman called to the meeting to order at 5:05 p.m. Chair Hoffman asked the members and audience participants to introduce themselves.

1. NATURE IN NEIGHBORHOODS

Chair Hoffman said that the members would be making decisions on the Nature in Neighborhoods and he reviewed the agenda. He distributed a memorandum from Andy Cotugno regarding the MTAC comments on Nature in Neighborhoods Legislation, which is attached and forms part of the record.

Andy Cotugno, Metro Planning Director, reviewed his memorandum item by item.

Motion #1:	Richard Kidd, Mayor of Forest Grove, with a second from Chuck Becker, Mayor of Gresham, moved to 1) remove the stand-alone requirement for use of habitat friendly development practices in Class I and II Riparian; 2) incorporate Habitat Friendly Development practices into the avoid-minimize-mitigate standards; and 3) eliminate set mitigation ratios from the discretionary review option.
------------	---

Vote on Motion #1:	The motion passed unanimously.
--------------------	--------------------------------

Motion #2:	Andy Duyck, Washington County, with a second from Nathalie Darcy, Washington County Citizen, moved to recommend that Metro develop detailed scope of work to describe technical assistance to jurisdictions for habitat-friendly development practices and Metro’s role in the Clean Water Act.
------------	---

Vote on Motion #2:	The motion passed unanimously.
--------------------	--------------------------------

Motion #3:	Richard Kidd, Mayor of Forest Grove, with a second from Alice Norris, Mayor of Oregon City, moved to recommend that Exhibit E not be considered by Council on May 12, and that a subcommittee of MTAC, Goal 5TAC/WRPAC review it and complete work by July 1 st , 2005.
------------	--

There was discussion on this issue, mostly for clarification of the intent, and arguments to support passing this recommendation.

Vote on Motion #3:	The motion passed unanimously.
--------------------	--------------------------------

Motion #4:	John Hartsock, Clackamas County Special Districts, with a second from Richard Kidd, Mayor of Forest Grove, moved to recommend adoption of Resolution No. 05-3577, with an amendment to condition 2(d) as recommended by TBNRCC, which would change require to encourage and facilitate and encourage and consider.
------------	---

Vote on Motion #4:	The motion passed with 12 yea (Becker, Cooper, Drake, Duyck, Fuller, Giusto, Hartsock, Hoffman, Keizur, Kent, Kidd, Schrader) 8 nay (Crail, Darcy, Gronke, Lehan, Linn, Mueller-Crispin, Norris, Saltzman) and 0 abstained.
--------------------	---

There was discussion on this issue, mostly for clarification. There was some concern over the difference in protection between Class I and II Riparian and vegetative corridors and also over the areas covered/protected. There was also discussion about the money that was part of the proposal for the Tualatin Basin. Andy Duyck and Craig Dye briefly reviewed the funding and projects in the Healthy Streams plan that form the Tualatin Basin Plan.

Motion #5:	Richard Kidd, Mayor of Forest Grove, with a second from John Hartsock, Clackamas County Special Districts, moved to support the “allow” decision in the COO recommendation for Port Terminals 4, 5, & 6.
------------	--

Susie Lahsene and Jim Labbe gave testimony. There was discussion about the level of protection the term “allow” would or would not provide. Andy Cotugno explained the purpose of the motion.

Vote on Motion #5:	The motion passed with 13 yea (Becker, Cooper, Drake, Duyck, Giusto, Gronke, Hartsock, Hutchinson, Keisur, Kidd, Linn, Norris, Saltzman), 7 nay (Crail, Darcy, Fuller, Hoffman, Lehan, Mueller-Crispin, Schrader), and 0 abstained.
--------------------	---

Motion #6:	Andy Duyck, Washington County, with a second from Richard Kidd, Mayor of Forest Grove, moved to recommend against carrying forward Title 3 exemptions into Title 13.
------------	--

There was discussion on what the Title 33 exemptions included, particularly the exemption for west Hayden Island.

