

Summary Report:
Columbia Corridor
Scoping Project

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PREFACE

In 2005, at the request of the City of Portland Bureau of Planning, Adolfson Associates, Inc. (Adolfson) prepared a draft scope of work and work plan for a collaborative inter-bureau project—to be primarily led by the Bureau of Planning—for natural resources conservation and protection in the Columbia Corridor area. This scoping project was built upon recent and ongoing City of Portland efforts including the *River Renaissance Strategy* (2004), *Industrial Lands Atlas* (2004), *Portland Watershed Management Plan* (2005), Metro’s Nature in Neighborhoods Program, and the City of Portland’s Natural Resource Inventory Update Project. Adolfson staff worked closely with the Bureau of Planning and a targeted group of stakeholders to determine their needs and issues related to preparation of a planning effort for the Corridor.

This summary report presents the results of this scoping project. Additional detail about the scoping project, including a setting description, stakeholder interview summaries and individual stakeholder comments, a draft Project Elements Memorandum, and an analysis of planning area alternatives can be found at www.portlandonline.com/planning/index.cfm?c=39983.

The scope of work developed through this effort was considered in the City of Portland budget process for Fiscal Year 2006-07, and was evaluated along with numerous other Bureau of Planning workplan alternatives through a process that included the participation of bureau employees, the Planning Commission, and a stakeholder-based citizen budget group. Conclusions included:

- Proposed Columbia Corridor project elements developed through this scoping effort would advance the *River Renaissance Strategy* and help implement the recently adopted *Portland Watershed Management Plan*; further, the project elements would help achieve City compliance with Metro’s Nature in Neighborhoods program and contribute towards meeting Clean Water Act requirements.
- Due to other bureau commitments that will continue into next fiscal year, funding and staff capacity would not be available to initiate a project in the Columbia Corridor during Fiscal Year 2006-07.
- In anticipation of significant upcoming investment in the Interstate 5 corridor linking Oregon and Washington, the Bureau of Planning’s three-year workplan includes development of a multi-objective Columbia Corridor Plan – a plan for the future of the Corridor that would address the unique economic, industrial, environmental, hydrological and transportation issues in the Columbia Corridor. Scoping for this planning effort is expected to start in spring 2008.
- The thinking process and products of the 2005 Columbia Corridor Scoping Project, described in this summary report, are valuable contributions to any future project in the Corridor and will provide a significant starting point for upcoming planning efforts.

1.0 INTRODUCTION

The Columbia Corridor is generally the Columbia Slough Watershed, including the land north of Marine Drive on the Columbia River. The specific geographic boundaries vary depending on the type of approach outlined in the work plan. For some approaches the watershed within the city-limits is most appropriate, while for other approaches the area north of Columbia Boulevard is more appropriate. Within the descriptions of work plan elements, geographic applicability will be described.

Through informal discussions over the last few years with a variety of stakeholders in the Columbia Corridor area, the Bureau of Planning has identified a number of problems and issues related to the challenge of conserving, protecting, and restoring high value natural resources in the area. The Columbia Corridor area is complex in that it also includes some of the region's most valuable industrial and employment land and freight distribution facilities. Stakeholders have also noted that existing plans and regulations are contained in multiple documents, and the different regulatory layers can be cumbersome and confusing.

Adding further complexity is the fact that much of the Columbia Corridor's hydrologic system (the Columbia Slough and associated drainageways) is highly managed. Large areas of the floodplain are controlled within a levee system, while other areas, such as the 8.5 miles of tidally influenced Lower Slough, are not. High-value and unique natural resources exist in both the managed and non-managed floodplain areas.

In the summer of 2005, the City of Portland Bureau of Planning and EnviroIssues, a local consultant, initiated a series of interviews with a targeted group of stakeholders—including agency partners, community residents, watershed and environmental organizations, large and small property owners, and business/industry representatives—to better understand issues, concerns, aspirations, opportunities and challenges in this area. The discussions were initiated as part of this scoping process and provided the groundwork for the potential future planning effort to address identified concerns.

Why pursue a scoping process?

The *River Renaissance Strategy*, adopted in December 2004, advances a multi-objective approach to improve the economic, ecological and cultural health of Portland's rivers, streams and watersheds. The strategy includes guiding principles and policies, progress measures, and a set of actions for the City of Portland—along with a variety of public and private partners—to carry out the River Renaissance Vision.

Among the actions identified in the *River Renaissance Strategy* is:

Develop an area-specific approach to coordinate and integrate natural resource conservation planning with the unique characteristics of the Columbia Corridor, such as

regionally significant industrial development, freight distribution, and hydrology/managed floodplain.

Collaborative problem-solving and partnerships are cornerstones of the River Renaissance philosophy. The Bureau of Planning is committed to collaborating with a number of partners, including other City bureaus, Multnomah County Drainage District, the Columbia Slough Watershed Council, Metro, the Port of Portland, neighbors, property owners, industrial and business representatives, and others, to ensure that any effort resulting from this scoping process successfully meets identified goals and criteria.

Why now?

There are several circumstances that prompt this scoping effort. Many parties have expressed strong interest in exploring the use of an area plan or “district plan” approach to advance Portland’s compliance with regional, state, and federal regulatory obligations, such as the Clean Water Act, Endangered Species Act, and Metro’s Nature in Neighborhoods *Functional Plan* requirements to protect regionally significant natural resources. An area-specific approach may be appropriate given this area’s unique characteristics (e.g., managed floodplain, priority industrial land, and remnants of unique and high value natural resources).

Further, recent analysis of the City of Portland’s vacant industrial land (*Industrial Districts Atlas*, 2004) identifies vacant land within the Columbia Corridor, some of which is considered “partly buildable”¹. Consistent with River Renaissance, any planning project here should consider a range of natural resource management tools that would be specifically tailored to and complementary with the significant industrial resources in this geographical area.

