



METRO

Date: February 11, 2004

To: David Bragdon, Council President  
Metro Council

From: Brenda Bernards, Senior Regional Planner

**Re: *Amendments to the 2003 Compliance Report and Compliance Matrix***

Attached is the revised 2003 Compliance Report and Compliance Matrix based on the January 29, 2004 Public Hearing. The revisions are noted by section of the Report.

### **2003 Compliance Report**

#### Title:

- Amended date to February 5, 2004 and added "revised"

#### Introduction

- added reference to Title 11

#### Contents of the Report

- added reference to Title 11

#### General Compliance Notes

- compliance status reporting date changed from November 2003 to December 2003
- added reference to Title 11
- removed reference to Durham from Outstanding Compliance by Title
- added reference to Second Progress Report required by Title 7 to Outstanding Compliance

#### Summary of Compliance by Jurisdiction

- updated Durham's compliance for Title 1
- added status of Second Progress Report required by Title 7 for each jurisdiction
- noted Clackamas County's intention to resume adoption process for Title 3 as described in the January 27, 2004 letter

#### Title 11: Planning for New Urban Areas

- new section to provide a description of the status of Title 11 compliance

#### Next Steps

- updated to reflect the February 5, 2004 date of the report

### **Compliance Matrix**

The changes are to the January 21, 2004 version distributed at the Public Hearing:

- Title 5 – added back list of jurisdictions
- Title 7 revised page to better reflect compliance status
- noted receipt of Fairview's first status report
- amended third footnote December 2004 to December 2003

BB

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Attachment

**URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN  
ANNUAL COMPLIANCE REPORT  
Revised February 5, 2004**

**INTRODUCTION**

The Urban Growth Management Functional Plan (Functional Plan) came into effect in February 1997. Jurisdictions had two years to comply with the requirements contained in Title 1: Requirements for Housing and Employment Accommodation, Title 2: Regional Parking Policy, Title 4: Industrial and Employment Areas, Title 5: Neighbor Cities and Rural Reserves and Title 6: Regional Connectivity. Title 3: Water Quality, Flood Management came into effect in June 1998 and compliance was required by January 2000. Not all jurisdictions were able to amend their comprehensive plans and implementing ordinances by these dates. Time extensions were granted by the Metro Council to a number of jurisdictions to complete their compliance efforts.

Title 7: Affordable Housing came into effect in January 2001 and jurisdictions are required to submit three separate Progress Reports due on January 31, 2002, December 31, 2003 and June 30, 2004.

Title 11: Planning for New Urban Areas applies to areas added to the Urban Growth Boundary as major or legislative amendments. Compliance with this title is on an area-by-area basis as new land is added to the boundary.

With the adoption of Ordinance 02-969B in December 2002, the Metro Council adopted a number of revisions to the Functional Plan, including a new Title 6: Central City, Regional Centers, Town Centers and Station Communities. These revisions are identified in this 2003 Annual Report.

This report, required by Metro Code 3.07.880, outlines the status of each jurisdiction in their compliance efforts with Titles 1 through 7 and Title 11 of the Functional Plan.

**CONTENTS OF THE REPORT**

Metro Code 3.07.880.A requires that this report include the following:

- An accounting of compliance with each requirement of the functional plan by each city and county in the district.
- A recommendation for action that would bring a city or county into compliance with the functional plan requirement and advise to the city or county whether it may seek an extension pursuant to section 3.07.850 or an exception pursuant to section 3.07.860.
- An evaluation of the implementation of the Functional Plan and its effectiveness in helping achieve the 2040 Growth Concept.

The accounting of compliance for Titles 1 through 7 is presented in two ways. First, the compliance of each jurisdiction is discussed individually. Second, a compliance matrix, Table A, has been prepared which contains a summary of compliance by Functional Plan Title. The matrix includes the summary of compliance for pre-2002 Functional Plan amendments to Titles 1,4 and 6 and post-2002 Functional Plan amendments to Titles 1,

4, 6, and 7. Title 1:1 reporting is presented as a whole rather than by jurisdiction in a separate section of the report.

The 2003 Compliance Report is the second completed under Metro Code 3.07.880. This report does not repeat the details of the elements of the Functional Plan already deemed to be in compliance identified in the 2002 Compliance Order. This report notes the compliance since the adoption of the 2002 Compliance Order and any outstanding items.

## **GENERAL COMPLIANCE NOTES**

This report details the compliance status of the jurisdictions from January 2003 through December 2003.

Ordinance No. 02-969B, adopted by the Metro Council in December 2002, contained amendments to Title 1, 4 and 6 of the Functional Plan. A number of these amendments require the jurisdictions to undertake actions to adopt regulations to comply by July 7, 2005. In addition, amendments were made to the reporting requirements of Title 7 in June 2003.

### Title 1: Requirements for Housing and Employment Accommodation

Two reporting requirements were added to Title 1. Jurisdictions are required to report annually on changes in capacity and biennially on the actual density of new residential development.

### Title 4: Industrial and Employment Areas

Title 4 was rewritten and a new design type, Regionally Significant Industrial Areas (RSIAs) was added. The amendments to protections of Employment Areas were minor and did not change the status of compliance. Retail limitations in Industrial Areas were amended to exclude new uses greater than 20,000 square feet and occupying more than 10 percent of the net developable portion of the Industrial Area. In the RSIAs retail and other non-industrial uses are restricted and there are limits on the division of larger industrial parcels.

