



METRO

Greenspaces Policy Advisory Committee

Jim Zehren, Chair

MEETING NOTICE *

Thursday, April 22, 2004
5:30 to 8:00 p.m. *
Metro Regional Center, Rm. 501
600 NE Grand Ave., Portland

Light dinner will be provided

AGENDA

1. Introductions
2. Comments from Metro CCI and guests
3. Items for the good of the order
 - a. GPAC Chair's letter to parks supporters dated April 15, 2004
4. Items from Metro Council/MPAC/JPACT
 - a. Metro Council hearings on parks funding proposal
5. Approval of minutes for GPAC meetings of February 26/March 25
6. Proposed GPAC By-Laws
7. Proposed 2004 GPAC Work Plan
 - a. Meeting schedule
 - b. Meeting length; "dinner"

8. Legal and Planning Context for Regional Parks & Greenspaces

- A. ORS: metropolitan planning districts
- B. Metro Charter
- C. Regional Growth Concept
- D. Regional Framework Plan: generally
- E. Greenspaces Masterplan
- F. Regional Framework Plan: Chapter 3
- G. Functional Plans: (1) Transportation, (2) Urban Growth Management and (3) none for parks and greenspaces
- H. Committee Discussion

9. Adjournment

*Note the extended length of the meeting.

The next GPAC meeting is scheduled for May 27, 2004.

METRO

GREENSPACES POLICY ADVISORY COMMITTEE

April 21, 2004

TO: Members of GPAC

**FROM: James A. Zehren
Chair**

RE: Zehren Commentary on April 22nd GPAC Substantive Topic: *Legal and Planning Context for Regional Parks and Greenspaces*

I am the one primarily responsible for having all of the various reading materials pulled together and sent to you for discussion during our next meeting tomorrow, based substantially on my own perspectives regarding how all of the documents relate to each other and to GPAC's mission. So it is fairly ironic that it turns out I will need to leave our meeting tomorrow early (about 7:00 pm) in order to get on an airplane for a business trip to California.

For this reason, I am thinking it might be helpful—although you certainly may draw a different conclusion—for me to provide you with this email setting out my own personal overview comments regarding the various reading materials. Each of you may have different and ultimately more valuable perspectives to share regarding the materials, but as the yahoo who came up with the list and to some extent in the exercise of the chair's prerogative, I have decided to offer up the following comments.

OREGON REVISED STATUTES

268.310: Note in the first line that each district's authority is subject to the provisions of the district's charter.

268.310(5): Note the authorities relating to "parks, open space and recreational facilities of metropolitan significance". Q: Does "of metropolitan significance" apply only to "recreational facilities" or to "parks, open space and recreational facilities"?

268.340(1): Note the authority to acquire property by various means, including property inside and outside the district.

268.390(1) : Note that the planning procedure can address "areas and activities having significant impact upon the orderly and responsible development of the metropolitan area, including, *but not limited to*, impact on: (a) air quality, (b) water quality, and (c) transportation." (Emphasis added.)

268.390(2) Note that “functional plans” are authorized to address impact on air and water quality and transportation “and other aspects of metropolitan area development the district may identify”.

268.390(4): Note the district’s authority to “recommend or require” local comprehensive plans to conform to the district’s functional plans.

268.390(5): Note the reference to a “regional framework plan” and the authority of the district to adopt “implementing ordinances” that require local plans and decision-making to conform to the regional framework plan. (I remember that at a meeting of the Metro Policy Advisory Committee (“MPAC”) in the mid-1990s, on which I served at the time, we were told by Metro legal counsel that Metro requirements that were to be binding on local governments needed to be in “functional plans” and that the regional framework plan was to be binding only on Metro.)

268.710(1) Note the authority of the voters of a metropolitan area to adopt a charter.

268.710(2) Note that the charter trumps conflicting state statutes, unless specific statutes say otherwise.

METRO CHARTER

Note that it was adopted by the region’s voters in November 1992.

Preamble: Note that the “most important service” of Metro under the Charter is “planning and policy making to preserve and enhance the quality of life and the environment for ourselves and future generations”.

5(1): A Future Vision was prepared and adopted, but in my view has had little if any effect on the subsequent policy-making of MPAC, the Joint Policy Advisory Committee on Transportation (“JPACT”) or the Metro Council.

5(2): A Regional Framework Plan (“RFP”) was adopted as required. Note that among the nine categories of topics to be addressed in the RFP are “(3) protection of lands outside the urban growth boundary for natural resource, future urban or other uses” and “(6) parks, open spaces and recreational facilities”. Also note the following sentence: “To encourage regional uniformity, the regional framework plan shall also contain model terminology, standards and procedures for local land use decision making that may be adopted by local governments.”

5(3): “The regional planning functions under this section are the primary functions of Metro.”

5(4): Note the requirement for measures “to protect the livability of existing neighborhoods” taking into consideration various factors including “access to parks, open space and neighborhood services”. (This provision was added by Metro voters in 2002.)

6: Note that Metro is authorized to exercise various functions, including “(b) public cultural, trade, convention, exhibition, sports, entertainment, and spectator facilities” and “(d) a system of

parks, open spaces and recreational facilities of metropolitan concern”. Q: Does “of metropolitan concern” apply only to “recreational facilities” or to “parks, open spaces and recreational facilities”?

7(2): Note that Metro cannot provide or regulate a “local governmental service” unless approved by the region’s voters or a majority of MPAC. A “local governmental service” is any service provided to constituents by local governments or special districts.

7(3): Note that Metro cannot provide or regulate a service which is *not* a “local governmental service” without first seeking the advice of MPAC.

27: Note how the creation, responsibilities and membership of MPAC are set out in the Charter.

2040 GROWTH CONCEPT

Note that although this document is part of the Regional Growth Concept adopted by the Metro Council in December 1997, it was initially adopted in 1995 as part of Metro’s Regional Urban Growth Goals and Objectives (“RUGGOs”). Metro legal counsel will explain the legal and planning significance of the RUGGOs.

Fourth paragraph: “The basic philosophy of the Growth Concept is to preserve our access to nature and build better communities for the people who live here today and who will live here in the future. The Growth Concept applies the above policies with technical analysis to guide growth for a period up to the next 50 years. The Growth Concept is an integrated set of objectives which guide all Regional Framework Plan policies.”

Fifth paragraph: “The Growth Concept sets the direction for development of implementing policies in Metro’s existing functional plans and the Charter-required Regional Framework Plan.”

Eleventh paragraph: “Recognition and protection of open spaces both inside and outside the UGB and in rural reserves outside urban reserves are reflected in the Growth Concept. Open spaces, including important natural features and parks, are important to the capacity of the UGB and the ability of the region to accommodate housing and employment, while protecting and promoting livability.”

Note the key elements of the Growth Concept, which are often referred to as “urban design types”: (i) Neighbor Cities, (ii) Rural Reserves, (iii) Open Space and Trail Corridors, (iv) the various Centers (Central City, Regional Centers, and Town Centers), (v) Corridors, (vi) Station Communities, (vii) Main Streets and Neighborhood Centers, (viii) Neighborhoods (Inner and Outer), (ix) Industrial Areas and Employment Areas, (x) Urban Reserves—which Metro legal counsel will explain no longer exist, and (xi) Transportation Facilities.

Read the section on the element labeled Open Space and Trail Corridors.

EXHIBIT 1 FROM MPAC PARKS SUBCOMMITTEE REPORT

Self-explanatory.

REGIONAL FRAMEWORK PLAN: GENERALLY

Adopted in December 1997, as required by the Metro Charter.

Note the scope and main elements of the document as set out in its Table of Contents, beginning with an Introduction and the 2040 Growth Concept and then comprising chapters on (1) Land Use, (2) Transportation, (3) Parks, Natural Areas, Open Spaces and Recreational Facilities, (4) Water, (5) Regional Natural Hazards, (6) Clark County, (7) Management and (8) Implementation.

METROPOLITAN GREENSPACES MASTER PLAN

Note that it was adopted in July 1992, prior to the adoption of the Metro Charter, 2040 Growth Concept, or Regional Framework Plan.

Note the focus on the Portland-Vancouver area, but with the Vancouver/Clark County component deferred until “a parallel planning effort is completed by Clark County and the city of Vancouver”.

Note its intent to function on two levels: (1) to articulate a “desired system of large natural areas recommended for protection and interconnected with greenways and trails” and (2) to cultivate a “strong sense of stewardship for the natural resources among the region’s constituents”.

Note the emphasis on the historic nature of the need to protect natural areas at a time of urbanization, with “more than 91 percent of the inventoried natural areas unprotected”.

Note the reference to the creation of “the Metropolitan Greenspaces program [as] a cooperative approach among governmental and nongovernmental organizations to establish an interconnected system of natural areas, open space, trails and greenways for wildlife and people through the four-county metropolitan area.”

REGIONAL FRAMEWORK PLAN: CHAPTER 3

Please review this entire Chapter 3 of the RFP (“Parks, Natural Areas, Open Spaces and Recreational Facilities”) particularly carefully as it is THE key document setting out Metro existing formal policies regarding regional parks and greenspaces.

Note the references back to the Metropolitan Greenspaces Master Plan, the RUGGOs, the Future Vision Report, but *not* to the 2040 Growth Concept.

3.1: Note the requirement for Metro to establish and update a regionwide inventory of parks and related lands.

3.1.1, 3.1.2 and 3.2: Note that “regionally significant” is used as an adjective before “parks, natural areas, open spaces, trails and greenways”.

3.2.1: Note the use of the term “Regional System” and its circular definition as a “Regional System of Parks, Natural Areas, Open Spaces, Trails, and Greenways (the Regional System).”

3.3.1: Note the reference to “a functional plan to be developed”.

3.3.3: “Local governments shall be given an opportunity to transfer existing publicly owned components of the Regional System to Metro and to acquire components of the Regional System with local resources.”

3.3.9: Note that Metro, from time to time or in conjunction with periodic updates of regionwide parks inventory information, is to convene local park providers “to share information, review and analyze issues, and if appropriate develop recommendations” related to nine subjects, comprising (1) roles and responsibilities, (2) funding, (3) levels of service, (4) information needs, (5) user trends and analyses, (6) technical assistance, (7) interagency coordination, (8) public involvement and (9) other topics as determined by Metro and local parks providers.

3.5 (“Provision of Community and Neighborhood Parks, Open Spaces, Natural Areas, Trails and Recreation Programs”): *Read this section with particular attention, as it expressly addresses the relationship between Metro and local parks providers regarding local parks.*

3.5.2: Note the reference to “the functional plan referenced in section 3.5.8” and the fact that Metro “shall encourage local governments” to adopt level of service standards which are described with specificity.

3.5.7: Note the reference to Urban Reserve master plans, which no longer apply, but also note the clear intent that no land be brought into the UGB without planning for parks being addressed as part of the process. *See also* the last sentence of section 3.5.8.

3.5.8: As will make sense upon reading it, be advised that this section 3.5.8 was the product of an MPAC vote taken under the Regional Framework Plan adoption deadline, with various motions being made and acted upon during a single MPAC meeting, thereby resulting in final language that has always had an unclear meaning and effect: “Metro, in cooperation with local governments shall develop a functional plan which establishes the criteria which local governments shall address in adopting a locally determined ‘level of service standard.’ The functional plan shall also establish region-wide goals for the provision of parks and open space in various urban design types identified in the 2040 regional growth concept.” (Regarding the last sentence of this section, omitted here, *see* my comment re section 3.5.7.)

Read carefully the “Background” section as it is a very informative and helpful historical discussion.

Also read carefully the section entitled “Provision of Community and Neighborhood Parks, Open Spaces, Trails and Recreation Programs” as this is a very useful discussion regarding a regional approach to local parks issues.

To my knowledge, other than preliminary analyses done by the former Metro Greenspaces Technical Advisory Committee (“GTAC”), Metro has taken no action to implement Section 3.5 of the RFP.

REGIONAL TRANSPORTATION PLAN

This document was adopted by the Metro Council in August 2000.

Is it a “functional plan”? Is it legally binding on local governments? If so, what justifies Metro binding local governments re local transportation considerations?

Note its scope and level of detail, regarding the entire spectrum of local and regional transportation in the region.

URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

The Urban Growth Management Functional Plan (“UGMFP”) was first adopted by the Metro Council in 1996, while work on the RFP by MPAC and the Metro Council was ongoing.

Note that this functional plan expressly addresses, and binds local governments to regional policy, in the areas of (1) housing density, (2) employment density, (3) parking, (4) water quality, (5) flood management, (6) fish and wildlife conservation, (5) industrial and other employment areas, (6) neighbor cities, (7) rural reserves, (8) central city, regional centers, town centers and station communities, (9) affordable housing, (10) planning for new urban areas, and (11) protection of residential neighborhoods . Except as may be in Title 11 (“Planning for New Urban Areas”) and except as is in Title 12 (“Protection of Residential Neighborhoods”; see “TITLE 12 OF METRO CODE” below), the UGMFP contains nothing expressly regarding parks.

What justifies Metro binding local governments re all of these local development considerations?

TITLE 12 OF METRO CODE

This section of the Metro Code was adopted by the Metro Council in April 2003 following approval of the language by the region’s voters in November 2002. It is Title 12 of the UGMFP.

3.07.1240: Was does this language mean in reality as to Metro’s and local governments’ obligations regarding the adoption of level of service standards for parks, for access to parks and greenspaces, and for shared use of park and school facilities? Q: Do the region’s voters, or Metro, have any legal authority over school districts?

To my knowledge, Metro has taken no action to implement Metro Code Title 12.

April 15, 2004

To Those Interested In Parks and Greenspaces In the Portland Metropolitan Area:

As you may know, on January 15, 2004, the Metro Council by ordinance created a new 15-member Greenspaces Policy Advisory Committee ("GPAC"). The purpose of GPAC, as set out in the ordinance, is essentially to advise the Metro Council regarding policy matters related to parks and greenspaces in the region. An example of the kinds of policy questions that GPAC is charged with addressing is whether Metro should develop a new form of "regional system" of parks, natural areas, trails and greenspaces in our metropolitan area—and, if so, what such a "regional system" should look like and how it should be achieved.

As the first chair of GPAC, and knowing as I do that you are among those interested in parks and greenspaces matters in our region, I want to make sure that you are fully aware of GPAC's existence and its upcoming work as a new policy advisory committee to the Metro Council. Hence this letter. Also to that end, enclosed are two items.

The first item enclosed is a list of GPAC's 15 members, so that you will know who we are and our backgrounds. I trust you will agree that Metro has named a strong group to serve as GPAC's first members. The second item enclosed is a copy of a *draft* work plan for GPAC for the remainder of 2004. GPAC will consider this work plan—and begin discussions in earnest under this work plan or a revised version of it—at GPAC's next meeting beginning at 5:30 pm on Thursday, April 22, 2004, at the Metro Regional Center at 600 NE Grand Ave. in Portland.

I invite and encourage you to attend GPAC meetings, or to otherwise keep tabs on what we at GPAC will be doing during the rest of this first year of our existence.

I personally am very encouraged by the Metro Council's decision to create this new committee within the regional governance structure to advise the Council on policy matters relating to parks and greenspaces. That fact, the outstanding GPAC roster named by Metro Council President David Bragdon and confirmed by the Council, and the professional support being provided by Metro Parks and Greenspaces Department Director Jim Desmond and his staff in my view combine to bode well for the future of all things green and public in our great metropolitan area.

So, please put "GPAC" in your policyspeak vocabulary...and stay tuned.

Very truly yours,

James A. Zehren
Chair
Greenspaces Policy Advisory Committee
Metro

Metro news release
For immediate release -- April 1, 2004
Contact: Karen Kane, (503) 797-1942 or (503) 680-0691

Metro Council President David Bragdon proposes fiscal year 2004-05 budget -- total budget down 5.8 percent from previous year

Budget proposes \$1.5 million cut in expenditures and identifies excise tax increase of \$2 per ton on solid waste to support regional parks, Oregon Convention Center visitor marketing

Metro Council President David Bragdon presented his FY 2004-05 budget proposal to the Metro Council for consideration today. The proposed budget, Bragdon's second as council president, builds on last year's budget in which the council put an end to past practices of deficit spending and overhead increases. Bragdon's proposed budget cuts spending by \$1.5 million in the Solid Waste and Recycling Department, ensures a balanced budget for the zoo, and requires all departments to maintain or build fund reserves, address deterioration of public assets and contain future spending.

The \$283,613,446 package represents a 5.84 percent decrease from the FY2003-04 budget. The package sets priorities in a climate where planning projects are winding down and overhead expenses are on the rise. A key feature includes a decrease in the solid waste regional system fee that would partially offset a \$2 per ton increase in the solid waste excise tax. The projected \$2.4 million generated from the excise tax will be used to support maintenance and development of regional parks as well as tourism development at the Oregon Convention Center.

"With the support of my council colleagues, we can continue the disciplined financial practices we began a year ago," said Bragdon. "My proposal maintains fund reserves and identifies new revenues for very measurable investments in existing public assets."

