

A G E N D A

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METRO

MEETING: COUNCIL FUNCTIONAL PLAN WORK SESSION
DATE: September 5, 1996
DAY: Thursday
TIME: 2:00 PM
PLACE: Council Annex

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	CALL TO ORDER AND ROLL CALL	
(10 min.)	1. OVERVIEW ON FUNCTIONAL PLAN	McLain
2:10 PM (10 min.)	2. UPDATE AND PROCESS	Kvistad
2:20 PM (15 min.)	3. COUNCIL INFORMATIONAL NEEDS	Kvistad
	4. G.M. COMMITTEE UNFINISHED BUSINESS DISCUSSION ITEMS	
2:35 PM (30 min.)	4.1 Title 4: Retail in Employment & Industrial Areas	Morrissey
3:05 PM (30 min.)	4.2 Title 9: Performance Measures	Morrissey
3:35 PM (5 min.)	5. WRAP UP	Kvistad
3:40 PM	ADJOURN	



METRO

GROWTH MANAGEMENT COMMITTEE REPORT:

CONSIDERATION OF ORDINANCE NO. 96-647A, FOR THE PURPOSE
OF ADOPTING A FUNCTIONAL PLAN FOR EARLY IMPLEMENTATION OF
THE 2040 GROWTH CONCEPT

Date: September 4, 1996

Presented by Councilor McLain

Committee Recommendation: At the August 6th meeting the committee voted unanimously to recommend that Ordinance 96-647A be sent to The Metro Council as a working document. Voting in favor: Councilors McCaig, Morissette and McLain.

Committee Issues/Discussion: Ordinance 96-647A was introduced by Metro executive Mike Burton and, as introduced to Council at first reading, contained both the MPAC final recommendations and a Burton proposed title related to benchmarks. The committee held one public hearing on the ordinance and allowed written testimony thorough two additional work sessions. Over 20 individuals testified at the public hearing and 45 separate submissions of written testimony were ultimately made.

The Growth Management Committee amended the ordinance in several significant ways:

- The Office of General Council (OGC) reviewed the document for legal consistency and made revisions to the introduction and titles 1,3,5,6,8 and 10. Of particular note was a rewrite of Title 1: Requirements For Housing and Employment. The major effects of this rewrite were to: 1) clarify the relationship between capacity and density with regard to Table 1 (Target Capacity for Housing and Employment Units 1994-2017); 2) clarify what table 1 requires and what it does not; and, 3) clarify the difference between the demonstration of capacity in table 1, and across-the-board requirements for density (including minimum density) and design types, as they relate to target density;
- Adding WRPAC recommendations to Title 3, which clarify Fish and Wildlife Habitat Conservation and Mitigation Policy;

- Significantly amending Title 9 and retitling it "Performance Measures". The goal of the amendments is to change the emphasis of this title from one of reporting and evaluation to one which tightens timelines, adds corrective action procedures and directs that "The performance measures will be used to evaluate and adjust, as necessary, Metro's functional plans, Urban Growth Boundary , and other regional plans."

Several other amendments were made including adding or revising definitions in Title 10.

Committee members expressed interest in continuing deliberations on possible amendments to Title 4: Retail in Employment and Industrial Areas, after the ordinance reaches the Council level. Three different amendments are attached: the first put forward by counselor Morissette at the request of Bob LeFeber and the Oregon chapter of the International Council of Shopping Centers, the second by counselor McLain and the third an analysis of a proposal by Fred Meyer Inc.

At issue is the scope of retail enterprises in employment and industrial areas, particularly as it pertains to the size of the facility, the geographical area which is served by the facility and, possibly a differentiation of the applicability of the title to employment areas and to industrial areas.

Committee members also expressed the desire to continue discussion on certain aspects of title 9, including the content and use of performance measures and dates when specific activities are triggered. Counselor McCaig stated that she was not comfortable recommending adoption of the Functional Plan until title 9 is worked out to her satisfaction.

TITLE 4: RETAIL IN EMPLOYMENT AND INDUSTRIAL AREAS

Amendments proposed by Councilor Morissette

July 26, 1996, and Aug. 6, 1996

Section 1

Lines 436-441

It is the intent of the Metro 2040 Growth Concept that Employment and Industrial Areas contain ~~very little~~ supportive retail development. Employment and Industrial Areas would be expected to include some limited retail commercial uses primarily to serve the needs of the people working or living in the immediate Employment or Industrial Areas, not larger market areas outside the Employment or Industrial Areas. Exceptions to this general policy can be made for certain areas as identified on the Employment and Industrial Areas Exemptions Map ("Exemptions Map").

Section 2

Lines 443 & 444

Cities and counties are hereby required to, if necessary, amend their comprehensive plans and implementing regulations to ~~prohibit~~ provide a conditional use or other public hearing process for considering an application to site retail uses larger than 50,000 60,000 square feet of gross leasable area per building or business in the Employment and Industrial Areas specifically designated on the 2040 Growth Concept Map.

Section 3

Lines 448-457

Exceptions to this standard ~~may~~ shall be included for:

- A. Low traffic generating, land-consumptive commercial uses with low parking demand which have a community or region wide market, or
- B. As identified on the ~~Employment and Industrial Areas~~ Exemptions Map, specific Employment or Industrial Areas which already have substantially developed as retail areas or centers or which have been locally designated as retail areas or centers ~~may~~ shall allow new or redeveloped retail uses. Proposed refinements to the mapped areas ~~may~~ shall be considered in local compliance plans or at a later date as provided in Title 8.

**METRO**

Date: August 1, 1996
To: Councilor Susan McLain
From: *LS*
Larry Shaw, Senior Assistant Counsel
Regarding: Title 4 Amendments

At your request, I have prepared the following proposed amendments to Title 4 and the corresponding subsection of Title 8.

Section 1. Intent

It is the intent of Metro 2040 Growth Concept that Employment and Industrial Areas contain supportive retail development. Employment and Industrial Areas are expected to include some limited retail commercial uses primarily to serve the needs of the people working or living in the immediate Employment or Industrial Areas, not larger market areas outside the Employment or Industrial Areas. Exceptions to this general policy can be made for certain areas identified in a functional plan.

Section 2. Comprehensive Plan and Implementing Ordinance Changes Required

Cities and counties are hereby required to amend their comprehensive plans and implementing regulations, if necessary, to prohibit retail uses larger than 60,000 square feet of gross leasable area per building or business in the Employment and Industrial Areas specifically designated on the 2040 Growth Concept Map.

Section 3. Exceptions

Exceptions to this standard may be included in comprehensive plans and implementing regulations to allow:

- A. Low traffic generating, land-consumptive commercial uses with low parking demand which have a community or regionwide market in all Employment Areas as designated on the 2040 Growth Concept Map, and

Councilor Susan McLain

August 1, 1996

Page 2

- B. New or redeveloped retail uses to be located in those Employment or Industrial Areas identified as exception areas in a functional plan which already have substantially developed as retail areas or which have been locally designated as retail areas. Cities and counties may propose refinements to this section specifying exception areas for Metro adoption as amendments to this functional plan.

Page 29, lines 744 through 750 of **TITLE 8: COMPLIANCE PROCEDURES** to read:

4. Retail in Employment and Industrial Areas. Subject to the provisions of Title 4, cities or counties may propose exception areas where retail uses larger than 60,000 square feet may be allowed. Metro shall consider a local government request to establish an exception area to exempt existing or locally designated retail areas, where they can reasonably demonstrate that the requested retail area has been found to be appropriate for an exemption based upon current or projected needs within the jurisdiction.

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**METRO**

Date: August 6, 1996
To: Councilors Morissette and McCaig
From: Larry S. Shaw, Senior Assistant Counsel
Re: Title IV Alternatives

Fred Meyer Points:

1. Allow medium sized "in fill" and redevelopment retail services in Employment Areas.
2. Focus regulation on market area, not size.
3. Focus on avoiding traffic from outside the area.
4. "Neighborhood" supermarkets have about a 3-mile market area.
5. Avoid "power center" of specialty stores less than 50,000 square feet.
6. Differentiate between industrial (stricter limits) and employment areas (more flexible).
7. More flexible approach based on market areas in Employment Areas.

Section 1. Intent

It is the intent of Metro 2040 Growth Concept that Employment and Industrial Areas contain supportive retail development. Employment and Industrial Areas are expected to include some limited retail commercial uses primarily to serve the needs of the people working or living in the immediate Employment or Industrial Areas, not larger market areas outside the Employment or Industrial Areas. Exceptions to this general policy can be made for certain areas identified in a functional plan.

Section 2. Comprehensive Plan and Implementing Ordinance Changes Required

- A. Cities and counties are hereby required to amend their comprehensive plans and implementing regulations, if necessary, to limit retail commercial uses in Industrial Areas as designated on the 2040 Growth Concept Map to only those uses demonstrated to be

necessary to serve the needs of the people working within the boundaries of the Industrial Area established in the plan or regulations.

- B. Cities and counties are hereby required to amend their comprehensive plans and implementing ordinances to demonstrate the following in Employment Areas as designated on the 2040 Growth Concept Map: (1) the in fill and redevelopment for retail commercial uses is encouraged; and (2) retail commercial uses in Employment Areas are limited to those uses which are demonstrated by building size, needed parking, pedestrian and bicycle connections and market data to serve the needs of the people working and living within three miles of the retail use.

Section 3. Exceptions

Cities and counties may propose refinements to this section specifying areas of exception to Section 2 for Metro adoption as amendments to this functional plan. Exceptions may be proposed to be included in comprehensive plans and implementing regulations to allow:

- A. Low traffic generating, land-consumptive commercial uses with low parking demand which have a community or regionwide market in all Employment Areas as designated on the 2040 Growth Concept Map, and
- B. Existing, new or redeveloped retail uses to be located on land in Employment Areas which has already substantially developed as retail areas or which has been locally designated as retail areas.

METRO COUNCIL'S
WRITTEN TESTIMONY ON
ORDINANCE NO. 96-647A.

Written Documents 1 through 73

090596-1

METRO

TESTIMONY - PUBLIC HEARING

URBAN GROWTH BOUNDARY AND DENSITY INSIDE THE BOUNDARY

PORTLAND, OREGON
SEPTEMBER 5, 1996

I am against **ANY** expansion of the Urban Growth Boundary. I am against **ANY** expansion or density acceleration inside the Urban Growth Boundary. Any expansion will only exacerbate and eventually destroy not only our livability but also our quality of life. Recently the Oregon State Employment Division said the average family moving to Oregon takes a \$4,700 drop in income. State officials describe this as the value people put on the quality of life they find in Oregon. I have not heard from **ANYONE** who wants to expand the Urban Growth Boundary. I have not heard any substantiated or rational idea to increase the density within the present Urban Growth Boundary without irreparably damaging the quality of life.

Some have said that growth is inevitable. There have been times in the past when some said that "the world was flat" and "man couldn't fly". I also remember the day after the 1948 Presidential Election. The Chicago Tribune front page headlines said that "Dewey defeated Truman". I say that growth can be stopped.

The main priority according to Metro's 1992 Home Rule Charter requires adoption of a vision to "enhance livability". This is called "Future Vision". Metro's 1992 Charter Preamble says: "Metro's most important service is to enhance the quality of life for its citizens". In November 1993 Metro was obligated by the voters to "manage growth as a # 1 priority". How can anyone with integrity misjudge this mandate. We must stop growth! There are no positive aspects of growth. They are all negative.

A recent poll by Davis & Hibbits Inc. said:

64% agreed that Statewide land-use planning should NOT be abolished;

62% said that they **did not want** Oregon's population to grow.

On April 16, 1994 Governor JOHN KITZHABER said: "I don't think there's anything wrong with Oregon's size right now from a population standpoint".

Your path is clear. Listen to the people. Not the developers. Listen to the people. Not the greedy corporations. Listen to the PEOPLE. Maybe I'm asking too much of our elected officials to do what is right for the Portland Metropolitan area. Surprise me for once.

This cannot be said enough times. "Do not expand the Urban Growth Boundary!" You have already heard enough overwhelming testimony against expanding the Urban Growth Boundary and that should make your decisions easy. Do what the vast majority of citizens want. Stop this senseless and destructive expansion of our Urban Growth Boundary now!

THANK YOU,

BOB ROBINSON
2226 S.E. 25TH PLACE
PORTLAND, OREGON 97214
235-5498

NO GROWTH "A WONDERFUL LIFE"

BY
BOB ROBINSON

TESTIMONY - PUBLIC HEARING
URBAN GROWTH BOUNDARY AND
DENSITY INSIDE THE BOUNDARY

PORTLAND, OREGON
SEPTEMBER 5, 1996

There is always someone ready to say, "*no one can stop growth*" or "*we've always done it that way*". My answer to these cliches is; we must stop growth or it will stop us.

Oregon cannot sustain more growth without causing irreparable harm to our quality of life. Do you want to live in New York or Los Angeles? Of course you don't! You wouldn't be here in Oregon if you did!

What do we gain in building a massive infrastructure and not being able to breathe clean air, or drink clean water? Do you realize how fortunate we are! We still have some beauty and livability left! If we want to preserve this quality of life we must stop growth before it stops us!

A *No Growth Plan* will solve most of our livability problems. There will be no need for any Trojan Nuclear Power Plants, high-power-consuming aluminum plants, added taxes for additional schools, teachers, fireman, policeman, freeways, expensive water sources, airport expansions, prisons. The list is endless.

A *No Growth Plan* will stop destruction of the Mt. Hood Open Spaces. It would create pollution free businesses. There would be no emergencies confronting us like the costly East County Sewer funding. It would stop radical swings in property taxes. Regressive Income Taxes would be more progressive. Farm and agricultural production would be preserved. There would be substantial reduction in medical maladies from the pollution of our air and water. The long awaited solution to our garbage problems will be accomplished. We do not have a bottomless hole to dump our garbage.

2

Less government costs. Less welfare costs. Less transportation costs. We could save over \$4,000,000,000 just by rejecting the pointless unnecessary work on the South-North Light Rail.

Old Growth timber in Oregon, some of which have been standing since Columbus discovered America, will still be preserved. These majestic trees also produce water by gathering fog from cloud formations.

Billions of dollars of hard earned taxpayers money will be saved when a No Growth policy is implemented. But it must be a permanent policy. We cannot allow the greed and corruption of past agencies to infiltrate this extremely important decision making process.

We can have better social diversity within our communities and Oregon can again set the pace for better livability. Pollution and the degradation of our lifestyles and livability combined with continued growth will definitely give us the Los Angeles and New York mentality. And will surely bring us the accompanying crime, misery, and the totally unacceptable way of living that inevitably leads to the breakdown of society. Not a pretty picture. So *what do you want? No Growth or business as usual?*

are you ready to make that choice?

Oregon is watching and waiting for you to do the only *logical* thing.
STOP GROWTH BEFORE IT STOPS US!

**BOB ROBINSON
2226 S.E. 35TH PLACE
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235-5498**

OPINION & COMMENTARY

Growth doesn't just happen

By M. SCOTT JONES

Most people know that overpopulation is the most serious threat to our planet. Correspondingly, according to the Oregon Values and Beliefs survey and many other surveys conducted in recent years, most Oregonians know that local overpopulation is the most serious threat to our state.

But in staff writer Steve Suo's article in The Oregonian Oct. 24 questioning whether we should think globally and act locally by stabilizing our region's population at a sustainable level ("How about applying the brakes to growth?"), the same old naysayers are trotted out, repeating the same tired saws about why it can't be done: "Growth is inevitable," and "stopping it would be too expensive."

ECO Northwest's "No Growth Slow Growth Report," a clever apology for growth-as-usual commissioned by Metro, was again cited as evidence. Yet no mention was made about what's driving our growth in the first place. Nor was mention made of Lake Oswego's recently adopted growth-neutral policy.

A few of the skyrocketing costs of growth paid by existing residents who receive no benefits from growth were detailed, but the experts assure us that turning those costs back on the growth itself might actually discourage more people and businesses from relocating here (Gee, isn't that the goal?) and that this would be too expensive for the rest of us.

However, both Paul Hawken, author of "The Ecology of Commerce" and keynote speaker at last year's Sustainable Communities Conference, and Eugene urban planner Eben Fodor have compelling evidence that such measures would actually reduce our costs of living and improve our economy.

The misinformation put out by Metro and by many in the big-business sector is that more people than ever are moving here because it's such a great place to live that they can't help themselves.

If this is the case, then why didn't they all come here during the recession?

The real story that Oregonians are not hearing is that the growth that has been

IN MY OPINION



TIM BRINTON

“
The 'Prosperous Portland' and 'Internationalizing Portland' plans, the Oregon Economic Development Department's recruitment program and a whole slew of other well-organized marketing campaigns are the engines.
”

projected for Oregon is not going to happen on its own. It's being promoted by adherents of the old economic-growth model, which requires an ever-increasing stream of new residents and greater consumption, forcing us to further pollute our air and water and in countless other ways deplete our natural capital rather than living on our true income.

The "Prosperous Portland" and "Internationalizing Portland" plans, the Oregon Economic Development Department's recruitment program and a whole slew of other well-organized marketing campaigns are the engines of this old model by which we are being driven toward collective bankruptcy.

Because an increase in economic activity does not equal an increase in real wealth, all this will have to be scrapped in favor of some real sustainable economic development and urban planning.

We can halt growth dead in its tracks and retrieve whatever costs to current residents that doing so might incur by simultaneously putting an end to all tax-paid advertisements, recruitment and subsidies for more industries and people to move here; by converting from dependence on unsustainable business practices and becoming more locally self-sufficient; by empowering existing residents to become their own employers and by recycling our monies back into our communities where they belong rather than diverting them to board members and managers of giant corporations, a large percentage of whom don't even live here.

The Global Business Network's Scenario Planning software can demonstrate all this to those closed-system economists who haven't yet learned about the direct correlations between the economy, population, social justice and the environment.

If we expect another half a million to a million more residents, we'll probably get that disaster. As it is, if we continue growing at the rate we have been thanks to the last 10 years of growth promotion, the Portland area's population will rise to 5.5 million by the year 2040 — only a mere 3 million more than Metro has projected.

We can avert all that by planning for a sustainable population here and by retooling our economy accordingly. If we are seriously committed to both a truly healthy economy and a healthy environment, we must stop putting down population planning before we even give it a fair try.

M. Scott Jones of Southeast Portland is a co-founder of Oregonians for a Sustainable Population. Mail to the author in response to this column can be sent in care of the newspaper at The Oregonian, 1320 S.W. Broadway Portland 97201.

Submitted by:

M Scott Jones

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Questionable Assumptions are the Basis for Regional Planning

BY: M. SCOTT JONES

ONE OF THE MOST CRUCIAL decisions impacting the Portland area's long-term livability is whether to freeze or expand the Urban Growth Boundary (UGB). The UGB is fundamental to stopping urban sprawl, which despoils open lands, farms and forests. It's fundamental to stopping disinvestment and fostering reinvestment in inner city neighborhoods. It's also fundamental to maintaining a compact city through augmenting public transit, bicycling and urban parks instead of building new roads, sewers, and power lines.

But the Metro Council, spurred by pro-growth lobbyists, is poised to enlarge the UGB by about 10-12,000 acres, with 22,000 more held in a reserve "study" for even more future expansions. While the Councilors haggle over exact numbers, Metro Executive Director Mike Burton has given his blessings for an expansion of 4-9,000 acres. All this, just after Metro planners completed two years of exhaustive democratic process in which citizens overwhelmingly called for a freeze, and after Burton won his seat largely by promising to fight for one.

Burton claims he reversed his position because Metro's 1995 "Regional Forecast 1995-2020" increased to a total of about 650,000 more people for the year 2015 as compared to its previous forecast of 500,000 more. Reporters, planners and politicians alike are accepting the most recent estimate from Metro at face value. The *Oregonian* upped it to 700,000 and has repeatedly published it as a fact of life; as if life and death were inevitable.

deliberate and planned. The story begins in the deep recession of the 1980s, brought on by the U.S. Federal Reserve's strategy of raising interest rates to slow the then inflationary U.S. economy. Mortgage rates zoomed up, and home-buying and building across the country zoomed down. The lumber market died, and so did Oregon's economy. Despite Mount Hood and all that greenery (in strips along the highways), Oregon and Portland declined in population.

In response, Neil Goldschmidt, Dick Reiten (former PGE CEO), and Bill Scott (former Pacificorp CEO) formed a state-wide growth coalition and went on the offensive, heavily recruiting businesses to Oregon through preferential tax rates for businesses, state grants, and promises of privileged access to government. Companies came. People came. The expansion of high-tech industries is the most dramatic result of this concerted marketing campaign of the last ten years.

Thus, neither the recession and slow growth of the early '80s nor the growth

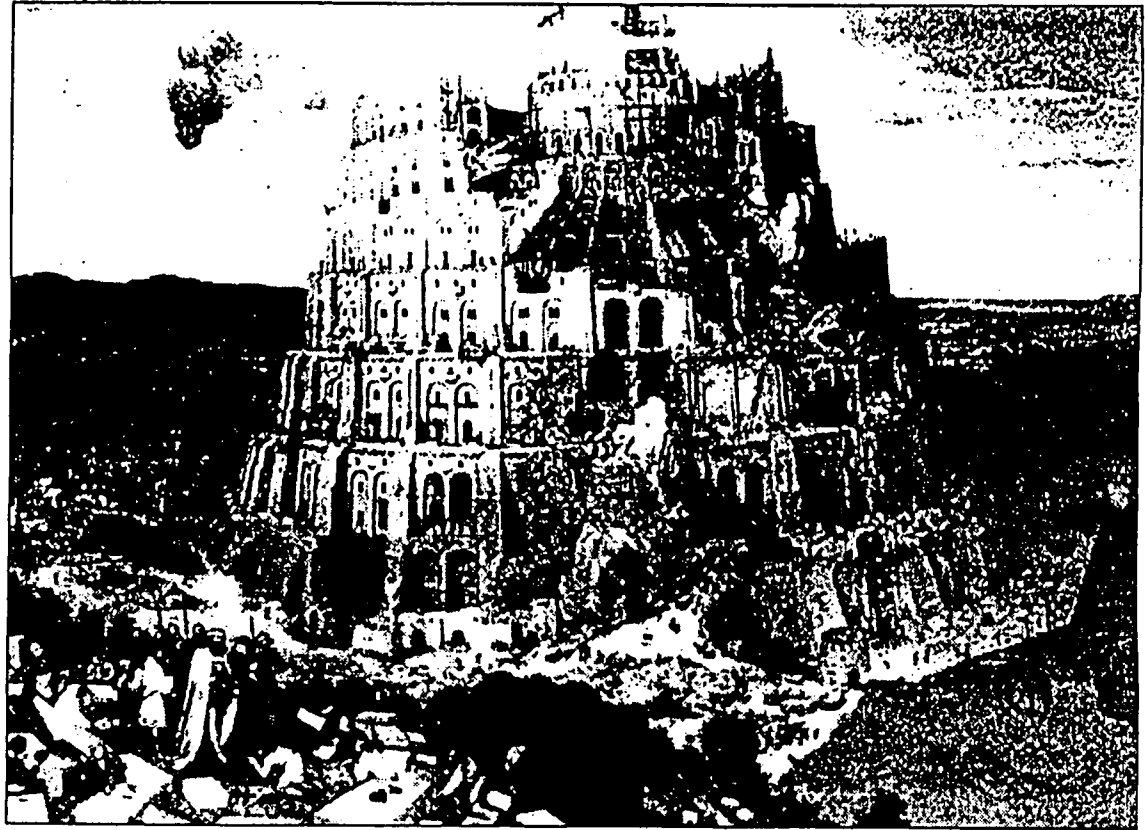
have declined. The state is cutting school budgets to expand prisons. The average Oregonian works for less pay and less quality of life.

The first growth spurt did lower high 1980s unemployment. But no city can lower unemployment much below the U.S. average no matter how much growth it creates. This is because desperate people flood to places with jobs, nullifying any ostensible effort to improve the lot of existing residents. And millions of people are ready to relocate here in search of jobs because the U.S. Federal Reserve now

positive. More subdivisions, more clearing up of oil and chemical spills, more prison-building, all create a "positive" GDP. The more gas burned in lengthening commutes on congested roads, the higher the GDP. The more money spent on cancer treatment, the higher the GDP. Conversely, loss of open land, degradation of water and air, loss of renewable resources—none of these are subtracted from GDP.

At heart, the Metro report is crude business ideology: the notion that growth is good and natural and not a matter of political choice, and that income growth

Tower of Babel, by Pieter Brueghel



as it, like death and taxes, it's inevitable. The basic posture from the city, county, and Metro is, "We'll try our hardest to preserve our fair city, but Portland is so attractive that realistically nothing can be done to halt the population surge." To date, no elected official has challenged the forecast. Thus armed, the pro-growth lobbyists are applying their political muscle.

But the estimate is deeply flawed. It's based on assumptions that decisions about economic growth and population should be in the hands of real estate and corporate enterprise responding to uncontrollable market forces. Its most questionable assumption is that the super-heated local growth trends of the early 90s will continue into the future.

Will Portland's tri-county area population really grow by 500,000 to 650,000 within the next twenty years? Between 1989 and 1994, the region, including Clark County, grew by about 2.5 percent a year. In contrast, between 1980 and 1988, it grew less than 1 percent a year. (Oregon's total population actually fell by 25,000 in 1982 and 50,000 in 1985.) And even though growth leveled off in 1995, Metro economist and forecast author Dennis Yee predicts that, thanks to projected industrial expansions, it will continue at close to 2 percent for the next twenty-five years, resulting in 650,000 more people by 2010.

The fast growth rate in the early '90s didn't occur by force of nature. It was

growth of the early '80s nor the growth boom of the early '90s were inevitable. Nor had they much to do with our state's natural beauty: it certainly didn't grow more beautiful in the early '90s than in the early '80s. This region's pain in the '80s and its subsequent explosive growth have resulted from deliberate policies. Therefore, instead of assuming, as does Metro and other officials, some high rate of growth, Portlanders should be talking about what kind of economy and popula-

maintain unemployment at an official 6 percent (actually close to 20 percent, if you consider "discouraged" workers, involuntary temps and part-timers). Young people and dislocated workers have to compete with newcomers for the jobs, most of which are low-paying and unstimulating.

Even if political leaders and planners don't believe their own eyes, standard statistics on the state's environmental decline

will be evenly distributed. On the contrary, growth has been profoundly malignant, a result of the activities of business elites masquerading as civic benefactors.

Driven by top-down investment games, growth rides on turbulent after-shocks from interest rate adjustments, inflation, tax ploys, and employment fluctuations, creating boom-bust cycles. Surely it's exciting and profitable to stock market gamblers, venture capitalists, non-sustainable growth-dependent industries, transnational corporations, and land and housing speculators. But these cycles are leading to higher underemployment and unemployment, a larger gap between rich and poor, economic instability, and population explosions in some places and decline and desolation in others (such as central U.S. cities like Detroit).

Instead of adjusting for growth, planners should replace the economic policies and assumptions of growth with economic plans for a livable future, plans for a stable regional-based ecological economy. It's time to retool for sustainable economic development, which will result in a better economy, to replace economic growth, which only results in a bigger economy.

This region will grow by 500,000 to 700,000 people over the next twenty years, and pressure for further UGB expansion will continue to build, if the public permits a predatory business elite to continue to set policy. Instead, Portlanders can throw out the Metro projections and begin thinking about what kind of economy they want in the best interest of all—what the region's limited "Earth capital" can support—and the economic measures to get there. ■

At heart, the Metro report is crude business ideology: the notion that growth is good and natural and not a matter of political choice, and that income growth will be evenly distributed. On the contrary, growth has been profoundly malignant, a result of the activities of business elites masquerading as civic benefactors.

tion levels they want. Residents don't want to engineer another recession, but have clearly voiced they also don't want to promote and subsidize growth.

Of course, growth-promoting policies do benefit some people—the economically elite. But recent policies have generated economic troubles for most Oregonians. While the region has grown, wages have fallen, even as costs of living, spurred by the influx of people, have been rising. To pay for decreased business taxes, personal taxes have increased and public services

and growing inequality of income are readily available on Metro shelves. Yet none of this is mentioned in Metro's report. Instead it proceeds from what it calls a "stand alone" GDP (Gross Domestic Product) Model, an ivory-tower economists' fantasy which assumes more GDP is necessary for the future health and strength of the region's economy. Growth is good for everyone, the report assumes, and will proceed.

But GDP is no measure of social betterment. It counts all economic activity as

Portlanders Can't Count on Forecast's Numbers

BY M. SCOTT JONES

CENTRAL TO RECENT CALLS for an expansion of Portland's Urban Growth Boundary (UGB)—particularly by new-home builder and Metro councilor Don Morissette—are Metro's population studies. Portlanders need to make an informed decision about this fundamental guardian of their livability, but journalists and Metro spokespeople have never clearly reported these studies' findings.

Last April, the three-county agency announced that the land mass within its jurisdiction would need to accommodate an influx of 645,000 more people (inflated in local media to 700,000) by the year 2015. Portrayed by Metro Executive Director Mike Burton as an unexpected surge from earlier predictions, the figure elicited pronouncements (Burton's among them) that the Region 2040 plan to freeze the UGB, would need revision so that construction on open land could continue throughout the next 20 years.

Under strong pressure from a "zero-option" movement, Burton has returned to supporting a 20-year freeze. But amidst all this expansion talk, neither journalists nor public figures have noted that Metro has been less than clear with its own population numbers.

There are good reasons to question the numbers Metro has been feeding to the public. First, the latest figure is for a different time period than Metro's earlier estimate. Second, forecasts for Washington's Clark County, which should never be included in Portland's three-county UGB planning, are added and dropped without explanation during the forecast discussions. Third, the num-

Surely with their multi-million dollar budget and sophisticated computer wizardry, Metro should know better than to believe that 500,000 newcomers will arrive within the first 15 to 20 years, leaving only 220,000 to arrive during the last 30. Aside from sound planning to stabilize Portland's population at a sustainable and livable level, only a major ecological or economic disaster could explain such an immediate and highly improbable growth-rate dip.

Burton's latest statements confirm that growth numbers are arbitrarily manipulated for public consumption. In March he assured *Oregonian* reporters that a freeze is possible because his staff has now allocated enough land within the UGB for

Amidst all this expansion talk, neither journalists nor public figures have noted that Metro has been less than clear with its own population numbers.

451,000 more residents. It's comforting to know Burton has at least privately acknowledged that the three counties won't be needing to make room for 700,000 more residents by 2015. But no explanation was given as to why he is now quoting lower, albeit still inflated, numbers. Which particular political force was Burton trying to appease at that moment?

Neither was any explanation given about what will happen to the UGB after 2015, when the rest of the purported new residents arrive, nor about what will happen if growth occurs at a far greater rate than Yee reports. What if, for instance, due

to our government's and big-business leaders' powerful growth coalitions, the three counties grow at Clark County's rate, which is almost twice as great?

Burton's spokesperson Lisa Godwin wasn't familiar enough with the numbers to discuss them in detail, but gave assurances that, whatever they were, Metro would see to it that all the growth would be "managed." If the Executive Director's leading spokesperson is uninformed, where does that leave the general public?

John Fregonese, head of the Growth Management Department, believes Portlanders have been told clearly that the publicized forecasts reflect the full four counties. But why not avoid all potential confusion by simply publicizing the lower UGB numbers, adjusted to the current population? "Too difficult," Fregonese answers. "Because the yearly database changes, it's impossible to get a perfect snapshot." However, it's not impossible to get a close approximation.

Ultimately, the question isn't when or by how many people Portland will grow. The significant question is at what population level can the region sustain itself indefinitely into the future, and by what means it can stabilize at that level. More building on open land within the UGB means less open space for inner UGB residents, more degradation of vital natural resources, and intolerable recreational conditions all across the state. Unless growth comes to a complete halt, the UGB will have to eventually expand. And expand. And expand again.

Fregonese believes that "something's gonna happen" to make the growth rate drop dramatically after 2015; either an economic downturn or perhaps local policy to slow growth, an idea, he notes, that is gain-

ing some political ground. Would he opposed to such policy? "Not if that's what the Metro Council decides," he answers.

Policy to slow growth could prove itself extremely popular today. Metro's latest public survey indicates not only that most Portlanders don't want the UGB to expand, but they also don't want increased density. Burton interprets this as Portlanders' confusion over what they really do want. On the contrary, they are quite clear. They don't want more population growth. Period. And they don't buy "mitigation" or "growth management" myth.

Even while demystifying Metro's numbers, Portlanders should take the latest forecasts, and the whole notion of any population growth in Portland as inevitable phenomenon, with a cargo of salt. Eighty-five percent of the survey respondents said they didn't think growth could be stopped (and Godwin repeated the old Metro story that only an unhealthy local economy could stop it). But the survey results did state whether these same respondents knew that the projected growth is based on heavy recruitment, giant tax breaks, taxpayer-subsidized increases in new housing stock and more children being born to residents.

Yee's methodology assumes that this is endemic to a healthy economy. "It may not be perfect," he notes, "but it's the best we can come up with." Reared by the old status quo, he has never learned how Stable-state, or Sustainable Ear Economics can replace Growth Economics as a viable regulator of local population.

Using the top-down Component Estimation Method, or "econometric model," Yee makes assumptions about growth not only from demographic records of recent years, such as annual birth/deaths and immigration, but also from known income, housing, indus-

bers cited by Burton are never adjusted to reflect actual Census counts or to align with Metro economist Dennis Yee's projections.

Metro has never fully published its "Region 2040" projections. The inflated "500,000" figure it reported in 1992 reflects the period 1990 to 2010; the April '95 figure, "645,000," reflects the period between 1995 and 2015.

Yet the numbers decrease significantly—to about 421,000—after subtracting Clark County, adjusting conservatively to reflect 1996 to 2015, and assuming along with Metro planners that the UGB will accommodate just 72 percent of the total, with the remaining influx assumed to inhabit land outside the boundary.

This practice of inflating numbers is nothing new for Metro. Its December 1994 "2040 Growth Concept" resolution, for example, stated that it had arrived at a plan for accommodating 720,000 more residents, totaling 1.8 million within the UGB by the year 2040. But by then the UGB population had already grown to nearly 1.2 million. The oft-cited "500,000 by 2010" would have increased the inner UGB population to 1.7 million, and another 220,000 more residents between 2010 and 2040 would have increased it to almost two million.



Collage by Gary Boswell

utilities, agriculture, and employment. His forecast is grounded in the notion that local population size responds primarily to external forces—implying local democracies are incapable of planning their own economies and populations. While Yee presents his projections as inevitable, he bases them on assumptions about economic activity to be generated by tax breaks for slated high-tech plants.

To legitimate his assumptions, Yee gathered a round-table of closed-system economists and financial analysts to have him confirm his forecasts. No conservationists, stable-state economists, social-justice advocates were invited to attend or comment.

A collusion among government, media, and big business to foster more growth-as-usual may not be entirely responsible for the way Portlanders are being force-fed disturbing assumptions about their future, decorated as these may be with Disneyland-esque visions of urban utopia.

But with Metro so casually manipulating its own forecast and figures, one can help have the impression that, far from perfecting the art of the long view, it is flying by the seat of its pants, ad libbing to keep Portland marketable to investors. Portlanders are being systematically subjected to a manufacturing consent for massive growth and industrialization of the region. This will only happen when enough residents call for a whole new paradigm in local commerce and population planning.

To obtain the author's spreadsheet breakdown of Metro's projections, contact K. Snow of the Oregon Natural Resources Council at 283-6343 x200.

090596-3

WESTWOOD
DEVELOPMENT CORPORATION**FAX COVER SHEET**3030 S.W. Moody Avenue, Suite 200
Portland, OR 97201-4897
503/228-3030
Fax 503/273-0217**DATE:** WEDNESDAY, SEPTEMBER 4, 1996**TO:** JON KVISTAD
METRO PRESIDING OFFICER
Telephone: 797-1700
Fax: 797-1797**FROM:** JOHN LILJEGREN
Telephone: (503) 273-0219
Fax: (503) 273-0217**SUBJECT:** Metro 2040: Functional Plan

Number of pages including this cover sheet: 3

COMMENTS:

I am faxing a two-page letter regarding 2040 and the pending functional plan. I would appreciate it if you would provide copies of this letter to other Council members and make it a part of the record. Thank you very much.

John Liljegren
5832 S.W. 52nd Avenue
Portland, Oregon 97221
Home: 245-7058
Office: 273-0219

September 3, 1996

VIA FAX AND REGULAR MAIL

Jon Kvistad
Presiding Officer
Metro
600 NE Grand Ave.
Portland, Oregon 97232-2736

RE: Metro 2040: Functional Plan

Dear Jon:

Thank you for your August 26, 1996 letter, the enclosed copy of the proposed Functional Plan, and your invitation to comment. I am writing as a "concerned citizen" and resident of Portland, not in any professional or business capacity. I will not, in this letter, comment on specifics of the Functional Plan. Rather, I have one point to make about the Metro 2040 process.

The 2040 process has been going on several years now and yet, to this day, the City of Portland has never told its citizens how many additional dwelling units, households, and people it plans to cram into their individual neighborhoods. The City has committed to you, the Metro Council, that it can add at least 70,704 additional dwelling units by 2017. Your adoption of any plan or report at this time assumes that the City will indeed do just that. Yet the City has never broken down its overall promised goal into the numbers that will apply to each neighborhood. I know because I've asked repeatedly for that information and have been told that it does not exist. Doesn't that seem a little odd to you? How do you know the sum of $A + B + C$ unless you first know what A and B and C are?

I live in Hayhurst neighborhood, one of about 17 neighborhoods in the Southwest Community. Coincidentally, I've been told, Charlie Hales used to be president of our neighborhood association. Our neighborhood association has been very active in working with the City on its proposed Southwest Community Plan. The City says it wants to add about 7,500 new dwelling units to the entire Southwest Community. Where exactly are these units going to go? Do you or the Council know whether 7,500 is realistic? Does the City?

Metro has been proceeding for years on the assumption and belief that the citizens have given clear direction that we want more density rather than sprawl. Yet to this day Metro and its 27 jurisdictions have never told us what the "price" is for that tradeoff. By "price" I don't just mean dollars. I mean all the consequences: higher density in their neighborhoods, changing character of

Jon Kvistad
Presiding Officer, Metro
September 3, 1996
Page 2

neighborhoods, more congestion, other transportation issues, impacts on schools, and impact on infrastructure and the environment.

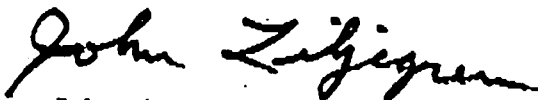
Don't you think the citizens of Hayhurst (and other neighborhoods) might feel differently about expansion of the Urban Growth Boundary depending on whether the "price" of zero expansion is 5 more units in our neighborhood, or 50, or 500 or 1,000? What is the price? The Council doesn't know. The City isn't saying. John Fregonese is reported in today's *Oregonian* article by Greg Nokes to say that "existing neighborhoods that are already fully developed wouldn't be affected by the increased densities." That certainly is not true for Portland neighborhoods.

Until Metro and its 27 jurisdictions tell their citizens the number of additional housing units they must accept in their neighborhoods, and then give those citizens a chance to say how they feel about accepting such added density, you haven't really even yet arrived at the starting line in the public debate about Metro 2040.

What, then, would I like the Metro Council to do? I'd like to see you slow down the process and require Portland and the other 26 jurisdictions to tell you and their citizens exactly where they propose putting the promised dwelling units. Then give the citizens a meaningful opportunity (not some hearing with 3-minute time limits) to discuss whether they are willing to go along. Then we will know what price the citizens are truly willing to pay to implement Metro 2040.

Thanks for the opportunity to comment.

Sincerely yours,


John Liljegren



CITY OF GRESHAM

Community Development Department
1333 N.W. Eastman Parkway
Gresham, OR 97030-3813
(503) 661-3000
FAX (503) 669-7446

September 5, 1996

Presiding Officer Jon Kvistad
METRO Council
600 NE Grand Ave.
Portland, Oregon

RE: URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

Dear Presiding Officer Kvistad,

General Comments:

The City of Gresham recommends METRO Council adoption of the proposed Urban Growth Management Functional Plan, as endorsed by MPAC and the Executive. MPAC's unanimous Plan endorsement is another historic first for this region. To our knowledge, it is the first time that U.S. metropolitan governments have willingly asked their region to impose far-reaching growth management measures on themselves.

This Plan is the result of nearly a year's policy deliberation of MPAC. It is the charter for a new era of planning partnership between local governments and Metro. The Council can best support this remarkable partnership by adopting the Plan without major amendments. Then we can all get moving to implement the Plan.

Gresham is already doing that. On August 6th, the Gresham Council endorsed the MPAC-recommended Plan by Resolution (attached). At the same time the Council approved an implementation program, telling how and when Gresham will adopt Plan required measures. On the evening the Council adopted Gresham's revised parking standards, which substantially implement Title 2 of the Plan. As a first step to implement Title 1, we are in the process of developing a new "Small Lot" district for all low density residential lands in the city. The city's efforts and the importance of the regional plan measures were recognized editorially by the Oregonian (August 16th) and Gresham Outlook (August 21st).

Specific Comments:

Our specific comments are limited to: Title 1, Section 3, where the Growth Management Committee deleted MPAC language; Title 2 and 4, where major amendments were properly rejected by the Growth Management Committee; Title 9 Performance Measures, where MPAC had no input.

Title 1, Section 3, B Housing and Employment Accommodation
Proposed Amendment: Insert between first and second sentences of Lines 132-136:

"For any area designated as a Town Center, the plans and implementing ordinances shall not permit a target density equal or greater than the target density for Regional Centers."

This amendment clarifies language the Growth Management Committee deleted from the MPAC -recommended draft. Section 3, B was extensively amended by the GMC to clearly list the Target Densities for each Growth Concept design type. This is fine. However the GMC revised language overlooked a key element in the original MPAC version. MPAC's version of Section 3 stated (Lines 108-112, MPAC draft):

"Local plan and zoning provisions may permit or require development at densities with exceed the 2040 Growth Concept target densities and the Expected Livable Share Capacity listed in Table 1, if such provisions are otherwise consistent with the 2040 land use types described in the Growth Concept." (Emphasis added)

MPAC's intent in this language was to clearly distinguish desired density and functions of Regional and Town centers. Metro counsel advises that the general MPAC language (referring to the Growth Concept) did not accomplish this and have suggested the specific amendment above.

The original MPAC language and the proposed amendment aim for a balanced hierarchy of Regional and Town Centers at the core of the 2040 Concept. Regional and Town Centers each have distinctive density, functions, mix and scale of uses. E. G. If a regional scale commercial center is jammed into a smaller Town Center, simply on the theory that more density is better, we disrupt the balance and diminish the potential of adjacent Regional and Town Centers. Therefore, the amendment aims at the balanced implementation of the target densities in Regional and Town Centers.

Title 2: Regional Parking Policy

A joint MPAC/JPACT Subcommittee, including development industry representatives, labored long and hard to come to agreement on this measure. As the Oregonian noted: "Sprawling parking lots may be paving the way to a costly expansion of the urban growth boundary, and travel to and from those parking lots may be driving the metro area to stricter pollution controls." (August 16th)

Metro's measure is an incremental step that we will monitor and improve as it is implemented. Consolidating and economizing land used in parking does more than affect the ultimate number of spaces or land area devoted to parking. Unlimited parking unconsciously drives us into an auto-dependent land use pattern. This measure helps the region rethink its land use patterns, one parking lot at a time. We ask that you adopt it as proposed by MPAC and the GMC.

Title 4: Retail in Employment and Industrial Areas

At the GMC Councilor Morissette offered several significant amendments to this measure, which in effect would reverse the intent of this measure. On the assumption that these amendments may be offered again, we want to state our objections to such changes. Section 1 (Line 457) state: "it is the intent of the Metro 2040 Growth Concept that Employment and Industrial areas contain *very little* retail development"

Section 2 requires local governments to amend plans to prohibit large scale retail uses (50,000 sq. Ft. Plus) in those areas. This proposal is consistent with the RUGGO on

Industrial areas and Employment Areas, which refers to retail uses: "limited to size and locations intended to serve primary industrial uses" and "primarily to serve the needs of people working or living in the immediate employment areas not larger market areas outside the employment area."

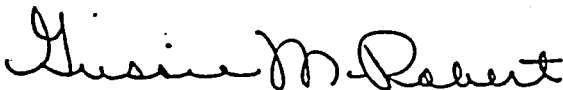
The potential amendments, which the GMC rejected, undermine the viability of Regional Centers, as well as Industrial and Employment Areas. Councilor Morissette's GMC proposal to Amend Title 4 changes the intent of the measure from "very little" to "supportive" retail development and requires local government to allow large scale retail (60,000 sq. ft. plus) as conditional uses in Industrial and Employment Areas. These amendments just do not fit with the RUGGO, which emphasizes limited retail size, location and market in these areas.

Title 9: Performance Measures

MPAC has supported Benchmarks or Performance measures for several years. However, Title 9 was introduced following MPAC's review. The proposed timing frequency, and scope of this performance review of the Functional Plan need to be examined closely by MPAC prior to METRO adoption. The GMC added provisions (Section D) stating that performance measures will be assessed biennially starting March 1, 1998, with a recommendation by Sept. 1, 1998 for "corrective actions" affecting functional plans, the Urban Growth Boundary or other regional plans. This first review could occur before local governments adopt Plan measures. A two year cycle could become a constant treadmill of Functional Plan corrections and local amendments, before local plan changes have a chance to kick in effectively. As the proposal is to adopt actual performance measures 3 months after the Functional Plan or Regional Framework adoption, we ask that the review cycle also be determined as part of the Performance Measures.

Gresham appreciates the Council's support of this historic partnership for our region.

Sincerely,


Gussie McRobert, Mayor

cc: Council, Bonnie Kraft, Max Talbot, Richard Ross, Jeff Davis

Attachments: Gresham Resolution, Oregonian Editorial, Outlook Editorial

COUNCIL MEETING

CITY OF GRESHAM

DATE: August 6, 1996

ITEM NO.: H-4

TITLE: RESOLUTION NO. 2045 SUPPORTING LOCAL IMPLEMENTATION OF THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

ITEM: This resolution supports local implementation of Metro's Urban Growth Management Functional Plan by future amendments to the city's comprehensive plan and implementing ordinances. The Functional Plan is intended to provide a mechanism for early implementation of key provisions of the Regional Framework Plan. The Metro Council, by Charter, is required to adopt a Regional Framework Plan by December 30, 1997. The Framework Plan is intended to be a regional growth management plan which will guide growth and development to the year 2040.

This item was first heard on July 16, 1996, but was rescheduled due to changes to the Plan which were received by the Office of the City Manager on July 16th.

RECOMMENDED COUNCIL ACTION: Move to approve Resolution No. 2045 supporting local implementation of the Urban Growth Management Functional Plan.

COUNCIL GOAL(S) NO.: Goal No. 7 - MANAGE GROWTH AND CHANGE CONSISTENT WITH THE GRESHAM 2020 AND METRO 2040 PLANS.

MANAGEMENT PLAN: Core Business Functions, Long Range Planning, Actively participate in the Region 2040 planning process.

BUDGET IMPACT: None.

ADDITIONAL INFORMATION:

Max Talbot, Community Development Director, 618-2661
Richard Ross, Project and Policy Team Manager, 618-2378
Jeff Davis, Lead Long Range Planner, 618-2417

REVIEWED BY:	B&B	N/A	CAO	15/127	CDD	MM7	DES	N/A
	FES	N/A	FIS	N/A	HRD	N/A	OCM	N/A
	POLICE	N/A	OTHER			N/A		

CM 1-9 AIC Name/Title

ATTACHMENTS:

1. Additional Information Memo
2. Urban Growth Management Functional Plan
3. Council Resolution No. 2045



TO: Gresham City Council

FROM: Jeff Davis, Lead Community Planner

DATE: July 18, 1996

SUBJECT: Metro's Urban Growth Management Functional Plan

What you are considering?

The Metro Charter established the requirement that Metro adopt a *Regional Framework Plan* by December 30, 1997. The city will be required to ensure that the *Gresham Community Development Plan* is consistent with the *Regional Framework Plan* within two years of its adoption.

The Metro Council has adopted the *2040 Growth Concept and Map*. These documents provide a general outline of the *Regional Framework Plan*. The Growth Concept is based on the concept of creating a more compact urban form. It describes regional land use categories (Regional Centers, Town Centers, Corridors, Main Streets, Neighborhoods, Open Spaces, etc.). The 2040 Growth Concept Map identifies the location of the land use categories. For example, downtown Gresham is a designated Regional Center.

Metro is drafting the *Urban Growth Management (UGM) Functional Plan* which is scheduled for adoption in September, 1996. This Plan is intended to provide a mechanism for early implementation of key provisions of the *Regional Framework Plan*. Once adopted by the Metro Council, the city will have 18 months to make necessary changes to its comprehensive plan and plan map to conform to this Functional Plan. Initially, this expedited planning effort was called the *Metro 2040 Early Implementation Measures*. On October 3, 1995, Council passed Resolution No. 1970 supporting this early implementation of Region 2040. Early implementation has been promoted due to rapid growth in the region.

The draft UGM Functional Plan recommended by MPAC on July 10, 1996 and endorsed by the Metro Executive. Three significant changes have been made to the initial draft -- they include a

revised Title 3 -- Water Quality, a new Title 7 -- Affordable housing and a new Title 9 -- Benchmarks.

The language of the proposed UGM Functional Plan generally provides a standard option (design option) or a local option (performance standard) to meet the Functional Plan requirements.

At the June 17, 1996 joint meeting of the city council, planning commission and Transportation System Citizen Advisory Committee (TSCAC) meeting the staff provided an overview of the elements of the draft UGM Functional Plan. Following that presentation, the council, commission and TSCAC attained concurrence in support of the UGM Functional Plan. Also, staff was directed to draft a Resolution which supports local implementation of the UGM Functional Plan.

What are the underlying issues?

Metro has developed Household and Employment Allocations for 2017 for each jurisdiction in the region (Table 1, UGM Functional Plan). These allocations give each jurisdiction a proportionate share of growth within the current Urban Growth Boundary (UGB). Under the UGM Functional Plan, the city is required to accommodate this growth within the UGB or show why it can not do so using a methodology prescribed by Metro. In a preliminary review, all jurisdictions examined the Metro allocations. MTAC and MPAC concluded that the projected growth can be accommodated with the current UGB.

In 1991, the state adopted the Transportation Planning Rule (TPR) that Metro and the city are required to use in their transportation planning work. Both the TPR and Title 6 require the city to make changes to its comprehensive plan that improve street connectivity and provide greater pedestrian, bike and transit access. The requirements of the TPR will be incorporated in Metro's Regional Transportation Plan in 96-97, which is part of the Functional Plan.

At this stage, Metro is attempting to contain the growth allocation inside the existing UGB. There are interest groups pushing for an expansion of the UGB. In five years, Metro will be required to re-examine the amount of land and may need to expand the UGB. This analysis is required by a new law (HB 2709). The Gresham allocations proposed by Metro through 2017 show an additional 16,817 households and 23,753 employees within the city's planning area.

Metro is also in the process of identifying Urban Reserves (rural area for future urbanization). Several thousand acres of land directly south of Gresham are under study.

What part of the city will see the most change?

The Metro UGM Functional Plan generally assumes that single family lot sizes will need to be around 5,300 sq. ft. Therefore, the vacant low density zoned (LDR-7 and LDR-5) areas in southeast Gresham will eventually developed at a slightly higher density than now would be the case.

Areas along designated Transit Corridors (most of the arterial streets) will need to be redesigned (in some cases) for mixed-use developments, including opportunities for higher density multi-family units in current commercial districts.

The Rockwood Triangle (the area boarded by 182nd, Stark and Burnside) is a designated Town Center. Therefore, higher density mixed-use development opportunities must be provided.

Modified development standards for industrially designated sites need to be made to ensure that land is reserved for industrial uses and supportive commercial activities where appropriate.

The city's past work on the Downtown and Civic Neighborhood Plans is consistent with the Gresham Regional Center 2040 designation. The prime challenge in these areas is to implement these plans.

What is the process to show that the city can accommodate the projected growth?

The city is required to do a technical analysis designed by Metro to determine if the city's comprehensive plan and plan map will allow the projected amount of development (households and employment) to occur. The technical analysis is required 24 months after the Functional Plan is adopted by Metro Council. The city's preliminary analysis concludes that Gresham can accommodate the growth allocation, as long as city plan changes occur consistent with the Functional Plan.

If the growth allocation cannot be accommodated, what will the city be required to do?

If the city cannot prove, after the changes anticipated in the next 24 months are in place, that its comprehensive plan and plan map will allow the allocated growth to occur, the city would be required to further change its comprehensive plan and plan map so that it could accommodate the projected growth.

The city could request an exemption from the requirement to accept the allocated number of households and employees. However, the city would have to prove to Metro why it is reasonable to grant this exemption and propose where the growth could be accommodated outside the city boundaries.

How will the growth allocation affect the type of housing developed in the city?

New single family housing developments on vacant, underutilized or redevelopable low density residentially designated land will need to be planned for a slightly higher density (about 2 units more per acre from an average -- per acre view). However, since most of the single family areas have already been developed, established areas will see little or no change.

Higher density multi-family and mixed use developments will need to take place along Transit Corridors, near transit stations, and in the cities two designated centers to conform to the Functional Plan.

Where will the street connectivity standards apply?

The Regional Accessibility section (Title 6) of the UGM Functional Plan contains the "design option" requirement for local street right-of-ways, including new local and collector streets spaced a maximum of 660 feet apart, that cul-de-sacs be no longer than 200 feet, and that local streets be no more than 28 feet pavement. This section also supports boulevard type main streets (per the Gresham 2020 Plan) within 2040 Regional and Town Centers, Station Communities and Main Streets.

