

Jenny Lewis

METRO

Memorandum

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646



Date: October 31, 1991

To: METRO Council, Executive, Interested Parties

From: Betsy Bergstein *BB*

Regarding: Attachments from Charter Committee October 17 and
October 24, 1991 Meetings

Attached are the handouts from the October 17, 1991 and October 24, 1991 Charter Committee meetings. They were inadvertently omitted from the October 29, 1991 summary memo.

**METRO
CHARTER
COMMITTEE**

P.O. Box 9236 • Portland • Oregon 97207
Phone 503-273-5570 • Fax 503-273-5554

AGENDA

DATE: October 17, 1991
MEETING: Full Committee
DAY: Thursday
TIME: 6:00 p.m.
PLACE: Milwaukie Community Center, 5440 SE Kellogg Creek Drive

6:00 Call meeting to order.

Correct and adopt minutes from October 3 meeting
(previously distributed).

6:10 Continue consideration and development of proposed
Charter provisions relating to urban growth.

9:00 Adjourn meeting.

DIRECTIONS:

From I-205 take exit 13 and go west on Hwy 224 about 1 mile. At the 5th stoplight turn left onto Rusk Road. Road splits around a church and enters into Kellogg Creek Drive and North Clackamas Central Park. Community center is on the right.

From Portland go south on McLoughlin Blvd. In Milwaukie take the Hwy 224 exit and go east (left) about 2 miles. Turn right onto Rusk Road. Road splits around a church and enters into Kellogg Creek Drive and North Clackamas Central Park. Community center is on the right.

October 17, 1991

REGIONAL PLANNING POWERS AND RESPONSIBILITIES

- I. A co-operative statement of process that provides for local and regional participation
 - A. Provides for adoption of a comprehensive regional plan with 50-year time lines consisting of:
 1. A regional framework plan
 2. Individual local plans
 3. Establish the "future vision" concept
- II. Regional responsibilities
 - A. Regional urban growth boundary
 - B. Domestic water sources of supply
 - C. Regional transportation & mass transit systems
 - D. Housing densities
 - E. Urban reserves
 - F. Urban greenspaces
 - G. Resolution of interjurisdictional disagreements
 - H. Nodes of significant development
 - I. Locations for commercial/industrial development
 - J. Section 208 of the federal Clean Water Act
 - K. Solid waste
 - L. Regional facilities
- III. Local plans
 - A. Public safety
 - B. Fire protection & prevention
 - C. Local streets & transportation systems
 - D. Siting of developments, structures & facilities
- IV. Unspecified functions (either local or regional)
 - A. Storm water drainage
 - B. Sanitary sewage collection, treatment & disposal
 - C. Other functions
- V. Adoption & review
 - A. 30-month time frame
 - B. Sanctions for non-performance
 - C. Approval required
 1. 2/3 of cities in each county required
 2. 2/3 of counties required
- VI. "Regional significance"
 - A. Clear standards for the term
- VII. Periodic review
 - A. Same majority for amendments, i.e. 2/3
- VIII. "Future vision" concept--100-year horizon
 - A. Cooperative effort
 - B. Simultaneous adoption
 - C. Same 2/3 majority
 - D. Legal exemptions
- IX. Limit haphazard development of "urban reserve" areas
- X. Legislation required to reconcile inconsistencies

INFORMATION FROM REGIONAL GOVERNANCE COMMITTEE
TO CHARTER COMMITTEE REGARDING DRAFT
"REGIONAL PLANNING POWERS AND RESPONSIBILITIES" PROPOSAL
October 17, 1991

We would like to offer the following brief comments regarding the draft "Regional Planning Power and Responsibilities" proposal outline discussed by the Charter Committee at its October 10 meeting. We understand that the proposal is a discussion draft which the committee is still working on and we will not provide a point by point commentary on it. However, we do think it is in everyone's interest that the document the Committee ultimately released for review be as solid and supportable as possible. This will help to build credibility for the Charter Committee's process. Therefore, we appreciate the opportunity to offer some general thoughts on your discussion last Thursday, October 10th.