The City’s recent focus on regulatory improvement also provides a context for scoping a potential planning project here. There is community and City bureau support for reviewing, clarifying, simplifying, and potentially consolidating environmental regulations affecting the Columbia Corridor, while continuing to protect and restore important natural resources. Business and industrial stakeholders have expressed strong interest in reducing regulatory barriers and uncertainty that complicate development and redevelopment efforts.

In addition to the *River Renaissance Strategy* and the *Industrial Lands Atlas*, this scoping project has been informed by, and will continue to build on, recent and ongoing efforts including the City of Portland’s *Portland Watershed Management Plan*, Metro’s Nature in Neighborhoods Program, and the City of Portland’s Natural Resource Inventory update.

What is necessary for this effort to be successful?

Any planning approach that grows from this scoping effort should reflect the complex mix of industrial, employment, and freight distribution characteristics of the area, as well as its unique

¹ Partly buildable lands are affected by 100 year floodplain; within the 1996 flood inundation area; subject to Metro’s Title 3 wetland requirements; have slopes exceeding 10 percent; and/or designated by Metro as Habitat Conservation Area.

ecological and cultural resources, hydrology, and managed floodplain. Consistent with the principles of River Renaissance, solutions should strive to achieve multiple objectives simultaneously rather than pit one goal against another.

The project scope described in this document incorporates a creative set of natural resource management tools intended to meet the multiple project objectives. While the project is generally intended to apply within the Columbia Slough watershed, with a focus on the Columbia Corridor area within the city of Portland, different project elements are designed to apply to different geographical areas.

2.0 PROJECT INTENT AND SUCCESS CRITERIA

A wealth of information was gathered during the summer 2005 stakeholder interviews, prior interviews, and from other sources regarding issues, concerns, opportunities, challenges, and desired outcomes for the Columbia Corridor planning process. This body of information was used by Adolfson and Bureau of Planning staff to develop project success criteria that would be used to guide the scoping process and the eventual area planning process for the Corridor. A project intent statement was also crafted in order to clearly express *why* this process is taking place. Following are the project intent and success criteria that will guide the development of the scope of work and the eventual planning project:

Project Intent: Coordinate and integrate natural resource conservation approaches with the unique watershed, hydrological, economic, and transportation characteristics of the Columbia Corridor area (*adapted from the River Renaissance Strategy, 2004*).

Project Objectives:

- Simplify and improve consistency in environmental regulations, while seeking overall improvements to watershed conditions in the Columbia Corridor area
- Facilitate development and operations (business, industry, facility and resource management, etc.) that are both ecologically sensitive and economically viable, consistent with *River Renaissance Strategy* principles
- Achieve or advance compliance with Metro's Nature in Neighborhoods Program, Clean Water Act Total Maximum Daily Loads (TMDL) for the Columbia Slough, Safe Drinking Water Act, and other regulatory requirements
- Identify and engage in partnerships to carry out the initial planning and long-term implementation
- Develop a set of replicable, cost-effective, and equitable approaches and tools that can be readily understood and implemented
- Focus the effort to address problems and issues specific to the Columbia Corridor area; use this project as an opportunity to test innovative approaches that may have broader watershed and/or citywide applicability as well

- Support partner cities and agencies in their efforts to comply with regional, state and federal requirements through creative, multi-objective strategies

Criteria for Success

The following draft success criteria address both process and outcomes. The first five criteria were mentioned fairly consistently among stakeholders who were interviewed during the scoping effort. These are followed by a list of additional criteria that were expressed by individuals and do not represent a consensus among stakeholders, but are important to consider as the City proceeds through the next steps of this scoping effort and area planning project.

1) Clearly defined project purpose that is understood by all parties involved. If the Planning Bureau goes forward with a planning project in the Columbia Corridor they must be absolutely clear what the purpose and scope of the project is. The purpose and scope must be understood by all of the stakeholders involved in the Corridor. A successful plan will start with a clearly defined and understood purpose and need. Three issues that must be addressed are 1) motives for the project, 2) fear that environmental protections would be reduced, and 3) concern regarding adding more regulatory requirements to an already complex system.

The following are examples of comments regarding a clear purpose for the planning project and clarity of the plan scope:

- The intent and outcomes of the proposed plan need to be well defined up front.
- If the plan is developed as a Natural Resource Management Plan, the plan and its goals will be very successful. Landowner, agency, environmental groups, neighborhood associations and the Port will buy into the plan and would work collaboratively to meet the goals of the plan.
- Clearly identify a City vision for the alternative approach and its associated goals and objectives before work is begun in developing the alternative approach. The goal of the proposed plan needs to be clear; want to see more discussion of the value of the vision; stakeholders need to be involved in developing the vision and buy into it.

The parameters of the scope must also be very clear. Several stakeholders have expressed concern that the project would take on too much, too many broad issues, and in trying to reach too far will fail to be successful. For example, many issues beyond environmental protection and the development review process have been discussed for inclusion in this planning process, including, transportation issues, economic development, recreation, better integration of City Bureau functions in the Corridor, and green infrastructure and sustainable development. A comprehensive planning process of the size necessary to include all of the issues facing the Corridor and address them fully and properly would be a multi-year effort. Several stakeholders identified problems that need to be addressed immediately and cannot wait for a multi-year, comprehensive planning effort to be completed.

