

 **Metro** | *Agenda*

Meeting: Metro Council Work Session
Date: Tuesday, November 2, 2010
Time: 1 p.m.
Place: Council Chambers

CALL TO ORDER AND ROLL CALL

- | | | | |
|----------------|-------------|--|--------------------------------------|
| 1 PM | 1. | DISCUSSION OF AGENDA FOR COUNCIL REGULAR MEETING ON NOVEMBER 4, 2010/ADMINISTRATIVE/CHIEF OPERATING OFFICER COMMUNICATIONS | |
| 1:15 PM | 2. * | MAINTAINING AND PROTECTING A SUPPLY OF LARGE SITES FOR INDUSTRIAL EMPLOYMENT – <u>UPDATE / DISCUSSION</u> | Williams
Reid |
| | | 1. Is there merit in developing this concept further? | |
| | | 2. What factors should be considered in evolving this proposal? | |
| 2 PM | 3. | BREAK | |
| 2:05 PM | 4. * | URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN – TITLE 1 HOUSING CAPACITY AND TITLE 6 CENTERS, CORRIDORS, STATION COMMUNITIES AND MAIN STREETS – <u>DISCUSSION</u> | Williams
Oeser
Benner |
| | | 1. Does the Council support the changes in Title 6 for centers, corridors, station communities, and main streets recommended by the COO? | |
| | | 2. Concerning Title 1, does Council have any questions that it wants MPAC to address? | |
| 3:05 PM | 5. * | UPDATE ON MPAC HOUSING PLANNING SUBCOMMITTEE – <u>UPDATE / INFORMATION</u> | Reid |
| | | 1. Does the Council have additional considerations on this topic for which they would like MPAC’s perspective? | |
| 3:25 PM | 6. | COUNCIL BRIEFINGS/COMMUNICATION | |

ADJOURN

* Materials included as part of the electronic packet.

Agenda Item Number 2.0

**MAINTAINING AND PROTECTING A
SUPPLY OF LARGE SITES FOR
INDUSTRIAL EMPLOYMENT**

Metro Council Work Session
Tuesday, Nov. 2, 2010
Metro Council Chambers

METRO COUNCIL

Work Session Worksheet

Presentation Date: November 2, 2010 Time: 1:15 p.m. Length: 45 minutes

Presentation Title: Maintaining and protecting a supply of large sites for industrial employment

Service, Office, or Center:
Planning and Development Services

Presenters (include phone number/extension and alternative contact information):

Ted Reid: 1768; ted.reid@oregonmetro.gov

John Williams: 1635; john.williams@oregonmetro.gov

(Also list other department personnel or interested parties who should be invited & invite them.)

* In all categories, use additional sheets if necessary and attach supporting material.

ISSUE & BACKGROUND

The 2009 urban growth report (UGR) identified unmet demand for 200 to 1,500 acres for large-lot industrial uses. Since the completion of the UGR, no cities or counties have taken efficiency measures to make additional large-lot capacity available inside the current urban growth boundary. Consequently, addressing this unmet demand will require a UGB expansion. In August 2010, Metro's Chief Operating Officer (COO) recommended that the Council consider adding to the UGB 310 acres north of Hillsboro and adopting a system to maintain and protect an inventory of large industrial sites.

On October 13, MPAC recommended (9 in favor, 8 opposed, 2 abstaining) that the Council follow the COO recommendation to add 310 acres to the UGB north of Hillsboro. MPAC also unanimously recommended that the Council adopt changes to Title 4 (Industrial and Other Employment Areas), which would prohibit certain non-industrial uses (schools, etc) in Regionally Significant Industrial Areas. Because of a shortage of time for discussion, MPAC did not vote on whether to recommend that the Council adopt a system for maintaining an inventory of large industrial sites. Staff's general sense from MPAC is that this concept has wide appeal and that many MPAC members see this as a package proposal with the 310-acre UGB expansion. Several MPAC members requested that MTAC help to develop the concept and its details further. MTAC began that discussion on October 20. MPAC will again discuss the concept on October 27. Metro staff will summarize MPAC's October 27 conversation at the Council work session.

OPTIONS AVAILABLE

The Council will consider a UGB expansion in December 2010. At that time, the Council may also consider amendments to Title 4. This work session topic is intended for updates and discussion.

IMPLICATIONS AND SUGGESTIONS

Please refer to the August COO recommendations.

QUESTION(S) PRESENTED FOR CONSIDERATION

(The questions below pertain to the proposal for a system to maintain an inventory of large sites for industrial uses)

- Is there merit in developing this concept further?
- What factors should be considered in evolving this proposal?

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION Yes No

DRAFT IS ATTACHED Yes No

Agenda Item Number 4.0

**URBAN GROWTH MANAGEMENT
FUNCTIONAL PLAN – TITLE 1 HOUSING
CAPACITY AND TITLE 6 CENTERS,
CORRIDORS, STATION COMMUNITIES
AND MAIN STREETS**

Metro Council Work Session
Tuesday, Nov. 2, 2010
Metro Council Chambers

METRO COUNCIL

Work Session Worksheet

Presentation Date: November 2, 2010 Time: 2:05 pm
Length: 60 min

Presentation Title: Linking policies with investments: Discussion of COO and MPAC recommendations on Urban Growth Management Functional Plan Title 6 Centers, Corridors, Station Communities and Main Streets and COO recommendation on Title 1 Housing Capacity

Service, Office, or Center:
Planning and Development Department

Presenters (include phone number/extension and alternative contact information): _____
Sherry Oeser, ext. 1721, Sherry.Oeser@oregonmetro.gov
Dick Benner, ext 1532, Richard.Benner@oregonmetro.gov

ISSUE & BACKGROUND

Title 6 (Centers, Corridors, Station Communities and Main Streets)

Title 6 of the Urban Growth Management Functional Plan seeks to encourage development in centers and station communities. Since Title 6 was adopted, however, development in centers has not achieved the results originally anticipated.

