

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
THE REGIONAL FRAMEWORK PLAN)
ORDINANCE NO. 97-715B FOR) ORDINANCE NO. 00-879A
STATEWIDE PLANNING GOAL)
COMPLIANCE OF COMPONENT 1:)
URBAN FORM AND, COMPONENT 2:) Introduced by Councilor Rod Park
WATER QUALITY AND)
MANAGEMENT AND FLOOD HAZARD)
AND DECLARING AN EMERGENCY)

WHEREAS, the Metro Council adopted the Regional Framework Plan in December, 1997, addressing the planning subjects required by the 1992 Metro Charter; and

WHEREAS, the entire Regional Framework Plan was submitted to the Land Conservation and Development Commission (“LCDC”); and

WHEREAS, acknowledgment of the Regional Framework Plan is required to be “in the same manner” as comprehensive plan by ORS 197.274; and

WHEREAS, LCDC has interpreted acknowledgment of a complete Regional Framework Plan “components” to require Plan policies and policy implementation that includes requirements for city and county planning; and

WHEREAS, the Regional Framework Plan addresses some planning subjects by requiring implementation only in Metro planning activities, consistent with Metro’s long standing approach in its acknowledged regional goals and objectives that regional policies and objectives apply only to Metro until a more specific functional plan is adopted; and

WHEREAS, the need to identify complete components within the Regional Framework Plan for acknowledgment caused LCDC to request that Metro resubmit individual plan components to the Department of Land Conservation and Development (“DLCD”) for acknowledgment for separate notice and LCDC consideration by component; and

WHEREAS, DLCD found the submittal of Component 1: Urban Form and Management and Component 2: Water Quality and Flood Hazard to be complete and mailed notice to interested parties on June 30, 2000; and

WHEREAS, DLCD received objection letters from 1000 Friends of Oregon, the Portland Planning Bureau, the Commercial Real Estate Economic Coalition, the Home Builders of Metropolitan Portland, and the Columbia Corridor Association by April 14, 2000; and

WHEREAS, LCDC considered Metro's submission of two components, DLCD staff report and comments of other parties about these components on September 28, 2000; and

WHEREAS, LCDC approved Metro's request for acknowledgment of these two components subject to a series of plan amendments clarifying and updating several plan provisions; and

WHEREAS, the Metro Council generally concurs with these clarifying amendments of the Regional Framework Plan and desires to complete LCDC acknowledgment of the first two components of the plan; now, therefore,

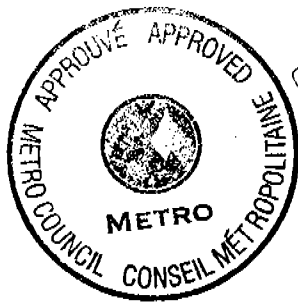
THE METRO COUNCIL ORDAINS AS FOLLOWS:

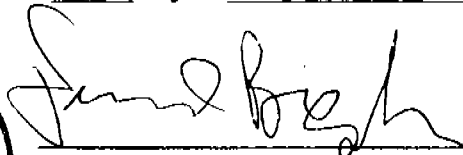
Section 1. The Regional Framework Plan in Ordinance No. 97-715B is hereby amended to assure that components 1 and 2 of the Regional Framework Plan comply with applicable statewide goals by adding the clarifying amendments indicated in Exhibit "A," attached and incorporated into this ordinance.

Section 2. Upon adoption by the Metro Council, the Executive Officer shall submit this ordinance to the Department of Land Conservation and Development with a request for issuance of an Acknowledgment Order consistent with LCDC's approval of Metro's request for acknowledgment.

Section 3. This ordinance is necessary for the immediate preservation of public health, safety and welfare because LCDC acknowledgment of the Regional Framework Plan has been pending since December, 1997, is needed for further implementation of regional land use policies; an emergency is therefore declared to exist, and this ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

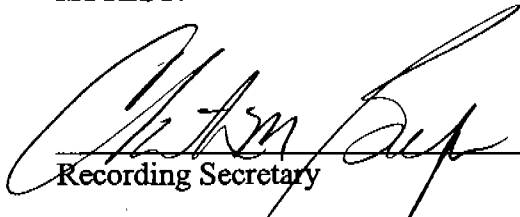
ADOPTED by the Metro Council this 26th day of OCTOBER 2000.