Functional Planning

The Regional Governance Committee to date has only addressed land use planning issues. We hope that the Charter Committee will seriously consider the information submitted by the RGC to it at the October 10 meeting as it deliberates on the proposal it is working on. The RGC's information supported functional land use planning as an effective, reliable, efficient growth management tool. For land use issues we believe this is a better approach to conducting regional planning than the approach set forth in the draft proposal.

Recommended Deletions and Amendments

We recommend that sections V and VII of the draft proposal related to adoption and amendment procedures be deleted entirely at this time. The Committee's schedule calls for it to deal with issues related to governmental structure after it has dealt with functions and finance. The RGC is not taking a position on the merits of Sections V and VII at this time, but believes that the sections address governmental structure issues which should be tabled at this time.

We recommend that the Committee specifically address the issue of the role of special districts in the planning process. We also note that the title of Section II is "Regional Responsibilities", which does not distinguish planning from service delivery, and that Section III is titled "Local Plans", although it seems to provide a partial list of services which local governments deliver. The intent of these two sections in the proposal should be clarified.

Process Concerns

We have two issues about the Committee's process which we would like to raise. First, we had anticipated that the Committee would take action on the draft Decision Criteria before it began entertaining proposals. Since the purpose of the Decision Criteria is to provide a common yardstick to evaluate proposals we would encourage the Committee to adopt Decision Criteria before proceeding any further.

Second, we had thought that the Committee would be dealing with functions such as land use, transportation, water and so forth in separate discussions. We were surprised to see virtually all possible planning functions in one proposal, before significant discussion has occurred on most of the functions. We would encourage the Committee to conduct serious analysis on each major function. Water issues are not the same as land use issues, for instance; what is appropriate for regional planning will vary accordingly. The RGC is conducting its own analysis for each major function and will continue to submit its information to the Charter Committee in this manner.

Again, thank you for the opportunity to comment.

**METRO
CHARTER
COMMITTEE**

P.O. Box 9236 • Portland • Oregon 97207
Phone 503-273-5570 • Fax 503-273-5554

AGENDA

DATE: October 24, 1991
MEETING: Full Committee
DAY: Thursday
TIME: 6:00 p.m.
PLACE: Metro, Room 440, 2000 SW 1st Avenue, Portland

6:00 Call meeting to order.

Correct and adopt minutes from October 10 meeting
(previously distributed).

6:10 Continue consideration and development of proposed
Charter provisions relating to urban growth.

Consideration of potential Charter provisions relating
to other powers/functions of Metro.

9:00 Adjourn meeting.

REGIONAL PLANNING POWERS AND RESPONSIBILITIES

10/24/91

- I. Provision for adoption of a comprehensive regional plan with 50-year time lines consisting of:
 - A. A regional framework plan
 - B. Individual local plans

- II. Regional plan responsibilities
 - A. Regional urban growth boundary
 - B. Domestic water sources of supply
 - C. Regional transportation & mass transit systems
 - D. Housing densities
 - E. Urban reserves
 - F. Urban greenspaces
 - G. Resolution of interjurisdictional disagreements
 - H. Nodes of significant development
 - I. Locations for commercial/industrial development--
objective specific (i.e. Metro Housing Rule)
 - J. Section 208 of the federal Clean Water Act
 - K. Solid waste
 - L. Regional facilities
 - M. Guidelines for zoning

III. Local plan responsibilities

- A. Public safety
- B. Fire protection & prevention
- C. Local streets & transportation systems
- D. Siting of developments, structures & facilities
- E. Local zoning--site specific

IV. Unspecified areas (either local or regional)

- A. Storm water drainage
- B. Sanitary sewage collection, treatment & disposal
- C. Other unspecified subject areas/issues--elements not already assigned would be included
- D. Procedure by which responsibilities not initially assigned by Charter to regional plan and not reserved to local plans can be brought into regional plan.