### Title 6: Central City, Regional Centers, Town Centers and Station Communities

Under the old Title 6: Regional Accessibility, the jurisdictions were required to meet Metro Code Sections 3.07.620 (Regional Street Design Guidelines) and 3.07.630 (Design Standards for Street Connectivity) under Title 6. With the adoption of the Regional Transportation Plan (RTP) in August 2000, the requirements of Title 6 were moved to the RTP. All jurisdictions have complied with these two sections and all future references will be to the new Title 6.

The new Title 6 requires the jurisdictions to work with Metro to develop a strategy to enhance the Centers, encourage the siting of government offices in Centers and discourage them outside of Centers and biannually report on progress of the Centers.

### Title 7: Affordable Housing

The 2002 Annual Compliance Report dealt with Title 7 compliance separate from Titles 1 through 6. This was due to a number of issues unique to Title 7 including:

- Clarification was needed on who at the local level should approve the progress report required by Title 7.

- Clarification was needed concerning the evaluation of the reported related policies in a comprehensive plan.
- Clarification was needed on what was meant to "consider" amendments of comprehensive plan and implementing ordinances to include strategies such as land use tools.

Staff was directed to propose amendments to Title 7 to clarify these points. At its meeting of May 28, 2003, the Metro Policy Advisory Committee recommended amendments to provide clarification and at its meeting of June 26, 2003, the Metro Council adopted Ordinance No. 03-1005 amending Title 7. Staff is currently re-evaluating the first year (2002) and second year (2003) reports that had been submitted by local governments based on the guideline provided in the amended Title 7.

The amendment also changed the deadlines contained in Metro Code 3.07.740. for local governments to submit their annual reports. The reporting dates have been amended as follows:

- The first year (2002) reporting deadline to January 31, 2002 so as to keep the changes to second (2003) and third (2004) reporting deadlines uniform.
- The second year (2003) reporting deadline to December 31, 2003, and specified that local jurisdictions should explain the tools and strategies adopted and implemented or not adopted and not implemented.
- The third year (2004) reporting deadline to June 30, 2004, and specified that jurisdictions should explain the remaining actions they have taken since submittal of the previous reports.

The first Progress Report required the jurisdictions to consider 15 strategies of adoption into local plans and codes. Although 16 jurisdictions have submitted the first Progress Report, no one jurisdiction has considered all 15 strategies. The amendments to Title 7 clarified that "consider" means consideration by the elected body of the jurisdiction. In eight of the Progress Reports received, the strategies considered to date were done so by the elected body of the jurisdiction.

As the 2003 Annual Compliance Report includes Functional Plan compliance to November 2003, the status of second year Progress Report due on December 31, 2003 is not included in this report.

#### Title 8: Compliance Deadlines

With the adoption of Ordinance 02-925E, Metro is required to provide the local jurisdictions with the deadlines for compliance with the requirements of the Functional Plan. The schedule of compliance dates is attached to this report as Table B.

#### Title 11: Planning for New Urban Areas

The purpose of Title 11 is to require and guide planning for conversion from rural to urban use for the land that is brought into the UGB through major or legislative amendments. The interim protections and planning requirements are placed as condition of approval on the ordinances that add the land. The conditions include a timeline for compliance that can vary in length.

#### Outstanding Compliance Elements by Title

**Title 1:** Oregon City has not adopted minimum densities or accessory dwelling units. Wilsonville has not provided a capacity analysis.

**Title 3:** Lake Oswego, West Linn, Clackamas County have not fully complied with the Water Quality Performance Standards.

**Title 5:** Oregon City has not adopted a policy relating to Green Corridors.

**Title 7:** At this time there are eleven jurisdictions that have not submitted their First Progress Report: Cornelius, Gladstone, Johnson City, King City, Lake Oswego, Maywood Park, Milwaukie, Oregon City, Rivergrove, Sherwood and Wilsonville. No jurisdiction has considered all fifteen strategies for adoption and in only seven jurisdictions; the strategies considered were done so by the elected body.

Fourteen jurisdictions have not submitted their Second Progress Report: Cornelius, Durham, Forest Grove, Gladstone, Happy Valley, Hillsboro, Johnson City, Milwaukie, Oregon City, Rivergrove, Sherwood, Tualatin, Wilsonville and Clackamas County.

A report, "Updated Metro Evaluation of Local Government Title 7 (Affordable Housing) Compliance Report" has been prepared in response to the June 2003 amendments to Title 7. It provides details of the requirements of the amended Title 7 and provides a status report of local compliance.

### **SUMMARY OF COMPLIANCE BY JURISDICTION**

The jurisdictions were required to amend their Comprehensive Plans and implementing ordinances to comply with many of the requirements of the Functional Plan.

**The City of Beaverton:** The City is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of 15 strategies by City Council.**

**The City of Cornelius:** The City is up-to-date on its compliance for Titles 1 through 6. Cornelius has not submitted the First or Second Progress Report required by Title 7.  
**Outstanding Items: Title 7: First Progress Report, consideration of 15 strategies by the City Council, Second Progress Report.**

**The City of Durham:** The City is up-to-date on its compliance for Titles 1 through 6. Durham adopted the Title 2 parking standards in February 2003 and Title 1 minimum densities in December 2003. Durham has not submitted the Second Progress Report required by Title 7.  
**Outstanding Items: Title 7: consideration of 15 strategies by City Council, Second Progress Report.**

**The City of Fairview:** The City is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of remaining strategies.**

**The City of Forest Grove:** The City is up-to-date on its compliance for Titles 1 through 6. Forest Grove has not submitted the Second Progress Report required by Title 7.  
**Outstanding Items: Title 7: consideration of remaining strategies, Second Progress Report.**

**The City of Gladstone:** The City is up-to-date on its compliance for Titles 1 through 6. Gladstone has not submitted the First or Second Progress Report required by Title 7.  
**Outstanding Items: Title 7, First Progress Report, consideration of 15 strategies by the City Council, Second Progress Report.**

**The City of Gresham:** The City is up-to-date on its compliance for Titles 1 through 6.

**Outstanding Items: Title 7: consideration of remaining strategies.**

**The City of Happy Valley:** The City is up-to-date on its compliance for Titles 1 through 6. Happy Valley has not submitted the Second Progress Report required by Title 7.