David Bragdon, Presiding Officer

ATTEST:



Recording Secretary

Approved as to Form:



Daniel B. Cooper, General Counsel

**Exhibit "A" of
Ordinance No. 00-879A**

Component 1 Urban Growth Amendments

Policy 1.4 Economic Opportunity, convenience is amended to read as follows:

Metro should support public policy that maintains a strong economic climate through encouraging the development of a diverse and sufficient supply of jobs, especially family wage jobs, in appropriate locations throughout the region.

In weighing and balancing various values, goals and objectives, the values, needs, choices and desires of consumers should also be taken into account. The values, needs and desires of consumers include:

- low costs for goods and services
- convenience, including nearby and easily accessible stores; quick, safe, and readily available transportation ~~to~~by all modes
- a wide and deep selection of goods and services
- quality service
- safety and security
- comfort, enjoyment and entertainment.

Expansions of the UGB for industrial or commercial purposes shall occur in locations consistent with this plan and where consistent with state statutes and statewide goals an assessment of the type, mix and wages of existing and anticipated jobs within subregions justifies such expansion. The number and wage level of jobs within each subregion should be balanced with housing cost and availability within that subregion. Strategies should be developed to coordinate the planning and implementation activities of this element with Policy 1.3, Housing and Affordable Housing, and Policy 1.8, Developed Urban Land.

Policy 1.6 Growth Management is amended to read as follows:

The management of the urban land supply shall occur in a manner consistent with state law that:

- encourages the evolution of an efficient urban [*growth*] form
- provides a clear distinction between urban and rural lands
- supports interconnected but distinct communities in the urban region

Policy 1.7 Urban/Rural Transition, Urban Reserves is amended to read as follows:

- Urban Reserves – “Urban reserve areas,” ~~shall~~may be designated by Metro consistent with state law. Urban reserve designations shall be consistent with the Regional Framework Plan policies and shall be reviewed by Metro at least every 15 years after adoption.

- The priority for inclusion of land within an urban reserve area shall generally be based upon the locational factors of Goal 14. Lands adjacent to the UGB shall be studied for suitability for inclusion within urban reserves as measured by factors 3 through 7 of Goal 14 and by the requirements of OAR 660-04-010. (Copies of Goal 14 and OAR 660-04010 are included in the Appendices for informational purposes.)
- Lands of lower priority in the LCDC rule priorities may be included in urban reserves if specific types of land needs cannot be reasonably accommodated on higher priority lands, after options inside the UGB have been considered, such as land needed to bring jobs and housing into close proximity to each other.
- Lands of lower priority in the LCDC rule priorities may be included in urban reserves if higher priority land is needed for physical separation of communities inside or outside the UGB to preserve separate community identities, but only when documented by reasons that comply with state statutes governing urban growth boundary amendments and that balance the competing values among statewide land use Goals.
- Expansion of the UGB shall occur consistent with the urban/rural transition, developed urban land, UGB and neighbor city objectives. Where urban land is adjacent to rural lands outside of an urban reserve, Metro will work with affected cities and counties to ensure that urban uses do not significantly affect the use or condition of the rural land. Where urban land is adjacent to lands within an urban reserve that may someday be included within the UGB, Metro will work with affected cities and counties to ensure that rural development does not create obstacles to efficient urbanization in the future.

