



Metro | Agenda

Meeting: Metro Technical Advisory Committee
 Date: Wednesday, November 3rd, 2010
 Time: 10 a.m. - Noon
 Place: **Metro Regional Center, Council Chambers**

Time	Agenda Item	Action Requested	Presenter(s)
10 a.m.	CALL TO ORDER AND INTRODUCTIONS		Robin McArthur
40 min.	<p>1. Community Investment Strategy: Addressing the Region’s residential needs</p> <ul style="list-style-type: none"> Update on Metro Council direction on residential needs Discussion of options for UGB expansion and factors for Council consideration <p><i>Objective: Prepare for MPAC discussion. MTAC recommendation on the factors that are most important for Metro Council to consider, as they determine where to expand UGB (if they do so)</i></p>	Discussion & Recommendation	John Williams / Ted Reid / Tim O’Brien
30 min.	<p>2. Community Investment Strategy: Implementing Policies – Urban Growth Management Functional Plan</p> <ul style="list-style-type: none"> Housing Capacity (Title 1) <p><i>Objective: Discuss and make recommendation to MPAC</i></p>	Discussion & Recommendation	Dick Benner / Sherry Oeser
10 min.	<p>3. Report from Title 11 MPAC Housing Subcommittee</p> <p><i>Objective: Update on final MPAC Housing Subcommittee recommendations</i></p>	Information	Ted Reid

40 min.	4. Role of Public Investment in Stimulating Private Development <i>Objective: Share research findings and illustrations with MTAC</i>	Information	Brian Harper
Noon	ADJOURN		

MTAC meets on the 1st & 3rd Wednesday of the month. The next meeting is scheduled for November 17th 2010.

For agenda and schedule information, contact Alexandra Roberts-Bullock at 503-797-1839, or by email: Alexandra.Roberts-Bullock@oregonmetro.gov. Metro's TDD Number: 503-797-1804

To check on closure or cancellations during inclement weather, please call 503-797-1700.

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. 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.

Materials following this page were distributed at the meeting.

 Metro | Memo

To: MTAC

From: Sherry Oeser, Planning and Development Services

Subject: Response to City of Gresham Regarding Title 6 changes

Date: October 26, 2010

The City of Gresham recently sent a letter which was included in last week's MTAC agenda packet with questions concerning Title 6 (Centers, Corridors, Station Communities, and Main Streets) of the Urban Growth Management Functional Plan. This memo responds to those questions and is being sent to all MTAC members and alternatives.

The existing version of Title 6 required local governments to develop a strategy to enhance all centers by December 2007 and to submit progress reports to Metro every two years. Only one local government developed a strategy for its center. This approach has not been effective in encouraging center development. An MTAC subcommittee on Title 6 spent considerable time earlier this year discussing possible revisions to Title 6. The subcommittee included staff from several local governments, the Department of Land Conservation and Development, Oregon Department of Transportation, and TriMet. MTAC itself reviewed Title 6 on several occasions between May through October. Title 6 was also reviewed by the Transportation Policy Advisory Committee.

The changes to Title 6 are intended to:

- Align local and regional investments to support local aspirations in centers, corridors, station communities and main streets
- 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 governments that adopt a plan of actions and investments to enhance their center, corridor, station community, or main street. The incentives include:
 - Eligibility for a regional investment,
 - Ability to use a higher volume-to-capacity standard under the Oregon Highway Plan, and
 - Eligibility for an automatic 30 percent trip reduction credit under the Transportation Planning Rule
- Address the problems that transportation impacts have on achieving mixed-use, pedestrian-friendly, and transit-supportive development

The City of Gresham questions are presented below and are followed by a response from Metro staff.

Section 3.07.610 Purpose:

Question 1: There is no clarity in this section about what a regional investment is. Some funding programs that come to mind are MTIP, CET, Nature in Neighborhoods, Open Space Bond Local Share, and TOD. Are these the types of funding contemplated in this section? Is there evidence that these programs do not support the design types in Title 6? Can Metro provide evidence that that these programs' criteria are not working, or that all these

programs must support Title 6 land? Is it unclear what problem exists that these revisions are trying to solve, and why holding investments pending local action is a solution.

Response: Title 6 implements the Regional Framework Plan policies on enhancing centers and setting centers as a priority for investment (See current RFP policy 1.16 or proposed new RFP policy 1.2) and 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. A key reason why centers are not developing is because local governments do not have sufficient funds available for public works or other investments or have policies that create barriers to development. The Chief Operating Officer is recommending that the approach to center development be changed to an incentive approach, that Title 6 be expanded to include corridors and main streets where significant revitalization opportunities exist, and that investments of regional dollars be made strategically in areas that are ready for such investments to have the most impact. As stated in Title 6, funding for High Capacity Transit is a regional investment. For other programs, Metro will work with our regional partners to ensure the criteria meet the goals of Title 6 but do not inadvertently create a barrier to achieving mixed-use, pedestrian-friendly and transit-supportive development in centers, corridors, station communities, and mains streets.