The budget proposes that \$1.50 collected on every ton of solid waste pay for maintenance of existing park facilities and for the conversion of four open spaces into regional parks, including Mt. Talbert near Milwaukie (184 acres), Cooper Mountain near Beaverton (256 acres), a 230-acre tract west of Wilsonville and the 27-acre Willamette Cove in North Portland

"As a regional government, we have a responsibility to take care of what we have and to be more equitable in providing services across the region," Bragdon said. "My proposal will add nearly 700 acres to the regional park system by 2010 in order to provide broader access for more of the public."

The developed park facilities currently in Metro's portfolio -- Oxbow and Blue Lake regional parks -- are both located in the east metro region. In 1995, voters passed a \$135.6 million bond measure to purchase 6,000 acres of open space from willing sellers. Metro surpassed that goal and now has more than 8,000 acres of public space in its inventory.

If passed by the Metro Council, the excise tax would generate nearly \$1.8 million per year to pay for construction of access roads, trails, restrooms, picnic areas and off-street parking. The first improvements would begin at Mt. Talbert, with completion expected in 2006. The earmarked excise tax monies also would be used for increased environmental education, wildlife habitat restoration and resource stewardship on all of the publicly owned open spaces managed by Metro.

The remaining 50 cents from the increase, which is projected to be annual sum of \$600,000, is proposed to be earmarked to help lure new out-of-town business to the Oregon Convention Center.

The proposal goes to the full Metro Council for consideration today, with approval expected in June. Council will hear public testimony on the proposed budget April 15, 22, 27 and 29.

Metro, the regional government that serves 1.3 million people who live in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area, provides planning and services that protect the nature of our region.

From: Jim Desmond

Date: 4/1/04 4:46PM

Re: Important news re: Metro Parks and Greenspaces budget proposal

On April 1, 2004, Metro President David Bragdon introduced his proposed budget for FY 04-05 (July 1).

The proposal provides for a number of significant new initiatives for regional parks, trails and greenspaces projects and programs.

Specifically:

1. Funding for the completion of public access and related improvements at Mt. Talbert (I-205 and Sunnyside in Clackamas Co.), Cooper Mt. (Wash Co. near Beaverton), the Wilsonville Tract, and Willamette Cove (N. Portland). The proposal also includes funding for future environmental education and volunteer stewardship activities on these new sites.

The overall goal here is to fund improvements and programs in parts of the region currently lacking in regional parks, so the public could begin to use and enjoy a select few of the open space sites purchased with funds from the 1995 bond measure. The proposal implements some of the highest priority recommendations from the citizens' "Green Ribbon report" made to Council in 2001.

2. Establishment of a "technical services program" to assist local jurisdictions on regional trail and ROW acquisition and planning, and "willing seller" natural area acquisition. Funds would be made available for trail feasibility studies and grant matches. In this way, the proposal takes the first small step towards implementing more of a "Twin Cities"-type cooperative approach on regional parks issues regardless of jurisdictional ownership.

3. Increased funding for stewardship and restoration on the Metro open space sites purchased under the 1995 bond measure. This step follows the message learned from our recent polling that the public's highest priority is to take adequate care of what is already in public ownership, especially where that stewardship impacts water quality.

4. Adequately fund renewal and replacement at existing Metro park and greenspace facilities ("taking care of what we have").

The proposal, if approved by the Metro Council, would be funded by an increase in the excise tax paid on solid waste disposal and would be dedicated for regional park and greenspace purposes. When the capital improvements are

completed and the four new sites are ready for public enjoyment, funds from this new source would be available for ongoing operation and maintenance. The net cost of this parks proposal will be fairly minimal - less than \$.10 per month (\$1.17 per year) to the average homeowner's garbage bill.

Public hearings on the budget will be held on April 15th at 2:00 p.m. at the Metro Council, April 22nd at 5:00 p.m. at Gresham city hall, April 27th at 1:00 p.m. at Metro, and April 29th at 5:00 p.m. at Hillsboro city hall. If you cannot attend, letters to the Metro council would also be appropriate. The final decision of the Council is expected in May.

A copy of the press release issued today by Metro about the budget is attached below. If you have questions about the proposal, please call me.

Best regards,

Jim Desmond
Director
Metro Parks and Greenspaces
600 NE Grand Avenue
Portland, OR 97232
(503) 797-1914
desmondj@metro.dst.or.us

Draft
2004 GPAC WORK PLAN
For Discussion at GPAC Meeting on April 22, 2004
(Assumes meetings run 5:30 – 8:00 pm, including light dinner)

MEETING 1 (APRIL)

Topic 1: Review 2004 GPAC Work Plan

Topic 2: Legal and Planning Context for Regional Parks and Greenspaces

- A. ORS: metropolitan planning districts
- B. Metro Charter
- C. Regional Growth Concept
- D. Regional Framework Plan: generally
- E. Greenspaces Masterplan
- F. Regional Framework Plan: Chapter 3
- G. Functional Plans: (1) Transportation, (2) Urban Growth Management and (3) none for parks and greenspaces
- H. Title 12 of the Metro Code
- I. Committee discussion

MEETING 2 (MAY)

Topic: Regional Growth Management Context for Parks and Greenspaces

- A. Relevant Metro programs other than parks and greenspaces
- B. Relevant non-parks programs in the region: governmental
- C. Relevant non-parks programs in the region: non-profit
- D. Relevant non-parks programs in the region: private
- E. Macro and micro economics benefits of parks and greenspaces
- F. Committee discussion

MEETING 3 (JUNE)

Topic: Existing Parks and Greenspaces Providers in the Region:
(1) Governance and (2) Lands and Facilities

- A. Metro Parks and Greenspaces Department
- B. Local parks providers
- C. State and federal parks providers
- D. Parks providers in Vancouver and Clark County, WA
- E. Committee discussion

TOURS OF PARKS AND GREENSPACES IN THE REGION: JUNE AND/OR JULY
PER A SCHEDULE TO BE DETERMINED

MEETING 4 (JULY)

Topic: Parks and Greenspaces Funding in the Region

- A. 1992 failed regional parks bond levy
- B. 1995 successful regional parks bond levy
- C. Local and regional funding mechanisms available in our region: what they are and how they have been used
- D. Local and regional funding mechanisms *not* available in our region: what they are and how they might be used
- E. State and regional funding to assist our region
- F. Funding through partnering and leveraging
- G. Committee discussion

MEETING 5 (SEPTEMBER—HAVING SKIPPED AUGUST FOR VACATIONS)

Topic: Alternative Regional Parks and Greenspaces Models

- A. Within the USA
- B. Outside the USA
- C. GTAC Report
- D. MPAC Parks Subcommittee Report
- E. Metro Parks and Greenspaces Department Staff Work
- F. Committee discussion

MEETING 6 (OCTOBER)

Topic: Political Context for Regional Parks and Greenspaces

- A. SCORP results
- B. Oregon Values and Beliefs Survey results
- C. McCaig poll results
- D. Local parks providers' testimony
- E. Political constraints and opportunities
- F. Committee discussion

MEETING 7 (NOVEMBER)

Topic: Committee Discussion and Decisions: 2005 GPAC Work Plan

- A. A “regional system” for parks and greenspaces?
- B. How to achieve a “regional system”?



METRO
PEOPLE PLACES • OPEN SPACES

MEMORANDUM

To: Jim Zehren, Jim Desmond, David Bragdon
From: Heather Nelson Kent
Subject: GPAC draft 6-12 Month Work Plan
Date: March 30, 2004

April Meeting (2 hour meeting, minimum)

Current Policy Status Review

Review Regional Framework Plan, Chapter 3: Parks, Natural Areas, Trails and Greenways progress to date.

Discussion to include:

- What was left out of Chapter 3 (and why)
- What has been implemented to date
- What is left to do

This discussion will also provide a good segue to the MPAC Parks Subcommittee Report which also took up some of the policy issues that were not addressed in Chapter 3 of the Regional Framework Plan.

Key "Presenters" for RFP discussion

Jim Zehren key person to present history on the drafting of Chapter 3: Regional Framework Plan (what was left out and why).

John Sewell, who represented city's position in these discussions and the fear that Metro would "set the bar too low". (He has retired from City of Portland Parks and may also be able to talk more candidly as a 25+ year parks professional than he could as city staffer).

Representing the other argument ("unfunded mandates", etc.) we heard during RFP drafting seems unnecessary as that argument is so obvious.

JD or HNK can cover what we have accomplished to date (see other attachment – not current but fairly up to date).

This presentation should also include a quick discussion of the GTAC Level of Service Report (what it does and doesn't recommend – "criteria and process" only, did not establish goals or goals for design types as directed by RFP).

Unfortunately Steve Bosak (formerly of THPRD) and Julee Conway (formerly of Gresham) who were key to that work are no longer in the area. Metro Parks Staff will probably need to present this.

Committee has already received a good deal of this background material. I could add the detailed status report I have on RFP: Chapter 3 implementation. (Draft attached here).

May (2 hour meeting, minimum)

Regional Planning Context

Metro's planning director, Andy Cotugno, and his staff could give a presentation about Metro's long range planning program and work related to Parks and Greenspaces that has been accomplished since adoption of 2040 Growth Concept.

Top subjects to include:

- Master planning for UGB expansion areas (and park related requirements)
- Town and Regional Center Planning
- Title 3: Stream and Floodplain Protection Program
- Goal 5: Fish and Wildlife Habitat Protection Program
- UGB expansion process – particularly about how park land is projected for 20-year land supply requirements
- MTIP funding and Regional Trails
- Transportation Facility Planning: Culverts, Wildlife Crossings, GreenStreets, etc.

Presenters

Primarily Metro staff would present although we could probably bring in some local folks from MPAC that can talk about perceptions of the progress that is being made (relative to parks and greenspaces) and what is not being done that has been discussed at MPAC – Jim Zehren may have ideas about this.

Parks and Greenspaces Tour – Our "Regional System"

Schedule the tour(s) in between April and June meetings.

Two days, ideally, to showcase and describe the elements of the "regional system" that we have today.

Highlight what local park providers are doing, their hopes for future and current constraints.

June Meeting

Funding for Parks and Greenspaces

Current funding:

1. Present summary information about how locals are currently financing park operations, capital development and acquisition.
2. Review of the financing options that are being used locally:
 - local property taxes
 - special district taxing authority
 - special levies
 - bond measures
 - excise tax, niche taxes
 - private/foundations
 - other
3. System Development Charges
 - Review local's varied use of park SDC's.
 - How different jurisdictions are calculating/justifying SDC's.
 - Increases to SDC's – and legal challenges
4. Traditional or innovative funding sources not being used locally – and why

What traditional funding sources for parks are out there but not currently available to us in Oregon?

- Sales tax
- Restaurant/Lodging tax
- Gas tax
- Property tax
- Special levies
- Real Estate Transfer Tax (RETT)

Examples:

- State of Washington -- Conservation Futures program
Invite David Judd (or other expert from Vancouver/Clark Co. Parks) to talk about this program?
- Ashland, OR sales tax on restaurants for parks
Invite Don Robertson (or other expert) from Ashland to review the restaurant tax there and how it works?

July

Parks and Greenspaces – Measuring Success

- How much is enough?
- How are we measuring “progress” at the local and regional levels?
- How should we be measuring progress?

Review “Equity Atlas” maps developed by Mark Bosworth (Metro Data Resources Center) for Coalition for a Livable Future. These are maps that attempt to show areas of park (land) deficiencies region-wide. This analysis uses a measure of what areas are within ¼ mile of parks, (Metro’s transportation policy definition of “walkable”).

Include GTAC Level of Service and discussion about UGB calculation of 20-year land supply assumptions for parks and Greenspaces?

August (or take August recess do in September)

Where do we go from here?

Now that context has been set, zero in on top two or three main issues for GPAC to tackle.

Group discussion and “noodle” session.

September/October

Present proposal to GPAC for next 6-month work plan based on priority setting from previous meeting.

METRO

GREENSPACES POLICY ADVISORY COMMITTEE

TO: GPAC

FROM: James A. Zehren
Chair

RE: Reading Materials For April 22, 2004 GPAC Meeting

DATE: April 15, 2004

This memo is to provide GPAC members with a cursory “reader’s guide” regarding the various reading materials being sent to you in advance of our next meeting on April 22nd. The materials listed are those that I suggest you review in preparation for the substantive discussion that I have proposed we address at the meeting, namely: *Legal and Planning Context for Regional Parks and Greenspaces*.

1. ORS Excerpts: Look for references to parks, regional framework plan, function plans, and regional charter.
2. Metro Charter: Look for references to Metro’s overall mission and to parks.
3. ²⁰⁴⁰Regional Growth Concept: Get a sense of the main elements of the concept and think about the roles of parks in that concept.
4. MPAC Parks Subcommittee Report exhibit listing references to parks in the Regional Growth Concept: Speaks for itself.
5. Regional Framework Plan (table of contents): Get an overview of the elements and scope of the document.
6. Greenspaces Master Plan (table of contents): Get an overview of the elements and scope of the document.
7. Chapter 3 of Regional Framework Plan: Look for the emphasis on natural areas and regional scale; note ambiguous and other language addressing local parks in the region.
8. Regional Transportation Plan: Get an overview of the elements and scope of the document; note focus on local.
9. Urban Growth Management Functional Plan: Get an overview of the elements and scope of the document; note focus on local; note absence of element on parks.
10. Title 12 of Metro Code: Read and wonder.

Oregon Revised Statutes

Chapter 268 — Metropolitan Service Districts

2003 EDITION

268.310 Powers of district. Subject to the provisions of a district charter, a district may, to carry out the purposes of this chapter:

(1) Subject to the requirements of ORS 459.005 to 459.045, 459.065 to 459.105, 459.205 to 459.385, 459.992 (1) and (2) and 466.995 (1), dispose, and provide facilities for disposal, of solid and liquid wastes.

(2) Provide public transportation and terminal facilities for public transportation, including local aspects thereof transferred to the district by one or more other public corporations, cities or counties through agreements in accordance with this chapter.

(3) Acquire, construct, alter, maintain, administer and operate metropolitan zoo facilities.

(4) Acquire, construct, alter, maintain, administer and operate major cultural, convention, exhibition, sports and entertainment facilities. However, unless the electors of the district first approve the financing of the facilities, the district shall not:

(a) Construct new facilities; or

(b) Except for facilities acquired by means of an intergovernmental agreement, acquire existing facilities.

(5) Acquire, develop, maintain and operate a system of parks, open space and recreational facilities of metropolitan significance.

(6) Exercise jurisdiction over other matters of metropolitan concern as authorized by a district charter. [1969 c.700 §10; 1971 c.648 §22; 1975 c.510 §2; 1977 c.95 §17; 1977 c.665 §10; 1977 c.782 §5; 1979 c.804 §4; 1987 c.844 §1; 1997 c.833 §8]

268.340 Acquisition of property; condemnation procedure; authority to lease and dispose of property; right of entry to survey lands. (1) To the extent necessary to provide a metropolitan aspect of a public service, a district may acquire by purchase, condemnation, devise, gift or grant real and personal property or any interest therein within and without the district, including property of other public corporations. In so doing the district may proceed under ORS chapter 35.

(2) A district may lease and dispose of property in accordance with ORS 271.300 to 271.360.

(3) For purposes of surveys necessary for its proper functioning, a district may enter upon land, after giving the owner thereof reasonable advance notice of the entry. [1969 c.700 §§13,14,15; 1979 c.804 §5; 1985 c.443 §3]

268.370 Authority to take over transit system of mass transit district; effect of transfer order. Subject to the provisions of a district charter, when a metropolitan service district organized under this chapter functions in a mass transit district organized under ORS 267.010 to 267.390, the governing body of the metropolitan district may at any time order transfer of the transit system of the transit district to the metropolitan district, whereupon:

(1) The governing body of the transit district shall transfer title to, and possession of, the transit system and of all books, records, files, documents, and other property of the district to the metropolitan district.

(2) The metropolitan district shall be responsible for all the liabilities and obligations imposed upon or assumed by the transit district.

(3) For purposes of mass transit the metropolitan district shall have all the rights, powers, privileges, and immunities, and be subject to all the duties and obligations, of a mass transit district under ORS 267.010 to 267.390, insofar as those rights, powers, privileges, immunities, duties, and obligations are consistent with this chapter.

(4) The boundaries of the metropolitan district shall, for purposes of mass transit, be extended to encompass all the territory of the transit district.

(5) The transit district shall be dissolved and the offices of its directors terminated. [1969 c.700 §32; 1997 c.833 §14].

268.380 Land-use planning goals and activities; coordination; review of local plans. (1) A district may:

(a) Adopt land-use planning goals and objectives for the district consistent with goals adopted under ORS chapters 195, 196 and 197;

(b) Review the comprehensive plans in effect on January 1, 1979, or subsequently adopted by the cities and counties within the district and recommend that cities and counties, as the district considers necessary, make changes in any plan to ensure that the plan conforms to the district's metropolitan area goals and objectives and the statewide goals;

(c) Coordinate the land-use planning activities of that portion of the cities and counties within the district; and

(d) Coordinate its activities and the related activities of the cities and counties within the district with the land-use planning development activities of the federal government, other local governmental bodies situated within this state or within any other state and any agency of this state or another state.