**Outstanding Items: Title 7: consideration of 15 strategies, Second Progress Report.**

**The City of Hillsboro:** The City is up-to-date on its compliance for Titles 1 through 6. Hillsboro has not submitted the Second Progress Report required by Title 7.

**Outstanding Items: Title 7: consideration of remaining strategies by City Council, Second Progress Report.**

**The City of Johnson City:** The City is up-to-date on its compliance for Titles 1 through 6. Johnson City has not submitted the First or Second Progress Report required by Title 7.

**Outstanding Items: Title 7, First Progress Report, consideration of 15 strategies by the City Council, Second Progress Report.**

**King City:** The City is up-to-date on its compliance. King City has sent the second Progress Report required by Title 7 but not the first.

**Outstanding Items: Title 7, First Progress Report, consideration of 15 strategies by the City Council.**

**City of Lake Oswego:** The City is up-to-date with its compliance for compliance with Titles 1 through 6 apart from meeting the requirements of the Water Quality Resource Area performance standards. City staff is drafting code to meet the Title 3 requirements at this time and anticipates bringing it to the Planning Commission in February 2004. Lake Oswego has not submitted the first Progress Report required by Title 7.

**Outstanding Items: Water Quality Resource Areas Performance Standards, Title 7: First Progress Report, consideration of 15 strategies by the City Council.**

**City of Maywood Park:** The City is up-to-date on its compliance for Titles 1 through 6. Maywood Park has submitted the first Progress Report required by Title 7 but it has not been reviewed for compliance.

**Outstanding Items: Title 7: consideration of 15 strategies by the City Council.**

**The City of Milwaukie:** The City is up-to-date on its compliance for Titles 1 through 6. Milwaukie has not submitted the First or Second Progress Report required by Title 7.

**Outstanding Items: Title 7: First Progress Report: consideration of 15 strategies by the City Council, Second Progress Report.**

**City of Oregon City:** The City is up-to-date with its compliance for Titles 1 through 6 apart from adopting minimum densities, accessory dwelling units and the Title 5 Green Corridor Policy. The Code and Policy to come into compliance with Titles 1 and 5 have been written and recommended for approval by the Planning Commission. The amendments are before the City Commission. Oregon City has not submitted the First or Second Progress Report required by Title 7.

**Outstanding Items: Minimum Densities, Accessory Dwelling Units, Title 5 Green Corridor policy, Title 7: First Progress Report, consideration of 15 strategies by the City Commission, Second Progress Report.**

**City of Portland:** The City is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of 15 strategies by City Council.**

**City of Rivergrove:** The City is up-to-date on its compliance for Titles 1 through 6. Rivergrove has not submitted the First or Second Progress Report required by Title 7.  
**Outstanding Items: Title 7: First Progress Report consideration of 15 strategies by the City Council, Second Progress Report.**

**City of Sherwood:** The City is up-to-date on its compliance for Titles 1 through 6. Sherwood has not submitted the First or Second Progress Report required by Title 7.  
**Outstanding Items: Title 7: First Progress Report, consideration of 15 strategies by the City Council, Second Progress Report.**

**City of Tigard:** The City is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of remaining strategies.**

**City of Troutdale:** The City is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of remaining strategies.**

**City of Tualatin:** The City is up-to-date on its compliance. Tualatin has not submitted the Second Progress Report required by Title 7.  
**Outstanding Items: Title 7: consideration of 15 strategies by City Council.**

**City of West Linn:** The City is up-to-date on its compliance for Titles 1 through 6 apart from meeting the requirements of the Water Quality Resource Area performance standards. The City is in the process of drafting code amendments and anticipates holding public hearings in February 2004. West Linn experienced delays with the Division of State Lands approval of its wetlands maps.  
**Outstanding Items: Water Quality Resource Areas Performance Standards, Title 7: consideration of remaining strategies by City Council.**

**City of Wilsonville:** The City is up-to-date with its compliance apart from providing a capacity analysis. Wilsonville adopted the Regional Street designs standards in June 2003. The City is currently working with Metro staff on its capacity analysis. Wilsonville has not submitted the First or Second Progress Report required by Title 7.  
**Outstanding Items: Capacity Analysis, Title 7: First Progress report, consideration of 15 strategies by the City Council, Second Progress Report.**

**City of Wood Village:** The City is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of 15 strategies by the City Council.**

**Clackamas County:** The County is up-to-date with its compliance apart from the meeting the requirements of the Water Quality Resource Area performance standards for the Oak Lodge Sanitary District portion of the County. The County Commission did not amend the standards for this area and took the position that the County was in substantial compliance. Metro staff does not agree with this position and have informed the County that it would need to seek an exception. The County's decision was made in March 2003 but the County Board has not adopted the ordinance, the County Legal Department has not prepared it, so Metro has not been able to formally respond to the County's position. In a letter dated January 27, 2004 the County indicated that formal

findings and decision for adoption by the Commission is expected in February. Clackamas has not submitted the Second Progress Report required by Title 7.  
**Outstanding Items: Water Quality Resource Areas Performance Standards for the Lake Grove portion of the County, Title 7: consideration of 15 strategies by the County Board.**

**Multnomah County:** The County is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of 15 strategies by the County Board.**

**Washington County:** The County is up-to-date on its compliance for Titles 1 through 6.  
**Outstanding Items: Title 7: consideration of the remaining strategies.**

## **RECOMMENDATIONS FOR ACTION TO BRING JURISDICTIONS INTO COMPLIANCE**

### Titles 1 through 6

There are six jurisdictions that have not yet met all of the requirements of Titles 1 through 6. These include the cities of Durham, Lake Oswego, Oregon City, West Linn, Wilsonville and Clackamas County. The five cities are working on their compliance requirements and all anticipate to have completed their work or be in final hearings early in the new year. Metro staff will continue to work with these jurisdictions as the compliance work is completed.

