

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF INITIATING)	RESOLUTION NO. 96-2288
A NEW FUNCTIONAL PLAN TO)	
IMPLEMENT 2040 GROWTH)	Introduced by Susan McLain
CONCEPT)	Metro Councilor

WHEREAS, the Metro Council adopted 1995 Regional Urban Growth Goals and Objectives ("RUGGO"), including the 2040 Growth Concept Ordinance No. 95-625A on December 14, 1995; and

WHEREAS, on January 16, 1996, the Metro Council Growth Management Committee received and discussed recommendations from three advisory committees that the Metro Council adopt a functional plan of regionwide measures for early implementation of the 2040 Growth Concept; and

WHEREAS, the Metro Council's authority in ORS 268.390 to adopt functional plans which recommend and require changes in city and county comprehensive plans is the mechanism to establish uniform regionwide requirements for the region's 24 cities and 3 counties; and

WHEREAS, the functional plan process in Goal I, Objective 5 of adopted RUGGO provides that either the Metro Council may propose, or the Charter-based Metro Policy Advisory Committee ("MPAC") may recommend, preparation of a new functional plan; and

WHEREAS, MPAC has recommended adoption of a new functional plan containing early implementation of the 2040 Growth Concept; and

WHEREAS, the Joint Policy Advisory Committee on Transportation ("JPACT") has recommended general transportation approaches to early 2040 Growth Concept implementation

which Metro staff is using to prepare a Discussion Draft of additional specific implementation measures; and

WHEREAS, RUGGO Objective 5.2.2 states that matters required by the Charter to be addressed in the regional framework plan shall constitute sufficient factual reasons for development of a new functional plan; and

WHEREAS, RUGGO Objective 5.2.2 prescribes MPAC participation in the preparation of the plan and citizen involvement, including an MPAC recommendation; now, therefore,

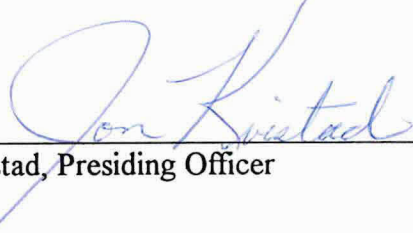
BE IT RESOLVED,

1. That implementation of the 2040 Growth Concept has a significant impact upon the orderly and responsible development of the metropolitan area.
2. That an Urban Growth Management functional plan shall be prepared consistent with RUGGO, Goal I, for early implementation of the 2040 Growth Concept.
3. That the scope of the functional plan shall include at least the following: changing zoning maps to permit implementation of the 2040 Growth Concept overall and in mixed use areas; establishing parking standards; protecting natural resources and water quality; managing retail uses in employment areas; implementing rural reserves and green corridors; and matching local transportation plans with the 2040 Growth Concept.
4. That the new functional plan containing these measures shall begin to address regional transportation and mass transit systems, management of the urban growth boundary and protection of lands outside the boundary, housing densities, urban design, and open spaces which

are subject matters required by 1992 Metro Charter, Section 5(2)(b) to be addressed in the regional framework plan.


5. That, after preparation of the plan and seeking continued broad public and local government consensus, using citizen involvement processes established by cities, counties and Metro, the MPAC shall recommend the Urban Growth Management functional plan to the Metro Council for Metro Council action.

ADOPTED by Metro Council this 29th day of Feb 1996.



Jon Kvistad, Presiding Officer

Approved as to form:



Daniel B. Cooper, General Counsel

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**METRO**

Date: February 7, 1996

To: Metro Council
Mike Burton, Executive Officer

From: *LSH*
Larry Shaw, Senior Assistant Counsel

Subject: Initiating the Early Implementation Functional Plan

Introduction:

The Council Growth Management Committee has received MPAC, JPACT, and WRPAC recommendations that a functional plan on early implementation of the 2040 Growth Concept be adopted. This memo explains the attached draft resolution which formally initiates such a new functional plan under RUGGO and ORS 268.390. The full substance of a draft functional plan ordinance is neither needed nor helpful for this mandatory resolution step.

Functional Plan Authority:

The Metro Council has broad authority to adopt functional plans. ORS 268.390(2) allows the Council to identify "aspects of metropolitan area development" for which functional plans should be developed. Because the statutory authority is so broad, Metro adopted its own policy to give reasons for new functional plans in the functional plan process adopted in 1991 RUGGO and retained in 1995 RUGGO.

1992 Metro Charter Requirements:

In addition to identifying planning as Metro's "most important service," the Charter requires a regional framework plan. That mandatory plan must "address" nine subject areas by December 31, 1997. If the regional policies in that plan on those mandatory subjects include enforceable direction to change comprehensive plans, those policies must be adopted in a functional plan using the functional plan process.

RUGGO, Goal I, Objective 5: Functional Plan Process:

Implementing the Metro Charter, MPAC is included in the functional plan process. MPAC may, as here, recommend a new functional plan. Once the Metro Council identifies a functional plan subject area as in the draft resolution here, MPAC assists in preparation and citizen involvement of the plan. MPAC, also, makes a recommendation to the Metro Council.

Objective 5.2.2 applies the requirements of the Metro Charter to the reasons statement required by RUGGO. It states that the subject matters which the Charter requires to be addressed in the regional framework plan are sufficient "reasons" for a functional plan.

Functional Plan Scope:

The "aspects of metropolitan development" for the Urban Growth Management functional plan have been identified in MPAC's six regionwide interim measures and JPACT's recommendation to begin matching 2040 land use with transportation. These "aspects" relate to mandatory Charter subjects. Specifically, changing zoning overall and in mixed use areas and changing parking standards helps manage the UGB by more efficiently using the land inside the UGB before amending it. Protecting natural resources and water quality addresses urban design, the limits of housing densities and open spaces. Managing retail uses in employment areas addresses urban design and regional transportation systems. Implementing rural reserves and green corridors begins protection of lands outside the boundary. Matching city and county transportation plans with the 2040 Growth Concept addresses regional transportation systems and urban design.

Conclusion:

The draft resolution initiating the new functional plan as required in the RUGGO process merely identifies the subject areas for a proposed functional plan. The RUGGO reasons requirement for this resolution is met by identifying the Charter matters to be addressed by the new plan. This process resolution required by RUGGO Objective 5 is separate from the functional plan itself. Functional plans must be adopted by ordinance following an MPAC recommendation and a Metro Council public hearing.

cc: Dan Cooper
John Fregonese
Mark Turpel

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