Vote on Motion #6:	The motion passed unanimously.
--------------------	--------------------------------

Motion #7:	Dan Saltzman, City of Portland, with a second from Bernie Giusto, Tri-Met Board, moved to remove the proposed map verification process for adjusting the urban development value for regionally significant education and medical facilities from the functional plan and replace it with a provision allowing jurisdictions to change urban development values for specific sites or uses based on additional Economic Social Environmental and Energy (ESEE) analysis prior to local adoption.
------------	--

There was discussion about this proposed amendment, the institutions it included and the effect that different legislation would have.

Vote on Motion #7:	The motion passed. Jack Hoffman did not participate in vote due to conflict of interest. 11 yea (Becker, Crail, Darcy, Fuller, Giusto, Gronke, Lehan, Linn, Mueller-Crispin, Norris, Saltzman), 8 nay (Cooper, Drake, Duyck, Hartsock, Hutchinson, Keisur, Kidd, Schrader), and 0 abstained..
--------------------	---

Chair Hoffman reviewed the issues that MTAC did not consider as outlined in the memorandum from Andy Cotugno under item no. 3 "Other issues that MTAC did not consider and that MPAC may want to consider. There was brief discussion of a few of those issues.

Motion #8:	Richard Kidd, Mayor of Forest Grove, with a second from John Hartsock, Clackamas County Special Districts, moved to endorse support and recommend enactment of the two Metro Nature in Neighborhoods resolutions and the one ordinance as amended.
------------	--

Vote on Motion #6:	The motion passed with 1 abstention by Mayor Charlotte Lehan.
--------------------	---

There being no further business, Chair Hoffman adjourned the meeting at 7:38 p.m.

Respectfully submitted,

Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR MAY 11, 2005

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

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#1 Nature in Neighborhoods	5/11/05	Memorandum from Andy Cotugno to MPAC re: MTAC comments on Nature in Neighborhoods Legislation	051105-MPAC-01
#1 Nature in Neighborhoods	5/10/05	Email and letter from AGC, Cynthia Catto to the Metro Councilors re: Nature in Neighborhoods and Related Resolution 05-3574, 05-3577, and Ordinance 05-1077	051105-MPAC-02
#1 Nature in Neighborhoods	5/10/05	Email from Sara Culp and letter from Mayor Tom Potter's office to David Bragdon re: Nature in Neighborhoods, with City of Portland Comments on Metro's Proposed Nature in Neighborhoods Program comments attached	051105-MPAC-03
#1 Nature in Neighborhoods	5/10/05	Email from Brian Wegener to Metro Councilors and Oregonian article re: Tualatin basin faces building between rock and flood plain	051105-MPAC-04
#1 Nature in Neighborhoods	5/10/05	Email and letter from Jim Labbe to MPAC and MTAC re: AsofP Supplemental Comments on Tualatin Basin Program	051105-MPAC-05
#1 Nature in Neighborhoods	5/11/05	Email and letter from Kelly Ross to MPAC re: testimony on Nature in Neighborhoods resolutions and ordinance	051105-MPAC-06
#1 Nature in Neighborhoods	October 2004	Evaluation of Providence Health System Properties with Respect to Goal 5 Issues, William Conerly Consulting LLC	051105-MPAC-07
#1 Nature in Neighborhoods	unknown	TriMet, Exhibit B, TriMet Marketing Analysis Department	051105-MPAC-08
MISC.	5/3/05	Letter from David Bragdon and Rex Burkholder to Lane Shetterly, Director of Department of Land Conservation and Development re: amending Transportation Planning Rule (TPR)	051105-MPAC-09

METRO POLICY ADVISORY COMMITTEE MEETING RECORD

May 25, 2005 – 5:00 p.m.

Metro Regional Center, Council Chambers

Committee Members Present: Charles Becker, Nathalie Darcy, Andy Duyck, Dave Fuller, John Hartsock, Jack Hoffman, Laura Hudson, Tom Hughes, Alice Norris, Wilda Parks, Martha Schrader, Ted Wheeler

Alternates Present:

Also Present: Hal Bergsma, City of Beaverton; Danielle Cowan, City of Wilsonville; Brent Curtis, Washington County; Stephan Lashbrook, City of Lake Oswego; Leeanne MacColl, League of Women Voters; Pat Ribellia, City of Hillsboro; David Zagel, TriMet

Metro Elected Officials Present: Liaisons –Robert Liberty, Council District 6 others: Brian Newman, District 2; Rex Burkholder, District 5

Metro Staff Present: Kim Bardes, Dick Benner, Dan Cooper, Andy Cotugno, Chris Deffebach, Paul Garrahan, Robin McArthur

1. SELF-INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS

Chair Jack Hoffman, MPAC Chair, called the meeting to order 5:12 p.m.

