

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING TIME) RESOLUTION NO 99-2834A
EXTENSIONS FOR THE CITIES OF)
MILWAUKIE AND GLADSTONE FOR) Introduced by Executive Officer Mike
COMPLIANCE WITH TITLE 3 OF THE URBAN) Burton
GROWTH MANAGEMENT FUNCTIONAL
PLAN

WHEREAS, the Metro Council adopted the Urban Growth Management Functional Plan for early implementation of the 2040 Growth Concept on November 21, 1996, by Ordinance No. 96-647C; and

WHEREAS, the Metro Council amended Ordinance Nos. 96-647C and 97-715B to amend Title 3 of the Urban Growth Management Functional Plan and amend the Regional Framework Plan, Appendix A and adopted the Title 3 Model Ordinance and Water Quality and Flood Management Maps on June 18, 1998; and

WHEREAS, the Urban Growth Management Functional Plan requires that all jurisdictions in the region make comprehensive plan and implementing ordinance changes needed to come into compliance with Title 3 of the Functional Plan by December 18, 1999; and

WHEREAS, the Urban Growth Management Functional Plan in Metro Code Section 3.07.820.C provides that Metro Council may grant extensions to timelines under the Functional Plan “if the city or county has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time;” and


WHEREAS, the cities of Milwaukie and Gladstone have requested time extensions to complete Title 3 compliance work based on evidence showing “substantial progress or proof of good cause” for failing to meet the December 18, 1999 deadline for compliance with Title 3 of

the Functional Plan and have submitted detailed timelines showing when the work will be completed, now therefore,

BE IT RESOLVED:

1. That the cities of Milwaukie and Gladstone shall receive time extensions for compliance with Title 3 of the Functional Plan as shown in Exhibit A.
2. That any further requests for time extensions or requests for Functional Plan exceptions made by the above named jurisdictions shall be determined as delineated in Metro Code 3.07.820, Sections B and C.

ADOPTED by the Metro Council this 14th day of OCTOBER 1999.



Rod Monroe, Presiding Officer

APPROVED AS TO FORM:



Daniel B. Cooper, General Counsel

i:\docs#07.p&d\04-2040i.mpl\03ugmfnc.pln\07compli.anc\99-2834.a

EXHIBIT A

Title 3 Functional Plan time extensions have been requested by the Cities of Milwaukie and Gladstone.

City of Milwaukie

July 2000

Milwaukie currently has erosion control measures and some buffer protections for water quality resource areas in place but needs to address floodplain requirements and adjust the current buffer requirements to be consistent with Title 3. The delay in completing the compliance work is due to staff turnover. The City did look at Title 3 requirements as part of their overall examination of compliance with the Functional Plan. A consulting firm has been hired to undertake this work for the City.

City of Gladstone

December 2000

The City of Gladstone is currently focusing its efforts to come into compliance with titles 1, 2, 6 and 8 of the Functional Plan for December 1999. The City has limited staff resources and anticipates beginning its Title 3 compliance work in 2000 with completion anticipated by December 2000.

GROWTH MAGEMENT COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 99-2834A, FOR THE PURPOSE OF GRANTING TIME EXTENSIONS FOR THE CITIES OF MILWAUKIE AND GLADSTONE FOR COMPLIANCE WITH TITLE 3 OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN.

Date: September 29, 1999

Presented by: Councilor Bragdon

Committee Action: At its September 14, 1999 meeting, the Growth Management Committee voted 3-0 to amend resolution 99-2834 by removing Washington County and the cities of Beaverton, Hillsboro and Gresham and recommend Council adoption of Resolution No. 99-2834A. Voting in favor: Councilors Bragdon, Park and McLain.

Council Issues/Discussion: Resolution 99-2834 recommended granting of time extensions for compliance with title 3 of the Urban Growth Management Functional Plan for Washington County and the cities of Beaverton, Gladstone, Gresham, Hillsboro and Milwaukie. The deadline for compliance with Title 3 is December 18, 1999, which is 18 months from the time of the Council adoption of Title 3. The staff report indicates that as many as twenty jurisdictions anticipate complying with that deadline, but during the presentation to committee acknowledged other cities may be requesting deadlines. Title 8 of the Functional Plan allows the Metro Council to extend the deadline if it finds that a jurisdiction has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time.

The staff report to Resolution 99-2834 summarizes the progress of each jurisdiction and lists the requested time extension (all are between July and December 2000). In Washington County, substantial progress is indicated in the areas of flood-plain management and erosion control. The bulk of remaining work is in the area of vegetative buffers. The Executive Officer had recommended passage of this resolution. However, Mr. Burton made a presentation to the committee and requested deferring the approval for Washington County, Hillsboro and Beaverton until certain information was forthcoming. Mr. Burton was particularly interested in clarifying the nature of intergovernmental agreements between the United Sewerage Agency (USA) in Washington County and local jurisdictions, with regard to the granting of building permits and compliance with Title 3.

Brent Curtis Planning Manager for Washington County stated that the County would not object to providing more information. He reiterated that the county and its cities were committed to complying with Title 3 on a watershed (Tualatin) basis, and that USA had hired on extra help to implement the IGA's mentioned by the Executive Officer. The ultimate response to Title 3 would be one of substantial compliance.

The committee removed Washington County, Beaverton and Hillsboro from this resolution. The chair asked staff to continue to work with these jurisdictions to answer the executive officer's questions and seek satisfactory solutions to the riparian buffer approach the county wants to take. Staff is to bring back a status report to the next Growth Management Committee meeting.

Gresham was also removed from this resolution, and passed out of committee in a separate resolution at the request of Councilor Park.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2834A GRANTING TIME EXTENSIONS FOR THE CITIES OF MILWAUKIE AND GLADSTONE FOR COMPLIANCE WITH TITLE 3 OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Date: September 22, 1999

**Presented by: Mary Weber
Prepared by: Brenda Bernards**

PROPOSED ACTION

Adoption of Resolution No. 99-2834A granting timeline extensions to the Functional Plan compliance deadline for the Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation (Title 3) to the cities of Milwaukie and Gladstone.

BACKGROUND AND ANALYSIS

Metro Code 3.07.820.C (Title 8 of the Functional Plan) provides that Metro Council may grant time extensions to Functional Plan requirements if a jurisdiction can demonstrate "substantial progress or proof of good cause for failing to complete the requirements on time."

On June 18, 1999 the cities and counties reported on their progress for compliance with the requirements of Title 3 of the Functional Plan. Throughout the region, the local jurisdictions have made considerable progress in dealing with flood management, erosion and sediment control and protection of the water quality resource areas. Each jurisdiction has elements of the requirements in place and is working towards amending current standards to be consistent with Title 3. Twenty jurisdictions anticipate compliance with the requirements of Title 3 on or before December 18, 1999. The Cities of Milwaukie and Gladstone have requested a time extension to the December 18, 1999 deadline to implement the requirements of Title 3 of the Functional Plan. The cities' requests for time extensions are attached to this report.

As the jurisdictions in Metro work towards meeting the December 18, 1999 deadline, it may be necessary for a number of the smaller cities to request a time extension as well. *Title 3 Compliance Status – September 20, 1999*, which is attached to this report, provides a summary of the compliance status for each of the jurisdictions.

Compliance Progress

Although these jurisdictions have requested time extensions to complete the requirements of Title 3, both Milwaukie and Gladstone have some of the requirements of this Title currently in place. The following summarizes the progress of the cities and

both have met the Metro Code criterion for “substantial progress or proof of good cause for failing to complete” Functional Plan compliance (Metro Code 3.07.820.C).

City of Milwaukie

Extension Request: July 2000

Milwaukie currently has erosion control measures and some buffer protections for water quality resource areas in place but needs to address floodplain requirements and adjust the current buffer requirements to be consistent Title 3. The delay in completing the compliance work is due to staff turnover. The City did look at Title 3 requirements as part of their overall examination of compliance with the Functional Plan. A consulting firm has been hired to undertake this work for the City.

City of Gladstone

Extension Request: December 2000

The City of Gladstone is currently focusing its efforts to come into compliance with titles 1, 2, 6 and 8 of the Functional Plan by December 1999. The City has limited staff resources but with a grant from DLCD, Gladstone has hired a planning consultant to complete its compliance work. The City anticipates beginning work for compliance with Title 3 in early 2000 with completion in December 2000 allowing for sufficient time to conduct a public process with the Planning Commission and the community. The majority of the land affected by Title 3 in Gladstone is in public ownership along the Clackamas and Willamette Rivers.

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER’S RECOMMENDATION

The Functional Plan implementation time extension requests for the requirements of Title 3 from Milwaukie and Gladstone are recommended for approval. Any further requests for time extensions or requests for Functional Plan exceptions made by these jurisdictions would be determined as delineated in Metro Code 3.07.820, Sections B and C.

I:\gm\community_development\projects\COMPLIANCE\ExtensionRequests\title 3 extension report.milwaukie gladstone.doc

Title 3 Compliance Status – September 20, 1999

Jurisdiction	Status	Pending Council /Committee Action	Metro Contact Jurisdiction Contact
Beaverton	<ul style="list-style-type: none"> • Participating in Washington County coordination effort for Title 3 compliance • has requested an extension to July 2000 • Requested an exception for the Murray Scholls Town Center and downtown 	Growth Management Committee (GMC) has requested additional data	Brenda Bernards Veronica Smith
Clackamas County	<ul style="list-style-type: none"> • Updating code as needed • Anticipates compliance by Dec. 1999 		Ray Valone Greg Frits
Cornelius	<ul style="list-style-type: none"> • Participating in Washington County coordination effort for Title 3 compliance, • Anticipates compliance by Dec. 1999 		Barbara Linssen Tracey Lee
Durham	<ul style="list-style-type: none"> • Greenway zone along Tualatin River implements much of Title 3, timing for adopting remaining requirements is uncertain 		Barbara Linssen Roel Lundquist or K.J. Won
Fairview	<ul style="list-style-type: none"> • Anticipates compliance by Nov. 1999 		Brenda Bernards John Anderson
Forest Grove	<ul style="list-style-type: none"> • Anticipates compliance by Jan. 2000 		Ray Valone Tim O'Brian
Gladstone	<ul style="list-style-type: none"> • Has requested a extension to Dec. 2000 	extension recommended by GMC, to Council for approval	Barbara Linssen Jonathan Block
Gresham	<ul style="list-style-type: none"> • Currently drafting Title 3 code changes, working with an advisory committee • Anticipates compliance by Oct. 2000 	extension recommended by GMC, to Council for approval	Marian Hull Jonathan Harker
Happy Valley	<ul style="list-style-type: none"> • Anticipates compliance by Dec. 1999 		Brenda Bernards Jim Crumley
Hillsboro	<ul style="list-style-type: none"> • Anticipates completing mapping requirements in Dec. 1999 and code requirements in Oct. 2000 	Growth Management Committee (GMC) has requested additional data	Ray Valone Pat Ribela
Johnson City	<ul style="list-style-type: none"> • Seeking exception to all Functional Plan requirements 		Barbara Linssen No staff
King City	<ul style="list-style-type: none"> • Has not begun work, but will follow Washington County/Tigard lead 		Marian Hull Jane Turner
Lake Oswego	<ul style="list-style-type: none"> • Largely complete, needs to adopt balanced cut and fill • Anticipates compliance by Dec. 1999 		Ray Valone Jane Heisler
Maywood Park	<ul style="list-style-type: none"> • No Title 3 areas inside city boundary 		Barbara Linssen No staff
Milwaukie	<ul style="list-style-type: none"> • Anticipates compliance by July 2000 	extension recommended by GMC, to Council for approval	Brenda Bernards Alice Rouyer
Multnomah County	<ul style="list-style-type: none"> • Working to coordinate efforts with cities • Has an extension for all compliance work to March 2000 	approved extension to March 2000	Barbara Linssen Tricia Sears