The Chief Operating Officer is recommending changing Title 6 to an incentive approach to encourage cities and counties to develop centers and recommends expanding Title 6 to include corridors and main streets. The changes reflected in the attached version of Title 6 are intended to:

- Align local and regional investments to support local aspirations in centers, corridors, station communities, and main streets and make progress toward achieving the region's six desired outcomes
- Reflect a desire to focus development in all centers (central city, regional and town centers, and station communities) as well as along corridors and main streets
- Better link land use and transportation to support mixed-use, pedestrian-friendly, and transit-supportive development
- Provide incentives to local government that adopt a plan of actions and investments to enhance their center, corridor, station community, or main street. These incentives include:
 - Eligibility for a regional investment,
 - Ability to use a higher volume-to-capacity standard under the Oregon Highway Plan when considering amendments to comprehensive plans or land use regulations, and
 - Eligibility for an automatic 30 percent trip reduction credit under the Transportation Planning Rule when analyzing traffic impacts of new development in plan amendments for a center, corridor, station community, or main street
- Address the problems that transportation impacts have on achieving mixed-use, pedestrian-friendly, and transit-supportive development

An MTAC subcommittee spent considerable time earlier this year discussing possible revisions to Title 6. The subcommittee included staff from local governments, Department of Land Conservation and Development, Oregon Department of Transportation (ODOT) and TriMet. Both MTAC and TPAC reviewed changes to Title 6 and both are generally supportive of those changes. MPAC will review Title 6 at their October 27 meeting and their comments will be forwarded to Council.

The Title 6 draft included in the agenda packet is slightly different from the version included with the COO's recommendation in August. The primary change is language concerning the 30% trip reduction credit and new auto dependent uses in centers, corridors, station communities, and main streets (3.07.630(B)(2)). Metro staff worked extensively with ODOT to find mutually acceptable language.

Title 1 Housing Capacity

Metro staff has heard a number of concerns from local government staff about the existing Title 1 Requirements for Housing and Employment Accommodation – that it was time-consuming and staff intensive to produce an annual report on changes to housing and employment capacity as well as a biennial report on actual density of new residential density per net developed acre, that it was impossible to calculate an accurate employment number, that there was no consistency in how each local government calculated their zoned capacity, and that Table 1 was out-of-date because it did not include additions to the urban growth boundary or zone changes.

To address these concerns, the Chief Operating Officer included a recommendation as part of the Community Investment Strategy to revise Title 1 while continuing to implement the Regional Framework Plan policies of a compact urban form, efficient use of land, and a “fair-share” approach to meeting regional housing needs.

The proposed Title 1 draft moves to a “no net loss” approach for housing based on a project amendment basis, eliminates Table 1 and the need to calculate capacity city-wide, and eliminates the requirements for calculating and tracking job capacity. MTAC will complete their discussions at the November 3 MTAC meeting and MPAC will consider Title 1 at their November 10 meeting. Staff wanted to give Council an opportunity to discuss Title 1 prior to MPAC's final recommendation scheduled for November 17.

OPTIONS AVAILABLE

This work session allows Council to have a discussion of Functional Plan proposals prior to MPAC's final recommendation scheduled for November 17. The Council may choose to provide additional direction to MPAC in its review of these topics, pose additional questions, or provide direction to staff.

QUESTION(S) PRESENTED FOR CONSIDERATION

- Does the Council support the changes in Title 6 for centers, corridors, station communities, and main streets recommended by the COO?
- Concerning Title 1, does Council have any questions that it wants MPAC to address?

**LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION X Yes ___ No
DRAFT IS ATTACHED ___ Yes X No**

Exhibit D to Ordinance No. 10-1244

TITLE 1: HOUSING CAPACITY

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies in areas of the region where housing is allowed. Title 1 directs each city and county to maintain or increase its capacity and to take action if necessary to accommodate its share of regional growth.

3.07.120 Housing Capacity

A. Each city and county shall maintain or increase its total minimum zoned capacity for housing. A city or county may reduce the minimum zoned housing capacity of any zoning district upon a demonstration that:

1. The reduction would not reduce the minimum zoned housing capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street;
2. The reduction complies with either subsection B or C; and
3. If the city or county proposes to increase capacity pursuant to subsection B, the increase is reasonably likely to occur in the zoning district within the 20-year planning period of Metro’s last capacity analysis under ORS 197.299.

B. To ensure no net loss of minimum zoned capacity, a city or county that proposes to reduce the minimum zoned housing capacity of a zoning district under subsection A shall either:

1. Simultaneously increase the minimum zoned capacity of another zoning district by an amount equal to or greater than the reduction in the reduction district; or
2. Increase the minimum zoned capacity of another zoning district prior to a reduction of capacity in the reduction district that is no greater than the increase in the other zoning district, and complete the reduction within two years of the increase.

C. Notwithstanding subsection A and B, a city or county may reduce the minimum zoned housing capacity of any zoning district without increasing minimum zoned capacity in another district for one or more of the following purposes:

1. To re-zone the area for industrial use and limit uses consistent with Title 4 of this chapter;
2. To protect natural resources pursuant to Titles 3 or 13 of this chapter; or
3. To allow a regionally significant educational or medical facility similar in scale to those listed in section 3.07.1340D(5)(i) of Title 13 of this chapter.