Policy 1.9 Urban Growth Boundary is amended to read as follows:

The regional UGB, a long-term planning tool, shall separate urbanizable from rural land and be based in aggregate on the region's 20-year projected need for urban land. The UGB shall be located consistent with statewide planning goals and these RUGGOs and adopted Metro Council procedures for UGB amendment. In the location, amendment and management of the regional UGB, Metro shall seek to improve the functional value of the boundary: through:

1.9.1 Expansion into any Urban Reserves – Upon demonstrating a need for additional urban land, major and legislative UGB amendments shall ~~only~~ occur first within any adopted urban reserves, unless urban reserves are found to be inadequate to accommodate the amount of land needed for one or more of the following reasons:

- Specific types of identified land needs cannot be reasonably accommodated on urban reserve lands

- Future urban services could not reasonably be provided to urban reserves due to topographical or other physical constraints
- Maximum efficiency of land uses within a proposed UGB requires inclusion of lower priority lands other than urban reserves in order to include or provide services to urban reserves.

~~1.9.2 First Tier Urban Reserves – Some urban reserves adjacent to the UGB shall be designated as first tier urban reserves. First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves.~~

1.9.32 Urban Growth Boundary Amendment Process – Criteria for amending the UGB shall be adopted based on ~~statewide planning goals 2 and 14, other~~ applicable state planning goals and relevant portions of the RUGGOs and this Plan:

- Major Amendments. Proposals for major amendment of the UGB may be made through a quasi-judicial or a legislative process using Metro’s regional forecasts for population and employment growth. The legislative amendment process will be initiated by a Metro finding of need, and involve local governments, special districts, citizens and other interests.
- Locational Adjustments. Locational adjustments of the UGB shall be brought to Metro by cities, counties and/or property owners based on public facility plans in adopted and acknowledged comprehensive plans.

1.9.43 Urban Reserve Plans – A conceptual land use plan and concept map coordinated among affected jurisdictions shall be required for all quasi-judicial and legislative amendments of the Urban Growth Boundary which add more than twenty net acres to the UGB. The Metro Council shall establish criteria for urban reserve plans coordinated among affected local governments and districts which shall address the following issues:

- Annexation to a city prior to development whenever feasible.
- Establishment of a minimum average residential density to ensure efficient use of land.
- Requirements to ensure a diversity of housing stock and meet needs for affordable housing.
- Ensure sufficient commercial and industrial land to meet the needs of the area to be developed and the needs of adjacent land inside the Urban Growth Boundary consistent with 2040 Growth Concept design types.

- A conceptual transportation plan to identify large scale problems and establish performance standards for city and county comprehensive plans.
- Identification of natural resource areas for protection from development.
- A conceptual public facilities and services plan including rough cost estimates and a financing strategy for the provision of sewer, water, storm drainage, parks, transportation, fire and police protection.
- A conceptual plan estimating the amount of land and improvements needed for school facilities.
- A concept map showing the general locations of major roadways, unbuildable lands, commercial and industrial lands, single and multi-family housing, open space and established or alternative locations for any needed school, park and fire hall sites.

The actual specific criteria will be adopted as part of the Metro Code.

All references to “first tier” urban reserves shall be omitted from Appendix A, the Urban Growth Management Functional Plan.

Policy 1.11 Neighbor Cities, Green Corridors is amended to read as follows:

The “green corridor” is a transportation facility through a rural reserve that serves as a link between the metropolitan area and a neighbor city which also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high ~~to encourage a balance of jobs and housing~~, but limit any adverse effect on the surrounding rural areas.

Chapter 1, Requirements is amended to read as follows:

In order to immediately implement the land use portion of the Regional Framework Plan, Metro has adopted Metro Code Chapter 3.01, Urban Growth Boundary Amendments, and Urban Growth Management Functional Plan. These documents are incorporated as components of the Regional Framework Plan in Chapter 8 and are included in the Appendices. The Urban Growth Management Functional Plan contains requirements for cities and counties. ~~Any~~To the extent needed in the future, additional land use planning requirements for cities and counties adopted by Metro ~~should~~shall be incorporated into the Urban Growth Management Functional Plan structure.