Chair Hoffman asked those present to introduce themselves.

2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

There were none.

3. CONSENT AGENDA

Meeting Summary for April 13 & 27, 2005 and May 11, 2005, and MTAC Appointment:

Approval of minutes and appointment deferred to next meeting due to lack of quorum.

4. COUNCIL UPDATE

Councilor Robert Liberty gave a short summary on the Council decisions for the Nature in Neighborhoods program from the April 28th Council meeting. The resulting resolutions were handed out for the MPAC members to review. Those resolutions are attached and form part of the record.

Chris Deffebach, Metro Long Range Policy Planning Manager, said that the subcommittee for the Nature in Neighborhoods model ordinance would be meeting for the next five (5) weeks.

Councilor Liberty said that the test cases for the ordinance were completed and that they needed to be written up before distribution.

Chair Hoffman said that they would schedule the test cases for the ordinance when they were ready for distribution.

5. HOME RULE SYMPOSIUM

Councilor Brian Newman gave an update on the Home Rule Symposium that was held on May 20, 2005. The symposium had been held to discuss regional governance and collaboration with local governments. He said that there had been a great turnout. He said that issues had been raised but that time ran out before things could be resolved. The Metro Councilors and staff would be pulling together the comments/issues identified at the symposium and start preparation for a follow-up meeting.

Martha Schrader, Clackamas County, said that the point was to work together on the regional and local issues. She said that the conversation needed to continue and another meeting or symposium would be a good idea.

Mayor Tom Hughes, City of Hillsboro, said that it had been a helpful discussion. He said that trust was built on behavior and not always on language. He said that the Metro Council's decisions on the Nature in Neighborhoods plan, mirroring those recommendations put forward by MPAC, lent well to forging trust between Metro and the jurisdictions. He said he would prefer a half-day or afternoon format for the next convening on home rule.

Mayor Alice Norris, City of Oregon City, said that there had been nothing new said around the table but there were a lot more individuals participating, and she thought MPAC would be a good convening for those efforts.

Mayor Dave Fuller, City of Wood Village, said he appreciated the involvement of the smaller cities in the process.

Councilor Newman said that the Metro Council wanted to continue the dialogue and that it was his hope that the Councilors would take a more participatory role in the discussion next time, as opposed to just being observers. He said that as long as the discussion stayed general it was easy to talk about, but when they delved into the specifics they would learn more and make more progress, although it might be an uncomfortable process.

Councilor Liberty said that if they put aside their territorial instincts and thought about starting from scratch – then they could ask themselves “what would the region look like in the end?” He thought that this might be a valuable exercise.

6. TRANSPORTATION PLANNING RULE

Councilor Rex Burkholder referred to the two letters included in the packet material and the third letter placed in the back of the room. Those letters are attached and form part of the record. He reviewed the key issues in those letters. He referred to a large map, which he passed around for the members to look at. He asked the members to share any comments they might have so that he could include them in a letter to Land Conservation and Development Commission (LCDC). He said he would keep the members informed about where the issue was going.

Andy Duyck, Washington County, said that the rule did give the Oregon Department of Transportation (ODOT) a lot of power above jurisdictions or Metro. He said that the problem was that with the way the

rule was currently worded, it did not require ODOT to work with other agencies and therefore it could be detrimental to planning.

Mayor Hughes said that they had some experience with that type of situation with ODOT when they were planning the Tannesborne Town Center. He said that the hardest job in the land use planning process for that center was selling the plan to ODOT. He said he felt that ODOT's authority could trigger uncertainties when planning centers, and that it could be a negative influence for development.

Councilor Liberty said that the transportation network should be subordinate to other goals. He said that ODOT would focus on one part of a development plan whereas the cities or counties or Metro would be looking at the larger picture. He suggested that this topic, especially in context to partnering and cooperation, might be a good thing to discuss at the next home rule symposium.