2) Stakeholder involvement early in the planning process and throughout the process. All stakeholders were unanimous in commenting that any planning process in the Corridor must include extensive stakeholder input and involvement from the very beginning and all the way

through the process. This is another must-achieve criterion for success of the planning effort. Some of the supporting comments include:

- Buy-in from all of the stakeholders up front with what type of plan or projects would be best for this area.
- Need to get buy-in from stakeholders early on, and get many individual pockets of support. The City needs to have neighbors active in the planning process. Neighborhoods trust the information more if their representatives are involved. Avoid surprises.
- The City should work closely with the watershed council and neighborhood associations.
- The group of stakeholders needs to be expanded to include residents, small business owners, and others. The City should invest some money and time in the outreach effort.

3) Regulatory simplicity and certainty and more efficient and effective tools for meeting the goals for the Corridor. It is clear from the stakeholder interviews that one of the prime project success criteria has to be a clear simplification of the regulatory process within the Columbia Corridor without loss to the current level of resource protection. The complexity and inconsistency of regulations across the Corridor was mentioned many times as an existing problem and barrier in the area. It is a barrier to both effective review of development proposals and to environmental restoration efforts.

The details of this regulatory complexity varied among the stakeholders, as did the proposed solutions to the problem. In some cases proposed solutions conflicted in the details, but the underlying message is clear: Whatever type of project the Planning Bureau proposes to go forward with must result in a simplification of the regulatory system in the Corridor without loss to the current level of resource protection.

Here are some of the most relevant comments that support these criteria:

- Less complex process for review of development projects and environmental restoration applications.
- Additional flexibility in regulatory interpretation, streamlining of the system (especially for less complex projects), and increased certainty with regards to mitigation and specific standards, such as the distance buffer to a waterway.
- Processes are streamlined to encourage more environmental restoration projects and to take advantage of recent process changes to other City regulations that facilitate environmental restoration.
- Reconcile the different requirements across the plan districts, NRMP areas, and environmental zoning code. Apply regulations in a more consistent way to allow similar properties or uses to be treated in similar ways during the permitting process.

4) Resolution of issues and uncertainty related to mitigation. There was near unanimous consensus among stakeholders that the process of requiring, constructing, and monitoring mitigation efforts in the Corridor needs to be improved. Mitigation bank or fee-in-lieu program options were most often mentioned, but it is clear that some range of alternatives to the current mitigation process need to be developed. All agree that the current system does not necessarily lead to successful mitigation in terms of both replacement of lost resource values and cost effectiveness to the applicant. Mitigation success is perceived as low and monitoring and maintenance inadequate. The Corridor planning project will be a success if more efficient and effective alternative mitigation options are implemented within the Corridor.

5) Evaluation and integration of the good work that has already been done in the Corridor. It was stressed by many stakeholders in the interviews that much good work has already been done in the Corridor toward meeting resource protection and restoration goals and in planning for economic development and business growth. This good work needs to be acknowledged, thoroughly evaluated, and the best elements brought forward in any new planning process for the Corridor. Some examples from the stakeholder comments include:

- Fully recognize and utilize the Columbia Slough Watershed Council Action Plan, which was borne of a collaborative effort and is supported by many stakeholders.
- Do not want to see the good parts of the natural Smith-Bybee Lake NRMP lost or superseded by a new plan.
- There are provisions of the Columbia South Shore Plan District that work well, including flexibility to proceed with certain allowed uses without a need for review. A new plan should not decrease that flexibility.

6) Other issues to consider. Individual stakeholders mentioned specific success criteria that they considered necessary for a successful project. While these criteria were not consistently expressed by interviewees and do not represent a consensus among stakeholders, they are important to consider as the City moves forward in this scoping effort.

- Any resulting planning effort must include a process for making policy decisions to provide clarity about direction and resolve inherent tensions between goals.
- Natural resource goals must be integrated with other public policy goals, not pitted against them.
- Consistency with Metro Regional requirements (Title 3 and 13).
- Recognize other state and federal regulatory requirements (TMDLs, MS4 permit, ESA, etc.) and coordinate with other agencies on overlapping permit and mitigation requirements.
- Remove barriers and provide incentives and partnership opportunities to promote resource enhancement (e.g., streamlined permitting, cost-sharing, resource enhancement credits, etc.) – aka “make it easier to do the right thing.”

- Determine process for resolving trail designation issues on zoning maps and facilitate the completion of the designated segments of the 40-mile loop trail that are in the Corridor.
- Any resulting planning project must include a combination of regulatory and non-regulatory elements.
- Look at the range of constraints on developing vacant industrial land (e.g., brownfield clean-up requirements) to inform how to best target efforts.

Some interviewees identified criteria that are outcome-related and that raise policy questions that will likely be appropriate to address in any planning project that springs from this scoping effort. Examples include:

- No matter what, increase protected habitat (upland, secondary drainage ways and main slough).
- No-net-loss of natural resources.
- Recognition of the Port's dedicated land use areas such as the airport and Rivergate.
- A process that works to create more jobs and economic opportunity; if these happen, the rest of what constitutes a desirable environment to live in will follow.
- Acceptance by local regulators of federal and state general permits already received by the Drainage Districts.
- Regulate to protect the high value natural resources; use incentives to protect lower value.

3.0 THE SCOPING PROCESS

At the conclusion of the summer of 2005 interviews with stakeholders, Adolfson prepared a technical report presenting a menu of potential project elements to be considered by the City for use in the development of the Columbia Corridor planning project. These potential project elements were selected as options to consider in addressing the issues, concerns, and opportunities that were identified by the stakeholder groups and others during the project scoping phase. The potential project elements were evaluated for consistency with the scoping project intent, principles, and success criteria as appropriate. Both regulatory and non-regulatory project elements were evaluated with an emphasis on providing incentives to encourage natural resource protection and environmentally sensitive development.