Table 1.1 is amended to add the following footnote:

This table is included in order to demonstrate the calculations made for determination of the sufficiency of capacity within the current Metro urban growth boundary to accommodate forecast urban growth for the time period 1997-2017. Future calculations

may be modified from the methods used for the 1997-2017 period to reflect new information and changed conditions consistent with State law.

Component 2 Water Quality Amendments

Policy 4.13 Overall Watershed Management natural processes is amended to read as follows:

- encourage the use of techniques relying on natural processes to address flood control, stormwater management, abnormally high winter and low summer stream flows and nonpoint pollution reduction. (Note: Even though these techniques are encouraged, emphasis is still placed on maintaining intact naturally functioning systems, ~~i.e., w~~ Wetlands, and riparian and floodplain. These natural systems corridors in the Water Quality Management Area should not be used as stormwater treatment facilities.) The construction of dikes, levies, or other engineered approaches to flood management is discouraged in floodplains.

Policy 4.14 Water Quality Goals is amended to read as follows:

Metro ~~should~~shall protect and enhance the water quality of the region by:

- establishing vegetative corridors along streams;
- encouraging urban development which minimize soil erosion;
- implementing best management practices (BMPs);
- maintain vegetation buffers along riparian areas;
- protecting wetlands values with sufficient buffers to maintain their water quality and hydrologic function.

Policy 4.17 Water Quality Protection is amended to read as follows:

The water quality of the region ~~should~~shall be protected and restored by:

- implementing watershed wide planning;
- implementing erosion control practices;
- promoting the protection of natural areas along waterways and encourage continuous improvement of water quantity and quality through liaison with agencies that influence changes along streams, ~~and rivers,~~ and wetlands in the metropolitan area.

Title 10 of Appendix A, The Urban Growth Management Functional Plan is amended to add the following definition of stormwater treatment:

A created or constructed structure or drainage way that is designed, constructed and maintained to collect and filter, retain or detain stormwater run-off during and after a storm event for the purpose of water quality improvement.

Component 3, Flood Hazard Amendments

Policy 5.2.1 is amended to read as follows:

Metro will protect the function of floodplains to safely convey flood waters in the region by implementing the following:

- Metro will collaborate with federal agencies and local governments in using the February 1996 flood elevation and other relevant data to update the existing 100 year floodplain map.
- Metro will require local governments to maintain or increase the flood storage and conveyance capacity of floodplains through such measures as balancing fill in the floodplain with an equal or greater amount of soil material removal.

GROWTH MANAGEMENT COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 00-879A, FOR THE PURPOSE OF AMENDING THE REGIONAL FRAMEWORK PLAN ORDINANCE NO. 97-715B FOR STATEWIDE PLANNING GOAL COMPLIANCE OF COMPONENT 1: URBAN FORM AND, COMPONENT 2: WATER QUALITY AND MANAGEMENT AND FLOOD HAZARD AND DECLARING AN EMERGENCY

Date: October 17, 2000

Presented by: Councilor Park

Committee Action: At its October 3, 2000 meeting, the Metro Growth Management Committee voted 3-0 to recommend Council adoption of Ordinance 00-879A Voting in favor: Councilors Bragdon, Mclain and Park.

Background

- Existing Law: Ordinance 00-879 amends Metro's Regional Framework Plan, which was adopted in December 1997. Completion of the Framework Plan is called for in the 1992 Metro Charter. Once adopted by Metro, the Framework Plan requires acknowledgement by the Land Conservation and Development Commission, as specified by ORS 268.390(5). While some components of the Framework Plan have previously been acknowledged by LCDC, e.g. RUGGO's, other components have not, e.g. the Urban Growth Management Functional Plan. Nor has the Framework Plan as a whole been acknowledged.
- Budget Impact: Completes a budgeted item in the Growth Management Services Department.