(2) When a district is required by a district charter to adopt a regional framework plan, the regional framework plan shall include and be consistent with land use planning goals and objectives adopted by the district. [1977 c.665 §17; 1979 c.804 §11; 1997 c.833 §15; 2001 c.672 §8]

268.390 Planning for activities and areas with metropolitan impact; review of local plans; urban growth boundary; regional framework plans. (1) A district may define and apply a planning procedure which identifies and designates areas and activities having significant impact upon the orderly and responsible development of the metropolitan area, including, but not limited to, impact on:

(a) Air quality;

(b) Water quality; and

(c) Transportation.

(2) A district may prepare and adopt functional plans for those areas designated under subsection (1) of this section to control metropolitan area impact on air and water quality, transportation and other aspects of metropolitan area development the district may identify.

(3) A district shall adopt an urban growth boundary for the district in compliance with applicable goals adopted under ORS chapters 195, 196 and 197.

(4) A district may review the comprehensive plans in effect on January 1, 1979, or subsequently adopted by the cities and counties within the district which affect areas designated by the district under subsection (1) of this section or the urban growth boundary adopted under subsection (3) of this section and recommend or require cities and counties, as it considers necessary, to make changes in any plan to assure that the plan and any actions taken under it conform to the district's functional plans adopted under subsection (2) of this section and its urban growth boundary adopted under subsection (3) of this section.

(5) Pursuant to a regional framework plan, a district may adopt implementing ordinances that:

(a) Require local comprehensive plans and implementing regulations to comply with the regional framework plan within two years after compliance acknowledgment.

(b) Require adjudication and determination by the district of the consistency of local comprehensive plans with the regional framework plan.

(c) Require each city and county within the jurisdiction of the district and making land use decisions concerning lands within the land use jurisdiction of the district to make those decisions consistent with the regional framework plan. The obligation to apply the regional framework plan to land use decisions shall not begin until one year after the regional framework plan is acknowledged as complying with the statewide planning goals adopted under ORS chapters 195, 196 and 197.

(d) Require changes in local land use standards and procedures if the district determines that changes are necessary to remedy a pattern or practice of decision-making inconsistent with the regional framework plan.

(6) The regional framework plan, ordinances that implement the regional framework plan and any determination by the district of consistency with the regional framework plan are subject to review under ORS 197.274. [1977 c.665 §18; 1979 c.402 §1; 1983 c.827 §53; 1985 c.565 §40].

METRO CHARTER

Filed by the Metro Charter Committee with the elections officer of the Portland area metropolitan service district, pursuant to ORS 268.730 approved by district voters at the November 7, 1992 general election; as amended by district voters at the November 7, 2000 general election; and amended by the district voters at the May 21, 2002 primary election.

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PREAMBLE

We, the people of the Portland area metropolitan service district, in order to establish an elected, visible and accountable regional government that is responsive to the citizens of the region and works cooperatively with our local governments; that undertakes, as its most important service, planning and policy making to preserve and enhance the quality of life and the environment for ourselves and future generations; and that provides regional services needed and desired by the citizens in an efficient and effective manner, do ordain this charter for the Portland area metropolitan service district, to be known as Metro.

CHAPTER I NAMES AND BOUNDARIES

Section 1. Title of Charter. The title of this charter is the 1992 Metro Charter.

Section 2. Name of Regional Government. The Portland area metropolitan service district, referred to in this charter as the "Metropolitan Service District," continues under this charter as a metropolitan service district with the name "Metro."

Section 3. Boundaries. The Metro area of governance includes all territory within the boundaries of the Metropolitan Service District on the effective date of this charter and any territory later annexed or subjected to Metro governance under state law. This charter refers to that area as the "Metro area." Changes of Metro boundaries are not effective unless approved by ordinance. No change of Metro boundaries requires approval by a local government boundary commission or any other state agency unless required by law. The custodian of Metro records shall keep an accurate description of Metro boundaries and make it available for public inspection.

CHAPTER II FUNCTIONS AND POWERS

Section 4. Jurisdiction of Metro. Metro has jurisdiction over matters of metropolitan concern. Matters of metropolitan concern include the powers granted to and duties imposed on Metro by current and future state law and those matters the council by ordinance determines to be of metropolitan concern. The council shall specify by ordinance the extent to which Metro exercises jurisdiction over matters of metropolitan concern.

Section 5. Regional Planning Functions.

(1) Future Vision.

(a) Adoption. The council shall adopt a Future Vision for the region between January 15, 1995 and July 1, 1995. The Future Vision is a conceptual statement that indicates population levels and settlement patterns that the region can accommodate within the carrying capacity of the land, water and air resources of the region, and its educational and economic

resources, and that achieves a desired quality of life. The Future Vision is a long-term, visionary outlook for at least a 50-year period. As used in this section, "region" means the Metro area and adjacent areas.

(b) Matters addressed. The matters addressed by the Future Vision include but are not limited to: (1) use, restoration and preservation of regional land and natural resources for the benefit of present and future generations; (2) how and where to accommodate the population growth for the region while maintaining a desired quality of life for its residents; and (3) how to develop new communities and additions to the existing urban areas in well-planned ways.

(c) Development. The council shall appoint a commission to develop and recommend a proposed Future Vision by a date the council sets. The commission shall be broadly representative of both public and private sectors, including the academic community, in the region. At least one member must reside outside the Metro area. The commission has authority to seek any necessary information and shall consider all relevant information and public comment in developing the proposed Future Vision. The commission serves without compensation.

(d) Review and amendment. The Future Vision may be reviewed and amended as provided by ordinance. The Future Vision shall be completely reviewed and revised at least every fifteen years in the manner specified in subsection (1)(c) of this section.

(e) Effect. The Future Vision is not a regulatory document. It is the intent of this charter that the Future Vision have no effect that would allow court or agency review of it.

(2) Regional Framework Plan.

(a) Adoption. The council shall adopt a regional framework plan by December 31, 1997 with the consultation and advice of the Metro Policy Advisory Committee (MPAC) created under section 27 of this charter. The council may adopt the regional framework plan in components.

(b) Matters addressed. The regional framework plan shall address: (1) regional transportation and mass transit systems; (2) management and amendment of the urban growth boundary; (3) protection of lands outside the urban growth boundary for natural resource, future urban or other uses; (4) housing densities, (5) urban design and settlement patterns; (6) parks, open spaces and recreational facilities; (7) water sources and storage; (8) coordination, to the extent feasible, of Metro growth management and land use planning policies with those of Clark County, Washington; and (9) planning responsibilities mandated by state law. The regional framework plan shall also address other growth management and land use planning matters which the council, with the consultation and advice of the MPAC, determines are of metropolitan concern and will benefit from regional planning. To encourage regional uniformity, the regional framework plan shall also contain model terminology, standards and procedures for local land use decision making that may be adopted by local

governments. As used in this section, “local” refers only to the cities and counties within the jurisdiction of Metro.

(c) Effect. The regional framework plan shall: (1) describe its relationship to the Future Vision; (2) comply with applicable statewide planning goals; (3) be subject to compliance acknowledgment by the Land Conservation and Development Commission or its successor; and (4) be the basis for coordination of local comprehensive plans and implementing regulations.

(d) Amendment. The council may amend the regional framework plan after seeking the consultation and advice of the MPAC.

(e) Implementation. To the maximum extent allowed by law, the council shall adopt ordinances: (1) requiring local comprehensive plans and implementing regulations to comply with the regional framework plan within three years after adoption of the entire regional framework plan. If the regional framework plan is subject to compliance acknowledgment, local plans and implementing regulations shall be required to comply with the regional framework plan within two years of compliance acknowledgment; (2) requiring the council to adjudicate and determine the consistency of local comprehensive plans with the regional framework plan; (3) requiring each city and county within the jurisdiction of Metro to make local land use decisions consistent with the regional framework plan until its comprehensive plan has been determined to be consistent with the regional framework plan. The obligation to apply the regional framework plan to local land use decisions shall not begin until one year after adoption and compliance acknowledgment of the regional framework plan; and (4) allowing the council to require changes in local land use standards and procedures if the council determines changes are necessary to remedy a pattern or practice of decision making inconsistent with the regional framework plan.

(3) Priority and funding of regional planning activities. The regional planning functions under this section are the primary functions of Metro. The council shall appropriate funds sufficient to assure timely completion of those functions.

(4) Protection of Livability of Existing Neighborhoods.

(a) Livability Protection. The Regional Framework Plan shall include measures to protect the livability of existing neighborhoods taking into consideration air pollution, water pollution, noise, and crime as well as provision of an adequate level of police, fire, transportation and emergency services, public utilities, and access to parks, open space and neighborhood services.

(b) Density Increase Prohibited. Neither the Regional Framework Plan nor any Metro ordinance adopted to implement the plan shall require an increase in the density of

single-family neighborhoods within the existing urban growth boundary identified in the plan solely as Inner or Outer Neighborhoods.¹

(c) Report on Effects of Proposed Urban Growth Boundary Amendment.

Prior to approving any amendment or amendments of the urban growth boundary in excess of 100 acres the Council shall prepare a report on the effect of the proposed amendments on existing residential neighborhoods. Copies of the completed report shall be provided to all households located within one mile of the proposed urban growth boundary amendment area and to all cities and counties within the district. The report shall address:

- i. Traffic patterns and any resulting increase in traffic congestion, commute times and air quality.
- ii. Whether parks and openspace protection in the area to be added will benefit existing residents of the district as well as future residents of the added territory.
- iii. The cost impacts on existing residents of providing needed public services and public infrastructure to the area to be added.

(d) Implementation. The Metro Council shall implement the requirements contained in Subsections a, b, and c within one year of adoption thereof.

Section 6. Other Assigned Functions. Metro is also authorized to exercise the following functions: (1) Acquisition, development, maintenance and operation of: (a) a metropolitan zoo, (b) public cultural, trade, convention, exhibition, sports, entertainment, and spectator facilities, (c) facilities for the disposal of solid and liquid wastes, and (d) a system of parks, open spaces and recreational facilities of metropolitan concern; (2) disposal of solid and liquid wastes; (3) metropolitan aspects of natural disaster planning and response coordination; (4) development and marketing of data; and (5) any other function required by state law or assigned to the Metropolitan Service District or Metro by the voters.

Section 7. Assumption of Additional Functions.

(1) Assumption ordinance. The council shall approve by ordinance the undertaking by Metro of any function not authorized by sections 5 and 6 of this charter. The ordinance shall

¹ (a) Subsection 4(b) of Section 5 of the Metro Charter is repealed on June 30, 2015 unless at the general election held in 2014, a majority of the electors voting on the question of whether or not to retain Subsection 4(b) of Section 5 of the Metro Charter as part of the Metro Charter vote to retain the subsection. If the electors vote to retain the subsection, Subsection 4(b) of Section 5 of the Metro Charter of this measure shall remain in effect. If a majority of the electors do not vote to retain Subsection 4(b) of Section 5 of the Metro Charter, then that subsection is repealed on June 30, 2015.

(b) By appropriate action of the Metro Council, the question described in subsection (a) of this section shall be submitted to the people for their decision at the general election held in 2014.

(c) This section is repealed on January 1, 2016.

contain a finding that the function is of metropolitan concern and the reasons it is appropriate for Metro to undertake it.

(2) Assumption of local government service function.

(a) An ordinance authorizing provision or regulation by Metro of a local government service is not effective unless the ordinance is approved by the voters of Metro or a majority of the members of the MPAC. Voter approval may occur by approval of a referred measure (1) authorizing the function or (2) relating to finances and authorizing financing or identifying funds to be used for exercise of the function. As used in this section, "local government service" is a service provided to constituents by one or more cities, counties or special districts within the jurisdiction of Metro at the time a Metro ordinance on assumption of the service is first introduced.

(b) An ordinance submitted to the MPAC for approval is deemed approved unless disapproved within 60 days after submission.

(c) No approval under this subsection is required for the compensated provision of services by Metro to or on behalf of a local government under an agreement with that government.

(3) Assumption of other service functions. The council shall seek the advice of the MPAC before adopting an ordinance authorizing provision or regulation by Metro of a service, which is not a local government service.

(4) Assumption of functions and operations of mass transit district. Notwithstanding subsection (2) of this section, Metro may at any time assume the duties, functions, powers and operations of a mass transit district by ordinance. Before adoption of this ordinance the council shall seek the advice of the Joint Policy Advisory Committee on Transportation or its successor. After assuming the functions and operations of a mass transit district, the council shall establish a mass transit commission of not fewer than seven members and determine its duties in administering mass transit functions for Metro. The members of the governing body of the mass transit district at the time of its assumption by Metro are members of the initial Metro mass transit commission for the remainder of their respective terms of office.

(5) Boundary commission functions. The council shall undertake and complete a study of the Portland Metropolitan Area Local Government Boundary Commission, with advice of the MPAC, by September 1, 1995. The council shall implement the results of the study and shall seek any legislative action needed for implementation.

Section 8. Preservation of Authority to Contract. All Metro officers shall preserve, to the greatest extent possible, the ability of Metro to contract for all services with persons or entities who are not Metro employees.

Section 9. General Grant of Powers to Carry Out Functions; Construction of Specified Powers. When carrying out the functions authorized or assumed under this charter:

(1) Metro has all powers that the laws of the United States and this state now or in the future could allow Metro just as if this charter specifically set out each of those powers; (2) the powers specified in this charter are not exclusive; (3) any specification of power in this charter is not intended to limit authority; and (4) the powers specified in this charter shall be construed liberally.

CHAPTER III FINANCE

Section 10. General Authority. Except as prohibited by law or restricted by this charter, Metro may impose, levy and collect taxes and may issue revenue bonds, general and special obligation bonds, certificates of participation and other obligations. The authority provided under this section supplements any authority otherwise granted by law.

Section 11. Voter Approval of Certain Taxes. Any ordinance of the council imposing broadly based taxes of general applicability on the personal income, business income, payroll, property, or sales of goods or services of all, or a number of classes of, persons or entities in the region requires approval of the voters of Metro before taking effect. This approval is not required (1) to continue property taxes imposed by the Metropolitan Service District, (2) for the rate or amount of any payroll tax imposed by a mass transit district as of June 1, 1992, if the functions of that district are assumed by Metro, or (3) for additional payroll tax revenues for mass transit imposed to replace revenues lost by withdrawal of any locality from the service area of the mass transit district after June 1, 1992. For purposes of sections 11, 13 and 14 of this charter, "taxes" do not include any user charge, service fee, franchise fee, charge for the issuance of any franchise, license, permit or approval, or any benefit assessment against property.

Section 12. Voter Approval of General Obligation Bonds. Issuance of general obligation bonds payable from ad valorem property taxes requires the approval of the voters of Metro.

Section 13. Prior Consultation for Tax Imposition. Before imposing any new tax for which voter approval is not required, the council shall establish and seek the advice of a tax study committee that includes members appointed from the general population, and from among businesses and the governments of cities, counties, special districts and school districts, of the Metro area.

Section 14. Limitations on Expenditures of Certain Tax Revenues.

(1) Generally. Except as provided in this section, for the first fiscal year after this charter takes effect Metro may make no more than \$12,500,000 in expenditures on a cash basis from taxes imposed and received by Metro and interest and other earnings on those taxes. This expenditure limitation increases in each subsequent fiscal year by a percentage equal to (a) the rate of increase in the Consumer Price Index, All Items, for Portland-Vancouver (All Urban Consumers) as determined by the appropriate federal agency or (b) the most nearly equivalent index as determined by the council if the index described in (a) is discontinued.

(2) Exclusions from limitation. This section does not apply to (a) taxes approved by the voters of Metro or the Metropolitan Service District and interest and other earnings on those taxes, (b) payroll taxes specified in section 11 of this charter, and (c) tax increment financing charges on property.

Section 15. Limitations on Amount of User Charges. Except to the extent receipts in excess of costs from food and beverage sales, parking and other concessions are dedicated to reducing charges for the provision of goods or services to which the concession directly relates, charges for the provision of good or services by Metro may not exceed the costs of providing the goods or services. These costs include, but are not limited to, costs of personal services, materials, capital outlay, debt service, operating expenses, overhead expenses, and capital and operational reserves attributable to the good or service.

CHAPTER IV FORM OF GOVERNMENT

Section 16. Metro Council.

(1) Creation and Powers. The Metro council is created as the governing body of Metro. Except as this charter provides otherwise, and except for initiative and referendum powers reserved to the voters of Metro, all Metro powers are vested in the council.

(2) Composition. Beginning January 6, 2003, the council consists of seven (7) councilors, one of whom shall be elected at large and designated President of the council and six (6) each nominated and elected from a single district within the Metro area. Until that date the council consists of the seven (7) members of the Metro Council whose terms begin or continue in January 2001 and whose districts continue until replaced.