Clackamas County took the position in March 2003 that it was in substantial compliance with the Water Quality Resource performance measures of Title 3. The Metro staff did not concur with this position. The County has not formally taken this position, as the necessary ordinances have not been prepared and Metro has not been able to formally respond. The County has not requested an exception to Title 3.

### Title 7

Sixteen jurisdictions have submitted their first Progress Report. A second report, "Updated Metro Evaluation of Local Government Title 7 (Affordable Housing) Compliance Report" is being prepared in response to the June 2003 amendments to Title 7. It will provide details of the requirements of the amended Title 7 and provide a status report of local compliance. This report will be distributed to the jurisdictions with the 2003 Annual Compliance Report.

## **TITLE 11: PLANNING FOR NEW URBAN AREAS**

The purpose of Title 11 is to require and guide planning for the conversion land brought into the UGB through a major or legislative amendment from rural urban uses. Title 11 has interim protection measures (Metro Code Section 3.07.1110) and planning requirements (3.07.1120). When land is brought into the boundary, meeting the requirements of Title 11 is one of the conditions of approval. Title 11 does not require the interim protection measures to be codified in local comprehensive plans and implementing ordinances.

Since land added to the UGB by area, not all jurisdictions are required to comply with Title 11 at the same time. In addition, a jurisdiction may have more than one area added at one time or over a series of expansions to the boundary and all must meet the requirements of Title 11. As a result, compliance is reported on an area basis rather than on a jurisdiction basis.

### 3.07.1110: Interim Protection of Areas Brought into the Urban Growth Boundary

Unlike most requirements of the Functional Plan, this section requires no affirmative actions by local governments. Instead, it includes four provisions for preserving the condition of the land until the planning requirements Metro Code Section 3.07.1120 are completed. As the interim protection measures are for areas prior to annexation to a city, the local governments responsible for the protection measures are the counties. An exception to this is Area 94 brought into the boundary by Ordinance No. 02-969B which is largely within the City of Portland.

Under this section, a county shall not approve of the following four actions:

1. Land use regulations or zoning map amendments that increase residential density
2. Land use regulations or zoning map amendments that allow commercial and industrial uses not previously allowed to occur prior to the completion of the concept planning process.
3. Any land division or partition that would result in the creation of any new parcel that would be less than 20 acres in total size.
4. A commercial use that is not accessory to an industrial use or a school, church or other institutional or community service intended to serve people who do not work or reside in areas identified as a Regionally Significant Industrial Area.

As noted above, compliance with these measures does not require any codification of the requirements by the local jurisdiction. The counties, under Title 8 Section 3.07.820, are currently required to report to Metro land use regulations or zoning map amendments such as items 1 and 2 described above. During this reporting period, Metro has not received notification of any such action by Clackamas, Multnomah or Washington County. The Metro Code does not require counties to notify Metro of "land use decisions", such as land divisions or conditional use permits in a specific zone, as these actions are the authority of local jurisdictions under the Oregon Statewide Planning Program. Metro has no information to report on measures 3 and 4.

By not approving the above-mentioned land use regulations or zoning map amendments, or land use decisions that result in parcels less than 20 acres or prohibited uses in Regionally Significant Industrial Areas, Clackamas, Multnomah and Washington Counties are in compliance with the interim protection measures of Title 11 for all areas. It should be noted that Clackamas County does have a provision in their code to prohibit land divisions less than 20 acres in size within the UGB and Washington County is currently in the process of implementing a zone change for the areas included in the UGB in 2002 that would prohibit land divisions less than 20 acres in size within the UGB. Multnomah County does not have such a provision in their development code but have not permitted increased residential densities or allowed new uses prior to the completion of the concept planning process.

### 3.07.1120 Urban Growth Boundary Amendment Urban Reserve Plan Requirements

This section states that all land added to the UGB as a major amendment or legislative amendment shall be subject to adopted comprehensive plan amendments consistent with all applicable titles of the Functional Plan, in particular, the requirements of Title 11 planning. Either a county or city can complete the planning. As a condition of approval for all land added to the UGB in 2002, a timeframe varying from 2 years to 6 years from the effective date of the ordinance was placed on the individual areas for completion of the Title 11 planning. The ordinances bringing land into the UGB became effective on March 5, or March 12, 2003. At this time, there are no local jurisdictions out of

compliance with the Title 11 planning requirements for the areas included in the UGB in 2002.

The conceptual planning component of Title 11 has been completed for the Pleasant Valley expansion area. The Cities of Gresham and Portland are scheduled to amend their comprehensive plans to include the Pleasant Valley area in the Fall of 2004. The Pleasant Valley expansion area did not have a time limit for compliance with Title 11. The City of Hillsboro recently completed the comprehensive plan amendments for the Witch Hazel expansion area, formerly 55 West, and the Shute Road expansion area and is in compliance with the requirements of Title 11 for these two areas.