D. Each city and county shall adopt a minimum dwelling unit density for each zoning district in which dwelling units are authorized except for districts that authorize mixed-use as defined in section 3.07.1010(rr). If a city or county has not adopted a minimum density for such a zoning district prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.

E. A city or county that proposes to amend its land use regulations for a zoning district that allows dwelling units shall determine the effect of the proposed amendment, if any, on the minimum zoned housing capacity for the zoning district and report the effect to Metro with the notice of the proposed amendment required by section 3.07.820A. The minimum zoned capacity for a zoning district shall be determined as follows:

1. If the zoning district has a minimum dwelling unit density pursuant to subsection D, the minimum zoned capacity for the zoning district is the minimum density times the number of acres in the district;
2. If the zoning district is not required to have a minimum dwelling unit density under subsection D, the minimum zoned capacity for the zoning district is the minimum density times the number of acres in the district or the actual density achieved in the district in the most recent five years or the years for which data are available. If no data are available for the district, the city or county may use data from similar districts in the region.

F. If a city annexes territory designated by a county to allow housing, the city shall ensure through its land use regulations there is no net loss of minimum zoned housing capacity from the level allowed by the county.

G. A city or county shall authorize the establishment of at least one accessory dwelling unit for each detached single-family dwelling unit in each zoning district that authorizes detached single-family dwellings. The authorization may be subject to reasonable regulation for siting and design purposes.

Exhibit G of Ordinance No. 10-1244

TITLE 6: CENTERS, CORRIDORS, STATION COMMUNITIES AND MAIN STREETS

3.07.610 Purpose

The Regional Framework Plan (RFP) identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro's approval.

3.07.620 Actions and Investments in Centers, Corridors, Station Communities and Main Streets

- A. In order to be eligible for a regional investment in a Center, Corridor, Station Community or Main Street, or a portion thereof, a city or county shall take the following actions:
1. Establish a boundary for the Center, Corridor, Station Community or Main Street, or portion thereof, pursuant to subsection B;
 2. Perform an assessment of the Center, Corridor, Station Community or Main Street, or portion thereof, pursuant to subsection C; and
 3. Adopt a plan of actions and investments to enhance the Center, Corridor, Station Community or Main Street, or portion thereof, pursuant to subsection D.
- B. The boundary of a Center, Corridor, Station Community or Main Street, or portion thereof, shall:
1. Be consistent with the general location shown in the RFP except, for a proposed new Station Community, be consistent with Metro's land use final order for a light rail transit project;
 2. For a Corridor with existing high-capacity transit service, include at least those segments of the Corridor that pass through a Regional Center or Town Center;
 3. For a Corridor designated for future high-capacity transit in the Regional Transportation Plan (RTP), include the area identified during the system expansion planning process in the RTP; and
 4. Be adopted and may be revised by the city council or county board following notice of the proposed boundary action to the Oregon Department of Transportation and Metro in the manner set forth in subsection A of section 3.07.820 of this chapter.

- C. An assessment of a Center, Corridor, Station Community or Main Street, or portion thereof, shall analyze the following:
1. Physical and market conditions in the area;
 2. Physical and regulatory barriers to mixed-use, pedestrian-friendly and transit-supportive development in the area;
 3. The city or county development code that applies to the area to determine how the code might be revised to encourage mixed-use, pedestrian-friendly and transit-supportive development;
 4. Existing and potential incentives to encourage mixed-use pedestrian-friendly and transit-supportive development in the area; and
 5. For Corridors and Station Communities in areas shown as Industrial Area or Regionally Significant Industrial Area under Title 4 of this chapter, barriers to a mix and intensity of uses sufficient to support public transportation at the level prescribed in the RTP.
- D. A plan of actions and investments to enhance the Center, Corridor, Station Community or Main Street shall consider the assessment completed under subsection C and include at least the following elements:
1. Actions to eliminate, overcome or reduce regulatory and other barriers to mixed-use, pedestrian-friendly and transit-supportive development;
 2. Revisions to its comprehensive plan and land use regulations, if necessary, to allow:
 - a. In Regional Centers, Town Centers, Station Communities and Main Streets, the mix and intensity of uses specified in section 3.07.640; and
 - b. In Corridors and those Station Communities in areas shown as Industrial Area or Regionally Significant Industrial Area in Title 4 of this chapter, a mix and intensity of uses sufficient to support public transportation at the level prescribed in the RTP;
 3. Public investments and incentives to support mixed-use pedestrian-friendly and transit-supportive development; and
 4. A plan to achieve the non-SOV mode share targets, adopted by the city or county pursuant to subsections 3.08.230A and B of the Regional Transportation Functional Plan (RTFP), that includes:
 - a. The transportation system designs for streets, transit, bicycles and pedestrians consistent with Title 1 of the RTFP;

- b. A transportation system or demand management plan consistent with section 3.08.160 of the RTFP; and
 - c. A parking management program for the Center, Corridor, Station Community or Main Street, or portion thereof, consistent with section 3.08.410 of the RTFP.
- E. A city or county that has completed all or some of the requirements of subsections B, C and D may seek recognition of that compliance from Metro by written request to the Chief Operating Officer (COO).
- F. Compliance with the requirements of this section is not a prerequisite to:
- 1. Investments in Centers, Corridors, Station Communities or Main Streets that are not regional investments; or
 - 2. Investments in areas other than Centers, Corridors, Station Communities and Main Streets.