(3) Initial terms of office. The terms of office of the four councilors receiving the highest number of votes among the seven councilors elected in 1994 end January 4, 1999. The terms of office of the other three councilors end January 6, 1997. Thereafter the term of office of councilor is four years.

(4) Presiding Officer, Council President.

(a) Presiding Officer. At its first meeting each year before 2003, the council shall elect a presiding officer from its councilors.

(b) Council President. The Council President presides over the Council. The Council President sets the council agenda subject to general rules established by a council adopted ordinance. Except as provided otherwise by the Metro Charter, the Council President appoints all members of the committees, commissions and boards created by the rules of the council and ordinances of Metro.

(5) Annual Organizing Resolution. At the first Council meeting each January the Council shall adopt an annual organizing resolution naming a deputy and establishing such committees as the Council deems necessary for the orderly conduct of council business.

(6) Council meetings. The council shall meet regularly in the Metro area at times and places it designates. The council shall prescribe by ordinance the rules to govern conduct of its meetings. Except as this charter provides otherwise, the agreement of a majority of councilors present and constituting a quorum is necessary to decide affirmatively a question before the council.

(7) Quorum. A majority of councilors in office is a quorum for council business, but fewer councilors may compel absent councilors to attend.

(8) Record of proceedings. The council shall keep and authenticate a record of council proceedings.

Section 17. Metro Executive Officer.

(1) Creation. The office of Metro executive officer is created. The executive officer is elected from the Metro area at large for a term of four years. The executive officer serves full time and may not be employed by any other person or entity while serving as executive officer.

(2) Duties. The primary duty of the executive officer is to enforce Metro ordinances and otherwise to execute the policies of the council. The executive officer shall also: (a) administer Metro except for the council and the auditor; (b) make appointments to Metro offices boards, commissions and committees when required to do so by this charter or by ordinance; (c) propose for council adoption measures deemed necessary to enforce or carry out powers and duties of Metro; (d) prepare and submit a recommended annual Metro budget to the council for approval; and (e) keep the council fully advised about Metro operations.

(3) Transition from Metropolitan Service District. The Metropolitan Service District executive officer in office when this charter takes effect is the Metro executive officer until January 2, 1995 when his or her term expires. The Metro executive officer is elected in the first statewide primary or general election after adoption of this charter for a term beginning January 2, 1995.

(4) Veto.

(a) Except as provided in this subsection, the executive officer may veto the following legislative acts of the council within five business days after enactment: (1) any annual or supplemental Metro budget, (2) any ordinance imposing, or providing an exception from, a tax, and (3) any ordinance imposing a charge for provision of goods, services or property by Metro, franchise fees or any assessment.

(b) The council, not later than 30 days after a veto, may override a veto by the affirmative vote of (1) nine councilors while the council consists of 13 positions and (2) five

councilors after the council consists of seven positions as provided by section 16(2) of this charter.

(c) A legislative act referred to the voters of Metro by the council is not subject to veto.

(5) Office Abolished. Effective January 6, 2003, the office of the Executive Officer is abolished.

(6) Section 17 Repealed. Section 17 of the Metro Charter is repealed January 6, 2003. Upon repeal, its provisions shall be stricken from the Metro Charter.

Section 18. Metro Auditor.

(1) Creation. The office of Metro auditor is created. The auditor is elected from the Metro area at large for a term of four years. The auditor serves full time and may not be employed by any other person or entity while serving as auditor.

(2) First election; disqualification for other Metro elected offices. The auditor is first elected in the first statewide primary or general election after adoption of this charter for a term beginning January 2, 1995. During the term for which elected, and for four years thereafter, the auditor is ineligible to hold the office of Metro councilor.

(3) Duties. The auditor shall: (a) make continuous investigations of the operations of Metro including financial and performance auditing and review of financial transactions, personnel, equipment, facilities, and all other aspects of those operations, and (b) make reports to the Metro council of the results of any investigation with any recommendations for remedial action. Except as provided in this section, the auditor may not be given responsibility to perform any executive function.

Section 19. Term of Office. The term of office of an officer elected at a primary or general election begins the first Monday of the year following election and continues until a successor assumes the office.

CHAPTER V
OFFICERS, COMMISSIONS AND EMPLOYEES

Section 20. Qualifications of Elected Officers.

(1) Councilor. A councilor shall be a qualified elector under the constitution of this state when his or her term of office begins and shall have resided during the preceding 12 months in the district from which elected or appointed. When the boundaries of that district have been apportioned or reapportioned during that period, residency in that district for purposes of this subsection includes residency in any former district with area in the district from which the councilor is elected or appointed if residency is established in the apportioned or reapportioned district within 60 days after the apportionment or reapportionment is effective.

(2) Council President and auditor. The Council President and auditor shall each be a qualified elector under the constitution of this state when his or her term of office begins and shall have resided during the preceding 12 months within the boundaries of Metro as they exist when the term of office begins. At the time of election or appointment, the auditor shall also hold the designation of certified public accountant or certified internal auditor.

(3) Multiple elected offices. A Metro elected officer may not be an elected officer of the state, or a city, county or special district during his or her term of office. As used in this charter, special district does not include school districts.

(4) Judging elections and qualifications. The council is the judge of the election and qualification of its members.

Section 21. Compensation of Elected Officers.

(1) Council. Prior to 2003, the salary of the presiding officer is two-thirds the salary of a circuit court judge of this state and the salary of every other councilor is one-third the salary of a circuit court judge of this state. Beginning January 6, 2003, the salary of the Council President shall be that of a circuit court judge of this state and the salary of every other councilor is one-third the salary of a circuit court judge. A councilor may waive a salary.

(2) Executive officer. Until the office is abolished, the salary of the executive officer is the salary of a circuit court judge of this state.

(3) Auditor. The salary of the auditor is eighty percent of the salary of a circuit court judge of this state.

(4) Full Compensation. Elected officers' compensation, as established by this charter, shall be the elected officers' full and exclusive compensation for their duties as Metro officers or for any duties or responsibilities resulting from their position. This Section does not preclude elected officers from receiving ordinary employee fringe benefits or being reimbursed for any actual and reasonable expenses incurred by an elected officer in the course of performing official duties.

Section 22. Oath. Before assuming office a Metro elected officer shall take an oath or affirm that he or she will faithfully perform the duties of the office and support the constitutions and laws of the United States and this state and the charter and laws of Metro.

Section 23. Vacancies in Office.

(1) Councilor. The office of councilor becomes vacant upon the incumbent's: (a) death, (b) adjudicated incompetency, (c) recall from office, (d) failure following election or appointment to qualify for the office within 10 days after the time for his or her term of office to begin, (e) absence from all meetings of the council within a 60 day period without the council's consent, (f) ceasing to reside in the district from which elected or appointed, except when district

boundaries are reapportioned and a councilor is assigned to a district where the councilor does not reside and the councilor becomes a resident of the reapportioned district within 60 days after the reapportionment is effective, (g) ceasing to be a qualified elector under state law, (h) conviction of a felony or conviction of a federal or state offense punishable by loss of liberty and pertaining to his or her office, (i) resignation from office, or (j) becoming an elected officer of the state or a city, county or special district.

(2) Council President and auditor. The offices of Council President or auditor become vacant in the circumstances described in subsection (1)(a)-(d) and (g)-(j) of this section, or if the Council President or auditor ceases to reside in the Metro area. The office of auditor also becomes vacant if the incumbent ceases to hold the designation of certified public accountant or certified internal auditor.

(3) Vacancy after reapportionment. If a councilor vacancy occurs after the councilor has been assigned to a reapportioned district under section 32 of this charter, the vacancy is in the district to which that councilor was assigned.

(4) Determination of vacancy. The council is the final judge of the existence of a vacancy.

Section 24. Filling Vacancies. A majority of councilors holding office shall fill a vacancy by appointment within 90 days after it occurs. The term of office of the appointee runs from the time he or she qualifies for the office after appointment until a successor is duly elected and qualifies for the office. If the vacancy occurs more than 20 days before the first general election after the beginning of the term for that office, the term of office of the appointee runs only until the first council meeting in the year immediately after that election. A person shall be elected for the remainder of the term at the first primary or general election after the beginning of the term.

Section 25. Limitations of Terms of Office.

No person may be elected councilor for more than three consecutive full terms, not including any term or terms as Council President. No person may be elected Council President for more than two consecutive full terms. Any term served as Executive Officer shall be considered as a term served as Council President. The limitations of this section apply only to terms of office beginning on or after January 2, 1995.

Section 26. Appointive Offices and Commissions.

(1) Chief Operating Officer. The Council shall provide by ordinance for the creation of the office of the Chief Operating Officer. The Chief Operating Officer's duties and responsibilities will be more specifically established by ordinance. The Council President appoints the Chief Operating Officer subject to confirmation by the Council. The Chief Operating Officer serves at the pleasure of the Council and is subject to removal by the Council President with the concurrence of the Council.

(2) Metro Attorney. The Council shall provide by ordinance for the creation of the office of Metro Attorney. The Council President appoints the Metro Attorney subject to the confirmation by the Council. The Metro Attorney serves at the pleasure of the Council and is subject to removal by the Council President with the concurrence of the Council.

(3) Other Offices. The Council may provide by ordinance for the creation of other offices not subordinate to the Chief Operating Officer. The duties and responsibilities of these offices will be more specifically established by ordinance. The Council President appoints all other officers subject to confirmation by the Council. All other officers serve at the pleasure of the Council and are subject to removal by the Council President with the concurrence of the Council.

(4) Commissions. The Council may by ordinance create Commissions with duties and responsibilities as specified by the Council. The Council President appoints all Commissioners subject to confirmation by the Council. Commissioners serve at the pleasure of the Council and are subject to removal by the Council President with the concurrence of the Council.

Section 27. Metro Policy Advisory Committee.

(1) Creation and composition. The Metro Policy Advisory Committee (MPAC) is created. The initial members of the MPAC are:

(a) One member of each of the governing bodies of Washington, Clackamas and Multnomah Counties appointed by the body from which the member is chosen;

(b) Two members of the governing body of the City of Portland appointed by that governing body;

(c) One member of the governing body of the second largest city in population in Multnomah County appointed by that governing body;

(d) One member of the governing body of the largest city in population in Washington County appointed by that governing body;

(e) One member of the governing body of the largest city in population in Clackamas County appointed by that governing body;

(f) One member of a governing body of a city with territory in the Metro area in Multnomah County other than either the City of Portland or the second largest city in population in Multnomah County, appointed jointly by the governing bodies of cities with territory in the Metro area in Multnomah County other than the City of Portland or the second largest city in population in Multnomah County;

(g) One member of a governing body of a city with territory in the Metro area in Washington County other than the city in Washington County with the largest population,

appointed jointly by the governing bodies of cities with territory in the Metro area in Washington County other than the city in Washington County with the largest population;

(h) One member of a governing body of a city with territory in the Metro area in Clackamas County other than the city in Clackamas County with the largest population, appointed jointly by the governing bodies of cities with territory in the Metro area in Clackamas County other than the city in Clackamas County with the largest population;

(i) One member from the governing body of a special district with territory in the Metro area in Multnomah County appointed jointly by the governing bodies of special districts with territory in the Metro area in Multnomah County;

(j) One member from the governing body of a special district with territory in the Metro area in Washington County appointed jointly by the governing bodies of special districts with territory in the Metro area in Washington County;

(k) One member from the governing body of a special district with territory in the Metro area in Clackamas County appointed jointly by the governing bodies of special districts with territory in the Metro area in Clackamas County;

(l) One member of the governing body of Tri-County Metropolitan Transportation District of Oregon appointed by the governing body of that district; and

(m) Three persons appointed by the Council President and confirmed by the council. No person appointed under this part of subsection (1) may be an elected officer of or employed by Metro, the state, or a city, county or special district. Each person appointed under this part of subsection (1) shall reside in the Metro area during the person's tenure on the MPAC.

(2) Change of composition. A vote of both a majority of the MPAC members and a majority of all councilors may change the composition of the MPAC at any time.

(3) Duties. The MPAC shall perform the duties assigned to it by this charter and any other duties the council prescribes.

(4) Bylaws. The MPAC shall adopt bylaws governing the conduct and record of its meetings and the terms of its members.

Section 28. Metro Office of Citizen Involvement.

(1) Creation and purpose. The Metro office of citizen involvement is created to develop and maintain programs and procedures to aid communication between citizens and the council.

(2) Citizens' committee in office of citizen involvement. The council shall establish by ordinance (a) a citizens' committee in the office of citizen involvement and (b) a citizen involvement process. The council shall appropriate sufficient funds to operate the office and committee.

CHAPTER VI ELECTIONS AND REAPPORTIONMENT

Section 29. State Law. Except as this charter or a Metro ordinance provides otherwise, a Metro election shall conform to state law applicable to the election.

Section 30. Elections of Metro Officers.

(1) Generally. Except for certain elections to fill a vacancy in office, the first vote for councilor, council president or auditor occurs at an election held at the same time and places in the Metro area as the statewide primary election that year. If one candidate for a Metro office receives a majority of the votes cast at the primary election for all candidates for that office, that candidate is elected. If no candidate receives a majority of the votes cast at the primary election, the candidates receiving the two largest numbers of votes cast for the office are the only names to appear on the general election ballot that year as candidates for that office. The candidate who receives the largest number of votes cast at the general election for that office is elected.

(2) Nonpartisan offices. All elections of Metro officers are nonpartisan. Election ballots shall list the names of candidates for Metro offices without political party designations.

Section 31. Multiple Candidacies. No person may be a candidate at a single election for more than one Metro elected office.

Section 32. Reapportionment of Council Districts After Census.

(1) General requirements. Within three months after an official census indicates that the boundaries of council districts deny equal protection of the law, the council shall change the boundaries to accord equal protection of the law and shall assign councilors to the reapportioned districts. As nearly as practicable, all council districts shall be of equal population and each shall be contiguous and geographically compact. The council may by ordinance specify additional criteria for districts that are consistent with this section.

(2) Failure to reapportion. If the council fails to establish council district boundaries as provided by this section, the council president shall establish the boundaries within 60 days.

(3) Redistricting After Year 2000 Census. Within three (3) months after completion of the year 2000 Census, the Council shall establish six (6) council districts in a manner that accords equal protection of the law. The three (3) councilors serving terms that expire in January 2005, shall each be assigned to one of the six (6) districts and their terms shall continue. Council members will be elected to serve four (4) year terms for the other three (3) districts in the regularly scheduled elections to be held in 2002. For the purpose of Section 33 of this charter,

the seven (7) councilors in office in January 2001 shall be deemed to be serving in the districts from which they were elected until January 2003.

Section 33. Recall.

(1) Generally. An elected officer of Metro may be recalled in the manner and with the effect described by the constitution and laws of this state.

(2) Effect of reapportionment. Upon the effective date of a council reapportionment under section 32 of this charter, a councilor is subject to recall by the voters of the district to which the councilor is assigned and not by the voters of the district of that councilor existing before the reapportionment.

Section 34. Initiative and Referendum. The voters of Metro reserve to themselves the powers of initiative and referendum. The council may provide for the exercise of those powers in a manner consistent with law.

Section 35. Amendment and Revision of Charter. The council may refer, and voters of Metro may initiate, amendments to this charter. A proposed charter amendment may embrace only one subject and matters properly connected with it. The council shall provide by ordinance for a procedure to revise this charter.

CHAPTER VII ORDINANCES

Section 36. Ordaining Clause. The ordaining clause of an ordinance adopted by the council is: "The Metro Council ordains as follows: ." The ordaining clause of an initiated or referred ordinance is: "The People of Metro ordain as follows: ."

Section 37. Adoption by Council.

(1) General requirements. The council shall adopt all legislation of Metro by ordinance. Except as this charter otherwise provides, the council may not adopt any ordinance at a meeting unless: (a) the ordinance is introduced at a previous meeting of the council, (b) the title of the ordinance is included in a written agenda of the meeting at which the ordinance is adopted, (c) the agenda of that meeting is publicized not less than three business days nor more than ten days before the meeting, and (d) copies of the ordinance are available for public inspection at least three business days before that meeting. The text of an ordinance may be amended, but not substantially revised, at the meeting at which it is adopted.

(2) Immediate adoption. The provisions of this section do not apply to an ordinance adopted by unanimous consent of the council and containing findings on the need for immediate adoption.

(3) Vote required. Adoption of an ordinance requires the affirmative votes of (a) seven councilors while the council consists of 13 positions, (b) four councilors after the council consists of seven positions as provided by section 16(2) of this charter.

Section 38. Endorsement. The person presiding over the council when an ordinance is adopted shall endorse the ordinance unless the council prescribes a different procedure by general ordinance.

Section 39. Effective Date of Ordinances.