Connectivity requirements will be applied to newly developing areas and not to the small number of vacant parcels in existing developed neighborhoods.

Where will the regional parking standards be applied?

The UGM Functional Plan (Title 2) divides the region into two parking standard zones, based on transit and pedestrian accessibility, each with different ratios for maximum parking regulations affecting new development. The UGB Functional Plan also provides for reduced minimum parking standards.

In the case of Gresham, almost all commercial areas are in Zone A -- areas with access to transit and the best pedestrian access. The proposed parking standards, now under review, are generally the same as those in the UGB Functional Plan.

Where will the new traffic congestion standards be applied?

Based on the Regional Transportation Plan (RTP) process, the UGM Functional Plan (Title 6) proposes to change the standards for acceptable levels of congestion and set mode split targets within Regional Centers, Station Communities, Town Centers and Main streets.

Jurisdictions may adopt a new reduced congestion standard for regional roads in these areas. during peak commuting hours (7 AM to 9 AM and 4 PM to 6 PM) is 100% of the capacity of the road (Level of Service E/F -- the current regional standard is a LOS of D).

The proposed acceptable congestion standard for all other regional roads would remain 80% to 90% of the capacity of the road (LOS D).

How will housing affordability be affected?

The UGM Functional Plan (Title 7) requires that local jurisdictions consider a variety of tools or incentives to support affordable housing. All these potential tools will be assessed for use in Gresham in the 1996 Housing Policy Task Force.

How will the new Metro plan for water quality and flood management impact the city?

The UGM Functional Plan (Title 3) proposes that Metro develop a model ordinance for water quality and flood management. The city will be required to conform to this once it is developed and approved by the Metro Council.

The water quality and flood management conservation title of the UGM Functional Plan has been the most rapidly changing section of the Plan. The city has already implemented much of Title 3 in its Natural Resources zoning, open space acquisitions, and stormwater plans.

What implementation steps are needed to comply with the UGM Functional Plan

The following chart outlines the strategy for developing proposed amendments to Gresham's comprehensive plan and plan map to conform to the UGM Functional Plan:

UGM FUNCTIONAL PLAN IMPLEMENTATION PROGRAM

Function Plan Titles	Local Implementation Activities	Projected Completion
Title 1. Accommodate Housing & Employment Projections	* Small lot standards/plan map amendments * Residential "infill" development standards * Multi-family at commercial center standards * Multi-family zoning along transportation corridors * Increased M-F density along transportation corridors * Rockwood Mixed Use plan * Detached accessory dwelling standards * Neighborhood commercial opportunities * Transportation Corridor standards (mixed use nodes)	fall 96 winter 96/97 winter 96/97 winter 96/97 winter 96/97 winter 96/97 winter 96/97 summer 97 fall 97
Title 2. Parking Measures	* Parking standard amendments * Develop procedure for monitoring parking develop.	summer 96 fall 96
Title 3. Water Quality & Flood Management Conservation	* Analyze Metro's forthcoming water quality and flood Management ordinance and map * If needed, propose amendments to city's water quality and flood management regulations	spring 97 summer 97
Title 4. Retail in Employment & Industrial Areas	* Amend Industrial district standards	spring 97
Title 5. Neighboring Cities & Rural Areas	* no local action anticipated	N/A
Title 6. Regional Accessibility	* Gresham Transportation System Plan	winter 97/98
Title 7. Affordable Housing	* Assess tools and incentives to support affordable housing * Develop affordable housing policy * Implementation	winter 96/97 spring 97 spring 98
Title 8. Compliance	* Prepare findings showing compliance with all applicable titles of the UGM Functional Plan	spring 98

Recommendation

Staff recommends that the Council pass the attached Resolution supporting local implementation of the *Urban Growth Management Functional Plan*.

RESOLUTION NO. 2045

A RESOLUTION SUPPORTING LOCAL IMPLEMENTATION OF THE
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

The City of Gresham Finds:

a. The Metro Charter requires adoption of a Regional Framework Plan by December 30, 1997, that addresses issues of regional significance.

b. Metro has adopted the 2040 Growth Concept and Map that provides a general outline of the Regional Framework Plan.

c. The Metro Policy Advisory Committee (MPAC) has recommended early implementation of the 2040 Growth Concept due to rapid growth in the region.

d. On October 3, 1995, the City Council expressed its support for early implementation of the Region 2040 Plan and maintaining the current urban growth boundary by Resolution No. 1970.

e. Metro is drafting an Urban Growth Management (UGM) Functional Plan for early implementation of the 2040 Growth Concept based on recommendations of MPAC, the Joint Policy Advisory Committee on Transportation (JPACT), and the Water Resource Policy Advisory Committee (WRPAC).

f. After Metro's adoption of the UGM Functional Plan, currently scheduled in September 1996, all 24 cities, including Gresham, and three counties within the Metro region will have 18 months to effect changes required by the plan.

g. On June 17, 1996, the Gresham City Council, Planning Commission and Transportation System Citizen Advisory Committee reviewed the draft UGM Functional Plan and concurred in their support of the plan.

THE CITY OF GRESHAM RESOLVES:

The City Council expresses its support for local implementation of the Urban Growth Management Functional Plan.

Yes: McROBERT, GALLAGHER, LaVERT, HARSHMAN, NOAH, MOORE

No: NONE

Absent: EICHNER

Abstain: NONE

Passed by the Gresham City Council on AUGUST 6, 1996.


City Manager


Mayor



FRIDAY, AUGUST 16, 1996

(Un)paving the way

Gresham decides that increasingly scarce land should be used for people, not parking

Gresham put parking limits on new businesses last week, hoping to conserve land and protect air.

That makes a lot of sense: Sprawling parking lots may be paving the way to a costly expansion of the urban growth boundary, and travel to and from those parking lots may be driving the metro area to stricter pollution controls.

It's important to watch how parking limits work in Gresham, because all the cities and counties in the region may be required to adopt them under a plan being written by Metro. That plan includes other space-saving measures such as minimum densities for housing.

Gresham's parking maximums are determined by the type of business, such as restaurants, banks, supermarkets, offices and stores. Existing businesses are not affected. The limits are not as severe as first proposed, and now reflect the relatively lenient numbers in Metro's plan.

Parking limits are only a small piece of the growth management puzzle. Other pieces are required to make them work, especially adequate transit and cities and neighborhoods that

work for bicycles and pedestrians. There are several other ways Gresham and other cities can help parking limits succeed. Multifloor structures provide an alternative to acres of surface parking. Shared and joint parking make better use of less land. For example, bank and government parking is usually vacant on evenings and weekends and could serve shopping and entertainment. Movie theater and church parking is usually vacant on weekdays and could serve workers and commuters.

There should also be room for exceptions. Gresham is working on a process that takes the right approach of putting the burden of proof on businesses. They will have to show that more parking is needed through studies of actual peak needs.

The parking limits reinforce the status of Gresham and Mayor Gussie McRobert as being among the leaders of the region's effort to grow sensibly. The city next will rezone to promote higher density. Its experiences will help point the way for everybody else who wants to conserve land and protect air.

AVERAGE LOT CONCEPT

An average lot size requirement of 5,000 to 6,200 square feet is proposed. Below are three examples of how a 43,560 square foot parcel (land remaining after streets are built) could be divided under the proposed average lot concept.

In each case the total square footage is added up (43,560) and divided by 8 (the number of dwelling units - a duplex counts as 2) which results in an average lot size of 5,445 square feet. As 5,445 square feet falls between a 5,000 square foot average (maximum allowed density) and a 6,200 square foot average (minimum required density) all three examples would be allowed under the proposed LDR district.

- Lot 1 (attached single family on 3,000 sq. ft. lot)**
- Lot 2 (attached single family on 2,000 sq. ft. lot)**
- Lot 3 (attached single family on 2,000 sq. ft. lot)**
- Lot 4 (attached single family on 2,000 sq. ft. lot)**
- Lot 5 (detached single family on 4,500 sq. ft. lot)**
- Lot 6 (detached single family on 4,500 sq. ft. lot)**
- Lot 7 (detached single family on 12,780 sq. ft. lot)**
- Lot 8 (detached single family on 12,780 sq. ft. lot)**

OR

- Lot 1 (two-unit attached dwelling on 6,000 sq. ft. lot)**
- Lot 2 (detached dwelling on 5,000 sq. ft. lot)**
- Lot 3 (detached dwelling on 5,000 sq. ft. lot)**
- Lot 4 (two-unit attached dwelling on 6,000 sq. ft. lot)**
- Lot 5 (detached dwelling on 10,780 sq. ft. lot)**
- Lot 6 (detached dwelling on 10,780 sq. ft. lot)**

OR

- Lot 1 (detached dwelling on 5,000 sq. ft. lot)**
- Lot 2 (detached dwelling on 5,000 sq. ft. lot)**
- Lot 3 (detached dwelling on 5,500 sq. ft. lot)**
- Lot 4 (detached dwelling on 5,500 sq. ft. lot)**
- Lot 5 (detached dwelling on 6,200 sq. ft. lot)**
- Lot 6 (detached dwelling on 6,200 sq. ft. lot)**
- Lot 7 (detached dwelling on 5,000 sq. ft. lot)**
- Lot 8 (detached dwelling on 5,160 sq. ft. lot)**

OPINION

The Outlook Wednesday, August 21, 1996

PAGE 4A

Lot plan shows city is thinking ahead

If the city of Gresham's Community Planning Development Department has its way, the size of an average building lot will shrink in the future.

The plan has been thought out well and merits serious consideration.

As part of its plan for the new millennium and in an effort to fit an anticipated population growth within the urban growth boundary, lot sizes in new developments must be smaller.

The smaller-lot requirements, if passed by the City Council, would require *new* development in current low-density residential areas to have an average lot size of between 5,000 square feet and 6,200 square feet. The common minimum is now 7,000 square feet.

In addition to lot size, city planners are proposing standards for developing hillsides, transit areas and regional centers, all of which appropriately work toward achieving the regional area goal of lowering the average number of people per acre in residential areas from 11 to 14.

It is important to note that the city's Growth Management Committee has set aside last week and this week to seek input from residents and developers.

Now is the time for the public to step up and offer opinions on the way they want the community to develop.

The tentative schedule calls for the proposal to go before the Planning Commission on Monday and the City Council in September.

Planners envision that the smaller-lot requirement will not impact older, more established neighborhoods, which makes sense. After all, no one would want to tear down an older, larger, established home in order to build smaller houses.

Gresham's planners are a step or two ahead of their other Metro counterparts, because they are attempting to pass rules to limit lot size *before* the Metro regional government requires cities to do so.

The chief architect of lot-downsizing is Jonathan Harker, a respected long-range Gresham planner who astutely believes that planning now will make for a more livable community in the year 2015, when Gresham is expected to top the 100,000 population mark.

We agree with Harker's forward-thinking assessment.



CITY OF GRESHAM
COMMUNITY DEVELOPMENT
PROJECT & POLICY DEVELOPMENT
1333 NW EASTMAN PARKWAY
GRESHAM, OREGON
(503) 618-2817 FAX (503) 669-1376

FAX COVER SHEET

DATE: 9/4/96

TO: PRESIDING OFFICER JON KUISTAD + COUNCIL MEMBERS

FAX: 797-1793

FROM: MAYOR MCHURCH

TELEPHONE NUMBER 618-2306

RE:

Number of pages including cover sheet: 15

~~MESSAGE~~
Message

Please copy for all of Council Members.

Thank you
Dana



WASHINGTON
COUNTY,
OREGON

September 4, 1996

To: Kathy Christy
Rob Drake
Carol Gearin
Peggy Lynch
Lou Ogden
Susan McLain
Rob Mitchell
Jeannine Murrell

From: Linda Peters *LP*

At the July meeting of the Washington County Public Officials Caucus, we agreed to return our meeting times to second Thursdays. We have two problems about a September meeting: we haven't met to plan it, and the second Thursday is both the last Metro hearing on the Functional Plan (5:30) and a workshop here for the Beaverton Tigard Vicinity Urban Service Agreement Project (4:30-9pm). The other September Thursdays are likewise encumbered with meetings that may well involve a number of Washington Co. public officials.

Here's my proposal: meet next as a Caucus on October 10, perhaps as an expanded meeting -- both in terms of time and in terms of attendance. The agenda could cover impending 2040 decisions -- Functional Plan, Urban Reserves (the Council is scheduled to vote on the Growth Report earlier the same day) -- and/or Ballot Measure discussions, particularly #47. If we invited leadership of citizen involvement and business groups (e.g., TVEDC, Chambers) with an interest in these issues, we might kill several birds with one stone. See following "thoughts/background."

On the next page is a menu you can check off and FAX back, or you can call me with your ideas -- as soon as possible!

Thoughts/background:

While Washington County Coordinating Committee seems to work as a forum for developing *positions* on which we may agree in regional conversations, the Public Official's Caucus is, in my mind, a forum for exploring issues and options, exchanging information with each other and regional leaders, and developing common understandings of the policy issues we confront together.

I'm looking for a way that the Caucus can both serve our need to communicate as public officials around critical policy choices *and* bring a more collegial "we're all studying this together and listening to and informing each other" approach to the way we interact with our own citizen and business leader-activists around these issues. Not that we stop meeting as a Public Officials Caucus but that upon occasion we combine with other leaders to address common problems. Maybe the October meeting can be such an occasion.

Also, after yesterday's Board meeting and a long conversation this morning with Linda Gray (CPO Coordinator) and Walt Peck (county's Public Information person), I'm realizing that we need to deal with the very real threat that Measure 47 poses to our ability to plan or carry forward *anything*. So maybe we tackle the policy and communication challenges together, *with our citizen and business leadership*, in a concentrated, well-planned meeting -- a sort of one night mini-conference. If so we might want to have a representative from CCI/CIAC staff and/or TVEDC, for example, meet with us in the next week or two to plan the extended meeting and set up the invitation process with us.

Again, please FAX or phone me your thoughts as soon as possible.

I prefer to meet next:

Meet as a full Caucus October 10
Meet as a full Caucus _____

Agenda:

Functional Plan (Metro Council update post-hearings, pre-adoption)
Urban Reserves (prior to Metro Listening Posts on Urban Reserves)
Ballot measure 47

I'd prefer to meet to plan the October 10 meeting (check one or more)

After MPAC Sept. 11

Do it all by phone, FAX, and/or e-mail

With citizen involvement and/or business group reps

Possible additions/enhancements: (check one or more)

Expand meeting time to accommodate all three hot topics, perhaps 5:30 - 9:00 w/ dinner included.

Invite community leadership to join us for all or part of the meeting -- send out invitations through our CCI's, CIAC's, etc.

Invite business leadership to join us; work with TVEDC and/or Chambers to extend invitation.

An interesting option re: the Measure 47 work -- perhaps we adjourn the "meeting" at 7 or 7:30 and invite those interested to stay for informal discussion of Measure 47 impacts, related strategies, etc. ???

Please FAX response or phone me with ideas as soon as possible!

FAX -- 693-4545

Phone at work -- 648-8681

Phone at home -- 647-2301

Cell phone -- 799-4685

090596-6

VIA FAX CAROL GEARIN (503) 641-4427
E-Mail: gandgintel@aol.com

DATE: September 4, 1996
TO: Susan McLain
RECEIVING FAX : 797-1793

Faxing a total of 3 pages including the cover sheet. Any questions, please call (503) 643-4311.

COMMENTS:

Susan, please enter the following pages into public testimony at the meeting scheduled for September 5th on the Regional Functional Plan.

I regret not being able to attend the meeting and deliver testimony in person, however have a work commitment I cannot ignore.

I will be happy to meet with or answer any questions or comments the Council members might have.

Carol Gearin



THE ABOVE INFORMATION IS CONFIDENTIAL AND INTENDED ONLY FOR THE INDIVIDUAL(S) LISTED ABOVE. IF YOU RECEIVE THIS FAX IN ERROR, PLEASE NOTIFY ME AT (503) 643-4311. THANK YOU.

05-05-1996 07:18AM FROM Gearin 10 7971793 P.02

My name is Carol Gearin, 2420 N.W. 119th Avenue, Portland, OR 97229. I am a member of the Board of Directors of Tualatin Valley Fire & Rescue and the Executive Board of CPO #1. I offer the following testimony as a private citizen.

In his July 16, 1996, letter to Councilor Susan McLain on the Regional Functional Plan (RFP) draft, Jon Chandler, General Counsel for the Home Builders Association of Metropolitan Portland, states in the fourth paragraph: "I know that there has been a fair degree of press attention to this issue, and there have been open houses, traveling presentations, forums, and so forth, and there have been reams of papers prepared describing what is taking place - while all of these activities are meritorious, there still is not a great deal of public understanding about the work METRO is doing or the decision soon to be made on the public's behalf. This is not a criticism of METRO, but the fact is that there is a core group of land use aficionado's and citizen activists who attend the various communication events and pay attention, but no one else is listening yet."

I am one of those **citizen activists**. I have read several drafts of the RFP; I have attended a variety of meetings and open houses; I have read reams of materials and talked with a number of individuals. I find that in this instance, I must agree with Mr. Chandler. I would not have done so six months ago. However, because I am the Newsletter editor for CPO #1, I am frequently mistaken for a Washington County employee and receive telephone calls from citizens - frequently addressing newly occurring or planned developments in or near the caller's neighborhood. No one has, as of yet, praised the increased densities. Usually the caller is quite upset and angry. While all of the callers to date have agreed they want to hold the UGB, they do not like, nor agree with, the increased densities in their neighborhood.

Although I presumed I understood exactly what increased densities would mean to my community, over the past months I have come to believe I truly **did not comprehend** all the ramifications involved. I also believe that much of talk surrounding the RFP has been delivered with a dose of honey. It is now time to strip away all frills and talk bluntly with citizens. Increased densities will mean many of the things addressed in Mr. Chandler's letter. Citizens need to be clearly aware that increased densities will mean more traffic, less parking, longer travel times, more neighbors arguing concerning: barking dogs, noisy children, noisy adults, overhanging trees and shrubs, smoke from bar-be-ques, cooking odors, second hand cigarette smoke drifting into their house, unkempt lawns, noisy stereos, televisions, indoor invasion of outdoor lighting, etc. As a volunteer in a mediation program, these very issues are ones we currently address - with increased densities, the complaints can only escalate.

I must agree with the concerns expressed by the Washington County Coordinating Committee in their letter to the METRO Council dated August 9, 1996 - in particular their belief that **minimum densities** are not suitable for all areas. In Cedar Mill, many areas north of Cornell Road presently zoned R-9 - are hilly, have no sidewalks, curbs or bikepaths/ - bus/transit service is non-existent and, according to Tri-Met, not anticipated in the near future. As I testified to the Washington County Board of Commissioners, high density development in these areas will simply throw additional vehicle traffic on already congested roadways. It has been stated that we could

page two (cont.)

achieve the necessary densities with compact development along the Light Rail lines and major bus routes; while existing neighborhoods would need only add one additional residence on each block. This is not what is transpiring. While development is occurring according to present zoning restrictions, would the 80% densities be built, particularly in already existing neighborhoods with larger lot sizes, if 2040 regulations were not on the horizon? On the 2040 map, much of this area is listed as outer neighborhoods and should be down-zoned. Higher densities can be built, but local jurisdictions need to be given more latitude as to where.

Prior to adopting the RFP, and afterwards, I urge you to address with the local governmental entities the concerns expressed by WCCC and Mr. Chandler. I ask you to enter into conversations with citizens and to out-line exactly what increased densities entail without adding the "honey" to mask the "bad taste". In addition, whether speaking with representatives of local jurisdictions or just plain citizens, I strongly urge that you define the words "livability" and "quality of life" as you understand them. I am convinced we are presently all working from dissimilar definitions of these terms. Unless we, collectively, begin to visualize the same definitions, the RFP is in trouble. Citizens not only need to know, they have a right to know, what you, their elected officials, visualize as a "livable" community, because they may not agree with your vision. They have a right to know how you define "quality of life" - and you had better ask for and obtain their definitions. Citizens need to understand what these "buzz words" imply for their community and specifically for their immediate neighborhoods. If citizens are to be partners in this plan, it is past time for plain talk.

METRO has done much reaching out to the communities. They need to reach more.

Thank You

9/5/96

090596-7

CITY OF HILLSBORO



September 4, 1996

Fax Transmitted Letter

Honorable Susan McClain
 Metro Councilor
 600 Grand Avenue
 Portland, OR 97232-2736

RE: Adopted City Council Comments on the Proposed Metro Urban Growth
 Functional Plan (dated Aug. 23rd).

Dear Susan:

At its regular meeting last night, our City Council voted to approve the accompanying letter and attachments for submittal as City of Hillsboro testimony on the above-captioned Functional Plan for consideration by the Metro Council at its September 12th public hearing. The letter and attachments are being faxed to you to apprise you of the City's issues and proposed amendments to the Plan text (and their rationale) prior to our Friday meeting. The meeting is scheduled for Friday, 8:30 am, in Conference Rm. A located in the City Manager's offices at the Washington County Public Services Building in Hillsboro, Suite 150. We are very pleased to have this timely opportunity to discuss the Functional Plan with you.

Again, thank you for agreeing to meet. If we can assist you further regarding the meeting's subject matter or logistics please call me at 681-6156.

Sincerely,

CITY OF HILLSBORO PLANNING DEPARTMENT

Winslow C. Brooks
 Planning Director

attach:

Post-It® Fax Note	7671	Date	9/4/96	# of pages	23
To	Susan McClain	From	Wink Brooks		
Co./Dept	Metro Council	Co.	Hillsboro		
Phone #	797-1553	Phone #	681-6156		
Fax #	797-1793	Fax #	681-6245		

CITY OF HILLSBORO



September 3, 1996

Honorable Jon Kvistad, Chairman
and Members of the Metro Council
600 NE Grand Avenue
Portland, OR 97232-2736

RE: Hillsboro's Comments on Metro Council "Working Draft" of the Proposed
Metro Urban Growth Functional Plan (dated August 6, 1996)

We respectfully offer the following comments on the above-captioned Plan for your consideration.

Title 1, Housing & Employment Accommodation:

- We support the 2040 Station Community design concepts and target densities proposed for Hillsboro established in the RUGGOs.
- We continue to oppose the imposition of mandatory minimum residential densities outside Station Communities, under Title 1, Sec. 2.A. Cities and counties need regulatory flexibility to permit the development of a variety of residential densities that, collectively, accommodate the necessary 2017 housing units capacities established in Table 1 of Title 1 at the citywide as well as traffic analysis zones (TAZ) levels. Title 1, Sec. 2.A. should be rewritten accordingly as shown in Attachment "A", Item No. 1.
- Although the City may be able to accommodate the added 14,812 dwelling units and 58,247 employees in Hillsboro forecasted within the City limits by year 2017¹ (with 9,758 units and 20,338 employees allocated to the centers, station communities and mainstreets in the City limits), we want the following application of Metro year 2017 forecasts within Hillsboro:
 1. More of the forecasted 2017 housing units capacity for Hillsboro should be allocated to the Mixed Use Areas (centers, mainstreets, station communities) in order to avoid the need for smaller zoning lots (ie. 5,300 sq. ft. lots) within Inner Neighborhoods.²
 2. The distribution of Hillsboro's fair share of 2017 dwelling units and employees among the Traffic Analysis Zones (TAZs) in our Planning Area

¹ The 14,812 dwelling units and 58,247 employees reflect the Planning Department's "Round 2" allocations contained in an April 30, 1996 Memorandum submitted to Metro and referred to in this document. These capacities represent Hillsboro "fair share" of the forecasted regional 2015 housing units and employees

² The Metro Buildable Lands Analysis (Appendix "C") indicates that 8.2 dwelling units/acre are required within Hillsboro's "Low Density Residential (R/L)" neighborhoods in order to comply with the target density of the 2040 Inner Neighborhood design type. Residential zoning lots that contain 5,300 sq. ft. are needed in order to satisfy the 8.2 units/acre target density.

should reflect the City's recommendations to Metro contained in our Planning Department memorandum dated April 30, 1996 (See. Attachment "B").

3. The 2017 dwelling units and employee forecasts in Table 1 of Title 1 should recognize Hillsboro's planning jurisdiction within a "Planning Area of Interest" established by a City/Washington County Memorandum of Understanding and encompassed within the Hillsboro "Planning Area". (Nine (9) TAZs, that are not located in the City limits, are nevertheless covered by the Memorandum and the 2015 housing units and employee TAZ allocations recommended by our Planning Department in its April 30th memorandum.
4. An appropriate share of the 24,248 additional employees forecasted Regionwide by 2017 should be allocated to Hillsboro (TAZ Nos. 236(por.) and 269(por) and Urban Reserve Study Area Site No. 61 and 62(por)) consistent with Hillsboro's continuing regional employment center role recognized by the adopted 2040 Growth Concept. Our analysis shows that this will support expanding the UGB to include Site Nos. 61 and 62(por).

Title 2: Regional Parking Policy:

- We recommend adding language to Title 2 that requires the establishment of adequate levels (and quality) of local bus transit services as a condition precedent to the enforcement of any maximum parking ratios in areas currently lacking such services. (See. Attachment "A" Item No. 2.)
- We continue to oppose maximum parking ratios outside Station Communities. The market will efficiently establish maximum parking for each new development site in response to financial and feasibility considerations that are unique to the site. We base this on our long history in administering parking minimums and experience with the problem of underbuilding parking; the need to accommodate additional parking required by the unique aspects of a given business; and, the redevelopment of parking areas as densification occurs.
- We strongly oppose the application of Title 2 parking ratios in mixed use areas (ie. centers, mainstreets, station communities, corridors) where public transit is not provided at the same time that such mixed uses are developed. Under such circumstances, artificial parking limitations will only encourage more vehicular congestion within streets and illegal parking by many residents, employees and visitors to such areas who would still not have other means besides the automobile to travel to/from the mixed use areas.

Title 3: Water Quality & Flood Management Conservation:

- Application of Title 3 within the Hillsboro Planning Area should implement the City's existing Goal 5 Natural Resources. The City's Inventory should be incorporated into the proposed Metro Water Quality & Flood Management

Area Map. Metro's Title 3 efforts should identify gaps in the coverage of the City's Goal 5 Inventory and the City natural resources protection regulations. If these City programs are approved by DLCD/LCDC and address the concerns in Title 3, they should supplant the direct application of Title 3 in Hillsboro. **Proposed language that accommodates this approach is contained in Attachment "A", Item No. 3.**

- Title 3 should not set prescriptive standards for natural resources protection; local governments should set such standards in their plans and regulations.
- It is unnecessarily restrictive and potentially counterproductive to limit transfer of density and development rights only to areas within the boundaries of affected sites in order to mitigate the effects of development on water quality and flood management. **Proposed language that accommodates a broader application of these tools is contained in Attachment "A", Item No. 4.**
- Because we conclude that it probably would violate the "takings" rule in Dolan v. City of Tigard in most cases, Hillsboro disagrees with the proposed water quality protection standard in Sec. 4.C., Title 4. The standard requires the City to condition its approvals of partitions, subdivisions and design review applications upon developers granting conservation easements, platted as common open spaces, or through donations of fee simple ownerships to the public or non-profit agencies to protect water quality and flood management areas. Such conditions often fail to meet Dolan's "nexus" and "rough proportionality" tests applicable to conditional approval of land use permits. Therefore, **Sec. 4.C., Title 4 should be modified accordingly as shown in Attachment "A", Item No. 5.**

Title 4: Retail In Employment & Industrial Areas:

- Hillsboro continues to oppose Title 4's complete restriction on "big box" retail outlets in 2040 Industrial and Employment Areas in our Planning Area.³ Many Hillsboro residents and employees shop at such outlets. Such uses place less demand on supporting public facilities and utilities than many Industrial uses and businesses. Hillsboro lacks commercially-designated sites that are suitable for such outlets and must look to its industrial and employment areas to provide them when needed.⁴ It would be sound land use policy for Hillsboro to sparingly allow big box retail outlets only at appropriate sites outside the 2040 mixed use areas to meet the needs of our residents and employees for such bulk purchasing outlets. We think that retail shopping opportunities provided in big box outlets and in 2040 mixed use areas should acquire their respective market niches in our community naturally within the land use framework set by our comprehensive plan. This is crucial to the long-term survival of such retail activities in Hillsboro. **Title 4, Sec. 3, Exceptions, should be revised as shown in**

³ The exception language Title 4, Sec. 3.B. does not help Hillsboro since we lack the circumstances in our Employment and Industrial Areas necessary to trigger the exception; ie. areas in our Employment and Industrial that already have substantially developed as retail centers or have been designated on our Plan as retail centers. It would be preferable if the exception language merely permits big boxes in Employment or Industrial Areas if they are satisfactorily justified by the local government seeking such an exception.

⁴ Two existing sites in our Planning Area are appropriate for big box retail outlets: (1) a PacTrust 50-acre Site within the Orenco Station Community Planning Area; and, (2) a site owned by Standard Insurance Co. located East of Rock Creek and North of Evergreen Parkway.

Attachment "A", Item No. 6 In order to facilitate big box retail outlets in appropriate locations within Industrial and Employment areas in Hillsboro.

Title 6: Regional Accessibility:

- As discussed under Title 2, adequate transit services within 2040 mixed use areas are needed at the time such uses are constructed to mitigate any resulting increase in traffic congestion on streets and roadways. We believe that such a provision in Title 6 would buttress its consistency with OAR 660-12-060(1).⁵ We believe that OAR 660-12-060(1) calls for concrete actions that mitigate such congestion if the roadways, themselves, are not to be improved to accommodate the mixed uses. Title 6 should state an immediate and major role for public transit in implementing 2040 mixed uses in Hillsboro and throughout the Region. Accordingly, Title 6, Sec. 1 should be revised as shown in Attachment "A", Item No. 7.
- The designation and alignment of "boulevards" (regional routes) within Hillsboro's Planning Area should implement the City's new Transportation System Plan (ODOT/TGM File No. 1H-95) which will be completed in June, 1997. Accordingly, Title 6, Sec. 2 should be revised as shown in Attachment "A", Item No. 8.
- Hillsboro objects to Sec. A (prescriptive Design Option) and Sec. B. (optional Performance Option) under Title 6 because, once enacted:
 1. The Design Option prescribes detailed (and conflicting) collector and local street development standards which would already be contained in the City's Subdivision Ordinance and our Development Review Ordinance (ZOA 4-95, City Zoning Ordinance No. 1945, Sec. 133, as amended). For Hillsboro, the City Transportation System Plan will feature

⁵ Hillsboro Comprehensive Plan amendments incorporating the Station Community Plans and Zoning Districts do not violate OAR 660-12-060(1) because the increased traffic volumes associated with these plans are mitigated by the Light Rail Transit services available to these communities.

OAR 660-12-060(1) and (2) read as follows:

660-12-060(1). Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility. This shall be accomplished by either:

- (a) Limiting allowed land uses to be consistent with the planned function, capacity and levels of service of the transportation facility;
- (b) Amending the TSP, to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division; or
- (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes.

660-12-060(2) provides that an amendment to a functional plan, comprehensive plan or land use regulations "significantly affects" a transportation facility if it allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility, or reduce the level of service of the facility below the minimum acceptable level of service identified in the TSP.

a Citywide local street connectivity pattern, as well as street objectives, policies and standard that will accomplish the street connectivity objectives of the Design Option.

2. Both the Design Option and Performance Option prescribe minimum block lengths (ie. 660 feet maximum spacing intervals between local street connections) that would conflict with the Art. II, Sec. 5(F) of the City Subdivision Ordinance (1000 ft. maximum block lengths permissible outside of Station Communities and away from neighborhood activity centers).⁶

Given Hillsboro's topography, traversing streams and associated wetlands, and existing dispersed land use pattern, many of the prospective street design and connectivity standards in Title 6 probably would not work within our City. To address these issues, Title 6, Sec. 3 should be modified as shown in Attachment "A", Item Nos. 8 and 9.

Title 7: Affordable Housing:

- Hillsboro agrees with the non-prescriptive approach taken in this Title which identifies recommended tools and approaches to facilitate affordable housing development.

Title 8: Compliance Procedures:

- Hillsboro's Periodic Review Program is scheduled for DLCD administrative approval within the next several weeks. The Program schedules City Comprehensive Plan and Zoning Code revision work tasks that span the next 3-5 years. Moreover, the City is in the midst of adopting Station Community Plans and implementing zones that will upzone a large central corridor of Hillsboro and its downtown regional center by the end of 1996 in conformance with the adopted 2040 mixed uses for our City.

Given these circumstances, it is reasonable, practical and cost-efficient that Hillsboro should be exempted from the 2-year Functional Plan compliance deadline. This will allow City Plan or zoning regulation amendments needed to comply with an adopted Functional Plan and 2040 Growth Concept outside our Station Communities to be undertaken within the 3-5 year Periodic Review timetable for updating our Plan and regulations. We can then bring them into conformance with Statewide Planning Goals as well as the Functional Plan at the same time. To address this concern, Title 8, Sec. 1 should be modified as shown in Attachment "A", Item No. 10.

⁶ Sec. 133 of Hillsboro's Zoning Ordinance and Art. II, Sec. 5(F) of our Subdivision Ordinance implement the State Transportation Planning Rule. They have had careful and prolonged public and private scrutiny over the course of nine (9) months of consideration by the City Planning Commission, including two(2) public hearings and four (4) work sessions. They comply with OAR 660-12-045 of the State TPR. When LCDC considered adoption of the State TPR, it rejected a DLCD recommendation to prescribe specific block dimensional standards in the State TPR in favor of leaving "... to local governments to decide what standards to use to assure convenient pedestrian circulation". (See, DLCD, Transportation Planning Rule Bulletin, May 1, 1995.) Adoption of Title 6, Sec. 3.A. and 3.B. subvert this LCDC State TPR policy decision.

Title 9: Performance Measures:

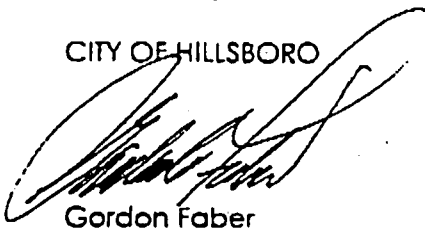
- Hillsboro supports the concept of close monitoring of the success (and failures) in implementing the Metro Functional Plan every two years through adopted "performance measures". We recommend that Title 9 also expressly allow:
 - 1 Independent reports from any local government directly to the Metro Council on Functional Plan performance within its own jurisdiction (in addition to the Metro Executive Officer's report on Plan performance); and,
 2. Automatic standing to any local government to participate in the Hearing Officer proceedings on the Executive Officer's Functional Plan performance report as it relates to that jurisdiction.

Therefore, Title 9, Sec. 2 should be modified as shown in Attachment "A", Item No. 11.

Finally, our Planning Department reviewed Metro's Urban Growth Report (March, 1996). Attachment "C" is a departmental memorandum which identifies a number of questions and issues concerning the assumptions underlying Metro's Buildable Lands Analysis. We respectfully ask your Council to consider the comments in the memorandum before taking any action on the Urban Growth Report.

Respectfully submitted

CITY OF HILLSBORO



Gordon Faber
Mayor

attach:

Attachment "A"
Proposed Modifications to Metro Urban Growth Management Functional Plan
(August 6th Council Working Draft)
August 20, 1996

1. **Modification to Title 1, Sec. 2.A.**

All cities and counties within Metro shall demonstrate that:

- A. *The application of their zoning and other regulations will permit can achieve the target capacity 2017 capacities for housing units and employment for their jurisdictions contained in Table 1 in the Appendix to this plan, including jurisdiction wide expected capacities, as well as capacities for mixed-uses areas; and capacities at the traffic analysis zones levels.*

Modification to Title 1, Sec. 3.A.

All cities and counties within Metro are ~~required to~~ may include within their comprehensive plans and implementing ordinances the following provisions:

- A. ~~All zones allowing residential use shall include a~~ A minimum density standard for any or all residential zones that requires that no land use decision, including a partition or subdivision, may be approved unless the proposed action will provide that no less than the development of at least 80 percent of the maximum number of dwelling units per acre permitted on any parcel for which approval of a land use application is sought. ~~development are approved for development. No~~ The development of such densities within residential zones may not be prohibited by any comprehensive plan provision, implementing ordinance or condition of approval. ~~may limit development to less than 80 percent of the maximum permitted density.~~ For high density zones with maximum permitted that permit densities higher than 37 dwelling units per net acre, the a minimum residential density may be of 30 dwelling units per net acre may be required if that density is consistent with the target densities listed in subsection B, below.

2. **Modification to Title 2, Sec. 1 and 2.**

Section 1. Intent

....
A compact urban form requires that each use of land is carefully considered and that more efficient forms are favored over less efficient ones. Parking, especially that provided in new developments, can result in a less efficient land usage and lower floor to area ratios. Parking also has implications for transportation. In areas where transit is provided or other non-auto modes (walking, biking) are convenient, less parking can be provided and still allow accessibility and mobility for all modes, including autos. Reductions in auto trips when substituted by non-auto modes such as public transit services, can reduce congestion and increase air quality. It is an intent of this Title to facilitate per capita reductions of parking in areas where adequate public transit services

and other non-auto travel modes are provided to facilitate reductions in per capita parking and more efficient use of land.

Section 2. Performance Standard

A. *In areas where adequate public transit services and other non-auto travel modes are provided, Local Governments ~~are hereby required to~~ may adopt amendments, if necessary, to insure that their comprehensive plans and implementing regulations ~~meet or exceed the following minimum standards, that:~~*

1. *~~Require no more parking than the~~ Establish minimum and maximum parking ratios. In establishing such ratios, local governments may use the ~~as shown on~~ Regional Parking Standards Table, attached hereto as a guideline for their minimum parking requirements; and*
2. *Establish parking maximums ~~at ratios no greater than those listed in the Parking Table and as for those Zones~~ illustrated in the Parking Maximum Map. ...*

3. Modification to Title 3, Sec. 3.

Section 3. Implementation Process for Local Governments.

Cities and counties are hereby required to amend their plans and implementing ordinances, if necessary, to ensure that they comply with this Title in one of the following ways:

- A. Either adopt the relevant provisions of the Metro Water Quality and Flood Management model ordinance and map entitled Metro Water Quality and Flood Management Conservation Area Map; or
- B. Demonstrate that the plans and implementing ordinances substantially comply with the performance standards, including the map, contained in Section 4. In this case, the purpose of this map is to provide a performance standard for evaluation of substantial compliance for those jurisdictions who choose to develop their own map of water quality and flood management areas; or
- C. Any combination of A and B above that substantially complies with all performance standards in Section 4.

However, cities and counties that are in process of formulating of Statewide Planning Goal 5 natural resources management program, or already have such programs approved by the State by the effective date of this Functional Plan, shall be exempt from the requirements of this Title, provided that their programs substantially address the performance standards in Section 4 and the Fish and Wildlife Habitat Conservation recommendations in Section 5 of this Title.

4. **Modification to Title 3, Section 4.**

Section 4. Performance Standards

-
- C. Protect the long term regional continuity and integrity of Water Quality and Flood Management Areas.

Standards. Local jurisdictions shall establish or adopt transfer of density within ownerships *as well as between/among ownerships* to mitigate the effects of development in Water Quality and Flood Management Areas, or through Transferable Development Rights (TDRs), which have substantially equivalent effect as the Metro Water Quality and Flood Management Ordinance.

5. **Modification to Title 3, Section 4.**

....

~~Metro encourages local government to require that approvals of applications for partitions, subdivisions and design review actions must be conditioned with protecting Water Quality and Flood Management Areas with a conservation easement, platted as a common open space, or through purchase or donation of fee simple ownership to public agencies or private non-profits for preservation where feasible. Metro and local governments shall recognize that applications involving pre-existing development within the Water Quality and Flood Management Areas shall be exempted for the provisions concerning conservation easements and purchase or donation of fee simple ownership to public agencies or private non-profits for preservation.~~

6. **Modification to Title 4, Section 3.**

Section 3. Exceptions.

Exceptions to this standard may be included for:

- A. Low traffic generating, land-consumptive commercial uses with low parking demand which have a community or region wide market, or

- B. As identified on the Employment and Industrial Areas Map, specific Employment or Industrial Areas which ~~already have substantially developed as retail centers or which have been locally designated as retail centers~~ may allow. Proposed refinements to the mapped areas may be considered in local compliance plans as provided in Title 8.

7. **Modification to Title 6, Section 1.**

Section 1. Intent

Implementation of the 2040 Growth Concept requires that the region identify key measures of transportation effectiveness which include all modes of transportation. Developing a full array of these measures will require additional analysis. Focusing development in the concentrated activity centers, including the central city, regional centers, and station communities, requires the *provision and use of alternative modes including, especially adequate public transit facilities and services at the time these activity centers are constructed* in order to avoid unacceptable levels of congestion and to insure that accessibility by alternative modes is attractive. The continued economic vitality of industrial areas and intermodal facilities is largely dependent on the region's main thoroughways. Therefore, regional congestion standards and other regional system performance measures shall be tailored to reinforce the specific development needs of the individual 2040 Growth Concept land use components.

8. **Modification to Title 6, Section 2.**

Section 2. Boulevard Design

For regional routes in the central city, regional centers, station communities, main streets and town centers designated on the Boulevard Design Map, all cities and counties within the Metro region ~~are hereby required to shall~~ implement or allow to be implemented boulevard design elements as improvements are made to these facilities including those facilities built by ODOT or Tri-Met. *In jurisdictions that have an adopted transportation system plans that comply with the State Transportation Planning Rule, the location of boulevards required by this Title shall be determined by such plans.* Each jurisdiction shall ~~adopt amendments, if necessary, to ensure that their comprehensive plans and implementing ordinances require consideration or installation of~~ address the following boulevard design elements when proceeding with right-of-way improvements on regional routes ~~designated on the Boulevard Design Map~~. In general, pedestrian and transit oriented design elements are the priority *within boulevards located* in the central city and regional centers, station communities, main streets and town centers:

9. **Modification to Title 6, Section 3.**

.....
A. ~~Design Option. Cities and counties shall ensure that their Local~~ comprehensive plans, implementing ordinances and administrative codes ~~require demonstration of compliance with~~ shall address the following:

1. New residential and mixed-use developments shall include local street plans that:

- a. encourage pedestrian travel by providing short, direct public right-of-way routes to connect residential uses with nearby existing and planned commercial services, schools, parks and other neighborhood facilities; and
- ~~b. include no cul-de-sac streets longer than 200 feet, and no more than 25 dwelling units on a closed end street system; and~~
- ~~e b.~~ provide bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with ~~spacing between connections of no more than 330 feet; and~~
- ~~d c.~~ consider opportunities to incrementally extend and connect local streets in primarily developed areas; and
- ~~e d.~~ serve a mix of land uses on contiguous local streets; and
- ~~f e.~~ support posted speed limits; and
- ~~g f.~~ consider narrow street design alternatives ~~that feature total right-of-way of no more than 46 feet, including pavement widths of no more than 28 feet, curb face to curb face, sidewalk widths of at least 5 feet and landscaped pedestrian buffer strips that include street trees; and~~
- ~~h g.~~ limit the use of cul-de-sac designs and closed street systems to situations where topography, development patterns or environmental constraints prevent full street extensions.

....

- B. Performance Option. For residential and mixed use areas, ~~cities and counties shall ensure that their local comprehensive plans, implementing ordinances and administrative codes require demonstration of compliance with~~ *shall address the following performance criteria. City and counties shall develop local street design maps or standards with street intersection spacing to occur at intervals of no less than eight per mile, the number of street connections coordinated and consistent with increased density and mixed land uses. Local street designs for new developments shall satisfy both of the following additional criteria:*

....

10. Modification to Title 8, Section 1.

Section 1. Compliance Required.

All cities and counties within the Metro boundary are hereby required to amend their comprehensive plans and implementing ordinances to comply with the provisions of this functional plan within twenty-four months of the effective date of this ordinance. *At the time of adoption of this ordinance, any local government conducting a periodic review of their plans and ordinances pursuant to a Periodic Review Notice received from the State DLCD shall comply*

with the provisions of this functional plan within twenty-four months after the completion of its Periodic Review Work Program and issuance of a Periodic Review Order by the DLCD or LCDC, as applicable. Metro recommends the adoption of the policies that affect land consumption as soon as possible.

11. Modification to Title 9, Section 2.

.....
D. Use of the performance measures.

1. The performance measures will contain both the current level of achievement, and the proposed level necessary to implement this functional plan and achieve the Metro 2040 Growth Concept adopted in the Regional Urban Growth Goals and Objectives (RUGGO). The performance measures will be used to evaluate and adjust, as necessary, Metro's functional plans, Urban Growth Boundary, and other regional plans.
2. By March 1 of every other year beginning March 1, 1998, the Executive Officer shall report to the Council an assessment of the regional performance measures, and recommend corrective actions, as necessary, consistent with the Metro Council's policies. *On any matter in the Executive Officer Report that pertains to a city or county's performance on achieving compliance with the Growth Concept design types and the adopted functional plan, the city or county may submit independent reports on that matter to the Metro Council. Such local reports shall be included in the record transmitted to the Hearing Officer. The city or county shall have automatic standing to appear at the Hearing Officer's proceedings on that matter.*
3. The Council shall refer the recommendations to the Hearing Officer, who shall hold a hearing to review the data in the Executive Officer's report on the performance measures, and gather additional data from any interested party. The Hearing Officer shall review all of the information presented on the performance measures. The complete record of information, findings of fact, and a recommendation shall be forwarded to the Council by the Hearing Officer.
4. The Council shall hold a hearing on the record, adopt findings of fact, and take any necessary corrective action by September 1 of the year.

CITY OF HILLSBORO



MAY 1 1996

April 30, 1996

John Fregonese, Director
 Metro Growth Management Division
 600 NE Grand Avenue
 Portland, OR 97232-2736
 Attn: Stuart Todd

RE: City of Hillsboro Refined 2015 TAZ Households & Employment Estimates - Round 2.

Dear John and Stuart:

This communication updates our 2015 household and employment allocations transmitted to you by letter dated April 15th. Subsequent to that letter, we coordinated with Washington County DLUT staff to refine our estimates and eliminate inconsistencies between our respective 2015 allocations for all TAZs within the Hillsboro Planning Area. The only remaining difference is the 2015 employment allocation for TAZ 231. We estimate approximately 500 employees in 2015 while the County estimates 980 employees in the TAZ by then. The figures below and in the attached tables reflect that coordination effort.

The aggregate delta figures for our City for the period between 1994 and 2015 show a capacity for 23,186 more households and 61,483 more employees in our Hillsboro Planning Area during that period. These figures compare with your most recent draft estimates, which were distributed at the last MTAC meeting, as follows:

Hillsboro's Estimates		Zero Growth Option		4,000 Acres Delta		10,000 Acres Delta	
HH 94-15	Emp 94-15	HH 94-17	Emp 94-17	HH 94-17	Emp 94-17	HH 94-17	Emp 94-17
23,186	61,483	14,812	58,247	14,790	59,148	12,445	55,083

We note a large difference in '94-15/17" deltas (estimated increases in number of households) between Hillsboro and your three UGB boundary expansion options. We also note that a substantial portion of the increase in Hillsboro households estimated for the 1994-2015 delta period is expected to occur within our Station Communities. Finally, actual development of these households will depend upon market acceptance of anticipated higher housing densities within these Communities and within 2040 town centers, regional center, mainstreets and corridor communities designated in Hillsboro.

John Fregonese
April 30, 1996
Page 2.

Please incorporate our estimates in your Regional household and employment estimates. If you have any question or need additional information, please call Patrick A. Ribellio of our Staff at 681-6239.

Sincerely,

A handwritten signature in cursive script that reads "Winslow C. Brooks". The signature is written in dark ink and is positioned above the printed name and title.

Winslow C. Brooks
Planning Director

Hillsboro Households Allocations at TAZ Level
(April 29, 1996)

TAZ	1994 HH (Rd 1)	Metro Change/94-15 (Rd. 1)	Metro 2015 HH (Rd 1)	Hillsboro Change/94-15 (Rd 2)	Hillsboro 2015 HH (Rd 2)	Difference: 2015 HHs (Metro minus Hillsboro)
191	255	360	615	360	615	0
195	1	0	1	0	0	-1
196	357	41	398	-29	328	-70
197	1	0	1	0	1	0
198	209	452	661	348	557	-104
203(por)	2	0	2	0	2	0
207(por)	377	286	663	200	577	-86
208(por)	870	195	1065	195	1065	0
209	27	0	27	753	780	+253
210	148	0	148	227	428	+280
211	163	1597	1744	1608	1773	+165
212	22	915	937	360	382	+22
213	25	410	435	411	436	+25
214	1	312	313	313	314	+1
215(por)	334	4108	4442	4108	4442	0
216(por)	897	681	1578	681	1578	0
217(por)	1018	212	1230	212	1230	0
223	8	0	8	-8	0	-8
224	0	0	0	0	0	0
225	4	0	4	-4	0	-4
226	150	1911	2061	1500	1650	+150
227	132	2118	2250	1500	1632	+132
228	167	1092	1259	1087	1254	+167
230	1067	399	1466	399	1466	0
231	121	1313	1434	1313	1434	0
232	23	0	23	-23	0	-23
233	359	0	359	0	359	0
234	11	0	11	-11	0	-11
235	8	367	375	378	386	+11

44

TAZ	1994 HH (Rd 1)	Metro Change/94-15 (Rd. 1)	Metro 2015 HH (Rd 1)	Hillsboro Change/94-15 (Rd 1)	Hillsboro 2015 HH (Rd 1)	Difference: 2015 HHs (Metro minus Hillsboro)
237	20	0	20	0	20	0
238	1	0	1	0	1	0
239	436	209	635	149	585	- 50
240	959	509	1468	381	1340	- 128
241	595	251	846	253	848	+ 2
242	989	349	1338	420	1409	+ 71
243(por)	1027	227	1254	227	1254	0
244(por)	333	593	926	0	333	- 593
249(por)	562	700	1262	700	1262	0
250	31	0	31	0	31	0
251	184	4	188	500	684	+ 496
252	358	220	578	207	565	- 13
253	608	410	1018	409	1017	- 1
254	673	131	804	131	804	0
255	121	33	154	33	154	0
256	608	106	714	30	638	- 76
257	1251	164	1415	164	1415	0
258	675	700	1375	1328	2003	+ 628
259	866	335	1201	1135	2001	+ 800
260	206	51	257	51	257	0
261	212	100	312	100	312	0
262	575	333	908	333	908	0
263	48	64	112	97	145	+ 33
264	392	474	866	474	866	0
265	327	238	565	238	565	0
266	436	140	576	140	576	0
267	8	0	8	0	8	0
269(por)	158	76	234	76	234	0
Totals	19,418	23,186	42,576	23,454	42,924	+ 236

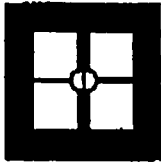
Hillsboro Employment Allocations at TAZ Level (April 29, 1996)

TAZ	1994 Emp. (Rd 1)	Metro Change/94-15 (Rd. 1)	Metro 2015 Emp. (Rd 1)	Hillsboro Change/94-15 (Rd 1)	Hillsboro 2015 Emp/ (Rd 1)	Difference: 2015 Emp. (Metro - Hillsboro)
191	111	1704	1815	1704	1815	0
195	203	328	531	784	897	+ 366
196	65	80	145	10	75	- 70
197	63	1161	1224	1062	1125	- 162
198	573	1528	2101	1676	2249	+ 148
203(por)	744	1255	1999	1255	1999	0
207(por)	45	485	530	485	530	0
208(por)	100	108	208	36	136	- 72
209	1453	2751	4204	2751	4202	0
210	352	1923	2275	1923	2275	0
211	1164	2059	3205	2109	3273	+ 68
212	420	3406	3826	3399	3819	- 7
213	1957	3428	5385	2951	4908	- 477
214	0	1525	1525	1754	1754	+ 229
215(por)	34	1196	1230	1089	1123	- 107
216(por)	82	238	320	215	297	- 23
217(por)	550	266	816	- 217	333	- 483
223	0	4664	4664	4980	4980	+ 316
224	1214	2290	3504	2290	3504	0
225	22	4932	4954	4998	5020	+ 66
226	168	114	326	118	286	- 40
227	387	2778	3198	4539	4926	+ 1728
228	120	250	370	216	336	- 34
230	327	144	471	144	471	0
231	50	930	980	450	500	- 430
232	5602	1396	6998	698	6300	- 698
233	117	781	898	781	898	0
234	50	953	1003	990	1043	+ 40
235	333	4092	4425	3892	4225	- 200
237	1000	1106	2106	1106	2106	0

05

TAZ	1994 Emp. (Rd 1)	Metro Change/94-15 (Rd. 1)	Metro 2015 Emp. (Rd 1)	Hillsboro Change/94-15 (Rd 1)	Hillsboro 2015 Emp/ (Rd 1)	Difference: 2015 Emp. (Metro - Hillsboro)
238	180	426	606	426	606	0
239	31	81	112	- 1	30	- 82
240	100	178	278	0	100	- 178
241	46	20	66	54	100	+ 34
242	1643	544	2187	137	1780	- 407
243(por)	387	378	765	378	765	0
244(por)	677	759	1436	852	1529	+ 93
249(por)	760	1393	2153	1393	2153	0
250	655	552	1207	677	1326	+ 119
251	1709	325	2034	56	1765	- 269
252	2921	462	3383	- 1597	1324	- 2059
253	1342	5645	1906	- 18	1324	- 582
254	40	102	142	140	180	+ 38
255	28	4	32	4	32	0
256	268	138	406	138	406	0
257	526	230	756	230	756	0
258	94	4316	4410	4381	4475	+ 65
259	57	11	150	11	150	0
260	87	34	121	34	121	0
261	699	51	750	- 649	50	- 700
262	69	76	146	76	145	- 0
263	96	87	183	87	183	0
264	2832	174	3006	- 184	2648	- 358
265	1365	276	1641	400	1765	+ 124
266	64	215	279	247	311	+ 32
267	212	5088	5300	5088	5300	0
269(por)	182	997	1179	1078	1260	+ 81
Totals	34,376	70,435	99,929	61,483	96,014	- 3,915

CITY OF HILLSBORO



August 19, 1996

MEMORANDUM

TO: City Council
FROM: Planning Department

RE: Metro Urban Growth Report (UGR) (dated March, 1996).