Councilor Burkholder said that the rule had passed and that it currently existed. He said that the Oregon Transportation Commission needed to give Metro staff some direction on how to implement the rule. He said that if they needed to do so, they could petition the commission to change the rule.

There was discussion about the new rule and what it meant to planning and zoning.

Councilor Burkholder said that if the MPAC members were interested then it might be good to have a discussion about this issue with an ODOT representative present.

Chair Hoffman said it would be good to schedule another discussion on this topic and to include any jurisdictions that wanted to attend. He said he would discuss setting this up with Councilor Burkholder and Metro staff and that he would make sure it was on a future MPAC agenda.

7. AFFORDABLE HOUSING

Chair Hoffman reviewed the letter that he and David Bragdon sent out to the various jurisdictions which included four (4) questions regarding affordable housing. He said that most of the jurisdictions had responded. There was a handout that included a summary of those responses along with the letters from the jurisdictions. Those items are attached and form part of the record.

Chris Deffebach gave an overview of the summary and the jurisdictional responses.

Councilor Burkholder said that the interest level of doing a pilot project was high.

Councilor Liberty said that the Affordable Housing Task Force had picked three projects 1) pilot project, 2) planning forces? and 3) regulatory barriers for the housing authorities for further work. He said that the jurisdictions each had a preference and that all of those preferences were different. They were to meet the following week to discuss the options and considerations. He said that they would not do more than two (2) projects, but most likely limit it to one project. He said that the jurisdictions should send him an email if they were interested in the decision, which they would be making as early as next week.

Chair Hoffman said that the Housing Task Force would bring back a preliminary report for MPAC by early September.

Councilor Burkholder gave a brief summary of what the Housing Task Force had accomplished to date.

8. UPDATES

8.1 Measure 37

Councilor Liberty gave a brief report on the status in the region and at the legislature regarding Measure 37. A copy of that report is attached and forms part of the record. There was discussion about the increase in numbers of claims and the revenue and staffing problems in dealing with those claims. There was also discussion about creating a funding stream for claims and the waiver versus compensation issues related to claims.

8.2 Legislative

Councilor Liberty gave a brief report on the status of Metro related legislation. A copy of that report is attached and forms part of the record.

There being no further business, Chair Hoffman adjourned the meeting at 6:32 p.m.

Respectfully submitted,

Kim Bardes
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR MAY 25, 2005

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

AGENDA ITEM	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
#4 Council Update	May 2005	Resolution No. 05-3574A Establishing a Regional Habitat Protection, Restoration and Greenspaces Initiative Called Nature in Neighborhoods	052505-MPAC-01
#4 Council Update	May 2005	Resolution No. 05-3577A Approving the Tualatin Basin Natural Resources Coordinating Committee's Fish and Wildlife Habitat Protection Program	05505-MPAC-02
#6 Transportation Planning Rule	May 3, 2005	Letter to Lane Shetterly, DLCD from David Bragdon and Rex Burkholder re: Transportation Planning Rule (TPR)	052505-MPAC-03
#7 Affordable Housing	May 24, 2005	Memorandum from Jack Hoffman to MPAC re: Local Governments' Affordable Housing Progress Report	052505-MPAC-04

#Updates	May 24, 2005	Legislative Report as of Tuesday May 24, 2005	052505-MPAC-05
-----------------	--------------	--	----------------

M E M O R A N D U M

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1540 | FAX 503 797 1793



METRO

DATE: April 20, 2005
TO: Chair Jack Hoffman
Metro Policy Advisory Committee
FROM: Andy Cotugno, Planning Dept. Director
RE: APPOINTMENT OF NEW MTAC ALTERNATE

Per the MPAC Bylaws:

Each jurisdiction or organization named [to MTAC] shall annually notify MPAC of their nomination. MPAC may approve or reject any nomination. Revision of the membership of MTAC may occur consistent with MPAC bylaw amendment procedures...

Rich Faith, the Multnomah County/Other Cities (Troutdale) representative on MTAC, has notified us that his new alternate will be Tamara DeRidder, Fairview Planning Director. Please consider Ms. DeRidder's nomination to MTAC.