(1) Generally. An ordinance takes effect 90 days after its adoption unless the ordinance states a different effective date. An ordinance may state an earlier effective date if (a) an earlier date is necessary for the health, safety or welfare of the Metro area; (b) the reasons why this is so are stated in an emergency clause of the ordinance; and (c) the ordinance is approved by the affirmative vote of two-thirds of all councilors. An ordinance imposing or changing a tax or charge, changing the boundaries of Metro, or assuming a function may not contain an emergency clause.

(2) Referred ordinances. If the council refers an ordinance to the voters of Metro, the ordinance effective date is the 30th day after its approval by a majority of the voters voting on the measure unless the ordinance specifies a later date. If a referendum petition is filed with the filing officer not later than the 90th day after adoption of an ordinance, the ordinance effective date is suspended. An ordinance is not subject to the referendum after it is effective. An ordinance referred by a referendum petition (a) does not take effect if a majority of the voters voting on the measure reject it and (b) takes effect, unless the ordinance specifies a later date, on the date the results of the election are certified if a majority of the voters voting on the measure approve it.

Section 40. Content of Ordinances. Each ordinance may embrace only one subject and all matters properly connected with it. The council shall plainly word each ordinance and avoid technical terms as far as practicable.

Section 41. Public Improvements and Special Assessments. General ordinances govern the procedures for making, altering, vacating or abandoning a public improvement and for fixing, levying and collecting special assessments against real property for public improvements or services. State law governs these procedures to the extent not governed by general ordinances.

CHAPTER VIII MISCELLANEOUS PROVISIONS

Section 42. Transition Provisions. All legislation, orders, rules and regulations of the Metropolitan Service District in force when this charter takes effect remain in force after that time to the extent consistent with this charter and until amended or repealed by the council. All rights, claims, causes of action, duties, contracts, and legal and administrative proceedings of the Metropolitan Service District that exist when this charter takes effect continue and are

unimpaired by the charter. Each is in the charge of the officer or agency designated by this charter or by its authority to have charge of it. The unexpired terms of elected officers of the Metropolitan Service District continue as provided by this charter. Upon the effective date of this charter, the assets and liabilities of the Metropolitan Service District are the assets and liabilities of Metro.

Section 43. Effective Date. This charter takes effect January 1, 1993.

Section 44. Severability. The terms of this charter are severable. If a part of this charter is held invalid, that invalidity does not affect any other part of this charter unless required by the logical relation between the parts.

Section 45. State Legislation. By adopting this charter the voters of Metro direct the council to seek, and request the Legislative Assembly of this state to enact, any legislation needed to make all parts of this charter operative.

Section 46. Further Transition Provisions. The amendments to Sections 16 (4)(b), 16 (5), 18, 20, 23, 26, 27, 28, 32 (2) and 39 adopted by the electors of Metro at the November 2000 election take effect on January 6, 2003.

EXHIBIT A

REGIONAL FRAMEWORK PLAN

December 11, 1997

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2040 Growth Concept

(summary from the Metro web site)

The Metro 2040 Growth Concept defines regional growth and development in the Portland metropolitan region. The Growth Concept was adopted in the Region 2040 planning and public involvement process in December 1995.

The residents of this region have consistently said that the natural beauty here and the comfortable feel of our communities are important to them. One of the most effective ways to protect these assets is by planning for the future. That's exactly the focus of the 2040 Growth Concept, our region's strategy for managing growth. What does 2040 mean? It comes from the idea of planning 50 years ahead - starting from the year 1990.

Policies in the 2040 Growth Concept encourage

- efficient use of land
- protection of farmland and natural areas
- a balanced transportation system
- a healthy economy
- diverse housing options.

Summary

The 2040 Growth Concept is a plan for the future. It includes land-use and transportation policies that will allow the Portland metropolitan area cities and counties to manage growth, protect natural resources and make improvements to facilities and infrastructure while maintaining the region's quality of life.

Adopted by Metro in 1995 with the unanimous endorsement of local government partners, the Growth Concept is designed to accommodate approximately 720,000 additional residents and 350,000 additional jobs in this region. The total population served within this concept is approximately 1.8 million residents within the Metro boundary.

State law requires every city and county in Oregon to have a long-range growth plan that includes using urban land wisely, setting urban growth boundaries, and protecting natural resources. An urban growth boundary (UGB) marks the separation between rural and urban land and defines land that can support urban services such as roads, sewers, and water lines. Keeping development inside the boundary protects farm and forest lands from sprawl.

Mixed-Use Centers

Mixed-use urban centers inside the urban growth boundary are one key to the 2040 Growth Concept. These are higher density centers of employment and housing that are well served by transit to form compact areas of retail, cultural and recreational activities in a pedestrian-friendly environment. Mixed-use centers provide efficient access to goods and services, enhance multi-modal transportation and create vital, attractive neighborhoods and communities.

The Growth Concept uses interrelated types of centers:

- The central city is the largest market area, the region's employment and cultural hub.

- Regional centers serve large market areas outside the central city, connected to it by high capacity transit and highways.
- Smaller town centers with local shopping and employment opportunities within a local market area connect to each regional center by road and transit.

Planning for all of these centers will seek a balance between jobs, housing and unique blends of urban amenities so that more transportation trips are likely to remain local and become more multi-modal.

Open Spaces

Recognition and protection of open spaces, both inside and outside the urban growth boundary, are reflected in the Growth Concept. Open spaces, including important natural features and parks, are important to the capacity of the UGB and the ability of the region to accommodate housing and employment. Green areas on the Growth Concept Map may be designated as regional open space. That would remove these lands from the inventory of urban land available for development. Rural reserves, already designated for farms, forestry, natural areas or rural-residential use, would remain and be further protected from development pressures.

The Concept Map shows some transportation facilities to illustrate new concepts, such as green corridors, and how land-use areas, such as centers, may be served. Neither the current regional system nor final alignment choices for future facilities are intended to be represented on the map.

Implementation

The 2040 Growth Concept sets the direction for implementing policies in Metro's functional plans and the regional framework plan required by Metro's charter. The direction will be refined, as well as implemented, in subsequent functional plan amendments and framework plan components.

The basic principles of the Growth Concept directly apply Metro's Growth Management Goals and Objectives. Separation of urbanizable land from rural land shall be accomplished by the urban growth boundary for the region's 20-year projected need for urban land. Rural reserves are intended to assure that Metro and neighboring cities remain separate. The result is intended to be a compact urban form for the region coordinated with nearby cities to retain the region's sense of place.

Flexibility

The percentages and density targets used in the Growth Concept to describe the relationship between centers and areas are estimates based on modeling analysis of one possible configuration of the Growth Concept. Implementation actions that vary from these estimates may indicate a need to balance other parts of the Growth Concept to retain the compact urban form outlined in it. Land-use definitions and numerical targets are intended as estimates to allow jurisdictions the flexibility to adopt a mix of characteristics consistent with each locality and the overall Growth Concept.

Parks & Openspaces

Chapter 3 Parks, Natural Areas, Open Spaces And Recreational Facilities

Overview

Parks, natural areas, open space, trails, greenways and associated recreational services provide important benefits to the visitors and citizens of the Portland metropolitan region including:

- Personal health benefits from leisure and fitness activities in local parks and open spaces (e.g., hiking, biking, field sports, playgrounds, swimming, picnicking, fishing, wildlife viewing). Recreational pursuits are vital to the social development of youth and the mental and emotional health of adults.
- Community benefits such as park access close to home, environmental education opportunities and community involvement in the planning and management of facilities. Parks and natural areas also provide unique landscape characteristics in the community.
- Economic benefits related to tourism and recreation industries and enhanced property values.
- Environmental benefits helping to maintain air and water resources, providing flood control and protecting fish and wildlife habitat.

Citizens throughout the region have demonstrated the importance of parks, natural areas and recreation services through their support in elections, opinion surveys, recreational activities and volunteer community service. Today, over 700 publicly-owned parks exist within and adjacent to the metropolitan region ranging from Mill End Park (18-inches in diameter) to Forest Park (4,683 acres). These facilities are managed by over 25 public park and recreation service providers.

Metro currently manages more than 6,500 acres of land at more than 40 locations.

With increasing growth in the region, the demand for park facilities and recreational services has also increased. But the supply of facilities and services has not kept pace. The ability of parks providers to maintain existing parks is increasingly strained. Resources to acquire, develop, operate and maintain new parks are scarce. This is due to a variety of factors including an exclusive dedication of gas tax revenues to highway needs, significant reductions in federal appropriations for federal, state and local parks programs (e.g., Land and Water Conservation Fund), reductions in federal timber harvest receipts to counties, and property tax reduction measures.

Metro recognizes the desire of citizens to have quality natural areas and parks close to home. Metro is working with federal, state, and local governments to address and meet the park and

recreation needs of the Portland metropolitan area. The Metro Charter, approved by voters of the region in 1992, authorizes Metro to acquire, develop, maintain, and operate a system of parks, open space, and recreational facilities of metropolitan concern.

The policies and implementation of the parks, open spaces and recreation component of the Regional Framework Plan is based upon the Metropolitan Greenspaces Master Plan, adopted by Metro Council in 1992. The Greenspaces Master Plan describes goals and policies related to establishing an interconnected system of natural areas, open space, trails, and greenways for wildlife and people throughout the metropolitan area. The master plan relates to a number of Regional Urban Growth Goals and Objectives (RUGGOs), particularly Objective 15 which calls for protection of natural areas, parks and fish and wildlife habitat.

This chapter of the Regional Framework Plan outlines the policies that guide Metro in providing services related to the provision of parks, open spaces, and recreational services. The policies reflect the importance of parks, natural areas and recreational facilities in the urban fabric of communities throughout the region, and offer measures to ensure that natural resources are protected and citizens are provided appropriate recreational opportunities and facilities, close to where they live. This chapter also directs Metro to develop a functional plan that will provide specific requirements for cities and counties related to the need for specific comprehensive plans and implementing ordinances that recognize the need for park and open space planning.

Policies (Goals and Objectives)

Metro policies related to parks, open spaces, and recreational services address inventory, protection, management and use of these resources at the regional and local levels. These policies have been derived from the Greenspaces Master Plan, the RUGGOs, the Future Vision Report, and recommendations from MPAC, the Greenspaces Technical Advisory Committee, and from citizens of the region.

3.1 Inventory of Park Facilities and Identification and Inventory of Regionally Significant Parks, Natural Areas, Open Spaces, Trails and Greenways

3.1.1 Metro will inventory and identify regionally significant parks, natural areas, open spaces, vacant lands, trails and greenways at the watershed level using topographical, geologic and biologic functions and features, i.e., "landscape ecology," to ensure coordinated protection and enhancement of natural functions such as water quality and wildlife habitat across jurisdictional boundaries.

- 3.1.2 Metro will identify natural corridors that connect regionally significant parks, natural areas, open spaces, trails and greenways. River and stream corridors, utility corridors, abandoned roads, and railroad rights-of-way will provide primary linkages.
- 3.1.3 Metro will inventory lands outside the Urban Growth Boundary and Metro's jurisdictional boundary and identify them as prospective components of the Regional System when protection of these lands are determined to be of direct benefit to the region.
- 3.1.4 Metro shall identify urban areas which are deficient in natural areas and identify opportunities for acquisition and restoration.
- 3.1.5 Metro, with the assistance of local governments shall update the parks inventory which was completed in 1988. The inventory shall include acreage, facilities, environmental education programs, cultural resources, existing school sites and other information as determined by Metro and the Greenspaces Technical Advisory Committee. This inventory should be updated at five (5) year intervals.
- 3.1.6 Using appropriate landscape level techniques, such as remote sensing or aerial photo interpretation, Metro will inventory the urban forestry canopy on a periodic basis and will provide inventory information to local jurisdictions.

3.2 Protection of Regionally Significant Parks, Natural Areas, Open Spaces, Trails and Greenways

- 3.2.1 Metro will continue to develop a Regional System of Parks, Natural Areas, Open Spaces, Trails, and Greenways (the Regional System) to achieve the following objectives:
 - a) protect the region's biodiversity;
 - b) provide citizens opportunities for, primarily, natural resource dependent recreation and education;
 - c) contribute to the protection of air and water quality; and
 - d) provide natural buffers and connections between communities.
- 3.2.2 Metro, upon the advice of citizens, and in coordination with local governments and state and federal resource agencies and appropriate non-profit organizations, will finance and coordinate protection and management of the Regional System across jurisdictional boundaries.
- 3.2.3 Strategies to protect and manage the Regional System and regional Goal 5 resources will include, but not be limited to, acquisition, education, incentives, land use and environmental regulations.

- 3.2.4 Lands inside and outside the Urban Growth Boundary and Metro's jurisdiction will be included in the Regional System when protection of these lands are determined to be of direct benefit to the region.
- 3.2.5 Metro shall collect and evaluate baseline data related to natural resource values of the regional system to identify trends and to guide management decisions.
- 3.2.6 New transportation and utility projects shall seek to avoid fragmentation and degradation of components of the Regional System. If avoidance is infeasible, impacts shall be minimized and mitigated.
- 3.2.7 Metro, in conjunction with affected local governments will work with the State to update, reinvigorate and implement a Willamette River Greenway Plan for the metropolitan region.

3.3 Management of the Publicly-Owned Portion of the Regional System of Parks, Natural Areas, Open Spaces, Trails and Greenways

- 3.3.1 Metro will assume management responsibility for elements of the publicly owned portion of the Regional System, as outlined in a functional plan to be developed.
- 3.3.2 Metro will assume financial responsibility related to those portions of the publicly owned system which are managed by Metro.
- 3.3.3 Local governments shall be given an opportunity to transfer existing publicly owned components of the Regional System to Metro and to acquire components of the Regional System with local resources.
- 3.3.4 The publicly owned portion of the Regional System shall be managed to protect fish, wildlife, and botanic values and to provide, primarily, natural resource dependent recreational and educational opportunities.
- 3.3.5 Metro will acquire portions of the Regional System as financial resources allow. Metro will negotiate acquisition agreements primarily with willing sellers. Power of eminent domain will be used only in extraordinary circumstances.
- 3.3.6 Master/Management plans shall be developed for each component of the Regional system to insure public use is compatible with natural and cultural resource protection. Master/Management plans shall be completed prior to formal public use.

- 3.3.7 Metro and local government cooperators in the Regional System shall be responsive to recreation demands and trends identified in the State Comprehensive Outdoor Recreation Plan (SCORP).
- 3.3.8 Metro shall develop master planning guidelines to assure consistency in the management of the Regional System.
- 3.3.9 From time to time, or in conjunction with the periodic up-date of the region wide parks inventory, Metro shall convene local government park providers to share information, review and analyze issues, and if appropriate develop recommendations related to:
1. roles and responsibilities
 2. funding
 3. levels of service
 4. information needs
 5. user trends and preferences
 6. technical assistance
 7. interagency coordination
 8. public involvement
 9. other topics as determined by Metro and local park providers
- 3.3.10 Metro, in cooperation with local governments, shall pursue the identification and implementation of a long term, stable funding source to support the planning, acquisition, development, management and maintenance of the Regional System.

3.4 Protection, Establishment and Management of a Regional Trails System

- 3.4.1 Metro will identify a Regional Trails System which shall be included in the Regional Transportation Plan.
- 3.4.2 The Regional Trail System shall provide access to publicly owned parks, natural areas, open spaces, and greenways, where appropriate.
- 3.4.3 Metro will coordinate planning for the Regional Trail System with local governments, federal and state agencies, utility providers, and appropriate non-profit organizations
- 3.4.4 Metro will cooperate with citizens and other trail providers to identify and secure funding for development and operation of the Regional Trails System.

- 3.4.5 Metro shall encourage local governments to integrate local and neighborhood trail systems with the Regional Trail System.

3.5 Provision of Community and Neighborhood Parks, Open Spaces, Natural Areas, Trails and Recreation Programs

- 3.5.1 Metro shall recognize that local governments shall remain responsible for the planning and provision of community and neighborhood parks, local open spaces, natural areas, sports fields, recreational centers, trails, and associated programs within their jurisdictions.
- 3.5.2 Pending adoption and implementation of the functional plan referenced in section 3.5.8, Metro shall encourage local governments to (I) adopt level of service standards for provision of parks, natural areas, trails, and recreational facilities in their local comprehensive plans and (II) locate and orient such parks, open spaces, natural areas, trails, etc., to the extent practical, in a manner which promotes non-vehicular access. "Level of service standards" means: a formally adopted, measurable goal or set of goals related to the provision of parks and recreation services, based on community need that could include but not be limited to: 1) park acreage per 1,000 population; 2) park facility type per 1,000 population; 3) percentage of total land base, dedicated to parks, trails and open spaces; 4) spatial distribution of park facilities.
- 3.5.3 Metro shall encourage local governments to be responsive to recreation demand trends identified in the State Comprehensive Outdoor Recreation Plan (SCORP).
- 3.5.4 Metro shall encourage local governments to develop, adopt and implement Master Plans for local parks and trail systems, natural areas, and recreational programs.
- 3.5.5 Metro, in cooperation with local governments, state government, and private industry shall work to establish a supplemental funding source for parks and open space acquisition, operations and maintenance.
- 3.5.6 Metro shall encourage local governments to identify opportunities for cooperation and cost efficiencies with non-profit organizations, other governmental entities, and local school districts.
- 3.5.7 Urban Reserve master plans shall demonstrate that planning requirements for the acquisition and protection of adequate land to meet or exceed locally adopted levels of service standards for the provision of public parks, natural areas, trails, and recreational facilities, will be adopted in the local comprehensive plans. Lands which are undevelopable due to natural

hazards or environmental protection purposes (i.e., steep slopes, floodways, riparian corridors, wetlands, etc.) shall not be considered to meet the natural area level of service standards unless the land will be preserved in perpetuity for public benefit. Proposed public parks, open spaces, natural areas, trails, etc. shall be located in a manner which promotes non-vehicular traffic. No urban reserve area shall be brought within the Urban Growth Boundary unless the requirements set out in this subsection 3.5.7 are met.