We have reviewed and considered the above captioned UGR report including Part 1, Regional Forecast, Part 2, 2015 Allocation, and Part 3, Buildable Lands Analysis. Based on our review and consideration, we respectfully offer the following comments on the UGR:

Part 1, Regional Forecast:

We monitored the formulation of Years 2015 and 2040 Population, Household and Employment forecasts prepared by the Metro Staff. Metro's technical determination that approximately 224,000 more housing units (451,000 people) and 437,000 more jobs are forecasted for the Region by 2015 is reasonable.

Part 2, 2015 Allocation:

We know that the forecasts for 2015 housing units and employment in the Region were allocated at several progressively more detailed levels: (1) allocation six major market areas among the four counties in the Region that included a Western Washington County market area that spanned the City of Hillsboro; (2) allocation among 20 subdistricts that span the six market areas (including Districts 14 and 15 that covered Hillsboro); and, (3) allocation among 1400 traffic analysis zones (TAZ) in the Region (including 54 TAZs comprising the Hillsboro Planning Area).

A first round allocation of total housing units and employees forecasted by year 2015 resulted in a estimated need to expand the UGB by 4,000 acres (over and above the forecasted development of the adopted 2040 Growth Concept mixed uses for the Region) in order to satisfy the 20-year supply of buildable lands required by HB 2709.

A second round allocation of the 2015 forecasts, which assumed no UGB expansion, was conducted. For Hillsboro, the second round allocation forecasted capacities within the Hillsboro City limits to absorb 14,812 more housing units and 58,247 more employees by 2015.

Part 3, Buildable Lands Analysis.

The Buildable Lands Analysis applied a 17-step methodology to determine the 2015 housing units (HH) and employment (Emp) capacities forecasted for the. The 17 steps are summarized in the attached sheet. The Analysis includes several Steps about which Hillsboro has some questions. These are Steps 9, 14 and 15.

● Step 9 Analysis Results May Not Be Valid For Hillsboro.

Step 9 relies upon a Metro modelling effort that applies the adopted 2040 design types to specific parcels in accordance with a "rezoning matrix". Portions of that matrix that apply to Hillsboro are shown in Attachment "A". Step 9 states that: *"A discussion draft of Phase I of the Regional Framework Plan (now the Urban Growth Management Functional Plan), which if adopted by the Metro Council, could require local governments to change their comprehensive plans and implementing ordinances, consistent with these (the matrix) modelling assumptions"*. (See. Page 13, Part 3, Buildable Lands Analysis, Metro Urban Growth Report, March, 1996.)

Step 9 is achieved when local governments amend their comprehensive plans and zoning regulations to implement 2040 mixed uses target densities (in accordance with Title 1 (Table 1) of the Metro Urban Growth Management Functional Plan). If Hillsboro did this, the resulting City comprehensive plan and permissible zoning development densities would be as shown in the Attachment "A" matrix. As they apply to Hillsboro, the Step 9 Analysis (and the resulting 2015 HH and Emp capacities for Hillsboro) may be invalid for these reasons:

1. It is doubtful that 2040 "mainstreets" in Hillsboro uniformly will achieve densities of 35 employees/acre assumed by 2015 in Step 9. Hillsboro simply lacks the critical business mass within likely mainstreet areas to achieve such employee densities.
2. Because many of Hillsboro's 2040 "mainstreets" must evolve in a suburban context (unlike urban 2040 mainstreets in Portland), it is doubtful that such Hillsboro mainstreets will achieve the 22 housing units/acre assumed by 2015 in Step 9.
3. Except for the immediate Station Community Areas in Downtown Hillsboro, it is doubtful that the rest of regional center area covering Downtown Hillsboro will achieve the 95 employees/acre assumed in Step 9 by 2015 for the same lack of critical business mass. (Such employee densities are more likely to occur in Downtown Hillsboro as the City approaches the year 2040.) Even Hillsboro's Station Community Planning Areas within the Downtown Hillsboro regional center are planned only for 60 people (residents and employees) per acre.
4. Similarly, it is doubtful that areas inside the Downtown regional can uniformly achieve 22 housing units/acre assumed between now and 2015 in Step 9. Such housing densities in these areas are more likely to occur as the year 2040 approaches.

- 03/04/98 18:00 CITY OF HILLSBORO 7383 131 1755 NO. 204 P0227
5. It is doubtful that Inner Neighborhoods in Hillsboro will be rezoned to allow residential minimum lot sizes as low as 5,300 sq. ft. lots, notwithstanding Title 1 of the Metro Urban Growth Management Functional Plan. Considerable political and community resistance to such smaller residential lots exist. Inner Neighborhoods cover about 20% of the 19.6 sq. miles comprising the City's Planning Area.

Due to these questionable assumptions in Step 9 as applied to Hillsboro, the additional 14,812 housing units and 58,247 employees to be absorbed in Hillsboro by 2015 must be either reallocated differently (and realistically) among the various 2040 mixed use planned for Hillsboro, or a portion of these new units and employees must be shifted to Urban Reserve Areas adjoining Hillsboro which are brought into the UGB.

Moreover, our questions suggest that the allocation of these 2015 capacities among Hillsboro's 54 TAZs should be examined closely and should reflect Hillsboro's previous recommendations on 2015 housing units and employment capacities allocations that were submitted to Metro in April, 1996. These recommendations reflected our local knowledge about current and pending private development plans where future housing units and jobs will be locating within our Planning Area. They should be the real bases for applying the 2040 design concepts in Hillsboro at the parcels level.

- **Step 14: Adjust 2015 housing units and employee capacities upward to reflect redevelopment of certain types of built parcels inside Hillsboro between now and 2015.**

This Step in the Buildable Lands Analysis assumes the following:

1. Built sites that are one (1) acre or less in size and located within regional and town centers, corridors and industrial areas will redevelop if their land values range between 50% and 70% of the mean land value of surrounding sites (within 500 feet) at any time before 2015.
2. Built sites anywhere in the City that exceed 1 acre will redevelop if their building value is less than their land value at any time before 2015.

Applying these Step 14 assumptions, the Analysis concludes that 54,207 housing units and 136,858 employees should be added to the Region's 2015 capacities. The extent to which such global regional assumptions realistically apply in Hillsboro is unknown. At any given time, many other potential factors besides land values can affect a landowner's decision to redevelop his property. These include, general economy considerations, financing, interest rates, market demand for the proposed redevelopment, and others. Therefore, we question the validity of any upward adjustment to the 2015 capacities applicable to Hillsboro due to Step 14.

- **Step 15: Adjust 2015 employee capacities upward to reflect a 35% capture rate within existing, high-value buildings of all new jobs created between now and 2015.**

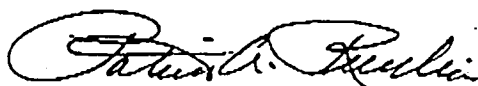
The extent to which this assumption applies in Hillsboro is unknown. However, new employment in Hillsboro generally locate within new, rather than existing low- as well as

high-value buildings. Therefore, a much lower capture rate, if any, would apply in Hillsboro. We question the validity of the upward adjustment to 2015 employee capacities due to Step 15.

Based on the foregoing, we urge that the UGR not be accepted or adopted by the Metro Council. Step 9, alone, adds about 74,000 housing units and about 110,500 jobs to the current UGB capacities. The amount of this added capacities that has been allocated to Hillsboro is unknown; however, it is likely to be substantial relative to other jurisdictions in Washington County. The cumulative error in Hillsboro's 2015 capacities, attributable to questionable assumptions in Steps 9, 14 and 15 of the Buildable Lands Analysis as applied to Hillsboro, also is likely to be substantial.

Respectfully submitted:

CITY OF HILLSBORO PLANNING DEPARTMENT



Patrick A. Ribellia, AICP
Senior Planner

attach:



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 TEL: (503) 526-2481 V/TDD FAX: (503) 526-2571

ROB DRAKE
MAYOR

August 28, 1996

Councilor Susan McClain, Chair
Metro Growth Management Committee
600 NE Grand Avenue
Portland, OR 97232

Dear Councilor McClain:

I appreciate receiving a copy of Jon Chandler's letter regarding the proposed Regional Functional Plan. While we are not proposing to address Mr. Chandler's concerns, we question one of his examples and would like to set the record straight.

The 208-unit apartment project Mr. Chandler refers to, Whitney Woods Apartments, was reviewed by the Beaverton Board of Design Review on May 9, 1996. After careful review and discussion with the applicant's representative, it was apparent that the application had many inconsistencies and deficiencies. The Board had two choices at that point, either to deny the application or to continue it to a later date. The applicant's representative indicated a preference for a continuance with guidance as to the revisions necessary. The project was continued to a date to be set later. It was not denied as Mr. Chandler stated.

Further, Mr. Chandler quoted one Board member as saying, "The site is being developed to the maximum density and, although this is allowed, it may not be the most appropriate density." We believe that this has been taken out of context as the Board member went on to say, "Increased building height may be more acceptable considering that there are many tall trees on the site which would screen the larger buildings." The Board also identified some concerns about the grading and tree preservation proposed for the site and how they were addressed in the plans. The discussion was not a definitive answer, as Mr. Chandler indicates, but rather offered the applicant a suggested alternative for how the project might better fit the site and still achieve maximum density.

Councilor Susan McClain
August 28, 1996
Page 2

In reviewing the actions of the Board, we see no indication of a "... gap between what the City says it can do and what it is willing to do," as Mr. Chandler concludes.

The City of Beaverton continues to approve projects which provide a balance of environmental protection, neighborhood concerns, and appropriate density as allowed by development regulations.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rob Drake", written over a horizontal line.

Rob Drake
Mayor

cc: Metro Council
Mayors
County Chairs
Dick Benner, DLCD
Mike Burton, Metro Executive
Jon Chandler

RD/gc:metro.ltr



August 20, 1996

Metro Council
600 NE Grand Street
Portland, OR 97232

RE: Metro's Urban Growth Management Functional Plan

Dear Council Members:

Milwaukie has participated at the policy and technical levels in the development of the concepts that are now contained in MPAC's Functional Plan Draft. As our City transitions into a part of the region's inner core, we believe it is important to work with our regional neighbors to achieve a livable future. We also believe that Milwaukie's unique characteristics can be retained and even strengthened if the City's planning program fits the needs of the Milwaukie Vision Statement.

Milwaukie's Vision Statement acknowledges that population growth will impact Milwaukie, and because the City desires to accommodate and manage that growth, the Milwaukie City Council endorses the MPAC version of the Urban Growth Management Functional Plan. As the City goes forward, it will be important to involve all its citizens in its continuing planning programs.

The City Council agrees that it is important to monitor and measure the region's progress in achieving 2040 goals. However, Title 9, Section 2(B) as written in the Growth Management Committee Draft (August 6, 1996 version) leaves too much uncertainty for effective local action. Will each city and county be involved in continuous "adjustment" of local 2040 compliance measures, depending on the outcome of an annual regional report? We suggest that Metro's "policies for adjusting regional plans and targets" remain "regional" to match the language in Section 2(D). Actual evaluation for policy change purposes that would mandate significant local compliance should occur at the end of the proposed six years outlined in Section 2(B).

COMMUNITY DEVELOPMENT • PUBLIC WORKS

6101 SE 10th Ave., Milwaukie, OR 97131

MILWAUKIE CITY COUNCIL

PHONE: (503) 786-7600 • FAX (503) 774-8236

Letter to the Metro Council
August 20, 1996
Page 2

Again, the Milwaukie City Council reaffirms its role as a willing partner to achieve a livable Milwaukie and a livable region.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Craig Milwaukie".

Craig Milwaukie, Mayor
Milwaukie City Council

cc: Mike Burton, Metro Executive Director
Charlie Hales, MPAC Chair



WASHINGTON
COUNTY,
OREGON

September 5, 1996

Metro Council
Metro Regional Center
600 NE Grand Ave.
Portland, OR 97232-2736

Dear Councilors:

First, the Washington County Board of Commissioners has been and continues to be supportive of the 2040 Growth Concept and the Urban Growth Management Functional Plan. The Board recognizes and respects the extensive work that has gone into the analysis and resolution of issues, at MPAC, MTAC, the Metro Growth Management Committee, and in extensive citizen involvement efforts, including the work of 2040 Means Business and the many advocacy groups that have taken the time to participate in Plan development.

The Board is aware that there are some issues that remain of concern to Washington County citizens and jurisdictions. In the process of compiling comments on the Plan from interested parties in Washington County, the Board invited and heard public comment during its regularly scheduled meeting on September 3, 1996. I have attached the communications we received for consideration by the Metro Council as it moves toward adoption of the Functional Plan. These include letters from the Tualatin Hills Park and Recreation District, the City of Beaverton, Judy Skinner, Mr. and Mrs. William Moore, Carol Gearin, Unified Sewerage Agency General Manager Bill Gaffi, Peggy Lynch (2), the Audubon Society of Portland, and Sensible Transportation Options for People (STOP). (I have not included letters or attachments to letters we received that have already been presented to Metro, usually as testimony or comment to MPAC or the Metro Growth Management Committee.)

Additionally, local jurisdiction comments are being considered by the Washington County Coordinating Committee. We expect that the WCCC will be forwarding a letter to you containing comments on issues identified as of countywide interest or importance in advance of your September 12 hearing. We encourage the Council to address their issues thoughtfully as you consider revisions to the Functional Plan, prior to its adoption.

Finally, during our discussion on September 3 the Board identified several issues that we believe warrant the Council's attention. They are as follows:

Transportation Performance Standards: The transportation system performance analysis work that Metro is doing in updating the Regional Transportation Plan (RTP) needs to find its way into the Functional Plan. It is our understanding that part of this work is to test the application of the Performance Standards under Title 6, Section 4. It is not clear at this point how this work will be integrated into the Functional Plan.

Congestion Management: Title 6, Section 4B, lists a number of steps that a local government must go through before including a roadway capacity improvement in

its comprehensive plan. These requirements seem to flow from congestion management techniques under ISTEA. It's not clear how this would operate in practice. Is this a system's analysis done in conjunction with the RTP or with individual projects? We believe that the appropriate place to do this analysis is at the RTP level, and that the Functional Plan should make this clear.

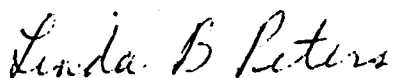
Compliance Procedures: While the Functional Plan provides a number of ways in which Metro will assist governments, none of these would seem to provide funds directly to local governments (Title 8, Section 2). If requested, Metro would evaluate a local plan and make recommendations on changes, but cities and counties will still bear the costs of preparing ordinances, completing the compliance procedures, conducting a process to inform the public of the changes, and holding hearings.

For most local jurisdictions, this additional work is currently not funded and will have to compete with existing demands on scarce resources. Our current estimate is that it could cost Washington County in excess of \$1.0 million to update its Community Plans and Development Code to implement the Urban Growth Management Functional Plan. On the revenue side, in November voters will decide whether to approve Ballot Measure 47, which could reduce property tax revenues by as much as 20 percent. If that occurs, all of our jurisdictions will face severe budgetary crises. We would urge you to think flexibly in determining how the financial burden of implementing Functional Plan provisions might be eased.

Also in the area of compliance procedures, in several cases it is clear that Metro is the final decision-maker in terms of determining compliance with the Functional Plan. What is not clear is the course for local governments on appeal. Are all appeals to LUBA? This should be clarified in Title 8.

Again, the Board would like to restate it's view that the development of the 2040 Growth Concept has been productive in helping develop a long-term vision for the Region. We look forward to continued work with Metro to make it a reality.

Sincerely,



Linda B. Peters, Chair

attachments

TEL:

Aug 30 '96 16:56 No.008 P.02

090596-11



**TUALATIN
HILLS
PARK &
RECREATION
DISTRICT ADMINISTRATION OFFICE**

15707 S.W. Walker Road • Beaverton, Oregon 97006 • 645-6433 • Fax 650-7549

Ronald D. Willoughby
General Manager

RECEIVED
AUG 30 1996

WASHINGTON COUNTY
BOARD OF COMMISSIONERS

BOARD OF DIRECTORS

Janet Allison
Robert Hathaway
Mark Knudsen
Terry Moore
Gail Parker

August 30, 1996

Board of County Commissioners
Washington County
155 North First
Hillsboro, OR 97124

RE: Tualatin Hills Park and Recreation District - 2040 Planning Process

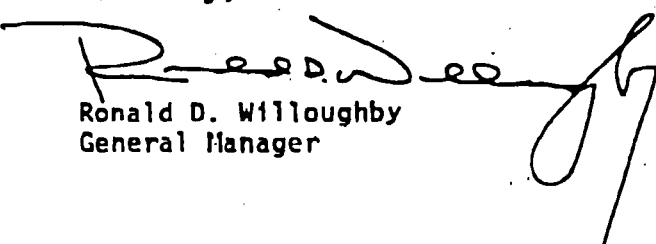
Dear Commissioners,

Thank you very much for giving us the opportunity to briefly update the Board of County Commissioners on our role in the 2040 planning process. The Tualatin Hills Park and Recreation District regularly attends Metro Policy Advisory Committee (MPAC) meetings in order to keep our staff and Board of Directors fully informed about the 2040 process. In this manner, we have reviewed MPAC and Metro Council deliberations about growth allocation, urban reserves, the Regional Transportation Plan, UGB expansion, etc. Our goal is to continue to make informed decisions about accommodating the mandates of the 2040 Functional Plan in our planning process as a park and recreation provider.

The Tualatin Hills Park and Recreation District is in the process of developing a 20 Year Master Plan. In the development of this plan, we have relied on Metro population and employment projections for our service areas in order to plan for the facilities that will be needed to satisfy future parks and recreation needs. In this manner, we hope to assist our regional partners with their responsibilities for implementing the Functional Plan and accommodating the growth and density which will occur in the region.

I hope you find this summary of our involvement in the 2040 planning process helpful. Please call me at 645-6433 if I can answer any further questions.

Sincerely,


Ronald D. Willoughby
General Manager

cc: Board of Directors

Mayor Drake
Aug 16/96*Proposed Revision to*

TITLE 2: REGIONAL PARKING POLICY

Section 1. Intent

The State's Transportation Planning rule calls for per capita reductions of vehicle miles traveled and parking as a means of responding to transportation and land use impacts of growth. The Metro 2040 Growth Concept calls for more compact development as a means to encourage more efficient use of land, promote non-auto trips and protect air quality. In addition, the federally mandated air quality plan relies on the 2040 Growth Concept fully achieving its transportation objectives. Notably, it relies upon reducing vehicle trips per capita and related parking spaces through minimum and maximum parking ratios. This title is provided to address these statutory requirements and preserve the quality of life of the region.

A: compact urban form requires that each use of land is carefully considered and that more efficient forms are favored over less efficient ones. Parking, especially that provided in new developments, can result in a less efficient land usage and lower floor to area ratios. Parking also has implications for transportation. In areas where transit is provided or other non-auto modes (walking, biking) are convenient, less parking can be provided and still allow accessibility and mobility for all modes, including autos. Reductions in auto trips when substituted by non-auto modes can reduce congestion and increase air quality.

Section 2. Performance Standard

A. Local Governments are hereby required to adopt amendments, if necessary, to insure that their comprehensive plans and implementing regulations meet or exceed the following minimum standards:

1. Require no more parking than the minimum as shown on Regional Parking Standards Table, attached hereto; and

2. Establish parking maximums at ratios no greater than those listed in the Parking Table and as illustrated in the Parking Maximum Map. The designation of A and B zones on the Parking Maximum Map should be reviewed every five years and if necessary, revised to reflect changes in public transportation and in pedestrian support from adjacent neighborhoods. For all urban areas outside Zone A, cities and counties shall ^{consider} ~~establish~~ parking space maximums no greater than those listed in Zone B in the Parking Table and as illustrated in the Parking Maximum map. Local governments ^{local} ~~should~~ designate Zone A parking ratios in areas with good pedestrian access to commercial ~~or employment~~ areas (within 1/3 mile walk) from adjacent residential areas.

3. Ensure that an administrative or public hearing process for considering ratios for individual or joint developments allow adjustment for parking when:

- a. in excess of the maximum parking ratios, ~~and~~ ^{or}
- b. less than the minimum parking ratios.

370
371 Local governments may grant an adjustment from maximum parking ratios or minimum parking ratios through an adjustment or variance process.

372 B. Free surface parking spaces shall be subject to the regional parking maximums.
373 Parking spaces in parking structures, fleet parking, parking for vehicles that are for
374 sale, lease, or rent, employee car pool parking spaces, dedicated valet parking spaces,
375 spaces that are user paid, market rate parking or other high-efficiency parking
376 management alternatives may be exempted from maximum parking standards. Sites
377 that are proposed for redevelopment may be allowed to phase in reductions as a local
378 option. Where mixed land uses are proposed, local governments shall provide for
379 blended parking rates. It is recommended that local governments count adjacent on-
380 street parking spaces, nearby public parking and shared parking toward required
381 parking minimum standards.

382 C. Local Governments may use categories or measurement standards other than those in
383 the Parking Table, but must provide findings that the effect of the local regulations will
384 be substantially the same as the application of the Regional Parking Ratios.

385 D. Local governments shall monitor and provide the following data to Metro on an annual
386 basis:

- 387 1. the number and location of newly developed parking spaces, and
- 388 2. demonstration of compliance with the minimum and maximum parking
389 standards including the application of any local adjustments to the regional
390 standards in this title. Coordination with Metro collection of other building data
391 should be encouraged.

for Zone A

c. A demonstration that the households and employment growth capacityies cannot be accommodated at densities or locations the market or assisted programs will likely build during the planning period; and.

d. As part of any request for exemption under this subsection, a city or county shall also submit an estimate of ~~The~~ amount of households or employment included in the capacity listed in Table 1 that cannot be accommodated; and e. ~~Aa~~ recommendation for ~~where~~ which identifies land that would provide for the unaccommodated growth capacity could be located outside the urban growth boundary and near or adjacent to the city or county.

In reviewing any request for exemption based on the financial feasibility of providing public services, Metro, along with local governments, shall estimate the cost of providing necessary public services and compare those with the estimated costs in section 2.b.1.a submitted by the city or county requesting the exemption.

2. Parking Measures. Subject to the provisions of Title 2, ~~local jurisdictions~~ cities or counties may request relief ~~an exemption~~ from the parking measures requirements. Metro may consider a ~~local city or county~~ government request to allow areas from designated as Zone A to be subject to Zone B maximum parking ratio ~~where they can demonstrate requirements~~ ^{recommendations} upon the city or county establishing that, for the area in question.

- a. There are ~~Nno~~ existing plans for to provide transit service with 20-minute or lower peak frequencies; ~~and~~ ^{or}
- b. There are ~~Nno~~ adjacent neighborhoods close enough to generate sufficient pedestrian activity; and
- c. There are ~~Nno~~ significant pedestrian activity within the present business district; and
- d. That it will be feasible for the excess parking to be converted to the development of housing, commerce or industry in the future.

The burden of proof for adjustments ~~an adjustment~~ shall increase as based on the quality and timing of transit service improves. ~~Any adjustment granted must include a demonstration of how future conversion of excess parking is feasible. The existence of transit service or plans for the provision of transit service near a 20-minute or lower peak frequency shall establish a higher burden to establish the need for the exemption.~~

3. Water Quality and Flood Management Areas. Cities and counties may request areas to be added or deleted from the Metro Water Quality and Flood Management Area based on a finding that the area identified on the map is not a Water Quality and Flood Management Area or a Fish and Wildlife Habitat Conservation Area, as defined in this functional plan. Areas may also be deleted from the map if the ~~local government~~ city or county can prove that its deletion and

Regional Parking Ratios (parking ratios are based on spaces per 1,000 sq ft of gross leasable area unless otherwise stated)			
Land Use	Minimum Parking Requirements (See) Central City Transportation Management Plan for downtown Portland stds)	Maximum Permitted Parking - Zone A:	Maximum Permitted Parking Ratios - Zone B: <i>Recommended</i>
	Requirements may Not Exceed	Transit and Pedestrian Accessible Areas ¹	Rest of Region
General Office (includes Office Park, "Flex-Space", Government Office & misc. Services) (gsf)	2.7	3.4	4.1
Light Industrial Industrial Park Manufacturing (gsf)	1.6	None	None
Warehouse (gross square feet; parking ratios apply to warehouses 150,000 gsf or greater)	0.3	0.4	0.5
Schools: College/ University & High School (spaces/# of students and staff)	0.2	0.3	0.3
Tennis Racquetball Court	1.0	1.3	1.5
Sports Club/Recreation Facilities	4.3	5.4	6.5
Retail/Commercial, including shopping centers	4.1	5.1	6.2
Bank with Drive-In	4.3	5.4	6.5
Movie Theater (spaces/number of seats)	0.3	0.4	0.5
Fast Food with Drive Thru	9.9	12.4	14.9
Other Restaurants	15.3	19.1	23
Place of Worship (spaces/seats)	0.5	0.6	0.8
Medical/Dental Clinic	3.9	4.9	5.9
Residential Uses			
Hotel/Motel	1	none	none
Single Family Detached	1	none	none
Residential unit, less than 500 square feet per unit, one bedroom	1	none	none
Multi-family, townhouse, one bedroom	1.25	none	none
Multi-family, townhouse, two bedroom	1.5	none	none
Multi-family, townhouse, three bedroom	1.75	none	none

¹ Ratios for uses not included in this table would be determined by local governments. In the event that a local government proposes a different measure, for example, spaces per seating area for a restaurant instead of gross leasable area, Metro may grant approval upon a demonstration by the local government that the parking space requirement is substantially similar to the regional standard.

1093
1094
1095

Sept. 2, 1996

090596-12

To: Board of Commissioners

cc: Don Bohn, WC Admin. Office
Linda Gray, CPD Coordinator

From: Judy Skinner
P. O. Box 5607
Aloha, OR 97006-0607
642-9617
591-0720 fax
skinnerj@teleport.com

RE: Item 4b on Sept. 3rd BCC Agenda

This item is formalization of the Board's comments on Metro's Urban Growth Management Functional Plan. I have a couple of concerns.

1. The draft letter states "... the Board of Commissioners invited public comment ...", but this is not listed as a public hearing item. I don't recall any publicity on this.

2. The letter refers to the draft comments from the WC Coordinating Committee, but these draft comments are not included and I don't recall seeing this document before. Please send me a copy of these draft comments.

3. About the plan itself:

a. I support the increased prohibitions on building in the flood plain.

b. I am concerned about the impact on neighborhoods of the reductions in number of parking places, particularly related to Tri-Met's history of inadequate service in WC and lack of interest in making improvements.

Please include my comments in your meeting.

090596-13

*(For the Record before the Washington County Commission on September 3, 1996.
Please read aloud into the record and make a part of the record to be forwarded to
the Metro Council.)*

September 2, 1996

Re: Washington County Position on the Metro Region 2040 Functional Plan

Linda Peters, Chairman
Washington County Board of Commissioners
155 North First Avenue
Hillsboro, Oregon 97123

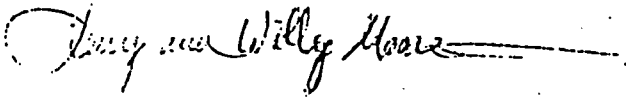
Dear Chairman Peters and Members of the Board:

This letter urges your continued support of the work done by you and your regional partners, both at Metro and in the cities, counties, and special districts of the region, to forward a recommended Region 2040 Functional Plan to the Metro Council for adoption. We ask that your comments to the Metro Council endorse and support the recommendations in the Functional Plan endorsed by MPAC for adoption by the Metro Council.

While the Functional Plan forwarded by MPAC may not be as detailed a document as we would like, it is the result of years of work by citizens and elected officials alike and will serve our communities well as we prepare for the next 20 years.

Please send Metro a strong message of endorsement of the MPAC-recommended Functional Plan.

Sincerely,



Mr. and Mrs. William J. Moore
8440 SW Godwin Ct.
Garden Home, Oregon 97223
244-3489

090596-14

VIA FAX CAROL GEARIN (503) 641-4427
E-Mail: gandgintel@aol.com



DATE: August 30, 1996

TO: Washington County Board of Commissioners

RECEIVING FAX :693-4545

Faxing a total of 3 pages including the cover sheet. Any questions, please call (503) 643-4311.

COMMENTS:

Please enter the following into public testimony on the 2040 Functional plan at the Board of Commissioners meeting on September 3, 1996.

THE ABOVE INFORMATION IS CONFIDENTIAL AND INTENDED ONLY FOR THE INDIVIDUAL(S) LISTED ABOVE. IF YOU RECEIVE THIS FAX IN ERROR, PLEASE NOTIFY ME AT (503) 643-4311. THANK YOU.

My name is Carol Gearin, 2420 N.W. 119th Avenue, Portland, OR. 97229. I am a member of the Board of Directors of Tualatin Valley Fire & Rescue and the Executive Board of CPO #1. I offer the following testimony as a private citizen.

In his July 16, 1996, letter to Councilor Susan McClain on the Regional Functional Plan (RFP) draft, Jon Chandler, General Counsel for the Home Builders Association of Metropolitan Portland, states in the fourth paragraph: " I know that there has been a fair degree of press attention to this issue, and there have been open houses, traveling presentations, forums, and so forth, and there have been reams of papers prepared describing what is taking place - while all of these activities are meritorious, there still is not a great deal of public understanding about the work METRO is doing or the decision soon to be made on the public's behalf. This is not a criticism of METRO, but the fact is that there is a core group of land use aficionado's and citizen activists who attend the various communication events and pay attention, but no one else is listening yet."

I am one of those citizen activists. I have read several drafts of the RFP; I have attended a variety of meetings and open houses; I have read reams of materials and talked with a number of individuals. I find that in this instance, I must agree with Mr. Chandler. I do not believe I would have six months ago. However, because I am the Newsletter editor for CPO #1 and therefore, often mistaken for a County employee, I receive telephone calls - frequently addressing newly occurring or planned developments in or near the caller's neighborhood. No one has, as of yet, praised the increased densities. Usually the caller is quite upset and angry. While all of the callers to date have agreed they want to hold the UGB, they do not like, nor agree with, the increased densities.

Over the past months, I have come to believe all of the talk surrounding the RFP has been delivered with a dose of honey. It is time to strip away any frills and talk plainly with citizens. Increased densities will mean many of the things addressed in Mr. Chandler's letter. Increased densities will mean more traffic, less parking, longer travel times, more neighbors arguing concerning: barking dogs, noisy children, over-hanging trees and shrubs, smoke from bar-be-ques, unkept lawns, noisy stereos, televisions etc. As a volunteer in a mediation program, these very issues are ones we now address - with increased densities, the complaints can only escalate.

I must agree with the letter sent to the METRO Council dated August 9, 1996, by the Washington County Coordinating Committee - in particular my belief that minimum densities are not suitable for all areas. Some areas in CPO #1, for example, north of Cornell Road and along McDaniel presently zoned R-9, are hilly, have no sidewalks, curbs or bikepaths and bus service is non-existent, nor do I expect it in my lifetime. Development in these areas simply throws additional vehicle traffic on McDaniel, 119th, 113th, Saltzman and Cornell Rds, as well as others. On the 2040 map, some of these areas are listed as outer neighborhoods and should be down-zoned.

Page 2 (cont)

Prior to adopting the 2040 RFP, I urge you to address, with METRO, the concerns of WCCC and those Mr. Chandler has addressed. I ask you to enter into conversations with the citizens of Washington County who will be affected by the 2040 plan. I ask that you out-line exactly what increased densities entail without adding the "honey" to mask the "bad taste". In addition, whether speaking with other representatives of local jurisdictions, METRO, or just plain citizens, I ask that you define the words "livability" and "quality of life" as you understand them. I believe we are presently all working from different definitions of these terms. Citizens need to know not only what these words imply for their community, but specifically for their immediate neighborhood. If citizens are to be partners in this plan, it is time for plain talk.

I apologize that I could not attend this meeting to answer any questions, however I will be happy to meet or talk with any Commissioner who has comments or questions. Thank You.

9/3/96



090596-15

UNIFIED SEWERAGE AGENCY OF WASHINGTON COUNTY

RECEIVED
AUG 30 1996
WASHINGTON COUNTY
BOARD OF COMMISSIONERS

DATE: August 29, 1996

TO: USA Board of Directors

FROM: *B* Bill Gaffi, General Manager

SUBJECT: REGION 2040 FUNCTIONAL PLAN

As you are aware, USA staff participates on Metro's Water Resources Policy Advisory Committee (WARPAC). In that capacity, the Agency has interacted with Metro regarding TITLE 3: WATER QUALITY AND FLOOD MANAGEMENT CONSERVATION of the Urban Growth Management Function Plan (copy attached).

USA staff supports the goals of TITLE 3 as offering important protections to stream corridors which will aid in compliance with newly established temperature standards. Without improved protection of stream canopy, the Agency may have to replace, at ratepayer expense, vegetation removed during the development process.

We believe the current language is a satisfactory general guide to the development of local land use requirements even though it must be clarified via model ordinances which will follow. These ordinances need to allow construction of gravity sewers within stream corridors where failure to do so will result in the loss of important resource restoration opportunities or in unacceptable operation, reliability, public health or economic impacts. The dialogue within WARPAC leading to support of the current language reflected such a goal.

It is anticipated that WARPAC will have a role in drafting model ordinances and can, therefore, promote clarification of this important point. The issue of construction of sewers within stream corridors was recently brought before the USA Advisory Commission and public testimony was received.

Their conclusion was that gravity sewer service should remain the preferred service delivery strategy, but environmental impacts need to be carefully examined along with a variety of other factors on a case by case basis for projects near stream corridors. We expect that USAAC's recommendations, once finalized and approved by the Board, should serve as valuable input to the development of model ordinances.

We will continue to work with Metro to insure that the Functional Plan offers needed protection to our streams while avoiding inappropriate operational, environmental or economic consequences.

PEGGY LYNCH

(503) 646-4580
(503) 646-6286 (fax)
ZULUDAR@aol.com (e-mail)

3840 SW 102nd Avenue
Beaverton, OR 97005-3244

RECEIVED
AUG 29 1996

August 29, 1996

To: Board of County Commissioners
fax: 693-4545 - two pages

WASHINGTON COUNTY
ADMINISTRATIVE OFFICE

Re: Functional Plan

The following four paragraphs are a portion of a fax sent to Commissioner Christy July 17th and may be relevant to your Sept. 3rd public discussion on the above:

"You expressed concern about the Parking "Title" in the Metro Functional Plan and I wanted to follow up on that issue. I, too, had some reservations about that section until I was given to believe that--after much compromise--the current minimum numbers in the Plan are almost the same as jurisdictions currently have in their codes and the only "hammer" was that they would be restricted from granting large increases to the code requirements--hence the maximums.

Some large retailers like to use--as a marketing tool--a strip of almost always unused parking in front of their stores to show those driving by that they are open for business and have "a place for them". The region is just saying, "We can't afford for you to use our limited, valuable land in that manner any longer. Find new ways to market." We are also hopeful that, as we create better facilities for people to slowly drive through business districts or to allow for walking or biking, that these businesses will benefit from that new environment and it will exchange an old marketing technique for a new one.

It would be helpful to me if you asked staff to provide you with an analysis of the Metro minimums and the current county code minimums. Staff might also want to share cases where more than the minimum was requested and approved--and why, if possible.

Unless I can be convinced otherwise, I think this is a case where the retailers are panicking--like "citizens" are often accused of--over a minor loss of development options. (Of course, they are also concerned about the possible loss of development opportunities of land that is planned for industrial or employment uses--Title 4. On that issue, they should participate during the re-zoning of our comprehensive plans to assure their needs are accommodated in the same manner ALL uses will need to be reviewed as we work to implement 2040.)"

I have a family commitment on Sept. 3rd, but will attempt to attend your work session, even if I have to leave early. I am available all weekend should any Commissioner wish to receive a briefing on the MPAC discussions regarding the Functional Plan.

Most important to understand is that the basic premise behind the target numbers in the Plan is NO EXPANSION of the Urban Growth Boundary at the present time (at least until Dec. of 1997 when local jurisdictions will know if they have successfully met the target densities in their plans through

implementation of this Functional Plan and can provide for a 20-year land supply per state law). If you accept and support that premise, the Plan is a method of reaching that goal. If you believe expansion NOW is necessary, then your conclusion is different. Regionally, the leaders at MPAC made a commitment to try for no expansion; hence the Plan.

Two areas where the Metro Council expects some change are in Title 4, Retail in Industrial and Employment Areas, where an attempt will be made to address the goal of the Title, rather than just setting some square footage limits--the goal being to preserve our valuable jobs areas from big box retail which uses more land per job than desired for these areas.

The other Title is Performance Measures where the Growth Management Committee had little time to review Councilor McCaig's proposals regarding timelines and specific actions cited in that section, although they were supportive of the direction being set. The Council is expected to review and, perhaps, modify portions of this section to assure they can be successful in meeting the goal of "double checking" to monitor our success and taking appropriate action to respond to local jurisdiction and market reality.

I do not presume to know what actions Metro Council will take, but am sharing a portion of the public conversation held at Council level on the Plan. If past practice is an example, all ideas presented to the Council will receive both Metro staff and Council scrutiny, with recommendations on each being presented to Council for action. If you still have a copy of the April 24th draft, you will see substantial changes in the current draft as a result of public and local jurisdiction input.

All good public documents improve with greater scrutiny by a wide variety of individuals and groups. I'm sure this Plan has room for improvement, also. Your thoughtful input to the Metro Council will be most valued. Thank you for providing this public opportunity for Washington County citizens.

Date-Posted: 14-Aug-1996 18:12:10 -0400; at emout17.mail.aol.com
Session

Date: 14-Aug-1996 18:12:10 -0400

From: ZULUDAR@PSB(MHS:ZULUDAR@aol.com)

Message-id: <3B1D123281F61573>RFC822:960814181209_456567261@emo
ut17.mail.aol.com

To: cao@MIS

Subject: UGM Functional Plan & Aug. 13th Board Work Session

Copies-to: Wyzone@PSB(MHS:Wyzone@aol.com),
GandGint@PSB(MHS:GandGintel@aol.com), LINDAP@PSB

To: Washington County Board of Commissioners

I understand that you received an update on the Functional Plan at your Aug. 13th meeting, yet the Plan handed out by staff was NOT the "Working Draft" forwarded by Metro's Growth Management Committee to the full Metro Council on Aug. 8th. Had I known, I would have brought copies--I picked them up on the 8th at the Council meeting.

I encourage you to directly call Metro and ask for copies of said draft.

Since MPAC's draft, legal counsel for Metro has reviewed the document and made modifications adopted by the Growth Management Committee to assure continuity and clarity. The Growth Management Committee made additional modifications after receiving oral and written testimony, with Councilor McCaig's rewrite of the "Benchmarks" suggested by Metro Exec Mike Burton becoming Performance Measurements which Metro will use to assure that the region is successfully moving toward the 2040 Growth Concept adopted by the region. (And including strategies for taking corrective measures if we are NOT.)

Had I known of your work session topic, I would have gladly offered myself as a resource to the Board. Having attended almost all MPAC meetings and some Growth Management and Council meetings related to the formation of this document, I can share the discussions which have concluded in crafting this latest document. Unfortunately, I will be unable to attend next week--either the work session or the CCI meeting that Commissioner Katsion is attending, but would willingly schedule another time.

For the CCI meeting, I have faxed Linda Gray a copy of the fax covers indicating the myriad of governments and local groups/citizens who receive my MPAC Updates after each MPAC meeting in order that you are aware of the outreach I have provided as Washington County's "citizen" rep. on MPAC.

Lately, I have begun hearing from some recipients that they have been reviewing these reports and acting on their content, although I have been disappointed that I have received little direct feedback to help guide my votes. My attendance at numerous countywide meetings and listening to comments has helped.

Overriding is the consistent majority feeling regionwide--including Washington County--that we should attempt to hold the line on the current Urban Growth Boundary--at least until we can work locally w/neighborhood groups and businesses on re-planning and can see how the market and developers can respond to this goal. The effect of the current Functional Plan will meet that goal--at least for the short term. It provides for jobs and housing to the year 2017--the 20-year supply required by law. That premise is the basis of this Plan.

With that global goal comes very real concerns in Washington County about our lack of transit and that our current road network might be insufficient to meet demands. To that end, I (and others from Wash. Co.) asked to see a "transit" component in the Functional Plan. According to Metro legal counsel, the Functional Plan can ONLY be binding on cities and counties.

But, recognizing and HEARING our concerns, Tri-Met has done two things: 1)

In direct response to MPAC, Tri-Met has publicly committed to signing an Intergovernmental Agreement w/Metro binding them to supporting the 2040 Growth Concept and 2) have set out a plan to engage local governments and citizens this fall in seeking ways to meet those goals.

Another issue about which I have heard concern is the parking section. I have repeatedly asked local staff countywide to give examples where the parking minimums in the Plan are lower than in their current codes and where developers have asked for maximums higher than in the Functional Plan. So far, I have received no response. I believe that the numbers in that section have been compromised to the point that they simply set a precedent: minimums and maximums are acceptable. In fact, that is what I heard that worries those in opposition--not that the current numbers are too low or too high, but that "someday" they might be.

Street connectivity is another issue of local concern. The Plan has been changed to require these standards in only NEW development and recognizes constraints which might preclude meeting these standards. I am puzzled by the concern on this issue. Much of what I've heard from Wash. Co. folks is that we don't have the road network like Portland. Yet when an attempt is made to achieve such a network, there is objection.

On issues like minimum densities and retail in employment & industrial areas, it seems to me that, since we will need to re-plan communities over the next two years anyway, we can carefully plan to select the correct densities (and the 80% requirement won't matter--except to allow local governments to say "We planned for x units and at least 80% of x units MUST BE BUILT on x property."). Similarly, if we need to plan for more commercial--that can't be accommodated by redevelopment--then we have that option--in deed--that responsibility for our communities.

Yet another issue raised by local governments and addressed by the current draft: Offer a choice of proscriptive measures or performance measures and allow us to select the method that best fits our community. Small communities might adopt "canned" ordinances provided by Metro; larger entities like Washington County might wish to meet the goals in a manner that meets Washington County needs. The "cookie cutter" comment just does NOT apply.

The dilemma regarding the Level of Service issue is difficult. In response to local concerns, the Plan was modified from a "shall" to a "may" on this issue. That allows local governments to have a discussion w/their citizens and choose what's best for them. Additionally, if we are truly working to change mode split, shouldn't we expect to count that split in determining travel needs? Another very real fact is that we don't have \$2 billion to build every road that might be needed in this region. So we'd better look at the resources we have and figure out a way to do things differently. Schools have had to do that with their limited resources. Certainly the issue of having good transportation in this region is one we all need to address. But growing out just means more rural roads would need to be improved. It seems reasonable that it might be less expensive to improve transportation inside the UGB--including offering more choices so our limited roads can be used by those truly needing to use them.

Lastly, I heard concern about what happens if we can't comply. There are clear provisions for appealing set forth in the Functional Plan and, prior to that, hard fought over during the development of RUGGOS. It is the RUGGOS provision that will apply. Local jurisdictions will make their case before their peers (MPAC). For instance, one jurisdiction might work something out with another on their "fair share", because a nearby jurisdiction has "excess" housing units. That could be presented and accepted. End of issue.

If the MPAC solution is not accepted, there is a clear series of steps that local jurisdictions can take--agreed upon a number of years ago by local governments.

Is it going to cost? Yes--almost everything does--growth included. But what will it cost us if we don't at least try? We're not building density; hopefully, we're building houses in neighborhoods and communities where people can live, work, shop and play. Your leadership will be needed as this Plan is implemented. I encourage you to continue to help craft it in a manner good for both Washington County and the region.

If any of you would like a personal "walk through" of the Plan, I would be willing to meet with you. I am certainly no planner, but would willingly share the issues which have been raised at the meetings I have attended to give as complete a picture as I am able. I DO listen to all sides; two small sections of the draft were brought forward by me after reading the "2040 Means Business" reports.

The next public hearings are before the Metro Council on Sept. 5 and 12. The City of Beaverton is holding a public hearing on Sept. 9. They have been meeting with their CCI and other community leaders to keep them updated on the Plan. Tigard held meetings with its Citizen Involvement Teams. The Beaverton Chamber has sent public testimony in the past, as have TVEDC and many Washington County citizens.

The Council has clearly stated that the Retail in Employment and Industrial section needs work and will probably see some amendments, as will the newly presented section by Councilor McCaig on Performance Measurements--although neither concept seems destined for deletion, just modification.

The prevailing feeling expressed by many Metro Councilors is that local governments brought this forward to them for adoption and, since it will be binding on local governments, it is important to "keep the faith" with those local governments. I expect to see amendments and improvements, but would be surprised to see giant changes in direction by the Council in October when this Plan is slated for adoption UNLESS issues are raised that compel the Council to rethink the issue being raised. Of course, this is a public process and I cannot presume to know how each of the seven Councilors will vote on any issue.

Again, I would be most willing to work with each of you on this important issue. Please call.

Today's MPAC meeting is slated to see adoption of a position on the Urban Growth Report. MTAC has recommended that the Council NOT adopt the Report until after local governments have a chance to see if the Functional Plan will work locally. If that position prevails, there would be no action on moving the UGB until December of 1997. Stay tuned.....
Action IS slated on selection of Urban Reserves.

I am off to Beaverton City Hall to see a presentation of ideas surrounding their Central Downtown Plan. The current draft supports the Functional Plan concepts and could finally "give Beaverton a heart", using both public and private partnerships. It is an exciting time in which we live.

Peggy Lynch
646-4580



690596-17

AUDUBON SOCIETY OF PORTLAND

Inspiring people to love and protect nature.

8/30/96

Washington County Board of Commissioners
155 N First Avenue, Suite 300
Hillsboro, OR 97124

Chair Peters and Commissioners,

I received an announcement about one hour ago that indicates you are soliciting input from citizen groups and individuals who have been involved in Metro's Region 2040 process and development of the Functional Plan. Your notice indicated you would be taking a "position" on the Functional Plan on September 3rd and I assume you will take citizen comments into consideration as you deliberate this issue. I am submitting the attached materials for your consideration on behalf of the Audubon Society of Portland and the Natural Resources & Environmental Justice Working Group of the Coalition For a Livable Future.

I presume it goes without saying that the turnaround time on Labor Day weekend is extremely problematic for citizen groups and that the amount of input you will receive will be significantly lessened by choosing such a short time line over a holiday weekend. Nevertheless, we appreciate the fact that you are willing to take our views into consideration in your discussions.

You indicated you wanted to hear from Washington County residents and organizations. Technically, PAS is within the City of Portland. However, we have over 8,000 members region-wide, over 2000 of whom reside in Washington County. That is one reason we feel you should give great weight to our positions on the Functional Plan. Additionally, the Natural Resources Working Group of the Coalition For A Livable Future has representatives from Washington County on it. Most importantly, however, is the fact that how Washington County implements the Functional Plan and provisions which will flow from the Functional Plan such as the mapping and model ordinance contemplated in Title 3 will impact the rest of the region. Therefore, I would argue that you should solicit input from citizens and groups outside Washington County since they, too, have a stake in your actions.

I am attaching testimony which I have presented to MPAC, Metro's Growth Management Committee and the Metro Council. This material is the most current "position" that PAS and the Coalition has on Title 3. You should solicit input from 1000 Friends of Oregon (Mary Kyle McCurdy), Bicycle Transportation Alliance (Rex

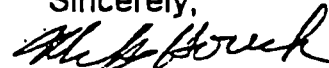
Burkholder), Community Development Network on affordable housing (Tasha Harmon) and The Urban League of Portland (Mike Pullen) for comments on other Titles of the Functional Plan. That information can be obtained from Metro or those organizations directly.

Additionally, I would strongly urge you to contact the organizations listed in our Urban Natural Resource Directory which USA helped fund. The Directory lists all regional groups and also lists groups by watershed. I have sent many of them a email alert regarding your desire for input. However, if you really want their input I strongly advise that you call each of these organizations to solicit their input. I know that USA has multiple copies of the Directory and that Mark Jockers has copies.

I would urge the BCC to strongly endorse the provisions included in Title 3 which relate to floodplain management and water quality issues. As you can see, Title 3 leaves the question of Goal 5 resources open for an eighteen month period. I have strongly urged Washington County for several years to conduct an update of its Goal 5 program. Metro is committing to undertake a regional Goal 5 program through Title 3. I urge you to support that effort and to take advantage of Metro's offer to work with local jurisdictions to identify where there are gaps in local Goal 5 programs throughout the region and to then initiate efforts to develop a region-wide, consistently applied Goal 5 program. Washington County should be strong supporters of that effort.

Please feel free to contact me if you have questions regarding the materials I have provided you regarding our current positions on the Functional Plan. You can reach me at 292-6855 x111 or email: houckm@teleport.com.

Sincerely,



Mike Houck
Urban Naturalist

090596-18

STOP

Sensible Transportation Options for People

August 30, 1996

To: Linda Peters, Chair of the Washington County Board of Commissioners
Re: Comments on Metro's Urban Growth Management Functional Plan
From: Loretta Pickerell, President of STOP *up*

Sensible Transportation Options for People, a grassroots non-profit organization based in Washington County, respectfully submits comments regarding the Urban Growth Management Functional Plan as the Washington County Board of Commissioners considers final comments prior to forwarding County comments to the Metro Council on September 5th, 1996 (or September 12, 1996).

Sensible Transportation Options for People supports Metro's Urban Growth Management Functional Plan. Specifically, STOP supports:

- Minimization of urban growth boundary expansion;
- Development standards which support smaller lots for residential housing;
- Higher housing densities near light rail stations, in town and regional centers and along main streets;
- Promotion of non-auto trips through land use planning and improved transit;
- Reduced parking;
- Protection of stream corridors and flood management areas from development,
Specifically:
 1. maintenance (or re-establishment) of native vegetation cover in stream beds,
 2. prohibition of hazardous materials in water quality and flood management areas, and
 3. conservation and protection of fish and wildlife habitat.
- Regional street design standards which support non-auto transportation;
- Improved street connectivity;
- Development of adequate transit services for increased residential density and mixed-use development;
- Development of a "fair share" housing strategy;
- Inclusion of a variety of housing types within developments (row houses, townhomes, single family detached);
- Exploration of funding support to cities and counties for compliance with the Functional Plan.

Further, STOP supports Metro's efforts to ensure consideration for protection of "common rural reserves."

It is STOP's belief that every local jurisdiction has a responsibility to contribute to the improved livability of the region through compliance with the Regional Functional Plan. Citizens, elected officials and planners have worked for years to create a regional vision. Now is the time for Washington County to adopt the Urban Growth Management Functional Plan to embrace the steps that will bring this regional vision to fruition.



Oregon Building Industry Association

375 Taylor Street NE • Salem, OR 97303 • (503) 378-9066 • (503)362-5120 Fax

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September 3, 1996

Jon Kvistad, Presiding Officer
Metro Council
600 NE Grand Avenue
Portland, OR 97232

Re: Functional Plan Draft

Hand Delivered

Dear Councilor Kvistad and Members of the Metro Council:

A prior commitment requires me to be out of the state on Thursday, so I will be unable to deliver this testimony in person. Please include this letter and attachment in the record.

I am including with this letter a copy of a revision I have made to Titles 1, 8 and 10 of the Functional Plan, together with annotations that are referenced in the text of the amendments. My intention with the revisions was to clarify what Metro is attempting, and to organize the document differently so that it is more workable. Where policy issues arose, I tried to highlight them in the annotations; I also attempted to incorporate all the concepts from the earlier draft in this version, other than obvious redundancies. I have provided copies to Mr. Shaw, Mr. Cooper, Mr. Fregonese and Mr. Turpel of Metro's staff, and have discussed the amendments with them. I look forward to discussing them further with staff, and with the Council when this matter is scheduled for a work session.

The following is the rough outline I used in making these revisions:

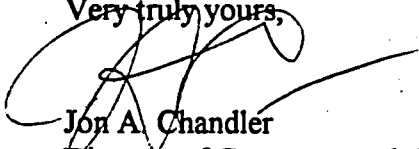
1. Metro is, by the Functional Plan, directing local governments to do a variety of things, from upzoning to regulatory reform to allowing new densities. These requirements I placed together in Section 2 of Title 1.
2. Metro is also asking local governments to determine what their zoning would allow in terms of density and intensity of uses, and to estimate what might actually be built given their current zoning and regulations. This analysis I placed in Section 3.
3. Finally, Metro is requiring local governments to compare the results of their work with the target numbers contained in Table 1, and if they have come up short, to provide a justification for their results, with Metro being the final arbiter of the sufficiency of local government performance. This I placed in Section 4.