V. Adoption & review

- A. 30-month time frame
- B. Sanctions for non-performance
- C. Approval options
 - 1. Metro adopts a regional plan without local involvement.
 - 2. Charter mandates local government involvement, short of giving them a vote on the plan.
 - 3. Local government units have some numerical authority in voting on the plan, e.g., approval

- A. Beyond the plan
 - B. Not subject to Statewide (LCDC) goals
 - C. Set limits on growth areas, where growth will stop
 - D. Establishes population level within carrying capacity of air/water
 - E. Use as model for short-term planning
 - F. Generalized
 - G. Cooperative effort
 - H. Simultaneous adoption
 - I. Approval options (same as regional framework plan)
 - J. Legal exemptions
- X. Limit haphazard development of "urban reserve" areas
- A. Where boundaries will expand
 - B. Control of land use activities in the area
 - C. Land division, wells, septic tank placement authority given to regional government
- XI. Regional enforcement--delegated to Metro by LCDC
- XII. Mandate Metro development of recommended model standards and procedures for local land use decision making.
- XIII. Legislation required to reconcile inconsistencies

required by 2/3 of counties and 2/3 of cities.

4. Plan is taken directly to the voters for acceptance or rejection.
5. Metro ratifies a plan put together by local governments.
6. Metro adopts a plan subject to LCDC review with standards taking local comprehensive plans into account.
7. Metro adopts a plan with the option of referral to the voters or referendum by petition from the voters.

VI. Definition of standards for "regional significance"

VII. Periodic review

- A. Approval options (same as regional framework plan)
- B. Regional every 2 years
- C. Local on a regular basis, every 10 years maximum
- D. Performed by Metro, LCDC out of acknowledgement process

VIII. Amendment of local plans--regional oversight

- A. Local plan shouldn't interfere with regional plan
- B. Local plan shouldn't interfere with attainment of another local plan

IX. "Future vision" concept

MINUTES

**METRO CHARTER REVIEW COMMISSION
MULTNOMAH COUNTY**

OCTOBER 21, 1991

Prepared by Nancy DiDonato
City Recorder, City of Fairview

PERSONS IN ATTENDANCE:

Ned Look	Representative, Metro Charter Review Committee
Mike McKeever	McKeever & Morris/Regional Governance Committee
Gussie McRobert	Mayor, City of Gresham
John Andersen	Department of Strategic Planning, City of Gresham
Gwen Abdulleh-Harvey	Assistant City Manager, City of Gresham
Mike Casey	City Manager, City of Gresham
Jo Haverkamp	Councilor, City of Gresham
Barbara Wiggin	Councilor, City of Gresham
Marilyn Holstrom	City Administrator, City of Fairview
Betty Lightfoot	Councilor, City of Fairview
Len Edwards	Councilor, City of Fairview
Paul E. Johnson	Mayor, City of Maywood Park
Joy Aitkenhead	Councilor, City of Maywood Park
Chuck Bridge	Councilor, City of Maywood Park
Tana Phemester	Councilor, City of Maywood Park
Dorothy Swanson	Councilor, City of Maywood Park
Sam K. Cox	Mayor, City of Troutdale
Pam Christian	City Administrator, City of Troutdale
Sheila Ritz-Arthur	City Administrator, City of Wood Village
Sharron Kelley	Commissioner, Multnomah County

Representative Ned Look called this meeting of the Multnomah County Metro Charter Review Commission to order at 12:15 pm., October 21, 1991.

I INTRODUCTION

Each representative introduced themselves after which Ned Look gave some general reactions to the Regional Governance Committee (RGC). He felt that this committee creates a good environment for discussion of issues pertinent to local government. With the various points of view available from the variety of jurisdictions, the Regional Governance Committee offers a forum for consensus on common issues.

II REGIONAL GOVERNANCE COMMITTEE

Mike McKeever stated that the membership of the Regional Governance Committee has been steadily growing. It now includes nearly all major special districts as well as all Metro area jurisdictions, minus

Portland and Multnomah County. There has been a great deal of success in regards to gaining consensus of the participating jurisdictions on issues common to all.

Presently decision criteria are under discussion to build the overall framework for decision-making within the Regional Governance Committee. At this time a number of subcommittees are being formed to research the various issues under consideration. Governance Committee meetings have, thus far, resulted in the consensus of the entire area on a number of important issues. Mr. McKeever closed by stating that high quality information is the watchword of the Regional Governance Committee.