- 3.5.8 Metro, in cooperation with local governments shall develop a functional plan which establishes the criteria which local governments shall address in adopting a locally determined "level of service standard." The functional plan shall also establish region-wide goals for the provision of parks and open space in various urban design types identified in the 2040 regional growth concept. The functional plan shall apply to the portion of the region within the Urban Growth Boundary and the urban reserves within Metro's jurisdiction when urban reserve conceptual plans are approved.
- 3.5.9 Metro will work with local governments to promote a broader understanding of the importance of open space to the success of the 2040 Growth Concept and to develop tools to assess open space on a parity with jobs, housing, and transportation targets in the Regional Framework Plan.

3.6 Participation of Citizens in Environmental Education, Planning, Stewardship Activities, and Recreational Services.

- 3.6.1 Metro will encourage public participation in natural, cultural and recreation resource management decisions related to the Regional System.
- 3.6.2 Metro will provide educational opportunities to enhance understanding, enjoyment and informed use of natural, cultural, and recreational resources.
- 3.6.3 Metro will provide and promote opportunities for the public to engage in stewardship activities on publicly owned natural resource lands. Cooperative efforts between Metro and private non-profit groups, community groups, schools and other public agencies should be encouraged.
- 3.6.4 Metro should provide opportunities for technical assistance to private owners for stewardship of components of the Regional System.
- 3.6.5 Metro and local governments should work with state, federal, non-profit and private partners to facilitate stewardship and educational opportunities on publicly owned natural resource lands.

- 3.6.6 Metro shall encourage local governments to provide opportunities for public involvement in the planning and delivery of recreational facilities and services.
- 3.6.7 Metro will follow and promote the citizen participation values inherent in RUGGO Goal 1, Objective 1 and the Metro Citizen Involvement Principles.

Requirements

This Regional Framework Plan requires Metro in conjunction with local governments to develop a functional plan that will address land use planning requirements that:

- identify and delineate an interconnected regional system of parks, natural areas, open spaces, trails and greenways (the Regional System);
- identify implementation measures to protect and manage the Regional System; and
- establish local government land use planning criteria and goals for parks consistent with policy 3.5.8.

Background

For decades, parks have played a vital role in the quality of life in the metropolitan region. In 1903, visiting landscape architects Frederick Law Olmsted, Jr. and John Charles Olmsted discussed a newly-emerging American notion of making nature urbane and, thus, naturalizing the city. In their report to the Portland Parks Board, the Olmsteds noted, "While there are many things, both small and great, which may contribute to the beauty of a great city, unquestionably one of the greatest is a comprehensive system of parks and parkways."

From the time of the Olmsteds' report through the 1960s, the city of Portland was the primary population center and primary parks provider in the region. With continuing urban growth through the 1970s, suburban communities outside the central city established new and expanded parks and recreation programs. A primary emphasis of these programs was, and continues to be, the provision of facilities for active recreation such as sports fields, swimming pools, playgrounds and associated recreation programs.

In 1974, the State of Oregon issued the Willamette River Greenway Plan outlining protection and acquisition proposals for the Willamette River from Cottage Grove to its confluence with the Columbia River. The Plan directs development away from the river, establishes a greenway setback line, requires inventories be completed and requires protection of significant fish and wildlife habitats, vegetative fringe, scenic qualities and viewpoints.

The State of Oregon requires all cities and counties to develop comprehensive plans. These comprehensive plans must address State Land Use Planning Goals including: Goal 5, Open Spaces, Scenic and Historic Areas and Natural Resources; Goal 6, Air, Water and Land Resources Quality; Goal 8, Recreational needs and Goal 15, the Willamette River Greenway. Metro, as well as the cities and counties, must show that land use plans are consistent with these goals.

In 1989, Metro published the Metro Recreation Resource Study in a cooperative effort with other park providers in the region. The purpose of the study was to:

- identify existing public parks, natural areas and other recreational resources in the region;
- describe the general issues, problems, and opportunities relating to these resources;
- identify needed actions to provide adequate park facilities and services in the Portland metropolitan region.

The study identified the need to increase the inventory of park facilities and services and address the need for additional natural area park facilities in the metropolitan region, in response to the growing demand for natural resource-based recreational opportunities (e.g., hiking, biking, fishing, boating, camping, wildlife watching) close to home. Publicly-owned and managed natural areas were found to be limited to, primarily, Forest Park, Oxbow Park and Tryon Creek State Park. A regional, cooperative planning approach was recommended to address this issue.

In 1990, the Metro Council established two advisory committees to coordinate development of a regional natural areas master plan to guide protection and management of regionally significant natural areas in the region. The Greenspaces Technical Advisory Committee is composed of parks and natural resource professionals in local jurisdictions, state and federal agencies and representatives of nonprofit advocacy groups for parks, natural areas, open spaces, trails and greenways.

A Greenspaces Policy Advisory Committee consisting of elected officials from local jurisdictions in the region, including Clark County, oversaw development of the Metropolitan Greenspaces Master Plan, which the Metro Council adopted in 1992. The Greenspaces Policy Advisory Committee was replaced by a citizen-based Regional Parks and Greenspaces Advisory Committee in 1995 to advise the Metro Council, Metro Executive Officer and the Metro Regional Parks and Greenspaces Department on a variety of issues affecting regional parks and natural area facilities and services.

In 1993, Multnomah County approached Metro concerning the possible consolidation of its Parks Services Division with Metro's Greenspaces Program. The consolidation was consistent with each agency's desire to support its own mission (e.g., growth management for Metro; social services for

Multnomah County) and was expected to further the regional vision embodied in the Metropolitan Greenspaces Master Plan. In December 1993, Metro Council approved the merger of the Multnomah County Parks Division with Metro's Greenspaces program, creating the Metro Regional Parks and Greenspaces Department.

The new department began operations in January 1994. Combining Metro's planning experience with park management experience greatly enhanced Metro's ability to acquire, develop, maintain, and operate a system of parks, natural areas, and recreational facilities of regional significance. It also put Metro in a position to better support local parks providers in coordination and planning activities. The parks merger allowed Metro to address and coordinate issues common to all local park providers. For example, Metro coordinated the identification of 90 local park acquisition and improvement projects which were included in the 1995 open space, parks, and streams bond measure.

In 1995, Metro referred a \$135.6 million bond measure to voters of the region that identified 14 regional acquisition target areas, 6 regional greenway and trail projects and 90 local natural area acquisition and development projects that supported the goals of the Metropolitan Greenspaces Master Plan. Voters of the Portland metropolitan region approved Measure 26-26 in May 1995. Metro's goal is to acquire approximately 6,000 acres within the 14 regional target acquisition areas and corridors.

The Future Vision Report (1995) required by the Metro Charter also identifies parks and natural areas as valuable components of a livable community. The report states that:

- "We value a life close to nature incorporated in the urban landscape."
- "We value nature for its own sake, and recognize our responsibility as stewards of the region's natural resources."
- "...this region is recognized as a unique ecosystem...which seeks to:
 - improve air and water quality, and increase biodiversity;
 - protect views of Mt. Hood, Mt. St. Helens, Mt. Rainier, Mt. Adams, Mt. Jefferson, and other Cascade and coastal peaks;
 - provide greenspaces and parks within walking distance of every household;
 - assure a close and supportive relationship among natural resources, landscape, the built environment, and the economy of the region; and
 - restore ecosystems, complemented by planning and development initiatives that preserve the fruits of those labors."

In addition, the RUGGOs state under Objective 15 that:

"Sufficient open space in the urban region shall be acquired, or otherwise protected, and managed to provide reasonable and convenient access to sites for

passive and active recreation. An open space system capable of sustaining or enhancing native wildlife and plant populations should be established.”

“15.1 Quantifiable targets for setting aside certain amounts and types of open space should be identified.

15.2 Corridor Systems- The regional planning process shall be used to coordinate the development of interconnected recreational and wildlife corridors within the metropolitan region

15.2.1 A region-wide system of trails should be developed to link public and private open space resources within and between jurisdictions.

15.2.2 A region-wide system of linked significant wildlife habitats should be developed. This system should be preserved, restored where appropriate, and managed to maintain the region’s biodiversity (number of species and plants and animals).

15.2.3 A Willamette River Greenway Plan for the region should be implemented by the turn of the century.”

The policies in this chapter capture the intent of the RUGGOs, Future Vision and Metropolitan Greenspaces Master Plan related to providing an adequate and viable system of parks, natural areas, trails, greenways and recreational programs and services in the Portland metropolitan region.

Analysis

A key element of the 2040 Growth Concept for accommodating future urban growth in the region includes encouraging a compact urban design. This means smaller lots in much of the new development and where transit service levels are high, such as in regional and town centers, mainstreets and station communities, residential development types including rowhouses and multi-family development.

New neighborhoods and communities should include adequate parks and open spaces. Planning for the acquisition and protection of land for parks and open spaces should be included in planning for future urbanization inside and outside the Urban Growth Boundary. A crucial issue related to parks, natural areas and recreation in the region is how communities will work together to plan for the provision of these important public facilities and services.

Identification and Inventory of the Regional System

The development of the Metropolitan Greenspaces Master Plan required the systematic, scientific identification, inventory and assessment of natural area features in the metropolitan region. A consultant team was assembled by Metro in 1989 to conduct the inventory and analysis of the

Portland metropolitan region to identify regionally significant natural areas and corridors for fish, wildlife and natural resource dependent recreation.

The natural areas inventory was based on aerial photography of the total study area (372,682 acres) with biological field checks of seven percent of the natural areas mapped. Periodic updates of the inventory will be necessary to assess the status of regionally significant natural areas, monitor trends and to support future planning and management efforts. Future work will be based on systematic and scientific methods of identifying and delineating natural resource lands and maintaining and managing links between them on a landscape level.

New inventories are needed in order to accomplish the following:

- Reevaluate protection priorities established in the Metropolitan Greenspaces Master Plan. Some sites identified may no longer be considered regionally significant. New sites may be added to the regionally significant inventory once updated data are available.
- Delineate regionally significant natural areas; research and document the natural resources values for which protection should be justified and supported.
- Delineate and conduct field assessments of biological corridors that interconnect regionally significant sites.
- Assure that the regional system of parks, natural areas, open spaces, trails and greenways contributes to the maximum extent, based on scientific data, to the protection of water quality, fish, wildlife and botanic diversity within the region.
- Inventory existing park facilities, recreational capacity and analysis of park service needs and consistency with the 2040 Growth Concept.

Protection of the Regional System

Ecological principles are important in establishing protection priorities including:

- Maintaining biological diversity by protecting and enhancing a variety of habitats such as wetlands, riparian corridors, forests, and agricultural lands distributed throughout the metropolitan area;
- Consolidating natural areas to create or maintain relatively large contiguous acreages connected to natural habitats outside the urban environment to avoid habitat fragmentation and species isolation;
- Protecting, restoring, and recreating stream corridor vegetation by replacing riparian vegetation where it is lacking or dominated by exotic species and removing barriers, where possible, to maintain connections with adjacent upland habitats;
- Protecting or restoring naturally vegetated connections between watersheds at headwaters or other appropriate locations; and
- Planning for capital improvements to provide appropriate access and use of parks and natural areas.

A variety of strategies will be used to protect and manage the regional system of parks, natural areas, trails and greenways to support fish and wildlife populations as well as provide a variety of recreational opportunities. These include:

1. Acquisition;
2. Environmental education, stewardship and landowner incentives;
3. Land use and environmental regulations.

Acquisition

One effective means of natural resource protection is public acquisition from willing sellers. The Open Spaces Parks and Streams Bond Measure 26-26, approved by voters in 1995, provided funds for the acquisition of open space in 14 regional areas and 6 regional greenway and trail corridors. The measure also provided funds for up to 90 local greenspace projects which support or complement the Metropolitan Greenspaces Master Plan.

Since 1990, voters in Gresham, Lake Oswego, Portland, Tualatin, Tualatin Hills Park and Recreation District and other jurisdictions have approved general obligation bond issues which support, in part, elements of the Metropolitan Greenspaces Master Plan and other active recreation facilities and services needs.

More than \$6 million in federal transportation funding under the Intermodal Surface Transportation Efficiency Act of 1991 has been invested in trail projects in the region. Land acquisition can also be supported through donations of land, conservation easements and dedication of land as open space.

Environmental education and incentive programs

Environmental education and incentive programs have the capacity to provide a level of protection for park and natural areas. Building an increased understanding and awareness of metropolitan natural resource values and the benefits of parks in general leads to informed management decisions and increased public participation in volunteer stewardship activities. An informed public uses parks and natural areas in ways that help reduce maintenance costs. Incentive programs (e.g., grants, tax reductions, technical support) provide public agencies and private parties support in the restoration, enhancement, and management of natural areas.

Land Use and Environmental Regulations

Oregon land use policies and regulations provide limited protection of natural resources in the metropolitan region. Local governments can use the comprehensive land use planning process to

establish protective zoning standards to protect natural resources within their jurisdictions, but often apply them inconsistently. Natural resource management on a regional basis offers the opportunity for uniform standards to protect these resource values. Coordinated local planning efforts are needed to assure that an adequate supply of park land is available to meet the future demand for community and neighborhoods parks, sports fields, recreation centers and locally significant open space trails and greenways.

Title 3 of Metro's Urban Growth Management Functional Plan is a first step towards protecting water quality and water features such as streams and wetlands from human disturbances by requiring vegetated buffers. Title 3 also requires Metro to conduct a regional assessment for identification and protection of Goal 5 resources (see section under Goal 5).

A combination of strategies will be required to protect and connect a regional system of parks, natural areas, trails and greenways for fish, wildlife and people. Metro will work with local governments, state and federal agencies, conservation organizations, businesses and citizens to review, refine and further implement these protection strategies.

Management of the Regional System

The Metro Charter provides for Metro to serve as a regional provider of parks, natural areas, and recreational facilities. The 1994 City Club of Portland report, Portland Metropolitan Area Parks, cites the value of a regional parks authority. A cooperative, regional management approach can result in equitable distribution of facilities, funding equity, consistency in planning, management and operation of facilities and user benefits.

Currently, regionally significant parks, natural areas and trails are managed by a variety of public entities with a variety of financial resources. There is little consistency in development, operation and management standards and little or no integration regarding funding, user fees, or visitor services. Tax reform initiatives may have serious implications for local and state agencies' abilities to operate and maintain existing parks for the region's growing population. Local governments, in particular, may at some point wish to transfer management of regionally significant facilities to Metro, to address funding equity issues and allow local providers to focus on community and neighborhood parks and other facilities and programs related to active recreation.

Site specific management begins with the preparation of master/management plans. The primary purpose of a master plan is to articulate management, development and operation guidelines. Master/management plans should be prepared for the system of regional parks, natural areas, open

spaces, trails and greenways. Metro will prepare guidelines for master planning to ensure consistency in management of the Regional System.. Sites which lack master/management plans will be "landbanked" and public use limited until appropriate facilities and services can be planned, developed and maintained.

Metro should provide the forum for addressing issues related to the coordination and integration of management, and of service delivery related to parks, open spaces and recreation. Metro should lead an effort to study and evaluate how park and recreation services are provided and recommend actions which will improve funding stability and equity, operational efficiency, customer service, management integration, coordination, and continuity.

Regional Trail and Greenway System

In their report to the Portland Parks Board in 1903, the Olmsted brothers observed that a system of interconnected parks serves the public far better than a collection of isolated pieces of land. Trails and greenways provide the connective network necessary to link the region's parks and natural areas, while providing public access and corridors to support movement of fish and wildlife. Trails and greenways also link communities and connect the Metro urban area to the Pacific Coast, Cascade Mountains and Washington state.

Since 1988, Metro has staffed a Regional Trails and Greenways Working Group composed of parks/trails/bike planners from local, regional, state and federal agencies, and nonprofit trail organizations. The working group assisted Metro in developing the trails and greenways component of the Greenspaces Master Plan. Thirty-five trail and greenway corridors are identified in the master plan.