Title 3 Compliance Status – September 20, 1999

Jurisdiction	Status	Pending Council /Committee Action	Metro Contact Jurisdiction Contact
Oregon City	<ul style="list-style-type: none"> • Anticipates compliance by Oct. 1999 • City Commission held first reading • second reading October 6, 1999 		Brenda Bernards Nancy Kraushaar
Portland	<ul style="list-style-type: none"> • Anticipates compliance by Dec. 1999 		Barbara Linssen Mary Abrams
Rivergrove	<ul style="list-style-type: none"> • Anticipates compliance by Dec. 1999 		Marian Hull Mike Collmeyer
Sherwood	<ul style="list-style-type: none"> • Participating in Washington County coordination effort for Title 3 compliance • Anticipates compliance by Dec. 1999 		Marian Hull Greg Turner
Tigard	<ul style="list-style-type: none"> • Participating in Washington County coordination effort for Title 3 compliance • Anticipates compliance by Dec. 1999 		Brenda Bernards Duane Roberts
Troutdale	<ul style="list-style-type: none"> • Anticipates compliance by Dec. 1999 		Ray Valone Sheryl Sanderson
Tualatin	<ul style="list-style-type: none"> • Participating in Washington County coordination effort for Title 3 compliance • have requested an extension to Oct. 2000 	received Sept. 14 not yet considered by GMC	Marian Hull Jim Jacks
Washington County	<ul style="list-style-type: none"> • Participating in Washington County coordination effort for Title 3 compliance • has requested an extension to Oct. 2000 	Growth Management Committee (GMC) has requested additional data	Brenda Bernards Hal Bergsma
West Linn	<ul style="list-style-type: none"> • Anticipates compliance by Dec. 1999 		Marian Hull Kristi Meyer
Wilsonville	<ul style="list-style-type: none"> • Anticipates compliance by Dec. 1999 		Ray Valone Stephan Lashbrook
Wood Village	<ul style="list-style-type: none"> • In compliance July 1999 • Used model code for affected features 		Brenda Bernards Carole Connell

Note: The City of Gresham, Washington County and the cities of Washington County currently require balanced cut and fill and some erosion control measures.



Metro Growth Mgmt.
JUN 18 1999

June 15, 1999

Mike Burton, Executive Officer
Metro
600 NE Grand Avenue
Portland, Oregon 97232-2736

Re: Report on Title 3 and Request for a Time Extension to July 1, 2000

Dear Mr. Burton:

This letter provides Metro with a report on existing plans and policies and a request for a time extension on the City of Milwaukie's work towards complying with Title 3 of the Metro Urban Growth Management Functional Plan (the Functional Plan). The City of Milwaukie places a high priority on water quality, flood management and fish and wildlife conservation as described in the Functional Plan, and our decision makers are anxious to begin this work.

Report and Evaluation of Existing Plans and Policies

The following report and enclosures are submitted as required in Section 3.07.820.G of the Functional Plan. Milwaukie currently recognizes the beneficial uses, functions and values of natural resources through three regulatory measures:

1. Milwaukie Zoning Code (sections 320 and 322); Natural Resource Overlay and Willamette Greenway, and Natural Resource Overlay Map;
2. Erosion Control Program as implemented by our Public Works department; and
3. Flood Zone building standards.

These existing programs provide the assurance that natural resources will be protected in the interim as we develop our local regulations in compliance with Title 3. As we indicated in our Functional Plan Compliance Report dated August 19, 1998, the Metro Water Quality Resource and Flood Management Area map (Title 3 map) and the Milwaukie Natural Resource Overlay Map are very similar. The existing Natural Resource Overlay Map covers more land area than the Title 3 map since it identifies entire parcels. The Natural Resource Overlay zone in our Zoning Code provides for a public hearing process and professional assessment of impact and mitigation for development on any property with the Natural Resources designation. The Willamette Greenway section in the Zoning Code provides for buffers and a public hearing process. In accordance with Metro Code 3.07.820.G., I am enclosing excerpts from our Compliance Report from last August which provide a more detailed evaluation of our existing regulations. I am also enclosing a copy of our Natural Resource Overlay Map.

Request for Time Extension

Title 8 of the Functional Plan (Metro Code 3.07.810.B.) specifically requires that “cities and counties are required to amend their comprehensive plans and implementing ordinances to comply with sections 3.07.310-.340 of Title 3 within 18 months [December 18, 1999] ...” Although we are strongly committed to implementing Title 3 as soon as possible, we anticipate that we will not be able to meet the December 18, 1999, deadline set in the Functional Plan for adoption of implementation measures to comply with Title 3. The City therefore requests approximately a 170 day time extension from the Metro Council until July 1, 2000, to complete its implementation of Title 3 regulatory measures.

The primary reason we are asking for this extension is a series of recent staff transitions. The city was without a permanent Planning Director from February through May 1999. Susan Heiser, our Planning Director who carried out the Functional Plan Compliance process, resigned in February 1999. Martha Bennett, our new Assistant City Manager, initiated a national search for the best qualified Planning Director. Our new Planning Director, Alice Rouyer, began work on June 1, 1999. The City now has the appropriate personnel in place to carry out both day-to-day and long-range planning functions of a medium sized city, including implementation of Title 3. We will begin our work on Title 3 immediately. Due to the recent staff transitions, the complexity of the new standards, and the need to adequately involve the public and property owners (including avoiding public hearings during the month of December) the requested extension provides a more realistic timeframe to complete the adoption of new plan and policy language.

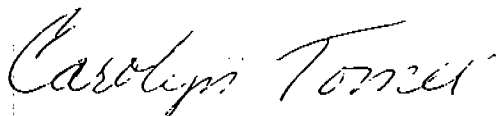
As you can see from the preliminary schedule below, we anticipate getting to public hearings at the Planning Commission and City Council in May and June 2000. The following list provides the steps we anticipate in completing the Title 3 work:

Task	Approximate Timing
Establish Project Management Team (PMT)	July 1999
Prepare a detailed memorandum on applicable regulations and regulatory approaches	July 1999
Meeting #1 with PMT	August 1999
Prepare materials for Work session #1	August 1999
Joint CC/PC/Public Work Session #1	September 1999
Draft revisions to applicable Code sections:	October 1999
Meeting #2 with PMT including legal counsel	November 1999
Prepare for Public open house	November 1999
Hold Open House for general public	Early December 1999
Meeting #3 with PMT	January 2000
Revise draft code language	January 2000
Prepare materials for work session #2	January 2000
CC/PC/ Public Work Session #2	February 2000
BM 56 Notice	April 2000
Public Outreach to affected property owners	April 2000
Prepare final draft report including final code amendments	March 2000-April 2000
Planning Commission Public Hearing/Action	May 2000

Mike Burton
Title 3 Report
Page 3

The City appreciates the work that your staff has provided during the Functional Plan implementation process, we look forward to their continued assistance. If you or your staff has any questions, please call the City's Planning Director, Alice Rouyer, at (503) 786-7654.

Sincerely,



Carolyn Tomei
Mayor, City of Milwaukie

Enc.

cc: Dan Bartlett, City Manager
Martha Bennett, Assistant City Manager
Alice Rouyer, Planning Director
Jim Coleman, Ramis Crew et al.
Brenda Bernards, Metro Growth Management

Excerpt from the Milwaukie Functional Plan Compliance Report, August 19, 1998

Title 3

Timing: Amendments must be made by December 1999, Status of Compliance due to Metro in June 1999. City plans to make amendments by February 2000.

3A/4B Adopt Water Quality Map and Vegetated Buffer Standards

1. Amend Zoning Map to include Title 3 Water Quality Resource Area maps, replace Natural Resource map in Comprehensive Plan with Title 3 map (or reference to map). Obtain Title 3 map layer from Metro.
2. Amend Natural Resource, Section 322 to include Title 3 Buffer Table and other standards.
3. Adopt the Metro Model Ordinance provisions into the Zoning Ordinance where applicable (Natural Resource Overlay, Conditional Uses and Variances) and into the Subdivision Ordinance where applicable.
4. Initiate a Stormwater Design Manual to address Erosion Control, Water Quality, and other design standards to assure adequate construction standards and Best Management Practices can be enforced.