If you have any questions or comments, please don't hesitate to call me at 503-797-1763.

Thank you.

I:\gm\gmadm\staff\paulette\old_I\PAULETTE\MTAC\Tamara DeRidder Appt.doc

Summary

BACKGROUND

This report, *the Metro Corridors Case Study Report*, documents the research in Phase II of the Metro Corridors Project. The findings from this report and the Phase I Report are the basis for a final report to Metro, the *Metro Corridors Summary Report*.

The Metro Corridors Project is a study of Corridors within the context of the 2040 Growth Concept. Its purpose is to determine how the region can support the successful implementation of the Corridor design type to achieve the 2040 Growth Concept.

The Metro Corridors Project is divided into two phases:

- Phase I of the Metro Corridors Project, completed in December 2004, investigated land use and transportation issues in corridors in general and in a subset of specific Corridors in the Portland region. It resulted in the selection of a Corridor case study for Phase II of the project.
- Phase II of the project (this report) is a case study of the Beaverton-Hillsdale Highway and Canyon Road Corridors. Its purpose was to identify opportunities for and constraints to achieving the development in Corridors that the Metro 2040 Growth Concept, Regional Framework Plan, and related documents encourage or require. Phase II described how the case-study Corridors and the Beaverton Regional Center complement and compete with each other. It recommended a plan for land use and development and transportation and streetscape improvements that conform to regional guidelines for development in Corridors. Finally, it recommended changes to local, regional, and state policies that would be helpful for achieving the plan.

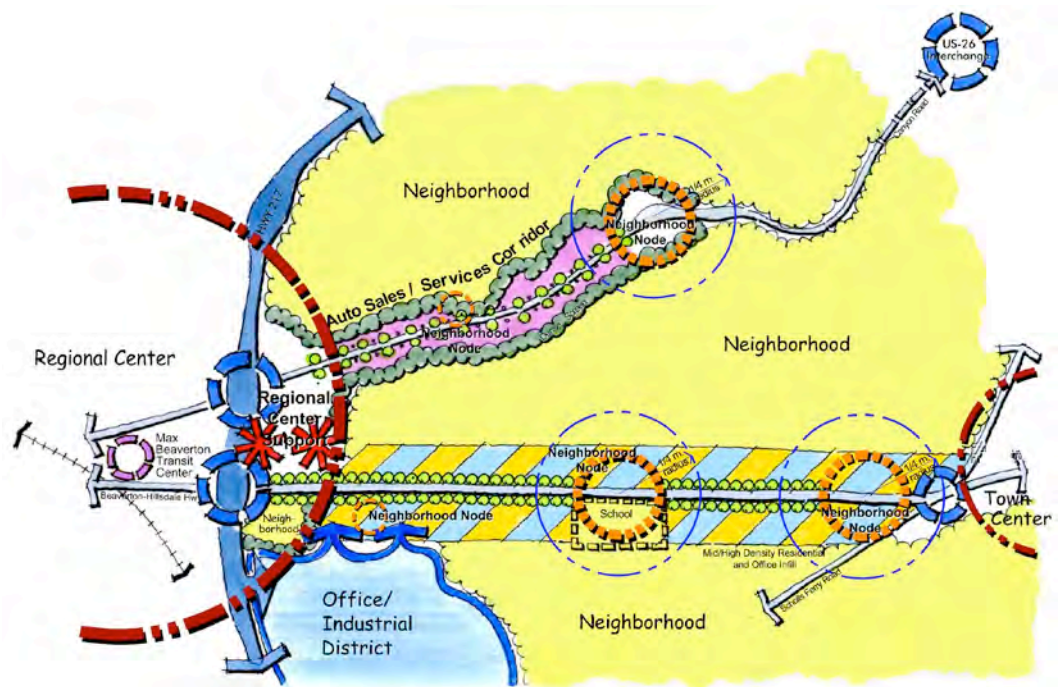
The report itself contains the details of the purpose, evaluation methods, data, assumptions, findings, and recommendations. This summary covers just the most important findings, organized as follows:

- **Land use and development concept** describes the land use and development concept for Canyon Road and the Beaverton-Hillsdale Highway.
- **Conclusions** present the consulting team's generalizations of the case-study findings to the rest of the region.
- **Recommendations** summarize the key policy changes that would be necessary to implement the land use, development, and transportation recommendations.

