

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SUBMITTING)
 TO THE VOTERS AN AMENDMENT TO)
 THE METRO CHARTER REQUIRING) RESOLUTION NO. 02-3163
 PROTECTION OF EXISTING SINGLE)
 FAMILY NEIGHBORHOODS, COST)
 IMPACT STATEMENTS REGARDING)
 URBAN GROWTH BOUNDARY) Introduced by Councilor Burkholder
 AMENDMENTS, AND NOTICE TO)
 AFFECTED NEIGHBORHOODS)

WHEREAS, the region’s residential neighborhoods are a critical ingredient in the region’s livability; and

WHEREAS, residential neighborhoods are a key component of Metro’s 2040 Growth Concept for the region; and

WHEREAS, Metro and the people of the region can achieve a more livable form of urban development by accommodating most growth in city centers and along major transportation corridors, without significant change in the region’s existing residential neighborhoods; and

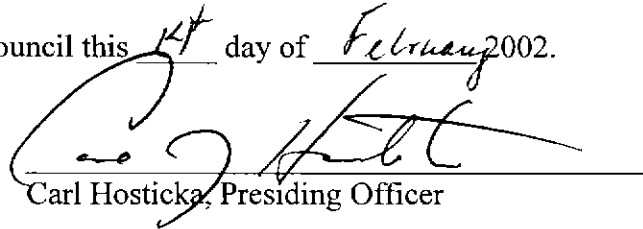
WHEREAS, better information about the costs of growth for citizens of the region leads to better decisions in the region about how to accommodate growth; now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby submits to the qualified voters of the district the question of amending the Metro Charter to require protection of existing neighborhoods, cost impact statements regarding urban growth boundary amendments, and notice to affected neighborhoods and making related changes as set forth in Exhibit “A”;

2. That the measure should be placed on the ballot for the Primary Election to be held on May 21, 2002;
3. That the district shall cause a Notice of Measure Election and Ballot Title as set forth in Exhibit "B" to be submitted to the Elections Officer and the Secretary of State of Oregon in a timely manner as required by law; and
4. That the Executive Officer, pursuant to Oregon Law and Metro Code Chapter 9.02, shall transmit this measure, ballot title and explanatory statement to the Multnomah County Elections Officer for inclusion in any county voters' pamphlets published for the election on this measure.

ADOPTED by the Metro Council this 14th day of February 2002.


Carl Hosticka, Presiding Officer

APPROVED AS TO FORM:

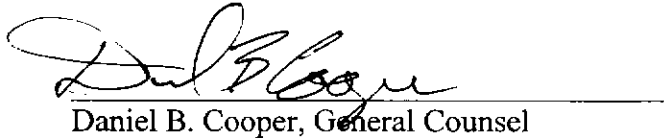

Daniel B. Cooper, General Counsel

EXHIBIT A

Amendment To Metro Charter

Section 1. Section 5 of the Metro Charter is amended to add the following provisions:

- (4) Protection of Livability of Existing Neighborhoods
- (a) Livability Protection. The Regional Framework Plan shall include measures to protect the livability of existing neighborhoods taking into consideration air pollution, water pollution, noise, and crime as well as provision of an adequate level of police, fire, transportation and emergency services, public utilities, and access to parks, open space and neighborhood services.
- (b) Density Increase Prohibited. Neither the Regional Framework Plan nor any Metro ordinance adopted to implement the plan shall require an increase in the density of single-family neighborhoods within the existing urban growth boundary identified in the plan solely as Inner or Outer Neighborhoods.
- (c) Report on Effects of Proposed Urban Growth Boundary Amendment. Prior to approving any amendment or amendments of the urban growth boundary in excess of 100 acres the Council shall prepare a report on the effect of the proposed amendments on existing residential neighborhoods. Copies of the completed report shall be provided to all households located within one mile of the proposed urban growth boundary amendment area and to all cities and counties within the district. The report shall address:
- i. Traffic patterns and any resulting increase in traffic congestion, commute times and air quality.
 - ii. Whether parks and openspace protection in the area to be added will benefit existing residents of the district as well as future residents of the added territory.
 - iii. The cost impacts on existing residents of providing needed public services and public infrastructure to the area to be added.
- (d) Implementation. The Metro Council shall implement the requirements contained in Subsections a, b, and c within one year of adoption thereof.

Section 2

- (a) The amendments to the Metro Charter for which provision is made in this measure shall be paramount, shall take effect and shall have precedence over the amendments to the Metro Charter proposed in Ballot Measure 26-11 if both measures are approved at the Oregon primary election conducted on May 21, 2002, and the number of affirmative votes cast for this measure is greater than the number of affirmative votes cast for Ballot Measure 26-11. In such event, Ballot Measure 26-11 shall not become effective.
- (b) The amendments to the Metro Charter for which provision is made in Ballot Measure 26-11 shall be paramount, shall take effect and shall have precedence over the amendments to the Metro Charter proposed in this measure if both measures are approved at the Oregon primary election conducted on May 21, 2002, and the number of affirmative votes cast for Ballot Measure 26-11 is greater than the number of affirmative votes cast for this measure. In such event, this measure shall not become effective.