#### **EVALUATION OF THE IMPLEMENTATION OF THE FUNCTIONAL PLAN**

This is the second Compliance Report required by Metro Code 3.07.880. To date, the region has reached a compliance rate of 98 percent for the elements due December 2002.

Compliance with the Functional Plan contributes toward achievement of the 2040 Growth Concept and efficient use of land within the region. Evaluation of compliance is a prerequisite to the region's response to the mandates of state law in ORS 197.296 and 197.299. Those statutes require Metro to determine the capacity of the urban growth boundary to accommodate housing and employment every five years and to take measures to ensure that they can be accommodated. Metro recently completed this capacity analysis as part of its periodic review program.

Part of the capacity analysis is to gauge actual development patterns in the years since the last periodic review. If the patterns (density, housing mix, etc.) of the past, when projected into the future, are not sufficient to satisfy housing needs of the future, then ORS 197.296(5) requires the region to take new measures to increase capacity in the region. Measures to increase capacity can include expansion of the urban growth boundary, actions to increase the yield from land within the boundary, or a combination of measures. The Functional Plan contains measures that increase the yield from land within the boundary. These measures include setting minimum densities, increasing zoned capacities for dwelling units and jobs, permitting accessory dwelling units, permitting portioning of lots at least twice the size of the minimum lot size and limiting the amount of land dedicated to parking.

If the jurisdictions in the region do not implement the efficiency measures in the Functional Plan, not only will the region use land less efficiently, but also the region will also not know whether Functional Plan measures would be successful. As a result, the region would lose much of its flexibility to respond to the requirements of ORS 197.296. The region would have to undertake new measures. New measures would likely include significant expansion of the urban growth boundary and others more daunting than the measures in the Functional Plan.

As the jurisdictions are implementing the measures of the Functional Plan, and the region wide capacity targets have been met, the region retains the flexibility under state law to continue its course toward achievement of the 2040 Growth Concept.

## **NEXT STEPS**

- As required by Metro Code Section 3.07.880.B, the Metro Council set a public hearing date for the purpose of receiving testimony on the 2003 Annual Compliance Report, December 1, 2003.
- Metro staff distributed the 2003 Annual Compliance Report, December 1, 2003 to the local jurisdictions and those who had requested to be on a mailing list to receive the report.
- Presentations were made to MTAC and MPAC.
- Metro staff will continue to work with the jurisdictional staff as compliance efforts are completed.
- A second report, "Updated Metro Evaluation of Local Government Title 7 (Affordable Housing) Compliance Report" providing details of the requirements of the amended Title 7 and a status report of local compliance was distributed to the jurisdictions with the 2003 Annual Compliance Report, December 1, 2003.
- Based on testimony received at the January 29, 2004 public hearing, revisions were made to the 2003 Annual Compliance Report. The hearing is continued February 12, 2004.
- Once the public hearing has been closed, a Resolution and Order will be presented for Council adoption.

**Table A: Status of Compliance with the Functional Plan – February 4, 2004**

Functional Plan Title	No. of Applicable Jurisdictions	No. of Jurisdictions in Compliance	Percentage Complete
Title 1 – capacity analysis	27	26 (analysis completed)	
Title 1 – map of design types	27	27	
Title 1 – minimum densities	27	26	
Title 1 – partitioning standards	27	27	
Title 1 – accessory dwelling units	27	26	
Title 1 – accessory dwelling units in centers	21		
Title 1 – reporting	27	0	
<b>Total Title 1</b>	<b>162</b>		
Title 2 – minimum/maximum standards	27	27	100%
Title 2 – variance process	27	27	100%
Title 2 – blended ratios	27	27	100%
<b>Total Title 2</b>	<b>81</b>	<b>81</b>	<b>100%</b>
Title 3 – floodplain standards	25	25	100%
Title 3 – water quality standards	26	23	88%
Title 4 – erosion control standards	27	27	100%
<b>Total Title 3</b>	<b>78</b>	<b>75</b>	<b>96%</b>
Title 4 – protection of RSAs	unknown		
Title 4 – protection of Industrial Areas	20		
Title 4 – protection of Employment Areas	22	22	100%
<b>Total Title 4</b>			
Title 5 – rural reserves	2	2	100%
Title 5 – green corridors	10	9	90%
<b>Title 5 - Total</b>	<b>12</b>	<b>11</b>	<b>92%</b>
Title 6 – Develop a Strategy to Enhance Centers	21		
Title 6 – Special Transportation Areas	21		
Title 6 – Siting Government Offices	21		
Title 6 – Reporting on Centers Progress	21		
<b>Total Title 6</b>	<b>84</b>		
<b>Title 7 – 1st progress report</b>	27	17 (received)	
Title 7 – 2nd progress report	27 – due December 31, 2003	13 (received)	
Title 7 – 3rd progress report	27 – due June 30, 2003	0	
<b>Total Title 7</b>	<b>81</b>	(not available)	(not available)
<b>Total</b>			

