

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING ) ORDINANCE NO 01 -- 906  
THE FUTURE VISION AND THE )  
REGIONAL FRAMEWORK PLAN TO ) Introduced by Councilor Atherton  
FULFILL THE CHARTER  
REQUIREMENT TO DESCRIBE A  
PROCESS FOR "CARRYING  
CAPACITY" IN THE REGION.

WHEREAS, The 1992 Metro Charter requires Metro to adopt a Future Vision as "a conceptual statement that indicates population levels and settlement patterns that the region can accommodate within the carrying capacity of the land, water, and air resources of the region, and it's educational and economic resources, and that achieves a desired quality of life," and

WHEREAS, A Future Vision adopted by the Metro Council on June 15, 1995 did not adequately describe a process for living within the region's carrying capacity, and

WHEREAS, Although the Future Vision is not a regulatory document, the Charter clearly intends the Regional Framework Plan, which is a regulatory document, to have a clear relationship to the Future Vision; and

WHEREAS, Describing a process for how the citizen's values, the economy, and the environment of the region will balance with the numbers of people in the region is a critical component of the Future Vision and the Regional Framework Plan; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That The Future Vision as adopted by Ordinance 95-604A is amended <sup>at p. 7</sup> as follows:
  - GROWTH MANAGEMENT - In 2045, population growth in the region ~~has occurred,~~ ~~but it~~ has been ~~managed~~ balanced with our environment so our citizens have maintained or improved their quality of life. Our objective has been and still is to live

in great communities, not merely <sup>merely</sup> ~~the~~ <sup>big</sup> ~~ones~~. Our desire for separate <sup>big</sup> ~~communities~~ is reflected in the Future Vision Map which depicts settlement patterns. Carrying capacity and sustainability concepts help ~~measure and track progress toward~~ maintaining a desired quality of life but they ~~can~~ are not be used to set population ~~limits~~ numbers. "Carrying capacity" is a process, not a number. Our successes in establishing a carrying capacity process for balancing our region's growth population with ~~its livability~~ our environment will instead come from a commitment to ~~ongoing~~ <sup>of</sup> reviews of our ~~past achievements~~ combined with appropriate actions to maintain and ~~enhance our quality of life~~ respect for the choices of individual citizens as they express their wisdom and act in their individual communities and interact in the economic, social, and natural environment of the region. The Values and Vision Statements herein should be used to guide the establishment of new communities as well as for the protection of existing ones.

2. The Regional Framework Plan, Chapter 1, Section 1.6 is amended as follows:

### 1.6 Growth Management

The management of the urban ~~land supply~~ growth boundary shall occur in a manner 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
- recognizes the interrelationship between the development of vacant land and the redevelopment objectives in all parts of the urban region

- is consistent with the 2040 Growth Concept ~~and helps~~ to attain the region's objectives.
- meets the requirements of ORS 197.299 to provide a 20 yr. land supply; however, Metro shall communicate with the Legislature and the Governor that maintaining a continuous 20-year land supply is inconsistent with the Carrying Capacity Process.
- If lands are available and a community of the region wishes to accommodate and serve an increased population, Metro shall establish and protect an area for that community to expand; however, individual communities may only choose to annex enough lands in the aggregate to meet no more than a 20 yr. supply of the region's projected need.

*Chapter 1, Land Use*

3. The Regional Framework Plan <sup>new</sup> is amended to add the following <sup>new</sup> section:

#### 1.15 Carrying Capacity Process

The Carrying Capacity Process for the region shall include the following :

- The monetary costs of growth provides useful information to establish limits to growth and citizens should be able to choose in a popular election whether or not the regional costs of growth should be subsidized by existing residents and become a burden for many years in the future.
- Air, water, open space and other environmental standards that protect the livability of the region shall be used to help establish limits to growth, either directly through regulation of development activity, or indirectly as the cost of meeting regulations is reflected in the cost of development.
- The citizens living in each community know best when the carrying capacity of their community has been reached and the carrying capacity of the region is best achieved as the sum of the decisions of the communities in the region. Citizens should have the opportunity

to participate and control growth decisions in their community, especially to review and approve annexations.

- Metro will seek to provide for the preferences of those communities <sup>that</sup> ~~who~~ wish to accommodate increased population growth, but not in ways that would degrade the livability of another community.

*Chapter 1, Land Use,*

4. Section 1.5 (Economic Vitality) of the Regional Framework Plan is amended as follows:

### **1.5 Economic Vitality**

The region's economy is a dynamic system including the urbanized part of the Portland area and lands beyond the Urban Growth Boundary. The economic welfare of residents throughout the region can affect the ability of other citizens in the region to create economic vitality for themselves and their communities.

The region's economic development must include all parts of the region, including areas and neighborhoods which have been experiencing increasing poverty and social needs, even during periods of a booming regional economy. To allow the kinds of social and economic decay in older suburbs and the central city that has occurred in other larger and older metro regions is a threat to our quality of life and the health of the regional economy. All neighborhoods and all people should have access to opportunity and share the benefits of economic ~~and population~~ growth in the region.