3.07.630 Eligibility Actions for Lower Mobility Standards and Trip Generation Rates

- A. A city or county is eligible to use the higher volume-to-capacity standards in Table 7 of the 1999 Oregon Highway Plan when considering an amendment to its comprehensive plan or land use regulations in a Center, Corridor, Station Community or Main Street, or portion thereof, if it has taken the following actions:
- 1. Established a boundary pursuant to subsection B of section 3.07.620; and
 - 2. Adopted land use regulations to allow the mix and intensity of uses specified in section 3.07.640.
- B. A city or county is eligible for an automatic reduction of 30 percent below the vehicular trip generation rates reported by the Institute of Traffic Engineers when analyzing the traffic impacts, pursuant to OAR 660-012-0060, of a plan amendment in a Center, Corridor, Main Street or Station Community, or portion thereof, if it has taken the following actions:
- 1. Established a boundary pursuant to subsection B of section 3.07.620;
 - 2. Revised its comprehensive plan and land use regulations, if necessary, to allow the mix and intensity of uses specified in section 3.07.640 and to prohibit new auto-dependent uses that rely principally on auto trips, such as gas stations, car washes and auto sales lots; and
 - 3. Adopted a plan to achieve the non-SOV mode share targets, adopted by the city or county pursuant to subsections 3.08.230A and B of the Regional Transportation Functional Plan (RTFP), that includes:

- a. Transportation system designs for streets, transit, bicycles and pedestrians consistent with Title 1 of the RTFP;
- b. A transportation system or demand management plan consistent with section 3.08.160 of the RTFP; and
- c. A parking management program for the Center, Corridor, Station Community or Main Street, or portion thereof, consistent with section 3.08.410 of the RTFP.

3.07.640 Activity Levels for Centers, Corridors, Station Communities and Main Streets

A. Centers, Corridors, Station Communities and Main Streets need a critical number of residents and workers to be vibrant and successful. The following average number of residents and workers per acre is recommended for each:

- 1. Central City - 250 persons
- 2. Regional Centers - 60 persons
- 3. Station Communities - 45 persons
- 4. Corridors - 45 persons
- 5. Town Centers - 40 persons
- 6. Main Streets - 39 persons

B. Centers, Corridors, Station Communities and Main Streets need a mix of uses to be vibrant and walkable. The following mix of uses is recommended for each:

- 1. The land uses listed in *State of the Centers: Investing in Our Communities*, January, 2009, such as grocery stores and restaurants;
- 2. Institutional uses, including schools, colleges, universities, hospitals, medical offices and facilities;
- 3. Civic uses, including government offices open to and serving the general public, libraries, city halls and public spaces.

C. Centers, Corridors, Station Communities and Main Streets need a mix of housings types to be vibrant and successful. The following mix of housing types is recommended for each:

- 1. The types of housing listed in the “needed housing” statute, ORS 197.303(1);
- 2. The types of housing identified in the city’s or county’s housing need analysis done pursuant to ORS 197.296 or statewide planning Goal 10 (Housing); and
- 3. Accessory dwellings pursuant to section 3.07.120 of this chapter.

3.07.650 Centers, Corridors, Station Communities and Main Streets Map

- A. The Centers, Corridors, Station Communities and Main Streets Map is incorporated in this title and is Metro's official depiction of their boundaries. The map shows the boundaries established pursuant to this title and boundaries established prior to January 1, 2011. Until a local government has established a boundary by action of its elected officials, the map will depict the approximate locations of Centers, Corridors, Station Communities and Main Streets shown on the 2040 Growth Concept Map in the Regional Framework Plan (RFP).
- B. A city or county may revise the boundary of a Center, Corridor, Station Community or Main Street so long as the boundary is consistent with the general location on the 2040 Growth Concept Map in the RFP. The city or county shall provide notice of its proposed revision as prescribed in subsection B of section 3.07.620.
- C. The COO shall revise the Centers, Corridors, Station Communities and Main Streets Map by order to conform the map to establishment or revision of a boundary under this title.

Agenda Item Number 5.0

**UPDATE ON MPAC HOUSING
PLANNING SUBCOMMITTEE**

Metro Council Work Session
Tuesday, Nov. 2, 2010
Metro Council Chambers

METRO COUNCIL

Work Session Worksheet

Presentation Date: November 2, 2010 Time: 3:05 p.m. Length: 15 minutes

Presentation Title: Update on MPAC housing planning subcommittee

Service, Office, or Center:

Planning and Development Services

Presenters (include phone number/extension and alternative contact information):

Ted Reid, 1768

ted.reid@oregonmetro.gov

ISSUE & BACKGROUND

As part of the adoption of urban and rural reserves, the Metro Council revised the requirements for concept planning of urban reserves and comprehensive planning of UGB expansion areas. Both of these topics are part of Title 11 of Metro's Urban Growth Management Functional Plan. The revisions require concept plans to be developed prior to UGB expansion decisions to better inform those decisions and to facilitate development once the UGB is expanded. During adoption, Metro Councilor Liberty suggested additional changes to Title 11 to add specificity on housing planning. The Council agreed to send the issue to MPAC for further discussion. Several MPAC members expressed interest in participating in a subcommittee charged with suggesting refinements to Title 11. The subcommittee will hold its fifth and final meeting on October 27. MPAC is scheduled to make a recommendation on Title 11 to the Council on November 10.

The subcommittee has agreed on three principles that are guiding their proposed revisions to Title 11:

1. Plans should describe the variety of different housing types that are intended for the area.
2. Plans should describe how the proposed housing types would address local and regional housing needs.
3. Plans should identify the types of housing that are likely to be built in the 20-year planning period and describe additional strategies to encourage the development of needed housing types that would otherwise not be built.