Additional meetings with stakeholders were conducted by the Bureau of Planning to help identify specific project elements that would be most appropriate to move forward as the main effort of the Corridor planning process. Three project elements, considered to be the minimum effort necessary to address issues expressed by key Corridor stakeholders during the scoping process, have been identified as a core work program. Five additional project elements are identified as add-on modules—potential elements that can be added to the core work program if selected by elected officials and/or funding sources can be identified to support them. Add-on

modules could be carried out concurrently with the core program, or could be phased over time as funding became available.

The core project elements and add-on project elements are described below. A component of all the elements, whether core or add-on module, is public involvement. A public involvement strategy must be developed for each element of the approved work plan. The strategy will cover each of the work plan tasks and continue on from the current Corridor stakeholder process, expanding to include other identified stakeholders.

4.0 CORE WORK PROGRAM

The core work program consists of three project elements. The first is to consolidate, update, and streamline existing City plans, programs, zoning regulations, and procedures. The second project element is to prepare an opportunity site portfolio, site development analysis, and prototype designs for select industrial properties in the Corridor. The third core element is to re-establish and clarify the trail alignment along the Columbia Slough.

Detailed descriptions of the core project elements are provided below, along with discussions of their strengths, partnership opportunities, geographic applicability, and products.

4.1 Core Element 1: Consolidate, update, and streamline City plans, programs, zoning regulations, and procedures`

4.1.1 Project intent

The majority of stakeholders interviewed favored consolidating regulations if resource protections were not compromised and if it made the permitting process less complex. But, because of the existing complexities of regulations within the Corridor, options that provide the highest degree of regulatory simplicity throughout the Corridor also require the highest degree of complexity for the scoping and completion of any future planning project. There are three existing regulatory mechanisms to consider in the Corridor: Natural Resource Management Plans (NRMPs), Plan Districts, and Overlay Zones. Additionally, the current regulations cover a variety of land use issues including environmental protection/conservation, industry, cultural and scenic resources, and hazardous waste. This project element would focus on environmental issues for the whole Corridor, rather than take on all of the other industrial and commercial issues within the Corridor. This core project element can be subdivided into the project tasks discussed in the following section.

4.1.2 Project tasks

- A. Diagnostic analysis. The first step would be to conduct a diagnostic analysis to determine which of the land use regulations can best be streamlined, consolidated, or simplified. This analysis would also evaluate policy issues, process issues, and the relationships among City, state, and federal regulations as described below. There may be opportunities for all or some of the sub-tasks 1 through 4 below to be completed by consultants in collaboration with Bureau of Planning staff.
1. Policies: Map out the existing City policy framework and identify gaps and/or inconsistencies. *Product:* Technical memorandum
 2. City regulations and processes: Assess the effectiveness and workability of City regulations and review processes that currently apply in the Columbia Corridor area. *Product:* Technical memorandum
 - a. Document regulatory history and precedents as background for analysis
 - b. Problem identification: what currently works well; what doesn't; and why? Include the south bank of Columbia River in analysis phase.
 - c. Isolate issues that could be piloted in the Corridor but may be expanded Citywide.
 3. Relationship among City, state and federal regulations: Analyze the relationship among City, state, and federal regulations and permit review processes; cross-check the Zoning Code with other City codes to identify conflicts and to identify opportunities to streamline, consolidate, and simplify regulations and review procedures. *Product:* Technical memorandum
 4. Relationship with Airport planning: Acknowledge the separate but parallel Airport area planning process and identify how to most effectively/efficiently coordinate planning efforts with the Corridor project. *Product:* Incorporate with other technical memoranda as appropriate.
- B. Affirm project direction with stakeholders. *Product:* Stakeholder meeting or individual or small group contacts.
- C. Refine scope of work
- D. Design public involvement strategy. Completion of this sub-task may benefit from consultant assistance.
- E. Develop a Metro *Nature in Neighborhoods* program (Metro NiN) and TMDL compliance strategy for Columbia Slough watershed within Portland. *Product:* Technical memorandum

1. Identify elements to be addressed through this effort
2. Identify any follow-up elements to be addressed through subsequent projects, if necessary
3. Affirm strategy with Metro staff
4. Consult with neighboring jurisdictions to identify partnership opportunities

F. Design mitigation strategy. The process of requiring, constructing, and monitoring mitigation efforts in the Corridor needs to be improved. A range of alternatives to the current mitigation process needs to be developed, with a mitigation bank or a fee-in-lieu program the most likely options. There may be opportunities for all or some of the sub-tasks 1 through 4 below to be completed by consultants in collaboration with Bureau of Planning staff.

Products: Technical memorandum, GIS inventory maps.

1. Explore innovative approaches to optimize mitigation including evaluating mitigation prototypes and developing a fee-in-lieu-of-mitigation strategy
2. Identify potential regulatory changes to advance this strategy
3. Coordinate with Airport area planning process, as appropriate
4. Establish an inventory of existing mitigation sites and mitigation opportunity areas, and develop a plan for maintaining the inventory over time (assign responsibility and identify ongoing budget).

G. Policy update and regulatory improvement. This sub-task is the scope of work to move forward with the recommendations presented in the technical memos completed under previous sub-tasks. There may be opportunities for some of the sub-tasks to be completed by consultants in collaboration with Bureau of Planning staff, as indicated below. *Products:* Internal and public review report drafts, Staff report and recommendations to Planning Commission, Planning Commission report and recommendation to City Council, policy documents, multiple draft codes, final code changes, GIS inventory maps, potential zone map changes. This sub-task would also include multiple public meetings requiring notices, display products, and other informational products.

