

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING)
THE PLAN DEVELOPMENT AND)
AMENDMENT CHAPTER OF THE)
REGIONAL SOLID WASTE MANAGEMENT)
PLAN)

ORDINANCE NO. 90-359
Introduced by: Rena Cusma
Executive Officer

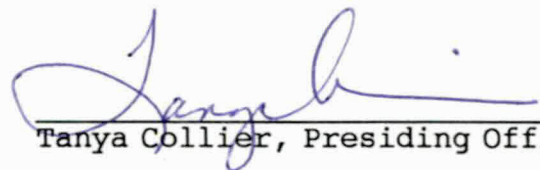
WHEREAS, Metropolitan Service District Ordinance No. 88-266B, adopted the Regional Solid Waste Management Plan as a functional plan; and

WHEREAS, There is a need to formalize the process for adding new chapters and amending existing chapters of the Plan; now therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That the Regional Solid Waste Management Plan is amended to correct Policy 17.3 on plan policy amendments and to include the expanded Chapter 17, Plan Development and Amendment, shown as Exhibit A to this ordinance.

ADOPTED by the Council of the Metropolitan Service District this 27th day of September, 1990.


Tanya Collier, Presiding Officer

ATTEST:


Clerk of the Council

STAFF REPORT

FOR THE PURPOSE OF ADOPTING THE PLAN DEVELOPMENT AND
AMENDMENT CHAPTER OF THE REGIONAL SOLID WASTE
MANAGEMENT PLAN

Date: July 24, 1990

Presented by: Richard Carson

PROPOSED ACTION

Ordinance No. 90-359 amends the Regional Solid Waste Management Plan to incorporate the Plan Development and Amendment Chapter. The Chapter establishes a process for incorporating future chapters into the Plan.

FACTUAL BACKGROUND AND ANALYSIS

The Regional Solid Waste Management Plan was adopted by Council as a policy framework which will incorporate additional chapters upon completion of technical analysis and recommendations to the Council by solid waste policy and technical committees.

The need for a formal process for adopting completed chapters and revising adopted chapters was acknowledged with initial adoption of the Plan, which included policies for Chapter 17, Plan Development and Amendment.

The Plan Development and Amendment Chapter establishes a process for introducing new chapters and incorporating revisions to adopted chapters by addressing categories of amendments, criteria for amendments, the decision-making process, public involvement, and a five-year plan review.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 90-359, adopting the Plan Development and Amendment Chapter of the Regional Solid Waste Management Plan.

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 90-359, FOR THE PURPOSE OF
ADOPTING THE PLAN DEVELOPMENT AND AMENDMENT CHAPTER OF THE
REGIONAL SOLID WASTE MANAGEMENT PLAN

Date: September 13, 1990

Presented by:
Councilor DeJardin

Committee Recommendation: At the September 4, 1990, meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 90-359. Voting in favor were: Councilors Buchanan, Collier, DeJardin, Saucy and Wyers.

Committee Issues/Discussion: Richard Carson, Planning & Development Director, explained that the ordinance would add a plan amendment chapter to the Regional Solid Waste Management Plan (RSWMP). He said that when the RSWMP was adopted, several chapters were intentionally left out and staff is now bringing them forward as they are developed. The Chapter currently before the Committee outlines how amendments to the RSWMP will be handled.

In response to questions raised by Council staff, Mr. Carson clarified that amendments proposed by Council members will be handled in the same manner as amendments proposed by other interested parties. He explained that since all amendments will be incorporated into the RSWMP by ordinance, they will be referred to the Council Solid Waste Committee via Council first reading. Amendments incorporating distinct policy changes will be flagged, but otherwise subject to the review process.

Mr. Carson also noted that the amendment will delete Policy 17.2, which provides that the RSWMP shall be consistent with existing Metro policies for managing solid waste. Staff believes this is a circular statement, since the RSWMP is the sole statement of policy. If a policy issue has been overlooked, the RSWMP can be amended to incorporate it.