There are a number of policy issues which presented themselves in the process of revising this document. In no particular order, they are:

- A. I characterized local government's responsibility with regard to Table 1 as being to demonstrate that they have both the zoning that would allow the targets to be achieved and that their expected densities will meet the targets. It is not by any means clear, however, whether Table 1 refers to zoning or expected densities, and it is important that Metro be clear about this point so that local governments know what is expected of them.
- B. By reordering the document, I believe that different time frames could be established for local government compliance. It shouldn't take local governments 24 months to complete the tasks set forth in my Section 2 – Metro could require compliance with this Section within one year of passage. Similarly, the analyses required by Section 3 could be done fairly quickly, perhaps within six months of the work in Section 2. It is not my intention to make life more difficult for local governments, but I think that if Metro phased the work to the jurisdictions and required different time lines for each step, a better end product would result by virtue of a more collaborative process being possible.
- C. While this is somewhat of a wordsmithing issue, the original document isn't clear whether or not Metro is requiring local governments to reflect market reality when they calculate their expected densities. In other words, is Metro requiring that local governments zone for a particular result, or that they adopt policies that will help ensure that the result is achieved, or both? When local governments calculate their expected densities, at what point do they look at market realities? Are they to do this at all? Is Metro going to second guess local determinations?
- D. A related topic: Title 8 provides a review mechanism for local governments that cannot hit the targets in Table 1. What about local governments that report that they can achieve Table 1 – does Metro have the ability to challenge their assertion? The document isn't particularly clear on this point.
- E. The original document contains language requiring the allowance of partitions and subdivisions in certain circumstances. I would recommend language also requiring the allowance of certain housing types – e.g. rowhomes, townhomes, accessory units, etc. – as outright uses.
- F. As indicated by my revisions, I am uncomfortable with the use of the terms "capacity" and "permitted", and have changed them in my proposed definitions. This being said, though, I understand what was being attempted with this terminology, and I would recommend that the council direct staff to continue working on language that clearly states the various ideas being expressed.

With regard to other general policy issues relating to this document, I would refer you to my earlier correspondence to the Growth Management Committee. Thank you for your consideration; I look forward to discussing this with you in more detail in the weeks ahead.

Very truly yours,



Jon A. Chandler

Director of Governmental Affairs



Oregon Building Industry Association

375 Taylor Street NE • Salem, OR 97303 • (503) 378-9066 • (503)362-5120 Fax

MEMO

TO: Members of the Metro Council
FROM: Jon Chandler
RE: Revisions of Functional Plan
DATE: September 3, 1996

Accompanying this memo are revisions which I am suggesting be made to Titles 1, 8, and 10 of the Functional Plan. To help in interpreting this redlined version, I offer the following:

Changes of any sort are marked with a vertical line in the margin of the page.

Language in italics is new language I have added to the document.

~~Language that is printed like this~~ is my proposals for deletion from the document.

Language that is underlined is staff's addition from previous drafts of the document.

~~Language that looks like this~~ is, generally, my deletions of staff's additions, if that makes sense.

The figure [JAC ##] refers to an annotation, which are attached to the back of the proposed revisions.

My apologies for the resulting mess, but (a) I find redlined versions, however complicated, helpful at least for the first read through of changes, and (b) the changes I made looked much nicer and more readable on the computer screen, since I could make them different colors. My printer, unfortunately, is limited to black and white...

I hope this helps make sense of this proposal. I will plan on presenting a cleaner version for your review at your next meeting.

Thank you for your consideration and forbearance.

URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN
A functional plan for early implementation of the Metro 2040 Growth Concept

Introduction

Metro was created after a vote of the citizens of the region as an elected regional government responsible for addressing issues of ~~regional significance~~ metropolitan concern in the metropolitan area and is enabled by state law, adopted by the Oregon Legislature in 1977. In addition, the voters of the region adopted a Metro Charter in 1992, which describes additional responsibilities for the agency. Metro has ~~an elected Executive Officer and a~~ an elected seven member Metro Council which propose and determines region-wide policies. In addition, Metro has an elected Executive Officer to enforce Metro ordinances and execute the policies of the council.

The Metro Policy Advisory Committee (MPAC) is comprised of local government elected officials and appointed citizens from throughout the region and was created to advise the regionally elected Metro Council on matters of ~~metropolitan significance concern~~. ~~MPAC was included in created by the Metro Charter, which was adopted by a vote of the citizens of the metropolitan area in 1992.~~ MPAC has recommended specific policies to be included in a new functional plan to be adopted by the Metro Council as soon as practicable. ~~This recommendation was made by MPAC to begin implementation of the regional policies of the Metro 2040 Growth Concept as adopted by the Metro Council by Ordinance No. 95-625-A.~~ Early implementation of the 2040 Growth Concept is intended to take advantage of opportunities now and avoid land use of land inconsistent with the long-term growth policy.

MPAC, as well as the Joint Policy Advisory Committee on Transportation (JPACT), and the Water Resource Policy Advisory Committee (WRPAC) have made recommendations that are the basis for this functional plan. All of the elements considered by MPAC, JPACT and WRPAC were deemed by the Metro Council to be matters of metropolitan significance concern that have significant impact upon the orderly and responsible development of the metropolitan area. ~~The following text states the scope of functional plan establishes regional policies, which will apply to all 24 cities and 3 counties within the Metro region, for early implementation of the 2040 Growth Concept.~~ The legal form of this ~~early implementation~~ these regional policies is a functional plan, not adoption as a "component" of the Regional Framework Plan. The policies in this functional plan will be updated and coordinated with other policies to be readopted in official as components of the Metro Charter mandated Regional Framework Plan, on or before December 30, 1997.

Functional plans are a primary regional policy tool that may contain both "recommendations" and "requirements" for changes in local plans. This functional plan relies on further actions, primarily changes to local government comprehensive plans and implementing ordinances, to effectuate the actions described below.

The Meaning of Regional Functional Plan Adoption

The following regional policies which are adopted by this Urban Growth Management Functional Plan recommend and require changes to city and county comprehensive plans to and implementing ordinances. The purpose of this functional plan is to implement regional goals and objectives constituting the Urban Growth Management Functional Plan under ORS 268.390, adopted by the Metro Council as the Regional Urban Growth Goals and Objectives (RUGGO), Goal I, and Resolution No. 96-2288 including the Metro 2040 Growth Concept. The requirements for comprehensive plan changes and related actions, including implementing regulations, required by this functional plan, shall be adopted by all cities and counties in the Metro region within twenty-four (24) months from the effective date of this ordinance.

~~Local~~ Any city or county determination not to incorporate all required functional plan policies into comprehensive plans shall be subject to the conflict resolution and mediation processes included within the RUGGO, Goal I provisions prior to the final adoption of inconsistent policies or actions. ~~Local~~ actions Upon the effective date of this ordinance, any city or county amendment to a comprehensive plan or implementing ordinance that is inconsistent with functional plan requirements of this functional plan are is subject to appeal for violation of the functional plan.

Regional Policy Basis

The regional policies described below adopted in this functional plan are formulated from, and are consistent with, the RUGGOs, including the Metro 2040 Growth Concept. ~~These adopted Metro policies will be incorporated into the Regional Framework Plan. Also, The overall principles of the Greenspaces Master Plan are also incorporated within this functional plan.~~ In addition, the 1996 updated Regional Transportation Plan (RTP)¹, when adopted, will serve as the transportation element of the Regional Framework Plan. ~~It will be the primary transportation policy implementation of the 2040 Growth Concept.~~ However, early implementation land use policies in this functional plan are integrated with early implementation transportation policies derived from preparation of the 1996 Regional Transportation Plan, and consistent with the Metro 2040 Growth Concept.

This functional plan relates to the RTP, the Growth Concept, the Urban Growth Report, and the Housing Needs Analysis as follows:

[JAC1]

Structure of Requirements

The Urban Growth Management Functional Plan is a regional functional plan which contains "requirements" that are binding on cities and counties of the region as well as recommendations that are not binding. "Shall" or other directive words are used with requirements. The words "should" or "may" are used with recommendations. In general, The Plan is structured so that local jurisdictions may pick from choose either performance standard requirements or prescriptive requirements. The intent is to write these regulations so of the requirements is to assure that local

¹ Metro has an adopted Regional Transportation Plan. However, because of changing local and regional conditions, as well as state and federal requirements, the RTP is being amended in 1996.

71 ~~jurisdictions~~ cities and counties have a significant amount of flexibility as to how they meet
72 requirements. Performance standards are included in all titles. If local jurisdictions ~~can show~~
73 demonstrate to Metro that they meet the performance standard, they have met the requirement of
74 the title. ~~In addition, prescriptive sStandards methods of compliance~~ are also included. ~~They are~~
75 available in the plan to show establish one very specific way that jurisdictions may meet ~~the a~~ title
76 requirement, but these standard methods are not the only way a city or county may show
77 compliance. In addition, certain mandatory requirements that apply to all cities and counties are
78 established by this functional plan.

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

80 **TITLE 1: REQUIREMENTS FOR HOUSING AND EMPLOYMENT** 81 **ACCOMMODATION**

82 **Section 1. Intent**

83 State law and Metro code require that the Metro urban growth boundary (UGB) have sufficient
84 capacity to accommodate the expected growth for 20 years. It is Metro policy to minimize the
85 amount of urban growth boundary expansion required for the expected population and
86 employment growth by the year 2017 consistent with all Statewide Goals. To further accomplish
87 that policy, it is beneficial and desirable for Metro to require actions intended to increase the
88 density at which residential and employment development occurs on lands capacity of land
89 available density permitted for development and to increase the actual built density within the
90 UGB. Increasing the density capacity of development land within the UGB will includes
91 requiring changes increasing in appropriate locations, to both the zoned density [JAC2] rate of
92 development permitted per acre and requiring actions intended to increase the expected density.
93 rate at which housing and employment are actually built within the UGB. Local government
94 action which encourages d-Development consistent with the design types of the Metro 2040
95 Growth Concept will focus these efforts. As a matter of regional policy, eEach city and county
96 must contribute its fair share to increasing the development density capacity of land within the
97 UGB.

98
99 [JAC3]Metro will work with local jurisdictions to develop a set of region-wide community
100 development code provisions, standards and other regulations which local jurisdictions may adopt
101 that will help implement the 2040 Growth Concept and this Functional Plan. Included in this
102 project will be a review of development standards in support of smaller lots and more flexible use
103 of land, strategies to encourage land assembly, more flexible zoning and improvements in the pre-
104 application process to ensure timely and thorough review and to provide for early involvement by
105 the public to address neighborhood concerns and assure community acceptance of these changes.
106

107 **Section 2 3. Methods to Increase Expected Growth Density Capacity Required for All** 108 **[JAC4]Local Governments within the Metro Boundary**

109 ~~The expected Livable Capacity for Housing Units and Employment is contained in the Appendix~~
110 ~~and labeled Table 1. These include jurisdiction wide expected capacities, as well as capacities for~~
111 ~~mixed use areas (which include the Central City, Regional Centers, Town Centers, Station Area~~
112 ~~and Main Streets) and capacity for Station Communities. Local plan and zoning provisions may~~
113 ~~permit or require development at densities which exceed the 2040 Growth Concept target~~
114 ~~densities and the Expected Livable Share Capacity listed on Table 1, if such provisions are~~

otherwise consistent with the 2040 land use types described in the Growth Concept. All cities and counties within Metro are required to include within their comprehensive plans and implementing ordinances the following provisions:

A. A. All zones allowing residential use shall include a minimum density standard which provides that requires that no development application land use decision, including a partition or subdivision, may be approved unless the development will result in the building of 80% or more of the maximum net density permitted by the zoning designation of the site. [JAC5] proposed action will provide that no less than 80 percent of the maximum number of dwelling units per net acre permitted for development are approved for development. No comprehensive plan provision, implementing ordinance or local process (such as site review or design review) may be applied and no -or condition of approval may be imposed that would have the effect of reducing the density of the proposed development to limit development to less than 80 percent of the zoned maximum permitted density. For high density zones with maximum zoned permitted density higher than 37 dwelling units per net acre, the minimum residential density may be 30 dwelling units per net acre if that density is consistent with the target densities listed in subsection B, below. [JAC6] In establishing the minimum densities required by this subsection, cities and counties shall take into account the factors set forth in Section 3(B)(3) of this Title. They shall also ensure that the resulting density is likely to be achieved by the housing market. [JAC7]

B. For the area of each 2040 Growth Concept design type, local comprehensive plans and implementing ordinances shall permit, at least, the following target densities for housing and employment:

Central City - 250 persons per acre
Regional Centers - 60 persons per acre
Station Communities - 45 persons per acre
Town Centers - 40 persons per acre
Main Streets - 39 persons per acre
Corridor - 25 persons per acre
Inner Neighborhoods - 14 persons per acre
Outer Neighborhoods - 13 persons per acre
Employment Areas - 11 persons per acre [JAC8]

The boundaries of the area for each design type, including Industrial Areas, shall be determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map. For any area designated as a neighborhood area, the plans and implementing ordinances shall not permit a target density equal to or greater than the target density for any non-neighborhood design type.

C. Cities and counties shall not prohibit partitioning or subdividing inside the Metro urban growth boundary where existing lot sizes are two or more times that of the minimum lot size in the development code.

D. *Rowhouses, townhomes, duplexes, triplexes, four-plexes, condominiums, common-wall dwellings and accessory units shall be allowed as outright uses in all zones in which residential uses are allowed under current zoning.*

E. [JAC9] 1. ~~D.~~ Jurisdictions shall determine whether actual built densities during 1990-1995 were less than 80 percent of zoned permitted densities. The 1990-1995 actual built densities within its jurisdiction shall be compared with zoned permitted densities for housing units and employment during that period. This comparison shall be conducted using the following methods:

a.1. Residential and employment developments to be analyzed shall be those which were permitted by a land use action and constructed during the period from 1990 to 1995, and residential density shall be measured in households per net developed acre.¹

b.2. Employment performance shall be measured by comparing the actual jurisdiction-wide increase during the years 1990-1995 with the jurisdiction-wide increase listed in Table 1. This shall include only those developments that received approval under the implementing ordinances during this period.

If the average of actual built densities for 1990-1995 was less than 80 percent of permitted densities, cities and counties must address the reasons for not achieving higher densities in calculating their expected capacities.

2. [JAC10] If the density capacity calculations reflect that, during the period 1990-1995, actual built densities were less than 80 percent of zoned permitted densities, the jurisdiction shall also demonstrate that it has considered and adopted at least two of the following methods to increase density capacity:

- a. Financial incentives for higher density housing;
- b. Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- c. Removal or easing of approval standards or procedures;
- d. Redevelopment and infill strategies;
- e. Authorization of housing types not previously allowed by the plan or regulations; and
- f. Adoption of an average residential density standard. [JAC11]

Section 3.4. Review of Zoned Density and Estimate of Expected Density Permitted Capacity of Housing Units and Employment [JAC12]

¹ See definitions.

The purpose of this ~~section review~~ is to have each city and county within the Metro region determine the zoned density for housing and employment uses ~~capacity~~ of its existing comprehensive plans and implementing ordinances, to accommodate housing and employment and to determine whether amendments to existing plans are necessary to comply with Section 6A-2 of this Title and to develop an estimate of the expected density that is likely to be achieved given the zoned density. All cities and counties Each city and county within the Metro region are hereby required to:

A. To ~~r~~Review the zoned density permitted capacity² of their ~~its~~ current comprehensive plans, and calculate the expected capacity of housing units and employment by the year 2017 ~~from the plan~~. These estimates shall be conducted using the following method: 1. Local governments Cities and counties shall use Metro estimates of vacant land, and land likely to redevelop, unless the local government has data that it believes is more accurate. In this case, the local government may provide Metro the following:

- a. The source of the data;
- b. The reasons that the locally developed data is a more accurate estimate than the Metro estimate of vacant and redevelopable land;
- c. The database from which the above were derived;
- d. The database of committed development lands.

~~Local governments may use their data, subject to acceptance by the Metro Council or their designee, after Metro determination as to which data is more accurate. Cities and counties may use their data, subject to acceptance by the Metro Council or its designee, after Metro determines that the city or county data is more accurate than the Metro data. The Executive Officer shall notify the Metro Council of each instance in which the data submitted by a city or county is determined by Metro staff to be less accurate than Metro data.~~

B 2. To develop an estimate of the expected density that is likely to be achieved, using the zoned density calculated under Subsection A of this Section,. This estimate shall be calculated in accordance with the following procedures:^[IAC13]

1. ~~The density capacity estimate calculation may~~ used only those development types that are a permitted use in the development code. Any discretionary decision must not diminish the permitted density if it is to be counted as a part of expected density capacity; and.

2.D3. ~~Local governments~~ Cities and counties, in coordination with special districts, shall demonstrate that they have reviewed their public facility capacities and plans and have, or to assure that planned public facilities can be provided, planned public facilities to accommodate growth within the plan period. ; and

² See Title 8-10, Definitions, "zoned density" "permitted capacity" and "expected density" "expected capacity."

228 3. In estimating expected *density* ~~capacity~~ of existing comprehensive plans and
229 implementing ordinances, local governments shall not estimate expected *density*
230 ~~capacity~~ at more than 80 percent of *the zoned maximum permitted density*, unless:

- 231 a. Actual experience in the jurisdiction since 1990 has shown that
232 development has occurred at density greater than 80 percent of *zoned*
233 permitted residential density; or can be demonstrated or
234 b. Minimum density standards are adopted or proposed for adoption in the
235 zoning code that require residential development at greater than 80 percent
236 of *zoned maximum permitted density*.

4. ~~3.~~ Jurisdictions estimating expected density ~~calculating capacity~~ through the
use of density bonus provisions may consider transfers, including off-site transfers,
only upon demonstration that previous approvals of all density transfers within the past
5 years have resulted in the building of 80% or more of the maximum net density
permitted by the zoning designations an average of at least 8 percent of maximum
permitted densities actually being built. [JAC14]

237 5. ~~C2.~~ Expected density capacity has been estimated determined by accounting for all
238 public development code requirements that may have the effect of reducing density
239 capacity, including those listed below. ~~in Section 4.BC above;~~ and Jurisdictions
240 shall ~~determine the effect of each of the following on expected densities~~
241 capacities, and include the effect in their estimate ~~calculation of expected densities~~
242 capacities:

243 a1. Required dedications for public streets, consistent with the Regional
244 Accessibility Title;

245 b2. Off-street parking requirements, consistent with this functional plan;

246 c3. Landscaping, setback, and maximum lot coverage requirements;

247 d4. The effects of tree preservation ordinances, environmental protection
248 ordinances, view preservation ordinances, solar access ordinances, or any
249 other regulations that may have the effect of reducing the capacity of the
250 land to develop at the *zoned permitted density*;

251 e5. The effects of areas dedicated to bio-swales, storm water retention, open
252 space dedications, and other requirements of local codes that may reduce
253 the capacity of the land to develop at the *zoned permitted density*.

254 C. B. ~~Local governments shall determine the effect of each of the following on its overall~~
255 ~~development capacity: Jurisdictions shall cCalculate the increases in expected housing~~
256 ~~units and employment by the year 2017 from any proposed changes to the current~~
257 ~~comprehensive plans and implementing ordinances that must be adopted to comply with~~

Section 2 3 of this Title and add the *projected* ~~increases~~ to the calculation of expected densities ~~capacities~~.

Section 4. 2. Local Plan Accommodation of Fair-Share Expected Growth in Capacity for Housing and Employment—Performance Standard

~~Local governments, by the methods proscribed in sections 3 through 6 of this title, shall demonstrate that:~~

All cities and counties within Metro shall demonstrate: that:

A. *That they have complied with the requirements of Section 2 of this Title; and*

B. ~~A.—Using the data developed under Section 3 of this Title, either that~~

1. ~~Their zoned density zoning and other regulations will allow permit the growth target density capacity for housing units and employment contained in Section 3 Table 1 of this Title to be built consistent with the 2040 Growth Concept target densities for each center, corridor, station community, main street, industrial and employment areas and inner and outer neighborhood in the Appendix to this plan~~³, including jurisdiction-wide expected densities capacities, as well as densities capacities for mixed-use areas and that their expected densities are sufficient to meet the target densities set forth in Table 1; or and that

2. *Either their zoned densities or their expected densities, or both, do not meet the target densities contained in Table 1. Jurisdictions to whom this subsection applies must follow the procedures set forth in Title 8 of this functional plan; and that*

~~B. —Effective measures have been taken to reasonably assure that the growth capacity will be built for housing units and employment. The methods and plan requirements set forth in Sections 3 through 6 of this Title have been adopted or followed; and that~~

C. Effective measures have been taken to reasonably assure that the expected capacities will be built for housing units and employment; and that

³ Table 1 in the Appendix to this plan sets forth the fair share increases in density for each jurisdiction, according to Metro's allocation formula. Table 1 also sets forth for each jurisdiction the target densities for housing and employment which, if actually zoned and built within each jurisdiction, would provide the required twenty year land supply within the UGB as of the date this Functional Plan is adopted.. Table 1 is intended to provide guidance for jurisdictions in taking the actions contemplated by this Functional Plan; the zoned densities and expected densities arrived at by each jurisdiction may vary from the figures shown in Table 1.

[0]

D. Expected development has been zoned permitted at locations and densities likely to be achieved during the 20-year planning period by the private market or assisted housing programs, once all new regulations are in effect. [JAC16]

~~Minimum density standards shall be applied for residential units so that the target densities shall be achieved. The minimum density standards shall be no less than 80 percent of maximum residential densities, except for high density zones with maximum permitted density higher than 37 dwelling units per net acre. For these zones, the minimum density shall be at least 30 dwelling units per net acre if such provisions are consistent with the 2040 Growth Concept designations mapped for the area.~~

~~Local governments shall permit the expected development at densities likely to be achieved during the planning period by the private market or assisted housing programs, once all new regulations are in effect. The permitted densities shall be within the 2040 Growth Concept target densities indicated in footnote 2 of Table 1.~~

Section 5. Procedures for Jurisdictions without Sufficient Requirement to Increase Expected Capacity

~~A. If the permitted and expected capacity estimates developed under Section 4 are less than the city's or county's target housing and employment capacities in Table 1, either jurisdiction wide or in mixed-use areas, or both, then the city or county shall comply with Section 2 of this Title by amending its comprehensive plans and implementing ordinances to increase its expected capacity to comply with the required capacities in Table 1. jurisdiction's growth capacity for housing, employment, or both, then the jurisdiction is hereby required to amend its comprehensive plans and implementing ordinances. The amendments shall make the comprehensive plan consistent with the 2040 Growth Concept target densities ranges in footnote 2 of Table 1 and they shall provide for the expected capacities for population and employment contained in Section 3 of this Title. Exceptions can be made according to Title 8. The capacity calculation shall be made according to the same methodology the jurisdiction used in Section 4. The jurisdiction shall demonstrate at least the following in providing capacities for housing and employment:~~

~~A. The permitted densities are at locations and densities that the market is likely to build during the planning period; and~~

~~B. The capacity calculation used only those development types that are a permitted use in the development code. Any discretionary decision must not diminish the permitted density if it is to be counted as a part of expected capacity; and A capacity calculation including amendments to increase capacity shall be made according to the same methodology the jurisdiction used in Section 4. The jurisdiction shall demonstrate at least the following in calculating capacities for housing and employment:~~

~~C. Exceptions can be requested according to Title 8 if a city or county determines that any expected capacity requirement in Table 1 cannot be achieved after implementation of policies to increase expected capacities.~~

~~E. Local governments permit partitioning or subdividing in those urban areas of the city or county where existing lot sizes are two or more times that of the minimum lot size of local jurisdiction zoning.~~

~~F. Local governments have considered one or more of the tools listed in Section 6B 1-6.~~

~~Section 6. Procedures for Jurisdictions with Sufficient Current Capacity~~

~~If a city or county within the Metro region finds that their current plans and ordinances provide for capacity equal to or greater than that required under Section 3 for housing units or employment or both, then the city or county is hereby required to compare the 1990-1995 actual built densities within their jurisdiction with permitted densities for housing units and employment. This comparison shall be conducted using the following methods:~~

~~A. Residential and employment developments to be analyzed shall be those which were permitted by a land use action and constructed during the period from 1990 to 1995, and residential density shall be measured in households per net developed acre.⁴ Employment performance shall be measured by comparing the actual jurisdiction wide increase during the years 1990-1995 with the jurisdiction wide increase listed in Table 1. This shall include only those developments that received approval under the implementing ordinances during this period.~~

~~B. If the average of actual built densities for 1990-1995 is less than 80 percent of permitted densities, cities and counties shall amend their plans and implementing ordinances, if necessary to meet the performance standard, and demonstrate how the actual expected capacity in Table 1 will be achieved. Section 2 of this Title requires the use of minimum residential density requirements to achieve expected capacity. Examples of other measures include, but are not limited to, the following:~~

~~1. Financial incentives for higher density housing;~~

~~2. Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;~~

~~3. Removal or easing of approval standards or procedures;~~

~~4. Redevelopment and infill strategies;~~

⁴ See definitions

- 354 5. ~~Authorization of housing types not previously allowed by the plan or regulations;~~
355 ~~and~~
- 356 6. ~~Adoption of an average residential density standard.~~
- 357 C. ~~If the average of actual built densities for 1990-1995 is 80 percent or greater than~~
358 ~~permitted densities, the city or county shall provide to Metro their findings and data. No~~
359 ~~change to a city or county plan or implementing ordinance shall be required.~~

827 **TITLE 8: COMPLIANCE PROCEDURES**

828 **Section 1. Compliance Required**

829 All ~~local governments~~ cities and counties within the Metro boundary are hereby required to
830 amend their comprehensive plans and implementing ordinances to comply with the provisions of
831 this functional plan within twenty-four months of the effective date of this ordinance. Metro
832 recommends the adoption of the ~~components~~ policies that affect land consumption as soon as
833 possible.

834 **Section 2. Compliance Procedures**

835 A. On or before six months prior to the deadline established in Section 1, ~~local governments~~
836 cities and counties shall transmit to Metro the following:

- 837 1. An evaluation of their local plans, including public facility capacities and the
838 amendments necessary to comply with this functional plan;
- 839 2. Copies of all applicable comprehensive plans and implementing ordinances and
840 public facility plans, as proposed to be amended;
- 841 3. Findings that explain how the amended local comprehensive plans will achieve the
842 standards required in titles 1 through 6 of this functional plan.

843 In developing its ~~compliance plan~~ the evaluation, plan and ordinance amendments and
844 findings, the local jurisdiction cities and counties shall address the Metro 2040 Growth
845 Concept, and explain how the ~~compliance plan~~ proposed amendments implements the
846 Growth Concept.

847 B. Exemptions from ~~all or any portion of any of the~~ requirements in the above titles may be
848 granted by the Metro Council, as provided for in the Regional Urban Growth Goals and
849 Objectives, Section 5.3, after MPAC review, based on city or county submittal as specified
850 in this section. The Metro Council will make all final decisions as to the existence of the
851 factual basis for the grant of any requested exemption.

- 852 1. Population and Employment *Densities Capacity* *Any jurisdiction which*
853 *determines, after compliance with Sections 2 and 3 of Title 1 of this Functional*
854 *Plan, that either their zoned densities or their expected densities, or both, do not*
855 *meet the target densities contained in Table 1 may obtain Metro approval of their*
856 *plan upon a* ~~An exemption from the requirement contained in Table 1 of Title 1~~
857 ~~that the target capacities shall be met or exceeded may be granted based on a~~
858 submittal which includes the following: [JAC17]

- 859 a. A demonstration of substantial evidence of the economic infeasibility to
860 provide sanitary sewer, water, stormwater or transportation facilities to an
861 area or areas; or
862 b. A demonstration that the city or county is unable to meet the target
863 densities ~~capacities~~ listed in Table 1 because ~~S~~substantial areas that have
864 prior commitments to development at densities inconsistent with Metro
865 growth targets ~~densities~~; or
866 c. A demonstration that the households and employment growth densities
867 ~~capacities~~ cannot be accommodated at densities or locations the market or
868 assisted programs will likely build during the planning period; and, [JAC18]
- 869 d. As part of any request for exemption under this subsection, a city or county
870 shall also submit an estimate of the amount of households or employment
871 included in the density ~~capacity~~ listed in Table 1 that cannot be
872 accommodated; and e. A recommendation for where which identifies land
873 that would provide for the unaccommodated growth density capacity could
874 be located outside the urban growth boundary and near or adjacent to the
875 city or county. [JAC19]

876 In reviewing any request for exemption based on the financial feasibility of
877 providing public services, Metro, along with local governments, shall estimate the
878 cost of providing necessary public services and compare those with the estimated
879 costs in section 2.b.1.a submitted by the city or county requesting the exemption.

- 880 2. Parking Measures. Subject to the provisions of Title 2, local jurisdictions cities or
881 counties may request relief an exemption from the parking measures requirements.
882 Metro may consider a local city or county government request to allow areas from
883 designated as Zone A to be subject to Zone B maximum parking ratio where they
884 can demonstrate requirements upon the city or county establishing that, for the
885 area in question:

- 886 a. There are ~~N~~no existing plans for to provide transit service with 20-minute
887 or lower peak frequencies; and
888 b. There are ~~N~~no adjacent neighborhoods close enough to generate sufficient
889 pedestrian activity; and
890 c. There are ~~N~~no significant pedestrian activity within the present business
891 district; and
892 d. That it will be feasible for the excess parking to be converted to the
893 development of housing, commerce or industry in the future.

894 The burden of proof for adjustments an adjustment shall increase as based on the quality
895 and timing of transit service improves. Any adjustment granted must include a
896 demonstration of how future conversion of excess parking is feasible. The existence of
897 transit service or plans for the provision of transit service near a 20-minute or lower peak
898 frequency shall establish a higher burden to establish the need for the exemption.

1018 **Title 10. Definitions**

1019 **Balanced cut and fill** means no net increase in fill within the floodplain.

1020 **Designated Beneficial Water Uses** means the same as the term as defined by the Oregon
1021 Department of Water Resources, which is: an instream public use of water for the benefit of an
1022 appropriator for a purpose consistent with the laws and the economic and general welfare of the
1023 people of the state and includes, but is not limited to, domestic, fish life, industrial, irrigation,
1024 mining, municipal, pollution abatement, power development, recreation, stockwater and wildlife
1025 uses.

1026 **Development** means any manmade change defined as buildings or other structures, mining,
1027 dredging, paving, filling, or grading in amounts greater than ten (10) cubic yards on any lot or
1028 excavation. In addition, any other activity that results in the removal of more than 10% of the
1029 existing vegetated area on the lot is defined as development, for the purposes of Title 3.

1030 **Exceptions:**

- 1031 a. Stream enhancement or restoration projects approved by local jurisdictions.
1032 b. Agricultural activity.
1033 c. Additions and alterations to existing structures and development that do not
1034 encroach into the Water Quality and Flood Management Area more than the
1035 existing structure or development.

1036 **DHB** means the diameter of a tree measured at breast height.

1037 **DLCD Goal 5 ESEE** means a decision process local governments carry out under OAR 660-23-
1038 040.

1039 ~~**Economic infeasibility** means~~

1040 ~~**Expected Density Capacity** means the density or intensity of use likely to occur on a parcel of~~
1041 ~~land, commonly a density less than the permitted density~~ amount of units that are likely to be
1042 ~~achieved can be expected to be contained in an area.~~ [JAC20]

1043 ~~**DLCD Goal 5 ESEE** means a decision process local governments carry out under OAR 660-23-~~
1044 ~~040 the Goal 5 administrative rule promulgated by the Land Conservation.~~

1045 **Growth Concept Map** means the conceptual map demonstrating the 2040 Growth Concept
1046 design types attached in the Appendix as Exhibit 3.

1047 **Hazardous materials** means materials described as hazardous by Oregon Department of
1048 Environmental Quality.

- 1049 **Fish and Wildlife Habitat Conservation Area** means an the area defined on the Metro Water
1050 Quality and Flood Management Area Map to be completed and attached hereto. These include
1051 all Water Quality and Flood Management Areas that require regulation in order to protect fish and
1052 wildlife habitat. This area has been mapped to generally include ~~the following: an the area 200~~
1053 ~~feet from top of bank of streams in undeveloped areas with less than 25% slope, and 100 feet~~
1054 ~~from edge of mapped wetland on undeveloped land.~~
- 1055 **Floodplain** means land subject to periodic flooding, including the 100-year floodplain as mapped
1056 by FEMA Flood Insurance Studies or other substantial evidence of actual flood events.
- 1057 **Functions and Values of Stream Corridors** means stream corridors have the following
1058 functions and values: water quality retention and enhancement, flood attenuation, fish and wildlife
1059 habitat, recreation, erosion control, education, aesthetic, open space and wildlife corridor.
- 1060 **Local Trip** means a trip 2½ miles or less in length.
- 1061 **Metro** means the regional government of the metropolitan area, the elected Metro Council as the
1062 policy setting body of the government.
- 1063 **Metro Boundary** means the jurisdictional boundary of Metro, the elected regional government of
1064 the metropolitan area.
- 1065 **Metro Urban Growth Boundary** means the urban growth boundary as adopted and amended by
1066 the Metro Council, consistent with state law.
- 1067 **Net Acre** ~~for purposes of calculating the total land area within a proposal to amend the urban~~
1068 ~~growth boundary means~~ an area measuring 43,560 square feet which excludes:
- 1069 (1) any developed road rights-of-way through or on the edge of which the existing or
1070 proposed UGB would run; land; and
- 1071 (2) environmentally constrained areas, including any open water areas, floodplains,
1072 natural resource areas protected under statewide planning Goal 5 in the
1073 comprehensive plans of cities and counties in the region, slopes in excess of 25
1074 percent and wetlands requiring a Federal fill and removal permit under Section 404
1075 of the Clean Water Act. These excluded areas do not include lands for which the
1076 local zoning code provides a density bonus or other mechanism which allows the
1077 transfer of the allowable density or use to another area or to development
1078 elsewhere on the same site; and
- 1079 (3) all publicly-owned land designated for park and open spaces uses.
- 1080 **Net Developed Acre** means consists of 43,560 square feet of land, after excluding present and
1081 future rights-of-way, school lands and other public uses.

- 1082 **Zoned Density Permitted Capacity** means the highest *density of employment and residential*
 1083 *uses density or intensity of use of a parcel of land amount of units that are permitted be contained*
 1084 *in an area* as calculated from zoning and other local jurisdiction regulations.
- 1085 **Perennial Streams** means all primary and secondary perennial water ways as mapped by the U.S.
 1086 Geological Survey.
- 1087 **Performance Measure** means a measurement derived from technical analysis aimed at
 1088 *determining whether a planning policy is achieving the expected outcome or intent associated with*
 1089 *the policy.*
- 1090 **Persons Per Acre** means
- 1091 **Practicable** means available and capable of being done after taking into consideration cost,
 1092 *existing technology, and logistics in light of overall project purpose.*
- 1093 **~~Prior Commitments~~** means
- 1094 **Riparian area** means the water influenced area adjacent to a river, lake or stream consisting of
 1095 the area of transition from an hydric ecosystem to a terrestrial ecosystem where the presence of
 1096 water directly influences the soil-vegetation complex and the soil-vegetation complex directly
 1097 influences the water body. It can be identified primarily by a combination of geomorphologic and
 1098 ecologic characteristics.
- 1099 **Target densities capacities** means the *densities set forth capacities in Table 1 required to be*
 1100 *demonstrated by cities and counties for compliance with Title 1, Section 2, , which, if actually*
 1101 *zoned and built within each jurisdiction, would provide the required twenty year land supply*
 1102 *within the UGB as of the date this Functional Plan is adopted..*
- 1103 **~~Target densities~~** means the *average combined household and employment densities established*
 1104 *for each design type in the RUGGO 2040 Growth Concept.* [JAC21]
- 1105 **Top of Bank** means the same as "bankfull stage" defined in OAR 141-85-10(2).
- 1106 **Vacant Land:** Land identified in the Metro or local government inventory as undeveloped land.
 1107 [JAC22]
- 1108 **Water Quality and Flood Management Area** means an area defined on the Metro Water
 1109 Quality and Flood Management Area Map, to be attached hereto. These are areas that require
 1110 regulation in order to mitigate flood hazards and to preserve and enhance water quality. This area
 1111 has been mapped to generally include the following: stream or river channels, known and mapped
 1112 wetlands, areas with floodprone soils adjacent to the stream, floodplains, and sensitive water
 1113 areas. The sensitive areas are generally defined as 50 feet from top of bank of streams for areas
 1114 of less than 25% slope, and 200 feet from top of bank on either side of the stream for areas
 1115 greater than 25% slope, and 50 feet from the edge of a mapped wetland.

Table 1 - Expected Livable Share Target Density Capacity for Housing and Employment Units - Year 1994 to 2017

City or County	Dwelling Unit Capacity ¹	Job Capacity	Mixed Use Areas ²	
			Household [JAC23]	Job Increase
Beaverton	15,021	25,122	9,019	19,084
Cornelius	1,019	2,812	48	335
Durham	262	498	0	0
Fairview	2,921	5,689	635	2,745
Forest Grove	2,873	5,488	67	628
Gladstone	600	1,530	20	140
Gresham	16,817	23,753	3,146	9,695
Happy Valley	2,030	1,767	52	245
Hillsboro	14,812	58,247	9,758	20,338
Johnson City	168	180	0	0
King City	182	241	55	184
Lake Oswego	3,353	8,179	446	3,022
Maywood Park	27	5	0	0
Milwaukie	3,514	7,478	2,571	6,444
Oregon City	6,157	8,185	341	2,341
Portland	70,704	158,503	26,960	100,087
River Grove	(15)	41	0	0
Sherwood	5,010	8,156	1,108	3,585
Tigard	6,073	14,901	981	8,026
Troutdale	3,789	5,570	107	267
Tualatin	3,635	9,794	1,248	2,069
West Linn	2,577	2,114	0	594
Wilsonville	4,425	15,030	743	4,952
Wood Village	423	736	68	211
Clackamas County ³	19,530	42,685	1,661	13,886
Multnomah County	3,089	2,381	0	0
Washington County ³	54,999	52,578	13,273	25,450
	243,993	461,633		

¹ Based on Housing Needs Analysis. Applies to existing city limits as of June, 1996. Annexations to cities would include assuming responsibility for fair livable share previously accommodated in unincorporated county.

² Target densities for mixed use area are: Central City - 250 persons per acre; regional centers - 60 ppa; town centers 40 ppa.; station communities - 45 ppa.; main streets 39 ppa.

³ Standards apply to the urban unincorporated portion of the county only. At the request of cities, Metro may also supply targets for planning areas for cities in addition to the existing boundary areas targets cited above.

1117
1118
1119
1120

Page: 2

[JAC1] I believe it would be helpful to clarify in this document how the various pieces of Metro's work lash together. I know I am confused, and I'll bet others are as well. Dunno if this is the right place to make such a clarification, but I do think it ought to be made somewhere.

Page: 4

[JAC2] I recommend changing the terminology from "permitted capacity" to "zoned density" or perhaps "planned density". The reference is to the intensity of uses allowed by local zoning; I suggest the change because (1) capacity is a somewhat unfamiliar term in this context, and (2) the term "permitted" and its variations is confusing, since elsewhere in the document "permit" is used in a different sense. I don't think the intention is to describe the uses that are permitted in the sense of being allowed, but rather to describe the uses that are permitted in the sense that they are theoretically possible, and thus the terminology change.

Page: 4

[JAC3] The following language was originally in §2; it is a good statement, but I think it ought to be here in the preamble, since it didn't really follow in its original location.

Page: 4

[JAC4] I think the document reads better if §3 comes here, since this section has across the board requirements, which follow nicely from the discussion in the introductory paragraph. I also would suggest changing "expected capacity" to "expected density", since (1) that's really what we are talking about, and (2) "density" is a term more familiar to readers than "capacity".

Page: 5

[JAC5] This language is from HB 3065, codified at ORS 197.360(1)(a)(E).

Page: 5

[JAC6] As a placeholder, I would also suggest language restricting the ability of local processes, again such as design review, from increasing the cost of the project over a specified amount. One very common end run around density is for locals to approve the density but to load on so many conditions that the project becomes economically ridiculous – thus complying with the letter of the minimum density law, but trampling the spirit of it all to pieces.

Page: 5

[JAC7] This language is from elsewhere in this document and from HB 2709, codified at ORS 197.296(7). My thinking here is that it will do us little good if minimum densities are established which cannot be built due to topography, e-zones, storm water, and/or the market, and we ought to put in a cautionary note.

Page: 5

[JAC8] It would be very helpful to convert these figures to dwelling units per acre, since no one but a few Metro planners thinks in terms of persons per acre. For that matter, this document requires local governments to measure residential density in terms of "households per net developed acre" (lines 233-234). Households, dwelling units, it doesn't matter, but not, repeat not, persons per acre. Pretty please.

Page: 6

[JAC9] The following was originally in §4, but it didn't seem to belong there. I moved it here, since the requirement that locals do something if they aren't hitting 80% seems more appropriate in this Section, where we are already giving them a bunch of work to do.

Page: 6

[JAC10] *This language was originally in §5, but it seems to go better here, again since this is the section where we are giving the locals their marching orders.*

Page: 6

[JAC11] *I would propose deleting this provision as being redundant; we just told the locals to adopt a minimum density standard, so why let them off the hook by allowing them to essentially count it twice?*

Page: 6

[JAC12] *This section refers to both zoned and expected capacity, and labeling it in this fashion makes it clearer. Otherwise, there is confusion since the original title of the section doesn't match up with the contents of the section.*

Page: 7

[JAC13] *It seems to me that many of the provisions of the original §5 really belong here, so I have cut and pasted them. As a matter of editorial convenience, I didn't show them as deleted where I lifted them, but all provisions other than obvious redundancies have been reproduced.*

Page: 8

[JAC14] *The added language parallels that used in the minimum density section above, as well as state law.*

Page: 9

[JAC15] *The language in the footnote is, I think, consistent with what Table 1 is intended to be. If it is not, I would appreciate knowing what the correct answer is. In any event, there is a lot of misunderstanding out there about what Table 1 does, and clarification in this document will be most useful.*

Page: 10

[JAC16] *The foregoing is my best effort at describing what exactly Table 1 is and what bearing it has on local government activity. I think that basically what we are trying to say to the locals is that they should rezone, upzone, fix their regulations, and generally do what they can to increase density, then take a look at what they've done and see if it is sufficient to avoid a boundary move. I think that's what we are doing, and what I've written gets us there. I think.*

Page: 29

[JAC17] *I would like to find another term for "exemption" – perhaps variance, or some such – because what the locals are really doing in Title 8 is not so much exempting themselves from Metro requirements, but proposing the approval of a different way of achieving the same end. Maybe this is a picky point, but I thought I'd mention it.*

Page: 30

[JAC18] *A pure unadulterated policy issue: can we insert here an off ramp for "we proposed it and the neighborhoods went nuts"? I know that we don't want to give the locals a chance to blink, but this is a real factor and will be dolled up as something else if we don't provide for it. Maybe Metro would undertake to force the issue? Maybe we should leave it alone?*

Page: 30

[JAC19] *Is the grant of an exemption tied to this? In other words, if Metro doesn't like what the locals recommended, does that have any effect on the exemption? Maybe we should be clear about what this does or doesn't do.*

Page: 35

[JAC20] I would suggest using the statutory language makes the meaning clearer, or at least keeps the terminology consistent.

Page: 37

[JAC21] Doesn't seem to me that we need both 'target densities' and 'target capacity', as I'm not sure what the distinction is.

Page: 37

[JAC22] Just a quibble – doesn't Metro define vacant to include redevelopable, or did I miss a meeting?

Page: 38

[JAC23] Is there a distinction between "household" and "dwelling unit", or can we use the same term?

Hillsdale Vision Group, Inc.
6327 SW Capitol Hwy., #105
Portland, OR 97201
Tel. 246-0343
FAX: 245-9561

September 5, 1996

Metro Council
600 NE Grand Avenue
Portland, OR 97232

Re: Region 2040 *Urban Growth Management Functional Plan*

Honorable Metro Councilors:

The cover story in the current (September) issue of *Atlantic Monthly* magazine couldn't be more pertinent to today's Council hearing. The essay is about growth management and is entitled, "Home From Nowhere." It is written by James Howard Kunstler, author of *The Geography of Nowhere*. I submit the essay in its entirety for the record and I urge everyone to read it. I will quote the first two paragraphs:

"Americans sense that something is wrong with the places where we live and work and go about our daily business. We hear this unhappiness expressed in phrases like "no sense of place" and "the loss of community." We drive up and down the gruesome, tragic suburban boulevards of commerce, and we're overwhelmed at the fantastic, awesome, stupefying ugliness of absolutely everything in sight - the fry pits, the big-box stores, the office units, the lube joints, the carpet warehouses, the parking lagoons, the jive plastic townhouse clusters, the uproar of signs, the highway itself clogged with cars - as though the whole thing had been designed by some diabolical force bent on making human beings miserable. And naturally, this experience can make us feel glum about the nature and future of our civilization.

"When we drive around and look at all this cartoon architecture and other junk that we've smeared all over the landscape, we register it as ugliness. This ugliness is the surface expression of deeper problems - problems that relate to the issue of our national character. The highway strip is not just a sequence of eyesores. The pattern it represents is also economically catastrophic, an environmental calamity, socially devastating, and spiritually degrading." (end of quote)

How did we get this way? Kunstler says it happened because of zoning regulations and the separation of uses. Kunstler says our zoning laws are essentially a manual of instructions for creating the stuff of our communities. And if you want to make your community better we must replace the old set of rules with an explicit new set.

That is what the Portland region is doing. We are getting rid of the old set of rules and adopting a new set.

The Hillsdale Vision Group is a nonprofit community organization in Southwest Portland that has been hard at work since April 1993 working to change our local strip commercial center into a more civic-minded, humane Town Center. We have applied the adage to think globally and act locally by applying the 2040 planning principles to our neighborhood.

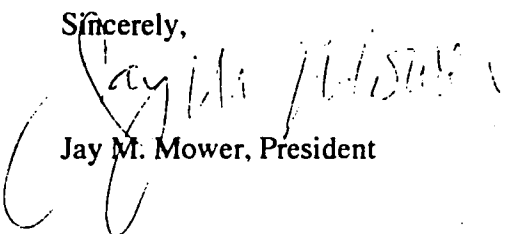
Metro Council
September 5, 1996
Page Two

The Hillsdale Vision Group believes it is critical for Metro to adopt the Urban Growth Management Functional Plan in order to maintain and enhance our regional quality of life. It is essential that we protect farm and forest land, water quality and wildlife habitat. We support a compact urban form, transportation alternatives to the SOV, and no expansion of the Urban Growth Boundary.

Thank you for the opportunity to comment.

and air

Sincerely,


Jay M. Mower, President

/Enclosure

Creating Someplace

ALMOST everywhere in the United States laws prohibit building the kinds of places that Americans themselves consider authentic and traditional. Laws prevent the building of places that human beings can feel good in and can afford to live in. Laws forbid us to build places that are worth caring about.

Is Main Street your idea of a nice business district? Sorry, your zoning laws won't let you build it, or even extend it where it already exists. Is Elm Street your idea of a nice place to live—you know, houses with front porches on a tree-lined street? Sorry, Elm Street cannot be assembled under the rules of large-lot zoning and modern traffic engineering. All you can build where I live is another version of Los Angeles—the zoning laws say so.

This is not a gag. Our zoning laws are essentially a manual of instructions for creating the stuff of our communities. Most of these laws have been in place only since the Second World War. For the previous 300-odd years of American history we didn't have zoning laws. We had a popular consensus about the right way to assemble a town or a city. Our best Main Streets and Elm Streets were created not by municipal ordinances but by cultural agreement. Everybody agreed that buildings on Main Street ought to be more than one story tall; that corner groceries were good to have in residential neighborhoods; that streets ought to intersect with other streets to facilitate movement; that sidewalks were necessary, and that orderly rows of trees planted along them made the sidewalks much more pleasant; that roofs should be pitched to shed rain and snow; that doors should be conspicuous, so that one could easily find the entrance to a building; that windows should be vertical, to dignify a house. Everybody agreed that communities needed different kinds of housing to meet the needs of different kinds of families and individuals, and the market was allowed to supply them. Our great-grandparents didn't have to argue endlessly over these matters of civic design. Nor did they have to reinvent civic design every fifty years because no one could remember what had been agreed on.

Everybody agreed that both private and public buildings should be ornamented and embellished to honor the public realm of the street, so town halls, firehouses, banks, and homes were built that today are on the National Register of Historic Places. We can't replicate any of that stuff. Our laws actually forbid it. Want to build a bank in Anytown, USA? Fine. Make sure that it's surrounded by at least an acre of parking, and that it's set back from the street at least seventy-five feet. (Of course, it will be one story.) The instructions for a church or a muffler shop are identical. That's exactly what your laws tell you to build. If you deviate from the template, you will not receive a building permit.

Therefore, if you want to make your community better, begin at once by throwing out your zoning laws. Don't revise

them—get rid of them. Set them on fire if possible and make a public ceremony of it; public ceremony is a great way to announce the birth of a new consensus. While you're at it, throw out your "master plan" too. It's invariably just as bad. Replace these things with a traditional town-planning ordinance that prescribes a more desirable everyday environment.

The practice of zoning started early in the twentieth century, at a time when industry had reached an enormous scale. The noisy, smelly, dirty operations of gigantic factories came to overshadow and oppress all other aspects of city life, and civic authorities decided that they had to be separated from everything else, especially residential neighborhoods. One could say that single-use zoning, as it came to be called, was a reasonable response to the social and economic experiment called industrialism.

After the Second World War, however, that set of ideas was taken to an absurd extreme. Zoning itself began to overshadow all the historic elements of civic art and civic life. For instance, because the democratic masses of people used their cars to shop, and masses of cars required parking lots, shopping was declared an obnoxious industrial activity around which people shouldn't be allowed to live. This tended to destroy age-old physical relationships between shopping and living, as embodied, say, in Main Street.

What zoning produces is suburban sprawl, which must be understood as the product of a particular set of instructions. Its chief characteristics are the strict separation of human activities, mandatory driving to get from one activity to another, and huge supplies of free parking. After all, the basic idea of zoning is that every activity demands a separate zone of its own. For people to live around shopping would be harmful and indecent. Better not even to allow them within walking distance of it. They'll need their cars to haul all that stuff home anyway. While we're at it, let's separate the homes by income gradients. Don't let the \$75,000-a-year families live near the \$200,000-a-year families—they'll bring down property values—and for God's sake don't let a \$25,000-a-year recent college graduate or a \$19,000-a-year widowed grandmother on Social Security live near any of them. There goes the neighborhood! Now put all the workplaces in separate office "parks" or industrial "parks," and make sure nobody can walk to them either. As for public squares, parks, and the like—forget it. We can't afford them, because we spent all our funds paving the four-lane highways and collector roads and parking lots, and laying sewer and water lines out to the housing subdivisions, and hiring traffic cops to regulate the movement of people in their cars going back and forth among these segregated activities.

The model of the human habitat dictated by zoning is a formless, soul-less, centerless, demoralizing mess. It bankrupts families and townships. It disables whole classes of decent, normal citizens. It ruins the air we breathe. It corrupts and deadens our spirit.

What's Wrong With This Picture?

The town below seems like a pleasant place to live. What follows are regulatory obstacles that the building of such a town today might encounter—a composite from communities across the country.

The Violations:

1. Stores too convenient for local residents. Newly erected commercial buildings must often be in a zone separate from resi-

dential areas, and thus accessible to most people only by car.

2. Arboreal interference. Traffic departments in many cases deem curbside trees hazardous to motorists.

3. No parallel parking allowed. The preference has shifted to off-street lots and driveways.

4. Not enough parking. Typically, three to five parking spaces are required per 1,000 square feet of commercial space. Many commercial buildings today may not be more than one story high because they don't have enough parking space to be taller.

5. Houses too close together. These structures violate minimum side-setback requirements. In many residential areas there must be at least twenty feet between dwellings, eliminating the possibility of row houses.

6. House too small. Many newer communities have minimum-square-footage requirements, which effectively dictate that only people of a certain income level may live there.

7. Park too small. New parks must frequently meet a minimum-size test; maintaining one big park is cheaper than maintaining several smaller ones.



8. Sidewalk café not allowed. Restaurants and other vendors may be subject to a variety of sidewalk restrictions.

9. Street too narrow. It must be considered wide enough for large fire trucks to maneuver.

10. School too close to town. Segregated-land-use practices may confine education, religion, and business to distinct zones.

11. Apartments above commercial space. They violate common "single-use" provisions.

12. Sidewalk too narrow. Five feet is a typical requirement.

13. Group housing. In some places there are sharp limits on the number of unrelated people who may live together in a single dwelling unit.

14. Aesthetic deviance. Communities often have regulations governing the size of signs and sometimes even the size and style of the lettering.

15. Too many buildings. In certain zones less than half and sometimes as little as one fifth of the area may be occupied by structures.