1. Develop a draft policy framework
2. Review and affirm draft policy framework and public review strategy with stakeholders.
3. Identify goals and evaluation criteria to guide regulatory improvement.
4. Develop draft concepts for code and process improvements, focusing on consolidation, simplification, and providing regulatory incentives to encourage resource enhancement and discourage impacts. Provide simpler review option for

- projects that meet standards and/or include resource enhancement, where such option doesn't currently exist. Incorporate mitigation strategy into code, as appropriate. Resolve any outstanding code issues related to balanced cut and fill in the managed floodplain (drainage districts). Assess potential solutions against goals and evaluation criteria. (Potential for consultant assistance)
5. Review draft policy, code and process improvement concepts with stakeholders working with the Columbia Slough Watershed Council as a primary forum for soliciting stakeholder input. (Potential for consultant assistance)
 6. Refine concepts, based on stakeholder input. Prepare and distribute public review draft. Host public meetings. (Potential for consultant assistance)
 7. Develop draft code language and prepare report and recommendations for Planning Commission. (Potential for consultant assistance)
 8. Planning Commission hearings.
 9. Develop Planning Commission recommended draft report.
 10. City Council hearings.

H. Compliance with Metro NiN

1. Consult with Metro staff
2. Prepare documentation for compliance package submittal

4.1.3 Strengths

Code consolidation and simplification/streamlining of regulatory approaches address the negative or disincentive aspects of regulations by trying to create a “culture of compliance” that will lead to more successful, equitable, and cost-effective protection and enhancement of sensitive areas and natural resources.

Generally, consolidation provides for simpler code, and potentially fewer procedures and types of review processes. For example, a developer may only need to refer to one code section rather than consult with several different code chapters to determine the standards applying to a project anywhere within the Corridor. This results in less time and expense to understand and address regulations. There is also savings to the City, since less staff time and accompanying expense is needed to implement the code and review processes.

Regulatory simplification and streamlining focuses on changing regulations and procedures to improve compliance and provide incentives to protect or restore sensitive areas and natural resources. Approaches can be flexible and can target specific areas, land uses, or natural resources. One such approach is to remove regulatory disincentives or barriers to resource enhancement efforts, while another approach promises landowners “safe harbors” where they

may avoid extensive documentation or cost for environmental compliance if they follow a prescribed set of standards or rules. Either approach is a “win-win” for landowners and natural resources as the result is more resource protection and more certainty for landowners. More certainty generally means less time and cost for the landowner/developer.

Innovative mitigation approaches and fee-in-lieu strategies also increase certainty and flexibility for landowners. Mitigation prototypes can be developed that would reduce some of the cost of design of mitigation projects. A fee-in-lieu program would provide land owners with a more straightforward option for required mitigation and may concentrate mitigation into areas where it would provide the greatest value. Additionally the mitigation sites are more likely to be closely monitored and maintained by a designated mitigation provider.

4.1.4 Partnership Opportunities

The Bureau of Planning would be the lead on this project element but would need considerable assistance from other City bureaus including the Bureau of Development Services, the Bureau of Environmental Services, Portland Parks & Recreation, and the Portland Office of Transportation.

The Portland Development Commission would also be an important partner, as would the City of Portland Office of Sustainable Development, Metro, the Multnomah County Drainage District, Port of Portland, the Columbia Slough Watershed Council, and the Columbia Corridor Association. The state and federal agencies would also need to be involved as well as neighborhood and other advocacy groups.

4.1.5 Geographic Applicability

This project element would be applied to the Columbia Slough watershed within Portland and primarily to the Corridor north of Columbia Boulevard. The area north of Marine Drive along the Columbia River shoreline would also be part of the diagnostic analysis and may be included in any code streamlining, although not if it is found that it would add significant complexity or time to the process.

Some elements of the code streamlining/update may be applied citywide (e.g., mitigation and fee-in-lieu strategies) but would be used as a pilot project and tested in the Corridor.

4.2 Core Element 2: Innovations in Site Design for Industrial Development and Redevelopment in the Columbia Corridor

4.2.1 Project intent

This element is designed to facilitate new development/redevelopment of industrial sites that are particularly challenging due to environmental and other physical constraints, using innovative

approaches to integrate stormwater and natural resource protection and restoration into site design.

Metro took initial steps toward developing prototype industrial development designs as part of the development of its regional fish and wildlife habitat program. These initial prototype designs could be more fully developed, including more detailed cost analyses, and would be specifically adapted to the Corridor.

This project element would provide an on-the-ground demonstration of *Portland Watershed Management Plan* implementation strategies for stormwater management, protection, revegetation, and education/stewardship and would advance the ongoing work of the Bureau of Environmental Services Sustainable Stormwater Group. The project would also help contribute towards the City's compliance with Metro's Nature in Neighborhoods program and state water quality standards by providing replicable models for site design in industrial areas.

This project element would be closely coordinated with the Office of Sustainable Development's G/Rated Program. G/Rated educates building industry professionals and the public about the benefits of green building and makes green building practices easier to implement through first tier technical assistance, the Green Investment Fund grant program, and connecting professionals with green building resources. Sites selected for design services through this project would be designed to meet LEED site design and stormwater management standards. Development projects selected through this effort may be well-positioned to apply for City of Portland Green Investment Fund grants.

4.2.2 Project Tasks

- A. Prepare case study analyses of eight to ten industrial sites in the Columbia Corridor. Case studies will be used to assess site opportunities and constraints, help identify barriers to innovative site design in current codes, evaluate potential code improvement options, and test a range of design solutions that strive to optimize resource protection and productive industrial use. Sites should be selected to maximize the potential transferability of design solutions to other sites with similar characteristics and challenges; to accomplish this, selected sites should reflect a diversity of sizes, types of industrial use, ownership characteristics (long-time owners and sites owned/optioned by developers), environmental features and functions, and other factors.
- B. Conduct interviews with property owners in conjunction with the case studies. A first interview would explain the project and identify landowner goals and issues associated with the site. After completion of the site assessments, design work and cost analyses, a follow-up interview would be conducted with each owner to critically review project results.
- C. Develop a Design Notebook: a collection of site plans for five to eight industrial sites in the Columbia Corridor, with accompanying sketches and/or photos, illustrating potential design solutions to optimize stormwater management and natural resource protection and/or restoration and productive, financially viable industrial potential of the site. Transferability of lessons learned will be highlighted. For each design, a development cost analysis would be conducted, taking into account short- and long-term operating and maintenance costs as

well as up-front development costs. In addition, short- and long-term benefits to watershed health resulting from site design practices would be described and quantified (e.g., quantity of stormwater removed from the system; amount of shading achieved through tree preservation) – with estimates for the valuation of private and public benefit resulting from these improvements to watershed health.