OPTIONS AVAILABLE

The Council will consider proposed changes to Title 11 in December 2010 as part of the "Capacity Ordinance."

IMPLICATIONS AND SUGGESTIONS

Staff believes that the (tentatively) proposed changes to Title 11 will encourage more specificity in concept and comprehensive plans in regards to housing affordability in new urban areas. Staff also echoes comments made by some subcommittee members regarding the need for a more comprehensive strategy to address cost of living throughout the region, not just in new urban areas.

QUESTION(S) PRESENTED FOR CONSIDERATION

Does the Council have additional considerations on this topic for which they would like MPAC's perspective?

LEGISLATION WOULD BE REQUIRED FOR COUNCIL ACTION Yes No
DRAFT IS ATTACHED Yes No

Exhibit Q to Ordinance No. 10-1244

TITLE 11: PLANNING FOR NEW URBAN AREAS

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

3.07.1110 Planning for Areas Designated Urban Reserve

A. The county responsible for land use planning for an urban reserve and any city likely to provide governance or an urban service for the area, shall, in conjunction with Metro and appropriate service districts, develop a concept plan for the urban reserve prior to its addition to the UGB pursuant to Metro Code 3.01.015 and 3.01.020. The date for completion of a concept plan and the area of urban reserves to be planned will be jointly determined by Metro and the county and city or cities.

B. A concept plan shall achieve, or contribute to the achievement of, the following outcomes:^[r1]

1. If the plan proposes a mix of residential and employment uses:

- a. A mix and intensity of uses that will make efficient use of the public systems and facilities described in subsection C;
- b. A development pattern that supports pedestrian and bicycle travel to retail, professional and civic services;
- c. ~~Opportunities for a~~ range of ~~needed~~ housing types that are needed in the prospective UGB expansion area, the prospective governing city, and the region, ~~including ownership and rental housing; single-family and multi-family housing; and public, nonprofit private market housing with an option~~ ^[r2] ~~for households with incomes at or~~ ^[r3]

below 80, 50 and 30 percent of median family incomes for the region;

- d. Sufficient employment opportunities to support a healthy economy, including, for proposed employment areas, lands with characteristics, such as proximity to transportation facilities, needed by employers;
 - e. Well-connected systems of streets, bikeways, parks ~~and other public open spaces, natural areas~~, recreation trails and public transit that link to needed housing so as to reduce the combined cost of housing and transportation;
 - f. A well-connected system of parks, natural areas and other public open spaces;
 - ~~f.g.~~ Protection of natural ecological systems and important natural landscape features;
 - ~~g.h.~~ Avoidance or minimization of adverse effects on farm and forest practices and important natural landscape features on nearby rural lands;
- or
2. If the plan involves fewer than 100 acres or proposes to accommodate only residential or employment needs, depending on the need to be accommodated: [r4]
- a. ~~Opportunities for a~~ range of needed housing types that are needed in the prospective UGB expansion area, the prospective governing city, and the region, including ownership and rental housing and single-family and multi-family housing;
 - b. Sufficient employment opportunities to support a healthy economy, including, for proposed employment areas, lands with characteristics, such as proximity to transportation facilities, needed by employers;
 - c. Well-connected systems of streets, bikeways, pedestrian ways, parks, natural areas, recreation trails;
 - d. Protection of natural ecological systems and important natural landscape features;
 - e. Avoidance or minimization of adverse effects on farm and forest practices and important natural landscape features on nearby rural lands.

C. A concept plan shall:

1. Show the general locations of any residential, commercial, industrial, institutional and public uses proposed for the area with sufficient detail to allow estimates of the cost of the public systems and facilities described in paragraph 2;

2. For proposed sewer, park and trail, water and storm-water systems and transportation facilities, provide the following:

- a. The general locations of proposed sewer, park and trail, water and storm-water systems;
- b. The mode, function and general location of any proposed state transportation facilities, arterial facilities, regional transit and trail facilities and freight intermodal facilities;
- c. The proposed connections of these systems and facilities, if any, to existing systems;
- d. Preliminary estimates of the costs of the systems and facilities in sufficient detail to determine feasibility and allow cost comparisons with other areas;
- e. Proposed methods to finance the systems and facilities; and
- f. Consideration for protection of the capacity, function and safe operation of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

3. If the area subject to the concept plan calls for designation of land for industrial use, include an assessment of opportunities to create and protect parcels 50 acres or larger and to cluster uses that benefit from proximity to one another;

4. If the area subject to the concept plan calls for designation of land for residential use, include strategies such as [15] partnerships and incentives that increase the likelihood that needed housing types described in subsection B of this section will be market-feasible or provided by non-market housing developers within the 20-year UGB planning period;

5. Show water quality resource areas, flood management areas and habitat conservation areas that will be subject to performance standards under Titles 3 and 13 of the Urban Growth Management Functional Plan;

| 56. Be coordinated with the comprehensive plans and land use regulations that apply to nearby lands already within the UGB;

| 67. Include an agreement between or among the county and the city or cities and service districts that preliminarily identifies which city, cities or districts will likely be the providers of urban services, as defined at ORS 195.065(4), when the area is urbanized;

| 78. Include an agreement between or among the county and the city or cities that preliminarily identifies the local government responsible for comprehensive planning of the area, and the city or cities that will have authority to annex the area, or portions of it, following addition to the UGB;

| 89. Provide that an area added to the UGB must be annexed to a city prior to, or simultaneously with, application of city land use regulations to the area intended to comply with subsection C of section 3.07.1120; and

| 910. Be coordinated with schools districts, including coordination of demographic assumptions.