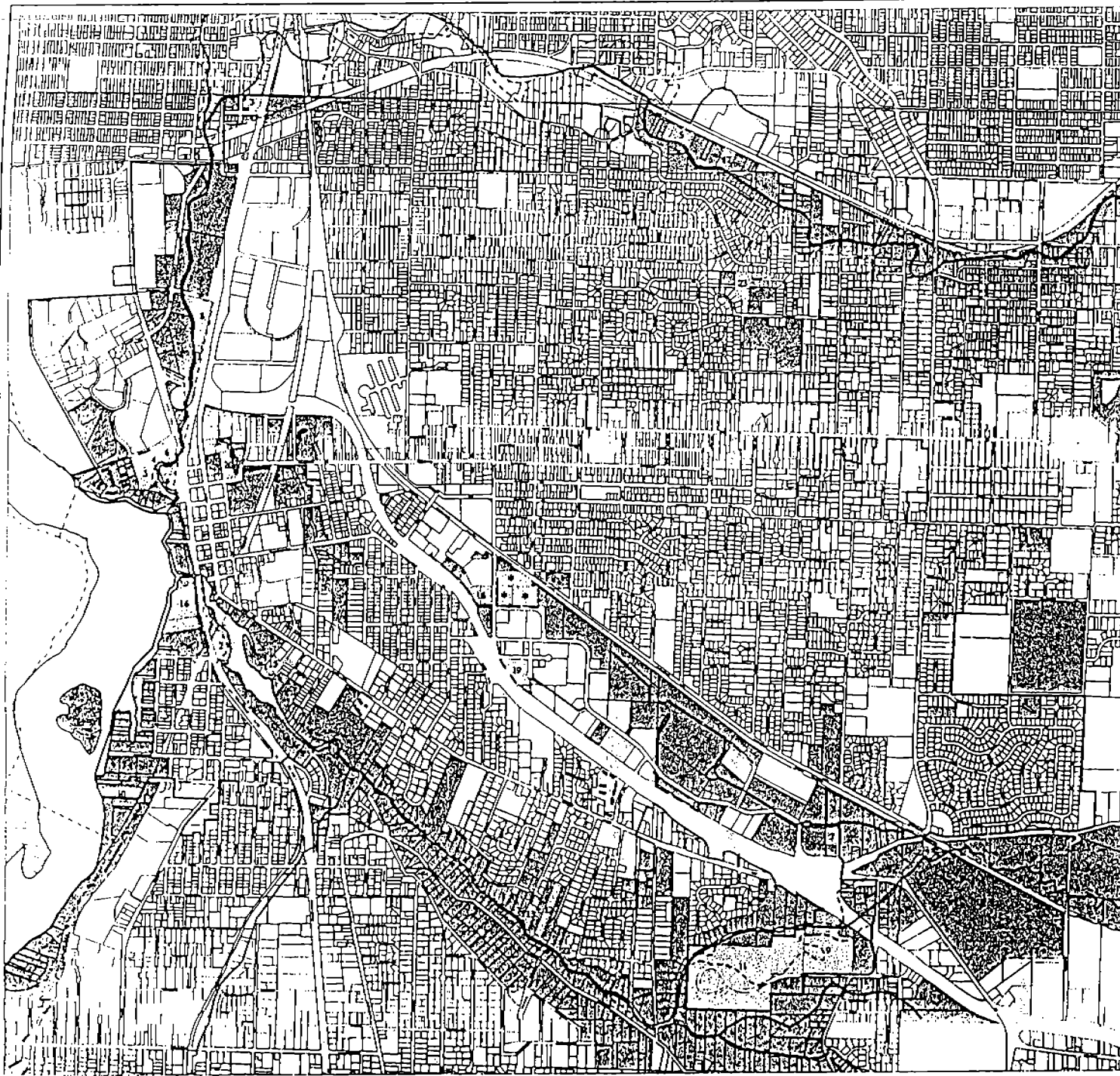
4A/B. Performance Measures



5. Remove riverfront area from Title 3 Map per Metro criteria (within Town Centers or Regional Centers) and providing downtown destination.
6. Adopt Model Ordinance Language to address flood protection issues.
7. Review current City construction standards.

4D. Establish Implementation Tools

8. Requires city to allow transfer of development rights from areas indicated by map.
9. Recommended - Review subdivisions and partitions designated by Water Quality Resource Areas map for possible conditions.

NATURAL RESOURCE DESIGNATION MASTER MAP



- 100 YR FLOOD PLAIN
- CREEKS AND RIVERS
- - - - WATER COURSES
- CITY OF MILWAUKIE BOUNDARY
-  NR DESIGNATION
-  NR DESIGNATION AND NR APPLICATION ON FILE SEE MASTER FILE LIST BELOW.

1	NR 90 01
2	NR 91 01
3	NR 91 01
4	NR 91 01
5	NR 91 05
6	NR 91 05
7	NR 91 05
8	NR 91 07
9	NR 91 07
10	NR 92 01
11	NR 92 01
12	NR 92 01
13	NR 92 05
14	NR 92 05
15	NR 92 05
16	NR 93 01
17	NR 93 01
18	NR 93 01
* - Denotes "Intermittent" Wetlands	
19	NR 93 01
20	NR 93 01
21	NR 93 01
22	NR 93 01
23	NR 93 01

MAP DATE : 09/14/98

Department Of
Community
Development



City of GLADSTONE

July 13, 1999

RECEIVED

JUL 16 1999

Mike Burton
Executive Officer
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

EXECUTIVE OFFICER

City Hall
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5223
FAX: 650-8938
E-Mail: glad@spiritone.com

Municipal Court
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5224

Police Department
535 Portland Avenue
Gladstone, OR 97027
(503) 656-4253

Fire Department
535 Portland Avenue
Gladstone, OR 97027
(503) 656-4253

Public Library
135 E. Dartmouth
Gladstone, OR 97027
(503) 656-2411
FAX: 655-2438
E-Mail: glref@lincc.lib.or.us

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701
FAX: 650-4840

City Shop
18595 Portland Avenue
Gladstone, OR 97027
(503) 656-7957
FAX: 722-9078

RE: Functional Plan Compliance Update and Request for Time Extension for Title 3

Dear Mr. Burton;

The City of Gladstone is well underway with its work program for meeting the requirements of the Metro Urban Growth Management Functional Plan (the Functional Plan). Through a Transportation and Growth Management Smart Development Code Assistance grant, the city has engaged in a productive discussion between staff, the public and the Planning Commission. This process has resulted in a package of draft code amendments directed at complying with the Functional Plan and promoting the principles of Smart Development. Your staff has been an integral part of the grant request process and the Project Team. The Planning Commission reviewed this draft amendment package on June 15, 1999 and provided direction to staff about proceeding with specific amendments. We anticipate completion of our Functional Plan compliance work by December 31, 1999 with the exception of Title 3 compliance.

2040 Growth Concept Map Amendment

During the city's review of the 2040 Design Types on Metro's Growth Concept map, it became clear that the designation of inner and outer neighborhoods in Gladstone is not right. The majority of Gladstone has been designated outer neighborhood while a limited area in the northeast portion of the city has been designated inner neighborhood. In reality, the residential areas in Gladstone that are characterized by smaller lot sizes and accessibility to jobs and neighborhood businesses are located in the southern section of the city. This area is generally bounded by McLoughlin Blvd. on the west, the Clackamas River on the south, Oatfield Road on the east and Abernethy Lane, Jersey Street and Heather Way on the north.

Mike Burton - Metro
Functional Plan Compliance Update and Request for Time Extension for Title 3
July 13, 1999
Page Two

Likewise, residential neighborhoods characterized by lower densities and located farther away from the city's commercial core and industrial lands are located north of Abernethy Lane, Jersey Street and Heather Way.

It is my understanding Metro has a process available for consideration of revisions to the 2040 Growth Concept map. Therefore, the city requests Metro amend the 2040 Growth Concept Map, specifically that the designation of inner and outer neighborhoods be "flipped" in Gladstone as described above.

Title 3 Time Extension

The city has spent the last 6 months focusing on compliance with the other applicable Titles in the Functional Plan. The city will focus its planning resources on the adoption of the proposed implementation measures for Titles 1, 2, 6 and 8 over the next 6 months. As one of the smaller cities in the Metro region, Gladstone does not have staff resources to complete the Title 3 amendments within the time frame required by Section 3.07.810B (December 18, 1999). As a city with very little developable land, Gladstone's implementation of Title 3 will not affect many properties. The City will begin work on Title 3 in the year 2000. The City plans to have the evaluation required by Metro Code 3.07.820G, complete by June 2000 and implementing measures adopted by December 18, 2000. Therefore, Gladstone requests a one-year extension to the Title 3 deadlines.

If you require additional information, please contact Jonathan Block, Community Services Director, at 557-2768.

Thank you for your assistance in this matter.

CITY OF GLADSTONE



Wade Byers, Mayor

c: Barbara Linssen, Associate Regional Planner, Metro

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING TIME) RESOLUTION NO 99-2834
EXTENSIONS TO TITLE 3 OF THE)
FUNCTIONAL PLAN COMPLIANCE DEADLINE) Introduced by Executive Officer Mike
) Burton

WHEREAS, the Metro Council adopted the Urban Growth Management Functional Plan for early implementation of the 2040 Growth Concept on November 21, 1996, by Ordinance No. 96-647C; and

WHEREAS, the Metro Council amended Ordinance Nos. 96-647C and 97-715B to amend Title 3 of the Urban Growth Management Functional Plan and amend the Regional Framework Plan, Appendix A and adopt the Title 3 Model Ordinance and Water Quality and Flood Management Maps; and

WHEREAS, the Urban Growth Management Functional Plan requires that all jurisdictions in the region make plan and implementing ordinance changes needed to come into compliance with Title 3 of this functional plan by December 18, 1999; and

WHEREAS, the Urban Growth Management Functional Plan in Metro Code Section 3.07.820.C provides that Metro Council may grant extensions to timelines under this functional plan “if the city or county has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time;” and

WHEREAS, the following six jurisdictions have requested time extensions to complete compliance work based on evidence showing “substantial progress or proof of good cause” for failing to meet the December 18, 1999 compliance deadline and have submitted detailed timelines showing when the work will be completed, now therefore,

BE IT RESOLVED:

1. That Washington County and the Cities of Beaverton, Gladstone, Gresham, Hillsboro, and Milwaukie shall receive Functional Plan compliance time extensions as shown in Exhibit A.

2. That any further requests for time extensions or requests for functional plan exceptions made by the above named jurisdictions shall be determined as delineated in Metro Code 3.07.820, Sections B and C.

ADOPTED by the Metro Council this ____ day of _____ 1999.

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

i:\docs#07.p&d\04-2040i.mpl\03ugmfnc.pln\07compli.anc\r99-2834.doc

EXHIBIT A

Title 3 Functional Plan time extensions have been requested by Washington County and the Cities of Beaverton, Gladstone, Gresham, Hillsboro, and Milwaukie

Washington County

October 2000

Washington County and the nine cities within the urbanized portion of the County are working with the Unified Sewer Agency (USA) to come into compliance with the requirements of Title 3. The County is in substantial compliance with floodplain requirements and in compliance with erosion control requirements but needs to complete work on the protection of water quality resource areas.