16. Cupolas and steeples not allowed. These are frequently ruled out by maximum-height stipulations.

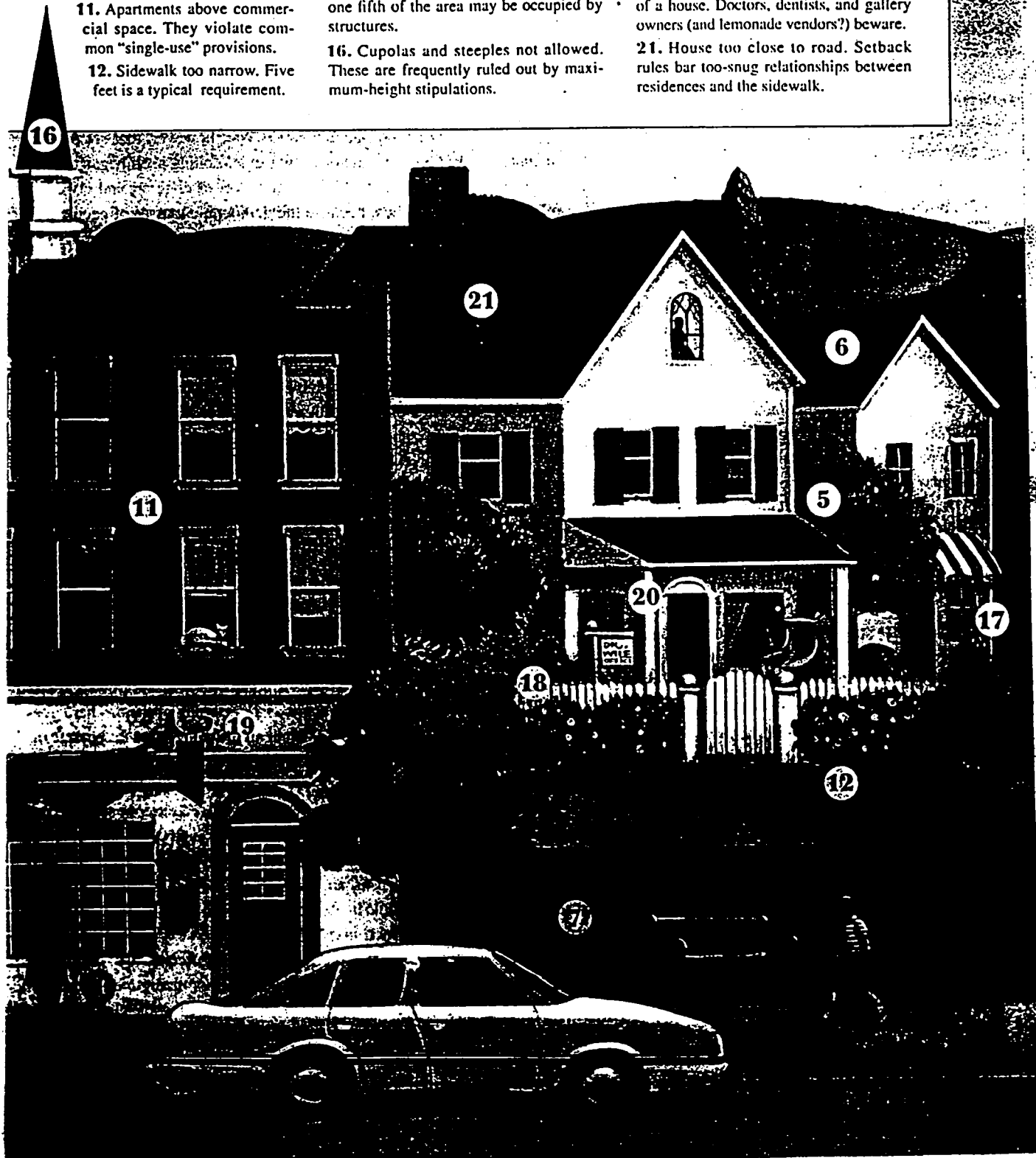
17. No driveway. Individual dwellings may be required to have at least two off-street parking spaces.

18. Illegal fence. Ordinances often cover the permissible size and placement of fences in front yards.

19. No perpendicular signs allowed. Such signs are commonly deemed an intrusion or a menace.

20. Not allowed to run a business out of a house. Doctors, dentists, and gallery owners (and lemonade vendors?) beware.

21. House too close to road. Setback rules bar too-snug relationships between residences and the sidewalk.

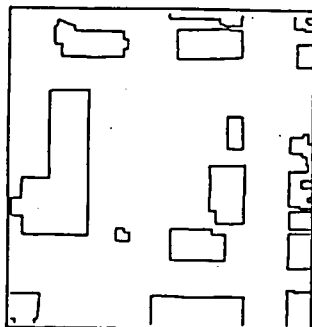


The construction industry likes it, because it requires stupendous amounts of cement, asphalt, and steel and a lot of heavy equipment and personnel to push all this stuff into place. Car dealers love it. Politicians used to love it, because it produced big short-term profits and short-term revenue gains, but now they're all mixed up about it, because the voters who live in suburban sprawl don't want more of the same built around them—which implies that at some dark level suburban-sprawl dwellers are quite conscious of sprawl's shortcomings. They have a word for it: "growth." They're now against growth. Their lips curl when they utter the word. They sense that new construction is only going to make the place where they live worse. They're convinced that the future is going to be worse than the past. And they're right, because the future has been getting worse throughout their lifetime. Growth means only more traffic, bigger parking lots, and buildings ever bigger and uglier than the monstrosities of the sixties, seventies, and eighties.

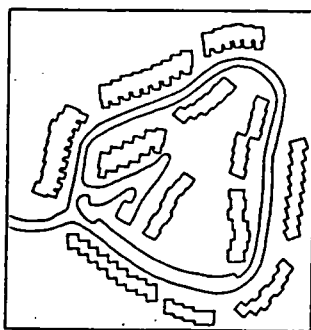
So they become NIMBYs ("not in my back yard") and BANANAS ("build absolutely nothing anywhere near anything"). If they're successful in their NIMBYism, they'll use their town government to torture developers (people who create growth) with layer upon layer of bureaucratic rigmarole, so that only a certified masochist would apply to build something there. Eventually the unwanted growth leapfrogs over them to cheap, vacant rural land farther out, and then all the new commuters in the farther-out suburb choke the NIMBYs' roads anyway, to get to the existing mall in NIMBYville.

Unfortunately, the NIMBYs don't have a better model in mind. They go to better places on holiday weekends—Nantucket, St. Augustine, little New England towns—but they

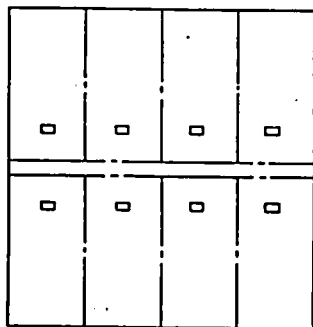
CURRENT ZONING CODES



Commercial sprawl



Apartment complex

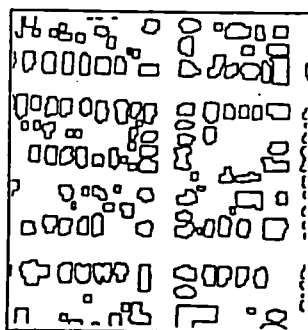


Housing subdivision

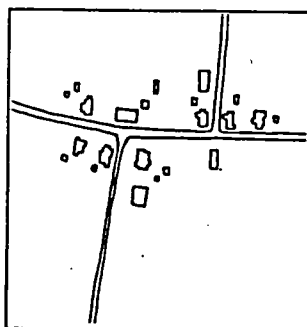
TRADITIONAL NEIGHBORHOOD DESIGN



City blocks



Small town



Village

think of these places as special exceptions. It never occurs to NIMBY tourists that their own home places could be that good too. *Make Massapequa like Nantucket? Where would I park?* Exactly.

These special places are modeled on a pre-automobile template. They were designed for a human scale and in some respects maintained that way. Such a thing is unimaginable to us today. We must design for the automobile, because... because all our laws and habits tell us we must. Notice that you can get to all these special places in your car. It's just a nuisance to use the car while you're there—so you stash it someplace for the duration of your visit and get around perfectly happily on foot, by bicycle, in a cab, or on public transit. The same is true, by the way, of London, Paris, and Venice.

The future will not allow us to continue using cars the way we've been accustomed to in the unprecedented conditions of the late twentieth century.

So, whether we adore suburbia or not, we're going to have to live differently. Rather than being a tragedy, this is actually an extremely lucky situation, a wonderful opportunity, because we are now free to redesign our everyday world in a way that is going to make all classes of Americans much happier. We do not have to come up with tools and techniques never seen before. The principles of town planning can be found in excellent books written before the Second World War. Three-dimensional models of the kinds of places that can result from these principles exist in the form of historic towns and cities. In fact, after two generations of architectural amnesia, this knowledge has been reinstalled in the brains of professional designers in active practice all over the country, and these designers have already begun to create an alternate model of the human habitat for the twenty-first century.

What's missing is a more widespread consensus—a cultural agreement—in favor of the new model, and the will to go forward with it. Large numbers of ordinary citizens haven't heard the news. They're stuck in old habits and stuck in the psychology of previous investment; political leadership reflects this all over America. NIMBYism is one of the results, a form of hysterical cultural paralysis. *Don't build anything! Don't change anything!* The consensus that exists, therefore, is a consensus of fear, and that is obviously not good enough. We need a consensus of hope.

In the absence of a widespread consensus about how to build a better everyday environment, we'll have to replace the old set of rules with an explicit new set—or, to put it a slightly different way, replace zoning laws with principles of civic art. It will take time for these principles to become second nature again, to become common sense. It may not happen at all, in which case we ought to be very concerned. In the event that this body of ideas gains widespread acceptance, think of all the time and money we'll save! No more endless nights down at the zoning board watching the NIMBYS scream at the mall developers. No more real-estate-related lawsuits. We will have time, instead, to become better people and to enjoy our lives on a planet full of beauty and mystery. Here, then, are some of the things citizens will need to know in order to create a new model for the everyday environment of America.

The New Urbanism

THE principles apply equally to villages, towns, and cities. Most of them apply even to places of extraordinarily high density, like Manhattan, with added provisions that I will not go into here, in part because special cases like Manhattan are so rare, and in part because I be-

lieve that the scale of even our greatest cities will necessarily have to become smaller in the future, at no loss to their dynamism (London and Paris are plenty dynamic, with few buildings over ten stories high).

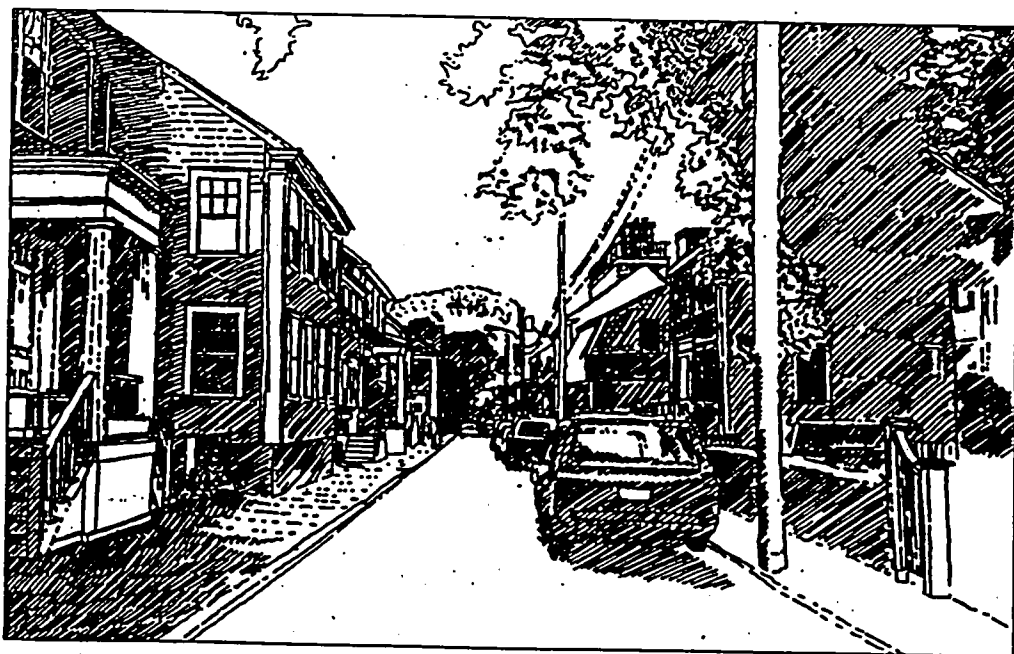
The pattern under discussion here has been called variously neo-traditional planning, traditional neighborhood development, low-density urbanism, transit-oriented development, the new urbanism, and just plain civic art. Its principles produce settings that resemble American towns from prior to the Second World War.

1. The basic unit of planning is the neighborhood. A neighborhood standing alone is a hamlet or village. A cluster of neighborhoods becomes a town. Clusters of a great many neighborhoods become a city. The population of a neighborhood can vary depending on local conditions.

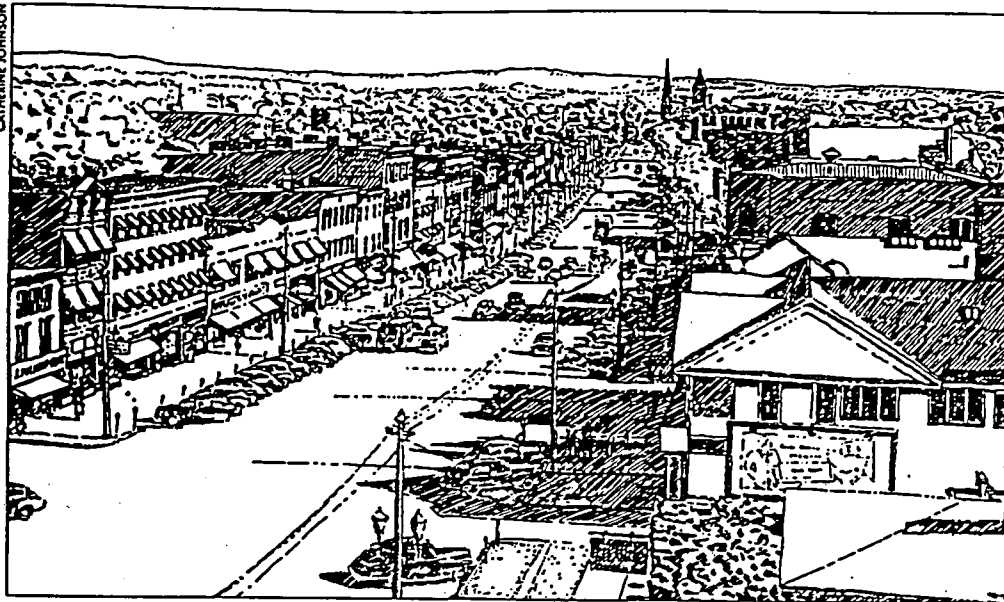
2. The neighborhood is limited in physical size, with well-defined edges and a focused center. The size of a neighborhood is defined as a five-minute walking distance (or a quarter mile) from the edge to the center and a ten-minute walk edge to edge. Human scale is the standard for proportions in buildings and their accessories. Automobiles and other wheeled vehicles are permitted, but they do not take precedence over human needs, including aesthetic needs. The neighborhood contains a public-transit stop.

3. The secondary units of planning are corridors and districts. Corridors form the boundaries between neighborhoods, both connecting and defining them. Corridors can incorporate natural features like streams and canyons. They can take the form of parks, nature preserves, travel corridors; railroad lines, or some combination of these. In towns and cities a neighborhood or parts of neighborhoods can compose a district. Districts are made up of streets or ensembles of streets where special activities get preferential treatment.

Americans pay premium prices to vacation in towns with traditional streets like this one on Nantucket. Trees, fences, railings, walls, lampposts, and front gardens help to scale and shape the civic space



CATHERINE JOHNSON



In America the street is the pre-eminent kind of public space and Main Street is the pre-eminent kind of street. Buildings meet the sidewalk edge, forming a wall that gives Main Street the feeling of an outdoor room. People can live and work in the upper stories above the shopping

The French Quarter of New Orleans is an example of a district. It is a whole neighborhood dedicated to entertainment, in which housing, shops, and offices are also integral. A corridor can also be a district—for instance, a major shopping avenue between adjoining neighborhoods.

4. The neighborhood is emphatically mixed-use and provides housing for people with different incomes. Buildings may be various in function but must be compatible with one another in size and in their relation to the street. The needs of daily life are accessible within the five-minute walk. Commerce is integrated with residential, business, and even manufacturing use, though not necessarily on the same street in a given neighborhood. Apartments are permitted over stores. Forms of housing are mixed, including apartments, duplex and single-family houses, accessory apartments, and outbuildings. (Over time streets will inevitably evolve to become less or more desirable. But attempts to preserve property values by mandating minimum-square-footage requirements, outlawing rental apartments, or formulating other strategies to exclude lower-income residents must be avoided. Even the best streets in the world's best towns can accommodate people of various incomes.)

5. Buildings are disciplined on their lots in order to define public space successfully. The street is understood to be the pre-eminent form of public space, and the buildings that define it are expected to honor and embellish it.

6. The street pattern is conceived as a network in order to create the greatest number of alternative routes from one part of the neighborhood to another. This has the beneficial effect of relieving traffic congestion. The network may be a grid. Networks based on a grid must be modified by parks, squares, diagonals, T intersections, rotaries, and other devices that relieve the grid's tendency to monotonous regularity. The streets exist in a hierarchy from broad boulevards to narrow lanes and

alleys. In a town or a city limited-access highways may exist only within a corridor, preferably in the form of parkways. Cul-de-sacs are strongly discouraged except under extraordinary circumstances—for example, where rugged topography requires them.

7. Civic buildings, such as town halls, churches, schools, libraries, and museums, are placed on preferential building sites, such as the frontage of squares, in neighborhood centers, and where street vistas terminate, in order to serve as landmarks and reinforce their symbolic importance. Buildings define parks and squares, which are distributed throughout the neighborhood and appropriately designed for recreation, repose, periodic commercial uses, and special events such as political meetings, concerts, theatricals, exhibitions, and fairs. Because streets will differ in importance, scale, and quality, what is appropriate for a part of town with small houses may not be appropriate as the town's main shopping street. These distinctions are properly expressed by physical design.

8. In the absence of a consensus about the appropriate decoration of buildings, an architectural code may be devised to establish some fundamental unities of massing, fenestration, materials, and roof pitch, within which many variations may function harmoniously.

Under the regime of zoning and the professional overspecialization that it fostered, all streets were made as wide as possible because the specialist in charge—the traffic engineer—was concerned solely with the movement of cars and trucks. In the process much of the traditional decor that made streets pleasant for people was gotten rid of. For instance, street trees were eliminated. Orderly rows of mature trees can improve even the most dismal street by softening hard edges and sunblasted bleakness. Under postwar engineering standards street trees were deemed a hazard to motorists and chopped down in many American towns.

Accommodating Automobiles

THE practice of maximizing car movement at the expense of all other concerns was applied with particular zeal to suburban housing subdivisions. Suburban streets were given the characteristics of county highways, though children played in them. Suburban developments notoriously lack parks. The spacious private lots were supposed to make up for the lack of parks, but children have a tendency to play in the street anyway—bicycles and roller skates don't work well on the lawn. Out in the subdivisions, where trees along the sides of streets were often expressly forbidden, we see those asinine exercises in romantic landscaping that attempt to recapitulate the forest primeval in clumps of ornamental juniper. In a setting so inimical to walking, sidewalks were often deemed a waste of money.

In the new urbanism the meaning of the street as the essential fabric of the public realm is restored. The space created is understood to function as an outdoor room, and building façades are understood to be street walls.

Thoroughfares are distinguished by their character as well as by their capacity. The hierarchy of streets begins with the boulevard, featuring express lanes in the center, local lanes on the sides, and tree-planted medians between the express and local lanes, with parallel parking along all curbs. Next in the hierarchy is the multilane avenue with a median. Then comes a main shopping street, with no median. This is followed by two or more orders of ordinary streets (apt to be residential in character), and finally the lane or alley, which intersects blocks and becomes the preferred location for garages and accessory apartments.

Parallel parking is emphatically permitted along the curbs of all streets, except under the most extraordinary conditions. Parallel parking is desirable for two reasons: parked cars create a physical barrier and psychological buffer that protects pedestrians on the sidewalk from moving vehicles; and a rich supply of parallel parking can eliminate the need for parking lots, which are extremely destructive of the civic fabric. Anyone who thinks that parallel parking "ruins" a residential street should take a look at some of the most desirable real estate in America: Georgetown, Beacon Hill, Nob Hill, Alexandria, Charleston, Savannah, Annapolis, Princeton, Greenwich Village, Marblehead. All permit parallel parking.

Residential streets can and should be narrower than current specifications permit. In general, cars need not move at speeds greater than 20 m.p.h. within a neighborhood. Higher speeds can be reserved for boulevards or parkways, which occupy corridors. Within neighborhoods the explicit intent is to calm and tame vehicular traffic. This is achieved by the use of corners with sharp turning radii, partly textured pavements, and T intersections. The result of these practices is a more civilized street.

Even under ideal circumstances towns and cities will have some streets that are better than others. Over time streets tend to sort themselves out in a hierarchy of quality as well as size. The new urbanism recognizes this tendency, especially in city commercial districts, and designates streets A or B. B streets may contain less-desirable structures—for instance, parking-garage entrances, pawnshops, a homeless shelter, a Burger King—without disrupting the A streets in proximity. This does not mean that B streets are allowed to be deliberately squalid. Even here the public realm deserves respect. Cars are still not given dominion. A decent standard of detailing applies to B streets with respect to sidewalks, lighting, and even trees.

Property Values and Affordable Housing

ZONING required the artificial creation of "affordable housing," because the rules of zoning prohibited the very conditions that formerly made housing available to all income groups and integrated it into the civic fabric. Accessory apartments became illegal in most neighborhoods, particularly in new suburbs. Without provision for apartments, an unmarried sixth-grade schoolteacher could not afford to live near the children she taught. Nor could the housecleaner and the gardener—they had to commute for half an hour from some distant low-income ghetto. In many localities apartments over stores were also forbidden under the zoning laws. Few modern shopping centers are more than one story in height, and I know of no suburban malls that incorporate housing. In eliminating arrangements like these we have eliminated the most common form of affordable housing, found virtually all over the rest of the world. By zoning these things out, we've zoned out Main Street, USA.

The best way to make housing affordable is to build or restore compact, mixed-use, traditional American neighborhoods. The way to preserve property values is to recognize that a house is part of a community, not an isolated object, and to make sure that the community maintains high standards of civic amenity in the form of walkable streets and easy access to shops, recreation, culture, and public beauty.

Towns built before the Second World War contain more-desirable and less-desirable residential streets, but even the best can have income-integrated housing. A \$350,000 house can exist next to a \$180,000 house with a \$600-a-month garage apartment (which has the added benefit of helping the homeowner pay a substantial portion of his mortgage). Such a street might house two millionaires, eleven professionals, a dozen wage workers, sixteen children, three full-time mothers, a college student, two grandmothers on Social Security, and a bachelor fireman. That is a street that will maintain its value and bring people of different ages and occupations into informal contact.

Density, Not Congestion

"CONGESTION" was the scare word of the past, as "growth" is the scare word of our time. The fear of congestion sprang from the atrocious conditions in urban slums at the turn of the century. The Lower East Side of Manhattan in 1900 is said to have contained more inhabitants per square mile than are found in modern-day Calcutta. If crowding had been confined to the slums, it might not have made such an impact on the public imagination. But urban congestion was aggravated by the revolutionary effects of the elevator, the office skyscraper, the sudden mass replication of large apartment buildings, and the widespread introduction of the automobile. These innovations drastically altered the scale and tone of city life. Within a generation cities went from being dynamic to being—or at least seeming—frighteningly overcrowded. Those with the money to commute were easily persuaded to get out, and thus in the 1920s came the first mass evacuation to new suburbs, reachable primarily by automobile. The movement was slowed by the Great Depression and then by the Second World War.

The memory of all that lingers. Tremendous confusion about density and congestion persists in America today, even though most urban areas and even many small towns (like my own) now suffer from density deficits. Too few people live, and businesses operate, at the core to maintain the synergies necessary for civic life. The new urbanism proposes a restoration of synergistic density, within reasonable limits. These limits are controlled by building size. The new urbanism calls for higher density—more houses per acre, closer together—than zoning does. However, the new urbanism is modeled not on the urban slum but on the traditional American town. This is not a pattern of life that should frighten reasonable people. Millions pay forty dollars a day to walk through a grossly oversimplified version of it at Disney World. It conforms exactly to their most cherished fantasies about the ideal living arrangement.

Houses may be freestanding in the new urbanism, but their lots are smaller than those in sprawling subdivisions. Streets of connected row houses are also deemed desirable. Useless front lawns are often eliminated. The new urbanism compensates for this loss by providing squares, parks, greens, and other useful, high-quality civic amenities. The new urbanism also creates streets of beauty and character.

This model does not suffer from congestion. Occupancy laws remain in force—sixteen families aren't jammed into one building, as in the tenements of yore. Back yards provide plenty of privacy, and houses can be large and spacious on their lots. People and cars are able to circulate freely in the network of streets. The car is not needed for trips to the store, the school, or other local places. This pattern encourages good connections between people and their commercial and cultural institutions.

The crude street pattern of zoning, with its cul-de-sacs and collector streets, actually promotes congestion, because absolutely every trip out of the single-use residential pod must be made by car onto the collector street. The worst congestion in America today takes place not in the narrow streets of traditional neighborhoods such as Georgetown and Alexandria but on the six-lane collector streets of Tysons Corner, Virginia, and other places created by zoning. Because of the extremely poor connectivity inherent in them, such products of zoning have much of the infrastructure of a city and the culture of a backwater.

Composing a Street Wall

IN order for a street to achieve the intimate and welcoming quality of an outdoor room, the buildings along it must compose a suitable street wall. Whereas they may vary in style and expression, some fundamental agreement, some unity, must pull buildings into alignment. Think of one of those fine side streets of row houses on the Upper East Side of New York. They may express in masonry every historical fantasy from neo-Egyptian to Ruskinian Gothic. But they are all close to the same height, and even if their windows don't line up precisely, they all run to four or five stories. They all stand directly along the sidewalk. They share materials: stone and brick. They are not interrupted by vacant spaces or parking lots. About half of them are homes; the rest may be diplomatic offices or art galleries. The various uses co-exist in harmony. The same may be said of streets on Chicago's North Side, in Savannah, on Beacon Hill, in Georgetown, in Pacific Heights, and in many other ultra-desirable neighborhoods across the country.

Similarly, buildings must be sized in proportion to the width of the street. Low buildings do a poor job of defining streets, especially overly wide streets, as anyone who has been on a postwar commercial highway strip can tell. The road is too wide and the cars go too fast. The parking lots are fearsome wastelands. The buildings themselves are barely visible—that is why gigantic internally lit signs are necessary. The relationship between buildings and space fails utterly in this case. In many residential suburbs, too, the buildings do a poor job of defining space. The houses are low; the front lawns and streets are too wide. Sidewalks and orderly rows of trees are absent. The space between the houses is an incomprehensible abyss.

The new urbanism advances specific solutions for these ills—both for existing towns and cities and to mitigate the current problems of the suburbs. Commerce is removed from the highway strip and reassembled in a town or neighborhood center. The buildings that house commerce are required to be at least two stories high and may be higher, and this has the additional benefit of establishing apartments and offices above the shops to bring vitality, along with extra rents, to the center. Buildings on designated shopping streets near the center

are encouraged to house retail businesses on the ground floor.

A build-to line determines how close buildings will stand to the street and promotes regular alignment. Zoning has a seemingly similar feature called the setback line, but it is intended to keep buildings far away from the street in order to create parking lots, particularly in front, where parking lots are considered to be a WELCOME sign to motorists. When buildings stand in isolation like this, the unfortunate effect is their complete failure to define space: the abyss. In the new urbanism the build-to line is meant to ensure the opposite outcome: the positive definition of space by pulling buildings forward to the street. If parking lots are necessary, they should be behind the buildings, in the middle of the block, where they will not disrupt civic life.

Additional rules govern building height, recess lines according to which upper stories may be set back, and transition lines, which denote a distinction between ground floors for retail use and upper floors for offices and apartments. (Paris, under Baron Haussmann, was coded for an eleven-meter-high transition line, which is one reason for the phenomenal unity and character of Parisian boulevards.)

In traditional American town planning the standard increments for lots have been based on twenty-five feet of street frontage, which have allowed for twenty-five-foot row houses and storefronts, and fifty-, seventy-five-, and 100-foot lots for free-standing houses. Unfortunately, the old standard is slightly out of whack with what is needed to park cars efficiently. Therefore, under the new urbanism lot size will be based on the rod (sixteen and a half feet), a classic unit of measurement. This allows for a minimum townhouse lot of sixteen and a half feet, which has room for parking one car in the rear (off an alley) plus a few feet for pedestrians to walk around the car. The 1.5-rod townhouse lot permits two cars to park in the rear. The two-rod lot allows for a townhouse with parking for two cars plus a small side yard. Three rods allows for a standard detached house with on-site parking in different

configurations. The four-rod lot provides room for a very large detached building (house, shops, offices, or apartments) with parking for as many as ten cars in the rear. The issue of a standard increment based on the rod is far from settled. Some new-urbanist practitioners recommend an adjustable standard of twelve to eighteen feet, based on local conditions.

The new urbanism recognizes zones of transition between the public realm of the street and the semi-private realm of the shop or the private realm of the house. (In the world of zoning this refinement is nonexistent.) Successful transitions are achieved by regulating such devices as the arcade, the storefront, the dooryard, the ensemble of porch and fence, even the front lawn. These devices of transition soften the visual and



The sidewalk is an ensemble, including more than the pedestrian path itself: a planting strip with orderly rows of trees and a curb that can accommodate parked cars also contribute to the safety of pedestrians

psychological hard edges of the everyday world, allowing us to move between these zones with appropriate degrees of ease or friction. (They are therefore at odds with the harsh geometries and polished surfaces of Modernism.)

The arcade, for instance, affords shelter along the sidewalk on a street of shops. It is especially desirable in southern climates where both harsh sunlight and frequent downpours occur. The arcade must shelter the entire sidewalk, not just a portion of it, or else it tends to become an obstacle rather than an amenity. Porches on certain streets may be required to be set

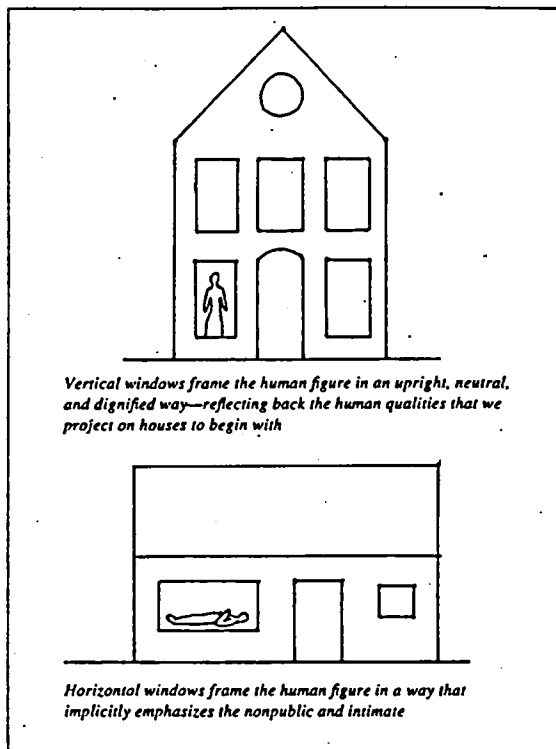
back no more than a "conversational distance" from the sidewalk, to aid communication between the public and private realms. The low picket fence plays its part in the ensemble as a gentle physical barrier, reminding pedestrians that the zone between the sidewalk and the porch is private while still permitting verbal and visual communication. In some conditions a front lawn is appropriate. Large, ornate civic buildings often merit a lawn, because they cannot be visually comprehended close up. Mansions merit setbacks with lawns for similar reasons.

Architectural Codes

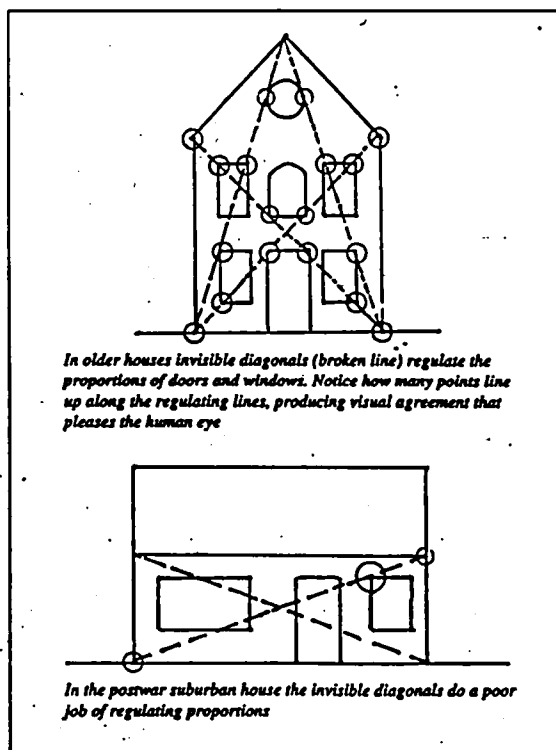
THE foregoing presents the "urban code" of the new urbanism, but architectural codes operate at a more detailed and refined level. In theory a good urban code alone can create the conditions that make civic life possible, by holding to a standard of excellence in a town's basic design framework. Architectural codes establish a standard of excellence for individual buildings, particularly the surface details. Variances to codes may be granted on the basis of architectural merit. The new urbanism does not favor any particular style.

Nowadays houses are often designed from the inside out. A married couple wants a fanlight window over the bed, or a little octagonal window over the Jacuzzi, and a builder or architect designs the room around that wish. This approach does not take into account how the house will end up looking on the outside. The outside ceases

VERTICAL WINDOWS VERSUS HORIZONTAL WINDOWS



REGULATING LINES PROVIDE VISUAL AGREEMENT



to matter. This is socially undesirable. It degrades the community. It encourages people to stay inside, lessening surveillance on the street, reducing opportunities for making connections, and in the long term causing considerable damage to the everyday environment.

The new urbanism declares that the outside *does* matter, so a few simple rules re-establish the necessary design discipline for individual buildings. For example, a certain proportion of each exterior wall will be devoted to windows. Suddenly houses will no longer look like television sets, where only the front matters. Another rule may state that windows must be vertical or square, not horizontal—because horizontal windows tend to subvert the inherent dignity of the standing human figure. This rule reinstates a basic principle of architecture that, unfortunately, has been abandoned or forgotten in America—and has resulted in millions of terrible-looking houses.

Likewise, the front porch is an important and desirable element in some neighborhoods. A porch less than six feet deep is useless except for storage, because it provides too little room for furniture and the circulation of human bodies. Builders tack on inadequate porches as a sales gimmick to enhance "curb appeal," so that the real-estate agent can drive up with the customer and say, "Look, a front porch!" The porch becomes a cartoon feature of the house, like the little fake cupola on the garage. This saves the builders money in time and materials. Perhaps they assume that the street will be too repulsive to sit next to.

Why do builders even bother with pathetic-looking cartoon porches? Apparently Americans need at least the idea of a porch to be reassured, symbolically, that they're decent people living in a decent place. But the cartoon porch only compounds the degradation of the public realm.

In America today flat roofs are the norm in commercial construction. This is a legacy of Modernism, and we're suffering because of it. The roofscapes of our communities are boring and dreary as well as vulnerable to leakage or collapse in the face of heavy rain or snow. An interesting roofscape can be a joy—and a life worth living is composed of many joys. Once Modernism had expanded beyond Europe to America, it developed a hidden agenda: to give developers a moral and intellectual justification for putting up cheap buildings. One of the best ways to save money on a building is to put a flat roof on it.

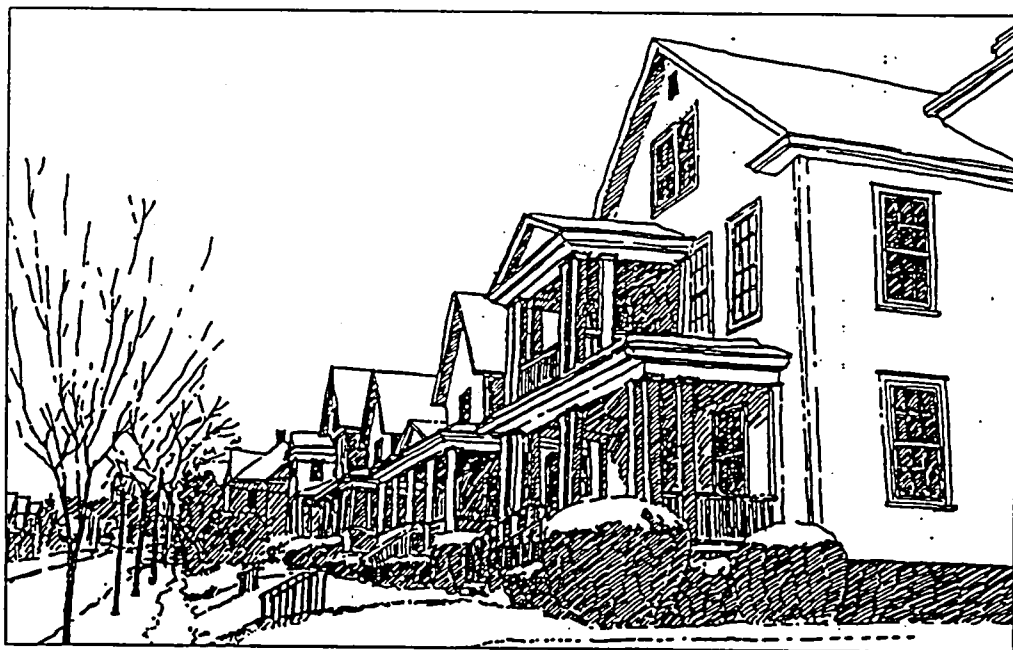
Aggravating matters was the tendency in postwar America to regard buildings as throwaway commodities, like cars.

Colonial, or whatever—though they certainly could if they were sufficiently detailed and rigorous. But style is emphatically not the point. The point is to achieve a standard of excellence in design for the benefit of the community as a whole. Is anything wrong with standards of excellence? Should we continue the experiment of trying to live without them?

Getting the Rules Changed

REPLACING the crude idiocies of zoning with true civic art has proved to be a monumentally difficult task. It has been attempted in many places around the United States over the past fifteen years, mainly by developers, professional town planners, and architects who are members of the new-urbanist movement. They have succeeded in a few places. The status quo has remarkable staying power, no matter how miserable it makes people, including the local

An architectural code establishes some fundamental unities of design within which many personal tastes may be expressed, as in these façades



That flat roofs began to leak after a few years didn't matter; by then the building was a candidate for demolition. That attitude has now infected all architecture and development. Low standards that wouldn't have been acceptable in our grandparents' day, when this was a less affluent country, are today perfectly normal. The new urbanism seeks to redress this substandard normality. It recognizes that a distinctive roofline is architecturally appropriate and spiritually desirable in the everyday environment. Pitched roofs and their accessories, including towers, are favored explicitly by codes. Roofing materials can also be specified if a community wants a high standard of construction.

Architectural codes should be viewed as a supplement to an urban code. Architectural codes are not intended to impose a particular style on a neighborhood—Victorian, neoclassical,

officials who support it and who have to live in the same junk environment as everybody else. An enormous entrenched superstructure of bureaucratic agencies at state and federal levels also supports zoning and its accessories. Departments of transportation, the Federal Housing Administration, the various tax agencies, and so on all have a long-standing stake in policies that promote and heavily subsidize suburban sprawl. They're not going to renounce those policies without a struggle. Any change in a rule about land development makes or breaks people who seek to become millionaires. Ban sprawl, and some guy who bought twenty acres to build a strip mall is out of business, while somebody else with three weed-filled lots downtown suddenly has more-valuable property.

I believe that we have entered a kind of slow-motion cultural meltdown, owing largely to our living habits, though many

ordinary Americans wouldn't agree. They may or may not be doing all right in the changing economy, but they have personal and psychological investments in going about business as usual. Many Americans have chosen to live in suburbia out of a historic antipathy for life in the city and particularly a fear of the underclass that has come to dwell there. They would sooner move to the dark side of the moon than consider city life.

Americans still have considerable affection for small towns, but small towns present a slightly different problem: in the past fifty years many towns have received a suburban-sprawl zoning overlay that has made them indistinguishable from the sprawl matrix that surrounds them. In my town strip malls and fast-food joints have invaded what used to be a much denser core, and nearly ruined it.

Notwithstanding all these obstacles, zoning must go, and zoning will go. In its place we will re-establish a consensus for doing things better, along with formal town-planning codes to spell out the terms. I maintain that the change will occur whether we love suburbia or not.

Fortunately, a democratic process for making this change exists. It has the advantage of being a highly localized process, geared to individual communities. It is called the charette. In its expanded modern meaning, a "charette" is a week-long professional design workshop held for the purpose of planning land development or redevelopment. It includes public meetings that bring all the participants together in one room—developers, architects, citizens, government officials, traffic engineers, environmentalists, and so on. These meetings are meant to get all issues on the table and settle as many of them as possible. This avoids the otherwise usual, inevitably gruesome process of conflict resolution performed by lawyers—which is to say, a hugely expensive waste of society's resources benefiting only lawyers.

The object of the charette is not, however, to produce verbiage but to produce results on paper in the form of drawings and plans. This highlights an essential difference between zoning codes and traditional town planning based on civic art. Zoning codes are invariably twenty-seven-inch-high stacks of numbers and legalistic language that few people other than technical specialists understand. Because this is so, local zoning- and planning-board members frequently don't understand their own zoning laws. Zoning has great advantages for specialists, namely lawyers and traffic engineers, in that they profit financially by being the arbiters of the regulations, or benefit professionally by being able to impose their special technical needs (say, for cars) over the needs of citizens—without the public's being involved in their decisions.

Traditional town planning produces pictorial codes that any normal citizen can comprehend. This is democratic and ethical as well as practical. It elevates the quality of the public discussion about development. People can see what they're talking

about. Such codes show a desired outcome at the same time that they depict formal specifications. They're much more useful than the reams of balderdash found in zoning codes.

An exemplary town-planning code devised by Andres Duany, Elizabeth Plater-Zyberk, and others can be found in the ninth edition of *Architectural Graphic Standards*. The code runs a brief fourteen pages. About 75 percent of the content is pictures—of street sections, blocks, building lots, building types, and street networks. Although it is generic, a code of similar brevity could easily be devised for localized conditions all over America.

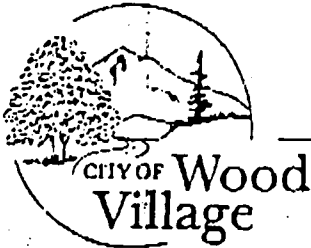
The most common consequence of the zoning status quo is that it ends up imposing fantastic unnecessary costs on top of bad development. It also wastes enormous amounts of time—and time is money. Projects are frequently sunk by delays in the process of obtaining permits. The worst consequence of the status quo is that it actually makes good development much harder to achieve than bad development.

Because many citizens have been unhappy with the model of development that zoning gives them, they have turned it into an adversarial process. They have added many layers of procedural rigmarole, so that only the most determined and wealthiest developers can withstand the ordeal. In the end, after all the zoning-board meetings and flashy presentations and environmental objections and mitigation, and after both sides' lawyers have chewed each other up and spit each other out, what ends up getting built is a terrible piece of sprawl equipment—a strip mall, a housing subdivision. Everybody is left miserable and demoralized, and the next project that comes down the road gets beaten up even more, whether it's good or bad.

No doubt many projects deserve to get beaten up and delayed, even killed. But wouldn't society benefit if we could agree on a model of good development and simplify the means of going forward with it? This is the intent of the traditional town planning that is the foundation of the new urbanism.

Human settlements are like living organisms. They must grow, and they will change. But we can decide on the nature of that growth—on the quality and the character of it—and where it ought to go. We don't have to scatter the building blocks of our civic life all over the countryside, destroying our towns and ruining farmland. We can put the shopping and the offices and the movie theaters and the library all within walking distance of one another. And we can live within walking distance of all these things. We can build our schools close to where the children live, and the school buildings don't have to look like fertilizer plants. We can insist that commercial buildings be more than one story high, and allow people to live in decent apartments over the stores. We can build Main Street and Elm Street and still park our cars. It is within our power to create places that are worthy of our affection. ☼

Drawings and diagrams are taken from James Howard Kunstler's book Home From Nowhere.



090596-21

Mayor Council President Councilors
Donald L. Robertson William J. Stewart Timothy R. Fier Janet Van de Riet Steven D. Rodriguez

September 11, 1996

Mike Burton, Executive Officer
Metro Regional Center
600 NE Grand Avenue
Portland, OR 97232-2736

RECEIVED

SEP 11 1996

EXECUTIVE OFFICER

RE: Functional Plan Map

Dear Mr. Burton:

As you know, the City of Wood Village has been working for a number of months on its Zoning Code and Comprehensive Plan provisions to guide redevelopment of the Multnomah Kennel Club property. A portion of that site is currently identified on Metro's Functional Plan map as an employment area. The Wood Village Planning Commission took action at its July 15th special meeting giving conceptual approval to changing the Comprehensive Plan designation and zoning of the Multnomah Kennel Club property from Light Industrial to Commercial/Residential Mixed Use and therefore, the City believes that the employment area designation would limit the uses that the City desires to have on the site. The City further believes that the Town Center designation is a more appropriate designation for the entire site.

In our conversations, you have stated that Metro will respect whatever choices the City of Wood Village makes for the property in terms of designation. However, with the imminent adoption of the functional plan, the City is concerned that there are no formal procedures for changing the designation of the site. By this letter, the City of Wood Village respectfully requests that Metro remove the "employment area" designation from the Multnomah Kennel Club property prior to adoption of Metro's Functional Plan. Only with such a redesignation can the City take the necessary time and thoughtfulness it will take to ensure that this property is redeveloped appropriately.

Please include this letter in the Metro Council's record of its deliberations on the Functional Plan. Thank you for your consideration of our request and thank you for the helpful assistance of your staff in this process.

Sincerely,

Stella M. Ritz
City Administrator

SMR:jb

C: John Fregonese, Director Growth Management
Wood Village City Council
City Attorney
Clark Wardle, MKC

U 100-10-22

Sept. 9, '96

Dear Metro —

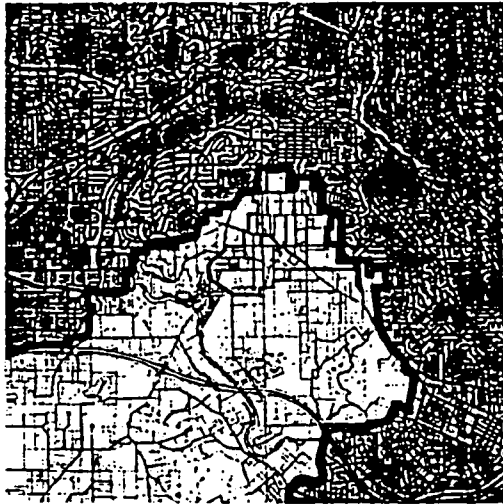
Unable to get to
the Sept. 12th meeting
due to age etc. I want
to say I completely (sp.?)
support the Urban Growth
(No Growth) Concept!

In haste to
get this in the mail —

Sincerely yours,
(Mrs.) Ray W. Engleheart
1414 SE Farrell
Port Or. 97211

090596-23

Stafford Road Properties
FEASIBILITY ANALYSIS



Prepared for
Rosemont Property Owner Assn.



April 30, 1996

Background

Summary of Findings

- The Stafford Road Properties are bordered on three sides by developed urban land and fully served residential neighborhoods. All of these properties are located less than one half mile from the city limits of the City of Lake Oswego or the City of West Linn.
- No significant agricultural uses or practices exist within the project boundary.
- Transportation access currently exists to the properties via Stafford, Rosemont, Childs and Burgis Roads. Also the properties are physically located less than two miles north of the I-205 Stafford Interchange. Stafford and Rosemont Roads each carry substantial traffic during the A.M. and P.M. travel periods and are also listed in the Metro Community Bridge and Road Program "List of Priority Projects" as the intersections in the area are currently operating at unacceptable levels.
- Water service capacity is available from the City of Lake Oswego and the City of West Linn. The Skylands Water District would be third alternative. Water and stormwater management costs to the proposed area are at \$461 per dwelling unit.
- Sanitary sewer service is feasible using a combination of existing systems or with the addition of a new regional facility on the Tualatin River. Sanitary service to the proposed site could also accommodate other existing sanitary sewer needs in this part of the metropolitan region. With proper planning it could minimize Lake Oswego's need to expand their plant by diverting some of their over capacity sewage to the Stafford Property trunk lines. Utilizing two of the available alternatives would place full service sanitary service to the proposed area at \$1,030 per dwelling unit.
- A master plan has been developed by the property owners which takes advantage of existing topography and results in 2,945 dwelling units in mixed use configuration, at an average density of six dwelling units per net acre.
- A comprehensive roadway, trail and path system, accommodating all transportation modes, would link all parts of the proposed community and surrounding residential neighborhoods to existing and proposed amenities and services.
- A proposed "Village Center" would become a transportation hub for this portion of the metro region serving any potential development, but, as importantly, serving existing transportation needs. It would thereby help to support Region 2040 transportation goals and objectives.

Background

Continued

- A proposed "Village Center" would accommodate many commercial service needs of the proposed community as well as that of surrounding residential neighborhoods. This would support the goal to reduce auto trip generation in this portion of the metropolitan region.
- "Village Center" businesses would also provide jobs to this area, thereby helping to address the Region 2040 requirement for jobs/housing balance.
- The Stafford Properties are in the lowest risk area with regards to earthquake fault lines and potential damage from same. The Stafford Properties suffered zero damage in the latest flooding which exceeded the 100 year level, as well as experienced no landslides, sloughing of hillsides or tree loss due to uprooting, etc. This is a critical consideration when evaluating properties for "future" urbanization.
- The Stafford Properties will be urbanizing approximately 765 acres of the total 6,500 North Stafford acres currently identified as rural. Over 5,700 acres would remain rural in character, and act as a buffer to the city's surrounding area as requested by the cities of Lake Oswego and West Linn.

Background

As part of Metro's analysis of development capacity within the Urban Growth Boundary (UGB) of the Portland Metropolitan area, 1,800 acres in the Stafford Basin have been designated as a study area for potential inclusion within the UGB. In response to this "study area" status, the Rosemont Property Owner's Association have commissioned Otak to investigate development scenarios and infrastructure capacities for 765 acres of land within the study area currently zoned Exclusive Farm Use (EFU). The purpose of the study is to develop land use development scenarios, infrastructure requirements, traffic impacts and costs of a selected scenario, and to determine existing capacities and necessary improvements to accommodate potential development.

Site Location

The 765 acres under study are situated in the Northeast portion of the Stafford Triangle. The properties are generally bounded by Bergis Road on the North, Stafford Road on the West, Johnson Road on the Southwest and a line running generally northeast from Johnson Road to a point of Rosemont Road which bisects the site in a Northwest to Southeast direction, and a ridge to the East.

The property is rolling, open terrain and is criss-crossed with streams and natural drainage ways. The character of the site is open meadows, with tree coverage along streams and drainage ways. Significant views to the south and southwest exist in many places on the 765 acres.

The incorporated city limits of Lake Oswego border the site on the north and west containing significant residential development, recreation and institutional uses. The City of West Linn borders the site on the east with mainly large lot residential development and unincorporated Clackamas County on the south in mostly rural land with some large lot residential development. Parcels are generally held in single ownerships. A 55 acre park site owned by the City of Lake Oswego and a parcel owned by Portland General Electric are included in the Metro study area.

Background

Continued

Site Statistics

Gross Acres 765 acres

Proposed Roadway network
(approximately 19% of Gross) 148 acres

Net Developable 617 acres

School Site 8 acres

Commercial Retail Site 12 acres

Parks 23 acres

Open Space Network 94 acres

Net Residential Acres 480 acres

Single Family attached 1,045 dwelling units 95 acres

Single Family Medium Density 400 dwelling units 50 acres

Single Family Low Density 1,500 dwelling units 335 acres

Total Dwelling Units 2,945

Average Residential Density 6.1 dwelling units/acre

Proposed Land use Scenario

Land uses considered for the proposed development scenario include:

Single Family Attached (10-12 dwelling units/ac)

Single Family Medium Density (6 - 10 dwelling units/ac)

Single Family Low Density (3 - 6 dwelling units/ac)

Village Center

Public/Institutional

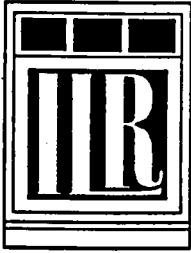
Park and open Space

The approach used in developing the proposed land use scenario was:

- Organized potential development around existing topography and to enhance existing natural conditions and opportunities

Background *Continued*

- Acknowledged existing development on the edges of the site by connecting to it wherever feasible
- Utilized and preserved natural drainage ways for pathways, trails and utility easements
- Separated, where possible, autos and pedestrians recognizing access and connectivity needs of each
- Created a hierarchy of street types assuring full connectivity throughout as well as with the existing roadway system
- Centralized highest intensity land uses at a "Village Center"
- Distributed densities and land use intensities from the highest at the Village Center to the lowest at the periphery



Independent Living Resources

4506 SE Belmont Street • Portland, Oregon 97215-1658

(503) 232-7411 • (503) 232-8408 TTY • (503) 232-7480 FAX

September 9, 1996

Metro Council Members
Metropolitan Service District
600 NE Grand Avenue
Portland, Or. 97232-2736

RE: Written Testimony
Metro Urban Growth Management Functional Plan

Dear Council Members,

Independent Living Resources provides services to people with disabilities. As a housing advocate and member of several housing groups representing low income households, it is our intent to offer our perspective after reading the MUGMFP.

It is quite apparent that Metro has spent considerable time researching and developing this plan. ILR would like to thank Metro and congratulate the work done; this document has made our job much easier and the task far more understandable.

In listening to residents within METRO's jurisdiction, it is clear that many have concerns regarding the number of jobs available to support a family, transportation that is accessible and affordable along with the lack of sufficient subsidized, accessible housing units.