LAND USE AND DEVELOPMENT CONCEPT

Figure 1 shows the land use and development concept plan for the Canyon Road and Beaverton-Hillsdale Highway Corridors. The land use alternative concept retains the auto sales and services section along Canyon Road and the regional center-type big box uses at the western end of both Canyon Road and Beaverton-Hillsdale Highway Corridors. The majority of Beaverton-Hillsdale Highway is transformed from a commercial strip to four neighborhood serving retail areas and a neighborhood corridor—connecting centers to the east and the west and the residential neighborhoods to the north and the south—with primarily residential, office, lodging, and institutional uses.

Figure 1. Land use and development alternative concept, Canyon Road and Beaverton-Hillsdale Highway Corridors, 2005



Source: Freedman Tung & Bottomley, 2005.
Note: ECONorthwest made minor edits to the graph.

The elements of the land use and development alternative are:

- **Gateway.** Gateways are envisioned at the western end of both Canyon Rd. and the Beaverton Hillsdale Highway at 217. A gateway is envisioned at the eastern edge of the Raleigh Hills Town Center along the Beaverton Hillsdale Highway, and on the eastern end of Canyon Rd.
- **Regional center support: Big-box retail.** Large format retailers are concentrating at major intersections and freeway on- and off-ramps. It is not surprising, then, that this is a preferred location for big box retailers like Home Depot and Target.
- **Neighborhood center (node).** Four neighborhood centers are envisioned at 87th Street and Canyon Road, Beaverton-Hillsdale Highway near

Highway 217, Jesuit High School, and at Oleson Road. The commercial and retail uses in these nodes would be small format with a primarily neighborhood draw.

- **Neighborhood corridor: Mid/high density residential, office, lodging, and institutional infill.** The residential, office, lodging, and institutional segments along the Corridor includes commercial (primarily office) and residential (primarily multi-family) development uses. Development standards and design guidelines will be needed to insure, among other things, that non-residential uses are designed to be good neighbors to a potential residential neighbor on contiguous properties in all directions.

The redevelopment concept helps to facilitate the transition from a linear pattern of commercial development to a nodal pattern that is better able to respond to demand and investment preference, for example, the trend of large format retailers concentrating at major crossroads.

CONCLUSIONS

- **Corridors in the Portland metropolitan region are drawing from markets larger than those of the adjacent neighborhoods to support their retail sales.** The case study showed that there is more retail square footage in the Beaverton Corridors than the surrounding neighborhoods can support. Retail businesses along the Corridors are drawing customers from a larger region. The same is almost certainly true for other regional Corridors with significant retail.
- **If Corridors draw from the same regional markets that Centers do, then their effect on Centers depends on whether they are offering competing or complementary goods.** Lower land values, high drive-by traffic, generous parking, and large parcels give Corridors a comparative advantage over Centers for many types of retail. If Corridors offer the same types of retail and office space that are found in Centers, then they will be competing, at some level, for tenants. Retail that is land intensive and auto-oriented (e.g., building supplies and fast food) may prefer Corridor locations to those in Centers (but see next point).
- **National trends in retail show more new development at major intersections and less along extended strips.** The old distinctions between businesses that are center-oriented and those that are strip-oriented are blurring. The essential trade-off of development cost and access remains. Businesses in the past chose corridor locations because good access came with cheap land in large parcels. As congestion increases along corridors and land prices increase, the relative advantage of corridors on this dimension is decreasing. The result is that retail locations with the highest demand in the Metro area and across the nation are at major intersections. Not surprisingly, those intersections are on corridors.
- **There is an opportunity for the region to take advantage of national trends in retail to restructure strip development corridors.** The case-study analysis and advisory group gave evidence that there are good