To support economic vitality throughout the entire region, Metro shall undertake the following steps, beginning in 1998:

- Monitor regional and sub-regional indicators of economic vitality, such as the balance of jobs, job compensation and housing availability.

- ~~If Metro's monitoring finds that existing efforts to promote and support economic vitality in all parts of the region are inadequate, Metro shall facilitate collaborative regional approaches which better to support economic vitality for all parts of the region.~~
- Metro will make every effort to prevent one community from taking actions which would degrade the quality of life or economic vitality of another community.
- Metro shall make no land use decision that would result in violation of laws designated to prevent air pollution, water pollution, flooding, or degradation of transportation facilities in the region.

Metro shall cooperate with local governments and community residents to promote revitalization of existing city and neighborhood centers that have experienced disinvestment and/or are currently underutilized.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_ 2001.

~~WITHDRAWN~~  
 \_\_\_\_\_  
*David Brugh*, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
 Recording Secretary

\_\_\_\_\_  
*Dan Carper*, General Counsel

## **STAFF REPORT**

CONSIDERATION OF ORDINANCE 01-906, FOR THE PURPOSE OF AMENDING THE FUTURE VISION AND THE REGIONAL FRAMEWORK PLAN TO FULFILL THE CHARTER REQUIREMENT TO DESCRIBE A PROCESS FOR "CARRYING CAPACITY IN THE REGION"

Date: May 4, 2001

Prepared by: Michael Morrissey

**Proposed Action:** Ordinance 01-906 amends the 1995 Council adopted Future Vision, and the 1997 Council adopted Regional Framework Plan. These documents are amended to emphasize a definition of carrying capacity as a process, not a number. The process reflects citizens' valuation of quality of life, and choices they express, as a balance between population, the environment, community, economy and culture. Citizen awareness of the costs of growth, and the manner in which those costs are met, is assumed to be an important factor in the above mentioned values and choices.

The Regional Framework Plan is specifically amended to:

- Direct Metro to communicate with the Governor and Legislature the inconsistency between the carrying capacity process, and requirement of meeting a 20-year land supply.
- Add a Carrying Capacity Process that:
  - \* Directs no more than a (regional) 20-year land supply (only) to those communities that desire to expand.
  - \* Establishes limits to growth based on air, water, open space and other environmental standards.
  - \* Permits citizens in their communities to participate and control growth in their communities.

**Factual Background and Analysis:** The 1992 Metro Charter required the adoption of a Future Vision no later than 1995. While not to be a regulatory document, the Future Vision was to operate as "a conceptual statement that indicates population levels and settlement patterns that the region can accommodate within the carrying capacity of the land, water and air resources of the region, and its educational and economic resources, and that achieves a desired quality of life." One of the factors the Future Vision was to address was "how and where to accommodate the population growth for the region while maintaining a desired quality of life for its residents..."

The Future Vision was adopted via Ordinance 95-604A. The Ordinance also accepted a Future Vision Report (March 4, 1995) that itself included a supportive document "Carrying Capacity and Its Application to the Portland Metropolitan Area." (Wim Aspeslagh, April 1994). The latter report creates a carrying capacity model that uses social and ecological thresholds and constraints (air, water, land, energy and

transportation) to analyze the issue. It goes on to clarify that the utility of these thresholds and constraints is within a public discussion, not as static, finite, or even linear numeric conclusions; “The carrying capacity evaluation model defines carrying capacity as a discourse on *how to approach the various types of socially constructed capacity level constraints within the context of sustainability*. This implies that sustainability too is not a goal, but a discourse on what kind of limits we are willing to accept.”

The charter also directs the creation of a Regional Framework Plan. Ordinance 95-604A restated the charter requirement that the Regional Framework Plan shall describe its relationship to the Future Vision, and stated further that “The Regional Framework Plan is not required by the Charter or by this ordinance to comply with or conform to the Future Vision.”

The 1997 Framework Plan describes the Future Vision as “the broadest set of declarations about our region,” and cites the many values the Future Vision contains with regard to land use. Chapter 1 of the Regional Framework Plan, Land Use, contains references to the Future Vision, in the discussion section. No description or elaboration of carrying capacity is contained in the Framework Plan, however.

The Office of Legal Counsel takes the position that the use of the term “carrying capacity” in the Charter, in reference to the Future Vision “is clearly intended as a non-regulatory policy descriptor.” Its meaning is dependent on the use given to it by a specific iteration of the Metro Council. Carrying capacity’s utility in state Goal 6 however is clearly linked to state and federal air and water quality regulations, as they pertain to pollution discharges.

**Existing Law:** The Future Vision is a creature of the 1992 charter and is amendable by the Council, in a manner consistent with the charter and with review by MPAC.

The Council is also authorized to amend the Regional Framework Plan, with review by MPAC. However, the land use portion of the Framework Plan has been acknowledged by the Land Conservation and Development Commission. Council amendments would eventually need LCDC concurrence.

**Budget Impact:** Ordinance 01-906 does not appear to have any direct budget impact. Certain information, such as measurements of the costs of growth and their communication to the public, could have associated costs to research and produce.