With regard to the policy statement that RSWMP amendments should be developed through a regional process, Mr. Carson indicated that local governments will participate in the regular five year, broad-based review of the RSWMP through the existing Policy and Technical Committees.

The Committee had no additional comments or questions and voted unanimously to recommend Ordinance No. 90-359 to the full Council for adoption.

TD:KF:pa

90-359.RPT

Exhibit A

CHAPTER 17 - PLAN DEVELOPMENT AND AMENDMENT

POLICIES

- 17.0 The Solid Waste Management Plan shall be developed and amended through a regional cooperative process between Metro, the cities, the counties, solid waste industry representatives, citizens and other affected parties.
- 17.1 The Solid Waste Management Plan shall include a process for developing and amending the plan, and shall define the roles and responsibilities of Metro, the cities, the counties, solid waste industry representatives, citizens and other affected parties.
- ~~17.2 The Solid Waste Management Plan shall be consistent with existing Metro policies for managing solid waste.~~
- ~~17.3~~ Amendments to existing plan policies may occur during the planning process whenever a need is demonstrated.

* * * * *

PURPOSE

The Regional Solid Waste Management Plan (RSWMP) is a dynamic planning document which is designed to respond to changing conditions at the Federal, state and local level. The Plan must also be adaptable in order to embrace innovative waste management techniques and technologies. The Plan Development and Amendment Chapter was developed to achieve these goals by establishing a process for introducing and incorporating newly-completed chapters, updated information, and amendments to the document.

The objective of this chapter is to outline appropriate procedures for the amendment process by addressing:

- o Categories of amendments;
- o Criteria for amendments;
- o The decision-making process;
- o Public involvement; and
- o Timing / Five-year Plan review.

Categories of Amendments

The Plan Development and Amendment Chapter establishes procedures to process the following categories of amendments.

- o New chapters. The Plan will incorporate new chapters as they are completed and adopted.
- o Amendments which affect Plan policy. An amendment may either introduce a new policy or reflect a change in direction from an adopted policy.
- o System programs. Amendments may be necessary to incorporate additional solid waste management programs or reflect a change in current program priorities.
- o System facilities. Amendments affecting facilities may encompass major changes to facilities such as utilizing an innovative technology.
- o Plan uniformity. Amendments in this category include updates, minor revisions to factual information, and amendments which improve the Plan's format and consistency.
- o Five-year Plan review. The Plan will undergo a major review and update every five years.

Criteria for Amendments

For proper consideration of proposed plan amendments which affect Plan policy, solid waste programs, solid waste facilities, and those amendments introduced as a result of the five-year plan review, the following criteria must be met.

- 1) How the amendment is consistent with the goal, objectives and/or policies of the Regional Solid Waste Management Plan, except when an amendment represents a distinct policy change.
- 2) Demonstrated need for the amendment. For example, how does the amendment increase waste reduction levels, result in a major cost savings, introduce a needed new technology, or improve RSWMP consistency.

As new chapters of the the Plan are developed they will be subjected to the normal review and approval process by the planning committees consistent with the provisions of RSWMP Chapter 15, Public Involvement and Education. It will not be necessary to measure new chapters or plan uniformity amendments against the above criteria.

The Decision-Making Process

Metro, cities and counties, the solid waste industry, and other interested parties may introduce amendments to the Regional Solid Waste Management Plan. Requests must be in writing and submitted directly to Metro Director of Planning and Development, with the exception of Plan changes or amendments which are proposed by Metro staff. The individual or agency submitting a proposal must include justification for the amendment.

Metro staff will review amendment proposals, weigh them against the criteria for amendments, and prepare analyses and recommendations for the Policy Committee. The Solid Waste Planning Technical Committee will be consulted by staff as is appropriate and necessary.