D. Concept plans shall guide, but not bind:

1. The designation of 2040 Growth Concept design types by the Metro Council;
2. Conditions in the Metro ordinance that adds the area to the UGB; or
3. Amendments to city or county comprehensive plans or land use regulations following addition of the area to the UGB.

E. If the local governments responsible for completion of a concept plan under this section are unable to reach agreement on a concept plan by the date set under subsection A, then the Metro Council may nonetheless add the area to the UGB if necessary to fulfill its responsibility under ORS 197.299 to ensure the UGB has sufficient capacity to accommodate forecasted growth.

3.07.1120 Planning for Areas Added to the UGB

- A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address

the requirements of subsection C by the date specified by the ordinance or by Metro Code 3.01.040(b)(4).

B. If the concept plan developed for the area pursuant to Section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

C. Comprehensive plan provisions for the area shall include:

1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB;

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to Metro Code 3.01.040(b)(2);

4. ~~Provision for affordable housing consistent with Title 7 of the Urban Growth Management Functional Plan if if~~ If the comprehensive plan authorizes housing in any part of the area, provision for a range of needed housing types needed in the prospective UGB expansion area, the prospective governing city, and the region, including ownership and rental housing, single-family and multi-family housing and public, nonprofit private market housing with an option for households with incomes at or below 80, 50 and 30 percent of median family incomes for the region and implementing strategies that increase the likelihood that needed housing types will be market-feasible or provided by non-market housing developers within the 20-year UGB planning period;

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

8. Provision for the financing of local and state public facilities and services; and

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

D. The county or city responsible for comprehensive planning of an area shall submit a determination of the residential capacity of any area zoned to allow dwelling units, using the method in section 3.07.120, to Metro within 30 days after adoption of new land use regulations for the area.

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- A. A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;
- B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in Metro Code section 3.01.010, or for a new public school;

D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:

1. A commercial use that is not accessory to industrial uses in the area; and

2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

3.07.1140 Applicability

Section 3.07.1110 becomes applicable on March 31, 2011.

Materials following this page were distributed at the meeting.

Proposal: maintaining and protecting a regional supply of large industrial sites

Working principles

1. Development readiness of large sites for industrial uses is the ultimate goal
2. There are shared local and regional responsibilities to make sites development ready

Defining the site inventory

Proposal

- Use three tiers to categorize sites:
 - Tier One (development-ready sites)
 - At least 50 acres in a single parcel (or lot assembly agreement in place)
 - Vacant or with minimal improvements (define)
 - Exclude land-banked sites (define)
 - Industrial zoning or designated RSIA
 - Seek local jurisdiction input on sites that are development ready (define)
 - Tier Two (opportunity sites)
 - Seek local jurisdiction input on priority locations that could be elevated to Tier One with additional investments or actions (for example, brownfield cleanup, tax lot assembly, infrastructure investments)
 - Tier Three (urban reserve sites)
 - Seek local jurisdiction input on locations in urban reserves that may provide large sites with additional investments or actions (for example, concept planning, tax lot assembly, infrastructure investments, UGB expansion)
- Identify Tier One sites this year (to accompany proposed legislation). Identify Tier Two and Tier Three sites in early 2011.
- Inventory should note the sectors for which a site is appropriate. Sectors could include:
 - Warehousing/distribution
 - Marine terminal
 - General industrial
 - High-tech manufacturing

Questions to resolve

- Define “development ready”
- Define “minimal improvements”
- Define “land banked”
- Need local jurisdiction input on which sites meet Tier One definitions
- Need local jurisdiction input on Tier Two (opportunity sites), including descriptions of efforts that are needed to elevate to Tier One
- Need local jurisdiction input on Tier Three (urban reserve sites), including descriptions of efforts that are needed to elevate to Tier One
- Need local jurisdiction input on employment sectors that may be able to use each site (all tiers)

Ongoing work to ensure development readiness

Proposal

- Tier One (development-ready sites)
 - Designate all as RSIA (if not already designated as such)
 - Protect sites from division
 - Work with Regional Partners, Greenlight Greater Portland, and Business Oregon to link inventory to a regional economic development strategy
- Tier Two (opportunity sites)
 - Shared regional and local responsibilities for elevating to Tier One
 - Integrated with Community Investment Strategy
- Tier Three (urban reserve sites)
 - Local jurisdictions work with Metro to complete concept plans
 - Local jurisdictions to work to secure landowner agreements for tax lot assembly, if needed
 - Metro Council expands the UGB when needed
 - Integrated with Community Investment Strategy

Questions to resolve

- It would be challenging to use the Functional Plan to compel cities to invest in Tier Two and Tier Three sites. Is it sufficient to have Framework Plan language that sets Metro Council policy?
- What prohibitions on parcel division should be in place (for Tier One sites)?
- Should we have Functional Plan language that requires fast-track permitting of development on Tier One sites?

Mechanics of the replenishment system

Proposal

- Number of Tier One sites inventoried (TBD) acts as target to maintain inside UGB until next UGR
- Local jurisdictions responsible for notifying Metro if a Tier One site develops (to be defined)
- If a Tier One site is developed, strive to replenish Tier One inventory within a year
- Seek to elevate Tier Two sites to Tier One before UGB expansion
- Replenish developed Tier One site with a site that is appropriate for that same general sector (for example, warehousing and distribution or high-tech manufacturing). No UGB expansions to replace marine terminal sites that get developed.
- Before adding Tier Three sites to the UGB, require concept planning and, if needed, landowner agreements or adopted strategies to assemble parcels

Questions to resolve

- What action acts as a trigger for the system? Definition of “developed” should be consistent with rules for identifying Tier One sites (same threshold improvement value).
- What Functional Plan language is needed to ensure that the replenishment system works in a timely fashion?
- Once the system is triggered, how much time should be allowed for elevating a Tier Two site to Tier One?
- Should sites be replenished in the same market subarea? If so, how should we define the market subareas?
- What should tax lot assembly agreements or strategies consist of to be counted as valid?