ILR shares the concerns of local housing advocates regarding the number of low income households in the TRI COUNTY area. Specifically, low income households where individuals experience a disability. We were unable to find any language or information pertaining to this population within the Metro document. Information gathered from the Office of Community Development in all local counties along with statistics from agencies serving people with disabilities affirms our concerns.

ILR would like to recommend affordable housing language be strengthened to insure that new and rehab multi family housing is inclusive of low to moderate income households.

Our typical consumer is working under the limitations of Social Security Supplemental Income (\$440.00) or General Assistance (\$250.00) per month. With the average housing cost of \$500.00 to \$600.00 per month, this is well beyond the reach of our consumers. Factor in costs associated with accessibility such as ramps, grab bars and accessible bathrooms and housing is no longer available to our consumer.

The budget cuts for HUD, Community Block Grant and HOME funds are squeezing agencies providing housing assistance out of the housing market along with renters. Take into consideration the cuts to food stamps, energy assistance, rising utility and transportation costs and the lack of family supporting jobs; we have a formula destined to create huge numbers of homeless people.

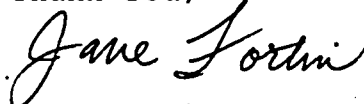
We support your goal of high density housing but caution METRO to scrutinize builders' cost cutting measures that eliminate or exclude people with disabilities. One such tactic currently used is town house and row house construction. This type of housing is not covered under the Fair Housing Act Amendments which dictate accessibility guidelines in construction. ILR encourages METRO to support any movement to legislate local state law which addresses this particular issue.

We encourage policy that requires new construction to have more than the federally mandated (20%) number of units that are adaptable. ILR suggests that percentages be adopted to increase the number of fully accessible units for both new and rehab construction.

It is our hope that requirements can be put into place that address accessibility, affordable, low income housing, transportation corridors that are accessible to all and concepts that promote inclusion of accessibility concepts.

ILR would like to recommend that language be used in configuring parking space slots for business and multi family housing that does not decrease the number of accessible parking spaces. After housing inquiries, the next most frequent call is for accessible parking issues.

Thank You,



Jane Fortin
Housing Specialist

090596-25

From: Donald MacGillivray
 To: Barbara Herget
 Date: 9/8/96 6:33pm
 Subject: Re: E. Port. Community Plan 9-96 (fwd)

Barbara,

Would you please forward the message below to Mike Burton, John
 regonese, and the METRO Councilors. It relates directly to the hearings
 on the 2040 plans.

Thanks Don

mcgat@teleport.COM Public Access User --- Not affiliated with Teleport
 Public Access UNIX and Internet at (503) 220-1016 (2400-14400, N81)

----- Forwarded message -----
 Date: Sun, 8 Sep 1996 00:52:06 -0700 (PDT)
 From: Donald MacGillivray <mcgat@teleport.com>
 To: innersepx-l@teleport.com
 Subject: Re: E. Port. Community Plan 9-96

Thursday at the Buckman C.A. meeting Susan Hartnett, Chief
 Planner, E. Port. Comm. Plan, gave a typical overview of the Community
 Plan to the board members. Several things bothered me and I believe they
 are worth passing on to others interested in planning and transportation
 in inner SE.

The first troubling point is that each community planning area is
 being asked to plan for a growth of 10%. [this comes from the growth
 Portland has agreed to accept in METRO's 2017 planning process - 70,000+
 people or a growth of about 15% in twenty years] Now that generally seems
 o.k. but then in order to realistically obtain the 10% growth the Bureau of
 Planning is requiring zone changes of twice that amount or an increase in
 housing units of 20%. This translates into some significant changes. One
 acre(one city block) of R-5 yields 8 housing units; one acre of R-1 yields
 43 housing units; therefore when rezoning R-5 to R-1 the net yield is 35
 housing units. Below are the inner S.E. neighborhoods, there approx.
 (1980 census) number of housing units, and the number of acres(city
 blocks) that will be required to be rezoned from R-5 to R-1. The last
 number on the right is the approx. current density in housing units per
 area(remember that neighborhoods like Buckman, HAND, Kerns, & Brooklyn
 have large areas of commercial/industrial that are not reflected in this
 figure).

neigh.	# h.u.	# ac.to R-1	h.u./ac.
Brooklyn	1,500	6	3.7
Buckman	4,200	24	6.0
HAND	3,300	19	4.4
Kerns	2,900	16	6.0
Richmond	4,900	28	6.2
SMILE	5,300	30	4.2

Sunnyside	3,300	19	8.4
CENTER	2,300	13	6.0
Creston-Kenilworth	3,400	19	6.9
Eastmoreland	1,700	10	2.3
Laurelhurst	1,700	10	4.3
Mt. Tabor	3,900	22	4.0

This isn't written in stone. There are a few other possibilities.

1. have another neighborhood take more than their share,
2. concentrate it in a high density R-H zone,
3. change to the CM (mixed commercial) instead of R-1 (they both have the same number of housing units allowed),
4. justify or demand a reduction in the amount of zoning changes.
5. Allow things like granny flats, etc. to be built.

Generally the Bureau of Planning wants a housing density of about 10 units per acre.

Housing density has been a contentious issue in most of the community plans and S.W. should be giving B.O.P an ear full about now too.

Our areas of potential growth are along our "Main Streets". Not only will higher density be located on these collector streets, but we may be asked to allow commercial rezoning (the 2nd issue of major concern) so the the lots are 200 feet deep instead of 100 feet as they are now.

I have opinions about this, but I will refrain for a while. I would prefer to hear some comments from the more restrained members of this group.

Don

P.S. Kelly, do you remember last spring the brief discussion about a town center around 39th and Powell. Richmond is targeted for twenty-eight square blocks of zone changes from R-5 to R-1. By accepting a town center Richmond would be able to create a more concentrated area with higher density housing and thereby save some of the currently zoned R-5 from change.

mcat@teleport.COM Public Access User --- Not affiliated with Teleport
Public Access UNIX and Internet at (503) 220-1016 (2400-14400, N81)

090596-26

Seth D. Alford
8915 SW Rosewood Way
Portland OR 97225
September 6, 1996

Metro Regional Center
600 NE Grand Ave.
Portland, OR 97232-2736

Gentlemen:

This letter is a followup to an earlier e-mail that I sent you, regarding 2040 planning. Rather than reiterate every point that I made in that earlier email, I'm just going to highlight my objections to the current 2040 proposals.

I have not read every word of every 2040 document published. However, from what I have read, and from what I have seen in the newspaper, I am opposed to the idea of trying to cram the additional people who are expected to arrive in the coming decades inside the current Urban Growth Boundary. I think that the resulting densities will ruin the Portland Metropolitan area's livability. I think that you need to expand the UGB.

I arrive at this conclusion by starting with the purpose of land use planning. As I see it, and from my experience as a Planning Commissioner for the City of Beaverton in 1988 and 1989, the purpose of land use planning is to help provide guidance for what development can or cannot take place on a particular parcel of land. This protects the owners of the neighboring parcels. The neighboring owners can make reasonable investment decisions in their properties, having some idea of what will happen on the undeveloped, or potentially redevelopable, property next door.

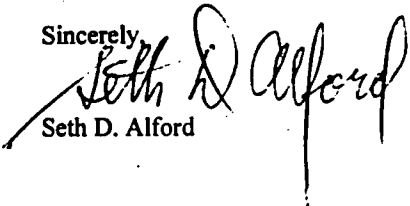
Now you want to change the rules. Where people could expect single family homes on 5000 or more square foot lots on a given piece of property, you will require and encourage 3000 or 4000 square foot lots, or, even worse, high density, medium or high-rise apartments. Where people could expect a shopping center to supply sufficient parking to meet the shopping center's needs, 365 days a year, you now (at least as proposed last spring in the draft documents I saw) allow the shopping center to count on-street public parking spaces.

The result of this will be residents disappointed and angered to see the values of their houses drop because of the Metro mandated apartment complex going in next door. Residents will be disappointed and angered that a shopping center redevelopment cannot be stopped, because the shopping center owners can count on-street parking. That on-street parking will further dissappoint and anger residents when it turns out that the parking is in front of their homes, with the accompanying noise and litter.

There is already enough distrust and anger at government; let's not make more by ruining people's investments in their property. Let's not ruin people's investments in their property for the sake of people who do not, and who may never actually, live here.

You need to restart the 2040 planning process, assuming that the UGB will be expanded. You need to better publicize what you are doing. As an example of how poorly you are publicizing yourselves, I never recieved a response to my earlier e-mail, either electronically or on paper.

Sincerely,


Seth D. Alford



CITY OF TUALATIN

PO BOX 369
TUALATIN, OREGON 97062-0369
(503) 692-2000
TDD 692-0574

September 10, 1996

Presiding Officer Jon Kvistad and Councilors
Metropolitan Service District
600 NE Grand Avenue
Portland, OR 97232-2736

RE: Urban Growth Management Functional Plan

Dear Presiding Officer Kvistad and Councilors:

The City Council discussed these recommendations September 9 and strongly urges their inclusion in the Urban Growth Management Functional Plan (the Plan). This letter addresses the broad issues that we believe are important. A second letter from our Planning Director addresses additional issues that are as important, and in some cases are more important, as the broad issues. The Planning Director's letter identifies specific Plan provisions that will present problems for Tualatin and other cities and counties.

Please note the first references to Titles, Sections and Lines are from the Growth Management Committee's August 6, 1996 version and the second references are to the August 23 version.

1. We recommend the Plan include a procedure for interpreting the Plan's provisions. Each city and county has an adopted procedure to interpret its plan and land use regulations either by staff, planning commission or elected body.

In the 24 months after the Plan is adopted cities and counties and environmental, development and neighborhood groups will have questions about the Plan's words and phrases. If no procedure exists, Metro staff will be the sole interpreters and in most cases their interpretations will be over the telephone or in a letter. Parties negatively affected by such interpretations will have no opportunity to comment or appeal. Due process will not be provided. An interpretation process is needed with opportunity for comment and appeal by affected parties.

2. We recommend the Council carefully review Title 8, Section 3 for consistency with State law. Cities and counties can amend their plans and land use regulations only after finding the proposed change meets the approval criteria in their plan and is consistent with the Statewide Goals. Title 8, Section 3 adds a new set of approval criteria for amendments to local plans and land use regulations.

The Metro Council must be certain that authority exists to require cities and counties to use approval criteria that are not in their local plans. Requiring cities and counties to amend their plans to include, "Complies with the Urban Growth Management Functional Plan" as an approval criteria is not the same as the Functional Plan stating that amendments to city and county plans and land use regulations must comply with the Functional Plan. We are concerned that if "Complies with the Urban Growth Management Functional Plan" is not in the Tualatin Community Plan as an approval criteria and we use it as an approval criteria in a decision, the decision may be successfully challenged.

3. We recommend the Plan clearly state whether or not its provisions apply to development applications prior to the time cities and counties amend their plans and land use regulations to include the Plan's provisions. The Plan is clear that cities and counties must amend their plans and land use regulations within 24 months to comply with the Plan. But it seems the Plan's provisions, such as the number of parking spaces, cannot be applied to development applications until such provisions are part of the city and county plans and land use regulations.

Cities and counties cannot require compliance with standards that are not in their plans and land use regulations. The Plan is silent on this point. The Plan must be clear to prevent misunderstandings and appeals of local decisions.

4. We recommend the one or two factors that reduce sprawl the most be the subject of the Plan and the other less important factors be deleted. The Plan started as a limited "early implementation" effort knowing that an all encompassing Framework Plan would soon be adopted for the rest of the 50 year period. The "early implementation" effort now encompasses many factors that are not so important in reducing sprawl.

The most important factor contributing to the inefficient use of land inside the UGB is the low density single family detached dwelling subdivision. Residential density should be addressed by the Plan. But the other titles should be reviewed to determine if they really need to be addressed now. For example, Title 3, Water Quality and Flood Management Conservation, will not likely result in a significantly more efficient use of land in the UGB. Title 7, Affordable Housing, is entirely optional and, therefore, will not reduce sprawl. We understand each title has its supporters and there are reasons for each title to be included, but the Plan is overweighted with nonessential titles and provisions.

5. We recommend Title 6, Regional Accessibility, be reviewed and certain provisions be scaled-back or deleted. Even though Lines 658/659 (Lines 565/566) state local street design can negatively effect the regional system, we believe (1) Section 3 goes too far, i.e., is too detailed and (2) the Design and Performance Options are almost unworkable at the local level within a quasi-judicial decisionmaking process due to their subjective standards. The Planning Director's letter explains the problems at the city level.

6. We recommend Title 6, Section 4B, Motor Vehicle Congestion Analysis, be thoroughly reviewed, especially the peak two-hour standards. We do not believe the residents and employees in Tualatin consider E and F acceptable. If we plan for Level of Service E and F, we may get it and that is not what we want.

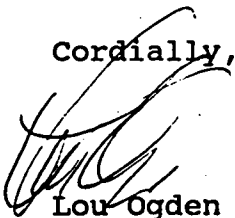
7. We recommend Title 3, Water Quality and Flood Management Conservation, be considered for deletion. It requires cities and counties buy-in to a program whose provisions have yet to be developed. The documents referred to in Title 3 must be complete and available for review before the City of Tualatin will support Title 3.

8. We recommend the Plan be reviewed carefully in terms of its reliance on mass transit when mass transit's ability to support the Plan is questionable. Transit is a key player, but there is no certainty it can do the job.

9. We recommend the Plan be reviewed in terms of the Washington County Coordinating Committee's letter. We agree with the Committee's comments and encourage the Metro Council to amend the Plan to address the comments.

Thank you for the opportunity to comment.

Cordially,

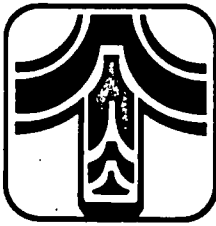


Lou Ogden
Mayor

c: Tualatin City Council
Tualatin City Manager
Tualatin City Attorney
Tualatin Economic Development Director
Tualatin City Engineer

file: Regional Agencies, Metro, Growth Management Functional Plan

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CITY OF TUALATIN

PO BOX 369
TUALATIN, OREGON 97062-0369
(503) 692-2000
TDD 692-0574

September 10, 1996

Presiding Officer Jon Kvistad and Councilors
Metropolitan Service District
600 NE Grand Avenue
Portland, OR 97232-2736

RE: Urban Growth Management Functional Plan

Dear Presiding Officer Kvistad and Councilors:

The City Council reviewed these recommendations on September 9, 1996. These recommendations from the City of Tualatin Planning Director supplement the Mayor and Council's comments in Mayor Ogden's letter dated September 10, 1996. I apologize for this letter's length, but some comments must be fully explained to ensure an understanding of how the Urban Growth Management Functional Plan (the Plan) will affect cities and counties.

The Plan must be clearer and its inconsistencies eliminated. Please note the first references to Titles, Sections and Lines are from the Growth Management Committee's August 6, 1996 version and the second references are to the August 23 version.

1. In Mayor Ogden's letter, Comment 2 requests the Metro Council carefully review Title 8, Section 3. A follow-up comment is, if cities and counties have 24 months to amend their plans and land use regulations to include the Functional Plan as approval criteria, how can Title 8, Section 3, be used as an approval criterion before the city and county plans are amended to include it? The Metro Council should consider changing Section 3, (Lines 900 - 902)(Lines 802 - 804) to read, "Within --some time frame-- of the effective date of this functional plan, cities and counties shall amend their plans to include, 'Complies with the Urban Growth Management Functional Plan,' as an approval criterion for amendments to city and county plans."

2. In Mayor Ogden's letter, Comment 5 recommends Title 6, Regional Accessibility, be reviewed and certain provisions be scaled-back or deleted. Even though Lines 658/659 (Lines 565/566) state that local street design can impact the effectiveness of the regional system, we believe (1) Section 3 goes too far, i.e., is too detailed and (2) the Design and Performance Options are almost unworkable at the local level within a quasi-judicial decisionmaking process. The following additional comments explain how problematic Title 6, Section 3, will be at the local level.

Section 3A1b (Lines 672/673)(Lines 579/580) prohibiting (1) cul-de-sacs longer than 200 feet and (2) more than 25 dwellings on a closed-end street will not work in all cases. The problem is, no one knows where these standards will not work. There are two possible avenues of relief, the exemption in Title 8 or a variance.

The exemption for Regional Accessibility in Title 8, Section 2B5 (Lines 889 - 892)(Lines 791 - 794) is for cities and counties to ask Metro's approval to not adopt the 200 foot and 25 unit standards into their local land use regulations. Cities and counties need not include the 200 foot and 25 unit standards if "...they can show that a street system or connection is not feasible for reasons of topographic constraints or natural or built environment considerations." This exemption can be requested only by a city or county. The exemption cannot be requested by developers as part of a development application. Given that cities and counties have dozens of tasks to complete in the next 24 months, there will be no time or funds to review all parcels in their jurisdiction to determine where the 200 foot and 25 unit standards will not work. No city or county will likely be able to justify an exemption from the 200 foot and 25 unit standards.

Is a local variance possible? The Plan is silent on this issue. Presumably, a local variance is possible because local codes allow variances to the standards in local land use regulations. On the other hand, it seems Metro would contend that cities and counties cannot grant variances to the Design Option requirements because the Design Option requirements are law and must be followed. If the Plan's intent is to allow or not allow cities and counties to grant variances to the standards of Title 6, Section 3, it should so state.

Another real world problem with the detailed Design Option is, each city and county must amend their land use regulations to "...require demonstration of compliance..." (Line 666)(Line 573) with the standards in Section 3A1a - h. Standards a, d, f, g and h are subjective. So, applications for, "new residential and mixed-use developments..." (Line 668)(Line 575) must demonstrate compliance with three new objective criteria and five new subjective approval criteria as well as all the existing regulations of the city or county. Any party wishing to slow down or stop a development usually bases their objections on subjective criteria because they are difficult to comply with. During the last 10 years cities and counties have tried hard to rid their land use regulations of subjective criteria because they were the basis for many appeals. It is not clear why the Plan is requiring cities and counties to adopt subjective standards that may be the basis for more appeals.

An option is Section 3B's Performance Standards. But, again, it will be difficult for a developer to comply with 3B's two criteria and opponents may successfully oppose developments. For example, Performance Criterion 1 requires the development to minimize local traffic on the regional system (Line 702)(Line 609). The developer must show such minimization by "...demonstrating that local vehicle trips on a given regional facility do not exceed the

1995 arithmetic median of regional trips for facilities of the same motor vehicle system classification by more than 25 percent." (Lines 703 - 705)(Lines 610 - 612) We are not sure what that means. It is not clear what "...local vehicle trips..." (Line 703)(Line 610) means. It is not clear what "...facilities of the same motor vehicle system classification..." (Lines 704/705)(Lines 611/612) means. Definitions could make these phrases very clear so developers could show compliance with Criterion 1, so city and county staff could determine compliance with Criterion 1 and so opponents could not so easily base an appeal on Criterion 1.

Criterion 2 has similar subjective and definition problems. For example, what is "everyday local travel needs..." (Line 706)(Line 613) How can a developer show compliance with, and how can staff determine compliance with subjective standards?

The subjective Design Standards for Street Connectivity will make it difficult to build the livable urban environment the Plan is encouraging. The valuable staff time of city and county planners should not be spent dealing with subjective undefined words and phrases and appeals, rather it should be spent ensuring the livability of the region is enhanced through clear and objective development standards.

3. Title 1, Lines 92 and 93 (Line 80). We recommend "rate" be replaced with "density" as it is the more accurate word to use.

4. Title 1, Section 2. We recommend terms be selected, defined in the Definitions Title and then used consistently throughout Section 2. Line 97 (Line 84) uses "expected growth capacity," Line 102 (Line 87) uses "target capacity," Lines 106/107 and 111 (Lines 89 and 92) use "expected capacities" and Line 114 (Line 95) uses "Expected development." Of the four terms, only "expected capacity" and "target capacity" are defined and should be used. Line 97 (Line 84) should read:

"Local Plan Accommodation of *Target and* Expected [Growth] Capacity for...."

Line 114 (Line 95) should read:

"Expected capacity..." or "Target capacity..." whichever is the correct term.

5. We recommend all the definitions be reviewed and the definition of Expected Capacity be changed as recommended below. Usually, a definition does not use the word to be defined. The word "expected" should not be used in the definition of Expected Capacity. An unclear definition will cause problems when cities and counties try to comply with the Plan, especially Title 1, Section 2A. We recommend the definition be something like:

Expected Capacity means the number of housing and employment units that can be reasonably assumed to be built during the planning period considering unbuildable lands, gross-to-net for future facilities, underbuild (small parcel size,

landlocked parcels, parcels partially vacant), redevelopment, infill, etc. -- or whatever Metro means by "expected."

6. Title 1, Section 2. We recommend Section 2 (Lines 102 - 116)(Lines 87 - 97) be made clearer by rewording 2A and deleting 2B and 2C because they are redundant. Section 2 requires cities and counties to:

2A. Demonstrate plans and regulations will permit:

1. Target capacities (Line 102)(Line 87),
2. Expected capacities (Lines 106/107)(Line 89) and
3. Capacities for mixed-use areas (Line 107)(Line 89).

2B. Demonstrate Sections 3 - 5 have been adopted or followed.

2C. Demonstrate expected capacities will be built.

2D. Demonstrate expected development has been permitted.

The real requirement of Section 2 is 2A. Section 2B is not needed because Sections 3 - 5 each require cities and counties to comply with them. For example, Section 3, Lines 144/145 (Lines 108/109), require cities and counties to do what Section 3 says to do. Sections 4 and 5 have similar language at Lines 180 and 251 (Lines 143/144 and 209), respectively. So, 2B is not needed.

Section 2C is not needed because Section 2A, Lines 106/107 (Line 89) already require "expected capacities" to be permitted. The difference between 2A and 2C seems inconsequential, i.e., a difference without a distinction. For example, 2A says city and county plans and regulations "...will permit..." (Line 102)(Line 87) "...expected capacities..." (Lines 106/107)(Line 89), whereas 2C refers to "Effective measures...to assure...expected capacities will be built...." (Lines 111/112)(Lines 92/93). The Council should review 2C carefully as it is not clear how a city or county can reasonably assure the expected capacity will be built. If 2C is retained, it should include the phrase "...such as..." at the end and then list a few ways to reasonably assure the expected capacities will be built.

7. Title 1, Section 2A. We recommend Section 2A be clearer. It refers to three capacities, i.e., target capacity (Line 102)(Line 87), expected capacity (Line 106/107)(Line 89) and capacities for mixed-use areas (Line 107)(Line 89). "Target Capacity" is defined (Lines 1074/1075)(Lines 961/962) and is clear. "Expected Capacity" is defined, but the definition must be clearer as recommended above. "Capacities for mixed-use areas" is not defined, but should be. As now written, "capacities for mixed-use areas" seems to be a combination of "expected capacity" which needs to be better defined and "mixed-uses" which, apparently, is defined in Footnote 2, Table 1, as the Central City, Regional Centers, Town Centers, Station Communities and Main Streets.

8. Title 1, Section 3A. We recommend Section 3A not require a minimum density standard for all zones that allow residential uses,

but instead require minimum densities only for residential zones. If the Plan really means all zones, the following extensive explanation shows how inappropriate the minimum standard is for nonresidential zones in Tualatin.

Tualatin's Medical Center (MC) Planning District. The MC District allows congregate care, assisted living and residential facilities and nursing and convalescent homes as permitted uses. "The Heritage" is at Legacy Meridian Park Hospital. It is 120 dwelling units on 6.88 acres (17.4 du/ac). The minimum and maximum density for congregate care, assisted living and residential facilities is 16 - 25 du/ac. There is no minimum or maximum for nursing and convalescent homes.

Requiring a minimum density of 20 (80% of 25) for congregate care, assisted living and residential facilities does not make sense because (1) any dwelling units in the MC District are extra above what is needed in the residential districts to accommodate the Target Capacity, (2) the 80% minimum forces an unrealistically narrow density range of only 20 - 25 du/ac and (3) the details of each development are determined in the Architectural Review process. Requiring a minimum density for nursing and convalescent homes does not make sense for the same reasons.

The MC District's minimum is 16 du/ac which is 64% of the maximum. The 16 - 25 du/ac range provides flexibility to tailor the level of care with needed amenities. For example, "active" residents may need a parking area and open space for walking paths, croquet, horseshoes and gardening. Meeting the 80% density requirement may mean such amenities cannot be provided which does not make sense. Additionally, some facilities may have only 600 - 800 square foot units and be multi-story which take up less ground, whereas others may have 1000 square foot units in one story which take up more ground. A facility for Alzheimers patients may meet the 80% standard easily, but a retirement facility for "active" residents may have no amenities if it must meet the 80% standard. The 80% minimum density requirement for "all" zones that allow residential uses is unrealistic and unnecessarily restrictive.

Tualatin's Central Commercial (CC) Planning District. The CC District allows multifamily uses, including condominiums, townhouses and retirement homes as permitted uses in six of the downtown Urban Renewal Blocks. The Hedges Creek Apartments, the Commons Townhouses and the vertically-mixed Mews (office/retail below with residential on the 2d and 3d floors) exist now. There is no minimum or maximum density for these residential uses in the CC District.

Requiring an 80% minimum density does not make sense for the same three reasons stated above.

The lack of a maximum or minimum provides flexibility in the Architectural Review process to tailor the type of development to the site and relate it to the downtown area. For example, the

Villas on The Lake Townhouses Phases I (10du) and II (8du) are on 1.28ac at a density of 14.1du/ac. Phase III will be 24 apartments on 0.8ac at 30.0du/ac. The seven units of vertically-mixed Tualatin Mews are on 0.35ac at 20du/ac.

If a maximum density is set for residential uses in the CC District and a minimum is set at 80% of the maximum, the result is an unrealistically narrow density range and an inability of the City to ensure livable densities are constructed in appropriate locations. Using the above examples, the maximum would have to be set at 30du/ac so the apartments would be conforming. The 80% minimum density would have to be 24du/ac which makes the Townhouses at 14.1 and Tualatin Mews at 20.0 nonconforming! The City of Tualatin strongly recommends the 80% minimum density apply only to residential zones and not to all zones that allow residential uses.

9. Title 1, Section 3A. We recommend the 80% minimum density required in Section 3A be replaced; alternatives to consider are a citywide average of 80% or a double minimum (one minimum for single family development and a different minimum for multifamily development). The proposed 80% standard results in an unrealistically small density range. All of Tualatin's multifamily planning districts have had minimum densities since 1979. For example, Tualatin's RH District has a range of 16 - 25du/ac (16 is 64% of 25) and our history has been developments at or near 25, but some have been lower. In some cases it is inappropriate or impossible to develop at or near 25du/ac. Flexibility is needed to develop at 16 - 20 du/ac to tailor projects to their site and the surrounding uses and layouts. The 80% standard would require every development to be 20 - 25du/ac. One-size-fits-all is not a good basis for residential development. The Plan could allow flexibility by setting an overall density of 80% for each jurisdiction. Such flexibility would provide more livable developments, neighborhoods and cities.

Alternatively, a dual minimum density standard could be used. For example, because so much land is used by detached single family developments, an 80% standard could be applied to those zones and 65% applied to multifamily zones.

10. Title 1, Section 3B. We recommend the Plan clearly state whether the densities in Lines 159 - 167 (Lines 123 - 131) are net or gross. We believe they should be gross acres.

11. Title 1, Section 3B. We recommend the list in Lines 159 - 167 (Lines 123 - 131) be consistent with Line 168 (Line 132), i.e., the list does not include Industrial Areas, but Line 168 says Industrial Areas are included. Delete Industrial Areas from Line 168 and either include it, or do not include it in the list.

12. Title 1, Section 3B. We recommend the phrase "...neighborhood area..." in Line 170 (Line 134) be clarified. Does the phrase mean any neighborhood area or, specifically, the Inner and Outer Neighborhood Design Types in the Growth Concept Map? If it means the latter, it should say Inner and Outer Neighborhood Design Types.

13. Title 1, Section 3B. We recommend the list in Lines 159 - 167 (Lines 123 - 131) state whether the acres are net or gross. The Plan should be clear so the 24 cities and 3 counties use net or gross.

14. Title 1, Section 3B. We recommend the list in Lines 159 - 167 (Lines 123 - 131) clearly state whether or not employees are to be included in the 14 and 13 persons per acre for Inner and Outer Neighborhoods, respectively. The Plan should be clear so the 24 cities and 3 counties understand the assumptions behind the numbers and can amend their plans and land use regulations to comply with the Plan.

15. Title 1, Section 3B. We recommend the sentence in Lines 170 - 172 (Lines 134 - 136) be changed to be consistent with the target densities in the list. In a nutshell, the sentence says when cities and counties amend their plans and land use regulations, the Inner and Outer Neighborhood densities (14 and 13 persons per acre, respectively) cannot be equal to or greater than the target densities for non-neighborhood design types. The list shows the Employment Areas non-neighborhood design type is 11. How can the Inner and Outer Neighborhoods be 14 and 13 and not be equal to or greater than 11?

16. We recommend the term "cities and counties" be used throughout the Plan whenever the Plan means just cities and counties, and the term "local jurisdictions" be used whenever the Plan means cities and counties and special districts. This is a significant difference because the Plan legally only applies to cities and counties. The Plan should not include language stating or intimating it applies to special purpose districts. ORS 197.015(13) defines "local government," so the Plan might be able to use it in place of cities and counties.

17. We recommend terms and phrases defined in State law be used rather than undefined terms and phrases. For example, "land use regulations" is defined in ORS 197.015(11) and should replace "implementing regulations" and "implementing ordinances."

18. We recommend the definition of Water Quality and Flood Management Area (Title 10) be reviewed and the 50 and 200 foot distances be deleted and allow cities and counties to determine the appropriate distance.

19. We recommend the application of the Zone A and B parking standards be reviewed. For example, we believe bus service at a level of 20 minute headways in the a.m. and p.m. peak hours does not constitute sufficient bus service to justify the more restrictive parking standard. If Tualatin had 15 minute headway service all day, the more restrictive parking standard would be justified.

Tualatin Planning Director's Comments on the Functional Plan
September 10, 1996
Page 8

Thank you for the opportunity to comment.

Cordially,

A handwritten signature in cursive script, appearing to read "J Jacks".

James F. Jacks, AICP
Planning Director

c: Tualatin City Council
Tualatin City Manager
Tualatin City Attorney
Tualatin Economic Development Director
Tualatin City Engineer

file: Regional Agencies, Metro, Growth Management Functional Plan

wpdocs\Metr2040\1996\FuncPlPD.1tr

John J. Leeper
11160 SW Murwood Drive
Portland, Oregon 97225
September 5, 1996

The following are recommended changes, by line number, to the Metro Urban Growth Management Functional Plan dated August 23, 1996:

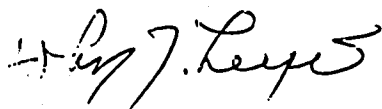
1. Line 100 - Change the capital letters for Functional Plan to lower case functional plan to be consistent with other references to the functional plan in the text.
2. Line 120 - Include a definition of "design type" in Title 10.
3. Line 263 - Make the Parking Standards Table, Table 2 to the plan.
4. Line 279 - Include a definition of "adjustment or variance process" in Title 10.
5. Line 316 - Referenced map is not in the plan as distributed.
6. Line 333 - Include a definition of "design flood height" in Title 10.
7. Line 376 - Referenced map is not in the plan as distributed.
8. Line 505 - There is no draft agreement attached to the plan as distributed.
9. Line 517 - Suggest that the words "of transportation" be added after the word mode.
10. Line 524 - Suggest that the word "congestion" be added after the word regional.
11. Line 573 - This is the first mention of "administrative codes". Should they be mentioned before this?
12. Line 642 - Suggest that "E" be added after the third LOS.
13. Line 634 - Include a definition of "level of service" in Title 10. (You have an Exhibit defining the different levels but you don't have a definition of the more generally used phrase.)
13. Line 644 - Shouldn't EXHIBIT A say (SEE TITLE 6B)? Also, is this Exhibit here for easy of reference to the text or should it be at the back of the plan?
14. Line 696 - Suggest you define "SIP".
15. Line 719 - Doesn't this requirement shorten the timeframe available to local jurisdictions to do their planning work?

16. Line 815 - After functional plan add "element" or its equivalent.

17. Line 830-833 - Can the Metro staff and Council meet these time requirements if they get several requests simultaneously?

18. Line 879 - This is the first mention of a Hearing Officer. This needs clarification and/or definition

The above are mostly editorial items; however, with the effort that has gone into this functional plan I think it should be as good a product as possible. I also have long thought that there should be a summary of each Title at the beginning of the functional plan as an executive summary for the citizenry. I have been cordially listened to but have not been able to seemingly find any backing for the idea. I, for one, think it would help sell the functional plan or at least explain it to the citizenry who likely won't read the whole plan but would more likely read a summary.

A handwritten signature in cursive script, appearing to read "John J. Leeper".

John J. Leeper

CITY OF HILLSBORO

090596-29



July 1, 1996

Susan McLain, Councilor
METRO
600 N. E. Grand Avenue
Portland, OR 97232-2736

RE: Urban Reserve Study Area Priorities

Dear Susan:

This letter is a response to your request for City of Hillsboro priorities regarding Urban Reserve Study Areas (URSA's) surrounding Hillsboro. We collectively enjoyed the tour of the individual URSA's. As we expressed to you on the tour, we believe we will experience, in the next few years, a decreasing supply of both residential and industrial land. The shortest supplies will occur in the availability of large lot industrial sites as well single family residential land. We currently have only two remaining large lot industrial sites and two of these are currently being considered by prospective users. On the residential side, we have an approximate five year supply of single family land remaining in the City. These existing conditions, of course, impact our view of URSA priorities. What we have done below is summarize our priorities and the basic reasons for those priorities. After you have had an opportunity to review our priorities we would very much like to meet with you to discuss in more detail our reasoning. Our priorities are as follows:

PRIORITIES / SOUTH URSA'S:

URSA 53, 54, and 55 — We support the addition of these URSA's which are buffered from agricultural land to the south by the new Reserve Vineyard and Golf Club. This is an area that can be more easily sewered, as it is close to the USA Rock Creek Sewage Treatment Plant. The Sisters of St. Mary's portion of URSA 54 and 55, because of its large size and singular ownership, is ideal for the creation of a pre-planned mixed-use urban village and also provides the opportunity for a badly needed street connection between 209th Avenue and Cornelius Pass Road at Tualatin Valley Highway. The addition of URSA's 53, 54 and 55 would provide a good supply of residential land with good access to our northeastern industrial area via Brookwood Avenue, 231th-234th Avenue and Cornelius Pass Road. The Sister's of St. Mary's property is Hillsboro's highest priority adjacent to the southern portion of the City.

PRIORITIES / NORTH URSA's

URSA 61 and 62 — We support the addition of these URSA's in order to provide the opportunity for additional large lot campus industrial sites, of which, we and the State of Oregon are in short supply. URSA's 61 and 62 are heavily impacted by the flight paths of the Hillsboro Airport and will

never be appropriate for residential use because of airport noise and safety impacts. These URSA's are on the approach for the crosswind runway or are impacted by the flight patterns of the proposed third parallel runway. However, they are suitable for industrial use, being adjacent to existing industrial use on Shute and Evergreen Roads. A small portion of URSA 62 lies north of the Sunset Highway and is appropriate for residential use.

The addition of this area would also give the City additional flexibility with existing land use designations north of the Sunset Highway. Currently, the northern portion of URSA 62 and URSA 64 are bisected by a Hillsboro industrial site known as the "Seaport" property. The Seaport site has rolling topography that is relatively more suitable for residential than industrial development. The inclusion of URSA 61 and 62 into the UGB would allow the City to move its industrial land inventory from the Seaport site to this new URSA expansion south of the Sunset Highway. Jacobsen Road, the southern boundary of the Seaport site, is a logical boundary between industrial and residential use. An existing residential manufactured housing park already exists north of Jacobsen Road west of the Seaport property.

Additionally, the ability to use the Seaport property for residential use could allow the relocation of Hillsboro's existing fourth high school site from its current industrial location, to an appropriate residential location. The Hillsboro High School District could not find an appropriately zoned site within the current Urban Growth Boundary. The ability to convert the Seaport site to residential use with the addition of URSA 61 and 62 would allow the City to work with the school district to find a more suitable site than the current industrial location. The lack of large residential parcels in the City has been a hinderance to siting both schools and churches.

The ability to convert the Seaport site to residential use, with the addition of the northern portion of URSA 62 and URSA 64 to the UGB has the additional advantage of providing a continuous band of residential use north of Jacobsen and West Union Roads allowing an opportunity for another mixed-use planned residential community on the Seaport site adjacent to employment. The northern portion of URSA 62 and URSA 64 are adjacent to one of the largest concentrations of employment in the Region.

To summarize, Hillsboro's highest southern and northern URSA priorities are as follows:

SOUTHERN URSA PRIORITIES;

- URSA's 53, 54 and 55
- Highest Priority, Sisters of St. Mary's property, a combination of URSA's 54 and 55

NORTHERN URSA PRIORITIES;

- URSA's 61 and 62
- We also believe that URSA's 61 and 62 should be extended west to Sewell Road with the road being the logical western extremity of the future UGB in this area of the region.

We want to thank you for the opportunity to comment. We strongly believe that it is in the best interest of Hillsboro and the Region to allow reasonable planned expansion of the boundary over time, but that there will be a future UGB limit that must be drawn. After you've had a chance to

Susan McLain - July 1, 19963

review this letter, please give me a call and I can arrange meeting with the City so we can answer your questions in detail. Your interest in our views is sincerely appreciated.

Sincerely,

CITY OF HILLSBORO PLANNING DEPARTMENT

A handwritten signature in black ink, appearing to read "Winslow C. Brooks", written over the typed name.

Winslow C. Brooks
Planning Director

090596-30

To the Metro Council:

9/10/96

Urban Growth Management Functional Plan

I support most of the 8/23/96 Metro Growth Management draft. In particular, I am pleased with its intent to maintain a gross increase in the Urban Growth Boundary, and its attention to protection of natural resources within the boundary. Thank you for all your work on planning for the future of our region.

I am very concerned about Section 3 of Title 6, Design Standards for Street Connectivity. The criteria require absolute limits on the distance between street/pedestrian connections and on the length and number of homes on cul-de-sacs. This would prohibit infill development in many parts of Portland, and would mandate intrusion into stream corridors and wildlife habitat refuges to provide transportation connections. This directly conflicts with Title 3 Sections 4 A 1 and 5 B 1. In Southwest Portland where I live, many of the remaining vacant lots are at the end of existing, long dead-end streets, adjacent to creeks and environmental parks. All the lots along the sides of the cul-de-sac are developed, with no rights-of-way branching the street. Prescriptive standards such as those on lines 576 - 601 would either mandate denial of a request to develop the lots at the end of the cul-de-sac, or would force intrusion through the Environmental Protection Zone to make street or pedestrian connections required by the standards. I believe it is easier and more desirable for people to walk the extra steps out to existing connector streets than it is for animals and fish to negotiate bridges and culverts for stream crossings. I am also concerned that Metro does not intend to prohibit development on lots at the end of existing cul-de-sacs longer than 200 feet, yet I'm afraid that is what the current wording would require. I suggest:

1. Repeat lines 593 and 594 at the end of the phrase in line 580, i.e. Section 3 A 1 b should read "include no cul-de-sac streets longer than 200 feet, and no more than 25 dwelling units in a dead-end street system, except where topography, existing development patterns or environmental constraints prevent full street extensions"

2. Add to Section 3 A 2 in line 601 "...development, except where topography, existing development patterns or environmental constraints prevent full street extensions"

I also request amendment to Section 4 of Title 3. The standards in Title 3 currently fail to address the issue of impacts on water quality and floodplain integrity by allowing stormwater runoff from outside the Fish and Wildlife Protection Areas and Flood Management Areas to dump into regional water bodies without treatment for pollutant reduction, or volume attenuation. LCB remanded the City of Portland's Environmental Zoning Code amendment application due to inattention to this issue last year. Title 3 should insert "Require Best Management Practices for stormwater quality and quantity control in all new development and significant redevelopment" after line 352 in Section 4 B. The provisions of Sections 4 and 5 will be futile unless stormwater throughout the region is addressed in the Functional Plan and all local codes - all stormwater ends up in the creeks regardless of where it is generated, causing erosion, siltation, and degradation of water quality.

Respectfully submitted,

Amanda Fritz
Planning Commissioner, City of Portland

090596-31



the
CHAMBER.

THE GREATER HILLSBORO AREA CHAMBER OF COMMERCE

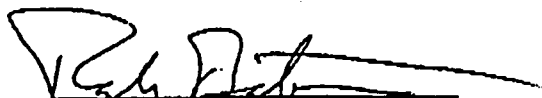
Resolution R-05-96

WHEREAS, the Greater Hillsboro Chamber of Commerce recognizes that the City of Hillsboro and its environs has, and is, experiencing rapid growth that effects all phases of services including livability and the quality of life.

WHEREAS, the City will experience in the next few years a decreasing supply of residential and industrial land, especially for single-family and industrial development under the boundaries proposed in the Metro Urban Reserve Study Areas (URSA).

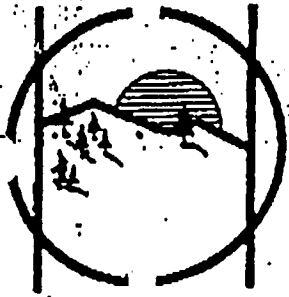
WHEREAS, the City has taken prudent and responsible steps in analyzing the effect of the current URSA proposal on the economic health and livability of the Hillsboro area and in developing its priorities to best serve its citizens and the business community.

THEREFORE, The Greater Hillsboro Area Chamber of Commerce supports the City of Hillsboro and its priorities in the pursuit to expand further the urban reserves abutting Hillsboro as outlined in the attached letter to Metro dated July 1, 1996. Furthermore, the Greater Hillsboro Area Chamber of Commerce finds the recent proposal to add only 28 acres to the urban reserves abutting Hillsboro woefully inadequate.


Randy Bateman, President

9/9/96
Date





the
CHAMBER

THE GREATER HILLSBORO AREA CHAMBER OF COMMERCE
334 S.E. Fifth • Hillsboro, Oregon 97123 • (503) 648-1102

FACSIMILE TRANSMITTAL

FROM: The Hillsboro Chamber of Commerce

FAX: # 503-681-0535

Date: 9-11-96

Time: 10:05 A.M.

To: Mike Burton, metro Executive

Phone # (503) 797-1540

FAX # (503) 797-1793

From: Board of Directors

Copy To: _____

Total # of pages (including this cover sheet) 5

REF: _____

If you do not receive all pages, call back as soon as possible. (503) 648-1102

*Donna
Schmidt*

Message:

Please forward copies of Resolution
and letter to all metro councilors.
Hard copy will be mailed.

CITY OF TROUTDALE



September 9, 1996

Jon Kvistad
 Metro Council Presiding Officer
 Metro Regional Center
 600 NE Grand Ave
 Portland OR 97232-2736

Dear Mr. Kvistad:

The Troutdale City Council would like to repeat our comments made to MPAC concerning the proposed Urban Growth Management Functional Plan which is now before the Metro Council for adoption consideration.

Our principal concern is with Troutdale's dwelling unit target capacity shown in Table 1 of the Plan. Troutdale objects to the formula used by Metro staff to arrive at this target figure because it allocates a disproportionate share of the region's added dwelling units to Troutdale. Under Metro's formula, all cities in the region have been allocated some additional housing units based on capacity, but five selected cities have been allocated "extra" units. Those five cities are Portland, Oregon City, Gresham, Forest Grove, and Troutdale. Troutdale, because of our size, receives the largest proportionate allocation of dwelling units in the Metro region.

A few examples will illustrate the problem. Troutdale has less than 1% of the regions households (0.64% according to Metro's 1994 figures), yet we are being asked to accept 1,264 "extra" dwelling units by 2017. This contrasts with Hillsboro (3.01% of Metro households), which is allocated only 22 "extra" dwelling units. Beaverton (5.03% of Metro households) is allocated only 601 "extra" dwelling units. And Tigard (2.82% of Metro households) is allocated only 473 "extra" dwelling units. There are many other examples. These numbers show that Troutdale, in proportion to its size, is being asked to accept many times the "extra" dwelling units allocated to other cities on the edge of the UGB.

Troutdale is already growing fast. We do not willingly accept the "extra" density allocation Metro staff has assigned it in order to hold the urban growth boundary at its present location. All the cities in the region on the edge of the UGB are under similar growth pressure. Yet Troutdale is

C:\WPDATA\ADMIN\1996\KVIMAYO.LTR

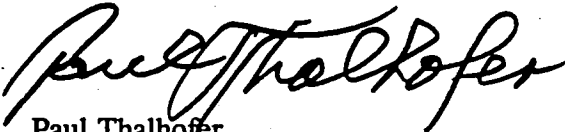
being asked to do far more than other cities similarly situated. This is patently unfair and anomalous. There is no consensus for Metro to decree that a selected few cities should suffer to benefit other cities.

For the above-stated reasons, Troutdale asks that Metro drop our city's "extra" allocation of dwelling units within the target capacity figure in Table 1 of the proposed Functional Plan. We will gladly accept our "fair share" allocation but object to the extra burden being imposed on us.

We hope the Metro Council will take our comments into consideration in its deliberation and action on the Functional Plan. We appreciate the opportunity to comment on the Functional Plan and we will follow the outcome of this proposal through its final adoption.

Sincerely yours,

CITY OF TROUTDALE

A handwritten signature in black ink, appearing to read "Paul Thalhofer", written in a cursive style.

Paul Thalhofer
Mayor



September 12, 1996

Metro Council
Metro Regional Center
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Councilors:

On behalf of the Tigard City Council, I am forwarding the following comments and concerns regarding the Urban Growth Management Functional Plan.

The Tigard City Council recognizes the need for regional planning to deal with growth issues that affect the livability of the area for everyone. The Council recognizes that Metro's charter empowers Metro to lead the efforts to create this regional plan. For Metro to succeed, it is necessary that Metro engage local governments. It is we who must balance the needs of the region with the needs and desires of our citizens. We recognize that success in handling regional issues can only occur if Metro and local jurisdictions forge an effective partnership. Metro may develop a variety of plans, but it is the cities that will have to execute the plan. Accordingly, it is in our interest to be heavily involved in creating the tune to which we all must march. Tigard intends to participate as a full partner in this process.

In addition to our comments, we are joining with our partners in Washington County in our support of the written comments that have are being submitted by the WCCC Transportation Advisory Committee.

Public Process in Tigard

Since the draft of the Functional Plan has been available, the City Council has been briefed on a monthly basis, with two work sessions on the content of the Plan. Additionally, the City hosted a forum for Washington County jurisdictions to discuss the Plan with Metro's executive officer and invited Jon Kvistad to discuss the Plan at a City Council meeting.

City staff met with each of the C.I.T's (Citizen Involvement Teams) during the month of May to provide an overview of the Functional Plan. In addition, staff have developed an informational questionnaire to provide an avenue for written public comments.

With this letter, we intend to summarize those issues that we feel remain with the proposed Functional Plan that have not been addressed by staff, MPAC or the Metro Growth Committee.

Issues with the Functional Plan

- **Governance and Local Control**

The Functional Plan will require local jurisdictions to adopt many of its elements into their comprehensive plans. This moves decision making further away from citizens and property owners of a municipality – the very people who will be affected by these decisions regarding land use and growth. Although Metro has provided the opportunity for public input in the form of regional public open houses, and despite the local efforts to provide information regarding the Functional Plan, the reality may be that the majority of citizens in Tigard will first become aware of the changes associated with the Plan when comprehensive plan and local ordinances are amended to implement the Functional Plan. There is great concern that City Councils and local policy makers will be required to implement code and plan revisions over which they have no control and have had little ability to impact. We have raised this concern consistently throughout the process.

Metro's means for gathering input from municipalities to this point has MPAC. This structure does not fully serve the needs of the City. Because its role is primarily to advise rather than to govern, MPAC does not allow cities to have a direct say in policies that will govern their future. Not only does Tigard lack direct input to Metro, it also lacks direct input to MPAC. A structure having one representative serving several cities in Washington County implies that the jurisdictions have no differing or conflicting interests. Metro must develop better ways for cities to provide meaningful input so that each distinct community has a voice.

- **Life Style Opportunities**

The Functional Plan, by determining what particular design type and density is appropriate for the entire region, does not allow the life style opportunities that Tigard has always had the ability to provide. That opportunity includes not only the ability to provide for a dense, urban living environment, but also the ability and place to provide large lot, upscale developments, a variety of retail opportunities and convenient parking and access to customers and residents. This expected life style also includes some historic agricultural uses that are a part of Tigard's history.

The City of Tigard's comprehensive plan and zoning ordinance currently contain the ability to accommodate the number of households that Metro has asked us to accommodate. The market reality, however, is that we are currently developing at about 40% of the allowable comprehensive plan and zoning density. This tells us that the new residents of Tigard are coming here seeking a particular life style that includes a neighborhood of a particular density. We intend to continue to offer that opportunity. If, in five years, we find that we are continuing to build out at a lower density than allowed by our codes or assigned to us by Metro, we do not want to be faced with Metro enforcement procedures. Therefore, we object to limitations which would force us to not only ignore market conditions, but create densities which are objectionable to our public.

The proposal to limit retail uses in employment and industrial areas to 50,000 feet of gross leasable area also limits the life style choices in Tigard. The "big box" industries provide a service of economically priced goods that are an important choice for Tigard residents. Additionally, current providers of commercial facilities often contain a variety of "retail uses" under one roof which could conceivably be counted as separate retail users, thereby avoiding the limitation. Again, we cannot ignore the market. Why create limitations and rules that will cause imaginative property owners and retailers to create innovative ways to comply with artificial limits while "getting around them." Also, the 50,000 square foot limit may work for a developed Portland, but not for a thriving retail based suburb.

- **Transportation Issues**

As a growth concept that relies heavily on the availability of transit, the Functional Plan's limitations on parking and requirements for regional accessibility and density assume that transit is a readily available resource to the citizens of Tigard. While this may be true in other jurisdictions in the Metro region where substantial investments have or are being made in light rail, this is not true in Tigard. With limited ability to access public transportation, the City should not be required to assume the same regional share of population as other jurisdictions.

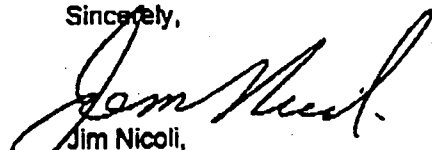
Additionally, it is critical that Metro coordinate and gain agreement with ODOT on the regional street design concepts so that there is a common design for State transportation facilities that are a part of Tigard's transportation network. With input from the City, a common vision for the appearance, transportation capabilities and funding strategy for State facilities must be provided. The locations and cost for providing the "Boulevard Design" as envisioned in the Functional Plan must be resolved.

- **Unfunded Mandates**

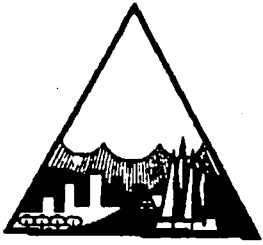
Obviously, the work associated with amending comprehensive plans and zoning ordinances to comply with the requirements of the Functional Plan will place a heavy burden on the staff of the City. The financial assistance of Metro on provision of staffing to accomplish this work is necessary. We estimate that at least \$250,000 will be necessary to complete the work required by the Functional Plan. We have no resources to fund this work. This is such an important issue that we feel that the Functional Plan should not be adopted by the Metro Council until the costs of implementation have been fully documented.

Thank you very much for the opportunity to comment on this very important issue. The decisions that are made will greatly impact the current and future residents of Tigard and we intend to stay very involved in the process.

Sincerely,



Jim Nicoli,
Mayor



[Illegible handwritten signature]

SEP 10 1944

SENSITIVE OFFICER

SETTING THE STANDARD FOR SERVICE EXCELLENCE

Facsimile

To:	Mike Burton
Company:	Metro
Phone:	
Fax:	797-1799
From:	Nadine Smith (for Mayor Jim Nicoli)
Company:	City of Tigard
Phone:	(503) 639-4171
Fax:	(503) 639-6795
Date:	9-12-96
Pages including this page:	4

COMMENTS:

[illegible]

City of Tigard, 13125 SW Hall Blvd., Tigard, OR 97223

**** PLEASE DELIVER THIS FAX IMMEDIATELY ****



METRO

GROWTH MANAGEMENT COMMITTEE REPORT:

CONSIDERATION OF ORDINANCE NO. 96-647A, FOR THE PURPOSE
OF ADOPTING A FUNCTIONAL PLAN FOR EARLY IMPLEMENTATION OF
THE 2040 GROWTH CONCEPT

Date: September 4, 1996

Presented by Councilor McLain

Committee Recommendation: At the August 6th meeting the committee voted unanimously to recommend that Ordinance 96-647A be sent to The Metro Council as a working document. Voting in favor: Councilors McCaig, Morissette and McLain.

Committee Issues/Discussion: Ordinance 96-647A was introduced by Metro executive Mike Burton and, as introduced to Council at first reading; contained both the MPAC final recommendations and a Burton proposed title related to benchmarks. The committee held one public hearing on the ordinance and allowed written testimony thorough two additional work sessions. Over 20 individuals testified at the public hearing and 45 separate submissions of written testimony were ultimately made.