Committee Issues/Discussion: Andy Cotugno made the staff presentation on Ordinance 00-879A. The ordinance contains amendments to the Regional Framework plan that issue from DLCDC review of components 1 Urban Form, and 2 Water Quality and Flood Management. The amendments reflect recommendations by LCDC, of a clarifying nature, to several Urban Growth Management Functional Plan provisions. On September 29, 2000, LCDC did acknowledge these Regional Framework Plan Components, subject to Metro adopting the clarifying changes in Ordinance 00-879.

In response to a question, Larry Shaw, OGC, said that the amendments are not intended to limit Metro's ability to identify urban reserve areas.

In response to a specific LCDC direction, the Growth Management Committee agreed to amend Framework Plan policy 4.14 to read "...protecting wetland values with sufficient buffers..." While discussion elicited the comment that perhaps "functions" would be a better word, the committee agreed to add the word "values," thus leading to an A version of the ordinance.

STAFF REPORT

FOR THE PURPOSE OF CONSIDERATION OF ORDINANCE NO. 00-879 FOR THE PURPOSE OF AMENDING THE REGIONAL FRAMEWORK PLAN ORDINANCE NO. 97-715B FOR STATEWIDE PLANNING GOAL COMPLIANCE OF COMPONENT 1: URBAN FORM AND, COMPONENT 2: WATER QUALITY AND MANAGEMENT AND FLOOD HAZARD AND DECLARING AN EMERGENCY

Date: September 21, 2000

PROPOSED ACTION

This ordinance would amend the Regional Framework Plan ("RFP") to clarify the Plan as recommended in the Department of Land Conservation and Development staff report on acknowledgment of Components 1 and 2 of the RFP. These amendments update the Plan components to reflect changes in law and improve consistency between RFP policies and Functional Plan implementation provisions.

EXISTING LAW

The 1992 Metro Charter and ORS 268.390(5) contemplate Metro seeking acknowledgment of the RFP by the Land Conservation and Development Commission ("LCDC"). Acknowledgment is a certification that a local plan complies with all applicable statewide land use goals and rules. The RFP is a unique local plan that has not been acknowledged before. LCDC must determine how to acknowledge it "in the same manner as a comprehensive plan" under ORS 197.274(1)(a).

FACTUAL BACKGROUND AND ANALYSIS

Metro's RFP was adopted in December, 1997, and submitted to the Department for compliance review consistent with the 1992 Metro Charter. The RFP includes, as required by law, previously acknowledged Regional Urban Growth Goals and Objectives, including the 2040 Growth Concept. The RFP includes the unacknowledged Urban Growth Management ("UGM") Functional Plan as an appendix. After appeals of the affordable housing policy were settled in mediation, that RFP policy was amended in 1998. Subsequent amendments to the UGM Functional Plan have modified the RFP somewhat.

The Commission has reviewed the Department's suggested approach to consider "components" of the RFP for initial acknowledgment "in the same manner as a comprehensive plan" pursuant to ORS 197.274(1)(a). The Commission consideration of RFP "components" required Metro submission of the ordinances and local record to comply with OAR 660-003-0010(2). Metro made a formal submission of portions of the RFP for the first two components to be considered at the Commission's September 28-29, 2000 meeting. The DLCD staff has not

accepted the few objections and exceptions filed in response to their notice. DLCD recommends LCDC approval of acknowledgment of Components 1 and 2 subject to Metro adoption of the RFP amendments in this ordinance. Metro Council and MPAC consideration of these changes is needed. The Department director issues the acknowledgment order after receipt of Metro's adopted ordinance.

BUDGET IMPACT

Adoption of this ordinance would complete work on RFP Components 1 and 2 reflected in the Growth Management Department budget.

RECOMMENDATION

MPAC and Growth Management Committee consideration and approval.