City of Beaverton

July 2000

The City of Beaverton is one of the nine cities participating in a joint planning effort with Washington County and USA to come into compliance with Title 3. The City is in substantial compliance with floodplain requirements and in compliance with erosion control requirement but needs to complete work on the protection of water quality resource areas.

City of Gladstone

December 2000

The City of Gladstone is currently focusing its efforts to come into compliance with titles 1, 2, 6 and 8 of the Functional Plan for December 1999. The City has limited staff resources and anticipates beginning its Title 3 compliance work in 2000 with completion anticipated by December 2000.

City of Gresham

October 2000

The City of Gresham code requires balanced cut and fill for development in the floodplains and addresses some erosion control measures. The City has requested a time extension to October 2000 to complete its compliance work for Title 3.

City of Hillsboro

October 2000

The City of Hillsboro is one of the nine cities participating in a joint planning effort with Washington County and USA to come into compliance with Title 3. The City is in substantial compliance with floodplain requirements and in compliance with erosion control requirement but needs to complete work on the protection of water quality

resource areas. The time extension requested is to accommodate the City's process for amending the Comprehensive Plan and Development Code.

City of Milwaukie
July 2000

Milwaukie currently has erosion control measures and some buffer protections for water quality resource areas in place but needs to address floodplain requirements and adjust the current buffer requirements to be consistent with Title 3. The delay in completing the compliance work is due to staff turnover. The City did look at Title 3 requirements as part of their overall examination of compliance with the Functional Plan. A consulting firm has been hired to undertake this work for the City.

I:\gm\community_development\projects\COMPLIANCE\ExtensionRequests\exhibit A -title 3.doc

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2834 GRANTING TIME EXTENSIONS TO THE FUNCTIONAL PLAN COMPLIANCE DEADLINE FOR TITLE 3 REQUIREMENTS

Date: August 30, 1999

**Presented by: Mary Weber
Prepared by: Brenda Bernards**

PROPOSED ACTION

Adoption of Resolution No. 99-2834 granting timeline extensions to the Functional Plan compliance deadline for the Title 3: Water Quality, Flood Management and Fish and Wildlife Conservation (Title 3) requirements for Washington County and the cities of Beaverton, Gladstone, Gresham, Hillsboro and Milwaukie.

BACKGROUND AND ANALYSIS

Metro Code 3.07.820.C (Title 8 of the Functional Plan) provides that Metro Council may grant time extensions to Functional Plan requirements if a jurisdiction can demonstrate "substantial progress or proof of good cause for failing to complete the requirements on time."

On June 18, 1999 the cities and counties reported on their progress for compliance with the requirements of Title 3 of the Functional Plan. Throughout the region, the local jurisdictions have made considerable progress in dealing with flood management, erosion and sediment control and protection of the water quality resource areas. Each jurisdiction has elements of the requirements in place and is working towards amending current standards to be consistent with Title 3. Twenty jurisdictions anticipate compliance with the requirements of Title 3 on or before December 18, 1999. The City of Johnson City has requested an exception to all Functional Plan requirements.

Six jurisdictions have requested time extensions to the December 18, 1999 deadline to implement the requirements of Title 3 of the Functional Plan. The jurisdictions include Washington County and the cities of Beaverton, Gladstone, Gresham, Hillsboro and Milwaukie. Their requests for time extensions are attached to this report.

Metro Code 3.07.820.F requires that cities and counties give notice to property owners affected by Title 3. None of these jurisdictions have an ordinance prepared for such notice. It appears that most jurisdictions are providing Measure 56 notice that satisfies this section of the Functional Plan.

As the cities work towards meeting the December 18, 1999 deadline, it may be necessary for a number of the smaller cities to request a time extension as well. *Title 3*

Compliance Status – July 21, 1999, which is attached to this report, provides a summary of the compliance status for each of the jurisdictions.

Compliance Progress

Although these jurisdictions have requested time extensions to complete the requirements of Title 3, each has some of the requirements of this Title currently in place. The following pages summarize the progress of each jurisdiction included in Resolution No. 99-2834. Each jurisdiction listed below has met the Metro Code criterion for “substantial progress or proof of good cause for failing to complete” Functional Plan compliance (Metro Code 3.07.820.C).

Washington County

Extension Request: November 2000

Washington County and the nine cities within the urbanized portion of the County are working with the Unified Sewerage Agency (USA) to come into compliance with the requirements of Title 3. The County is in substantial compliance with floodplain requirements and in compliance with erosion control requirements but needs to complete work on the protection of water quality resource areas.

Washington County and Beaverton have signed an intergovernmental agreement that assigns Title 3 responsibility for the Cedar Hills/Cedar Mill and Raleigh Hills/Garden Home areas of the County to the City while the County will be responsible for the Aloha/Reedville/Cooper Mountain areas. The agreement calls for a November 1, 2000 completion for the Title 3 work, including adoption by the Washington County Commission. In the other urbanized areas, the County is working with the adjacent City, that has Title 1 responsibilities, to enter into agreements to undertake the compliance work for Title 3. The timeframes for completion of the Title 3 work will be coincident with each city’s Title 3 work or no later than November 1, 2000.

City of Beaverton

Extension Request: July 2000

The City of Beaverton is one of nine cities participating in a joint planning effort with Washington County and USA to come into compliance with Title 3. The City is in substantial compliance with floodplain requirements and in compliance with erosion control requirements but needs to complete work on the protection of water quality resource areas. The time extension requested is to accommodate the City’s process for amending the Comprehensive Plan and Development Code. A series of public meetings have been scheduled or proposed.

The City has also requested an exception to the requirements of Title 3 for the Beaverton Regional Center and the Murray Scholls Town Center. This request is not part of Resolution No. 99-2834.

City of Gladstone

Extension Request: December 2000

The City of Gladstone is currently focusing its efforts to come into compliance with titles 1, 2, 6 and 8 of the Functional Plan by December 1999. The City has limited staff resources but with a grant from DLCDC, Gladstone has hired a planning consultant to complete its compliance work. The City anticipates beginning work for compliance with Title 3 in early 2000 with completion in December 2000 allowing for sufficient time to conduct a public process with the Planning Commission and the community. The majority of the land affected by Title 3 in Gladstone is in public ownership along the Clackamas and Willamette Rivers.

City of Gresham

Extension Request: October 2000

The City of Gresham code requires balanced cut and fill for development in the floodplains and addresses some erosion control measures. The City has requested a time extension to October 2000 to complete its compliance work for Title 3.

City of Hillsboro

Extension Request: October 2000

The City of Hillsboro is one of the nine cities participating in a joint planning effort with Washington County and USA to come into compliance with Title 3. The City is in substantial compliance with floodplain requirements and in compliance with erosion control requirements but needs to complete work on the protection of water quality resource areas. The time extension requested is to accommodate the City's process for amending the Comprehensive Plan and Development Code.

City of Milwaukie

Extension Request: July 2000

Milwaukie currently has erosion control measures and some buffer protections for water quality resource areas in place but needs to address floodplain requirements and adjust the current buffer requirements to be consistent Title 3. The delay in completing the compliance work is due to staff turnover. The City did look at Title 3 requirements as part of their overall examination of compliance with the Functional Plan. A consulting firm has been hired to undertake this work for the City.

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

The Functional Plan implementation time extension requests for the requirements of Title 3 from Washington County and the cities of Beaverton, Gladstone, Gresham, Hillsboro and Milwaukie are recommended for approval. Any further requests for time extensions or requests for Functional Plan exceptions made by these jurisdictions would be determined as delineated in Metro Code 3.07.820, Sections B and C.

I:\gm\community_development\projects\COMPLIANCE\ExtensionRequests\title 3 extension report.doc

Title 3 Compliance Status - July 21, 1999			
Jurisdiction	Status	Metro Contact	Jurisdiction Contact
Beaverton	<ul style="list-style-type: none"> Participating in Washington County coordination effort for Title 3 compliance has requested an extension to July 2000 Requested an exception for the Murray Scholls Town Center and downtown 	Brenda Bernards	Veronica Smith
Clackamas County	<ul style="list-style-type: none"> Updating code as needed Anticipates compliance by Dec. 1999 	Ray Valone	Greg Frits
Cornelius	<ul style="list-style-type: none"> Participating in Washington County coordination effort for Title 3 compliance, Anticipates compliance by Dec. 1999 	Barbara Linssen	Tracey Lee
Durham	<ul style="list-style-type: none"> Greenway zone along Tualatin River implements much of Title 3, timing for adopting remaining requirements is uncertain 	Barbara Linssen	Roel Lundquist or K.J. Won
Fairview	<ul style="list-style-type: none"> Anticipates compliance by Nov. 1999 	Brenda Bernards	John Anderson
Forest Grove	<ul style="list-style-type: none"> Anticipates compliance by Jan. 2000 	Ray Valone	Karl Mawson
Gladstone	<ul style="list-style-type: none"> Has requested a extension to Dec. 2000 	Barbara Linssen	Jonathan Block
Gresham	<ul style="list-style-type: none"> Currently drafting Title 3 code changes, working with an advisory committee Anticipates compliance by Oct. 2000 	Marian Hull	Jonathan Harker
Happy Valley	<ul style="list-style-type: none"> Anticipates compliance by Dec. 1999 	Brenda Bernards	Jim Crumley
Hillsboro	<ul style="list-style-type: none"> Anticipates completing mapping requirements in Dec. 1999 and code requirements in Oct. 2000 	Ray Valone	Pat Ribela
Johnson City	<ul style="list-style-type: none"> Seeking exception to all Functional Plan requirements 	Barbara Linssen	No staff
King City	<ul style="list-style-type: none"> Has not begun work, but will follow Washington County/Tigard lead 	Marian Hull	Jane Turner
Lake Oswego	<ul style="list-style-type: none"> Largely complete, needs to adopt balanced cut and fill Anticipates compliance by Dec. 1999 	Ray Valone	Jane Heisler
Maywood Park	<ul style="list-style-type: none"> No Title 3 areas inside city boundary 	Barbara Linssen	No staff
Milwaukie	<ul style="list-style-type: none"> Anticipates compliance by July 2000 	Brenda Bernards	Janet Wright
Multnomah County	<ul style="list-style-type: none"> Working to coordinate efforts with cities Has an extension for all compliance work to March 2000 	Barbara Linssen	Tricia Sears
Oregon City	<ul style="list-style-type: none"> Anticipates compliance by Oct. 1999 Currently before City Commission 	Brenda Bernards	Nancy Kraushaar
Portland	<ul style="list-style-type: none"> Anticipates compliance by Dec. 1999 	Barbara Linssen	Mary Abrams
Rivergrove	<ul style="list-style-type: none"> Anticipates compliance by Dec. 1999 	Marian Hull	Mike Collmeyer
Sherwood	<ul style="list-style-type: none"> Participating in Washington County coordination effort for Title 3 compliance Anticipates compliance by Dec. 1999 	Marian Hull	Greg Turner
Tigard	<ul style="list-style-type: none"> Participating in Washington County coordination effort for Title 3 compliance Anticipates compliance by Dec. 1999 	Brenda Bernards	Duane Roberts
Troutdale	<ul style="list-style-type: none"> Anticipates compliance by Dec. 1999 	Ray Valone	Sheryl Sanderson
Tualatin	<ul style="list-style-type: none"> Anticipates compliance by Dec. 1999 	Marian Hull	Jim Jacks
Washington County	<ul style="list-style-type: none"> Participating in Washington County coordination effort for Title 3 compliance has requested an extension to Oct. 2000 	Brenda Bernards	Hal Bergsma
West Linn	<ul style="list-style-type: none"> Anticipates compliance by Dec. 1999 	Marian Hull	Kristi Meyer
Wilsonville	<ul style="list-style-type: none"> Anticipates compliance by Dec. 1999 	Ray Valone	Stephan Lashbrook
Wood Village	<ul style="list-style-type: none"> In compliance July 1999 Used model code for affected features 	Brenda Bernards	Carolle Connell

Note: The City of Gresham, Washington County and the cities of Washington County currently require balanced cut and fill and some erosion control measures.