TITLE 1: HOUSING CAPACITY

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies in areas of the region where housing is allowed. Title 1 directs each city and county to maintain or increase its capacity and to take action if necessary to accommodate its share of regional growth.

3.07.120 Housing Capacity

- A. Except as provided in this section, each city and county shall maintain or increase its total minimum zoned capacity for housing. Each city and county shall adopt a minimum dwelling unit density for each zoning district in which dwelling units are authorized except for districts that authorize mixed-use as defined in section 3.07.1010(rr). If a city or county has not adopted a minimum density for such a zoning district prior to March 16, 2011, the city or county shall adopt a minimum density that is at least 80 percent of the maximum density.

- B. A city or county that proposes to amend its land use regulations for a zoning district that allows dwelling units shall determine the effect of the proposed amendment, if any, on the minimum zoned housing capacity for the zoning district and report the effect to Metro with the notice of the proposed amendment required by section 3.07.820A. The minimum zoned capacity for a zoning district shall be determined as follows:
 - 1. If the city or county proposes to reduce the minimum dwelling unit density of a zoning district pursuant to subsection D, the minimum zoned capacity is the minimum density times the number of acres in the district;

 - 2. If the city or county proposes to revise development standards or criteria other than the minimum dwelling unit density pursuant to subsection E, the minimum zoned capacity is the minimum density times the number of acres in the district or for a zoning district that allows mixed-use, the actual density achieved in the district in the most recent five years or the years for which data are available. If no data are available for a district mixed-use district, the city or county may use data from similar districts in the region.

- C. A city or county may reduce the minimum zoned housing capacity of any zoning district, pursuant to subsections D, E or F upon a demonstration that:
1. The reduction would not reduce the minimum zoned housing capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street; and
 2. If the city or county proposes to increase capacity pursuant to subsections D or E, the increase is reasonably likely to be realized within the 20-year planning period of Metro's last capacity analysis under ORS 197.299.
- D. A city or county may reduce the minimum dwelling unit density in a zoning district that allows dwelling units if it:
1. Satisfies the criteria in subsection C; and
 2. Simultaneously increases the minimum dwelling unit density of another zoning district by an amount equal to or greater than the reduction in the reduction district; or
 3. Increases the minimum dwelling unit density of another zoning district in an amount equal to or greater than the proposed reduction and complete the reduction within two years of the increase.
- E. A city or county may revise development standards or criteria other than the minimum dwelling unit density if the revisions would have the effect of reducing the minimum zoned capacity of the district so long as the city or county:
1. Satisfies the criteria in subsection C; and
 2. Takes action to increase minimum zoned capacity of a zoning district that allows dwelling units simultaneously with the proposed revision; or
 3. Takes action to increase minimum zoned capacity of a zoning district that allows dwelling units prior to the proposed revision and complete the reduction within two years of the increase; and
 4. Increases minimum zoned capacity by its actions in an amount equal to or greater than the reduction.
- F. Notwithstanding subsections D and E, a city or county may reduce the minimum zoned housing capacity of a zoning district without increasing minimum zoned capacity for one or more of the following purposes:

1. To re-zone the area for industrial use and limit uses consistent with Title 4 of this chapter;
2. To protect natural resources pursuant to Titles 3 or 13 of this chapter; or
3. To allow a regionally significant educational or medical facility similar in scale to those listed in section 3.07.1340D(5)(i) of Title 13 of this chapter.

Exhibit Q to Ordinance No. 10-1244

TITLE 11: PLANNING FOR NEW URBAN AREAS

3.07.1105 Purpose and Intent

The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas.

3.07.1110 Planning for Areas Designated Urban Reserve

A. The county responsible for land use planning for an urban reserve and any city likely to provide governance or an urban service for the area, shall, in conjunction with Metro and appropriate service districts, develop a concept plan for the urban reserve prior to its addition to the UGB pursuant to Metro Code 3.01.015 and 3.01.020. The date for completion of a concept plan and the area of urban reserves to be planned will be jointly determined by Metro and the county and city or cities.

B. A concept plan shall achieve, or contribute to the achievement of, the following outcomes:

1. If the plan proposes a mix of residential and employment uses:
 - a. A mix and intensity of uses that will make efficient use of the public systems and facilities described in subsection C;
 - b. A development pattern that supports pedestrian and bicycle travel to retail, professional and civic services;
 - c. ~~Opportunities for a~~ range of needed housing types needed in the prospective UGB expansion area, the prospective governing city, and the region, -including ownership and rental housing; single-family and multi-family housing; and a mix of public, nonprofit and -private market housing with an option for households with incomes at or

below 80, 50 and 30 percent of median family incomes for the region;

