

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE REGIONAL FRAMEWORK PLAN AND THE METRO CODE IN ORDER TO PROTECT RESIDENTIAL NEIGHBORHOODS AND EARLY IMPLEMENTATION OF MEASURE 26-29

ORDINANCE NO. 02-963

Introduced by the Community Planning Committee

WHEREAS, voters of the Metropolitan Service District enacted Measure 26-29 on May 21, 2000, to amend the Metro Charter in order to protect the livability of existing neighborhoods; and

WHEREAS, Measure 26-29 requires Metro to include measures to protect the livability of existing neighborhoods and prohibits Metro from requiring local governments to increase density in Inner and Outer Neighborhoods; and

WHEREAS, Measure 26-29 call upon Metro to implement the measure by May 21, 2003, one year following enactment of the measure on May 21, 2002; and

WHEREAS, the Metro Council, given the central role of neighborhoods in the 2040 Growth Concept, chooses to take action to protect Inner and Outer Neighborhoods ahead of the schedule set forth in Measure 26-29; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

1. The Regional Framework Plan is hereby amended to include Policy 1.16, Residential Neighborhoods, attached and incorporated into this ordinance as Exhibit A.
2. The Metro Code is hereby amended to include Title 12, Protection of Residential Neighborhoods, attached and incorporated into this ordinance as Exhibit B.
3. The Findings of Fact and Conclusions of Law in Exhibit C, attached and incorporated into this ordinance, explain how the amendments to the Regional Framework Plan and the Metro Code comply with state law and the Regional Framework Plan.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

*Withdrawn*

\_\_\_\_\_  
Carl Hosticka, Presiding Officer

ATTEST:

Approved as to Form:

\_\_\_\_\_  
Christina Billington, Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

## **Exhibit A to Ordinance No. 02-963**

### **1.16 Residential Neighborhoods**

Livable residential neighborhoods are essential to the success of the 2040 Growth Concept. In order to protect and improve the region's residential neighborhoods, Metro shall take measures to:

- Protect residential neighborhoods from air and water pollution, noise and crime.
- Make community services accessible to residents of neighborhoods by walking, bicycle and transit, where possible.
- Facilitate the provision of affordable government utilities and services to residential neighborhoods.

Metro shall not require local governments to increase the density of single-family neighborhoods identified on the 2040 Growth Concept Map solely as Inner or Outer Neighborhoods.

## **Exhibit B to Ordinance No. 02-963**

### **Title 12: Protection of Residential Neighborhoods**

#### **3.07.1210 Purpose and Intent**

Livable neighborhoods are essential to the success of the 2040 Growth Concept. The intent of Title 12 of the Urban Growth Management Functional Plan is to protect the region's residential neighborhoods. The purpose of Title 12 is to help implement the policy of the Regional Framework Plan to protect residential neighborhoods from air and water pollution, noise and crime and to provide adequate levels of public services.

#### **3.07.1220 Residential Density**

Metro shall not require any city or county to authorize an increase in the residential density of a single-family neighborhood in an area mapped solely as an Inner or Outer Neighborhood pursuant to Metro Code section 3.07.130.

#### **3.07.1230 Access to Commercial Services**

A. In order to reduce air pollution and traffic congestion, and to make commercial retail services more accessible to residents of Inner and Outer Neighborhoods, each city and county may designate in its comprehensive plan and land use regulations one or more Neighborhood Centers within or in close proximity to Inner and Outer Neighborhoods to serve as the central location of commercial services.

B. To ensure that commercial development principally serves the needs of the residents of Inner and Outer Neighborhoods, but does not generate excessive traffic, noise or air pollution, each city and county shall adopt limitations on the scale of commercial services in Neighborhood Centers. In a Neighborhood Center, a city or county shall not approve:

1. A commercial retail use with more than 20,000 square feet of gross leasable area in a single building; or

2. Office commercial uses with more than 20,000 square feet of gross leasable area in a single building or on a single lot or parcel.

#### **3.07.1240 Access to Public Services**

A. Each city and county shall, within two years following adoption by the Metro Council of a process and criteria for such standards, establish a level of service standard for parks and greenspaces that calls for a park facility within a specified distance of all residences.

B. To make parks and greenspaces more accessible to residents of Inner and Outer Neighborhoods and all residents of the region, each city and county shall provide for access to parks and greenspaces by walking, biking and transit, where transit is available or planned.

C. To make parks and schools more accessible to neighborhood residents, to reduce traffic, and to use land more efficiently, cities, counties, park providers and school

districts shall provide for shared use of school facilities for park purposes and of park facilities for school purposes.

D. To make public schools more accessible to neighborhood residents, cities, counties and school districts shall consider school sites that are near concentrations of population and are connected to those concentrations by safe and convenient walking, biking and, where transit is available or planned, transit facilities.

**Exhibit C to Ordinance No. 02-963**  
Findings of Fact and Conclusions of Law  
Available at a Future Date