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

Question 2: There is nothing in Title 6 that clarifies that regional investments may be available to a local government in order to do the work outlined in the Title. As assessment like this (as described) is both time consuming and costly. For example the 2007 assessment of Downtown Gresham (part of the Regional Center) was partially funded by TGM at about \$90,000. 0.5 FTE was dedicated to the project. Other city staff and regional partners (i.e. TriMet) were involved. Gresham has three centers and nine corridors. To do a new assessment for all these geographies could take many years and large sums of funding. Additionally, there is no clear process specified for how Metro will recognize work previously accomplished by a local government. Requiring cities to do this work again will detract jurisdictions from the business of responding to development interests and economic development.

Response: It is not the intent of this provision to require local governments to conduct a new assessment if one has already been completed relatively recently. Metro staff will review any assessments to determine if they meet the requirements of Title 6. Metro understands that work required by Title 6 can be costly and requires local jurisdictions to seek multiple funding options. In the past, Metro provided technical or funding to assist local jurisdictions.

Question 3: What is "Metro's land use final order for a light rail transit project"?

Response: Metro staff work with local government staff in determining the Locally Preferred Alternative. The Metro Council adopts the Land Use Final Order, following receipt of an application from TriMet. This is probably not an issue for Gresham, unless a new light rail project is proposed for Gresham and state law authorizes it.

Question 4: What is meant by "system expansion planning process in the RTP"?

Response: The System Expansion Planning process (SEP) was established in the recently adopted High Capacity Transit (HCT) System Plan, which is considered one part of the recently adopted Regional Transportation Plan (RTP). The SEP is a set of guidelines that is meant to help local jurisdictions gain a better understanding of what measurable steps are needed to advance previously identified HCT lines, ultimately, into the highest tier of the plan thus making them eligible for a regional investment in a new HCT line. The HCT Plan currently places existing HCT corridors into one of four tiers, which indicates which lines are most “ripe” for new transit investment.

Question 5: What does ‘adopted’ mean in the context of establishing boundaries for Centers, Corridors, Main Streets, and Station Communities? Is a resolution sufficient? Does it need to be by ordinance? Isn’t this already done since all jurisdictions comply with the mapping requirement in 3.07.130? Is the specification of a boundary a land use action?

Response: “Adopted” means a formal action by a governing body. Local jurisdictions may be in compliance with previous requirements of the UGMFP, such as Title 1, concerning the delineation of a boundary. However, new requirements proposed by Title 6, including the official adoption of Center, Corridor, Main Street and Station Community boundaries would be required to be officially adopted by each jurisdiction that wished to be eligible for a regional investment. Many jurisdictions proposed “analysis boundaries” for their centers, but never officially adopted boundaries by their governing body. Some local jurisdictions did officially adopt boundaries in their approved comprehensive plans. Those jurisdictions will be given credit for official adoption of boundaries going forward. It is important to adopt the boundaries to know which areas are eligible for the incentives.

Question 6: How frequently does an assessment need to be updated? Does it need to be refreshed for every funding cycle of each regional investment? How detailed does this study need to be? How will Metro evaluate it?

Response: These are details that deal primarily with implementation of Title 6 and that will need to be worked out in consultation with local jurisdictions as guidelines are developed in 2011. The assessment should be detailed enough to help each local jurisdiction identify priorities, investments and possible policy actions.

Question 7: Section 3.07.620.D is open-ended. How many incentives need to be provided to meet this requirement? Gresham is currently waiving fees to support developments – is this enough? Why does Metro need to know this? What will Metro do with this information?

Response: Metro seeks to understand the tools and techniques used by our local partners and how well they work to promote mixed-use, pedestrian-friendly, and transit-supportive developments in order to assist local jurisdictions in achieving their local aspirations through a mix of investments and policy decisions. The best way to understand the success of a jurisdiction is to have a comprehensive understanding of how it is tackling its problems with revitalization and redevelopment in its centers, corridors, station communities, and main streets. Since each of these is unique and needs its own special mix of investments and policies, there is no hard and fast number of incentives needed to meet the requirement of a plan of action because each center has its own needs. Metro will review each plan on a case-by-case basis.

Question 8: Per Section 3.07.620.D.2.b, how can a mix of uses occur in corridors through Industrial Areas and Regionally Significant Industrial Areas? These design types purposefully limit a mix of uses in order to maintain the land for industrial purposes. Aren’t they a barrier?

Response: A mix of uses could include employment areas that provide services, such as restaurants and banks, to industrial areas. Corridors are key areas providing transit service to serve the employment areas. The MTAC Title 6 subcommittee discussed this issue and concluded that it is up to the local government to map the boundary for a corridor and decide which part of the corridor is included.

Question 9: Many barriers are outside the control of a local jurisdiction (i.e. financing, lending). If a local jurisdiction cannot eliminate such barriers, does that mean they cannot comply with this Title? Also, it is possible that a local government does not have any regulatory barriers. Are there examples Metro can point to that demonstrate regulatory barriers in this region?