- D. Develop a Best Practices Handbook: Text and illustrative examples of innovative and cost-effective techniques for development and redevelopment on environmentally sensitive industrial sites, drawn from the Design Notebook and local, regional, national and international sources.

4.2.3 Strengths

Through a case study approach, project partners would collaboratively build a deeper understanding of development and redevelopment opportunities and impediments (physical, regulatory, and process-related) in industrial areas in the Columbia Corridor, to inform policy development and regulatory improvement efforts. The project would result in replicable models and tools that could be applied elsewhere in the Columbia Corridor and in industrial areas along the Willamette River.

Property owners/developers would receive design assistance to help reduce the time involved with permit approvals for challenging sites. Owners/developers would be able to move forward with development or redevelopment plans, based on site planning concepts developed through this project; or they could use site plans and concept illustrations as marketing tools to attract buyers or tenants to sites that, due to site constraints, may have been previously perceived as difficult to develop or redevelop.

The public would benefit from improved protection and restoration of watershed functions and stormwater management that can occur through innovative site planning and design practices.

4.2.4 Partnership Roles

The Bureau of Planning would serve as project manager/coordinator for this project element. Consultation and technical assistance would be provided by the Portland Development Commission, Office of Sustainable Development, Bureau of Environmental Services, Bureau of Development Services, Port of Portland, Columbia Slough Watershed Council, Columbia Corridor Association, Metro, and the American Society of Landscape Architects.

4.2.5 Geographic Applicability

Efforts under this project element are applicable within the Columbia Corridor industrial districts, including Rivergate.

4.3 Core Element 3: Re-establish/clarify the trail alignment along the Columbia Slough

4.3.1 Project Intent

The system of identifying potential trails or trail alignments in the Corridor is inconsistent. Within some plan districts, extensive planning efforts have been undertaken to identify specific trail routes and locations on individual properties. In other parts of the Corridor the trail location is not clear and has to be determined on a property-by-property basis at the time a property comes in with a proposed development or alteration. Often the zoning map is not clear about the preferred location – or the trail indicator is shown in the center of the Columbia Slough.

This module would reconcile the location of the indicators on zoning maps to reflect adopted Natural Resource Management Plans and currently updated trail studies, such as the recently completed Metro-City of Portland Smith and Bybee Wetlands trail study.

4.3.2 Project tasks

1. Refine trail locations between North Denver Avenue and NE 82nd Avenue.
2. Explore connections from residential neighborhoods to the main trail systems along the Slough and Marine Drive, I-205, I-5 and the Peninsula Crossing Trail.
3. Determine the trail alignments where there are discrete gaps in the trail and where the alignment is not well-established, such as along NE Marine Drive.
4. Develop a concept plan for a Columbia Slough “water trail,” using the Columbia River Water Trail as a model. This would be the first water trail in Portland.

4.3.3 Strengths

This program element would provide certainty and clarity about trail alignments for landowners, developers, and City staff. It would provide an opportunity to consider trail alignments concurrently with, and in the context of, planning and resource conservation efforts along the slough and other locations associated with the watershed trails. It would provide more certainty to property owners about whether or not a trail easement is expected on their property during development or redevelopment, and would define the point in the development or redevelopment process during which the easement should be granted. It will better ensure that property owners are treated equally and that trails are constructed in a consistent manner. This project element would also define “water trail” and the features associated with this as part of Portland’s urban water trail system.

4.3.4 Partnership Opportunities

City of Portland Bureau of Parks & Recreation would be the lead agency for this project element. Participating bureaus include Development Services, Bureau of Planning, PDOT, and Environmental Services. The Columbia Slough Watershed Council, Metro, Columbia Corridor Association, Lower Columbia River Water Trail Committee, and Multnomah County Drainage District would also be closely involved.

4.3.5 Geographic Applicability

This program element would be applicable in the watershed within the City. The specific area in which the Columbia Slough trail alignment requires clarification is between N. Denver Avenue and NE 82nd Avenue, and potentially other discrete portions where uncertainties in trail alignment currently exist, such as along NE Marine Drive. Trail alignments would be designed in order to connect with other trail segments in the city and with trail alignments in the cities of Fairview and Gresham and unincorporated Multnomah County.

5.0 POTENTIAL WORK PLAN ADD-ON MODULES

The core work program consists of three project elements considered to be the minimum necessary for any area planning effort in the Corridor. Additional work plan elements have been identified in the scoping process that would also meet the goals of the area planning effort for the Corridor. These additional elements are presented here as potential add-on modules that can be added to the core program effort in the near-term, or sequenced over a number of years if funding and staff resources can be identified to support them. Five add-on modules are described using the same format as the core elements.

5.1 Module A. Provide integrated site design expertise and individualized permitting assistance

This module presents a type of predevelopment site analysis and assistance program that includes providing developers and landowners with practical assistance or consulting service that is focused on helping design and permit projects for specific sites as well as general information exchange and education programs. This program includes a range of services such as:

- Providing technical analysis and assistance. Working with property owners to design site improvements to achieve multiple objectives on industrial properties. Staff would analyze a specific property and help prepare a development strategy and plan. Staff may also address the technical concerns of individual landowners and citizens groups. This could also consist of on-call technical consulting teams made up of paid staff and/or volunteers ready to address specific technical projects meeting a set of selection criteria.