**Status of Compliance with the Functional Plan – December 31, 2003**

**Percentage of Completeness by Title 1-6**

Functional Plan Title	No. of Applicable Jurisdictions	No. of Jurisdictions in Compliance	Percentage Complete
Title 1 – minimum densities	27	26	96%
Title 1 – partitioning standards	27	27	100%
Title 1 – accessory dwelling units	27	26	96%
Title 1 – map of design types	27	27	100%
Title 1 – capacity analysis	27	26 (analysis completed)	96%
<b>Total Title 1</b>	<b>135</b>	<b>132</b>	<b>98%</b>
Title 2 – minimum/maximum standards	27	27	100%
Title 2 – variance process	27	27	100%
Title 2 – blended ratios	27	27	100%
<b>Total Title 2</b>	<b>81</b>	<b>81</b>	<b>100%</b>
Title 3 – floodplain standards	25	25	100%
Title 3 – water quality standards	26	23	88%
Title 4 – erosion control standards	27	27	100%
<b>Total Title 3</b>	<b>78</b>	<b>75</b>	<b>96%</b>
Title 4 – retail in Industrial Areas	20	20	100%
Title 4 – retail in Employment Areas	22	22	100%
<b>Total Title 4</b>	<b>42</b>	<b>42</b>	<b>100%</b>
Title 5 – rural reserves	2	2	100%
Title 5 – green corridors	10	9	90%
<b>Title 5 - Total</b>	<b>12</b>	<b>11</b>	<b>92%</b>
Title 6 – street design	27	27	100%
Title 6 – street connectivity	27	27	100%
<b>Total Title 6</b>	<b>54</b>	<b>54</b>	<b>100%</b>
<b>Total: Completeness Titles 1-6</b>	<b>402</b>	<b>395</b>	<b>98%</b>

**This table shows compliance for Titles 1 through 6, pre-2002 amendments to the Functional Plan.**

## Status of Compliance by Jurisdiction

### Title 1: Housing and Employment Accommodation

	2. capacity analysis	3. map of design types	4.A minimum density	4.B partitioning standards	4.C accessory dwelling units	4.C accessory dwelling units in centers	2 & 4.D Reporting
Beaverton	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Cornelius	in compliance	in compliance	in compliance	in compliance	in compliance	N/A	07/07/05
Durham	in compliance	in compliance	in compliance	in compliance	in compliance	N/A	07/07/05
Fairview	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Forest Grove	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Gladstone	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Gresham	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Happy Valley	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Hillsboro	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Johnson City	in compliance	in compliance	in compliance	in compliance	in compliance	N/A	07/07/05
King City	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Lake Oswego	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Maywood Park	in compliance	in compliance	in compliance	in compliance	in compliance	N/A	07/07/05
Milwaukie	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Oregon City	in compliance	in compliance	<b>City Comm.</b>	in compliance	<b>City Comm.</b>	07/07/05	07/07/05
Portland	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Rivergrove	in compliance	in compliance	in compliance	in compliance	in compliance	N/A	07/07/05
Sherwood	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Tigard	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Troutdale	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Tualatin	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
West Linn	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Wilsonville	<b>In progress</b>	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Wood Village	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Clackamas C.	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05
Multnomah C.	in compliance	in compliance	in compliance	in compliance	in compliance	N/A	07/07/05
Washington C.	in compliance	in compliance	in compliance	in compliance	in compliance	07/07/05	07/07/05

	<b>Title 2: Regional Parking Policy</b>		
	2.A.1&2 Minimum/Maximum standards	2.A.3 Variance Process	2.B Blended Ratios
Beaverton	in compliance	in compliance	in compliance
Cornelius	in compliance	in compliance	in compliance
Durham	In compliance	In compliance	In compliance
Fairview	in compliance	in compliance	in compliance
Forest Grove	in compliance	in compliance	in compliance
Gladstone	in compliance	in compliance	in compliance
Gresham	in compliance	in compliance	in compliance
Happy Valley	in compliance	in compliance	in compliance
Hillsboro	in compliance	in compliance	in compliance
Johnson City	in compliance	in compliance	in compliance
King City	in compliance	in compliance	in compliance
Lake Oswego	in compliance	in compliance	in compliance
Maywood Park	in compliance	in compliance	in compliance
Milwaukie	in compliance	in compliance	in compliance
Oregon City	in compliance	in compliance	in compliance
Portland	in compliance	in compliance	in compliance
Rivergrove	in compliance	in compliance	in compliance
Sherwood	in compliance	in compliance	in compliance
Tigard	in compliance	in compliance	in compliance
Troutdale	in compliance	in compliance	in compliance
Tualatin	in compliance	in compliance	in compliance
West Linn	in compliance	in compliance	in compliance
Wilsonville	in compliance	in compliance	in compliance
Wood Village	in compliance	in compliance	in compliance
Clackamas County	in compliance	in compliance	in compliance
Multnomah County	in compliance	in compliance	in compliance
Washington County	in compliance	in compliance	in compliance

<b>Title 3: Water Quality, Flood Mgmt and Fish and Wildlife Conservation</b>			
	<b>4.A Flood Mgmt Performance Standards</b>	<b>4.B Water Quality Performance</b>	<b>4.C Erosion and Sediment Control</b>
Beaverton	in compliance	in compliance	in compliance
Cornelius	in compliance	in compliance	in compliance
Durham	in compliance	in compliance	in compliance
Fairview	in compliance	in compliance	in compliance
Forest Grove	in compliance	in compliance	in compliance
Gladstone	in compliance	in compliance	in compliance
Gresham	in compliance	in compliance	in compliance
Happy Valley	in compliance	in compliance	in compliance
Hillsboro	in compliance	in compliance	in compliance
Johnson City	in compliance	in compliance	in compliance
King City	in compliance	in compliance	in compliance
Lake Oswego	in compliance	<b>In progress</b>	in compliance
Maywood Park	N/A	N/A	in compliance
Milwaukie	in compliance	in compliance	in compliance
Oregon City	in compliance	in compliance	in compliance
Portland	in compliance	in compliance	in compliance
Rivergrove	in compliance	in compliance	in compliance
Sherwood	in compliance	in compliance	in compliance
Tigard	in compliance	in compliance	in compliance
Troutdale	in compliance	in compliance	in compliance
Tualatin	in compliance	in compliance	in compliance
West Linn	in compliance	<b>In progress</b>	in compliance
Wilsonville	in compliance	in compliance	in compliance
Wood Village	N/A	in compliance	in compliance
Clackamas County	in compliance	<b>Awaiting Ordinance</b>	in compliance
Multnomah County	in compliance	in compliance	in compliance
Washington County	in compliance	in compliance	in compliance