Metro will submit all amendments to the state Department of Environmental Quality (DEQ) for review and comment to comply with the following administrative rule and statutes:

OAR 340-61-026 Denial of permits for disposal sites;

ORS 459.035 Assistance in development and implementation of solid waste management plans and practices and recycling programs;

ORS 459.055 (2) disposal site permits in an area zoned for exclusive farm use;

ORS 459.055 (5) waste reduction programs prepared for disposal sites in an area zoned for exclusive farm use;

ORS 459.340 (2) DEQ review and comment of amendments to the Regional Solid Waste Reduction Program (incorporated into the RSWMP as a component of the Waste Reduction Chapter).

The Policy Committee will review all amendment proposals and make recommendations to the Metro Council for final approval. All amendments to the RSWMP will be adopted by ordinance.

Public Involvement

Citizens will have an opportunity to comment on amendment proposals. The public involvement process for Regional Solid Waste Management Plan amendments will be consistent with the provisions of RSWMP Chapter 15, Public Involvement and Education.

Newsletters or other informational pieces may be published as appropriate and distributed to affected neighborhood

associations, business and civic organizations and all individuals interested in solid waste issues. The Metro Council will hold a public hearing on all amendments prior to adoption. The scope and significance of an amendment proposal will guide the Metro Council in determining the appropriate level of public input.

Timing / Five-year Review

Amendments may be submitted for consideration at any time. Planning and Development staff will present proposed amendments with recommendations to the Policy Committee for their review at the first Policy Committee meeting to be held within forty-five (45) days of receipt.

In order to promote and maintain long-term Plan uniformity and consistency, there will be a major review and update to the Regional Solid Waste Management Plan every five years. This review will include a report which measures the success of the Plan in meeting established objectives. The five-year revision will incorporate:

- 1) current data on population and employment, waste composition, recycling levels and waste disposed;
- 2) amendments resulting from the comprehensive system analysis that evaluates waste reduction goals and programs;
- 3) changing facility needs; and
- 4) changing program requirements.

STAFF REPORT

FOR THE PURPOSE OF ADOPTING THE PLAN DEVELOPMENT AND
AMENDMENT CHAPTER OF THE REGIONAL SOLID WASTE
MANAGEMENT PLAN

Date: July 24, 1990

Presented by: Richard Carson

PROPOSED ACTION

Ordinance No. 90-359 amends the Regional Solid Waste Management Plan to incorporate the Plan Development and Amendment Chapter. The Chapter establishes a process for incorporating future chapters into the Plan.

FACTUAL BACKGROUND AND ANALYSIS

The Regional Solid Waste Management Plan was adopted by Council as a policy framework which will incorporate additional chapters upon completion of technical analysis and recommendations to the Council by solid waste policy and technical committees.

The need for a formal process for adopting completed chapters and revising adopted chapters was acknowledged with initial adoption of the Plan, which included policies for Chapter 17, Plan Development and Amendment.

The Plan Development and Amendment Chapter establishes a process for introducing new chapters and incorporating revisions to adopted chapters by addressing categories of amendments, criteria for amendments, the decision-making process, public involvement, and a five-year plan review.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 90-359, adopting the Plan Development and Amendment Chapter of the Regional Solid Waste Management Plan.



METRO

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

Memorandum

Date: October 1, 1990

To: Rena Cusma, Executive Officer

From: Gwen Ware-Barrett, Clerk of the Council

Regarding: TRANSMITTAL OF ORDINANCE NOS. 90-359,
360 and 362A

Attached for your consideration are true copies of Ordinance Nos. 90-359, 360 and 362 adopted by the Council on September 27, 1990.

If you wish to veto these ordinances, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, October 4, 1990. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, these ordinances will be considered finally adopted.

I, Unette H. Kelly, received this memo and a true copy of Ordinance No. 90-359, 360 and 362A from the Council Clerk on October 1, 1990.

Date: Oct 1, 1990

GWPB:lc
\Mem.Ord.