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OGC/LSS/kvw (09/21/00)

BEFORE THE METRO COUNCIL

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WHEREAS, the Metro Council adopted the Regional Framework Plan in December, 1997, addressing the planning subjects required by the 1992 Metro Charter; and

WHEREAS, the entire Regional Framework Plan was submitted to the Land Conservation and Development Commission (“LCDC”); and

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WHEREAS, DLCD found the submittal of Component 1: Urban Form and Management and Component 2: Water Quality and Flood Hazard to be complete and mailed notice to interested parties on June 30, 2000; and

WHEREAS, DLCD received objection letters from 1000 Friends of Oregon, the Portland Planning Bureau, the Commercial Real Estate Economic Coalition, the Home Builders of Metropolitan Portland, and the Columbia Corridor Association by April 14, 2000; and

WHEREAS, LCDC considered Metro's submission of two components, DLCD staff report and comments of other parties about these components on September 28, 2000; and

WHEREAS, LCDC approved Metro's request for acknowledgment of these two components subject to a series of plan amendments clarifying and updating several plan provisions; and

WHEREAS, the Metro Council generally concurs with these clarifying amendments of the Regional Framework Plan and desires to complete LCDC acknowledgment of the first two components of the plan; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. The Regional Framework Plan in Ordinance No. 97-715B is hereby amended to assure that components 1 and 2 of the Regional Framework Plan comply with applicable statewide goals by adding the clarifying amendments indicated in Exhibit "A," attached and incorporated into this ordinance.

Section 2. Upon adoption by the Metro Council, the Executive Officer shall submit this ordinance to the Department of Land Conservation and Development with a request for issuance of an Acknowledgment Order consistent with LCDC's approval of Metro's request for acknowledgment.

Section 3. This ordinance is necessary for the immediate preservation of public health, safety and welfare because LCDC acknowledgment of the Regional Framework Plan has been pending since December, 1997, is needed for further implementation of regional land use policies; an emergency is therefore declared to exist, and this ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

ADOPTED by the Metro Council this ____ day of _____ 2000.

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

**Exhibit “A” of
Ordinance No. 00-879**

Component 1 Urban Growth Amendments

Policy 1.4 Economic Opportunity, convenience is amended to read as follows:

Metro should support public policy that maintains a strong economic climate through encouraging the development of a diverse and sufficient supply of jobs, especially family wage jobs, in appropriate locations throughout the region.

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- Lands of lower priority in the LCDC rule priorities may be included in urban reserves if higher priority land is needed for physical separation of communities inside or outside the UGB to preserve separate community identities, but only when documented by reasons that comply with state statutes governing urban growth boundary amendments and that balance the competing values among statewide land use Goals.
- Expansion of the UGB shall occur consistent with the urban/rural transition, developed urban land, UGB and neighbor city objectives. Where urban land is adjacent to rural lands outside of an urban reserve, Metro will work with affected cities and counties to ensure that urban uses do not significantly affect the use or condition of the rural land. Where urban land is adjacent to lands within an urban reserve that may someday be included within the UGB, Metro will work with affected cities and counties to ensure that rural development does not create obstacles to efficient urbanization in the future.

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The regional UGB, a long-term planning tool, shall separate urbanizable from rural land and be based in aggregate on the region's 20-year projected need for urban land. The UGB shall be located consistent with statewide planning goals and these RUGGOs and adopted Metro Council procedures for UGB amendment. In the location, amendment and management of the regional UGB, Metro shall seek to improve the functional value of the boundary. through:

1.9.1 Expansion into any Urban Reserves – Upon demonstrating a need for additional urban land, major and legislative UGB amendments shall ~~only~~ occur first within any adopted urban reserves, unless urban reserves are found to be inadequate to accommodate the amount of land needed for one or more of the following reasons:

- Specific types of identified land needs cannot be reasonably accommodated on urban reserve lands

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~~1.9.2 First Tier Urban Reserves – Some urban reserves adjacent to the UGB shall be designated as first tier urban reserves. First tier urban reserves shall be included in the Metro Urban Growth Boundary prior to other urban reserves unless a special land need is identified which cannot be reasonably accommodated on first tier urban reserves.~~

1.9.32 Urban Growth Boundary Amendment Process – Criteria for amending the UGB shall be adopted based on ~~statewide planning goals 2 and 14, other applicable state~~ planning goals and relevant portions of the RUGGOs and this Plan:

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- Locational Adjustments. Locational adjustments of the UGB shall be brought to Metro by cities, counties and/or property owners based on public facility plans in adopted and acknowledged comprehensive plans.