- d. Sufficient employment opportunities to support a healthy economy, including, for proposed employment areas, lands with characteristics, such as proximity to transportation facilities, needed by employers;
 - e. Well-connected systems of streets, bikeways, parks ~~and other public open spaces, natural areas~~, recreation trails and public transit that link to needed housing so as to reduce the combined cost of housing and transportation;
 - f. A well-connected system of parks, natural areas and other public open spaces;
 - ~~f.g.~~ Protection of natural ecological systems and important natural landscape features;
 - ~~g.h.~~ Avoidance or minimization of adverse effects on farm and forest practices and important natural landscape features on nearby rural lands; or
2. If the plan involves fewer than 100 acres or proposes to accommodate only residential or employment needs, depending on the need to be accommodated:
- a. ~~Opportunities for a~~ range of ~~needed~~ housing ~~types needed in the prospective UGB expansion area, the prospective governing city, and the region, including ownership and rental housing; and single-family and multi-family housing; and a mix of public, nonprofit and private market housing for households with incomes at or below 80, 50 and 30 percent of median family incomes for the region;~~
 - b. Sufficient employment opportunities to support a healthy economy, including, for proposed employment areas, lands with characteristics, such as proximity to transportation facilities, needed by employers;
 - c. Well-connected systems of streets, bikeways, pedestrian ways, parks, natural areas, recreation trails;
 - d. Protection of natural ecological systems and important natural landscape features;
 - e. Avoidance or minimization of adverse effects on farm and forest practices and important natural landscape features on nearby rural lands.

C. A concept plan shall:

1. Show the general locations of any residential, commercial, industrial, institutional and public uses proposed for the area with sufficient detail to allow estimates of the cost of the public systems and facilities described in paragraph 2;

2. For proposed sewer, park and trail, water and storm-water systems and transportation facilities, provide the following:

- a. The general locations of proposed sewer, park and trail, water and storm-water systems;
- b. The mode, function and general location of any proposed state transportation facilities, arterial facilities, regional transit and trail facilities and freight intermodal facilities;
- c. The proposed connections of these systems and facilities, if any, to existing systems;
- d. Preliminary estimates of the costs of the systems and facilities in sufficient detail to determine feasibility and allow cost comparisons with other areas;
- e. Proposed methods to finance the systems and facilities; and
- f. Consideration for protection of the capacity, function and safe operation of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

3. If the area subject to the concept plan calls for designation of land for industrial use, include an assessment of opportunities to create and protect parcels 50 acres or larger and to cluster uses that benefit from proximity to one another;

4. If the area subject to the concept plan calls for designation of land for residential use, include strategies such as partnerships and incentives that increase the likelihood that needed housing types described in subsection B of this section will be market-feasible or provided by non-market housing developers within the 20-year UGB planning period;

5. Show water quality resource areas, flood management areas and habitat conservation areas that will be subject to performance

standards under Titles 3 and 13 of the Urban Growth Management Functional Plan;

| 56. Be coordinated with the comprehensive plans and land use regulations that apply to nearby lands already within the UGB;

| 67. Include an agreement between or among the county and the city or cities and service districts that preliminarily identifies which city, cities or districts will likely be the providers of urban services, as defined at ORS 195.065(4), when the area is urbanized;

| 78. Include an agreement between or among the county and the city or cities that preliminarily identifies the local government responsible for comprehensive planning of the area, and the city or cities that will have authority to annex the area, or portions of it, following addition to the UGB;

| 89. Provide that an area added to the UGB must be annexed to a city prior to, or simultaneously with, application of city land use regulations to the area intended to comply with subsection C of section 3.07.1120; and

| 910. Be coordinated with schools districts, including coordination of demographic assumptions.

D. Concept plans shall guide, but not bind:

1. The designation of 2040 Growth Concept design types by the Metro Council;
2. Conditions in the Metro ordinance that adds the area to the UGB; or
3. Amendments to city or county comprehensive plans or land use regulations following addition of the area to the UGB.

E. If the local governments responsible for completion of a concept plan under this section are unable to reach agreement on a concept plan by the date set under subsection A, then the Metro Council may nonetheless add the area to the UGB if necessary to fulfill its responsibility under ORS 197.299 to ensure the UGB has sufficient capacity to accommodate forecasted growth.

3.07.1120 Planning for Areas Added to the UGB

- A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement

adopted pursuant to 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection C by the date specified by the ordinance or by Metro Code 3.01.040(b)(4).

B. If the concept plan developed for the area pursuant to Section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.

C. Comprehensive plan provisions for the area shall include:

1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB;

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to Metro Code 3.01.040(b)(2);

4. ~~Provision for affordable housing consistent with Title 7 of the Urban Growth Management Functional Plan if if~~ If the comprehensive plan authorizes housing in any part of the area, provision for a range of needed housing types needed in the prospective UGB expansion area, the prospective governing city, and the region, including ownership and rental housing; single-family and multi-family housing; and a mix of public, nonprofit and private market housing for households with incomes at or below 80, 50 and 30 percent of median family incomes for the region and implementing strategies that increase the likelihood that needed housing types will be market-feasible or provided by non-market housing developers within the 20-year UGB planning period;

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts.

This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

8. Provision for the financing of local and state public facilities and services; and

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

D. The county or city responsible for comprehensive planning of an area shall submit a determination of the residential capacity of any area zoned to allow dwelling units, using the method in section 3.07.120, to Metro within 30 days after adoption of new land use regulations for the area.

3.07.1130 Interim Protection of Areas Added to the UGB

Until land use regulations that comply with section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

- A. A land use regulation or zoning map amendment that allows higher residential density in the area than allowed by regulations in effect at the time of addition of the area to the UGB;
- B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;
- C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in Metro Code section 3.01.010, or for a new public school;

D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:

1. A commercial use that is not accessory to industrial uses in the area; and

2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

3.07.1140 Applicability

Section 3.07.1110 becomes applicable on March 31, 2011.