Metro Growth Mgmt.
JUN 18 1999

June 15, 1999

Mike Burton, Executive Officer
Metro
600 NE Grand Avenue
Portland, Oregon 97232-2736

Re: Report on Title 3 and Request for a Time Extension to July 1, 2000

Dear Mr. Burton:

This letter provides Metro with a report on existing plans and policies and a request for a time extension on the City of Milwaukie's work towards complying with Title 3 of the Metro Urban Growth Management Functional Plan (the Functional Plan). The City of Milwaukie places a high priority on water quality, flood management and fish and wildlife conservation as described in the Functional Plan, and our decision makers are anxious to begin this work.

Report and Evaluation of Existing Plans and Policies

The following report and enclosures are submitted as required in Section 3.07.820.G of the Functional Plan. Milwaukie currently recognizes the beneficial uses, functions and values of natural resources through three regulatory measures:

1. Milwaukie Zoning Code (sections 320 and 322); Natural Resource Overlay and Willamette Greenway, and Natural Resource Overlay Map;
2. Erosion Control Program as implemented by our Public Works department; and
3. Flood Zone building standards.

These existing programs provide the assurance that natural resources will be protected in the interim as we develop our local regulations in compliance with Title 3. As we indicated in our Functional Plan Compliance Report dated August 19, 1998, the Metro Water Quality Resource and Flood Management Area map (Title 3 map) and the Milwaukie Natural Resource Overlay Map are very similar. The existing Natural Resource Overlay Map covers more land area than the Title 3 map since it identifies entire parcels. The Natural Resource Overlay zone in our Zoning Code provides for a public hearing process and professional assessment of impact and mitigation for development on any property with the Natural Resources designation. The Willamette Greenway section in the Zoning Code provides for buffers and a public hearing process. In accordance with Metro Code 3.07.820.G., I am enclosing excerpts from our Compliance Report from last August which provide a more detailed evaluation of our existing regulations. I am also enclosing a copy of our Natural Resource Overlay Map.

COMMUNITY DEVELOPMENT DEPARTMENT
Planning • Public Works • Facilities
6101 SE Johnson Creek Blvd., Milwaukie, Oregon 97206
PHONE: (503) 786-7600 • FAX: (503) 774-8236

Request for Time Extension

Title 8 of the Functional Plan (Metro Code 3.07.810.B.) specifically requires that “cities and counties are required to amend their comprehensive plans and implementing ordinances to comply with sections 3.07.310-.340 of Title 3 within 18 months [December 18, 1999] ...”

Although we are strongly committed to implementing Title 3 as soon as possible, we anticipate that we will not be able to meet the December 18, 1999, deadline set in the Functional Plan for adoption of implementation measures to comply with Title 3. The City therefore requests approximately a 170 day time extension from the Metro Council until July 1, 2000, to complete its implementation of Title 3 regulatory measures.

The primary reason we are asking for this extension is a series of recent staff transitions. The city was without a permanent Planning Director from February through May 1999. Susan Heiser, our Planning Director who carried out the Functional Plan Compliance process, resigned in February 1999. Martha Bennett, our new Assistant City Manager, initiated a national search for the best qualified Planning Director. Our new Planning Director, Alice Rouyer, began work on June 1, 1999. The City now has the appropriate personnel in place to carry out both day-to-day and long-range planning functions of a medium sized city, including implementation of Title 3. We will begin our work on Title 3 immediately. Due to the recent staff transitions, the complexity of the new standards, and the need to adequately involve the public and property owners (including avoiding public hearings during the month of December) the requested extension provides a more realistic timeframe to complete the adoption of new plan and policy language.

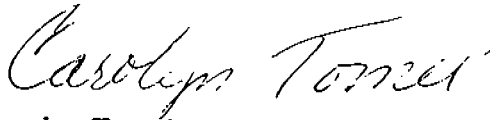
As you can see from the preliminary schedule below, we anticipate getting to public hearings at the Planning Commission and City Council in May and June 2000. The following list provides the steps we anticipate in completing the Title 3 work:

Task	Approximate Timing
Establish Project Management Team (PMT)	July 1999
Prepare a detailed memorandum on applicable regulations and regulatory approaches	July 1999
Meeting #1 with PMT	August 1999
Prepare materials for Work session #1	August 1999
Joint CC/PC/Public Work Session #1	September 1999
Draft revisions to applicable Code sections:	October 1999
Meeting #2 with PMT including legal counsel	November 1999
Prepare for Public open house	November 1999
Hold Open House for general public	Early December 1999
Meeting #3 with PMT	January 2000
Revise draft code language	January 2000
Prepare materials for work session #2	January 2000
CC/PC/ Public Work Session #2	February 2000
BM 56 Notice	April 2000
Public Outreach to affected property owners	April 2000
Prepare final draft report including final code amendments	March 2000-April 2000
Planning Commission Public Hearing/Action	May 2000

Mike Burton
Title 3 Report
Page 3

The City appreciates the work that your staff has provided during the Functional Plan implementation process, we look forward to their continued assistance. If you or your staff has any questions, please call the City's Planning Director, Alice Rouyer, at (503) 786-7654.

Sincerely,



Carolyn Tomei
Mayor, City of Milwaukie

Enc.

cc: Dan Bartlett, City Manager
Martha Bennett, Assistant City Manager
Alice Rouyer, Planning Director
Jim Coleman, Ramis Crew et al.
Brenda Bernards, Metro Growth Management

Excerpt from the Milwaukie Functional Plan Compliance Report, August 19, 1998

Title 3

Timing: Amendments must be made by December 1999, Status of Compliance due to Metro in June 1999. City plans to make amendments by February 2000.

3A/4B Adopt Water Quality Map and Vegetated Buffer Standards

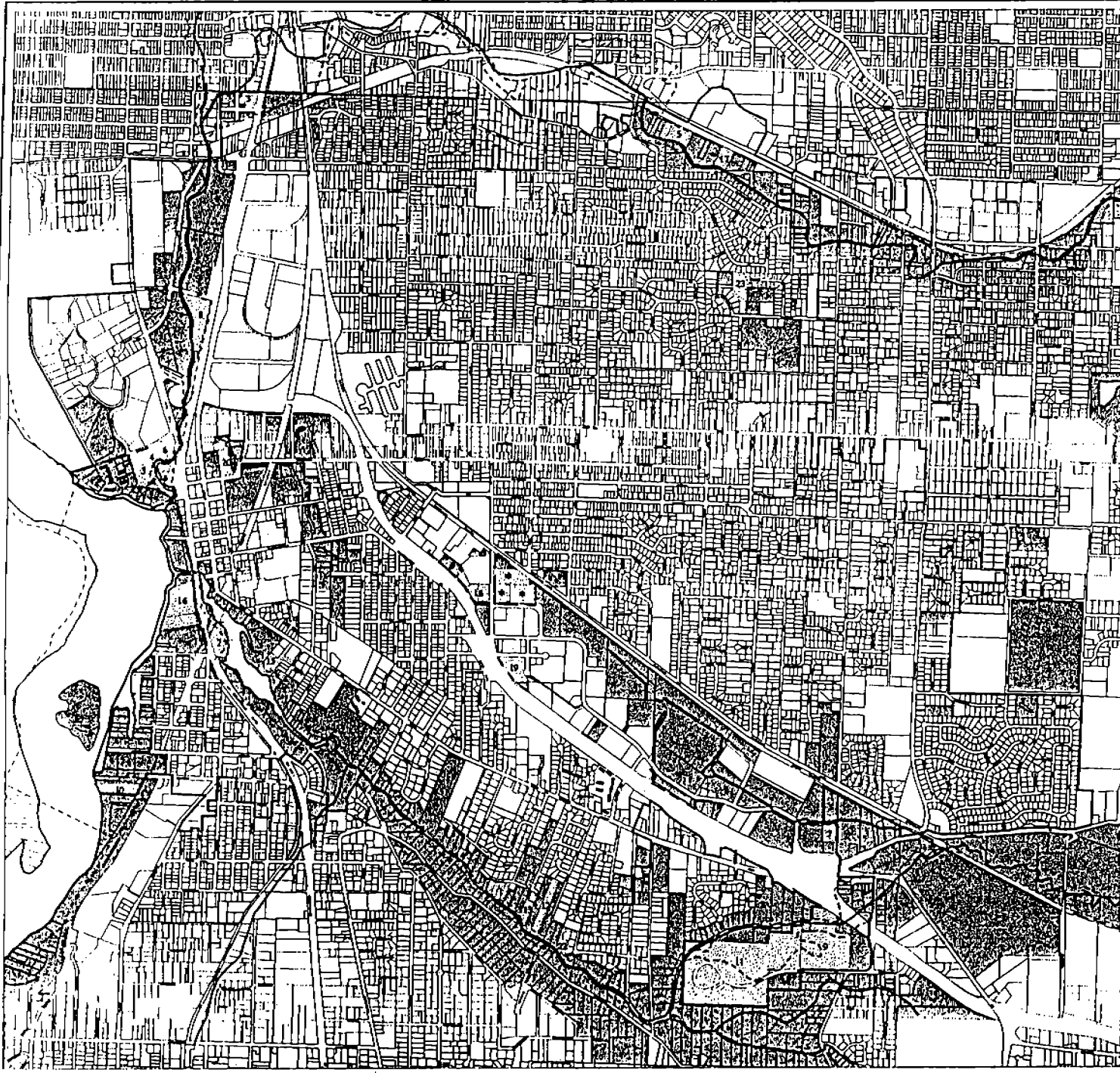
1. Amend Zoning Map to include Title 3 Water Quality Resource Area maps, replace Natural Resource map in Comprehensive Plan with Title 3 map (or reference to map). Obtain Title 3 map layer from Metro.
2. Amend Natural Resource, Section 322 to include Title 3 Buffer Table and other standards.
3. Adopt the Metro Model Ordinance provisions into the Zoning Ordinance where applicable (Natural Resource Overlay, Conditional Uses and Variances) and into the Subdivision Ordinance where applicable.
4. Initiate a Stormwater Design Manual to address Erosion Control, Water Quality, and other design standards to assure adequate construction standards and Best Management Practices can be enforced.