Ned Look agreed and urged Portland and Multnomah County to join this group in their efforts to serve all the jurisdictions in the Metro Area.

IV. CHARTER COMMISSION

Ned Look explained that the Metro Charter Review Commission met on Thursday, October 17th and was scheduled to meet again on Thursday, October 24th. He announced that the Commission is starting to pull together toward the goal of a Metro Charter final draft. The Regional Growth Boundary and management of growth is a very key issue. Issues regarding functions and powers will easily be solved once the issue of growth and the Regional Growth Boundary is resolved.

Ned Look asked Mayor Gussie McRobert to speak further on issues which have come before the Charter Review Commission. Mayor McRobert explained that the handout titled, "Regional Planning Powers and Responsibilities" had been drafted by Frank Josselson-Representing Clackamas County Cities, Larry Derr-representing Washington County, and Jon Egge-representing Clackamas County.

Mayor McRobert stated that this proposal, which was handed out and is attached, has been discussed twice so far and options may vary, but it raises a number of issues which need to be discussed in more detail than a closed session would allow. She cited, as an example, the proposed Comprehensive Plan Periodic Review, due biannually, with only 30 months to execute, as unrealistic with the limited economic resources of local government. Mayor McRobert also denounced this proposal because of its negative premise.

She pointed out that, in the proposal, Regional and Local Comprehensive Plans would have to be approved by two-thirds of the Metro Area Cities. Comprehensive Plans, even for one city, are a sizeable document, and to expect a person from one city to be able to digest and comprehend another city's Comprehensive Plan enough to vote intelligently on its content is unrealistic. One of the Metro Area cities with a small percentile of population would be able to override a Comprehensive Plan which was paid for by, and affects, a large percentile of the population.

On August 13th the Commission began the process of taking public testimony. Mayor McRobert pointed out that there were speakers present from 1000 Friends of Oregon and the Homebuilders Association, while a number of local government representatives were not present. Public Hearings have now been closed until May, but there are a number of issues which need to be answered from past meetings as well as problems as they arise. Mayor McRobert gave an example of a session in which a number of questions arose regarding the Comprehensive Plan contents and the process in which this information is consolidated and used. The Metro Planner, Rich Carson, was present in the audience at this meeting and could have answered all questions raised, but because no testimony was allowed, he was unable to speak or be called upon.

Mayor McRobert voiced her concern that because of the testimony heard early in the process from the 1000 Friends of Oregon and the Homebuilder's Association, the Regional Urban Growth Goals and Objectives (RUGGO's) will not be used or considered. There has been a great deal of time and effort on

the part of representatives from throughout the Metro area regarding the formation of the RUGGO's, which could benefit this Charter Review process if they were considered.

Ned Look asked Mike McKeever to explain the Regional Governance Committee's views of the proceedings of the Metro Charter Review Commission, thus far. Mr. McKeever stated that this handout has created a delicate situation in that commission members in private have stated that this is a document intended to advance discussion on the issue. The RGC feels strongly about pointing out the flaws in this proposal now in order to avoid the first draft of the Metro Charter containing information that would bring a firestorm of criticism.

Mr. McKeever stated that the definition of "Regional Plan" was yet unclear. Does it tie in with the local plans? Are they developed simultaneously over a 30 month period? What relationship would this document have in regards to the state planning goals? Would Metro be authorized to show state compliance and given regional planning powers and responsibilities?

Mr. McKeever pointed out that this proposal includes a list of regional responsibilities, but also includes items which should be local responsibilities. Many questions are raised while few are answered. Discussion followed regarding proposal item VIII, "Future Vision" Concept-100-year horizon. Mr. McKeever stated that, according to the proposal, there were no legal requirements to show that cities have considered this plan, therefore some cities may participate and some may not. Mayor McRobert explained that it is proposed that Metro staff and the Metro Council create the 50 and 100 year plans, a preposterous suggestion, in light of staffing needs, let alone the repercussions to Metro Area jurisdictions. Marilyn Holstrom, City Administrator, City of Fairview, asked what would happen if the area today was required to uphold a 100 year plan created 100 years ago, at the turn of the century? It was the consensus of the group that there are too many changes in the period of 100 years which are yet unanticipated and can not be planned for. Technology which we are totally unaware of at this time may be of utmost importance in only twenty years, let alone 50 or 100.