- Use of a Bureau of Development Services (BDS) case manager to help facilitate straightforward and efficient permitting. BDS provides an individual staff member that would be assigned to shepherd specific development projects through the entire City permitting process. These process managers coordinate with staff from all other City bureaus that are involved in permitting development projects. The process managers are knowledgeable and connected to all parts of the system and so can anticipate problems, coordinate staff, and resolve issues quickly. This project element would involve expansion of the existing BDS early involvement program and the provision of case managers who were specifically designated to provide assistance to Columbia Corridor area projects.
- Other assistance efforts may involve a newly created “industrial development ombudsman” or others to provide outreach to businesses and provide crossover assistance for state and federal permitting processes.

5.1.1 Strengths

This type of program provides for “win-win” solutions since land owners/developers receive information that is important in reducing the amount of process they have go through to get approval and resources are better protected through site specific design. This program may also provide direct assistance to reclaim constrained vacant sites for productive use, while advancing stormwater management and natural resource protection goals.

5.1.2 Partnership Opportunities

The Bureau of Development Services would likely lead this effort with close assistance from the Bureau of Planning. Other active partners for this program include the Portland Development Commission, Port of Portland, Columbia Slough Watershed Council, and the Columbia Corridor Association. Additionally, the Bureau of Environmental Services Integrated Wet Weather Program and Office of Sustainable Development could be involved in some aspects of the program development.

5.1.3 Geographic Applicability

Efforts under this project element are applicable within the Columbia Corridor industrial districts and Rivergate. This could potentially be expanded to include commercial and general employment areas in the watershed.

5.2 Module B. Conduct feasibility study for establishment of a mitigation bank

This module involves undertaking a study of the feasibility of establishing and operating a local mitigation bank within the Corridor. Mitigation is defined as restoration, creation, enhancement, and, in some cases, preservation undertaken specifically to compensate for unavoidable resource impacts associated with development actions. Mitigation banking is generally used when mitigation cannot be achieved at the development site or would not be as environmentally beneficial.

Mitigation banks typically have two components: the physical place where the credits are generated by restoring, creating, enhancing, or preserving wetlands or habitat; and an organization that creates the structure and provides management/maintenance. Credits generated by the mitigation bank can be used to compensate for unavoidable impacts to wetlands or habitats in a defined geographic area, typically defined by watershed boundaries. Mitigation banks are protected in perpetuity with a designated long-term manager.

A public agency or a private entrepreneur may sponsor mitigation banks. In addition, banks may be established for use by only one party, such as a large landowner with several proposed projects, or for multiple users to serve the needs of landowners and development proposals in a defined service area.

If a mitigation bank is determined to be feasible within the Corridor, the second phase of this project element module is to develop a scope of work to initiate the program and identify start-up funds for administration and operations/maintenance.

5.2.1 Strengths

There are several potential benefits of wetland/habitat mitigation banking. Wetlands or habitats can be functionally created or restored “up front” prior to the wetland or habitat impact and there is increased certainty and flexibility for landowners. The detailed planning, construction, and monitoring required by state and federal mitigation bank guidelines often leads to greater success in creating or restoring wetland or habitat functions compared to site-specific, individual mitigation projects. Up-front mitigation also provides more flexibility to landowners or agencies by reducing the time needed to site, design, construct, and monitor an individual mitigation project. Mitigation banks can allow for consolidation of wetland or habitat functions into larger areas, which may provide greater overall function on a watershed level than small, isolated, “postage stamp” wetland or habitat enhancements.

5.2.2 Partnership Opportunities

The feasibility study for establishment of a mitigation bank in the Corridor could be led by the Bureau of Environmental Services, Portland Development Commission and Bureau of Planning. Additional assistance would be needed from Parks & Recreation, Office of Management and Finance, Metro, Columbia Slough Watershed Council, Three Rivers Land Trust, Port of

Portland, and Multnomah County. Coordination with the cities of Fairview and Gresham would further benefit this effort.

5.2.3 Geographic Applicability

This element is applicable Citywide but would best be piloted in the Columbia Slough Watershed with the expansion of other mitigation banks in other parts of the City at a later time.

5.3 Module C. Seek system improvements to improve permit coordination among agencies

In this module, City staff would explore opportunities to improve coordination and facilitate processes for meeting certain local, state, and federal requirements, with specific consideration of a consolidated permit process. The existing complexities of regulations within the Corridor extend beyond just the City of Portland and other local jurisdictions. The regional government, Metro, sets the regional standards that local jurisdictions must meet. Multnomah County has jurisdiction over some activities in certain parts of the Columbia Slough Watershed. Additionally, state and federal agencies have requirements governing wetland fill and excavation and endangered species. There are many opportunities for coordination and streamlining of the multiple permit processes and regulations.

The State of Oregon and the U. S. Army Corps of Engineers (Corps) have coordinated some wetland permitting requirements between them to reduce the permits and process required. The new Statewide Programmatic General Permit (SPGP) allows the State of Oregon and the Corps to streamline the environmental permit process. For example, the Reed Canyon fish ladder project on the Reed College campus received separate permits from the Corps and Department of State Lands in 2001. However, had the site been reviewed under the new SPGP it would have required only one permit.

Additionally, the City of Portland has a current program—coordinated through the Bureau of Environmental Services—that convenes representatives from local, state, and federal regulatory agencies to review potential City public works projects/permits together to try and reduce the time and steps associated with obtaining multiple permits. This program could be used as a model or expanded for use by private entities or public/private partnerships. However, there are many considerations and limitations to be evaluated, such as staff availability and prioritization of projects, before the program could be opened up to private development. The streamlining permitting process could also be used as an incentive for projects meeting certain basic requirements.

