

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE)	ORDINANCE NO. 93-499
REGIONAL URBAN GROWTH GOALS)	
AND OBJECTIVES (RUGGO))	Introduced by
ORDINANCE TO SUBSTITUTE MPAC)	Councilor Gardner
FOR RPAC)	

WHEREAS, The Regional Urban Growth Goals and Objectives (RUGGO) in Metro Ordinance No. 91-418B were adopted September 21, 1991; and

WHEREAS, Goal I, Objective 2 establishes a Regional Policy Advisory Committee (RPAC) for a regional partnership approach; and

WHEREAS, The 1992 Metro Charter made a new Metro Policy Advisory Committee (MPAC) effective January 1, 1993; and

WHEREAS, MPAC has approved a change of composition under Metro Charter Section 27(2); and

WHEREAS, The Metro Council desires to substitute MPAC for RPAC as the regional partner advisory committee in RUGGO; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. RUGGO, Goal I, Objective 2 is amended to read:

"Objective 2. ~~[Regional]~~ Metro Policy Advisory Committee

The 1992 Metro ~~{Council shall}~~ Charter has established ~~[a-Regional]~~ the Metro Policy Advisory Committee to:

- 2.i. assist with the development and review of Metro's regional planning activities pertaining to land use and growth management, including review and implementation of these goals and objectives, present and prospective functional planning, and management and review of the region's urban growth boundary;
- 2.ii. serve as a forum for identifying and discussing areas and activities of metropolitan or subregional significance; and
- 2.iii. provide an avenue for involving all cities and counties and other interests in the development and implementation of growth management strategies.

2.1. **[Regional] Metro Policy Advisory Committee Composition.** The **[Regional] initial Metro Policy Advisory Committee ([R]MPAC)** shall be chosen according to the ~~[by laws adopted by the Metro Council. The voting membership shall include elected officials of cities, counties and the Metro Council, as well as representatives of the state of Oregon and citizens]~~ **Metro Charter and, thereafter, according to any changes approved by majorities of MPAC and the Metro Council.** The composition of the Committee shall reflect the partnership that must exist among implementing jurisdictions in order to effectively address areas and activities of metropolitan significance~~[, with a majority of the voting members being elected officials from within the Metro district boundaries].~~

2.2. **Advisory Committees.** The Metro Council, or the **[Regional] Metro Policy Advisory committee** consistent with the **[R]MPAC by-laws**, shall appoint technical

advisory committees as the council or the [Regional] Metro Policy Advisory Committee determine a need for such bodies.

2.3. Joint Policy Advisory Committee on Transportation (JPACT). JPACT, with the Metro Council, shall continue to perform the functions of the designated Metropolitan Planning Organization as required by federal transportation planning regulations. JPACT and the [Regional] Metro Policy Advisory Committee shall develop a coordinated process, to be approved by the Metro Council, to assure that regional land use and transportation planning remains consistent with these goals and objectives and with each other."

Section 2. RUGGO, Goal I, Objective 3.iii. is amended to read:

"3.iii. The [Regional] Metro Policy Advisory Committee may identify and propose issues of regional concern, related to or derived from these goals and objectives, for consideration by cities and counties at the time of periodic review of their adopted and acknowledged comprehensive plans."

Section 3. RUGGO, Goal I, Objective 3.3 is amended to read:

"3.3. **Periodic Review of Comprehensive Land Use Plans.** At the time of periodic review for comprehensive land use plans in the region the [Regional] Metro Policy Advisory Committee:

3.3.1. Shall assist Metro with the identification of functional plan provisions or changes in functional plans adopted since the last periodic review for inclusion in periodic review notices as changes in law; and

3.3.2. May provide comments during the periodic review of adopted and acknowledged comprehensive plans on issues of regional concern."

Section 4. RUGGO, Goal I, Objective 5.2 is amended to read:

"5.2. New Functional Plans. New functional plans shall be proposed from one of two sources:

5.2.1. The ~~[Regional]~~ Metro Policy Advisory Committee may recommend that the Metro Council designate an area or activity of metropolitan significance for which a functional plan should be prepared; or

5.2.2. The Metro Council may propose the preparation of a functional plan to designate an area or activity of metropolitan significance, and refer that proposal to the ~~[Regional]~~ Metro Policy Advisory Committee.