Mike McKeever stated the RGC had been operating per the calendar of charter meetings which showed consideration for each issue. He voiced his concern that with the introduction of this proposal the calendar seems to have been abandoned. This proposal included all issues plus the questions of government structure. The RGC has recommended that the original schedule be followed with overall issues to be scheduled for consideration at the end of discussion of specific issues.

Mr. McKeever stated that the present process is not building on the strengths and weaknesses of the present system. It does not identify gaps which need improvement. The ideas which are being discussed puts more power on the side of Metro and requires that cities and counties be responsible for approving each other's policies. These are all new ideas.

Mayor McRobert emphasized that much of what is now being discussed was already addressed during the formation of the RUGGO's. She stressed that the cities do not have the funds to create a Regional Comprehensive Plan.

Ned Look asked for questions regarding this proposal. John Andersen, Director of Strategic Planning, City of Gresham, asked how it is proposed to distinguish between items IX, Limit haphazard development of "urban reserve" areas, and II, E, Urban reserves? Mr. McKeever explained that this is presently only under discussion, and contains a number of inconsistencies. He suggested that it might be necessary to have Metro control Urban Permit reviews. Mr. Andersen then pointed out that items II, E, Nodes of significant development and I, Locations for commercial/industrial development and III, D, Siting of developments, structures & facilities cover all of this. Mayor McRobert suggested that intent may be to have all permits, planning and siting being done solely through Metro. Mr. McKeever stated that

discussion is continuing in the commission on this subject and he will update all BGC members as soon as more information is available.

Mayor McRobert stated that it is proposed that the Periodic Review process be taken from the Land Conservation and Development Commission (LCDC) and placed under the auspices of Metro. She noted that LCDC does not have the resources to do this, therefore this may be a feasible solution to the problem. She noted that the people voted to have a new charter drawn up with the expectations that it would create sensible solutions to problems.

Ned Look explained the process at the Metro Charter Review Commission meetings whereby three persons had written a thesis which thereafter had monopolized the conversations and sessions to date. A more finished form of this proposal is due this next week and it is anticipated at that time that the members of the commission will commence a "red line" procedure of editing and changing it to fit the charter needs.

As an example of various proposals which have been made regarding various aspects of regional government, Mr. Look pointed out Senator Glen Otto's task force regarding Metro and regional government and read excerpts from a report he himself had written in March of 1990 for the Civic Index Committee. This proposed that a local government, properly structured to serve all, would make it imperative that all join. All aspects of this government are interrelated and cover numerous administrative functions. These thoughts may lend themselves to a tri-county or a regional form of government. Mr. Look continued to read that this could include decentralized service centers which would work closely with regional government elected officials. There would be a consensus among all participants on which issues would be local and which regional. This would also include incentives to get results and encourage participation.

Mr. Look raised the question, "Institutionalized Regional Government-How much is realistic and how much impractical?" He explained that, between pondering this question and considering the thesis written by commission members, a cathartic process is underway. It is anticipated that numerous changes will take place by the time the end product is formed. The questions of what belongs with the cities, counties and neighborhoods will be considered.

Marilyn Holstrom voiced her concern over the fact that the Public Hearings are now closed. What opportunity will outside parties have to respond to information coming to the commission from Metro staff? Mr. Look explained that the closed hearings was a procedure which had originally been suggested and was not policy. If it is found to be unworkable, it can be changed.

Marilyn Holstrom gave a specific example of Metro's introduction at a Metro Manager's Meeting of a detailed financial analysis which had been done on each city with no prior knowledge that such data had been collected. She explained that a consultant, Sonny Condor, had been asked to project 10-15 years into the future and give a financial picture of the state of the cities. This stunned the Metro Managers because of the totally unannounced way in which this data had been collected and that the entire report and projection was taken under the assumption that cities do not adjust over a period of time when needs arise. The projection created by Sonny Condor showed all the cities to be in financial trouble in the next 10 to 15 years. Ms. Holstrom emphasized that the cities need to be able to tell the Metro Charter Review Commission that this report does not reflect reality. Mr. Look assured those present that he would point this out at the next commission meeting.