reasons for retailers to develop along corridors. But they also supported the idea that the demand for retail along Corridors was more of a derived demand for ample space (and therefore less expensive land) with good access. If land with those attributes were available in Centers, then the retail on Corridors could locate in Centers, where Metro policy would like to shift it to. The problem is that historically the land in Centers could not compete on those dimensions with land in corridors. The gap has narrowed, not because land in Centers has become less expensive, but because the accessibility of Corridors relative to Centers has declined, and land prices of Corridors relative to Centers has increased. There are opportunities to (1) shift some retail directly to Metro Centers, (2) shift some retail (e.g., big box) to the edge of Centers—at the boundary between Centers and their connecting Corridors—where the uses might be complementary, and (3) concentrate some of the retail in Corridors into smaller “centers” or nodes¹ that occur along different segments of the Corridors (which will increase the possibility that some of the use along the Corridors will shift to residential uses).

- **Residential, office, lodging, and institutional uses have the potential to supplant retail as the highest and best uses along some parts of Corridors.** Residential uses could become the primary use in Corridor segments (with office, lodging, and institutional playing a secondary role) between the concentrations of retail around retail nodes in the Corridors. We say these uses have the *potential* to supplant retail because redeveloping the Corridors for these uses requires that the streetscape and the surrounding non-residential uses be designed (or redesigned) to support and complement these new uses, especially the residential ones.
- **Redeveloped Corridors would support Centers.** Encouraging higher-density retail at major intersections and Centers; increasing the capacity for residential, office, lodging, and institutional uses in Corridors; and identifying space for large-format retailers at the edge of Centers can encourage the redevelopment of Corridors that support Centers.

There is clearly a competition between Centers and Corridors for many types of development. But that does not mean that restricting all that development in Corridors would force it to Centers. Squeezed out would be many businesses with low capitalization (including small start-ups) and highly capitalized businesses that have a standard big-box, land-intensive development format. Total economic activity would be lower and prices slightly higher for retail goods in the absence of retail development in Corridors.² There is the possibility that properly constructed could facilitate the commercial development most appropriate for Corridors, redirect some types of commercial development toward Centers or their

¹ We use the term neighborhood centers, noting that the term *centers* is used by Metro to refer to a hierarchy of Region 2040 Centers. The neighborhood center was introduced in the land use and development concept Chapter 4. The recommendations include adding neighborhood corridor to a typology to describe the uses (primarily residential, office, lodging, and institutional) between neighborhood, regional, and town centers.

² We do not comment here on whether that tradeoff is desirable: we are just describing the direction of the likely effects.

fringes, improve Corridor function, and in doing all of that, make Corridors work better.

- **A major transformation of current Corridors will require a major transformation of the streetscape.** It did not take this study to discover that a lot of development in Corridors in Portland and elsewhere is aesthetically disadvantaged designed with no thought of pedestrian use. These conditions, plus large traffic volumes and noise, make Corridors incompatible with residential uses today. Residential uses are less likely to be successful until the streetscape is changed to make Corridors more pedestrian friendly and to provide buffers (such as street trees for noise reduction and increased privacy).
- **Transportation improvements can decrease congestion and increase mobility and access along Corridors.** The transportation improvements listed in Chapter 4 will help to improve mobility and access for all modes of travel in Corridors. Local jurisdictions should develop and implement network plans that prescriptively improve conditions for non-vehicular modes. These plans should specifically identify missing links and secondary street alternatives that will preserve Corridor mobility for through traffic, ensure more direct off-corridor connections, and increase pleasant pedestrian and bicycle options on collector and local streets for access along the corridor and between neighborhoods. Corridor level planning recognizes that large format auto scale development typical in corridors will require a new armature of street connectivity.

Recommended urban design guidance should be included in site plan review to produce active comfortable walking and bicycle environments especially around transit nodes to improve non-SOV mode share.