Upon the Metro Council adopting factual reasons for the development of a new functional plan, the ~~[Regional]~~ Metro Policy Advisory Committee shall ~~{oversee}~~ ~~participate in~~ the preparation of the plan, consistent with these goals and objectives and the reasons cited by the Metro Council. After ~~[preparing]~~ ~~preparation of~~ the plan and seeking broad public and local government consensus, using existing citizen involvement processes established by cities, counties, and Metro, the ~~[Regional]~~

~~Metro~~ Policy Advisory Committee shall ~~[present]~~ ~~review~~ the plan and ~~[its]~~ ~~make a~~ recommendation[s-] to the Metro Council. The Metro Council may act to resolve conflicts or problems impeding the development of a new functional plan and may ~~[act to oversee preparation of the plan should such conflicts or problems prevent]~~ ~~complete the plan if~~ the ~~[Regional]~~ ~~Metro~~ Policy Advisory Committee ~~{from~~ ~~completing its work}~~ ~~is unable to complete its review~~ in a timely ~~[or orderly]~~ manner. The Metro Council shall hold a public hearing on the proposed plan and afterwards shall:

5.2.A. Adopt the proposed functional plan; or

5.2.B. Refer the proposed functional plan to the ~~[Regional]~~ ~~Metro~~ Policy Advisory Committee in order to consider amendments to the proposed plan prior to adoption; or

5.2.C. Amend and adopt the proposed functional plan; or

5.2.D. Reject the proposed functional plan. The proposed functional plan shall be adopted by ordinance and shall include findings of consistency with these goals and objectives."

Section 5. RUGGO, Goal I, Objective 5.3.2. through 5.3.4 is amended to read:

"5.3.2. After Metro staff review, the ~~[Regional]~~ ~~Metro~~ Policy Advisory Committee shall consult the affected jurisdictions and attempt to resolve any apparent or potential inconsistencies.

5.3.3. The [Regional] Metro Policy Advisory Committee shall conduct a public hearing and make a report to the Metro Council regarding instances and reasons why a city or county has not adopted changes consistent with recommendations in a regional functional plan.

5.3.4. The Metro Council shall review the [Regional] Metro Policy Advisory Committee report and hold a public hearing on any unresolved issues. The council may decide to:

5.3.4.a. Amend the adopted regional functional plan; or

5.3.4.b. Initiate proceedings to require a comprehensive plan change; or find there is no inconsistency between the comprehensive plan(s) and the functional plan."

Section 6. RUGGO, Goal I, Objective 6 is amended to read:

"Objective 6. Amendments to the Regional Urban Growth Goals and Objectives

The Regional Urban Growth Goals and Objectives shall be reviewed at regular intervals or at other times determined by the Metro Council after consultation with or upon the suggestion of the [Regional] Metro Policy Advisory Committee. Any review and amendment process shall involve a broad cross-section of citizen and

jurisdictional interests and shall ~~[be conducted by]~~ involve the [Regional] Metro Policy Advisory Committee consistent with Goal I: Regional Planning Process.

Proposals for amendments shall receive broad public and local government review prior to final Metro Council action.

6.1. Impact of Amendments. At the time of adoption of amendments to these goals and objectives, the Metro Council shall determine whether amendments to adopted functional plans or the acknowledged regional urban growth boundary are necessary. If amendments to adopted functional plans are necessary, the Metro Council shall act on amendments to applicable functional plans. The council shall request recommendations from the [Regional] Metro Policy Advisory Committee before taking action. All amendment proposals will include the date and method through which they may become effective, should they be adopted. Amendments to the acknowledged regional urban growth boundary will be considered under acknowledged urban growth boundary amendment procedures incorporated in the Metro Code.

If changes to functional plans are adopted, affected cities and counties shall be informed in writing of those changes which are advisory in nature, those which

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recommend changes in comprehensive land use plans and those which require changes in comprehensive plans. This notice shall specify the effective date of particular amendment provisions."