5.3.1 Strengths

Improving permit timing and coordination between various agencies and levels of government would result in less time and expense to understand and address regulations. This program

element can provide incentives for sustainable, low-impact development projects. This program element is also flexible in that it can be applied to a specific area(s), or to specific uses/activities.

5.3.2 Partnership Opportunities

The lead agencies for this program element are the Bureaus of Planning, Development Services, Environmental Services, and state and federal agencies. The Multnomah County Drainage District, Port of Portland, and the Columbia Slough Watershed Council would also be involved. Collaboration with neighboring jurisdictions in the Corridor such as Gresham and Fairview would also be important for this project element.

5.3.3 Geographic Applicability

This program element could be piloted in the Columbia Corridor within the city and expanded to other areas later.

5.4 Module D. Establish a willing-seller land acquisition, easement and land exchange program for the Columbia Slough watershed

This module involves establishing a land acquisition program for the Corridor whereby a public agency seeks to acquire properties with significant resource values, often in specific target areas. In particular, outright acquisition of property, or “fee simple” acquisition is a program element that:

- Establishes clear ownership and management responsibility;
- Can provide full and permanent protection of the resource;
- Can be less problematic with respect to monitoring and enforcement; and
- Can allow for public access for recreation and other uses, where appropriate.

The Portland Bureau of Environmental Services has established a successful willing seller program to purchase flood prone lands through fee simple acquisition along Johnson Creek.

Conservation easements are another form of land acquisition that could be part of this program. Conservation easements are legal agreements between property owners and holders of the easement that allow landowners to retain fee title ownership and primary use of their property, while protecting the critical area. Easements place restrictions on use of property, specifically those uses that might damage the critical area, such as development or vegetation clearing. Easements can be purchased or donated, and most are permanent or “in perpetuity” and appear on title reports so they run with the land, binding future owners. The City currently coordinates

with the Three Rivers Conservancy, which seeks to establish conservation easements to protect high value natural resources.

Fee simple acquisition and purchase of easements has also occurred within the Corridor and could continue to be a valuable tool to protect natural resources there, particularly any high quality areas threatened by development. Metro's 2006 natural areas bond measure was approved on November 7, 2006 by voters in all three metropolitan counties. With passage of this measure, the City has an opportunity to work with Metro to evaluate development patterns and natural resource protection goals to ensure that protection of threatened sensitive areas in the Corridor are given high priority in future acquisition efforts.

5.4.1 Strengths

There is wide public support for the purchase of natural resource lands. Land acquisition and purchase of easements results in certain, permanent protection of natural resources. It is a certain, reliable method for protecting all types of resource areas. Landowners are particularly receptive to the conservation easement option if they are interested in continuing to own their property and want to reduce some of its financial burdens or receive a tax benefit.

5.4.2 Partnership Opportunities

Metro is the lead agency for implementing the 2006 natural areas bond measure, and will coordinate with Portland Parks & Recreation, the Bureau of Environmental Services and Bureau of Planning to refine target areas and implement program goals locally. The Columbia Slough Watershed Council, Columbia Corridor Association, and neighborhoods would also be involved in target property identification and evaluation. Additionally, collaboration with neighboring jurisdictions in the Corridor such as Gresham and Fairview would be beneficial.

5.4.3 Geographic Applicability

This project element would be applicable throughout the Columbia Slough Watershed.

5.5 Module E. Conduct feasibility study for a land pooling pilot project

This module involves a feasibility study to see if the technique of "Land Pooling" would be a viable tool in the Corridor. Land pooling is differentiated from other land consolidation techniques; in this model, land is legally consolidated ('pooled') by the transfer of ownership of separate parcels of land to an agency handling the transaction and redesign, with the later transfer of ownership of the new building lots back to the original landowners as shown on a subdivision plan. It is particularly useful in achieving the timely servicing and subdivision of urban-fringe land holdings. The technique also provides a mechanism for using the increase in land value

resulting from the planned development to finance the cost of providing road and public utility service. It can provide many of the benefits of large-scale land development projects. The sale of some of the new building lots can also be used to recover the planning and development costs and the cost of redistribution of other lots back to the original landowners. This can be accomplished through a public agency or completed by a partnership of private landowners. It is widely used in Japan, South Korea, and Taiwan and in some cities in Australia and Canada.

The land pooling concept could be integrated with low impact design to reduce impacts on land and energy while maximizing value for the owners involved.

Land pooling is likely to be most effective for areas at the edge of the Urban Growth Boundary but there may be opportunities within the Corridor. In particular, land pooling may be effective in areas where the land platting is older and multiple lots exist with multiple owners. There may be opportunities for two or more land owners of large properties to create a master plan for their “pooled” land. There are some very large industrial lots remaining in the Corridor. If land pooling is determined to be feasible in the Corridor, then the development of a scope of work to initiate the program would also be part of this program element module.

5.5.1 Strengths

Land pooling is a potential “win-win” for landowners and natural resources. It results in a very efficient use of land with resources permanently protected and landowners receiving the full economic benefit of land development. It can be an effective tool for providing satisfaction and return on investment for land owners in addition to more permanently protecting resource land in the Corridor.

5.5.2 Partnership Opportunities

The lead agencies for this program element are likely to be Metro, Portland Development Commission, Bureau of Development Services, Columbia Slough Watershed Council, and the Columbia Corridor Association. The Bureau of Planning, Bureau of Environmental Services, Portland Office of Transportation, and other service bureaus would also be involved to a lesser extent.

5.5.3 Geographic Applicability

This program element could be piloted in Columbia Slough Watershed and expanded to other areas later.