- **Without the benefit of clear public policy and public investment, most Corridors will change slowly.** There are multiple conditions that would provide opportunities for the restructuring of Corridors. They include market trends in retail that encourage retail to locate at major intersections, disinvestment along strip Corridors, increases in residential land values that are closing the gap between residential and commercial land values in Corridors, and increasing congestion along Corridors. These forces will slowly cause change in the development in Corridors. If the region wants that change to occur faster and with more coherence and amenity, then some policies—which could be adopted at the state, regional, or local level depending on their type—are probably necessary. A comprehensive policy would address all phases of implementation: identifying needed transportation/streetscape improvements, prioritizing Corridor investment, determining the interest of local jurisdictions to planning activities, and determining funding strategies.
- **Public efforts undertaken to transform development in Corridors will need to do all the things that are now typical of sub-area and Corridor planning in Oregon, and then some.**
 - **Public involvement.** Resistance to restructured Corridors is often the biggest barrier to implementation. The consultants' experience

elsewhere in restructuring Centers and Corridors suggests that approximately six local workshops are necessary for the successful adoption of a restructured Corridor plan. This level of public involvement is required to collect information from stakeholders, process the information, educate stakeholders on the existing conditions and market conditions, create alternatives, and to adopt a final plan.

- **Economic analysis.** A fundamental conclusion about major transformations of current Corridor patterns that are extended, low-density commercial strips is that the retail needs to be concentrated, and that some of the commercial land should convert to high-density residential uses. In similar restructuring projects in other parts of the country examined for this project, local property owners resisted the removal of retail entitlements, believing that the retail market would rebound and demand for retail in a Corridor would increase. A comprehensive economic study that identifies prototypical developments that are viable in a restructured Corridor is necessary to show property owners that there is an alternative to retail.

The economic study has the additional benefit of showing how a restructured Corridor and the accompanying policies would increase the value of properties over the long term. Such a study would help jurisdictions defend themselves against potential Measure 37 claims (assuming that the economic study can demonstrate a likely increase in property values).

- **Local evaluation.** Many of the findings of the case-study Corridors are applicable in some form to Corridors throughout the region (primarily in suburban locations), but local conditions will dictate how restructuring occurs.
 - How close is the regional, town, or neighborhood center?
 - Are there specialty segments along the Corridor?
 - What is the local market for housing, office, and lodging?
 - Are parcels in the Corridor difficult to redevelop because of size (especially the depth of the parcels)?
 - What are the existing transportation conditions, including volumes, speeds, transit service, accident history, bicycle and pedestrian environment and streetscape design?
 - Are existing uses thriving, stagnant, or blighted?
- **State, regional, and local funding for transportation improvements along Corridors is necessary to support the land use and development alternatives.** A consistent message throughout this study was “there is not enough money to do Centers; where will the money for Corridors come from?” This question is in part one about priorities and has the obvious set of answers: increase total funding so there is more for Corridor restructuring; shift money from Centers to Corridors; decide that public

investment in restructuring of Corridors is not a high enough priority to merit a share of the limited funding available.

RECOMMENDATIONS

This section lists the recommended changes to state, regional, and local agency rules and policies.

STATE AGENCY RULES AND POLICIES

- S1: Re-examine AASHTO interpretation within Corridors.
- S2: Designate UBAs only if they provide an opportunity to improve the land use or transportation conditions of a Corridor.
- S3: Develop state-local agreements regarding transportation and streetscape improvements in the Corridors.
- S4: Increase funding for Corridors in the State Transportation Improvement Program (STIP).

REGIONAL AGENCY RULES AND POLICIES

- R1: Recognize Corridor segment typologies as a tool for corridor planning.
- R2: Provide Functional Plan support for retail clusters.
- R3: Emphasize the importance of corridor planning to improve transportation system and enhance centers.
- R4: Increase the priority of Corridor funding in the Metropolitan Transportation Improvement Program (MTIP).
- R5: Streamline street-design standards and requirements in the Regional Transportation Plan.
- R6: Develop gateways in the Corridors.

LOCAL AGENCY RULES AND POLICIES

- L1: Change road designs policies within the Transportation System Plans (TSPs) or public works standards to encourage transportation improvements that support the land use and development alternatives and remove barriers.
- L2: Rezone the neighborhood corridor segments to limit the amount of retail and allow for the density of residential, office, lodging, institutional and limited commercial uses envisioned by the land use and development alternatives.
- L3: Implement transportation and street-design strategies to support the land use and development alternative.
- L4: Review current codes for appropriate design guidelines and development standards for retail in corridors.
- L5: Provide incentives to encourage the redevelopment of Corridors.