Mike Casey, City Manager, City of Gresham, asked if the agenda for the commission would return to its original form of dealing with issues one at a time? Ned Look replied that this is the reason for the extra meeting scheduled this week. It is felt that this proposal needs to be dealt with so that discussion on other issues may continue. Mr. Casey emphasized that the BGC and other participants need to know the agenda in order to be able to fairly represent their members.

Jo Haverkamp, Councilor, City of Gresham, asked if RUGGO information may be considered by the commission in the future? Mr. Look replied that this would be possible because the RUGGO's have the quality of being compatible with the entire region, which has not been the case in all proposals.

John Andersen stated that there may be validity and value in a vision of the future for the entire region. The problem lies in the length of time that this vision should encompass. It would benefit the entire region to work together on long-range planning. Mr. Andersen stated that some aspects of the "Regional Planning Powers and Responsibilities" are dangerous and could ultimately be harmful to the region. The commission needs to take into account the good work that has already been done on regional government; for example, the RUGGO's. Mr. Andersen closed by emphasizing that in order for plans to be realistic they must remain within the domain of available funding.

Barbara Wiggin, Councilor, City of Gresham, asked if the commission would consider a restructuring of Metro that would ensure that cities would have direct representation on the regional government. She voiced her concern that citizens would lose their ability to have direct contact to their local representatives. Now it is easy for a resident to voice a concern, complaint or suggestion to a member of their local government. Would this ease of contact be lost with the formation of a regional government? Ned Look replied that this is a very sensitive issue because of the Columbia Region Association of Governments (CRAG) and the problems that were inherent with that organization. He emphasized that this problem is a top priority with the commission. Ms. Wiggin stated that the regional government seat should not be so far away that it is hard for citizens to be in contact on a daily basis.

Ned Look asked for further comments or questions. He stated that his representation of the Multnomah County cities is of utmost importance to him and he depends heavily upon the minutes of these meetings. He hopes to have a consensus among the cities as to what they would like to see in the Metro Charter. Marilyn Holstrom asked, as the schedule of the Charter Review Commission intensifies, should this group meet on a more frequent basis? Ned look replied negatively, stating that the commission would soon be returning to their initial schedule. Discussion followed regarding the need for each city to be on the Metro Charter Commission mailing list in order to receive copies of the agendas and minutes.

Sam Cox, Mayor, City of Troutdale, stated that cities want results that will give them the most for their money. They are most interested in saving money wherever possible. Once the new charter and regional government is approved, he would like to see an escape clause enacted which would allow cities, who do not feel like they were getting their money's worth, to withdraw. He pointed out that Metro is not exactly cheap now and it is estimated that it will get increasingly more expensive with extended responsibilities. Ned Look replied that the goal is to provide improved service and to give the cities more for their money. There should be a true value on the services supplied. While they may cost more than the local cities may spend themselves, the service would be more comprehensive and of higher quality than could be supplied locally.

Barbara Wiggin asked if regional government would mean that East County Cities would ultimately end up paying for Portland's shortfalls in dealing with their storm water and sanitary sewer systems; to name just two? It was the consensus of those in attendance that this not be the case. Regional government is to benefit all who contribute and not benefit one from the contributions of all. Ned Look stated that it is best to have strong neighborhoods and cities which would watch out for themselves, but be part of a region to work together to solve regional problems.

V. NEXT MEETING

After a brief discussion, it was the consensus of all present to hold the next Metro Charter Review luncheon on November 18th, from noon to two, at the Fairview Community Center. Wood Village offered to host this meeting.

VI. ADJOURNMENT

As there were no other points of business, this meeting of the Multnomah County Metro Charter Review Committee adjourned at 1:30 pm, October 21, 1991.