4A/B. Performance Measures



5. Remove riverfront area from Title 3 Map per Metro criteria (within Town Centers or Regional Centers) and providing downtown destination.
6. Adopt Model Ordinance Language to address flood protection issues.
7. Review current City construction standards.

4D. Establish Implementation Tools

8. Requires city to allow transfer of development rights from areas indicated by map.
9. Recommended - Review subdivisions and partitions designated by Water Quality Resource Areas map for possible conditions.



NATURAL RESOURCE DESIGNATION MASTER MAP

- 100 YR FLOOD PLAIN
- CREEKS AND RIVERS
- - - - WATER COURSES
- CITY OF MILWAUKIE BOUNDARY
-  NR DESIGNATION
-  NR DESIGNATION AND NR APPLICATION ON FILE. SEE MASTER FILE LIST BELOW.

1	HR - 90 - 01
2	HR - 91 - 01
3	HR - 91 - 02
4	HR - 91 - 03
5	HR - 91 - 04
6	HR - 91 - 05
7	NR - 91 - 06
8	NR - 91 - 07
9	HR - 92 - 01
10	NR - 92 - 02
11	NR - 92 - 03
12	NR - 92 - 04
13	NR - 92 - 05
14	NR - 92 - 06
15	HR - 93 - 01
16	HR - 93 - 02
17	NR - 94 - 01
18	HR - 94 - 02
* - Denotes Jurisdictional Wetlands	
19	HR - 94 - 03
20	HR - 95 - 02
21	HR - 96 - 01
22	NR - 91 - 08
23	S - 89 - 05

MAP DATE : 09/14/98

Department Of
Community
Development



City of GLADSTONE



July 13, 1999

RECEIVED

JUL 16 1999

City Hall
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5223
FAX: 650-8938
E-Mail: glad@spiritone.com

Municipal Court
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5224

Police Department
535 Portland Avenue
Gladstone, OR 97027
(503) 656-4253

Fire Department
535 Portland Avenue
Gladstone, OR 97027
(503) 656-4253

Public Library
135 E. Dartmouth
Gladstone, OR 97027
(503) 656-2411
FAX: 655-2438
E-Mail: glref@lincc.lib.or.us

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701
FAX: 650-4840

City Shop
18595 Portland Avenue
Gladstone, OR 97027
(503) 656-7957
FAX: 722-9078

Mike Burton
Executive Officer
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

EXECUTIVE OFFICER

RE: Functional Plan Compliance Update and Request for Time Extension for Title 3

Dear Mr. Burton;

The City of Gladstone is well underway with its work program for meeting the requirements of the Metro Urban Growth Management Functional Plan (the Functional Plan). Through a Transportation and Growth Management Smart Development Code Assistance grant, the city has engaged in a productive discussion between staff, the public and the Planning Commission. This process has resulted in a package of draft code amendments directed at complying with the Functional Plan and promoting the principles of Smart Development. Your staff has been an integral part of the grant request process and the Project Team. The Planning Commission reviewed this draft amendment package on June 15, 1999 and provided direction to staff about proceeding with specific amendments. We anticipate completion of our Functional Plan compliance work by December 31, 1999 with the exception of Title 3 compliance.

2040 Growth Concept Map Amendment

During the city's review of the 2040 Design Types on Metro's Growth Concept map, it became clear that the designation of inner and outer neighborhoods in Gladstone is not right. The majority of Gladstone has been designated outer neighborhood while a limited area in the northeast portion of the city has been designated inner neighborhood. In reality, the residential areas in Gladstone that are characterized by smaller lot sizes and accessibility to jobs and neighborhood businesses are located in the southern section of the city. This area is generally bounded by McLoughlin Blvd. on the west, the Clackamas River on the south, Oatfield Road on the east and Abernethy Lane, Jersey Street and Heather Way on the north.

Mike Burton - Metro
Functional Plan Compliance Update and Request for Time Extension for Title 3
July 13, 1999
Page Two

Likewise, residential neighborhoods characterized by lower densities and located farther away from the city's commercial core and industrial lands are located north of Abernethy Lane, Jersey Street and Heather Way.

It is my understanding Metro has a process available for consideration of revisions to the 2040 Growth Concept map. Therefore, the city requests Metro amend the 2040 Growth Concept Map, specifically that the designation of inner and outer neighborhoods be "flipped" in Gladstone as described above.

Title 3 Time Extension

The city has spent the last 6 months focusing on compliance with the other applicable Titles in the Functional Plan. The city will focus its planning resources on the adoption of the proposed implementation measures for Titles 1, 2, 6 and 8 over the next 6 months. As one of the smaller cities in the Metro region, Gladstone does not have staff resources to complete the Title 3 amendments within the time frame required by Section 3.07.810B (December 18, 1999). As a city with very little developable land, Gladstone's implementation of Title 3 will not affect many properties. The City will begin work on Title 3 in the year 2000. The City plans to have the evaluation required by Metro Code 3.07.820G, complete by June 2000 and implementing measures adopted by December 18, 2000. Therefore, Gladstone requests a one-year extension to the Title 3 deadlines.

If you require additional information, please contact Jonathan Block, Community Services Director, at 557-2768.

Thank you for your assistance in this matter.

CITY OF GLADSTONE



Wade Byers, Mayor

c: Barbara Linssen, Associate Regional Planner, Metro



WASHINGTON COUNTY
OREGON

Metro Growth Mgmt.

JUN 21 1999

June 17, 1999

Ms. Brenda Bernards
Senior Regional Planner
Growth Management Services Department
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

Re: Title 3

Dear Ms. Bernards:

Washington County, Metro and the City of Beaverton were involved early this year in a discussion about the City of Beaverton assuming, by intergovernmental agreement, a number of planning responsibilities associated with the requirements of Metro's Urban Growth Management Functional Plan. That discussion explicitly covered consideration of Metro Title 3 compliance and the need to secure Metro approval of a time extension for compliance.

Subsequent to those discussions and with the knowledge and support of Metro staff, Washington County and the City of Beaverton enacted an Intergovernmental Agreement (IGA) which assigned a number of planning tasks to the City of Beaverton.

The IGA, among other things, assigned Title 3 responsibility for CPO1 and CPO3 (Cedar Hills/Cedar Mill and Raleigh Hills/Garden Home, generally) to the City of Beaverton for completion by November 1, 2000. Washington County continued our jurisdiction for CPO6 (Aloha/Reedville/Cooper Mountain, generally) for completion of Title 3 by November 1, 2000.

As you are aware, the IGA and other discussions with the cities of Washington County have recently focused on assigning Title 1 Table 1 and Title 3 responsibilities for urban unincorporated Washington County to an appropriate city. There is agreement on Title 1 Table 1 issues and we are now proceeding to draft IGAs/MOUs which will assign these responsibilities to cities. Presumably the timeframes for completion of Title 3 will be coincident with each city's Title 3 work or no later than November 1, 2000.

Ms. Brenda Bernards
June 17, 1999
Page 2

As we contemplate the Title 3 work and through our discussion with cities, we anticipate utilizing the Metro Title 3 Substantial Compliance approach as proposed by USA and the Washington County Planning Directors.

Should you have questions, please call.

Sincerely,

A handwritten signature in cursive script that reads "Brent Curtis". The signature is written in black ink and is positioned above the printed name and title.

Brent Curtis
Planning Manager

cc: John Rosenberger
John Jackson
Lori Faha
City Planning Directors
Hal Bergsma

RECEIVED

JUN 18 1999

CITY of BEAVERTON

EXECUTIVE OFFICER

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 TEL: (503) 526-2481 V/TDD FAX: (503) 526-2571



ROB DRAKE
MAYOR

June 17, 1999

Mike Burton
Executive Director
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Mr. Burton:

The City of Beaverton's Urban Growth Management Functional Plan Compliance Report update for Title 3 accompanies this letter. The City's report has been prepared in accordance with Metro code Section 3.07.820 that states:

On or before six months prior to the 18-month deadline established in this section, cities and counties shall transmit to Metro the following:

- 1. An evaluation of their local plans, including any relevant existing regulations and the amendments necessary to comply with the Title 3 of this functional plan;*
- 2. Copies of all applicable comprehensive plans, maps and implementing ordinances as proposed to be amended;*
- 3. Findings that explain how the amended city and county comprehensive plans, maps and implementing ordinances will achieve the standards required in Title 3 of this functional plan.*

This information is being submitted within the time frame established by Metro.

On November 18, 1998, the City submitted a full compliance report, which included information on the status of Title 3. At that time, the City reported that Washington County's Unified Sewerage Agency (USA) had proposed a work program for a joint approach to implement Title 3 within their urban service district. In December the Washington County Planning Directors agreed to form a joint committee with USA to address Title 3 implementation.

The committee's final report and recommendations for joint implementation of Metro's Title 3 program was recently (June 16, 1999) presented to the Washington County Planning Directors. Following the presentation, the next steps are as follows:

1. Each Planning Director was asked to present the report to their respective administration and/or Council.
2. Each jurisdiction's Council will be asked to review the report and consider whether to:
 - a. Support joint implementation through amended USA policies;
 - b. Modify the recommendations to allow the jurisdiction to support a joint implementation policy; or
 - c. Reject the committee's report and pursue a single jurisdiction program for compliance.

