

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF GRANTING TIME) RESOLUTION NO. 00-2914
EXTENSION TO THE FUNCTIONAL PLAN)
COMPLIANCE DEADLINE FOR THE CITY OF) Introduced by Executive Officer Mike Burton
TROUTDALE)
)

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 Urban Growth Management Functional Plan requires that all jurisdictions in the region make plan and implementing ordinance changes needed to come into compliance with this functional plan by February 19, 1999; and

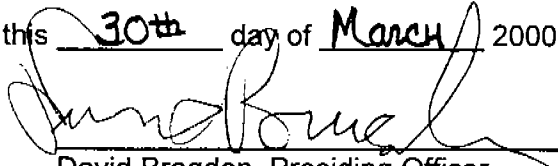
WHEREAS, the Urban Growth Management Functional Plan in Metro Code Section 3.07.820.C provides that Metro Council may grant extensions to timelines under this functional plan "if the city or county has demonstrated substantial progress or proof of good cause for failing to complete the requirements on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

WHEREAS, the City of Troutdale has requested a time extension to complete compliance work based on evidence showing "substantial progress or proof of good cause" for failing to meet the February 19, 1999 compliance deadline and has submitted a detailed timeline showing when the work will be completed, now therefore,

BE IT RESOLVED:

1. That the City of Troutdale shall receive a Functional Plan compliance time extension as shown in Exhibit A.
2. That no further requests for time extensions be considered for Troutdale on Titles 1 and 6 requirements.

ADOPTED by the Metro Council this 30th day of March 2000.


David Bragdon, Presiding Officer

APPROVED AS TO FORM:



Daniel B. Cooper, General Counsel

EXHIBIT A

Functional Plan Compliance Time Extension for the City of Troutdale

Metro Code numbers are used to cite Functional Plan requirements with the applicable Functional Plan title following in parentheses (). Resolution 00-2914 does not include time extension requests for compliance with the requirements of Title 3. The Table below identifies the Functional Plan titles for reference.

Functional Plan Titles

| | |
|---------|--|
| Title 1 | <i>Requirements for housing and employment accommodation</i> |
| Title 2 | <i>Regional parking policy</i> |
| Title 3 | <i>Water quality, flood management conservation</i> |
| Title 4 | <i>Retail in employment and industrial areas</i> |
| Title 5 | <i>Requirements for rural reserves and green corridors</i> |
| Title 6 | <i>Regional accessibility</i> |
| Title 7 | <i>Affordable housing</i> |
| Title 8 | <i>Compliance procedures</i> |

Troutdale **June 2000**

- Adopt development code amendments to implement minimum density standard of 80% as required by Metro Code 3.07.120A (Title 1).
- Adopt development code amendments to allow accessory dwelling units as required by Metro Code 3.07.120.C (Title 1).
- Amend development code to comply with the street design requirements of Metro Code 3.07.620 (Title 6).
- Amend development code to comply with the street connectivity standards of Metro Code 3.07.630 (Title 6).

STAFF REPORT

*CONSIDERATION OF RESOLUTION NO. 00-2914 GRANTING
AN ADDITIONAL TIME EXTENSION TO THE FUNCTIONAL
PLAN COMPLIANCE DEADLINE FOR THE CITY OF
TROUTDALE*

Date: February 28, 2000

Presented by: Mary Weber
Prepared by: Brenda Bernards

PROPOSED ACTION

Adoption of Resolution No. 00-2914 granting an additional time extension to meet the requirements of the Functional Plan for the City of Troutdale.

EXISTING LAW

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."

BACKGROUND AND ANALYSIS

The deadline for compliance with the requirements of the Functional Plan was February 19, 1999. Many jurisdictions required more time to make the necessary changes to their codes and plans to come into compliance. The City of Troutdale has requested additional time to implement a portion of the requirements of the Functional Plan. The letter requesting the time extension is attached to this report.

Metro Code numbers are used to cite Functional Plan requirements. The applicable Functional Plan title follows each citation in parentheses (). Resolution 00-2914 does not include time extension requests for compliance with the requirements of Title 3. The Title 3 time extension requests will be reported on separately. The Table below identifies the Functional Plan titles for reference.

Functional Plan Titles

| | |
|---------|--|
| Title 1 | <i>Requirements for housing and employment accommodation</i> |
| Title 2 | <i>Regional parking policy</i> |
| Title 3 | <i>Water quality, flood management conservation</i> |
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| Title 7 | <i>Affordable housing</i> |
| Title 8 | <i>Compliance procedures</i> |

COMPLIANCE PROGRESS

Troutdale

Although the City of Troutdale has requested additional time to complete Functional Plan compliance, it has made significant progress towards meeting the Functional Plan goals. Troutdale has completed its capacity analysis and adopted parking standards and prohibitions to large-scale retail uses in Industrial and Employment Areas. The City 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).

Troutdale has prepared the amendments to the development code to meet the outstanding requirements of Titles 1 and 6. The additional time is requested to include more public participation in the adoption process. Previously Metro Council had granted the City a time extension to May 1999 to adopt minimum densities required under Title 1 and to December 1999 to adopt street design and connectivity standards required under Title 6. Troutdale had not requested a time extension for accessory dwelling units. Troutdale intends to complete the remaining work needed for Titles 1 and 6 as follows:

June 2000

- Adopt development code amendments to implement minimum density standard of 80% as required by Metro Code 3.07.120A (Title 1).
- Adopt development code amendments to allow accessory dwelling units as required by Metro Code 3.07.120.C (Title 1).
- Amend development code to comply with the street design requirements of Metro Code 3.07.620 (Title 6).
- Amend development code to comply with the street connectivity standards of Metro Code 3.07.630 (Title 6).