Section 3

- (a) Subsection 4(b) of Section 5 of the Metro Charter of this Measure is repealed on June 30, 2015 unless at the general election held in 2014, a majority of the electors voting on the question of whether or not to retain Subsection 4(b) of Section 5 of the Metro Charter as part of the Metro Charter vote to retain the subsection. If the electors vote to retain the subsection, Subsection 4(b) of Section 5 of the Metro Charter of this measure shall remain in effect. If a majority of the electors do not vote to retain Subsection 4(b) of Section 5 of the Metro Charter of this measure, then that subsection is repealed on June 30, 2015.
- (b) By appropriate action of the Metro Council, the question described in subsection (a) of this section shall be submitted to the people for their decision at the general election held in 2014.
- (c) This section is repealed on January 1, 2016.

EXHIBIT B

BALLOT TITLE

CAPTION: AMENDS METRO CHARTER: PROTECTS NEIGHBORHOODS' LIVABILITY; REQUIRES BOUNDARY AMENDMENT REPORT

QUESTION: Shall Metro Charter: protect neighborhoods' livability; prohibit Metro density increase in single-family neighborhoods; require report on proposed boundary amendments' effects?

SUMMARY: Amends Metro Charter's regional planning provisions to protect livability of existing neighborhoods. Prohibits Metro from requiring density increase in identified single-family neighborhoods. Requires report on effects of certain proposed growth boundary amendments on existing residential neighborhoods, including impacts on traffic and parks. Requires report be provided to households within one mile of proposed growth boundary amendment and to all cities and counties within Metro. Measure becomes effective instead of Ballot Measure 26-11 if it obtains more affirmative votes. Requires revote in 2014 to remain effective.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 02-3163, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS AN AMENDMENT TO THE METRO CHARTER REQUIRING PROTECTION OF EXISTING SINGLE FAMILY NEIGHBORHOODS, COST IMPACT STATEMENTS REGARDING URBAN GROWTH BOUNDARY AMENDMENTS AND NOTICE TO AFFECTED NEIGHBORHOODS.

Date: February 13, 2002

Prepared by: Michael Morrissey

Proposed Action: Resolution 02-3163 approves the submittal to the district's voters of a measure to amend the Metro Charter. The intention of the measure is add protection of existing single family neighborhoods as an explicit policy driver in Metro's charter and Regional Framework Plan.

Factual Background and Analysis: The Metro charter states in the preamble that "planning and policy making to preserve and enhance the quality of life and the environment for ourselves and future generations is Metro's most important service..." The charter goes on to state that regional planning functions are the primary functions of Metro. Enhancing quality of life for the region and its residents is clearly of high importance in Metro policy documents, as Metro addresses matters of Metropolitan concern. Resolution 02-3163 insures that Metro raises the visibility of existing neighborhoods as a unit of analysis, and as a resource to be protected in the furtherance of its charter-mandated duties.

Metro is required by state statute to analyze the capacity of the Urban Growth Boundary at least every five years, through the Periodic Review process. If there is insufficient capacity in the boundary to provide for a 20-year supply of housing, Metro must 1) consider measures to increase the capacity of lands inside the boundary, and/or 2) consider expanding the boundary. The current measures for increasing the capacity of land inside the boundary are contained in the Urban Growth Management Functional Plan, and the Regional Framework Plan. The plans do contain measures to increase density, but do not require that Metro determine the exact location of the implementation of those measures; that is the responsibility of cities and counties. In general, Metro has emphasized that density measures should implemented in centers, corridors and around transit centers, and that built-out neighborhoods should be protected. Resolution 02-3163 explicitly restricts Metro from requiring density increases in existing neighborhoods, as described in the resolution.

The resolution also calls for analyzing and communicating the effects of amending the urban growth boundary in increments in excess of 100 acres, with respect to existing residential neighborhoods, inside the urban growth boundary.

Section 2 of the ballot measure makes a statement in relation to Ballot Measure 26-11, which will be on the May 2002 ballot: If the ballot measure called for through Resolution 02-3163 is successful, and receives more votes than 26-11, 26-11 will not become effective. If both are successful, and 26-11 gains more votes, it does become effective, but this one will not.

Section 3 states the terms under which voters may choose to retain this charter amendment in the year 2014. If not thus retained, this measure is repealed June 30, 2015.

If the charter amendment is successful, the Council has one year to implement its provisions, including possible amendment of the Regional Framework Plan.

Opposition: None Known

Existing Law: Section 35 of the charter allows for amendment to the charter through council referral to a public vote. The charter was last amended in 2000.

Budget Impacts: There is no additional cost for referring this measure to regional voters on the May, 2002 ballot.

Costs of an unknown amount would also obtain for notice related to UGB expansions of over 100 acres.