Refinement of the trails and greenways component has been ongoing since the Greenspaces Master Plan was adopted in 1992. Citizen involvement plays an important role in trail planning. For example, the Peninsula Crossing Trail was added to the Regional Trail System in 1993 at the request of residents of North Portland. Many of the trails and greenways segments support local comprehensive plans and/or local parks and trails master plans.

In 1996, Metro commissioned a Rails and Trails Strategic Plan which inventoried rail right-of-ways throughout the region and identified those having trail potential, should abandonment occur. Abandoned rail lines provide outstanding trail opportunities. The Springwater Corridor Trail, for example, was envisioned to link the metropolitan area with Mt. Hood National Forest. Constructed segments now link S.E. McLoughlin in Portland with the city of Gresham and provide 16.8 miles of trail, utilized by an estimated 500-600 thousand people per year.

Public planning and transportation agencies incorporate elements of the Regional Trails Plan into state, regional, and local transportation projects and urban development projects (e.g., Mt. Hood Parkway, Sunrise Corridor, Hwy. 30 Corridor Study; Multnomah County West Hills Study).

Provision of Community and Neighborhood Parks, Open Spaces, Trails and Recreation Programs

Cities and two special districts (i.e., Tualatin Park and Recreation District; North Clackamas Park and Recreation District) in the region are responsible for community and neighborhood parks, open spaces, trails, and recreation programs. The 1994 City Club of Portland report, Portland Metropolitan Area Parks, assessed and considered a vision for parks in the region. The report concluded that the size and configuration of the current parks and recreation system is inadequate to meet current and future demand. In order to address this perceived inadequacy, the "completion ... of the core system" was envisioned.

In essence, a core system of parks would ensure that a "minimum level of parks and recreation facilities ... be available to all citizens regardless of income or geography in the metro area." The approach was based on assessing local community values and making adjustments to reflect "separate social goals... held by a specific community." Not surprisingly, neighborhood and community parks were the first element of this system.

The City Club report recommended the provision of parks be coordinated with other basic services including schools, public safety, land use and transportation planning, and watershed management. Citing Portland as an example, the survey concluded that a "multi-generational community center at each middle school" should provide local communities in the region with a place of education, recreation, and congregation.

Local governments and park and recreation districts have been and will continue to be the primary providers of community and neighborhood parks, open space, trails, sports fields, recreation centers and recreation programs. These facilities and programs provide important opportunities for active and passive recreation in closest proximity to where citizens live.

Local governments should be encouraged to prepare park and recreation master plans which provide a framework for community level park and recreation facilities, trails and recreation programs. Master plans should:

- Identify parks deficient areas and include strategies for addressing these deficiencies;
- Integrate local trail systems with the regional trails system;
- Identify opportunities for cooperation and cost efficiencies between communities, schools, and quasi-public organizations such as the YMCA;

- Provide for citizen involvement in the development and implementation of master plans;
- Identify funding strategies and implementation schedules;
- Be responsive to the State Comprehensive Outdoor Recreation Plan (SCORP);
- Complement the Regional System.

Metro should identify and evaluate opportunities to assist local governments and park and recreation districts with development and implementation of master plans. Potential opportunities include:

- Develop a functional plan, in conjunction with local governments which will address needed land use planning for parks, open spaces, natural areas, trails and recreation programs. Land use planning should reflect that locally chosen "levels of service" in terms of parks per population or per acre should be used to guide the need for additional resources;
- Provide mapping and information services through the agency's Data Resources Center to support local planning efforts;
- Provide forums for the exchange of ideas, information, strategies and development of partnerships between providers, schools, and quasi-public organizations;
- Provide funding support by incorporating local parks components in regional funding strategies and continuing the restoration and education grants program;
- Advocate for the identification and implementation of state and federal funding sources which provide financial resources to supplement local investments in parks, open spaces, trails, recreation facilities and programs;

Participation of Citizens in Planning, Stewardship, Environmental Education and Recreational Activities

"What is not understood is not valued, what is not valued will not be protected, what is not protected will be lost." Charles Jordan, Portland Bureau of Parks and Recreation.

Public understanding and participation in the planning and protection of the region's parks, natural areas, open spaces, trails, greenways and recreational facilities are the foundation of successful parks and recreation services. Meaningful citizen involvement is fundamental to an effective response to community needs, it results in more responsive management through identification of appropriate priorities, and enhances financial and volunteer support. Metro, local governments, businesses and citizens working together must build a stewardship ethic and provide meaningful opportunities for public participation to assure parks and recreational services meet the needs of the metropolitan region and ensure the protection of natural resources.

As members of the public gain a comprehensive understanding of parks and natural area needs and opportunities, they will become active partners in efforts to determine future planning choices, and

conduct periodic public review of local master plans and other related plans. Citizens can provide guidance through forums, participation on advisory committees, and in various other capacities.

Goal 5

In Oregon, local governments carry out planning to protect natural areas consistent with the State Land Use Planning Program. This land use program requires local governments to conform with up to nineteen statewide planning goals. Goal 5, Open Spaces, Scenic and Historic Area and Natural Resources is one of the key goals which can result in tools for protecting urban natural areas at the local level in the metropolitan region. A study, *To Save or to Pave; Planning for the Protection of Urban Natural Areas*, by the Portland Audubon Society and 1000 Friends of Oregon (1994), analyzed and evaluated the implementation of Goal 5 in the metropolitan region in protecting urban natural resources during the last decade. Some of the important findings from the study are listed below:

- Over three-fourths of local decisions examined allowed degradation of natural and scenic resources.
- Goal 5's rules were site specific and did not protect resources on an ecosystem or landscape level.
- Local governments employed a variety of regulatory and non-regulatory techniques with no overall consistency in an area.
- Goal 5 does not require standardized inventories or methods of data collection. As a result, important areas were omitted from consideration for protection, and inventories did not contain enough information to guide local planning decisions.
- Enforcement of local Goal 5 programs is difficult, inadequate and too reliant on citizen efforts.
- Upland forests are the least protected resource, and are vulnerable to destruction.

Metro has addressed natural resource issues in three policy documents: 1) the Metropolitan Greenspaces Master Plan (1992), 2) the Regional Urban Growth Goals and Objectives (RUGGOs) (1995), and 3) Title 3 of the Urban Growth Management Functional Plan (1996).

The Greenspaces Master Plan, adopted in 1992, through a mapping and public process, identified 57 sites in our metropolitan area that retained significant natural biological characteristics. Seventeen of these 57 sites are in the process of been acquired through the Open Spaces Parks and Streams Bond Measure 26-26. The remaining 40 sites are in private ownership, and are being lost to development at the rate of 6 percent per year. These sites are all Goal 5 areas and effective land use regulations under the Goal 5 rule help protect these regionally significant sites.

Title 3 of the Urban Growth Management Functional Plan (Water Quality and Floodplain Management Conservation) could set performance standards to protect streams, wetlands and

floodplains by limiting or mitigating the impacts of development activities. Title 3 addresses Goal 6 and 7 and does not currently address Goal 5. Title 3 (Section 5 Fish and Wildlife Conservation Area) recommends local governments to address fish and wildlife habitat, but does not mandate any protection of these resources at this time. Title 3 does, however, require that Metro conduct a regional assessment of regionally significant Goal 5 resources and evaluate the protection of these resources. Based on this analysis, Metro will develop a strategy and action plan to address inadequacies in the protection of regional Goal 5 resources. This plan will be carried out by Metro. Local jurisdictions may be required to also adopt protective measures through amendments to the Functional Plan.

EXHIBIT 1
MPAC PARKS SUBCOMMITTEE REPORT

**RUGGOS AND REGIONAL GROWTH CONCEPT;
EXCEPTED PROVISIONS ON PARKS AND
RELATED LANDS AND FACILITIES**

RUGGOS

The RUGGOS include numerous goals, objectives, and planning activities relating to the role to be played by parks and related lands and facilities in the region's future. For example:

"The region's growth will be enhanced by . . . maintaining a compact urban form, with easy access to nature." *RUGGO Goal II, item III*

"Sufficient open space in the urban region shall be acquired or otherwise protected and managed to provide reasonable and convenient access to sites for passive and active recreation." *RUGGO Objective 15.*

"Quantifiable targets for setting aside certain amounts and types of open space shall be identified." *RUGGO Objective item 15.1.*

"Identify areas within the region where open space deficiencies exist now, or will in the future, given adopted land-use plans and growth trends, and act to meet those future needs. Target acreage should be developed for neighborhood, community and regional parks, as well as for other types of open space in order to meet local needs while sharing responsibility for meeting metropolitan open space demands." *RUGGO Objective 15 Planning Activity 1.*

"Reduce negative impacts [of the regional transportation system] on parks, public open space, wetlands and negative impacts on communities and neighborhoods . . ." *RUGGO Objective subitem 19.2.3.*

"The identity and functioning of communities in the region shall be supported through . . . the recognition and protection of critical open space features in the region." *RUGGO Objective item 25.1.*

"The identify and functioning of communities in the region shall be supported through . . . ensuring that incentives and regulations guiding development and redevelopment of the urban areas promote a settlement

pattern which . . . provides access to neighborhood and community parks, trails and walkways, and other recreational and cultural areas . . .," *RUGGO Objective subitem 25.iii.c.*

"A regional landscape analysis shall be undertaken to inventory and analyze the relationship between the built and natural environments and to identify key open space, topographic, natural resource, cultural and architectural features that should be protected or provided as urban growth occurs." *RUGGO Objective 25 Planning Activity 1.*

Regional Growth Concept

The *Regional Growth Concept* also addresses the conceptual role of parks and related land and facilities in the region. For example:

"Recognition and protection of open spaces both inside the UGB and in rural reserves outside urban reserves are reflected in the Growth Concept. Open spaces, including important natural features and parks, are important to the capacity of the UGB and the ability of the region to accommodate housing and employment." *Regional Growth Concept at RUGGO page 26.*

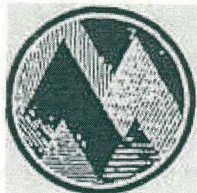
"The areas designated open space on the Concept map are parks, stream and trail corridors, wetlands and floodplains, largely undeveloped upland areas and areas of compatible very low density residential development . . . Local jurisdictions are encouraged to establish acres of open space per capital based on rates at least as great as current rates, in order to keep up with current conditions." *Regional Growth Concept at RUGGO page 28.*

"Designating . . . areas as open spaces would have several effects. First it would remove these land [sic] from the category of urban land that is available for development. The capacity of the UGB would have to be calculated without these, and plans to accommodate housing and employment would have to be made without them." *Regional Growth Concept at RUGGO page 28.*

METROPOLITAN
Greenspaces

Master Plan

Adopted July 1992



METRO

Preface

July 1992



Defining the Metropolitan Greenspaces program

During the past three years, the Metropolitan Service District has worked with cities, counties, park districts, state and federal agencies, businesses, nonprofit conservation organizations, "friends" groups and interested citizens in developing the Metropolitan Greenspaces program. From this cooperative genesis, the major themes and initial policy and implementation recommendations of this Metropolitan Greenspaces Master Plan have grown.

✓ The master plan details the vision, goals and organizational framework of a regional system of natural areas, open space, trails and greenways for wildlife and people in the Portland, Oregon - Vancouver, Washington, metropolitan area.

At this time, the document focuses on the Oregon component of the plan. It will be amended to include the Washington component once a parallel planning effort is completed by Clark County and the city of Vancouver. The master plan and the regional system of greenspaces will then truly serve the larger metropolitan area.

✓ The master plan is a complex planning document with deliberately broad scope. It may best be understood as a document that functions on two levels. The first, and most tangible, level articulates a desired system of large natural areas recommended for protection and inter-

"Our options are expiring. As far as open space is concerned, it doesn't make a great deal of difference when the projected new population reaches target or whether it is going to be housed in green-belted mega-structures or linear cities or what. The land that is still to be saved will have to be saved within the next few years. We have no luxury of choice. We must make our commitments now and look to this landscape as the last one. For us it will be."

*William H. Whyte
The Last Landscape, 1971*

connected with greenways and trails. The objectives of creating this system include maintaining the character and livability of the region and providing additional passive recreational opportunities and improvements for existing and future residents to enjoy and experience. Protection would be accomplished through a variety of strategies.

The second, and more subtle, level would cultivate a strong sense of stewardship for the natural resources among the region's constituents. It seeks to foster and shape a civic ethic through which full implementation of the plan may occur.

The need to protect open space

Metro's adopted population forecast projects that the Portland-Vancouver metropolitan area will grow by more than 480,000 people between 1987 and 2010. Growth trends during the last five years support this forecast. More homes and business opportunities will be created to serve anticipated growth. A crucial question is how the communities in our region will work together to plan for, direct and adjust to the changes brought on by growth.

The quality of life of this region is at a crossroads. It seems clear that, as communities continue to develop, the land supply available for open space and parks will be smaller and generally more expensive to purchase. What are our planning and funding priorities? Should

parks and open space continue to be among the first items cut in public budgets?

Lands outside designated urban areas are also experiencing growth, and some real estate speculation is occurring outside the urban growth boundary. Should some of these lands be set aside now as protected greenspaces?

It is our assertion that if we are to have parks and open space areas in the future, we need to reposition our planning and funding priorities now to reflect the importance of greenspaces in our urban fabric. The protection, acquisition and active stewardship of greenspaces must become just as important as planning highways, transit, water and sewer lines, and other basic public services.

The face of change

From 1970 to 1990, the population in the tri-county region increased from 878,676 to more than 1.1 million. Changes in the face of the overall community reflect this increase. With this 33.8 percent increase in numbers, many acres of land that had been open space, forest lands and meadows, ridge lines and buttes, wetlands and marshes have been built on. Streams have been diverted and put into culverts. Land that had been taken for granted as protected open space or as unlikely to be built on because of physical constraints such as steep slopes is becoming increasingly desirable for the development needed to accommodate a flourishing community. As we provide opportunities for all who seek to live and work here, the landscape that has defined our region for centuries is being changed irrevocably.

The structure of the visual and natural characteristics of the region includes watersheds that drain the land and topographic features that provide form and focus to the skyline. Each of these landscape units is affected by human settlement and the alterations that accompany development.

In 1989, Metro inventoried and mapped the remaining natural areas within the Oregon component, a 372,682-acre study area. At that time, approximately 29 percent of the land in the metropolitan region (including the Columbia Gorge between the Sandy River and the Mt. Hood National Forest) was considered to be largely without human-made structures. Only around 8.5 percent of the natural land in the study area is in public parks ownership or currently protected as natural areas or open space.

With more than 91 percent of the inventoried natural areas unprotected, many greenspaces can be developed tomorrow according to the local land use and zoning plan. This situation underscores the fact that we cannot take for granted that these green places will remain as we grow into the future.

Decent housing, family wage jobs and an efficient transportation system are all important to maintaining the livability of our region. However, if the people of the Portland-Vancouver area seek to retain livability and a green heritage as the region changes, we must act aggressively and act now to protect significant natural areas, open spaces, parks, forests, wetlands, rivers and streams, riparian corridors and wildlife habitat.

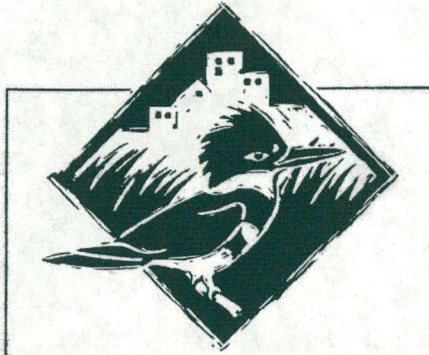
The Metropolitan Greenspaces Vision

We enjoy a high quality of life in the Portland-Vancouver metropolitan area. The diversity of natural landscapes – broad river valleys stippled with wetlands, narrow river canyons veiled by green strips of riparian vegetation, buttes and forests, mountains and meadows, foothills and farms – all impart a special sense of place and character to this metropolitan area.

✓ To ensure a green legacy for ourselves and future generations, we have created the Metropolitan Greenspaces program. It is a cooperative approach among governmental and nongovernmental organizations to establish an interconnected system of natural areas, open space, trails and greenways for wildlife and people throughout the four-county metropolitan area.

It is our vision to protect, on a long-term basis, natural areas, open space, trails and greenways that lend character and diversity to our region even as more and more people move here to share our special place. It is our vision to balance our urban focus and drive for economic health and prosperity with an array of wildlife habitat in the midst of a flourishing cosmopolitan region.

Our vision is to conserve and enhance a diversity of habitats woven into a lush web of protected greenspaces. We seek to maintain our cities as places where nature is valued in and of



"Let us leave a splendid legacy for our children . . . let us turn to them and say, 'this you inherit: guard it well, for it is far more precious than money . . . and once destroyed, nature's beauty cannot be repurchased at any price'

Ansel Adams

itself and is an integral element in daily life. We seek to maintain our cities as places to live and work, to raise a family, play, grow, relax and retire where we forge a unique ecological relationship between human and natural communities. We seek to maintain our cities as places where we can balance our drive for a sustained economy with our need for sustained livability.