ADOPTED by the Metro Council this 27th day of May, 1993.



Judy Wyers, Presiding Officer

ATTEST:



Clerk of the Council

PLANNING COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 93-499, AN ORDINANCE AMENDING THE REGIONAL URBAN GROWTH GOALS AND OBJECTIVES (RUGGO) ORDINANCE TO SUBSTITUTE MPAC FOR RPAC

Date: May 14, 1993

Presented by: Councilor Monroe

Committee Recommendation: At the May 11 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 93-499. Voting in favor: Councilors Van Bergen, Kvistad, Devlin, Monroe, and Moore. Excused: Councilor Gates.

Committee Issues/Discussion: Andy Cotugno, Planning Director presented the staff report. The majority of discussion on this agenda item occurred during the presentation its companion Resolution 93-1790, which changes the composition of the Metro Policy Advisory Committee (MPAC). This ordinance removes all references in the Regional Urban Growth Goals and Objectives (RUGGO) to the Regional Policy Advisory Committee (RPAC) and replaces them with MPAC. The ordinance also slightly modifies MPAC's role, as defined in the Charter to be "advisory".

During the discussion on Resolution 93-1790, Councilor Monroe cautioned the committee in believing that this action was "just a start that could be modified later". By adopting this ordinance, the Council relinquishes its only "hammer" by abolishing RPAC. Councilor McLain clarified that if MPAC does not perform in the manner Metro hopes, that the Council always has the option of forming another group, composed of any membership, to provide advice to the Council. So if another type of RPAC was needed, it is possible.

Councilor Kvistad asked why, on page 4, the term "oversee" was changed to "participate" and, later, why "present the plan" was changed to "review the plan". Larry Shaw, Assistant General Counsel, explained that the "oversee" term connotes the approach taken when RPAC was created. RPAC worked closely with staff and would oversee the staffs preparation. The change to "participate" corrects the perspective to apply the more "advisory" vote of MPAC, as prescribed in the Charter. The old term implied supervision, which is inappropriate.

Councilor Gardner explained that following the March approval of this ordinance by MPAC, a discussion ensued regarding the changes in relationship between MPAC and the Metro Council, as compared to that of RPAC. The discussion indicated that MPAC is well aware that the relationship has changed; that they are now in an advisory and consultive role that is different than that of RPAC. They appear to believe that this "diminution" of their role appears to be appropriate under the Charter.

STAFF REPORT

ORDINANCE 93-499, AN ORDINANCE AMENDING THE REGIONAL URBAN GROWTH GOALS AND OBJECTIVES (RUGGO) ORDINANCE TO SUBSTITUTE MPAC FOR RPAC

April 27, 1993

By: John Fregonese

BACKGROUND

With the adoption of the Metro Charter, the formation of a Metro Policy Advisory Committee is mandated.

Currently, under ordinance 91-418B, the Regional Urban Growth Goals and Objectives provide for the Regional Policy Advisory Committee (RPAC), comprised of 17 members (see attached table entitled "Membership Comparison"). The Metro charter makes no mention of the RPAC and as can be seen, there is overlapping membership between the two committees. MPAC has now been constituted and convened and has determined its membership and representation structure.

After deliberation in February and March, the recommendations of both MPAC and RPAC were to dissolve RPAC and have MPAC assume the duties of RPAC. RPAC formally reviewed the draft ordinance and recommends its adoption.

As can be seen from draft ordinance, MPAC has been substituted for RPAC. In addition, some changes in the relationship of MPAC to Metro are included. For example, on page 4 of the draft ordinance, last paragraph, the word "oversee" has been struck and "participate in" has been inserted. This is proposed to reflect the difference in MPAC from RPAC. RPAC is a joint Metro/local government committee, in which oversight is a logical responsibility. In contrast, MPAC serves as a local government advisory committee with Metro Council participation in the MPAC as delegates rather than serving as full members.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 93-499, approving an amendment to the RUGGO ordinance, substituting MPAC for RPAC.