Nancy DiDonato

October 28, 1991

REGIONAL PLANNING POWERS AND RESPONSIBILITIES

- I. A co-operative statement of process that provides for local and regional participation
 - A. Provides for adoption of a comprehensive regional plan with 50-year time lines consisting of:
 1. A regional framework plan
 2. Individual local plans
 3. Establish the "future vision" concept
- II. Regional responsibilities
 - A. Regional urban growth boundary
 - B. Domestic water sources of supply
 - C. Regional transportation & mass transit systems
 - D. Housing densities
 - E. Urban reserves
 - F. Urban greenspaces
 - G. Resolution of interjurisdictional disagreements
 - H. Nodes of significant development
 - I. Locations for commercial/industrial development
 - J. Section 208 of the federal Clean Water Act
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 - B. Fire protection & prevention
 - C. Local streets & transportation systems
 - D. Siting of developments, structures & facilities
- IV. Unspecified functions (either local or regional)
 - A. Storm water drainage
 - B. Sanitary sewage collection, treatment & disposal
 - C. Other functions
- V. Adoption & review
 - A. 30-month time frame
 - B. Sanctions for non-performance
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 1. 2/3 of cities in each county required
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 - A. Clear standards for the term
- VII. Periodic review
 - A. Same majority for amendments, i.e. 2/3
- VIII. "Future vision" concept--100-year horizon
 - A. Cooperative effort
 - B. Simultaneous adoption
 - C. Same 2/3 majority
 - D. Legal exemptions
- IX. Limit haphazard development of "urban reserve" areas
- X. Legislation required to reconcile inconsistencies

DATE: October 21, 1991

TO: Hardy Myers, Chairman
Metro Charter Committee

FROM: Mary Tobias, Vice Chairman

RE: Comments on REGIONAL PLANNING POWERS AND RESPONSIBILITIES

In order to come to grips with some of the concepts put forth in the "Regional Planning Powers and Responsibilities" outline submitted to the Charter Committee by Frank Josselson, Jon Egge and Larry Derr, I found it essential to rearrange the major points into several specific areas of significance.

Although the points raised in the outline are each important on their own merits, when combined into a whole, they need to proceed in a logical, sequential manner that will result in a straightforward process for future planning in the region.

To this end, I would like to present the following as an alternative to the current outline. At the same time, I would like to raise some of the questions that I believe must be answered in order to move us forward.

FUTURE VISION CONCEPT

A. Overview

1. A consensus description of a livable community that will guide the Portland metropolitan area into the next century.
2. A vision that reaches far enough into the future to withstand year to year political tests, but is not unchangeable and thereby preventing the region from responding to changing economic, social, environmental and political realities.
3. A cooperative process that provides for local and regional participation in defining the vision.

B. Process

1. Convene a steering committee made up of public and private decision makers to set out the guidelines for the project
2. Identify areas of interest or concern and establish working groups to draft the vision for each area
3. Include all interested or impacted sectors of the regional economy
4. Draft the Future Vision Document
5. Allow for public review and comment
4. Provide for regional commitment through the ratification/adoption process

C. Questions

1. How do we define (in writing) the "Future Vision Concept?"
2. Does a "Future Vision Concept" belong in the Charter?
3. How does it relate to a document of governance?
4. Who is obligated to carry out the vision?
5. Who acts as arbiter, if there is conflict between the vision and changes in circumstance (e.g., economic, social, etc.)?
6. What is the mechanism for changing the vision should circumstances warrant?

7. If any one of the regional governments, with a majority of its electorate, decides that the vision does not address the needs of its citizens, what happens?
8. Do we use the RUGGOs for the starting point?
9. Do we use Metro's Region 2040 project as a basis for the "Future Vision" document?
10. Who pays for the project?
11. What is meant by "legal exemptions" (written definition)?
12. Is there a problem with compliance with state law (statutory or constitutional)?
13. How general/specific should the "Future Vision" be in its language when defining the expected issues of growth, quality of life, etc.?
14. Should the charter provision address issues of compliance/non-compliance with the vision?
15. Should the charter set out sanctions for non-compliance with the "Future Vision" and, if so, who should administer same?
16. Does the "Future Vision" have to comply with statewide land use-goals, can it be exempted?
16. What if over time there are substantial changes to the statewide goals and the "Future Vision" is out of compliance? Who is responsible for changing the region's vision?