The Metropolitan Greenspaces program provides opportunities for community awareness, involvement and education. It offers us and future generations the prospect of a living museum where all can learn to

appreciate and protect the wildlife and natural world in our own backyards.

The real potential for success lies within each person in the region. We must nurture – rather than destroy – nature's landscape. We must institutionalize a daily sense of stewardship for our remaining green places.

The Metropolitan Greenspaces Master Plan proposes a cohesive strategy to realize our vision. Through sustained implementation of its recommendations, we will continue to celebrate our special sense of place. Future generations will discover what living here has always meant – that the "country" in our cities is truly a legacy that has been saved for all to enjoy.

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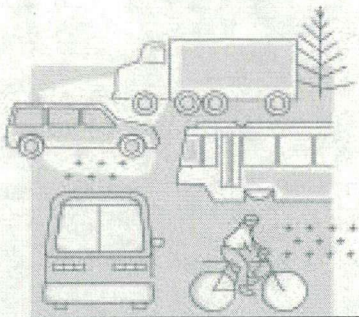
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A summary of the 2000 RTP

Implementing the regional transportation plan

2 0 0 1

Metro's updated Regional Transportation Plan is a blueprint to guide transportation investments in the Portland metropolitan region during the next 20 years. Adoption of the plan, an important part of achieving the 2040 Growth Concept vision, marked the end of a five-year planning process.

Highlights of the 2000 plan include the need to:

- expand some roads and highways throughout the region
- expand bus and light rail service and the ability to walk to stations
- build new sidewalks and bikeways on existing streets
- limit delays for national and international freight movement
- implement strategies to ensure our system works efficiently
- identify new funding sources to keep pace with growth.



METRO
Regional Services
*Creating livable
communities*

Metro, the regional government that serves the 1.3 million people who live in Clackamas, Multnomah and Washington counties and the 24 cities in the Portland metropolitan area, provides planning and services that protect the nature of our region.

What is the goal of the plan?

The goal of the plan is to expand choices for travel in the region while keeping the region livable in the face of a projected 50 percent increase in population and a 70 percent increase in jobs by 2020. The plan sets policies for all forms of travel, including cars, buses, light rail, walking, bicycling and movement of freight by air, rail, truck and water. These policies will be used as the basis for allocating federal and state transportation funds.

What is different about the 2000 plan?

The updated plan sets a new direction for the future. Transportation planning by all government partners in the region will be guided by the following strategies:

- balance transportation and land-use plans to protect livability
- sustain economic health by providing access to jobs and industry
- expand transportation choices by providing safe and convenient alternatives to driving and serve special access needs for all people, including youth, the elderly and the disabled
- avoid sprawl and reinforce main streets and downtowns by targeting transportation projects in regional and town centers
- maintain access to natural areas around the region.

What types of projects are recommended?

The 2000 plan recommends more than 650 transportation projects around the region at an estimated cost of \$7.6 billion. More than half the projects are new since the 1995 update, and many have originated from ideas of interested residents. The plan calls for a balanced transportation system that serves all types of travel, with hundreds of pedestrian and bicycle projects as well as major improvements to the region's road, bridge and transit systems.

The plan recommends funding the following projects:

- \$3.14 billion to double existing transit service to meet an expected 89 percent increase in bus and light rail riders by 2020
- \$2.10 billion for expanding and building new freeways and highways
- \$1.5 billion for arterial street expansions and new connections
- \$252 million for bridge maintenance and preservation
- nearly \$406 million for bicycle lanes, sidewalks, multi-use paths, trails, safer street crossings, and improved bus stops and shelters
- nearly \$84 million for programs to ensure the system works efficiently, such as ramp metering and signal timing, and \$7.1 million for programs to increase transit ridership, walking, biking and telecommuting in the region.

How will projects be funded?

Some funding for the 20-year plan will come from limited state, local and federal dollars. However, existing funding sources are not enough. If all 650 projects were completed, they would cost approximately \$7.6 billion. However, only \$3.16 billion is expected to be available to fund these projects. This means a possible \$4 billion shortfall by 2020. New funding sources are needed to keep pace with growth, and many projects must wait until funding is available.

What happens next?

With adoption of the plan in August 2000 by the Metro Council, city and county governments will have one year to update local plans to reflect the new regional policies. In this way, the transportation planning system throughout the tri-county urban area can be coordinated and optimized to serve a growing population.

How did the plan evolve?

The first Regional Transportation Plan was adopted in 1983 by the Metro Council. It has been updated every three to five years to reflect changes in the region. The update of the 2000 Regional Transportation Plan began in 1994. In 1995, the Metro Council adopted an interim plan that addressed new federal requirements. A Metro citizen advisory committee created guiding principles for

use in updating the plan. In 1996, the guiding principles helped launch many of the programs and projects now included in the updated plan. During the past five years, more than 100 citizen meetings and community workshops were held, along with several hearings and public comment periods to help Metro finalize the plan.

Why does the plan matter?

Decisions made today about how to make room for future growth and travel will have lasting impacts on our environment and way of life. The RTP is a guide to coordinated transportation planning that all of the region's cities and counties, Tri-Met, Oregon Department of Transportation and Port of Portland must follow. The plan is a big part of Metro's overall strategy to protect our valued livability.

How can we serve new growth?

The plan's overall strategy is to tie transportation investments to land use. The 2040 Growth Concept provides the land-use direction for the RTP, with planned improvements closely tied to the needs of different areas. For example, areas with concentrated development (such as downtown Portland and regional centers such as Gresham and Beaverton) will be targeted with a balance of high-quality transit, pedestrian and

bike projects to complement needed street and highway improvements.

How does the plan protect the environment?

The plan expands our choices for travel within the region, encouraging us to share a ride, take the bus or light rail, walk or bike more often. We can reduce the need to expand the transportation system by building new homes and businesses close to existing transportation, where roads already exist and people can walk to the bus or light rail. We can also target new transportation projects to areas that most need access, and where the region has decided future growth should occur. Collectively, these strategies can help the region maintain clean air, conserve energy and reduce pressure to expand the urban growth boundary.

How can I get more information?

Call the transportation hotline, (503) 797-1900 option 2. You can leave a message requesting a copy of the Regional Transportation Plan or 16 fact sheets about the plan. Ask for a list of all RTP fact sheets. If you are hearing impaired, call TDD (503) 797-1804.

Visit our web site at www.metro-region.org

send e-mail to trans@metro.dst.or.us

Urban Growth Management Functional Plan

(summary from the Metro web site)

The Urban Growth Management Functional Plan is Section 3.07 of the Metro Code. The 12 titles in that section are summarized below.

Title 1 (Metro Code Sections 3.07.110 - 3.07.170) - Requirements for Housing and Employment Accommodation

This section of the Functional Plan facilitates efficient use of land within the Urban Growth Boundary (UGB). Each city and county has determined its capacity for providing housing and employment which serves as their baseline and if a city or county chooses to reduce capacity in one location, it must transfer that capacity to another location. Cities and counties must report changes in capacity annually to Metro.

Title 2 (Metro Code Sections 3.07.210 - 3.07.220) - Regional Parking Policy

The Metro 2040 Growth Concept calls for more compact development to encourage more efficient use of land, promote non-auto trips and protect air quality. In addition, the federally mandated air quality plan adopted by the state relies on the 2040 Growth Concept fully achieving its transportation objectives. This title establishes regionwide parking policies that set the minimum number of parking spaces that can be required by local governments for certain types of new development. It does not affect existing development. Parking maximums are also specified. By not creating an over supply of parking, urban land can be used most efficiently.

Title 3 (Metro Code Sections 3.07.310 - 3.07.370) - Water Quality, Flood Management and Fish and Wildlife Conservation

The goal of the Stream and Floodplain Protection Plan (Title 3) is to protect the region's health and public safety by reducing flood and landslide hazards, controlling soil erosion and reducing pollution of the region's waterways. Title 3 specifically implements the Oregon Statewide Land Use Goals 6 and 7 by protecting streams, rivers, wetlands and floodplains by avoiding, limiting or mitigating the impact on these areas from development.

Title 3 contains performance standards to protect against flooding. The standards limit development in a manner that requires balanced cut and fill and requires floor elevations at least one foot above the flood hazard standard. The areas subject to these requirements have been mapped and adopted by the Metro Council, specifically, the FEMA 100-year floodplain and the area of inundation for the February 1996 flood.

Title 3 also contains performance standards related to streams, rivers and wetlands. The purpose of these standards is to protect and allow enhancement of water quality. The water quality areas are rivers and streams with a protected vegetated corridor width depending on the slope of the stream and the number of acres drained by the stream. Typically, the vegetated corridor is 50 feet wide. The performance standards require erosion and sediment control, planting of native vegetation on the

stream banks when new development occurs and prohibition of the storage of new uses of uncontained hazardous material in water quality areas.

Finally, Title 3 directs Metro to establish performance standards to protect regionally significant fish and wild habitat areas. This work is underway and will implement Oregon Statewide Land Use Goal 5.

Title 4 (Metro Code Sections 3.-07.410 - 3.07.440) - Industrial and Other Employment Areas

Title 4 places restrictions of certain uses in three designations on the 2040 Growth Concept Map.

In Regionally Significant Industrial Areas, non-industrial uses are limited to:

- Retail uses less than 20,000 square feet and amounting to only 5 percent of the contiguous Regionally Significant Industrial Area
- Commercial office uses that are not accessory to the industrial uses with the exception of large corporate headquarters, and;
- Uses necessary to serve the needs of businesses and employees of the Regionally Significant Industrial Area.

In Industrial Areas, non-industrial uses are limited to less than 20,000 square feet and amount to 10 percent of the Industrial Area.

In Employment Areas, retail uses are limited to less than 60,000 square feet. This can be increased if it is demonstrated that transportation facilities are adequate to serve the retail use and to serve other planned uses in the Employment Area.

Title 5 (Metro Code Sections 3.07.510-3.07.540) - Neighbor Cities and Rural Reserves

This section of the Functional Plan directs Metro to work with its neighbor cities to protect common locations for green corridors along transportation corridors connecting the Metro region and each neighboring city. The intent is to protect the land along these corridors from continuous strip development to maintain their rural character and agricultural economy. Metro's neighboring cities are Canby, Sandy and North Plains.

Title 5 requests that the counties and the cities adjacent to green corridors and rural reserves adopt comprehensive plan policies to reflect the rural reserve policies contained in the 2040 Growth Concept.

Title 6 (Metro Code Sections 3.07.610 - 3.07.650) - Central City, Regional Centers, Town Centers and Station Communities

The intention of Title 6 is to enhance the Centers designated on 2040 Growth Concept Map by encouraging development in these Centers. Metro will work with cities and counties to implement development strategies which will include an analysis of the barriers to development, an accelerated review process for preferred types of development, an analysis of incentives to encourage development and a program to adopt the incentives. Cities and counties are encouraged to site government offices in Centers and are required to report on the progress made in their Centers to Metro every two years.

Title 7 (Metro Code Sections 3.07.710-3.07.760) - Affordable Housing

This section of the functional plan will ensure that all cities and counties in the region are providing opportunities for affordable housing for households of all income levels.

The intent of Title 7 is to provide a choice of housing types, reduce barriers to sufficient and affordable housing for all income levels in the region, create housing opportunities commensurate with the wage rates of jobs available across the region, initiate a process for addressing current and future needs for affordable housing, and reduce concentrations of poverty.

Local jurisdictions are required to report on land-use and non-land-use tools and strategies they have considered for adoption by January 31, 2002; to report on status of comprehensive plans amendments and adoption of affordable housing land-use tools by December 31, 2003; and to report on the amendments to comprehensive plans, outcomes of affordable housing tools implemented and any other affordable housing developed and expected by June 30, 2004.

Title 8 (Metro Code Sections 3.07.810-3.07.890) - Compliance Procedures

This title ensures that all cities and counties in the region are fairly and equitably held to the same standards and that the Metro 2040 Growth Concept is implemented. It sets out compliance procedures and establishes a process for time extensions and exemptions to Metro Code requirements.

Title 9 (Metro Code Sections 3.07.910-3.07.920) - Performance Measures

This title ensures that progress or lack of progress is measured in the implementation of the Urban Growth Management Functional Plan (UGMFP) and the 2040 Growth Concept. This will help ensure better program management. Indicators for monitoring and evaluating policies and requirements in each Functional Plan title will be identified and reviewed by the Metro Policy Advisory Committee (MPAC), the Joint Policy Advisory Committee on Transportation (JPACT) and adopted by the Metro Council. Metro will gather the data necessary for measuring progress with the assistance of the local jurisdictions. Analysis of the data will include reporting at the regional level, jurisdiction levels and Growth Concept design type boundaries or center areas.

Where appropriate, benchmarks will be formulated for key indicators to, at very least, gauge advancement towards the goals of each of the above titles and those in the 2040 Growth Concept. Each biennium, Metro will gather and analyze data and determine the level of progress towards the goals. Policies will be developed for adjusting the regional plans based on actual performance.

Title 10 (Metro Code Section 3.07.1010) - Definitions

This title defines the words and terms used in the document.

Title 11 (Metro Code Sections 3.07.1105 - 3.07.1140) - Planning for New Urban Areas

The purpose of this title is to guide planning of areas brought into the UGB for conversion from rural to urban use. All land added to the UGB shall be included within a city's or county's comprehensive plan prior to urbanization. The comprehensive plan amendment must be consistent with all applicable titles of this Functional Plan. Title 11 lists ten provisions that need to be addressed in the comprehensive plan amendment including an urban growth plan diagram and policies consistent with the Regional Framework Plan and adopted 2040 Growth Concept design types.

Title 12 (Metro Code Sections 3.07.1210 - 3.07.1240) - Protection of Residential Neighborhoods

The purpose of this title is to protect the region's existing residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services.

Revised/Updated 4/3/03

Exhibit C to Ordinance No. 02-969B

New Metro Code to implement Policy 1.16 of the Regional Framework Plan

TITLE 12: PROTECTION OF RESIDENTIAL NEIGHBORHOODS

3.07.1210 Purpose and Intent

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

3.07.1220 Residential Density

Metro shall not require any city or county to authorize an increase in the residential density of a single-family neighborhood in an area mapped solely as an Inner or Outer Neighborhood pursuant to Metro Code section 3.07.130 prior to May 22, 2002.

3.07.1230 Access to Commercial Services

- A. In order to reduce air pollution and traffic congestion, and to make commercial retail services more accessible to residents of Inner and Outer Neighborhoods, a city or county may designate in its comprehensive plan and land use regulations one or more Neighborhood Centers within or in close proximity to Inner and Outer Neighborhoods to serve as a convenient location of commercial services.
- B. To ensure that commercial development serves the needs of the residents of Inner and Outer Neighborhoods but does not generate excessive traffic, noise or air pollution, a city or county that designates a Neighborhood Center shall adopt limitations on the scale of commercial services in Neighborhood Centers. In a Neighborhood Center, a city or county shall not approve:
 - 1. A commercial retail use with more than 20,000 square feet of gross leasable area in a single building; or
 - 2. Office commercial uses with more than 10,000 square feet of gross leasable area in a single building or on a single lot or parcel.

3.07.1240 Access to Parks and Schools

- A. Each city and county shall, within two years following adoption by the Metro Council of a process and criteria for such standards, establish a level of service standard for parks and greenspaces that calls for a park facility within a specified distance of all residences.
- B. To make parks and greenspaces more accessible to residents of Inner and Outer Neighborhoods and all residents of the region, each city and county shall provide for access to parks and greenspaces by walking, biking and transit, where transit is available or planned.

- C. To make parks and schools more accessible to neighborhood residents, to reduce traffic, and to use land more efficiently, cities, counties, park providers and school districts shall, where appropriate, provide for shared use of school facilities for park purposes and of park facilities for school purposes.

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

Greenspaces Policy Advisory Committee

Member sign-in sheet

April 22, 2004

Please sign your initials next to your name.

<i>partial Survey</i>	Jim Zehren, Chair	Citizen Representative
	Ernie Drapela	City of Gresham
<i>Survey</i>	Kim Gilmer	Lake Oswego Parks and Recreation
<i>Survey</i>	Steve Greagor	Hillsboro Parks and Recreation
<i>Survey</i>	John Griffiths	THPRD
<i>Survey</i>	Faun Hosey	Citizen Representative
<i>Survey</i>	Mike Houck	Portland Audubon Society
<i>Survey</i>	Esther Lev	Citizen Representative
<i>partial Survey</i>	Doug Neeley	Oregon City
	Chris Noble	Citizen Representative
<i>Survey</i>	Mike Ragsdale	Citizen Representative
<i>Survey</i>	Tim Raphael	Trust for Public Land
<i>Survey</i>	Zari Santner	Portland Parks and Recreation
<i>Survey</i>	Dick Schouten	Washington County Commission
<i>Survey</i>	Don Trotter	NCPRD Advisory Board