<b>Title 4: Retail in Employment and Industrial Areas</b>			
	<b>2. Protection of Regionally Significant Industrial Areas</b>	<b>3. Protection of Industrial Areas</b>	<b>4. Protection of Employment Areas</b>
Beaverton		07/07/05	in compliance
Cornelius		07/07/05	in compliance
Durham		07/07/05	in compliance
Fairview		07/07/05	in compliance
Forest Grove		07/07/05	in compliance
Gladstone		N/A	in compliance
Gresham		07/07/05	in compliance
Happy Valley		N/A	N/A
Hillsboro		07/07/05	in compliance
Johnson City		N/A	N/A
King City		N/A	N/A
Lake Oswego		07/07/05	in compliance
Maywood Park		N/A	N/A
Milwaukie		07/07/05	in compliance
Oregon City		07/07/05	in compliance
Portland		07/07/05	in compliance
Rivergrove		N/A	N/A
Sherwood		07/07/05	in compliance
Tigard		07/07/05	in compliance
Troutdale		07/07/05	in compliance
Tualatin		07/07/05	in compliance
West Linn		N/A	in compliance
Wilsonville		07/07/05	in compliance
Wood Village		07/07/05	in compliance
Clackamas County		07/07/05	in compliance
Multnomah County		07/07/05	in compliance
Washington County		07/07/05	in compliance

**Title 5: Neighbor Cities and Rural Reserves**

	2. Rural Reserves	2. Green Corridors
Beaverton	N/A	N/A
Cornelius	N/A	N/A
Durham	N/A	N/A
Fairview	N/A	N/A
Forest Grove	N/A	N/A
Gladstone	N/A	N/A
Gresham	N/A	in compliance
Happy Valley	N/A	N/A
Hillsboro	N/A	in compliance
Johnson City	N/A	N/A
King City	N/A	N/A
Lake Oswego	N/A	N/A
Maywood Park	N/A	N/A
Milwaukie	N/A	N/A
Oregon City	N/A	<b>City Commission</b>
Portland	N/A	N/A
Rivergrove	N/A	N/A
Sherwood	N/A	in compliance
Tigard	N/A	N/A
Troutdale	N/A	N/A
Tualatin	N/A	in compliance
West Linn	N/A	in compliance
Wilsonville	N/A	in compliance
Wood Village	N/A	N/A
Clackamas County	In compliance	in compliance
Multnomah County	N/A	in compliance
Washington County	In compliance	in compliance

<b>Title 6: Central City, Regional Centers, Town Centers and Station Communities</b>				
	<b>2.A Develop a Strategy to Enhance Centers</b>	<b>3. Special Transportation Areas</b>	<b>4. Siting Government Offices</b>	<b>5. Reporting on Centers Progress</b>
Beaverton	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Cornelius	N/A	N/A	N/A	N/A
Durham	N/A	N/A	N/A	N/A
Fairview	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Forest Grove	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Gladstone	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Gresham	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Happy Valley	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Hillsboro	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Johnson City	N/A	N/A	N/A	N/A
King City	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Lake Oswego	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Maywood Park	N/A	N/A	N/A	N/A
Milwaukie	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Oregon City	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Portland	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Rivergrove	N/A	N/A	N/A	N/A
Sherwood	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Tigard	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Troutdale	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Tualatin	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
West Linn	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Wilsonville	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Wood Village	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Clackamas County	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05
Multnomah County	N/A	N/A	N/A	N/A
Washington County	Mutually agreed timeframe	07/07/05	07/07/05	07/07/05

Title 7: Affordable Housing							
	15 Strategies Addressed	First Progress Report – 2002 <sup>1</sup>		Second Progress Report – 2003 <sup>2</sup>		Third Progress Report – 2004	
		Report Received	Consideration by Elected Body	Report Received	Consideration by Elected Body	Report Received	Consideration by Elected Body
Beaverton	Partial	Received	No	Received <sup>3</sup>	Yes		
Cornelius							
Durham	Partial	Received	No				
Fairview	Partial	Received	Yes	Received	Yes		
Forest Grove	Partial	Received	Yes				
Gladstone							
Gresham	Partial	Received	Yes	Received	Yes		
Happy Valley	Partial	Received	Yes				
Hillsboro	Partial	Received	No				
Johnson City							
King City				Received	Yes		
Lake Oswego				Received <sup>3</sup>	Yes		
Maywood Park		Received <sup>3</sup>		Received <sup>3</sup>	Yes		
Milwaukie							
Oregon City							
Portland	Partial	Received	No	Received <sup>3</sup>	Yes		
Rivergrove							
Sherwood							
Tigard	Partial	Received	Yes	Received	Yes		
Troutdale	Partial	Received	Yes	Received	Yes		
Tualatin	Partial	Received	No				
West Linn	Partial	Received	Yes	Received	No		
Wilsonville							
Wood Village	Partial	Received	No	Received	Yes		
Clackamas County.	Partial	Received	No				
Multnomah County.	Partial	Received	No	Received	No		
Washington County	Partial	Received	Yes	Received	Yes		

<sup>1</sup> – January 31, 2002 is the deadline for the first year progress report of Title 7 (Affordable Housing) of the Urban Growth Management Functional Plan amended by the Metro Council in June 2003 (Ordinance No. 03-1005A).