DESCRIPTION OF COOPERATIVE REGIONAL PLANNING

A. Overview

1. A co-operative statement of process that provides for local and regional participation.
2. Provides for adoption of a comprehensive regional plan with a 50-year time line.
3. Defines the responsibilities of both the regional government and the local governments.
4. Includes a definition of responsibilities that may be assigned to either local or regional governments depending upon which unit can most efficiently carry out the responsibility.

5. Clearly defines "Regional Significance."
6. Has the following components:
 - a. A regional "framework plan"
 - b. Individual local plans
7. Provides for a mechanism to limit haphazard development outside the Metro UGB in areas currently called "urban reserves"
8. Provides for Periodic Review at specific intervals
 - a. Local plans will have to be consistent with the regional framework plan
 - c. Local plans will have to be consistent with one another, especially in adjacent or overlapping jurisdictions
 - b. Regional framework plan will have to comply with the statewide goals

B. Process

1. Developed in a 30-month time frame
2. Sanctions for non-performance
3. Ratification/approval required by both local and regional governments, or by the voters of the region

C. Questions

1. Who develops and carries out the process of drafting the framework plan?
2. Are current local government comprehensive plans continued forward or scrapped?
3. What is the process, specifically for accomplishing this task?
4. What is the specific recommendation being made for inclusion in the charter? The process or the product?
3. How specific does the regional framework plan get in defining regional land use needs, locations, etc.?
4. Who determines which part of the region is to be assigned specific land uses?
5. How are the responsibilities of the regional government and the local governments assigned out?
6. Is there a mechanism for assigning or reassigning responsibilities in the future?
7. What is the definition of "Regional Significance?"

8. Who is responsible for developing that definition?
9. Which plan/s have to comply with the statewide land use goals?
10. How are we defining planning in this proposal - functional or comprehensive?
11. Which governments are expected to do which type of planning?
12. Is a "framework plan" different from a comprehensive plan? What is the definition?
13. What is meant by "consistent with" - consistency or compliance?
14. How does the framework plan relate to the RUGGOS?

PLANNING POWERS AND RESPONSIBILITIES

A. Overview

1. Planning powers and responsibilities should be assigned to the unit of government best able to carry out the task.
2. The assignment of powers and responsibilities should be done through a cooperative process that provides for local and regional participation.
3. Planning powers and responsibilities may be carried out by more than one level of government, if there are multiple levels to the planning process.
4. Planning responsibilities generally fall into two areas:
 - a. Regional planning
 - b. Local planning
5. Areas for consideration when assigning planning powers and responsibilities to specific governments include, but are not limited to:
 - a. Regional urban growth boundary
 - b. Domestic water sources/supply
 - c. Regional transportation & mass transit systems
 - d. Housing densities
 - e. Urban reserves
 - f. Urban greenspaces

- g. Resolution of interjurisdictional disagreements
 - h. Nodes of significant development
 - i. Locations for commercial/industrial development
 - j. Section 208 of the Federal Clean Water Act
 - k. Solid waste
 - l. Regional facilities
 - m. Public safety
 - n. Fire protection & prevention
 - o. Local streets & transportation systems
 - p. Siting of developments, structures & facilities
 - q. Storm water drainage
 - r. Sanitary sewage collection, treatment & disposal
 - s. Other functions
6. Planning powers and responsibilities need to be differentiated from the delivery of service.
7. When assigning planning powers and responsibilities, consideration should be given to service provision.

C. Questions

1. What is intended by the specific words planning, powers, and responsibilities?
1. Are all planning powers and responsibilities included or just planning for those issues of "regional significance?"
2. Should the committee consider each of the powers individually and use the draft criteria to determine which properly belong to local vs. regional government?
3. Should the charter grant broad powers to the regional government to assign powers and responsibilities? Should it require that the assignment be done in concert with the local governments?
3. How are the special districts affected?
4. What do we do about planning for other parts of the infrastructure (e.g. schools, libraries)?
5. Should the planning authority be the service provider-sometimes, always, never and who decides?

COMMENT ON
REGIONAL PLANNING POWERS AND RESPONSIBILITIES
October 21, 1991
Page 7

6. Who is currently doing what? Is it working and if not, where is it breaking down?