Mike Burton
June 17, 1999
Page 2

3. The USA Board will consider each jurisdiction's recommendations. USA has the option to:
 - a. Amend the USA Design and Construction Standards manual;
 - b. Make no amendments; or
 - c. Amend the manual with some modifications but not others.

How the City will implement Title 3 currently depends on City Council recommendations and USA's decisions. Since these decisions are currently pending, the City has included a rough draft of an implementation schedule. As the steps outlined above progress, the City will continue to update Metro. It should be noted that each jurisdiction, in accordance with their Intergovernmental Agreement with USA, would be required to enforce the new standards should USA amend their Design and Construction manual. Based on the Washington County Planning Director's response and decisions that will follow with public input, the City's proposed final adoption date is expected to exceed Metro's December 18, 1999 deadline. The projected timeline for implementation is enclosed. The City continues to request an extension to July 1, 2000.

Enclosed is information, which details the City's analysis and provides justification for the requested time extension. Also enclosed is a copy of the Washington County Planning Director's committee report detailing the proposed joint implementation package.

In the November 18, 1998 Compliance Report, the City also made a request for an exception to Title 3 for the Regional and Town Centers. Pending the outcome of the USA joint implementation recommendations discussed above, the City continues to request this exception to Title 3. Over the next six to twelve months, the City will continue to update you on this matter.

The City appreciates the ongoing support received from Metro, as our approach to Title 3 has been refined during the past year. If you have any questions regarding the City's progress toward implementation, please contact Veronica Smith, Associate Planner in the Policy Division of the Community Development Department, at 526-2458.

Sincerely,



Rob Drake
Mayor

RD/VS/pal

c: City Council
Joe Grillo
Veronica Smith
John Jackson, USA

Enclosures

g:/patty/mayor/MetroCompliance

City of Beaverton
Updated Compliance Report: Title 3 Implementation
June 18, 1999

January – June 1999

January 5 – June 10, 1999. The Washington Planning Directors form a committee in conjunction with Unified Sewerage Agency (USA) and develop a Title 3 joint implementation program for ten cities and urban Washington County.

June 16, 1999. The committee presents the report to the Washington County Planning Directors and makes it available to Metro staff and the public.

July – December 1999

July 21, 1999. Scheduled Beaverton Planning Commission work session on a joint implementation strategy. The Planning Commission will recommend that the Beaverton City Council either:

1. Support the recommendation
2. Support with additional recommendations, or
3. Reject the program and adopt a different approach.

August 2, 1999. Schedule Beaverton City Council work session to consider the Planning Commission's recommendations and make a final decision.

By August 16, 1999. Beaverton will provide USA with a letter, stating their position and/or recommendations for implementation. Each of the ten cities and Washington County will concurrently consider their respective approach providing USA with formal notification.

September through November. The USA Board hold public hearings, consider the letters submitted by the local jurisdictions, and make a determination to adopt new polices effective December 18, 1999.

December 1999. City mails out a Citywide measure 56 public hearing notice to implement legislative amendments to support Title 3. Pursuant to BM 56 legislation, Metro reimbursement processes will be followed.

January – June 2000

January – February, 2000. The City begins the public hearing process with the Planning Commission (not scheduled at this time).

March 2000. The Planning Commission makes final recommendation to City Council.

April 2000. Pending no appeal of the Planning Commission recommendation, the City Council will consider the recommendation to adopt amendments to meet substantial compliance to Title 3.

May – June 2000. Additional time to amend any conflicting development code text amendments for internal consistency, and with the City's Periodic Review work program. This action requires a measure 56 public notice and would be combined with a mailing of several Citywide public hearing notices.

July, 2000. Title 3 is complete.

Metro Title 3 Report for
Substantial Compliance Recommendations
Prepared By the
Washington County Planning Directors Title 3 Implementation
Committee
June 16, 1999

Metro staff determined that all ten jurisdictions should submit a copy of this report. For ease of administration, copies were provided to Brenda Bernards, Metro Growth Management Services on 6-16-99. Should you need a copy, please contact her or Veronica Smith, Associate Planner City of Beaverton at 526-2458.





MEMORANDUM

**Long Range Planning
Project & Policy Development Team
Community Development Department**

7/12/99

To: Mike Burton, Executive Officer and Metro Council
Elaine Wilkerson, Director Growth Management Services
Marian Hull, Senior Regional Planner

From:  Richard Ross, AICP, Project & Policy Development Manager
Jonathan Harker, AICP, Community Planner III 

RE: Report on Title 3 Compliance (Title 8 – Section 3.07.820.G)

Section 3.07.820.G requires the City of Gresham to transmit to Metro an evaluation of its plan concerning Title 3, copies of applicable documents, and findings on how it will achieve Title 3. Although the City has made considerable progress on Title 3 implementation it has not progressed as much as seems to be anticipated in Section 3.07.820.G; nor will the City meet the 18-month (December 18, 1999) compliance deadline. This report will detail the progress the City has made towards Title 3 implementation, comment on the first hearing requirement of Section 3.07.820.F, and request an extension of the deadline as provided for in Section 3.07.820.C.

SECTION 3.07.820.G.1 requires *an evaluation of their local plans, including any relevant existing regulations and the amendments necessary to comply with Title 3 of this functional plan.*

3.07.320. Applicability. Title 3 deals with Water Quality Resource and Flood Management Areas, erosion control and emergency provisions. The City has initiated a project to address these areas. Title 3 also includes Fish and Wildlife Habitat Conservation but does not yet require action. City staff has been involved in Metro's Goal 5 project by attending TAC meetings and CPR Workshops and will continue to do so.

3.07.330 Implementation Alternatives. The City's chosen implementation alternative is to adopt the Metro Water Quality and Flood Management maps. The maps will be used as a reference and code language implementing the Title will prevail over the map. Evaluation of the Code language will utilize the Title 3 Model Ordinance. The process for adopting the code and maps will be a Type IV legislative process that means public hearings by the Planning Commission and Council. Council will make the final decision. Standard noticing will occur including notice as required by Measure 56. The City Council, Planning Commission and Growth Management Committee have given this direction.

3.07.340.A Flood Management Performance Standards. These provisions require development in a Flood Management Area to meet standards such as balanced cut and fill, that habitable structures be at least one foot above the design flood elevation and that uncontained hazardous materials be prohibited. There are also provisions concerning planting new trees, construction of detention facilities and stream crossings. The City has had 100-year flood plain regulations for many years. In December 1998 the City adopted additional performance standards as required for Title 3. Current City code substantially complies with the Title 3 flood management performance standards and only minor amendments will be necessary to the City's Flood Plain Overlay District.

3.07.340.B Water Quality Performance Standards. These provisions generally prohibit development in Water Quality Resource areas that are the protected water feature plus a vegetated corridor. Some development is allowed if there are no practicable alternatives and mitigation occurs. Provisions are required that allow some development if the parcel is wholly or substantially in the WQRA. Current City code does not address the Water Quality Performance Standards.

3.07.340.C Erosion and Sediment Control. This section requires the City to adopt erosion control measures for all development (Citywide) during and after construction to prevent the discharge of sediments. The City has had erosion control standards for some time. The Council adopted additional measures concerning erosion and sediment control in December 1998. Current City code substantially complies with Title 3. Only minor, if any, changes will be required.

3.07.340.D Implementation Tools to protect Water Quality and Flood Management Areas. This section includes requirements and suggestions. Requirements include allowing density transfers or other means to mitigate development restrictions, provisions for existing development and criteria for Title 3 wetlands. Amendments to the Code will be necessary for these requirements. In December 1998 the City did amend its definition of wetlands to include the criteria for Title 3 wetlands. The suggestions in this section include conditions of approval to require conservation easements, open space platting or sale or donation of WQRA/FMA areas and an option of tying requirements to building permits. Language for these provisions will be drafted and considered for adoption as part of the process.

3.07.340.E Map Administration. This section requires the City to have a process to correct possible map errors, modify the WQRA and add Title 3 wetlands. It also exempts water quality and stormwater detention facilities from Title 3 wetland criteria. The City code will need to be amended to add these provisions.

3.07.350 Fish and Wildlife Habitat Conservation Area. The City is not yet required to address this section of Title 3. 3.07.350.B has a recommendation for temporary standards. However, Metro has not yet mapped the Fish and Wildlife Conservation Areas where these standards would apply. As time allows in the project the City may consider incorporating WQRAs with the City's current Natural Resource Overlay District and could consider these temporary measures at that time.

3.07.360 Metro Model Ordinance Required. As noted before, the City will utilize the Model Ordinance during its process. City staff has been in contact with Metro staff with questions about the Model Ordinance.

3.07.370 Variances. This addresses Fish and Wildlife Habitat Protection only and does not need to be addressed at this time. The City does provide for map errors and variances to the City's current Natural Resource Overlay District.

SECTION 3.07.820.G.2 requires *copies of applicable comprehensive plans, maps and implementing ordinances as proposed to be amended.*

Enclosed are a number of draft amendments to the City's Development Plan. For each of the documents enclosed there is a summarizing cover sheet. It needs to be noted that these are not proposed amendments. Rather, they are initial drafts that will need to be reviewed and refined during the remainder of the process. The drafts submitted are:

1. Draft Water Quality Resource Area (WQRA) Overlay District
2. Draft Findings for WQRA
3. Draft Amendments to Flood Plain Overlay District (Flood Management Area – FMA)
4. Draft Variance Provision for WQRA
5. Draft Map Procedures for WQRA and FMA
6. Draft Definitions for WQRA and FMA
7. Draft Findings and Text for Native Plant List

8. Also included is an adopted plan amendment (CPA 98-5301) partially implementing Title 3 concerning wetlands, flood management and erosion control. I have also included a copy of the City's current Flood Plain Overlay District and erosion control standards and erosion control handbook.

9. Also included is a Draft Parcel based map of the WQRA and FMA areas based on the adopted Metro maps. Again it needs to be noted that this is a draft and does not include any changes or map error corrections that may be proposed. Section 3.07.820.3 does provide that *Cities ... may request areas to be added or deleted from the Metro Water Quality and Flood Management Area Map based on a finding that the area identified on the map is not a Water Quality and Flood Management Area ... as defined in this functional Plan. Areas may also be deleted from the map if the city ... can prove that its deletion and the cumulative impact of all deletions in its jurisdiction will have minimal impact of the water quality of the stream and on flood effects. Findings shall be supported by evidence, including the results of field investigations.*

10. To date the City has been alerted to one potential correction. There are two log ponds that are shown as wetlands on the Metro WQRA/FMA maps. These are located on parcels 1S3E04DD 2700, 2800 and 2900. The City has received a copy of a letter from the Corps of Engineers that states that "the ponds are not 'waters of the U.S. as defined in 33 CFR 328, and are not subject to the regulatory authority of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act'." Enclosed is a copy of that letter.