<sup>2</sup> – December 31, 2003 is the deadline for the second year progress report of Title 7 (Affordable Housing) of the Urban Growth Management Functional Plan amended by the Metro Council in June 2003 (Ordinance No. 03-1005A).

<sup>3</sup> – Report received December 2003, has not been evaluated for compliance

**Table B: COMPLIANCE DATES FOR THE URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN**

July 29, 2003

Functional Plan Requirement	When Local Decisions Must Comply		
	Plan/Code Amendment	Land Use Decision	Adoption
<b>Title 1:</b> Determine capacity for housing and jobs (3.07.120.A)			12/08/02
<b>Title 1:</b> Report changes to jobs/housing capacity annually (3.07.120.D)			07/07/05
<b>Title 1:</b> Map design types (3.07.130)	12/08/00	12/08/01	12/08/02
<b>Title 1:</b> adopt minimum density (3.07.140.A)	12/08/00	12/08/01	12/08/02
<b>Title 1:</b> , no prohibition to partition lots twice the minimum size (3.07.140.B)	12/08/00	12/08/01	12/08/02
<b>Title 1:</b> allow accessory dwelling unit in SFD (3.07.140.C)	12/08/00	12/08/01	12/08/02
<b>Title 1:</b> allow accessory dwelling unit in attached SFD in Centers and Stations (3.07.140.C)	07/07/03	07/07/04	07/07/05
<b>Title 1:</b> report density of residential development (3.07.140.D)			07/07/05
<b>Title 2:</b> parking minimum and maximum standards (3.07.220.A.1)	01/07/98	01/07/99	01/07/00
<b>Title 2:</b> Adopt maximum parking standards (3.07.220.A.2)	01/07/98	01/07/99	01/07/00
<b>Title 2:</b> adopt blended parking ratios in mixed-use areas (3.07.220.B)	01/07/98	01/07/99	01/07/00
<b>Title 2:</b> Establish a variance process (3.07.220.A.3)	01/07/98		01/07/00
<b>Title 2:</b> monitor and report parking data annually (3.07.220.D)	01/07/98		01/07/00
<b>Title 3:</b> Adopt model or equivalent and map or equivalent (3.07.330.A)	12/08/00	12/08/01	12/08/02
<b>Title 3:</b> floodplain management performance standards (3.07.340.A)	12/08/00	12/08/01	12/08/02
<b>Title 3:</b> water quality performance standards (3.07.340.B)	12/08/00	12/08/01	12/08/02
<b>Title 3:</b> erosion control performance standards (3.07.340.C)	12/08/00	12/08/01	12/08/02
<b>Title 3:</b> fish and wildlife habitat Conservation (3.07.350)			
<b>Title 4:</b> map RSIs in new UGB additions (3.07.420.A)	07/07/03	07/07/04	07/07/05
<b>Title 4:</b> Map RSIs in pre-expansion UGB (3.07.430.B)	07/07/03	07/07/04	07/07/05
<b>Title 4:</b> limit uses in Regionally Significant Industrial Areas (3.07.420)	07/07/03	07/07/04	07/07/05

Functional Plan Requirement	When Local Decisions Must Comply		
	Plan/Code Amendment	Land Use Decision	Adoption
<b>Title 4:</b> limit retail uses in Industrial Areas (60,000 sq ft) (3.07.430)	01/07/98	01/07/99	01/07/00
<b>Title 4:</b> limit retail uses in Industrial Areas (20,000 sq ft) (3.07.430)	07/07/03	07/07/04	07/07/05
<b>Title 4:</b> limit retail uses in Employment Areas (60,000 sq ft) (3.07.440)	1/07/98	01/07/99	01/07/00
<b>Title 4:</b> limit retail uses in Employment Areas (3.07.440)	07/07/03	07/07/04	07/07/05
<b>Title 5:</b> rural reserves (3.07.520)	01/07/98		01/07/00
<b>Title 5:</b> green corridors (3.07.520)	01/07/98		01/07/00
<b>Title 6:</b> develop a strategy for each Center (3.07.620)			Mutually agreed timeframe
<b>Title 6:</b> address barriers to siting government offices in centers (3.07.640)			
<b>Title 6:</b> require demonstration that government offices cannot be located in Centers (3.07.640.B)	07/07/03	07/07/04	07/07/05
<b>Title 6:</b> reporting on progress (3.07.650)			07/07/05
<b>Title 7:</b> adopt strategies and measures to increase housing opportunities (3.07.730.A)			
<b>Title 7:</b> consider specific tools and strategies (3.07.730.B, 3.07.760)			
<b>Title 7:</b> report progress at specified times (3.07.740)			
<b>Title 8:</b> compliance procedures	02/14/03		
<b>Title 9:</b> Performance Measures			
<b>Title 10:</b> definitions	12/08/00	12/08/01	12/08/02
<b>Title 11:</b> set interim protection for areas brought into the UGB (3.07.1110)	12/08/00	12/08/01	12/08/02
<b>Title 11:</b> prepare a comprehensive plan and zoning provisions for territory added to the UGB (3.07.1120)	12/08/00		Metro sets date
<b>Title 12:</b> establish level of service standards for parks 3.07.1240.A)			2 years after Parks Functional Plan Adopted
<b>Title 12:</b> provide access to parks by walking, bicycling, transit (3.07.1240B)			07/07/05