Response: Metro works everyday with its local partners to help identify actions to eliminate regulatory and other barriers to mixed-use, pedestrian-friendly and transit-supportive development. The two Community Investment Toolkits that Metro produced in recent years (Financial Incentives and Innovative Design and Development Codes) are tools to help local jurisdictions overcome barriers. In addition, Metro has been able to work with individual jurisdictions to identify site specific barriers and potential ways to eliminate those barriers through work such as code audits and market analyses. Some barriers that have been identified are height limitations, lack of parking management plans and design approval processes. The intent is to assess what barriers may exist that are preventing development of mixed-use, pedestrian-friendly and transit-supportive development and seek innovative ways to overcome those barriers.

Question 10: Per Section 3.07.620.D.4, these items are typically done as part of a TSP. Why does this need to be in Title 6? Do all jurisdictions need a current TSP to have access to regional investments? At what point is a TSP considered "too old" to meet this requirement?

Response: Local jurisdiction TSPs are required to be in compliance with the most recently adopted RTP. The RTP is updated every five years, thus local jurisdictions are required to update their TSPs for compliance within each 5 year cycle to be considered in compliance with the Transportation Functional Plan. As part of the 2035 RTP adoption this year, a compliance chart was developed that sets out the deadline for each jurisdiction to update their TSP.

Question 11: Per Section 3.07.620.E [completion of requirements], it is unclear how Metro will respond. What is the timeframe for a response and what form will it take?

Response: These are details that will need to be worked out in consultation with local governments when the guidelines are developed in 2011. The intent is to help local governments become eligible for the incentives contained in Title 6.

Question 12: Can a local jurisdiction pursue a regional investment for other geographies even if the jurisdiction is not in compliance with Title 6?

Response: As proposed in Title 6, a regional investment applies only to a center, corridor, station community or main street. If the investment that the local jurisdiction is seeking does not fall into one of those design types, then the jurisdiction can pursue investments.

Question 13: Can a facility that goes through a Title 6 geography such as the Springwater Trail be eligible for regional investments if a jurisdiction does not comply with Title 6?

Response: As noted earlier, regional investments other than HCT will be determined in consultation with our local government partners and it has not yet been determined if funding for trails will be a regional investment. What Title 6 seeks to accomplish is mixed-use, pedestrian-friendly, transit-oriented development that supports centers, corridors, station communities and main streets.

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

Question 14: Section 3.07.640.B.2 and 3 are not a bad list of uses, but it may not be reasonable to think that every Title 6 geography can support a college, a hospital, and various civic uses. The ability to site these facilities depends on local conditions.

Response: Clearly not all areas are going to support each of the listed land uses. The intent is to provide a combination of the uses listed to achieve the critical number of residents and workers listed in paragraph A of 3.07.640. Each center, corridor, station community, and main street will require its own unique combination of land uses to be successful. Research done by Metro, as well as its partner jurisdictions, has clearly shown that the listed uses have the most impact on the success of places throughout the region.

 **Metro** | *Memo*

Date: Thursday, September 30, 2010
To: MTAC
From: Sherry Oeser, Planning & Development Services
Subject: Urban Growth Management Functional Plan, Title 1 (Housing Capacity) and Title 6 (Centers, Corridors, Station Communities and Main Streets)

At the September 15, 2010 MTAC meeting, MTAC discussed Title 1 (Housing Capacity) and Title 6 (Centers, Corridors, Station Communities and Main Streets). Those discussions will continue at the October 6 MTAC meeting. Attached to this memo are revised versions of Titles 1 and 6 and a memo from Lainie Smith proposing amendments to Title 6. At the October 6 meeting, MTAC will be asked to make a recommendation to MPAC on both titles.

Title 1 Housing Capacity (Metro Code 3.07.110-170)

When Title 1 was first adopted in the late 1990s, it required that each city and county apply minimum density standards in zones that allowed housing and required local governments to determine their housing and employment capacity.

In 2002, Title 1 was revised including changes to Table 1. Table 1 reflected the zoned capacity of each jurisdiction based on the capacities calculated and reported to Metro by each local government through efforts to comply with the original Title 1 requirements. The amendments to Title 1 were intended to ensure that there would be no backsliding from these zoned capacities. In addition, jurisdictions were required to report annually on changes in capacity and biennially on the actual density of new residential development.

Over time, Metro staff heard a number of concerns from local government staff about Title 1 – 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 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. At the September 15 MTAC meeting, MTAC discussed these changes. Included with this memo is a revised version that addresses the concerns raised. The changes from the previous version are highlighted.

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

MTAC discussed Title 6 at length at several recent meetings including the September 15 meeting. Included in the agenda packet is a memo from Lainie Smith, ODOT, proposing amendments to Title 6 of the Urban Growth Management Functional Plan and to the Regional Transportation Functional Plan which will be the primary Title 6 discussion topic at the October 6 MTAC meeting. Because the proposed version of Title 6 now links land use and transportation and some of the changes to Title 6 are transportation-related, the Transportation Policy Alternatives Committee (TPAC) will be reviewing Title 6 at their meeting on October 1 and any comments will be forwarded to MTAC. A revised version of Title 6 with minor corrections from the previous version is attached.

Attachments

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 with an option 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 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.