1.9.43 Urban Reserve Plans – A conceptual land use plan and concept map coordinated among affected jurisdictions shall be required for all quasi-judicial and legislative amendments of the Urban Growth Boundary which add more than twenty net acres to the UGB. The Metro Council shall establish criteria for urban reserve plans coordinated among affected local governments and districts which shall address the following issues:

- Annexation to a city prior to development whenever feasible.
- Establishment of a minimum average residential density to ensure efficient use of land.
- Requirements to ensure a diversity of housing stock and meet needs for affordable housing.
- Ensure sufficient commercial and industrial land to meet the needs of the area to be developed and the needs of adjacent land inside the Urban Growth Boundary consistent with 2040 Growth Concept design types.

- A conceptual transportation plan to identify large scale problems and establish performance standards for city and county comprehensive plans.
- Identification of natural resource areas for protection from development.
- A conceptual public facilities and services plan including rough cost estimates and a financing strategy for the provision of sewer, water, storm drainage, parks, transportation, fire and police protection.
- A conceptual plan estimating the amount of land and improvements needed for school facilities.
- A concept map showing the general locations of major roadways, unbuildable lands, commercial and industrial lands, single and multi-family housing, open space and established or alternative locations for any needed school, park and fire hall sites.

The actual specific criteria will be adopted as part of the Metro Code.

All references to “first tier” urban reserves shall be omitted from Appendix A, the Urban Growth Management Functional Plan.

Policy 1.11 Neighbor Cities, Green Corridors is amended to read as follows:

The “green corridor” is a transportation facility through a rural reserve that serves as a link between the metropolitan area and a neighbor city which also limits access to the farms and forests of the rural reserve. The intent is to keep urban to urban accessibility high to encourage a balance of jobs and housing, but limit any adverse effect on the surrounding rural areas.

Chapter 1, Requirements is amended to read as follows:

In order to immediately implement the land use portion of the Regional Framework Plan, Metro has adopted Metro Code Chapter 3.01, Urban Growth Boundary Amendments, and Urban Growth Management Functional Plan. These documents are incorporated as components of the Regional Framework Plan in Chapter 8 and are included in the Appendices. The Urban Growth Management Functional Plan contains requirements for cities and counties. ~~Any~~To the extent needed in the future, additional land use planning requirements for cities and counties adopted by Metro ~~should~~shall be incorporated into the Urban Growth Management Functional Plan structure.

Table 1.1 is amended to add the following footnote:

This table is included in order to demonstrate the calculations made for determination of the sufficiency of capacity within the current Metro urban growth boundary to accommodate forecast urban growth for the time period 1997-2017. Future calculations

may be modified from the methods used for the 1997-2017 period to reflect new information and changed conditions consistent with State law.

Component 2 Water Quality Amendments

Policy 4.13 Overall Watershed Management natural processes is amended to read as follows:

- encourage the use of techniques relying on natural processes to address flood control, stormwater management, abnormally high winter and low summer stream flows and nonpoint pollution reduction. (Note: Even though these techniques are encouraged, emphasis is still placed on maintaining intact naturally functioning systems, i.e., w Wetlands, and riparian and floodplain. These natural systems corridors in the Water Quality Management Area should not be used as stormwater treatment facilities.) The construction of dikes, levies, or other engineered approaches to flood management is discouraged in floodplains.

Policy 4.14 Water Quality Goals is amended to read as follows:

Metro ~~should~~shall protect and enhance the water quality of the region by:

- establishing vegetative corridors along streams;
- encouraging urban development which minimize soil erosion;
- implementing best management practices (BMPs);
- maintain vegetation buffers along riparian areas;
- protecting wetlands with sufficient buffers to maintain their water quality and hydrologic function.