The Growth Management Committee amended the ordinance in several significant ways:

- The Office of General Council (OGC) reviewed the document for legal consistency and made revisions to the introduction and titles 1,3,5,6,8 and 10. Of particular note was a rewrite of Title 1: Requirements For Housing and Employment. The major effects of this rewrite were to: 1) clarify the relationship between capacity and density with regard to Table 1 (Target Capacity for Housing and Employment Units 1994-2017); 2) clarify what table 1 requires and what it does not; and, 3) clarify the difference between the demonstration of capacity in table 1, and across-the-board requirements for density (including minimum density) and design types, as they relate to target density;
- Adding WRPAC recommendations to Title 3, which clarify Fish and Wildlife Habitat Conservation and Mitigation Policy;

- Significantly amending Title 9 and retitling it "Performance Measures". The goal of the amendments is to change the emphasis of this title from one of reporting and evaluation to one which tightens timelines, adds corrective action procedures and directs that "The performance measures will be used to evaluate and adjust, as necessary, Metro's functional plans, Urban Growth Boundary , and other regional plans."

Several other amendments were made including adding or revising definitions in Title 10.

Committee members expressed interest in continuing deliberations on possible amendments to Title 4: Retail in Employment and Industrial Areas, after the ordinance reaches the Council level. Three different amendments are attached: the first put forward by counselor Morissette at the request of Bob LeFeber and the Oregon chapter of the International Council of Shopping Centers, the second by counselor McLain and the third an analysis of a proposal by Fred Meyer Inc.

At issue is the scope of retail enterprises in employment and industrial areas, particularly as it pertains to the size of the facility, the geographical area which is served by the facility and, possibly a differentiation of the applicability of the title to employment areas and to industrial areas.

Committee members also expressed the desire to continue discussion on certain aspects of title 9, including the content and use of performance measures and dates when specific activities are triggered. Counselor McCaig stated that she was not comfortable recommending adoption of the Functional Plan until title 9 is worked out to her satisfaction.

TITLE 4: RETAIL IN EMPLOYMENT AND INDUSTRIAL AREAS

Amendments proposed by Councilor Morissette

July 26, 1996, and Aug. 6, 1996

Section 1

Lines 436-441

It is the intent of the Metro 2040 Growth Concept that Employment and Industrial Areas contain ~~very little~~ supportive retail development. Employment and Industrial Areas would be expected to include some limited retail commercial uses primarily to serve the needs of the people working or living in the immediate Employment or Industrial Areas, not larger market areas outside the Employment or Industrial Areas. Exceptions to this general policy can be made for certain areas as identified on the Employment and Industrial Areas Exemptions Map ("Exemptions Map").

Section 2

Lines 443 & 444

Cities and counties are hereby required to, if necessary, amend their comprehensive plans and implementing regulations to ~~prohibit~~ provide a conditional use or other public hearing process for considering an application to site retail uses larger than ~~50,000~~ 60,000 square feet of gross leasable area per building or business in the Employment and Industrial Areas specifically designated on the 2040 Growth Concept Map.

Section 3

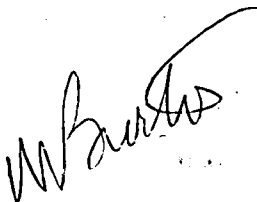
Lines 448-457

Exceptions to this standard ~~may~~ shall be included for:

- A. Low traffic generating, land-consumptive commercial uses with low parking demand which have a community or region wide market, or.
- B. As identified on the ~~Employment and Industrial Areas~~ Exemptions Map, specific Employment or Industrial Areas which already have substantially developed as retail areas or centers or which have been locally designated as retail areas or centers ~~may~~ shall allow new or redeveloped retail uses. Proposed refinements to the mapped areas ~~may~~ shall be considered in local compliance plans or at a later date as provided in Title 8.

MetroMemo

TO: Metro Council

FROM: Mike Burton 

DATE: August 26, 1996

RE: Urban Reserve Report

I will make a recommendation to the Council specifying urban reserves and proposed findings of fact and conclusions of law which justify the recommendations on September 3, 1996.

Ordinance No. 96-655 is the vehicle by which the Council may take these recommendations for its own action and adoption.

Attached to the proposed ordinance is the Urban Reserve Report (Exhibit A) as directed by the Council. Exhibits B and C will be developed after the Council has concluded its hearings.

I look forward to working with the Metro Council as this most important issue is deliberated.



METRO

600 NE Grand Ave.
Portland, OR
97232-2736

Tel (503) 797-1700
Fax (503) 797-1797

Recycled paper



METRO

METRO COUNCIL POLICY CALENDAR

URBAN GROWTH REPORT

Date	Entity	Action	Time
7/24/96	MPAC	Review	
8/14/96	MPAC	Final Recommendation	
9/3/96	GMC	Work Session	3:30 PM
9/10/96	GMC	Work Session	3:30 PM
9/17/96	GMC	Final Recommendation	3:30 PM
9/19/96	Metro Council	Growth Report delivered	2:00 PM
10/3/96	Metro Council	Work Session	2:00 PM
10/10/96	Metro Council	Vote on Growth Report	2:00 PM

FUNCTIONAL PLAN

Date	Entity	Action	Time
7/30/96	GMC	Work Session	3:30 PM
8/6/96	GMC	Work Session with Final Recommendation	3:30 PM
8/8/96	Metro Council	Functional Plan delivered	2:00 PM
9/5/96	Metro Council	Work Session	2:00 PM
		Public Hearing	Approx 3:30 PM
9/12/96	Metro Council	Work Session	2:00 PM
		Public Hearing	5:30 PM
9/26/96	Metro Council	Work Session	2:00 PM
10/3/96	Metro Council	Work Session	2:00 PM
10/17/96	Metro Council	Work Session	2:00 PM
10/24/96	Metro Council	Vote On Functional Plan	2:00 PM

URBAN RESERVES

Date	Entity	Action	Time
9/3/96	GMC	Receive URSA Report	3:30 PM
9/17/96	GMC	Work Session	3:30 PM
10/8/96	GMC	Public Hearing	3:30 PM
10/22/96	GMC	Work Session with Final Recommendation	3:30 PM
11/7/96	Metro Council	Urban Reserves delivered with Work Session	2:00 PM
11/12/96	Metro Council	Listening Post in Hillsboro	5:30 PM
11/14/96	Metro Council	Listening Post in Graham	5:30 PM
11/18/96	Metro Council	Listening Post in Beaverton	5:30 PM
11/19/96	Metro Council	Listening Post in Oak Grove	5:30 PM
11/21/96	Metro Council	Listening Post at Metro	5:30 PM
12/5/96	Metro Council	Work Session	2:00 PM
12/12/96	Metro Council	Vote on Urban Reserves	2:00 PM

Please note: This schedule is subject to change by the Presiding Officer at any time. This schedule is to be used as a planning guide only. For further information, please telephone Metro Council Information Specialist, David Aeschliman, at 797-1540.

FACTSHEET

UPCOMING METRO COUNCIL GROWTH MANAGEMENT DECISIONS

There are several key growth management decisions facing the Metro Council. These are important decisions that will affect the region's future livability. All of these decisions are inter-related, but are being dealt with as separate components.

Below is an explanation of those three key decisions: (1) the Urban Growth Report, (2) the Functional Plan, and (3) designation of urban reserves. Included in the explanation are a definition, a timeframe, and how the three decisions are related to one another.

Urban Growth Report

Definition

The Urban Growth Report is a study that will help the region make projections about how quickly land is being used -- and is likely to be used in the future -- within the urban growth boundary. The Urban Growth Report contains a series of three technical forecasts upon which policy decisions can be based by the Metro Council, including whether, and by how much, to expand the urban growth boundary.

The three forecasts, all of which relate to what is expected to occur in the next 20 years, are

- **Population, housing and employment forecast** Examines how much of an increase in population, housing and employment is projected to occur throughout the region in the next 20 years.
- **Buildable and redevelopable land inventory** Examines how much buildable available land is projected to be available within the current urban growth boundary for the next 20 years. It includes new land that can be developed, as well as existing areas that have the potential to be redeveloped. Included in this inventory is a set of nine variables -- such as environmental constraints, the amount of infill and redevelopment, the effects of farm use assessment, and the amount of land needed for future public facilities such as schools -- that will play a vital role in determining how much land will be used during the next 20 years.

- **Housing needs analysis:** Examines the amount and types of housing projected to be needed to meet the needs of a growing population during the next 20 years. The analysis forecasts, for example, how many single-family houses, rowhouses, apartments, subsidized housing and manufactured homes should be available. The forecasts are based in part on projected income levels and demographics.

Timeframe

The Urban Growth Report has been presented to the Metro Council's Growth Management Committee and to be used as a tool for developing growth management policies. The report will be reviewed by the Metro Council during the next two months.

Functional Plan

Definition

The Functional Plan goes beyond previous reports, concepts and discussions and establishes for the first time specific actions local governments must take to adhere to regional growth management policies. The functional plan is the first regional planning tool that has behind it the force of law.

The Functional Plan, when refined and approved by the Metro Council, will require local governments to change some of their ordinances to address specific issues, such as: growth targets, parking policies, employment and industrial areas, transportation accessibility, housing affordability and water quality. Metro has been working with local governments for the past year-and-a-half to write the functional plan.

Also under discussion as part of the proposed Functional Plan is to establish a series of performance measurements. These measurements would allow Metro and its local partners to determine along the way how they are doing in adhering to the 2040 growth management concept.

Timeframe

The Metro Council is scheduled to adopt its regional Functional Plan in October 1996. Local governments will have about two years to implement the requirements within the Functional Plan.

Urban Reserves

Definition

Urban reserves are the areas of land just outside the current urban growth boundary that may be brought into the UGB at some point in the future to accommodate growth. The

decision about how many acres of urban reserves, and where they will be located, rests with the Metro Council. Several factors are being considered as part of the policy decision about urban reserves. Those factors include: the amount of land needed for future urbanization, protection of farm and forest land, the expense and feasibility of providing services such as sewer and water, and the location of urban reserves.

The Metro Council preliminarily has designated about 23,000 acres as potential urban reserves. Once urban reserves are adopted, portions will be added as needed as part of an urban growth boundary expansion. The only areas eligible to be added into the UGB are those that are part of urban reserves.

Timeframe

The council is scheduled to make a decision on the amount and location of urban reserves in December 1996. Based in part on the urban reserve policy decision, the Metro Council likely will make a decision about whether, and by how much, to expand the urban growth boundary sometime in 1997.

Relationship among the three documents

Each of the three key decision points has a specific function, but they all share common goals: continuing the region's livability in the face of a growing population and managing the urban growth boundary. Under state law, the urban growth boundary must contain a 20-year land supply. The Metro Council will make UGB decisions based in part on the information generated by the Urban Growth Report, by elements of the Functional Plan and on requirements within state law.

The Urban Growth Report is an ongoing, work-in-progress document that contains forecasts and the nine variables. Neither the forecasts nor the variables contain concrete data about what will happen, since they are projections only. Instead, they serve as a guideline for making specific policy decisions. The projections and estimates contained in the Urban Growth Report may be revised prior to a final decision about whether to expand the urban growth boundary.

The Functional Plan calls for specific changes to be made at the local level. It also allocates about how many households and jobs local governments should plan for and accommodate.

Urban reserves require the region to think ahead even farther than the 20-year land supply that must exist within the urban growth boundary. Urban reserves require that we designate and prepare for future expansion of the boundary rather than waiting until the land supply within the UGB is consumed.

This is a working draft to be reviewed by
MTAC & TPAC, MPAC and JPACT, the
Metro Growth Management Committee
and the full Metro Council

Urban Growth Management Functional Plan

- ☒ Metro Staff Draft completed 2/14
 - ☒ MTAC/TPAC Draft completed
4/19/96
 - ☒ MPAC Working Draft
Completed 7/11/96
 - ☒ Metro Growth
Management Draft
8/23/96
 - ☐ Metro Council Draft
 - ☐ Adopted
-



METRO

1 **URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN**
2 **A functional plan for early implementation of the Metro 2040 Growth Concept**

3 **Introduction**

4 Metro was created after a vote of the citizens of the region as an elected regional government
5 responsible for addressing issues of metropolitan concern and is enabled by state law, adopted
6 by the Oregon Legislature in 1977. In addition, the voters of the region adopted a Metro
7 Charter in 1992, which describes additional responsibilities for the agency. Metro has an
8 elected seven member Council which determines region-wide policies. In addition, Metro has
9 an elected Executive Officer to enforce Metro ordinances and execute the policies of the
10 council.

11 The Metro Policy Advisory Committee (MPAC) is comprised of local government elected
12 officials and appointed citizens from throughout the region and was created to advise the
13 regionally elected Metro Council on matters of metropolitan concern. MPAC has
14 recommended specific policies to be included in a new functional plan to be adopted by the
15 Metro Council as soon as practicable. Early implementation of the 2040 Growth Concept is
16 intended to take advantage of opportunities now and avoid use of land inconsistent with the
17 long-term growth policy.

18 MPAC, as well as the Joint Policy Advisory Committee on Transportation (JPACT), and the
19 Water Resource Policy Advisory Committee (WRPAC) have made recommendations that are
20 the basis for this functional plan. All of the elements considered by MPAC, JPACT and
21 WRPAC were deemed by the Metro Council to be matters of metropolitan concern that have
22 significant impact upon the orderly and responsible development of the metropolitan area. The
23 functional plan establishes regional policies, which will apply to all 24 cities and 3 counties
24 within the Metro region. The legal form of these regional policies is a functional plan, not
25 adoption as a "component" of the Regional Framework Plan. The policies in this functional
26 plan will be updated and coordinated with other policies to be adopted as components of the
27 Metro Charter mandated Regional Framework Plan, on or before December 30, 1997.

28 Functional plans are a primary regional policy tool that may contain both "recommendations"
29 and "requirements" for changes in local plans. This functional plan relies on further actions,
30 primarily changes to local government comprehensive plans and implementing ordinances, to
31 effectuate the actions described below.

32 **The Meaning of Regional Functional Plan Adoption**

33 The regional policies which are adopted by this Urban Growth Management Functional Plan
34 recommend and require changes to city and county comprehensive plans and implementing
35 ordinances. The purpose of this functional plan is to implement regional goals and objectives
36 adopted by the Metro Council as the Regional Urban Growth Goals and Objectives (RUGGO),
37 including the Metro 2040 Growth Concept. The comprehensive plan changes and related

actions, including implementing regulations, required by this functional plan, shall be adopted by all cities and counties in the Metro region within twenty-four (24) months from the effective date of this ordinance.

Any city or county determination not to incorporate all required functional plan policies into comprehensive plans shall be subject to the conflict resolution and mediation processes included within the RUGGO, Goal I provisions, prior to the final adoption of inconsistent policies or actions. Upon the effective date of this ordinance, any city or county amendment to a comprehensive plan or implementing ordinance that is inconsistent with requirements of this functional plan, is subject to appeal for violation of the functional plan.

Regional Policy Basis

The regional policies adopted in this functional plan are formulated from, and are consistent with, the RUGGOs, including the Metro 2040 Growth Concept. The overall principles of the Greenspaces Master Plan are also incorporated within this functional plan. In addition, the updated Regional Transportation Plan (RTP)¹, when adopted, will serve as the primary transportation policy implementation of the 2040 Growth Concept. However, early implementation land use policies in this functional plan are integrated with early implementation transportation policies derived from preparation of the 1996 Regional Transportation Plan, and consistent with the Metro 2040 Growth Concept.

Structure of Requirements

The Urban Growth Management Functional Plan is a regional functional plan which contains "requirements" that are binding on cities and counties of the region as well as recommendations that are not binding. "Shall" or other directive words are used with requirements. The words "should" or "may" are used with recommendations. In general, the Plan is structured so that local jurisdictions may choose either performance standard requirements or prescriptive requirements. The intent of the requirements is to assure that cities and counties have a significant amount of flexibility as to how they meet requirements. Performance standards are included in all titles. If local jurisdictions demonstrate to Metro that they meet the performance standard, they have met the requirement of the title. Standard methods of compliance are also included in the plan to establish one very specific way that jurisdictions may meet a title requirement, but these standard methods are not the only way a city or county may show compliance. In addition, certain mandatory requirements that apply to all cities and counties are established by this functional plan.

¹ Metro has an adopted Regional Transportation Plan. However, because of changing local and regional conditions, as well as state and federal requirements, the RTP is being amended in 1996.

REGIONAL FUNCTIONAL PLAN REQUIREMENTS

TITLE 1: REQUIREMENTS FOR HOUSING AND EMPLOYMENT ACCOMMODATION

Section 1. Intent

State law and Metro code require that the Metro urban growth boundary (UGB) have sufficient capacity to accommodate the expected growth for 20 years. It is Metro policy to minimize the amount of urban growth boundary expansion required for the expected population and employment growth by the year 2017 consistent with all Statewide Goals. To accomplish that policy, it is beneficial and desirable to increase the capacity of land available for development within the UGB. Increasing the capacity of land within the UGB includes increasing in appropriate locations both the rate of development permitted per acre and the rate at which housing and employment are actually built within the UGB. Development consistent with the design types of the Metro 2040 Growth Concept will focus these efforts. Each city and county must contribute its fair share to increasing the development capacity of land within the UGB.

Section 2. Local Plan Accommodation of Expected Growth Capacity for Housing and Employment—Performance Standard

All cities and counties within Metro shall demonstrate that:

- A. Their zoning and other regulations will permit the target capacity for housing units and employment contained in Table 1 in the Appendix to this plan, including jurisdiction-wide expected capacities, as well as capacities for mixed-use areas; and that
- B. The methods and plan requirements set forth in Sections 3 through 6 of this Title have been adopted or followed; and that
- C. Effective measures have been taken to reasonably assure that the expected capacities will be built for housing units and employment; and that
- D. Expected development has been permitted at locations and densities likely to be achieved during the 20-year planning period by the private market or assisted housing programs, once all new regulations are in effect.

Metro will work with local jurisdictions to develop a set of region-wide community development code provisions, standards and other regulations which local jurisdictions may adopt that will help implement the 2040 Growth Concept and this Functional Plan. Included in this project will be a review of development standards in support of smaller lots and more flexible use of land, strategies to encourage land assembly, more flexible zoning and improvements in the pre-application process to ensure timely and thorough review and to

provide for early involvement by the public to address neighborhood concerns and assure community acceptance of these changes.

Section 3. Methods to Increase Expected Capacity Required for All Local Governments

All cities and counties within Metro are required to include within their comprehensive plans and implementing ordinances the following provisions:

A. All zones allowing residential use shall include a minimum density standard that requires that no land use decision, including a partition or subdivision, may be approved unless the proposed action will provide that no less than 80 percent of the maximum number of dwelling units per net acre permitted for development are approved for development. No comprehensive plan provision, implementing ordinance or condition of approval may limit development to less than 80 percent of the maximum permitted density. For high density zones with maximum permitted density higher than 37 dwelling units per net acre, the minimum residential density may be 30 dwelling units per net acre if that density is consistent with the target densities listed in subsection B, below.

B. For the area of each 2040 Growth Concept design type, local comprehensive plans and implementing ordinances shall permit, at least, the following target densities for housing and employment:

Central City - 250 persons per acre
Regional Centers - 60 persons per acre
Station Communities - 45 persons per acre
Town Centers - 40 persons per acre
Main Streets - 39 persons per acre
Corridor - 25 persons per acre
Inner Neighborhoods - 14 persons per acre
Outer Neighborhoods - 13 persons per acre
Employment Areas - 11 persons per acre

The boundaries of the area for each design type, including Industrial Areas, shall be determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map. For any area designated as a neighborhood area, the plans and implementing ordinances shall not permit a target density equal to or greater than the target density for any non-neighborhood design type.

C. Cities and counties shall not prohibit partitioning or subdividing inside the Metro urban growth boundary where existing lot sizes are two or more times that of the minimum lot size in the development code.

Section 4. Review of Permitted Capacity of Housing Units and Employment

The purpose of this review is to determine the capacity of existing comprehensive plans and implementing ordinances to accommodate housing and employment and to determine whether amendments to existing plans are necessary to comply with Section 2 of this Title. Each city and county within the Metro region is hereby required to:

A. Review the permitted capacity¹ of its current comprehensive plan, and calculate the expected capacity of housing units and employment by the year 2017 from the plan.

1. Cities and counties shall use Metro estimates of vacant land, and land likely to redevelop, unless the local government has data that it believes is more accurate. In this case, the local government may provide Metro the following:

- a. The source of the data;
- b. The reasons that the locally developed data is a more accurate estimate than the Metro estimate of vacant and redevelopable land;
- c. The database from which the above were derived;
- d. The database of committed development lands.

Cities and counties may use their data, subject to acceptance by the Metro Council or its designee, after Metro determines that the city or county data is more accurate than the Metro data. The Executive Officer shall notify the Metro Council of each instance in which the data submitted by a city or county is determined by Metro staff to be less accurate than Metro data.

2. In estimating expected capacity of existing comprehensive plans and implementing ordinances, local governments shall not estimate expected capacity at more than 80 percent of maximum permitted density, unless:

- a. Actual experience in the jurisdiction since 1990 has shown that development has occurred at density greater than 80 percent of permitted residential density; or
- b. Minimum density standards are adopted or proposed for adoption in the zoning code that require residential development at greater than 80 percent of maximum permitted density.

3. Jurisdictions calculating capacity through the use of density bonus provisions may consider transfers, including off-site transfers, only upon demonstration that previous approvals of all density transfers within the past 5 years have resulted in an average of at least 80 percent of maximum permitted densities actually being built.

¹ See Title 10, Definitions, "permitted capacity" and "expected capacity."

174 B. Calculate the increases in expected housing units and employment by the year 2017
175 from any proposed changes to the current comprehensive plans and implementing
176 ordinances that must be adopted to comply with Section 3 of this Title and add the
177 increases to the calculation of expected capacities.

178 C. Determine the effect of each of the following on expected capacities, and include the
179 effect in the calculation of expected capacities:

- 180 1. Required dedications for public streets, consistent with the Regional Accessibility
181 Title;
- 182 2. Off-street parking requirements, consistent with this functional plan;
- 183 3. Landscaping, setback, and maximum lot coverage requirements;
- 184 4. The effects of tree preservation ordinances, environmental protection ordinances,
185 view preservation ordinances, solar access ordinances, or any other regulations
186 that may have the effect of reducing the capacity of the land to develop at the
187 permitted density;
- 188 5. The effects of areas dedicated to bio-swales, storm water retention, open space
189 dedications, and other requirements of local codes that may reduce the capacity of
190 the land to develop at the permitted density.

191 D. Review whether actual built densities during 1990-1995 were less than 80 percent of
192 permitted densities. The 1990-1995 actual built densities within its jurisdiction shall be
193 compared with permitted densities for housing units and employment during that
194 period. This comparison shall be conducted using the following methods:

- 195 1. Residential and employment developments to be analyzed shall be those which
196 were permitted by a land use action and constructed during the period from
197 1990 to 1995, and residential density shall be measured in households per net
198 developed acre.²
- 199 2. Employment performance shall be measured by comparing the actual
200 jurisdiction-wide increase during the years 1990-1995 with the jurisdiction-wide
201 increase listed in Table 1. This shall include only those developments that
202 received approval under the implementing ordinances during this period.

203 If the average of actual built densities for 1990-1995 was less than 80 percent of
204 permitted densities, cities and counties must address the reasons for not achieving
205 higher densities in calculating their expected capacities.

² See definitions.

206 **Section 5. Requirement to Increase Expected Capacity**

207 A. If the expected capacity estimates developed under Section 4 are less than the city's or
208 county's target housing and employment capacities in Table 1, either jurisdiction-wide or
209 in mixed-use areas, or both, then the city or county shall comply with Section 2 of this
210 Title by amending its comprehensive plans and implementing ordinances to increase its
211 expected capacity to comply with the required capacities in Table 1.

212 B. A capacity calculation including amendments to increase capacity shall be made
213 according to the same methodology the jurisdiction used in Section 4. The jurisdiction
214 shall demonstrate at least the following in calculating capacities for housing and
215 employment;

216 1. The capacity calculation used only those development types that are a permitted
217 use in the development code. Any discretionary decision must not diminish the
218 permitted density if it is to be counted as a part of expected capacity; and

219 2. Expected capacity has been determined by accounting for all development code
220 requirements that may have the effect of reducing capacity, including those listed
221 in Section 4.C above; and

222 3. Cities and counties, in coordination with special districts, have reviewed their
223 public facility capacities and plans to assure that planned public facilities can be
224 provided, to accommodate growth within the plan period; and

225 4. If the capacity calculations reflect that, during the period 1990-1995, actual built
226 densities were less than 80 percent of permitted densities, the jurisdiction shall
227 also demonstrate that it has considered and adopted at least two of the following
228 methods to increase capacity:

229 a. Financial incentives for higher density housing;

230 b. Provisions permitting additional density beyond that generally allowed in
231 the zoning district in exchange for amenities and features provided by the
232 developer;

233 c. Removal or easing of approval standards or procedures;

234 d. Redevelopment and infill strategies;

235 e. Authorization of housing types not previously allowed by the plan or
236 regulations; and

237 f. Adoption of an average residential density standard.

238 C. Exceptions can be requested according to Title 8 if a city or county determines that any
239 expected capacity requirement in Table 1 cannot be achieved after implementation of
240 policies to increase expected capacities.

TITLE 2: REGIONAL PARKING POLICY

Section 1. Intent

The State's Transportation Planning rule calls for per capita reductions of vehicle miles traveled and parking as a means of responding to transportation and land use impacts of growth. The Metro 2040 Growth Concept calls for more compact development as a means to encourage more efficient use of land, promote non-auto trips and protect air quality. In addition, the federally mandated air quality plan relies on the 2040 Growth Concept fully achieving its transportation objectives. Notably, it relies upon reducing vehicle trips per capita and related parking spaces through minimum and maximum parking ratios. This title is provided to address these statutory requirements and preserve the quality of life of the region.

A compact urban form requires that each use of land is carefully considered and that more efficient forms are favored over less efficient ones. Parking, especially that provided in new developments, can result in a less efficient land usage and lower floor to area ratios. Parking also has implications for transportation. In areas where transit is provided or other non-auto modes (walking, biking) are convenient, less parking can be provided and still allow accessibility and mobility for all modes, including autos. Reductions in auto trips when substituted by non-auto modes can reduce congestion and increase air quality.

Section 2. Performance Standard

A. Local Governments are hereby required to adopt amendments, if necessary, to insure that their comprehensive plans and implementing regulations meet or exceed the following minimum standards:

1. Require no more parking than the minimum as shown on Regional Parking Standards Table, attached hereto; and
2. Establish parking maximums at ratios no greater than those listed in the Parking Table and as illustrated in the Parking Maximum Map. The designation of A and B zones on the Parking Maximum Map should be reviewed every five years and if necessary, revised to reflect changes in public transportation and in pedestrian support from adjacent neighborhoods. For all urban areas outside Zone A, cities and counties shall establish parking space maximums no greater than those listed in Zone B in the Parking Table and as illustrated in the Parking Maximum map. Local governments should designate Zone A parking ratios in areas with good pedestrian access to commercial or employment areas (within 1/3 mile walk) from adjacent residential areas.
3. Ensure that an administrative or public hearing process for considering ratios for individual or joint developments allow adjustment for parking when:
 - a. in excess of the maximum parking ratios; and
 - b. less than the minimum parking ratios.

278 Local governments may grant an adjustment from maximum parking ratios or minimum
279 parking ratios through an adjustment or variance process.

280 B. Free surface parking spaces shall be subject to the regional parking maximums.
281 Parking spaces in parking structures, fleet parking, parking for vehicles that are for
282 sale, lease, or rent, employee car pool parking spaces, dedicated valet parking spaces,
283 spaces that are user paid, market rate parking or other high-efficiency parking
284 management alternatives may be exempted from maximum parking standards. Sites
285 that are proposed for redevelopment may be allowed to phase in reductions as a local
286 option. Where mixed land uses are proposed, local governments shall provide for
287 blended parking rates. It is recommended that local governments count adjacent on-
288 street parking spaces, nearby public parking and shared parking toward required
289 parking minimum standards.

290 C. Local Governments may use categories or measurement standards other than those in
291 the Parking Table, but must provide findings that the effect of the local regulations will
292 be substantially the same as the application of the Regional Parking Ratios.

293 D. Local governments shall monitor and provide the following data to Metro on an annual
294 basis:

- 295 1. the number and location of newly developed parking spaces, and
- 296 2. demonstration of compliance with the minimum and maximum parking
297 standards, including the application of any local adjustments to the regional
298 standards in this title. Coordination with Metro collection of other building data
299 should be encouraged.

300 **TITLE 3: WATER QUALITY AND FLOOD MANAGEMENT CONSERVATION**

301 **Section 1. Intent**

302 To protect the beneficial uses and functional values of resources within the Water Quality and
303 Flood Management Areas by limiting or mitigating the impact on these areas from development
304 activities.

305 **Section 2. Requirement**

306 Cities and counties shall ensure that their comprehensive plans and implementing regulations
307 protect Water Quality and Flood Management Areas pursuant to Section 4. Exceptions to this
308 requirement will be considered under the provisions of Section 7.

309 **Section 3. Implementation Process for Local Governments**

310 Cities and counties are hereby required to amend their plans and implementing ordinances, if
311 necessary, to ensure that they comply with this Title in one of the following ways:

312 A. Either adopt the relevant provisions of the Metro Water Quality and Flood Management
313 model ordinance and map entitled Metro Water Quality and Flood Management
314 Conservation Area Map; or

315 B. Demonstrate that the plans and implementing ordinances substantially comply with the
316 performance standards, including the map, contained in Section 4. In this case, the
317 purpose of this map is to provide a performance standard for evaluation of substantial
318 compliance for those jurisdictions who choose to develop their own map of water quality
319 and flood management areas ; or

320 C. Any combination of A and B above that substantially complies with all performance
321 standards in Section 4.

322 **Section 4. Performance Standards**

323 A. **Flood Mitigation.** The purpose of these standards is to protect against flooding, and
324 prevent or reduce risk to human life and properties, by allowing for the storage and
325 conveyance of stream flows through these natural systems.

326 The plans and implementing ordinances of cities and counties shall be in substantial compliance
327 with the following performance standards:

328 1. Prohibit development within the water quality and flood management area; or

329 2. Limit development in a manner that requires balanced cut and fill; unless the
330 project is demonstrated, by an engineering study, that there is no rise in flood
331 elevation or that it will have a net beneficial effect on flood mitigation.

- 332 3. Require minimum finished floor elevations at least one foot above the design
333 flood height or other applicable flood hazard standard for new habitable
334 structures in the Water Quality and Flood Management Area.
- 335 4. Require that temporary fills permitted during construction shall be removed.

336 **B. Water Quality.** The purpose of these standards is to protect and allow for enhancement
337 of water quality associated with beneficial uses as defined by the Oregon Water
338 Resources Department and the Oregon Department of Environmental Quality.

339 The plans and implementing ordinances of cities and counties shall be in substantial
340 compliance with the following performance standards:

- 341 1. Require erosion and sediment control for all new development within the Metro
342 boundary as contained in the Metro Water Quality and Flood Management model
343 ordinance.
- 344 2. Require to the maximum extent practicable that native vegetation cover is
345 maintained or re-established during development, and that trees and shrubs in the
346 Water Quality and Flood Management Area are maintained. The vegetative cover
347 required pursuant to these provisions shall not allow the use of "Prohibited Plants
348 for Stream Corridors and Wetlands" contained in the Water Quality and Flood
349 Management Model Code adopted by the Metro Council.
- 350
- 351 3. Prohibit new uses of uncontained areas of hazardous materials as defined by DEQ
352 in the Water Quality and Flood Management Areas; and

353 **C. Protect the long term regional continuity and integrity of Water Quality and Flood**
354 **Management Areas**

355 Standards: Local jurisdictions shall establish or adopt transfer of density within
356 ownership to mitigate the effects of development in Water Quality and Flood
357 Management Areas, or through Transferable Development Rights (TDRs), which have
358 substantially equivalent effect as the Metro Water Quality and Flood Management Model
359 Ordinance.

360 Metro encourages local government to require that approvals of applications for
361 partitions, subdivisions and design review actions must be conditioned with protecting
362 Water Quality and Flood Management Areas with a conservation easement, platted as a
363 common open space, or through purchase or donation of fee simple ownership to public
364 agencies or private non-profits for preservation where feasible. Metro and local
365 governments shall recognize that applications involving pre-existing development within
366 the Water Quality and Flood Management Areas shall be exempted from the provisions
367 concerning conservation easements and purchase or donation of fee simple ownership to
368 public agencies or private non-profits for preservation.

369 **Section 5. Fish and Wildlife Habitat Conservation Area**

370 A. The purpose of these standards is to conserve, protect, and enhance fish and wildlife
371 habitat within the fish and wildlife habitat conservation areas identified on the water
372 quality and flood management area map by establishing performance standards and
373 promoting coordination by Metro of regional urban water sheds.

374 B. **Fish and Wildlife Habitat Conservation Area Recommendations**

375 These areas shall be shown on the Water Quality and Flood Management Area Map.
376 Fish and Wildlife Habitat Conservation Areas generally include and/or go beyond
377 the Water Quality and Flood Management Areas. These areas shown on the map are
378 Metro's initial inventory of significant fish and wildlife habitat conservation areas. Metro
379 hereby recommends that local jurisdictions adopt the following temporary standards:

- 380 1. Prohibit development in the Fish and Wildlife Conservation Areas that adversely
381 impacts fish and wildlife habitat.

382 Exceptions: It is recognized that urban development will, at times, necessitate
383 development activities within or adjacent to Fish and Wildlife Habitat
384 Conservation Areas. The following Fish and Wildlife Habitat Conservation
385 Mitigation Policy, except for emergency situations, applies to all the following
386 exceptions:

387 A project alternatives analysis, where public need for the project has been
388 established, will be required for any of the exceptions listed below. The
389 alternatives analysis must seek to avoid adverse environmental impacts by
390 demonstrating there are no practicable, less environmentally damaging
391 alternatives available. In those cases where there are no practicable, less
392 environmentally damaging alternatives, the project proponent will seek
393 alternatives which reduce or minimize adverse environmental impacts. Where
394 impacts are unavoidable, compensation, by complete replacement of the impacted
395 site's ecological attributes or, where appropriate, substitute resources of equal or
396 greater value will be provided in accordance with the Metro Water Quality and
397 Flood Management model ordinance.

- 398 a. Utility construction within a maximum construction zone width
399 established by local governments.
400 b. Overhead or underground electric power, telecommunications and cable
401 television lines within a sewer or stormwater right-of-way or within a
402 maximum construction zone width established by local governments.
403 c. Trails, boardwalks and viewing areas construction.
404 d. Transportation crossings and widenings. Transportation crossings and
405 widenings shall be designed to minimize disturbance, allow for fish and

wildlife passage and crossings should be preferably at right angles to the stream channel.

2. Limit the clearing or removal of native vegetation from the Fish and Wildlife Habitat Conservation Area to ensure its long term survival and health. Allow and encourage enhancement and restoration projects for the benefit of fish and wildlife.
3. Require the revegetation of disturbed areas with native plants to 90 percent cover within three years. Disturbed areas should be replanted with native plants on the Metro Plant List or an approved locally adopted plant list. Planting or propagation of plants listed on the Metro Prohibited Plant List within the Conservation Area shall be prohibited.
4. Require compliance with Oregon Department of Fish and Wildlife (ODFW) seasonal restrictions for in-stream work. Limit development activities that would impair fish and wildlife during key life-cycle events according to the guidelines contained in ODFW's "Oregon Guidelines for Timing of In-water Work to Protect Fish and Wildlife Resources."

C. Fish and Wildlife Habitat Protection

Within eighteen (18) months from the effective date of this functional plan, Metro shall complete the following regional coordination program by adoption of functional plan provisions.

1. Metro shall establish criteria to define and identify regionally significant fish and wildlife habitat areas.
2. Metro shall adopt a map of regionally significant fish and wildlife areas after (1) examining existing Goal 5 data, reports and regulation from cities and counties, and (2) holding public hearings.
3. Metro shall identify inadequate or inconsistent data and protection in existing Goal 5 data, reports and regulations on fish and wildlife habitat. City and county comprehensive plan provisions where inventories of significant resources were completed and accepted by a LCDC Periodic Review Order after January 1, 1993, shall not be required to comply until their next periodic review.
4. Metro shall complete Goal 5 economic, social, environmental and energy (ESEE) analyses for mapped regionally significant fish and wildlife habitat areas only for those areas where inadequate or inconsistent data or protection has been identified.

440 5. Metro shall establish performance standards for protection of regionally
441 significant fish and wildlife habitat which must be met by the plans implementing
442 ordinances of cities and counties.

443 **Section 6. Metro Model Ordinance Required**

444 Metro shall adopt a Water Quality and Flood Management Model Ordinance and map for use by
445 local jurisdictions to comply with this section. Sections 1-4 of this title shall not become
446 effective until 24 months after Metro Council has adopted a Model Code and map that addresses
447 all of the provisions of this title. Metro may adopt a Model Code and map for protection of
448 regionally significant fish and wildlife habitat. Section 5 of this title shall be implemented by
449 adoption of new functional plan provisions.

450 **Section 7. Variances**

451 City and county comprehensive plans and implementing regulations are hereby required to
452 include procedures to consider claims of map error and hardship variances to reduce or remove
453 stream corridor protection for any property demonstrated to be converted to an unbuildable lot by
454 application of stream corridor protections.

TITLE 4: RETAIL IN EMPLOYMENT AND INDUSTRIAL AREAS

Section 1. Intent

It is the intent of the Metro 2040 Growth Concept that Employment and Industrial Areas contain very little retail development. Employment and Industrial areas would be expected to include some limited retail commercial uses primarily to serve the needs of people working or living in the immediate employment areas, not larger market areas outside the employment area. Exceptions to this general policy for Employment and Industrial Areas can be made for certain areas as identified on the Employment and Industrial Areas Map.

Section 2. Comprehensive Plan and Implementing Ordinance Changes Required

Cities and counties are hereby required to amend their comprehensive plans and implementing regulations to prohibit retail uses larger than 50,000 feet of gross leasable area per building or business in the Employment and Industrial Areas specifically designated on the 2040 Growth Concept Map.

Section 3. Exceptions

Exceptions to this standard may be included for:

- A. Low traffic generating, land-consumptive commercial uses with low parking demand which have a community or region wide market, or
- B. As identified on the Employment and Industrial Areas Map, specific Employment or Industrial Areas which already have substantially developed as retail centers or which have been locally designated as retail centers may allow new or redeveloped retail uses. Proposed refinements to the mapped areas may be considered in local compliance plans as provided in Title 8.

TITLE 5: NEIGHBOR CITIES AND RURAL RESERVES

Section 1. Intent

The intent of this title is to clearly define Metro policy with regard to areas outside the Metro urban growth boundary. **NO PORTION OF THIS TITLE CAN REQUIRE ANY ACTIONS BY NEIGHBORING CITIES.** Metro, if neighboring cities jointly agree, will adopt or sign rural reserve agreements for those areas designated rural reserve in the Metro 2040 Growth Concept with Multnomah, Clackamas, and Washington County, and Neighbor City Agreements with Sandy, Canby, and North Plains. Metro would welcome discussion about agreements with other cities if they request such agreements.

In addition, counties and cities within the Metro boundary are hereby required to amend their comprehensive plans and implementing ordinances within twenty-four months to reflect the rural reserves and green corridors policies described in the Metro 2040 Growth Concept.

Section 2. Rural Reserves and Green Corridors

Metro shall attempt to designate and protect common rural reserves between Metro's urban growth boundary and designated urban reserve areas and each neighbor city's urban growth boundary and designated urban reserves, and designate and protect common locations for green corridors along transportation corridors connecting the Metro region and each neighboring city. For areas within the Metro boundary, counties are hereby required to amend their comprehensive plans and implementing ordinances to identify and protect the rural reserves and green corridors described in the adopted 2040 Growth Concept and shown on the adopted 2040 Growth Concept Map. These rural lands shall maintain the rural character of the landscape and our agricultural economy. New rural commercial or industrial development shall be restricted. Zoning shall be for resource protection on farm and forestry land, and very low-density residential (no greater average density than one unit for five acres) for exception land.

For areas outside the Metro boundary, Metro shall encourage intergovernmental agreements with the cities of Sandy, Canby and North Plains.

Section 3. Invitations for Intergovernmental Agreements

Metro shall invite the local governments outside the Metro boundary and named in Section 1 of this title to sign an Intergovernmental Agreement, similar to the draft agreements attached hereto.

Section 4. Metro Intent with Regard to Green Corridors

Metro shall attempt to negotiate a Green Corridor Intergovernmental Agreement with Oregon Department of Transportation (ODOT) and the three counties (Clackamas, Multnomah and Washington) to designate and protect areas along transportation corridors connecting Metro and neighboring cities.

511 **TITLE 6: REGIONAL ACCESSIBILITY**

512 **Section 1. Intent**

513 Implementation of the 2040 Growth Concept requires that the region identify key measures of
514 transportation effectiveness which include all modes of transportation. Developing a full array of
515 these measures will require additional analysis. Focusing development in the concentrated
516 activity centers, including the central city, regional centers, and station communities, requires the
517 use of alternative modes in order to avoid unacceptable levels of congestion and to insure that
518 accessibility by alternative modes is attractive. The continued economic vitality of industrial
519 areas and intermodal facilities is largely dependent on preserving or improving access to these
520 areas and maintaining reasonable levels of freight mobility on the region's main throughways.
521 Therefore, regional congestion standards and other regional system performance measures shall
522 be tailored to reinforce the specific development needs of the individual 2040 Growth Concept
523 land use components.

524 These regional standards will be linked to a series of regional street design concepts that fully
525 integrate transportation and land use needs for each of the 2040 land use components. The
526 designs generally form a continuum; a network of throughways (freeway and highway designs)
527 will emphasize auto and freight mobility and connect major activity centers. Slower-speed
528 boulevard designs within concentrated activity centers will balance the multi-modal travel
529 demands of these areas. Street and road designs will complete the continuum, with multi-modal
530 designs that reflect the land uses they serve, but also serving as moderate-speed vehicle
531 connections between activity centers that complement the throughway system. While these
532 designs are under development, it is important that improvements in the most concentrated
533 activity centers are designed to lessen the negative effects of motor vehicle traffic on other modes
534 of travel. Therefore, the need to implement amenity oriented boulevard treatment that better
535 serves pedestrian and transit travel in the central city, regional centers, main streets, town centers,
536 and station communities is a key step in the overall implementation of the Metro 2040 Growth
537 Concept.

538 **Section 2. Boulevard Design**

539 For regional routes in the central city, regional centers, station communities, main streets and
540 town centers designated on the Boulevard Design Map, all cities and counties within the Metro
541 region are hereby required to implement or allow to be implemented boulevard design elements
542 as improvements are made to these facilities including those facilities built by ODOT or Tri-Met.
543 Each jurisdiction shall adopt amendments, if necessary, to ensure that their comprehensive plans
544 and implementing ordinances require consideration or installation of the following boulevard
545 design elements when proceeding with right-of-way improvements on regional routes designated
546 on the boulevard design map. In general, pedestrian and transit oriented design elements are the
547 priority in the central city and regional centers, station communities, main streets and town
548 centers:

549 A. Wide sidewalks with pedestrian amenities such as benches, awnings and special lighting;

- B. Landscape strips, street trees and other design features that create a pedestrian buffer between curb and sidewalk;
- C. Pedestrian crossings at all intersections, and mid-block crossings where intersection spacing is excessive;
- D. The use of medians and curb extensions to enhance pedestrian crossings where wide streets make crossing difficult;
- E. Bikeways;
- F. On-street parking;
- G. Motor vehicle lane widths that consider the above improvements;
- H. Use of landscaped medians where appropriate to enhance the visual quality of the streetscape.

Section 3. Design Standards for Street Connectivity

The design of local street systems, including "local" and "collector" functional classifications, is generally beyond the scope of the Regional Transportation Plan (RTP). However, the aggregate effect of local street design impacts the effectiveness of the regional system when local travel is restricted by a lack of connecting routes, and local trips are forced onto the regional network. Therefore, the RTP will include design standards for connectivity aimed at improving local circulation in a manner that protects the integrity of the regional system.

Local jurisdictions within the Metro region are hereby required to amend their comprehensive plans and implementing ordinances, if necessary, to comply with or exceed one of the following options in the development review process:

- A. **Design Option.** Cities and counties shall ensure that their comprehensive plans, implementing ordinances and administrative codes require demonstration of compliance with the following:
 - 1. New residential and mixed-use developments shall include local street plans that:
 - a. encourage pedestrian travel by providing short, direct public right-of-way routes to connect residential uses with nearby existing and planned commercial services, schools, parks and other neighborhood facilities; and
 - b. include no cul-de-sac streets longer than 200 feet, and no more than 25 dwelling units on a closed-end street system; and
 - c. provide bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 330 feet; and

- 584 d. consider opportunities to incrementally extend and connect local streets in
585 primarily developed areas; and
586 e. serve a mix of land uses on contiguous local streets; and
587 f. support posted speed limits; and
588 g. consider narrow street design alternatives that feature total right-of-way of
589 no more than 46 feet, including pavement widths of no more than 28 feet,
590 curb-face to curb-face, sidewalk widths of at least 5 feet and landscaped
591 pedestrian buffer strips that include street trees; and
592 h. limit the use of cul-de-sac designs and closed street systems to situations
593 where topography, development patterns or environmental constraints
594 prevent full street extensions.

- 595 2. For new residential and mixed-use development, all contiguous areas of vacant
596 and primarily undeveloped land of five acres or more shall be identified by cities
597 and counties and the following will be prepared:

598 A map that identifies possible local street connections to adjacent developing
599 areas. The map shall include street connections at intervals of no more than 660
600 feet, with more frequent connections in areas planned for mixed use or dense
601 development.

602 B. **Performance Option.** For residential and mixed use areas, cities and counties shall
603 ensure that their comprehensive plans, implementing ordinances and administrative codes
604 require demonstration of compliance with performance criteria. Cities and counties shall
605 develop local street design maps or standards with street intersection spacing to occur at
606 intervals of no less than eight per mile, the number of street connections coordinated and
607 consistent with increased density and mixed land uses. Local street designs for new
608 developments shall satisfy both of the following additional criteria:

609 1. Performance Criterion: minimize local traffic on the regional motor vehicle
610 system, by demonstrating that local vehicle trips on a given regional facility do
611 not exceed the 1995 arithmetic median of regional trips for facilities of the same
612 motor vehicle system classification by more than 25 percent.

613 2. Performance Criterion: everyday local travel needs are served by direct,
614 connected local street systems where: (1) the shortest motor vehicle trip over
615 public streets from a local origin to a collector or greater facility is no more than
616 twice the straight-line distance; and (2) the shortest pedestrian trip on public right-
617 of-way is no more than one and one-half the straight-line distance.

618 Section 4. Transportation Performance Standards

619 A. Alternative Mode Analysis

- 620 1. Mode split will be used as the key regional measure for transportation
621 effectiveness in the Central City, Regional Centers and Station Communities.

Each jurisdiction shall establish a mode split target (defined as the percentage of all non-Single Occupant Vehicle modes of transportation) for each of the central city, regional centers and station communities within its boundaries. The mode split target shall be no less than the regional targets for these Region 2040 Growth Concept land use components to be established in the Regional Transportation Plan).

2. Local Governments which have Central City, regional centers and station communities shall identify actions which will implement the mode split targets. These actions should include consideration of the maximum parking ratios adopted as part of Title 2, Section 2, Boulevard - Design of this title, and transit's role in serving the area.

B. Motor Vehicle Congestion Analysis

1. Level-of-service. The following table may be incorporated into local comprehensive plans and implementing ordinances to replace current methods of determining congestion on regional facilities, if this change is needed to permit Metro 2040 Growth Concept implementation in the Central City, Regional Centers, Town Centers, Main Streets and Station Communities:

General Performance Standards (using LOS)*

	Preferred	Acceptable	Exceeds
Mid-Day one-hour	C or better	D	E or worse
Peak two-hour	E/E or better	F/E	F/F or worse

*Level-of-Service is determined by using either the latest edition of the Highway Capacity Manual (Transportation Research Board) or through volume to capacity ratio equivalencies as follows: LOS C = .8 or better; LOS D = .8 to .9; LOS = .9 to 1.0; and LOS F = greater than 1.0. A copy of the Level of Service Tables from the Highway Capacity Manual is attached as Exhibit A.

2. Accessibility. If a congestion standard is exceeded as identified in 4.B.1, local governments shall evaluate the impact of the congestion on regional accessibility using the best available methods (quantitative or qualitative). If a determination is made by Metro that the congestion negatively impacts regional accessibility, local jurisdictions shall follow the congestion management procedures identified in 4.C. below.

C. Congestion Management

Prior to recommending a significant capacity expansion to a regional facility, or including such an expansion in a city or county comprehensive plan, the following actions shall be applied, unless adequately addressed in the Regional Transportation Plan:

1. To address Level of Service:

EXHIBIT A
(SEE TITLE 4B)

Level of Service (LOS) Definitions for Freeways, Arterials and Signalized Intersections

LOS	FREEWAYS (average travel speed assuming 70 mph design speed)	ARTERIALS (average travel speed assuming a typical free flow speed of 40 mph)	SIGNALIZED INTERSECTIONS (stopped delay per vehicle)	TRAFFIC FLOW CHARACTERISTICS
A	Greater than 60 mph Average spacing: 22 car-lengths	Greater than 35 mph	Less than 5 seconds; most vehicles do not stop at all	Virtually free flow; completely unimpeded Volume/capacity ratio less than or equal to .60
B	57 to 60 mph Average spacing: 13 car-lengths	28 to 35 mph	5 to 15 seconds; more vehicles stop than for LOS A	Stable flow with slight delays; reasonably unimpeded Volume/capacity ratio .61 to .70
C	54 to 57 mph Average spacing: 9 car-lengths	22 to 28 mph	15.1 to 25 seconds; individual cycle failures may begin to appear	Stable flow with delays; less freedom to maneuver Volume/capacity ratio of .71 to .80
D	46 to 54 mph Average spacing: 6 car-lengths	17 to 22 mph	25.1 to 40 seconds; individual cycle failures are noticeable	High density but stable flow Volume/capacity ratio of .81 to .90
E	30 to 46 mph Average spacing: 4 car-lengths	13 to 17 mph	40.1 to 60 seconds; individual cycle failures are frequent; poor progression	Operating conditions at or near capacity; unstable flow Volume/capacity ratio of .91 to 1.00
F	Less than 30 mph bumper-to-bumper	Less than 13 mph	Greater than 60 seconds; not acceptable for most drivers	Forced flow, breakdown conditions Volume/capacity ratio of greater than 1.00
>F	Demand exceeds roadway capacity, limiting volume that can be carried and forcing excess demand onto parallel routes and extending the peak period			Demand/capacity ratios of greater than 1.10

Source: 1985 Highway Capacity Manual (A through F Descriptions)
Metro (>F Description)

- a. Transportation system management techniques
- b. Corridor or site-level transportation demand management techniques
- c. Additional roadway capacity to parallel facilities, including the consideration of a grid pattern consistent with connectivity standards contained in Title 6 of this plan
- d. Transit service improvements to increase ridership

2. To address preservation of street function:

- a. Traffic calming
- b. Street function classification

3. To address or preserve existing street capacity

- a. Transportation management (e.g. access management, signal interties, lane channelization)

If the above considerations do not adequately and cost-effectively address the problem, capacity improvements may be included in the comprehensive plan.

TITLE 7: AFFORDABLE HOUSING

Section 1. Intent

RUGGO Objective 17 requires Metro to use a "fair share" strategy to meet housing needs, which includes housing densities supportive of "development of the regional transportation system and designated centers and corridors," like Title I, above. Two other parts of the "fair share" strategy are addressed here: (1) encouraging use of tools identified to improve availability of sufficient housing affordable to households of all income levels; and (2) encouraging manufactured housing to assure a diverse range of available housing types.

Section 2. Recommendations to Improve Availability of Affordable Housing

The following tools and approaches to facilitate the development of affordable housing are recommended to begin to meet the need for sufficient and affordable housing:

- A. Donate buildable tax-foreclosed properties to nonprofit organizations for development as mixed market affordable housing.
- B. Develop permitting process incentives for housing being developed to serve people at or below 80% of area median income.
- C. Provide fee waivers and property tax exemptions for projects developed by nonprofit organizations serving people at or below 60% of area median income.
- D. Create a land banking program to enhance the availability of appropriate sites for permanently affordable housing.
- E. Consider replacement ordinances that would require developers of high-income housing, commercial, industrial, recreational or government projects to replace any affordable housing destroyed by these projects.
- F. Consider linkage programs that require developers of job-producing development, particularly that which receives tax incentives, to contribute to an affordable housing fund.
- G. Commit locally controlled funds, such as Community Development Block Grants, SIP tax abatement funds or general fund dollars, to the development of permanently affordable housing for people at or below 60% of area median income.
- H. Consider inclusionary zoning requirements, particularly in tax incentive programs, for new development in transit zones and other areas where public investment has contributed to the value and developability of land.

702 **Section 3. Recommendations to Encourage Manufactured Housing**

703 State housing policy requires the provision of manufactured housing inside all Urban Growth
704 Boundaries as part of the housing mix with appropriate placement standards. The following are
705 recommended to reduce regulatory barriers to appropriately placed manufactured housing:

706 A. Requirements for a minimum of five acres to develop a manufactured housing
707 park should be reviewed to consider a lesser requirement, or elimination of a
708 minimum parcel and/or lot size entirely.

709 B. Manufactured homes configured as duplexes, triplexes, fourplexes, etc. should be
710 encouraged outside manufactured dwelling parks where zoning densities are
711 consistent with single story development.