Staff recommends that no additional time extensions be considered beyond the June 2000 extension for adoption of minimum densities, accessory dwelling units, street design standards and street connectivity standards.

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

The Functional Plan time extension request for the City of Troutdale is recommended for approval. No additional time extensions will be considered for Troutdale on Titles 1 and 6 requirements.

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CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

December 7, 1999

Mayor

Paul Thalhofer

City Council

Pat Smith

David Ripra

Bruce Thompson

Jim Kight

Paul Rabe

Doug Davoust

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

Dear Mr. Burton:

The City of Troutdale would like to request a further extension to our previously approved May 1999 extension to complete implementation of portions of Metro's Urban Growth Management Functional Plan. An extension to June 2000 is needed to complete compliance work on the following Functional Plan provisions:

- Section 3.07.120A Minimum Density Standard
- Section 3.07.120C Accessory Dwelling Units
- Section 3.07.630 Design Standards for Street Connectivity

STATUS REPORT OF REMAINING COMPLIANCE ITEMS

Section 3.07.120A Minimum Density for New Residential Developments

Amendments to the Troutdale Development Code (TDC) to comply with this functional plan requirement have already been prepared. These amendments propose that all new residential development be built at 80% or more of the maximum number of dwelling units per net acre. The Troutdale Planning Commission conducted a public hearing on these proposed amendments in March 1999 and forwarded them onto the City Council for further public hearing and adoption. The City Council held public hearings on May 11 and May 25, 1999, but did not take action. They put the amendments on hold in order to gather more information about their meaning and impacts.

Although the minimum density amendments have been on hold since May, the Council has requested a work session early next year to further study the proposal. The Council would like a better understanding of how these amendments will affect future buildout if implemented. Since September, the Council has been focused on Title 3 related amendments. Now that the Title 3 amendments have been set aside pending Metro's completion of the Goal 5 resource work, the Council is prepared to turn its attention once again to study the minimum density issue.

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Section 3.07.120C Accessory Dwelling Units (ADU)

The Troutdale City Council has already rejected proposed amendments to meet functional plan requirements concerning ADU. Amendments to the TDC to allow ADU within the town center area of Troutdale were rejected in early 1998, and it appeared that a functional plan exception would be needed. However, the Council has recently expressed a willingness to revisit this issue and would like to look at a new proposal for allowing ADU in the town center area. The Council has instructed the planning staff to draft amendments to the TDC to satisfy this functional plan provision. These amendments will likely be considered at the same time as minimum density amendments.

Section 3.07.630 Design Standards for Street Connectivity

TDC amendments to comply with street connectivity design standards from the functional plan were presented to the City Council in May of this year. Like minimum density amendments, the Planning Commission held a public hearing in March 1999 and forwarded them onto the City Council for public hearing and adoption. The Council held public hearings on May 11 and May 25, 1999, but did not adopt the amendments. Action was delayed on the entire package of amendments in order to gather more information on the meaning and impact of minimum density standards.

Title 3 Water Quality and Flood Management

The City of Troutdale would like to request an extension to December 2000 to complete compliance work on Title 3 related amendments to the TDC. The extension is requested so that the results of Metro's Goal 5 resource work can be incorporated into the proposed TDC amendments.

Title 3 amendments have been drafted and were reviewed by the Troutdale Planning Commission during a public hearing in September 1999. Although these amendments have been forwarded to the City Council for adoption, the Council believes it would be prudent to postpone action until the outcome of the Goal 5 work is known. It is anticipated that setback standards from protected water features will be increased as a result of Goal 5 resource protection standards. The City of Troutdale would prefer to conduct adoption hearings on riparian corridor standards one time, rather than have to consider revisions in the near future after Goal 5 work is completed. For this reason, the City would like six months following the Metro Council's adoption of the Goal 5 requirements in order to complete implementation. It is our understanding that the Metro Council expects to adopt Goal 5 requirements in May or June 2000.

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The City of Troutdale has made substantial progress toward completing the four functional plan compliance tasks discussed above. We believe that the extensions we seek will afford us the time needed to successfully meet the remaining requirements of the Metro plan. A work plan for completing compliance work for the four tasks discussed above is attached.

For further information or clarification on this extension request, please contact me or Rich Faith of the City's Community Development Department at 665-5175.


Sincerely yours,



Paul Thalhofer
Mayor

PT/rc
Attachments

City of Troutdale
Urban Growth Management Functional Plan Compliance
Work Plan

| Compliance Task | Dec-1999 | Jan-2000 | Feb/Mar 2000 | Apr-2000 | May-2000 | Jun-2000 | Jul/Aug 2000 | Sep-2000 | Oct-2000 | Nov/Dec 2000 |
|--|---|---|---|-------------------------------------|------------------------------------|---|--|---------------------|-------------------------------------|---|
| Minimum Density Standards Accessory Dwelling Units Street Connectivity | Submit extension request to Metro and receive response. | Staff analysis of previous proposed TDC amendments and revisions as needed. | City Council work session. Revise draft amendments. Follow-up work session as needed. | Planning Commission public hearing. | City Council first public hearing. | Adoption of TDC amendments. | | | | |
| Title 3 | Monitor Metro's Goal 5 Process (ongoing)  | | | | | Metro Council adoption of Goal 5 standards. | Incorporate Goal 5 standards into existing draft amendments. | Public open houses. | Planning Commission public hearing. | City Council public hearing and adoption. |