Policy 4.17 Water Quality Protection is amended to read as follows:

The water quality of the region ~~should~~shall be protected and restored by:

- implementing watershed wide planning;
- implementing erosion control practices;
- promoting the protection of natural areas along waterways and encourage continuous improvement of water quantity and quality through liaison with agencies that influence changes along streams, and rivers, and wetlands in the metropolitan area.

Title 10 of Appendix A, The Urban Growth Management Functional Plan is amended to add the following definition of stormwater treatment:

A created or constructed structure or drainage way that is designed, constructed and maintained to collect and filter, retain or detain stormwater run-off during and after a storm event for the purpose of water quality improvement.

Component 3, Flood Hazard Amendments

Policy 5.2.1 is amended to read as follows:

Metro will protect the function of floodplains to safely convey flood waters in the region by implementing the following:

- Metro will collaborate with federal agencies and local governments in using the February 1996 flood elevation and other relevant data to update the existing 100 year floodplain map.
- Metro will require local governments to maintain or increase the flood storage and conveyance capacity of floodplains through such measures as balancing fill in the floodplain with an equal or greater amount of soil material removal.

STAFF REPORT

FOR THE PURPOSE OF CONSIDERATION OF ORDINANCE NO. 00-879 FOR THE PURPOSE OF AMENDING THE REGIONAL FRAMEWORK PLAN ORDINANCE NO. 97-715B FOR STATEWIDE PLANNING GOAL COMPLIANCE OF COMPONENT 1: URBAN FORM AND, COMPONENT 2: WATER QUALITY AND MANAGEMENT AND FLOOD HAZARD AND DECLARING AN EMERGENCY

Date: September 21, 2000

PROPOSED ACTION

This ordinance would amend the Regional Framework Plan ("RFP") to clarify the Plan as recommended in the Department of Land Conservation and Development staff report on acknowledgment of Components 1 and 2 of the RFP. These amendments update the Plan components to reflect changes in law and improve consistency between RFP policies and Functional Plan implementation provisions.

EXISTING LAW

The 1992 Metro Charter and ORS 268.390(5) contemplate Metro seeking acknowledgment of the RFP by the Land Conservation and Development Commission ("LCDC"). Acknowledgment is a certification that a local plan complies with all applicable statewide land use goals and rules. The RFP is a unique local plan that has not been acknowledged before. LCDC must determine how to acknowledge it "in the same manner as a comprehensive plan" under ORS 197.274(1)(a).

FACTUAL BACKGROUND AND ANALYSIS

Metro's RFP was adopted in December, 1997, and submitted to the Department for compliance review consistent with the 1992 Metro Charter. The RFP includes, as required by law, previously acknowledged Regional Urban Growth Goals and Objectives, including the 2040 Growth Concept. The RFP includes the unacknowledged Urban Growth Management ("UGM") Functional Plan as an appendix. After appeals of the affordable housing policy were settled in mediation, that RFP policy was amended in 1998. Subsequent amendments to the UGM Functional Plan have modified the RFP somewhat.

The Commission has reviewed the Department's suggested approach to consider "components" of the RFP for initial acknowledgment "in the same manner as a comprehensive plan" pursuant to ORS 197.274(1)(a). The Commission consideration of RFP "components" required Metro submission of the ordinances and local record to comply with OAR 660-003-0010(2). Metro made a formal submission of portions of the RFP for the first two components to be considered at the Commission's September 28-29, 2000 meeting. The DLCD staff has not

accepted the few objections and exceptions filed in response to their notice. DLCD recommends LCDC approval of acknowledgment of Components 1 and 2 subject to Metro adoption of the RFP amendments in this ordinance. Metro Council and MPAC consideration of these changes is needed. The Department director issues the acknowledgment order after receipt of Metro's adopted ordinance.

BUDGET IMPACT

Adoption of this ordinance would complete work on RFP Components 1 and 2 reflected in the Growth Management Department budget.

RECOMMENDATION

MPAC and Growth Management Committee consideration and approval.

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