712 **TITLE 8: COMPLIANCE PROCEDURES**

713 **Section 1. Compliance Required**

714 All cities and counties within the Metro boundary are hereby required to amend their
715 comprehensive plans and implementing ordinances to comply with the provisions of this
716 functional plan within twenty-four months of the effective date of this ordinance. Metro
717 recommends the adoption of the policies that affect land consumption as soon as possible.

718 **Section 2. Compliance Procedures**

719 A. On or before six months prior to the deadline established in Section 1, cities and counties
720 shall transmit to Metro the following:

- 721 1. An evaluation of their local plans, including public facility capacities and the
722 amendments necessary to comply with this functional plan;
- 723 2. Copies of all applicable comprehensive plans and implementing ordinances and
724 public facility plans, as proposed to be amended;
- 725 3. Findings that explain how the amended local comprehensive plans will achieve
726 the standards required in titles 1 through 6 of this functional plan.

727 In developing the evaluation, plan and ordinance amendments and findings, cities and
728 counties shall address the Metro 2040 Growth Concept, and explain how the proposed
729 amendments implement the Growth Concept.

730 B. Exemptions from any of the requirements in the above titles may be granted by the Metro
731 Council, as provided for in the Regional Urban Growth Goals and Objectives, Section
732 5.3, after MPAC review, based on city or county submittal as specified in this section.
733 The Metro Council will make all final decisions as to the existence of the factual basis for
734 the grant of any requested exemption.

735 1. Population and Employment Capacity. An exemption from the requirement
736 contained in Table 1 of Title 1 that the target capacities shall be met or exceeded
737 may be granted based on a submittal which includes the following:

- 738 a. A demonstration of substantial evidence of the economic infeasibility to
739 provide sanitary sewer, water, stormwater or transportation facilities to an
740 area or areas; or
- 741 b. A demonstration that the city or county is unable to meet the target
742 capacities listed in Table 1 because substantial areas have prior
743 commitments to development at densities inconsistent with Metro target;
744 or

- 745 c. A demonstration that the households and employment capacities cannot be
746 accommodated at densities or locations the market or assisted programs
747 will likely build during the planning period.

748 As part of any request for exemption under this subsection, a city or
749 county shall also submit an estimate of the amount of households or
750 employment included in the capacity listed in Table 1 that cannot be
751 accommodated; and a recommendation which identifies land that would
752 provide for the unaccommodated capacity located outside the urban
753 growth boundary and near or adjacent to the city or county.

754 In reviewing any request for exemption based on the financial feasibility of
755 providing public services, Metro, along with local governments, shall estimate the
756 cost of providing necessary public services and compare those with the estimated
757 costs submitted by the city or county requesting the exemption.

- 758 2. Parking Measures. Subject to the provisions of Title 2, cities or counties may
759 request an exemption from parking requirements. Metro may consider a city or
760 county government request to allow areas designated as Zone A to be subject to
761 Zone B requirements upon the city or county establishing that, for the area in
762 question:

- 763 a. There are no existing plans to provide transit service with 20-minute or
764 lower peak frequencies; and
765 b. There are no adjacent neighborhoods close enough to generate sufficient
766 pedestrian activity; and
767 c. There are no significant pedestrian activity within the present business
768 district; and
769 d. That it will be feasible for the excess parking to be converted to the
770 development of housing, commerce or industry in the future.

771 The burden of proof for an adjustment shall increase based on the quality and
772 timing of transit service. The existence of transit service or plans for the
773 provision of transit service near a 20-minute or lower peak frequency shall
774 establish a higher burden to establish the need for the exemption.

- 775 3. Water Quality and Flood Management Areas. Cities and counties may request
776 areas to be added or deleted from the Metro Water Quality and Flood
777 Management Area based on a finding that the area identified on the map is not a
778 Water Quality and Flood Management Area or a Fish and Wildlife Habitat
779 Conservation Area, as defined in this functional plan. Areas may also be deleted
780 from the map if the city or county can prove that its deletion and the cumulative
781 impact of all deletions in its jurisdiction will have minimal impact on the water
782 quality of the stream and on flood effects. Findings shall be supported by
783 evidence, including the results of field investigations.

784 4. Retail in Employment and Industrial Areas. Subject to the provisions of Title 4,
785 cities and counties may request a change in the Employment and Industrial Areas
786 Map. Metro may consider a city or county request to modify a mapped
787 Employment and Industrial Area to exempt existing or locally designated retail
788 centers, where they can demonstrate that:

789 a. The map overlooked lands within a substantially developed existing retail
790 center or a locally designated retail center.

791 5. Regional Accessibility. Cities or counties may request relief from the
792 requirements of Title 6, Regional Accessibility, where they can show that a street
793 system or connection is not feasible for reasons of topographic constraints or
794 natural or built environment considerations.

795 C. In addition to the above demonstrations, any city or county determination not to
796 incorporate functional plan policies into comprehensive plans shall be subject to the
797 conflict resolution and mediation processes included within the RUGGO, Goal I,
798 provisions prior to the final adoption of inconsistent policies or actions. Local actions
799 inconsistent with functional plan requirements are subject to appeal for violation of the
800 functional plan.

801 Section 3. Any Comprehensive Plan Change must Comply

802 After the effective date of this ordinance, any amendment of a comprehensive plan or
803 implementing ordinance shall be consistent with the functional plan requirements contained in
804 Titles 1 through 8. Metro shall assist the local government in achieving compliance with all
805 applicable functional plan requirements. Upon request, Metro will review proposed
806 comprehensive plan and implementing ordinances for functional plan compliance prior to city or
807 county adoption.

808 Section 4. Enforcement

809 City or county actions to amend a comprehensive plan or implementing ordinance in violation of
810 this functional plan at any time after the effective date of this ordinance shall be subject to appeal
811 or other legal action for violation of a regional functional plan requirement, including but not
812 limited to reduction of regional transportation funding and funding priorities. Failure to amend
813 comprehensive plans and implementing ordinances as required by Section 1 shall be subject to
814 any and all enforcement actions authorized by law. Prior to a final action to amend a
815 comprehensive plan or implementing ordinance, a local determination that a functional plan
816 should not or cannot be implemented shall be subject to the conflict resolution process provided
817 for in RUGGO, Goal I. Any city or county land use decision made more than 24 months after the
818 effective date of this ordinance that is inconsistent with the requirements of this functional plan is
819 subject to appeal for violation of this functional plan.

820 **Section 5. Compliance Plan Assistance**

821 A. Any local government may request of Metro a compliance plan which contains the
822 following:

823 1. An analysis of the local government's comprehensive plan and implementing
824 ordinances, and what sections require change to comply with the performance
825 standards.

826 2. Specific amendments that would bring the jurisdiction into compliance with the
827 requirements of Sections 1 to 8, if necessary.

828 B. Jurisdictions must make the request within four months of the effective date of this
829 ordinance. The request shall be signed by the highest elected official of the jurisdiction.

830 C. Metro shall deliver a compliance plan within four months of the request date. The
831 compliance plan shall be a recommendation from the Executive Officer. The compliance
832 plan shall be filed with the Metro Council two weeks before it is transmitted, for possible
833 review and comment.

834 **Title 9. Performance Measures**

835 **Section 1. Intent**

836 In order to monitor progress in implementation of this functional plan, and in order to implement
837 Objective 10 of RUGGO, Metro shall establish benchmarks related to the achievement and
838 expected outcome resulting from the implementation of this functional plan.

839 **Section 2. Performance Measures Adoption**

840 A. Within three months of the adoption of this functional plan, the Metro Executive Officer
841 shall submit to the Council the Executive Officer's recommendations for performance
842 measures. The performance measures will be used in evaluating the progress of the
843 region in implementation of this functional plan and policy recommendations for
844 corrective action should performance measures not be achieved. The Executive Officer
845 shall use the best technology available to Metro, and shall, in addition, submit the current
846 and recent historic levels for the proposed performance measures.

847 B. The Council, after receiving advice and comment from the Metropolitan Policy Advisory
848 Committee, shall adopt a list of performance measures that will be used to monitor and
849 evaluate this functional plan. The performance measures will be evaluated at least by
850 regional level, by Growth Concept design types, by regional and town center market
851 areas, and by jurisdiction. The performance measures shall include a biennial goal for the
852 next six years, and shall be accompanied by policies for adjusting the regional plans
853 based on actual performance.

854 C. The performance measures shall include, but shall not be limited to the following:

- 855 1. Amount of land converted from vacant to other uses, according to jurisdiction,
856 Growth Concept design type, and zoning;
- 857 2. Number and types of housing constructed, their location, density, and costs,
858 according to jurisdiction, Growth Concept design type, and zoning;
- 859 3. The number of new jobs created in the region, according to jurisdiction, Growth
860 Concept design type, and zoning;
- 861 4. The amount of development of both jobs and housing that occurred as
862 redevelopment or infill, according to jurisdiction, Growth Concept design type,
863 and zoning;
- 864 5. The amount of land that is environmentally sensitive that is permanently
865 protected, and the amount that is developed;

866 6. Other measures that can be reliably measured and will measure progress in
867 implementation in key areas.

868 D. Use of the performance measures

869 1. The performance measures will contain both the current level of achievement, and
870 the proposed level necessary to implement this functional plan and achieve the
871 Metro 2040 Growth Concept adopted in the Regional Urban Growth Goals and
872 Objectives (RUGGO). The performance measures will be used to evaluate and
873 adjust, as necessary, Metro's functional plans, Urban Growth Boundary, and other
874 regional plans.

875 2. By March 1 of every other year beginning March 1, 1998, the Executive Officer
876 shall report to the Council an assessment of the regional performance measures,
877 and recommend corrective actions, as necessary, consistent with the Metro
878 Council's policies.

879 3. The Council shall refer the recommendations to the Hearing Officer, who shall
880 hold a hearing to review the data in the Executive Officer's report on the
881 performance measures, and gather additional data from any interested party. The
882 Hearing officer shall review all of the information presented on the performance
883 measures. The complete record of information, findings of fact, and a
884 recommendation shall be forwarded to the Council by the Hearing Officer.

885 4. The Council shall hold a hearing on the record, adopt findings of fact, and take
886 any necessary corrective action by September 1 of the year.

887 **Title 10. Definitions**

888 **Balanced cut and fill** means no net increase in fill within the floodplain.

889 **Designated Beneficial Water Uses** means the same as the term as defined by the Oregon
890 Department of Water Resources, which is: an instream public use of water for the benefit of an
891 appropriator for a purpose consistent with the laws and the economic and general welfare of the
892 people of the state and includes, but is not limited to, domestic, fish life, industrial, irrigation,
893 mining, municipal, pollution abatement, power development, recreation, stockwater and wildlife
894 uses.

895 **Development** means any manmade change defined as buildings or other structures, mining,
896 dredging, paving, filling, or grading in amounts greater than ten (10) cubic yards on any lot or
897 excavation. In addition, any other activity that results in the removal of more than 10% of the
898 existing vegetated area on the lot is defined as development, for the purposes of Title 3.

899 **Exceptions:**

- 900 a. Stream enhancement or restoration projects approved by local jurisdictions.
901 b. Agricultural activity.
902 c. Additions and alterations to existing structures and development that do not
903 encroach into the Water Quality and Flood Management Area more than the
904 existing structure or development.

905 **DHB** means the diameter of a tree measured at breast height.

906 **DLCD Goal 5 ESEE** means a decision process local governments carry out under OAR 660-23-
907 040.

908 **Expected Capacity** means the amount of units that can be expected to be contained in an area.

909 **Goal 5 ESEE** means a decision process local governments carry out under.

910 **Growth Concept Map** means the conceptual map demonstrating the 2040 Growth Concept
911 design types attached in the Appendix as Exhibit 3.

912 **Hazardous materials** means materials described as hazardous by Oregon Department of
913 Environmental Quality.

914 **Fish and Wildlife Habitat Conservation Area** means the area defined on the Metro Water
915 Quality and Flood Management Area Map to be completed and attached hereto. These include
916 all Water Quality and Flood Management Areas that require regulation in order to protect fish
917 and wildlife habitat. This area has been mapped to generally include the area 200 feet from top
918 of bank of streams in undeveloped areas with less than 25% slope, and 100 feet from edge of
919 mapped wetland on undeveloped land.

- 920 **Floodplain** means land subject to periodic flooding, including the 100-year floodplain as
921 mapped by FEMA Flood Insurance Studies or other substantial evidence of actual flood events.
- 922 **Functions and Values of Stream Corridors** means stream corridors have the following
923 functions and values: water quality retention and enhancement, flood attenuation, fish and
924 wildlife habitat, recreation, erosion control, education, aesthetic, open space and wildlife
925 corridor.
- 926 **Local Trip** means a trip 2½ miles or less in length.
- 927 **Metro** means the regional government of the metropolitan area, the elected Metro Council as the
928 policy setting body of the government.
- 929 **Metro Boundary** means the jurisdictional boundary of Metro, the elected regional government
930 of the metropolitan area.
- 931 **Metro Urban Growth Boundary** means the urban growth boundary as adopted and amended by
932 the Metro Council, consistent with state law.
- 933 **Net Acre** means an area measuring 43,560 square feet which excludes:
- 934 (1) any developed road rights-of-way through or on the edge of the land; and
- 935 (2) environmentally constrained areas, including any open water areas, floodplains,
936 natural resource areas protected under statewide planning Goal 5 in the
937 comprehensive plans of cities and counties in the region, slopes in excess of 25
938 percent and wetlands requiring a Federal fill and removal permit under Section
939 404 of the Clean Water Act. These excluded areas do not include lands for which
940 the local zoning code provides a density bonus or other mechanism which allows
941 the transfer of the allowable density or use to another area or to development
942 elsewhere on the same site; and
- 943 (3) all publicly-owned land designated for park and open spaces uses.
- 944 **Net Developed Acre** consists of 43,560 square feet of land, after excluding present and future
945 rights-of-way, school lands and other public uses.
- 946 **Permitted Capacity** means the highest amount of units that are permitted be contained in an
947 area as calculated from zoning and other local jurisdiction regulations.
- 948 **Perennial Streams** means all primary and secondary perennial water ways as mapped by the
949 U.S. Geological Survey.
- 950 **Performance Measure** means a measurement derived from technical analysis aimed at
951 determining whether a planning policy is achieving the expected outcome or intent associated
952 with the policy.

953 **Persons Per Acre** means

954 **Practicable** means available and capable of being done after taking into consideration cost,
955 existing technology, and logistics in light of overall project purpose.

956 **Riparian area** means the water influenced area adjacent to a river, lake or stream consisting of
957 the area of transition from an hydric ecosystem to a terrestrial ecosystem where the presence of
958 water directly influences the soil-vegetation complex and the soil-vegetation complex directly
959 influences the water body. It can be identified primarily by a combination of geomorphologic
960 and ecologic characteristics.

961 **Target capacities** means the capacities in Table 1 required to be demonstrated by cities and
962 counties for compliance with Title 1, Section 2.

963 **Target densities** means the average combined household and employment densities established
964 for each design type in the RUGGO 2040 Growth Concept.

965 **Top of Bank** means the same as "bankfull stage" defined in OAR 141-85-10(2).

966 **Vacant Land:** Land identified in the Metro or local government inventory as undeveloped land.

967 **Water Quality and Flood Management Area** means an area defined on the Metro Water
968 Quality and Flood Management Area Map, to be attached hereto. These are areas that require
969 regulation in order to mitigate flood hazards and to preserve and enhance water quality. This
970 area has been mapped to generally include the following: stream or river channels, known and
971 mapped wetlands, areas with floodprone soils adjacent to the stream, floodplains, and sensitive
972 water areas. The sensitive areas are generally defined as 50 feet from top of bank of streams for
973 areas of less than 25% slope, and 200 feet from top of bank on either side of the stream for areas
974 greater than 25% slope, and 50 feet from the edge of a mapped wetland.

Table 1 - Target Capacity for Housing and Employment Units - Year 1994 to 2017				
City or County	Dwelling Unit Capacity ¹	Job Capacity	Mixed Use Areas	
			Household	Job Increase
Beaverton	15,021	25,122	9,019	19,084
Cornelius	1,019	2,812	48	335
Durham	262	498	0	0
Fairview	2,921	5,689	635	2,745
Forest Grove	2,873	5,488	67	628
Gladstone	600	1,530	20	140
Gresham	16,817	23,753	3,146	9,695
Happy Valley	2,030	1,767	52	245
Hillsboro	14,812	58,247	9,758	20,338
Johnson City	168	180	0	0
King City	182	241	55	184
Lake Oswego	3,353	8,179	446	3,022
Maywood Park	27	5	0	0
Milwaukie	3,514	7,478	2,571	6,444
Oregon City	6,157	8,185	341	2,341
Portland	70,704	158,503	26,960	100,087
River Grove	(15)	41	0	0
Sherwood	5,010	8,156	1,108	3,585
Tigard	6,073	14,901	981	8,026
Troutdale	3,789	5,570	107	267
Tualatin	3,635	9,794	1,248	2,069
West Linn	2,577	2,114	0	594
Wilsonville	4,425	15,030	743	4,952
Wood Village	423	736	68	211
Clackamas County ³	19,530	42,685	1,661	13,886
Multnomah County	3,089	2,381	0	0
Washington County ³	54,999	52,578	13,273	25,450
	243,993	461,633		

¹ Based on Housing Needs Analysis. Applies to existing city limits as of June, 1996. Annexations to cities would include assuming responsibility for livable share previously accommodated in unincorporated county.

² Target densities for mixed use area are: Central City - 250 persons per acre; regional centers - 60 ppa; town centers 40 ppa.; station communities - 45 ppa.; main streets 39 ppa.

³ Standards apply to the urban unincorporated portion of the county only. At the request of cities, Metro may also supply targets for planning areas for cities in addition to the existing boundary targets cited above.

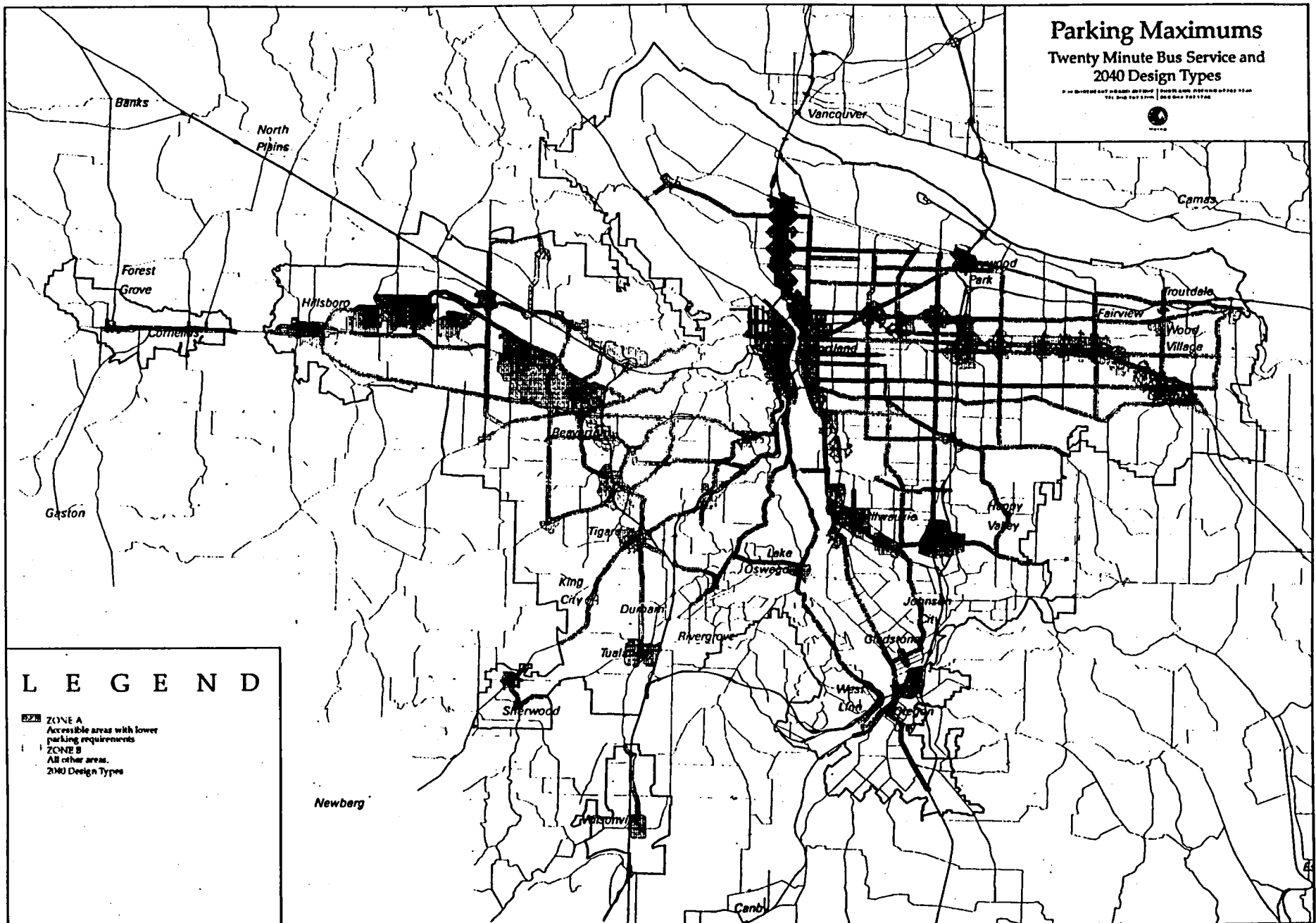
976
977
978
979

Regional Parking Ratios (parking ratios are based on spaces per 1,000 sq ft of gross leasable area unless otherwise stated)			
Land Use	Minimum Parking Requirements (See) Central City Transportation Management Plan for downtown Portland stds)	Maximum Permitted Parking - Zone A:	Maximum Permitted Parking Ratios - Zone B:
	Requirements may Not Exceed	Transit and Pedestrian Accessible Areas ¹	Rest of Region
General Office (includes Office Park, "Flex-Space", Government Office & misc. Services) (gsf)	2.7	3.4	4.1
Light Industrial Industrial Park Manufacturing (gsf)	1.6	None	None
Warehouse (gross square feet; parking ratios apply to warehouses 150,000 gsf or greater)	0.3	0.4	0.5
Schools: College/ University & High School (spaces/# of students and staff)	0.2	0.3	0.3
Tennis Racquetball Court.	1.0	1.3	1.5
Sports Club/Recreation Facilities	4.3	5.4	6.5
Retail/Commercial, including shopping centers	4.1	5.1	6.2
Bank with Drive-In	4.3	5.4	6.5
Movie Theater (spaces/number of seats)	0.3	0.4	0.5
Fast Food with Drive Thru	9.9	12.4	14.9
Other Restaurants	15.3	19.1	23
Place of Worship (spaces/seats)	0.5	0.6	0.8
Medical/Dental Clinic	3.9	4.9	5.9
Residential Uses			
Hotel/Motel	1	none	none
Single Family Detached	1	none	none
Residential unit, less than 500 square feet per unit, one bedroom	1	none	none
Multi-family, townhouse, one bedroom	1.25	none	none
Multi-family, townhouse, two bedroom	1.5	none	none
Multi-family, townhouse, three bedroom	1.75	none	none

¹ Ratios for uses not included in this table would be determined by local governments. In the event that a local government proposes a different measure, for example, spaces per seating area for a restaurant instead of gross leasable area, Metro may grant approval upon a demonstration by the local government that the parking space requirement is substantially similar to the regional standard.

Parking Maximums **Twenty Minute Bus Service and** **2040 Design Types**

5' 10" DIVISION NOT SHOWN OUTSIDE 1000' 0" DIVISION OUTSIDE 100' 0" DIVISION
 10' 0" DIVISION NOT SHOWN OUTSIDE 1000' 0" DIVISION OUTSIDE 100' 0" DIVISION



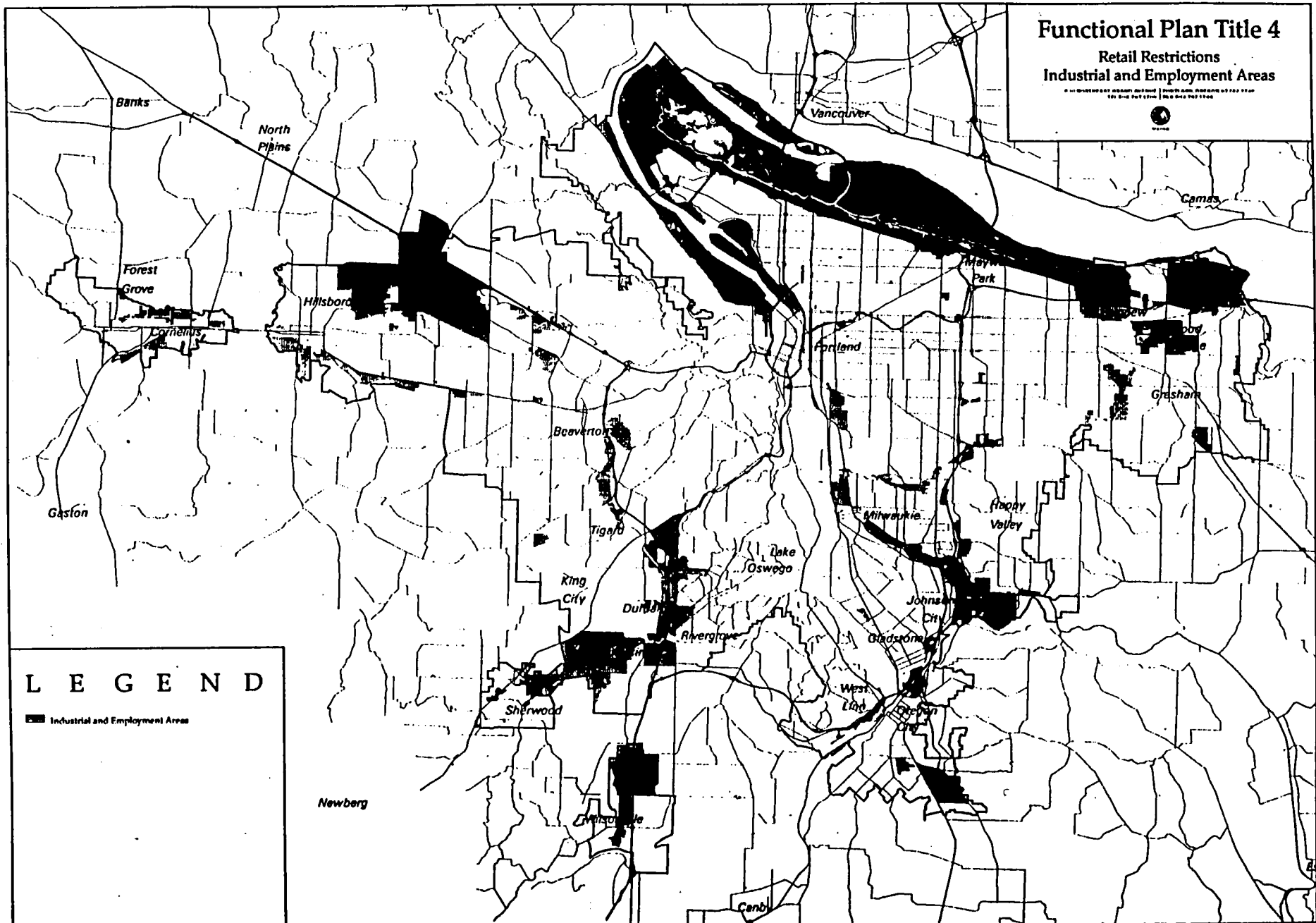
LEGEND

- ZONE A**
Accessible areas with lower parking requirements
- ZONE B**
All other areas.
- 2040 Design Types**

Functional Plan Title 4

Retail Restrictions Industrial and Employment Areas

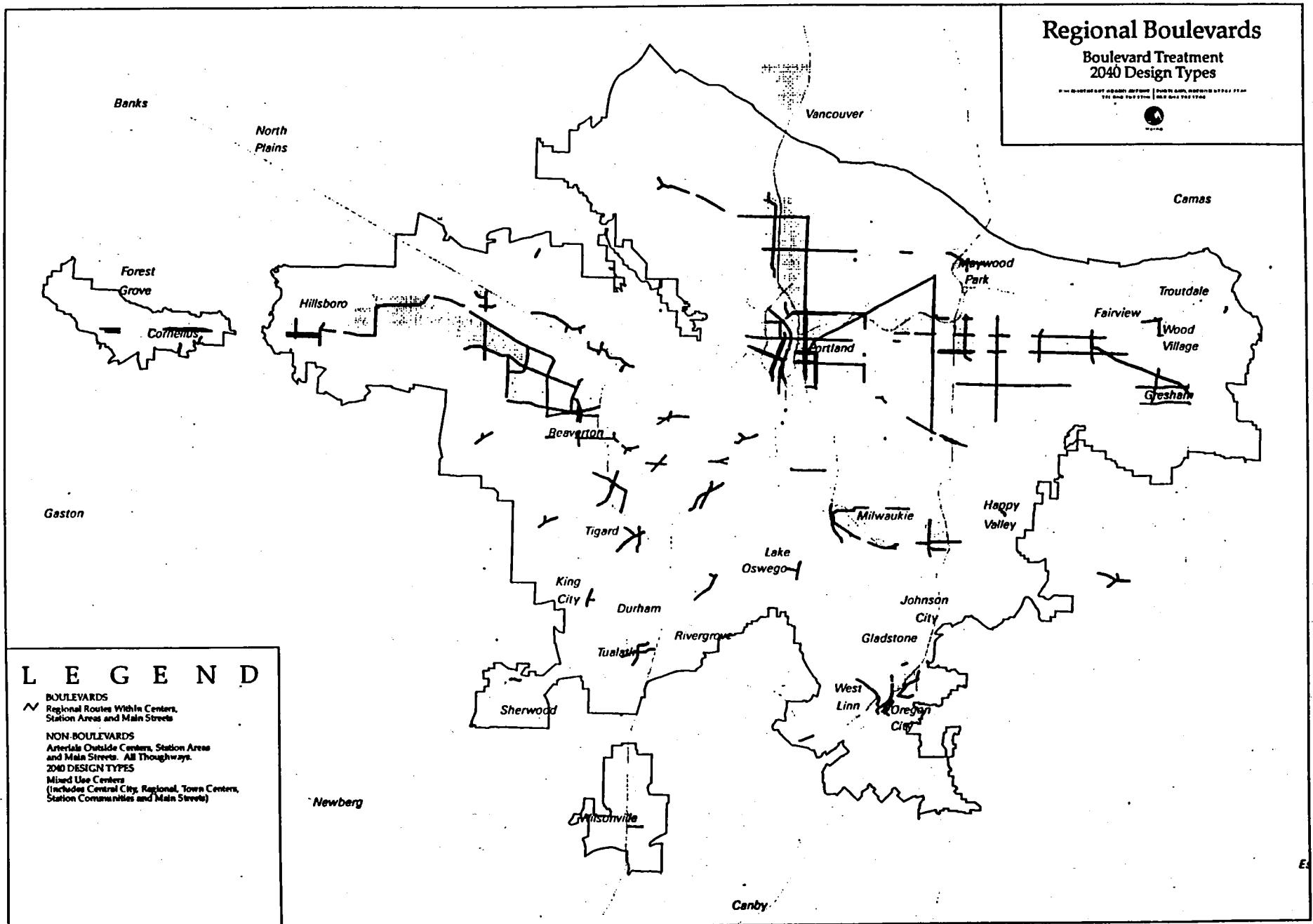
DATE: 01-10-2000
BY: 01-10-2000
REV: 01-10-2000



Regional Boulevards

Boulevard Treatment 2040 Design Types

© 2000 THE CITY OF PORTLAND, OREGON | NORTH ARROW, HORIZONTAL SCALE 1" = 1 MILE
VERTICAL SCALE 1" = 100 FEET



**URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN
McLain Amendment No. 2**

(Title 1, Requirements for Housing and Employment Accommodation,
and Title 8, Compliance Procedures)

In the August 23, 1996, draft of the Urban Growth Management Functional Plan, Titles 1 and 8 and portions of Title 10 are amended as follows:

“REGIONAL FUNCTIONAL PLAN REQUIREMENTS

**TITLE 1: REQUIREMENTS FOR HOUSING AND EMPLOYMENT
ACCOMMODATION**

Section 1. Intent

State law and Metro code require that the Metro urban growth boundary (UGB) have sufficient capacity to accommodate the expected growth for 20 years. It is Metro policy to minimize the amount of urban growth boundary expansion required for the expected population and employment growth by the year 2017 consistent with all Statewide Goals. To accomplish further that policy, it is beneficial and desirable for Metro to require actions intended to increase the capacity of land available for development of land within the UGB. Increasing the capacity of land within the UGB will include increasing in requiring changes for appropriate locations in both the rate of development permitted per acre (density) and the rate at which housing and employment are actually built within the UGB. Development consistent with the design types of the Metro 2040 Growth Concept will focus these efforts. As a matter of regional policy, Each city and county must contribute its fair share to increasing the development capacity of land within the UGB.

Metro will work with local jurisdictions to develop a set of region-wide community development code provisions, standards and other regulations which local jurisdictions may adopt that will help implement the 2040 Growth Concept and this Functional Plan. Included in this project will be a review of development standards in support of smaller lots and more flexible use of land, strategies to encourage land assembly, more flexible zoning and improvements in the pre-application process to ensure timely and thorough review and to provide for early involvement by the public to address neighborhood concerns and assure community acceptance of these changes.

Section 32. Methods to Increase Expected Capacity Required for All Local Governments

All cities and counties within Metro are required to include within their comprehensive plans and implementing ordinances the following provisions:

- A. All zones allowing residential use shall include a minimum density standard ~~that requires which provides that no land use decision development application, including a partition or subdivision, may be approved unless the proposed action development will provide that no less than result in the building of 80 percent or more of the maximum number of dwelling units per net acre permitted for development are approved for development by the zoning designation for the site.~~ No comprehensive plan provision, implementing ordinance or local process (such as site or design review) may be applied and or no condition of approval may ~~limit development be imposed that would have the effect of reducing the density to less than 80 percent of the maximum permitted density.~~ For high density zones with maximum ~~permitted-zoned~~ density higher than 37 dwelling units per net acre, the minimum residential density may be 30 dwelling units per net acre if that density is consistent with the ~~target densities listed in sub~~Section B3.A., below.
- ~~CB.~~ Cities and counties shall not prohibit partitioning or subdividing inside the Metro urban growth boundary where existing lot sizes are two or more times that of the minimum lot size in the development code.

Section 3. Design Type Density Requirement

- ~~BA.~~ For the area of each 2040 Growth Concept design type, local comprehensive plans and implementing ordinances shall permit, at least, the following ~~target densities~~ for housing and employment:

Central City - 250 persons per acre
Regional Centers - 60 persons per acre
Station Communities - 45 persons per acre
Town Centers - 40 persons per acre
Main Streets - 39 persons per acre
Corridor - 25 persons per acre
Employment Areas - 20 persons per acre
Industrial Areas - 9 employees per acre
Inner Neighborhoods - 14 persons per acre
Outer Neighborhoods - 13 persons per acre
~~Employment Areas - 11 persons per acre~~

- ~~B.~~ The boundaries of the area for each 2040 Growth Concept design type, including Industrial and Employment Areas, shall be determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map. For any area designated as a neighborhood area, the plans and implementing ordinances shall not permit allow a target density equal to or greater than the target density for any non-neighborhood design type.
- ~~C.~~ ~~Cities and counties shall not prohibit partitioning or subdividing inside the Metro urban growth boundary where existing lot sizes are two or more times that of the minimum lot size in the development code.~~

Section 4. Requirement to Increase Capacity If Recent Development At Low Density

~~DA.~~ Review ~~All cities and counties shall determine~~ whether actual built densities during 1990-1995 were less than 80 percent of ~~permitted~~ maximum zoned densities. The 1990-1995 actual built densities within its jurisdiction shall be compared with ~~permitted zoned~~ densities for housing units and employment during that period. This comparison shall be conducted using the following methods:

1. Residential and employment developments to be analyzed shall be those which were permitted by a land use action and constructed during the period from 1990 to 1995, and residential density shall be measured in households per net developed acre.¹
2. Employment performance shall be measured by comparing the actual jurisdiction-wide increase during the years 1990-1995 with the jurisdiction-wide increase listed in Table 1. This shall include only those developments that received approval under the implementing ordinances during this period.

~~B.~~ 4. ~~If the capacity calculations reflect that, during comparison of actual built densities to maximum zoned densities for the period 1990-1995, indicates that actual built densities were less than 80 percent of permitted maximum zoned densities, the jurisdiction city or county shall also demonstrate that it has considered and adopted at least two of the following methods to increase capacity:~~

- a. Financial incentives for higher density housing;
- b. Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
- c. Removal or easing of approval standards or procedures;
- d. Redevelopment and infill strategies;
- e. Authorization of housing types not previously allowed by the plan or regulations; and
- ~~f. Adoption of an average residential density standard.~~

Section 4.5. Review of Permitted Determine-ation of Calculated Expected Capacity of Housing Units and Employment

The purpose of this ~~review-section~~ is to have require each city and county within the Metro region to determine the housing and employment capacity of its existing comprehensive plans and implementing ordinances, to accommodate housing and employment and to determine the expected calculated capacity for housing and employment by the method in this section, and increase calculated capacity, if necessary, to achieve the functional plan capacities in Table 1, whether amendments to existing plans are necessary to comply with Section 2 of this Title. Each city and county within the Metro region is hereby required to complete the following steps:

¹ See definitions.

A. ~~Review the permitted capacity of its current comprehensive plan, and calculate the expected capacity of housing units and employment by the year 2017 from the plan.~~ Determine the expected calculated capacity of housing units and employment by the year 2017 from the plan, using the zoned capacity² of its current comprehensive plan and implementing ordinances.

1. Cities and counties shall use Metro estimates of vacant land, and land likely to redevelop, unless the local government has data that it believes is more accurate. In this case, the local government may provide Metro the following:

- a. The source of the data;
- b. The reasons that the locally developed data is a more accurate estimate than the Metro estimate of vacant and redevelopable land;
- c. The database from which the above were derived;
- d. The database of committed development lands.

Cities and counties may use their data, subject to acceptance by the Metro Council or its designee, after ~~Metro staff~~ the Executive Officer determines that the city or county data ~~is~~ may be more accurate than the Metro data. The Executive Officer shall notify the Metro Council of each instance in which the data submitted by a city or county is determined by ~~Metro staff~~ the Executive Officer to be less accurate than Metro data.

2. ~~In estimating expected~~ determining the calculated capacity of existing comprehensive plans and implementing ordinances, local governments cities and counties shall not estimate expected use a calculated capacity for households of at more than 80 percent of maximum permitted zoned residential density, unless:

- a. Actual experience in the jurisdiction since 1990 has shown that development has occurred at density greater than 80 percent of permitted zoned residential density; or
- b. Minimum density standards are adopted or proposed for adoption in the zoning code that require residential development at greater than 80 percent of maximum permitted zoned residential density.

3. Jurisdictions calculating capacity through the use of density bonus provisions may consider transfers, including off-site transfers, only upon demonstration that previous approvals of all density transfers within the past 5 years have resulted in an average of at least 80 percent of maximum permitted zoned densities actually being built.

4.1. The capacity calculation shall ~~used~~ only those development types that are a permitted-use allowed in the development code. Any discretionary decision must

² See Title 10, Definitions, "permitted-zoned capacity" and "expected calculated capacity."

not diminish the ~~permitted~~ zoned density if it is to be counted as a part of expected capacity; and

- 5-3. Cities and counties, in coordination with special districts, shall demonstrate that they have reviewed their public facility capacities and plans to assure that planned public facilities can be provided, to accommodate growth the calculated capacity within the plan period; and
- B. Calculate the increases in expected housing units and employment by the year 2017 from any proposed changes to the current comprehensive plans and implementing ordinances that must be adopted to comply with Section 32 of this Title and add the increases to the calculation of expected capacities.
- C. Determine the effect of each of the following on ~~expected~~ calculated capacities, and include the effect in the calculation of ~~expected~~ any resulting increase or decrease in calculated capacities:
1. Required dedications for public streets, consistent with the Regional Accessibility Title;
 2. Off-street parking requirements, consistent with this functional plan;
 3. Landscaping, setback, and maximum lot coverage requirements;
 4. The effects of tree preservation ordinances, environmental protection ordinances, view preservation ordinances, solar access ordinances, or any other regulations that may have the effect of reducing the capacity of the land to develop at the ~~permitted~~ zoned density;
 5. The effects of areas dedicated to bio-swales, storm water retention, open space dedications, and other requirements of local codes that may reduce the capacity of the land to develop at the ~~permitted~~ zoned density.
- ~~AD.~~ If any of the expected calculated capacityies estimates developed are determined under Section 4 are to be less than any of the city's or county's target functional plan housing and employment capacities in Table 1, either jurisdiction-wide or in mixed-use areas, or both, then the city or county shall comply with the performance standards in Section 236 of this Title by amending its comprehensive plans and implementing ordinances to increase its expected calculated capacityies, as needed, to comply with the expected calculated capacities required capacities in Table 1.
- ~~GE.~~ Exceptions to the Section 26.B requirement that target functional plan capacities be demonstrated can may be requested according to Title 8 if a city or county determines that any expected calculated capacity requirement in Table 1 cannot be achieved after implementation of Section 2, A 3 and Section 5 4 policies to increase expected capacities.

Section 236. Local Plan Accommodation of Expected Growth Capacity for Housing and Employment—Performance Standard

All cities and counties within Metro shall demonstrate that:

- ~~BA.~~ The ~~provisions, methods and plan required~~ ments set forth in Sections 23 through 6 of this Title have been adopted or followed included in comprehensive plans and implementing ordinances; and that
- ~~AB.~~ Their ~~zoning and other regulations~~ Using the computation method in Section 5, including the minimum residential density provisions required in Section 2, calculated capacities will achieve the functional plan capacities will permit allow the target capacities for housing units and employment contained in Table 1 in the Appendix to this plan, including both jurisdiction-wide expected capacities, ~~as well as~~ and capacities for mixed-use areas; and that
- C. Effective measures have been taken to reasonably assure that the expected capacities will be built for housing units and employment; and that
- D. Expected development has been permitted at locations and densities likely to be achieved during the 20-year planning period by the private market or assisted housing programs, once all new regulations are in effect.

~~Metro will work with local jurisdictions to develop a set of region-wide community development code provisions, standards and other regulations which local jurisdictions may adopt that will help implement the 2040 Growth Concept and this Functional Plan. Included in this project will be a review of development standards in support of smaller lots and more flexible use of land, strategies to encourage land assembly, more flexible zoning and improvements in the pre-application process to ensure timely and thorough review and to provide for early involvement by the public to address neighborhood concerns and assure community acceptance of these changes.~~

- ~~D.~~ Review whether actual built densities during 1990-1995 were less than 80 percent of permitted densities. The 1990-1995 actual built densities within its jurisdiction shall be compared with permitted densities for housing units and employment during that period. This comparison shall be conducted using the following methods:
 - ~~1.~~ Residential and employment developments to be analyzed shall be those which were permitted by a land use action and constructed during the period from 1990 to 1995, and residential density shall be measured in households per net developed acre.³ -
 - ~~2.~~ Employment performance shall be measured by comparing the actual jurisdiction-wide increase during the years 1990-1995 with the jurisdiction-wide increase

³ See definitions.

~~listed in Table 1. This shall include only those developments that received approval under the implementing ordinances during this period.~~

~~If the average of actual built densities for 1990-1995 was less than 80 percent of permitted densities, cities and counties must address the reasons for not achieving higher densities in calculating their expected capacities.~~

~~Section 5. Requirement to Increase Expected Capacity~~

- ~~A. If the expected capacity estimates developed under Section 4 are less than the city's or county's target housing and employment capacities in Table 1, either jurisdiction wide or in mixed use areas, or both, then the city or county shall comply with Section 2 of this Title by amending its comprehensive plans and implementing ordinances to increase its expected capacity to comply with the required capacities in Table 1.~~
- ~~B. A capacity calculation including amendments to increase capacity shall be made according to the same methodology the jurisdiction used in Section 4. The jurisdiction shall demonstrate at least the following in calculating capacities for housing and employment;~~
- ~~1. The capacity calculation used only those development types that are a permitted use in the development code. Any discretionary decision must not diminish the permitted density if it is to be counted as a part of expected capacity; and~~
 - ~~2. Expected capacity has been determined by accounting for all development code requirements that may have the effect of reducing capacity, including those listed in Section 4.C above; and~~
 - ~~3. Cities and counties, in coordination with special districts, have reviewed their public facility capacities and plans to assure that planned public facilities can be provided, to accommodate growth within the plan period; and~~
 - ~~4. If the capacity calculations reflect that, during the period 1990-1995, actual built densities were less than 80 percent of permitted densities, the jurisdiction shall also demonstrate that it has considered and adopted at least two of the following methods to increase capacity:~~
 - ~~a. Financial incentives for higher density housing;~~
 - ~~b. Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;~~
 - ~~c. Removal or easing of approval standards or procedures;~~
 - ~~d. Redevelopment and infill strategies;~~
 - ~~e. Authorization of housing types not previously allowed by the plan or regulations; and~~
 - ~~f. Adoption of an average residential density standard.~~

~~C. Exceptions can be requested according to Title 8 if a city or county determines that any expected capacity requirement in Table 1 cannot be achieved after implementation of policies to increase expected capacities."~~

"TITLE 8: COMPLIANCE PROCEDURES

Section 1. Compliance Required

All cities and counties within the Metro boundary are hereby required to amend their comprehensive plans and implementing ordinances to comply with the provisions of this functional plan within twenty-four months of the effective date of this ordinance. Metro recommends the adoption of the policies that affect land consumption as soon as possible.

Section 2. Compliance Procedures

A. On or before six months prior to the deadline established in Section 1, cities and counties shall transmit to Metro the following:

1. An evaluation of their local plans, including public facility capacities and the amendments necessary to comply with this functional plan;
2. Copies of all applicable comprehensive plans and implementing ordinances and public facility plans, as proposed to be amended;
3. Findings that explain how the amended local comprehensive plans will achieve the standards required in titles 1 through 6 of this functional plan.

In developing the evaluation, plan and ordinance amendments and findings, cities and counties shall address the Metro 2040 Growth Concept, and explain how the proposed amendments implement the Growth Concept.

B. ~~Exemptions from~~ Exceptions to any of the requirements in the above titles may be granted by the Metro Council, as provided for in the Regional Urban Growth Goals and Objectives, Section 5.3, after MPAC review, ~~based on Requests for an exception should include a city or county submittal as specified in this section. The Metro Council will make all final decisions as to the existence of the factual basis for the grant of any requested exception~~ emption.

1. Population and Employment Capacity. An exception to ~~emption from~~ the requirement contained in Table 1 of Title 1 that the target Functional Plan capacities shall be met or exceeded may be granted based on a submittal which includes, but is not limited to, the following:

- a. A demonstration of substantial evidence of the economic infeasibility to provide sanitary sewer, water, stormwater or transportation facilities to an area or areas; or
- b. A demonstration that the city or county is unable to meet the target capacities listed in Table 1 because substantial areas have prior commitments to development at densities inconsistent with Metro target; or
- c. A demonstration that the households and employment capacities cannot be accommodated at densities or locations the market or assisted programs will likely build during the planning period.

As part of any request for ~~exception~~exemption under this subsection, a city or county shall also submit an estimate of the amount of households or employment included in the capacity listed in Table 1 that cannot be accommodated; and a recommendation which identifies land that would provide for the unaccommodated capacity located outside the urban growth boundary and near or adjacent to the city or county.

In reviewing any request for ~~exception~~exemption based on the financial feasibility of providing public services, Metro, along with local governments, shall estimate the cost of providing necessary public services and compare those with the estimated costs submitted by the city or county requesting the exemption.

2. **Parking Measures.** Subject to the provisions of Title 2, cities or counties may request an ~~exception~~exemption from parking requirements. Metro may consider a city or county government request to allow areas designated as Zone A to be subject to Zone B requirements upon the city or county establishing that, for the area in question:

- a. There are no existing plans to provide transit service with 20-minute or lower peak frequencies; and
- b. There are no adjacent neighborhoods close enough to generate sufficient pedestrian activity; and
- c. There are no significant pedestrian activity within the present business district; and
- d. That it will be feasible for the excess parking to be converted to the development of housing, commerce or industry in the future.

The burden of proof for an adjustment shall increase based on the quality and timing of transit service. The existence of transit service or plans for the provision of transit service near a 20-minute or lower peak frequency shall establish a higher burden to establish the need for the exemption.

3. **Water Quality and Flood Management Areas.** Cities and counties may request areas to be added or deleted from the Metro Water Quality and Flood Management Area based on a finding that the area identified on the map is not a

Water Quality and Flood Management Area or a Fish and Wildlife Habitat Conservation Area, as defined in this functional plan. Areas may also be deleted from the map if the city or county can prove that its deletion and the cumulative impact of all deletions in its jurisdiction will have minimal impact on the water quality of the stream and on flood effects. Findings shall be supported by evidence, including the results of field investigations.

4. Retail in Employment and Industrial Areas. Subject to the provisions of Title 4, cities and counties may request a change in the Employment and Industrial Areas Map. Metro may consider a city or county request to modify a mapped Employment and Industrial Area to exempt existing or locally designated retail centers, where they can demonstrate that:
 - a. ~~The~~ map overlooked lands within a substantially developed existing retail center or a locally designated retail center.
 5. Regional Accessibility. Cities or counties may request ~~relief from an exception to~~ the requirements of Title 6, Regional Accessibility, where they can show that a street system or connection is not feasible for reasons of topographic constraints or natural or built environment considerations.
- C. In addition to the above demonstrations, any city or county request or determination that not to incorporate functional plan policies should not or cannot be incorporated into comprehensive plans shall be subject to the conflict resolution and mediation processes included within the RUGGO, Goal I, provisions prior to the final adoption of inconsistent policies or actions. Local Final land use actions decisions of cities and counties inconsistent with functional plan requirements are subject to immediate appeal for violation of the functional plan.
- D. Compliance with requirements of this plan shall not require cities or counties to violate federal or state law, including statewide land use goals. Conflicting interpretations of legal requirements may be the subject of conflict resolution under RUGGO Objective 5.3.

Section 3. Any Comprehensive Plan Change must Comply

After the effective date of this ordinance, any amendment of a comprehensive plan or implementing ordinance shall be consistent with the functional plan requirements of this functional plan contained in Titles 1 through 8. Metro shall assist the local government in achieving compliance with all applicable functional plan requirements. Upon request, Metro will review proposed comprehensive plan and implementing ordinances for functional plan compliance prior to city or county adoption.

Section 4. Enforcement

A. Prior to a final action decision to amend a comprehensive plan or implementing ordinance, a local determination that a requirement of this functional plan should not or cannot

be implemented ~~shall~~ may be subject to the conflict resolution process provided for in RUGGO, Goal I at the request of the city or county.

B. City or county actions to amend a comprehensive plan or implementing ordinance in violation of this functional plan at any time after the effective date of this ordinance shall be subject to appeal or other legal action for violation of a regional functional plan requirement, including but not limited to reduction of regional transportation funding and funding priorities.

C. Failure to amend comprehensive plans and implementing ordinances as required by Section 1 of this Title shall be subject to any and all enforcement actions authorized by law.

~~Prior to a final action to amend a comprehensive plan or implementing ordinance, a local determination that a functional plan should not or cannot be implemented shall be subject to the conflict resolution process provided for in RUGGO, Goal I. Any city or county land use decision made more than 24 months after the effective date of this ordinance that is inconsistent with the requirements of this functional plan is subject to appeal for violation of this functional plan.~~

Section 5. Compliance Plan Assistance

- A. Any local government may request of Metro a compliance plan which contains the following:
1. An analysis of the local government's comprehensive plan and implementing ordinances, and what sections require change to comply with the performance standards.
 2. Specific amendments that would bring the jurisdiction into compliance with the requirements of Sections 1 to 8, if necessary.
- B. Jurisdictions must make the request within four months of the effective date of this ordinance. The request shall be signed by the highest elected official of the jurisdiction.
- C. Metro shall deliver a compliance plan within four months of the request date. The compliance plan shall be a recommendation from the Executive Officer. The compliance plan shall be filed with the Metro Council two weeks before it is transmitted, for possible review and comment."

The definitions in Title 10 are amended as follows:

At Line 908, "Expected Capacity" is changed to "Calculated Capacity," which is inserted at Line 889 as follows:

"Calculated Capacity means the number of households and employees that can be contained in an area based on the calculation required by this functional plan."

At Line 946, "Permitted Capacity" is changed to "Zoned Capacity," which is inserted at Line 975 as follows:

"Zoned Capacity means the highest number of households or employees that are allowed to be contained in an area by zoning and other local jurisdiction regulations."

At Line 975, Table 1 is amended as follows:

Table 1 - Target Capacity for Housing and Employment Units - Year 1994 to 2017				
City or County	Dwelling Unit Capacity ¹	Job Capacity	Mixed Use Areas ²	
			Household Dwelling Unit Capacity	Job Increase
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¹ Based on Housing Needs Analysis. Applies to existing city limits as of June, 1996. Annexations to cities would include the city assuming responsibility for ~~five~~ ^{share} Target Capacity previously accommodated in unincorporated county.

² Target densities for mixed use areas are: Central City - about 250 persons per acre; regional centers - about 60 ppa; town centers 40 ppa.; station communities - about 45 ppa.; main streets about 39 ppa.

³ Standards apply to the urban unincorporated portion of the county only. At the request of cities, Metro may also supply targets Functional Plan capacities for planning areas for cities in addition to the existing boundary targets cited above.