SECTION 3.07.820.G.3 requires *Findings that explain how the amended city ... comprehensive plans, maps and implementing ordinances will achieve the standards required in Title 3 of this functional plan. In developing the evaluation, plan and ordinance amendments and findings, cities ... shall address the Metro 2040 Growth Concept, and explain how the proposed amendments implement the Growth Concept.*

Each of the enclosed draft amendments includes cover sheets that briefly describe how they relate to Title 3. Also for the WQRA draft, the FMA draft, the variance draft and the map procedures draft there is a commentary column next to the draft language column. The commentary column explains how the language relates to Title 3 and the Model Ordinance. Together these provide an initial explanation of how the draft amendments will work to implement Title 3. As has already been mentioned these drafts are initial drafts that will be reviewed and refined during the remainder of the project. They are not proposed amendments. Therefore it is not possible at this time to provide findings on specific language that the City will ultimately propose and adopt. Similarly, the draft map at this time represents the affected parcels as provided by the Metro maps. It does not reflect the changes that may occur during the process public input leads to warranted changes.

The enclosed adopted plan amendment (CPA 98-5301) partially implements Title 3 concerning wetlands, flood management and erosion control. Included in the enclosure is a memorandum describing how the plan amendments implement Title 3.

As described in the 1995 amendments to the Regional Urban Growth Goals and Objectives (RUGGOs) the Metro 2040 Growth Concept *states the preferred form of regional growth and development ... for the long term growth management of the region including a general approach to where and how much the UGB should be ultimately expanded, what ranges of density are estimated to accommodate projected growth within the boundary, and which areas should be protected as open space.* Objective 12.1.1 of the RUGGOs is to *manage watersheds to protect, restore and ensure to the maximum extent possible the integrity of streams, wetlands and floodplains, and their multiple biological, physical and social values.* Implementation of Title 3 helps to meet this objective.

11. Enclosed is a copy of the Project Goals adopted by the Growth Management Committee. The goals clearly recognize the importance of the lands and of implementing Title 3.

The GMC was a citizen advisory committee appointed by the City Council to advise the Council and Planning Commission on proposed plan amendments to implement the Metro 2040 functional plan and regional framework plan. Its membership consisted of six at-large citizens, one professional from the development industry and one member each from Planning Commission and the Transportation, Parks, and Housing citizen advisory committees.

The GMC held monthly public meetings and began considering Title 3 in fall, 1998. They adopted the enclosed goals after reviewing Title 3, hearing a presentation from Metro staff on Title 3 and reviewing Metro's publication *Protecting Our Region's Rivers, Floodplains and Wetlands*. The adopted Goals were an important step in framing the Title 3 implementation as a local water quality

SECTION 3.07.820.F requires *on or before six months prior to the 18 month deadline [December 18, 1999], cities ... shall schedule their first hearing on the ordinance to implement ... Title 3 and transmit notice of that hearing and copy of the proposed ordinance to Metro at least 30 days prior to the hearing.*

According to the Metro Framework Field Guide (May/June 1999) Metro may amend that section to allow for more flexibility in the scheduling of a date. This section also provides that Metro shall prepare and mail a notice of the hearing to each affected property owner and that Metro shall review proposed amendments to Title 3 based on property owner testimony. The City has not scheduled a first hearing and has already been noted has not drafted a proposed ordinance or map. However, the City has sent an Early Notification Flyer to potentially affected property owners.

12. Enclosed is a copy of the early notification flyer.

This flyer was to inform potentially affected parties of the City Water Quality and Flood Management (Title 3) project. The mailing went out in mid May 1999 and was sent to about 1,250 parties. This mailing represented about 1,700 potentially affected parcels. It was sent to property owners of these parcels, neighborhood associations, the Johnson Creek and Columbia Slough Watershed Councils, the Interlachen PUD, the Columbia Corridor Association and a mailing list of interested persons.

The flyer included the flyer cover, a one-page summary, a three-page informational handout and the Metro WQRA/FMA map for that parcel whose owner was being notified. Mailings to associations

included a color City map that shows the WQRA/FMA boundaries and the potentially affected parcels. I have included the color map (potentially affected parcels are highlighted in yellow).

The mailing has resulted in numerous calls, e-mails and letters from property owners and others. It formed the starting point for the public participation process that the City will engage in to complete this project.

SECTION 3.07.820.C provides that *The Metro Council may grant an extension to time lines under this functional plan if the city ... has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time.*

13. Enclosed is revised Water Quality and Flood Management Timeline.

The Timeline shows the work that has been done to date (beginning in December 1998). It also shows a revised completion date of October 5, 2000. This is the date a new ordinance would be effective. The Council public hearing would be August 15, 2000. Originally the City had planned to have an effective ordinance by January 2000. The City realizes this means that the compliance deadline of December 18, 1999 is not met. However, the City believes that it is better to extend the deadline and continue to engage the citizens in the process rather than leave out necessary steps in the project in order to keep the original deadline.

- ✓ The City has made substantial progress towards implementing Title 3:
 - Adopted plan amendments to the City's Flood Plain Overlay District that meet the flood management performance standards of Title 3.
 - Adopted plan amendments to the City requirements for erosion and sediment control that, combined with the previously existing requirements, meet the erosion and sediment control requirements of Title 3.
 - Created a parcel-based map of Metro's Water Quality and Flood Management adopted maps.
 - Created a mailing list of potentially affected property owners.
 - Sent a mailing explaining the project to potentially affected property owners including the applicable Metro map.
 - Drafted plan amendments that, once reviewed and refined, will implement Title 3 map requirements by addressing water quality performance standards, implementation tools and map administration. The draft amendments utilize the Model Ordinance.
 - Summarized findings from Metro's technical report document.
 - Summarized findings and created Metro Native Plant list for adoption.
 - Recognized the regional significance of protecting and enhancing water quality and managing flood control and implementing Title 3 by citizen adopting these issues as project goals.

- ✓ Less staff FTE is available to work on Title 3 due in part to staff reduction and in part to a shift in Council direction that addresses issues associated with additional density and the mixed use and compact development anticipated by the Region 2040 Growth Concept:
 - Elimination of the Lead Long-Range Planner position. This is a 25% reduction in staffing, leaving 3 planners doing the majority of UGM Functional Plan and Periodic Review tasks. This reduction was part of a citywide shift of general fund money to fund additional public safety (police and fire) services.
 - Council and Planning Commission added Long-Range projects to address implementation and design issues associated with recent designations of Region 2040 concept design types of regional, town and station centers and transit corridors. The City has amended its plan map designating regional, town

and station centers and transit corridors. It has also amended its development plan adding land use districts for these design types. The new mixed-use and more compact design types lead to implementation issues of how to encourage desired development. Staff resources have been shifted to work on projects such as creating a transit oriented tax exemption for multi-family and mixed use development in the regional, town and station centers and creating a Rockwood Action Plan to deal with land use, infrastructure, housing and social issues in the town center. This coming quarter, long-range planning staff resources are shifted to multi-family and mixed use design project to lead to architectural and design standards for those developments in the centers and along corridors. Long-range planning staff will also be working this quarter on adoption of a well field protection ordinance to protect Portland's water wells in the Columbia South Shore area.

CONCLUSION

Gresham remains committed to protecting water quality and preventing flooding by implementation of Title 3. The City has made considerable progress towards implementing Title 3. The planned timeline, although not within the Functional Plan deadline, sets a reasonable expectation for completion.

In a recent Metro Framework Field Guide notes that a resource that Metro has is the staff expertise to review proposed code changes. Although the attached code amendments are drafts it would be useful to have Metro feedback on the draft language and the issues that have been raised.

If you have any questions about this report, please contact Jonathan Harker at 618-2502 or harker@ci.gresham.or.us.



JUN 18 1999

EXECUTIVE OFFICER

June 16, 1999

Mike Burton, Executive Officer
Metro
600 NE Grand Avenue
Portland, OR 97232

RE: Progress Report on Hillsboro Compliance with Title 3, Metro Urban Growth Management Functional Plan

Dear Mr. Burton:

As you may know, the City of Hillsboro is participating with Washington County, other cities in Washington County and the Unified Sewerage Agency (USA) to present a common streams, floodplains, and water quality protection program that substantially complies with Title 3 ("common program"). Metro received copies of the report titled "Metro Title 3 Substantial Compliance Recommendations" by the Washington County Planning Directors Title 3 Implementation Committee dated June 16, 1999 that describe the features of the proposed common program. The program will enable the participating jurisdictions to substantially comply with Title 3 requirements. In accordance with Metro Code Sec. 3.04.820.G (Title 8 of the Metro Functional Plan), this letter and the report comprise our progress report toward achieving Hillsboro comprehensive plan and land use regulation compliance with Title 3 of the Functional Plan.

Briefly, the common program contains standards for flood and erosion control and for water quality protection. Consistent with Title 3, the key water quality provision of this common program requires a vegetated corridor along streams and around wetlands and allows for varied stream and wetland corridor widths depending on type of stream and adjoining topography. It also allows "buffer-averaging" and buffer width reductions, if certain enhancement for mitigation measures are taken which improve stream hydrology. Stream hydrology is an important component of a comprehensive approach to enhanced fish habitat.

If the common program is endorsed by participating local governments, we will take the program to our City Council for consideration and action in June-July of this year. Subsequent to formal City Council action, we will initiate any necessary Title 3 amendments to our comprehensive plan and land use regulations as part of our upcoming comprehensive plan revision and preparation of a new City land use code scheduled to start this Fall pursuant to City Periodic Review obligations. Therefore, we might not be able to meet the December, 1999 deadline for adopting the necessary Title 3 plan and regulatory amendments. The plan revision and new land use code preparation and adoption will be completed mid year 2000.

Mike Burton
June 16, 1999
Page 2.

Thank you for receiving this Title 3 progress report. If you have any questions or need additional information please contact me at 681-6156.

Respectfully submitted:

CITY OF HILLSBORO PLANNING DEPARTMENT

A handwritten signature in black ink, appearing to read "Winslow C. Brooks". The signature is written in a cursive style with a large initial "W".

Winslow C. Brooks
Planning Director

Cc John Jackson, Planning Division Manager, Unified Sewerage Agency
Lori Faha, Water Resources Program Manager, Unified Sewerage Agency