

BEFORE THE METRO COUNCIL.

FOR THE PURPOSE OF GRANTING TIME)
EXTENSIONS TO THE FUNCTIONAL)
PLAN COMPLIANCE DEADLINE –)
JUNE 1999)

RESOLUTION NO. 99-2802

Introduced by: Mike Burton,
Executive Officer

WHEREAS, The Metro Council adopted the Urban Growth Management Functional Plan for early implementation of the 2040 Growth Concept on November 21, 1996, by Ordinance No. 96-647C; and

WHEREAS, The Urban Growth Management Functional Plan requires that all jurisdictions in the region make plan and implementing ordinance changes needed to come into compliance with this functional plan by February 19, 1999; and

WHEREAS, The Urban Growth Management Functional Plan in Metro Code Section 3.07.820.C provides that Metro Council may grant extensions to timelines under this functional plan "if the city or county has demonstrated substantial progress or proof of good cause for failing to complete the requirements on time;" and

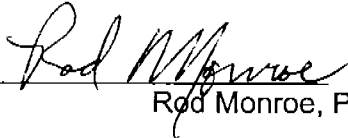
WHEREAS, The following five jurisdictions have requested time extensions to complete compliance work based on evidence showing "substantial progress or proof of good cause" for failing to meet the February 19, 1999, compliance deadline and have submitted detailed timelines showing when the work will be completed, now therefore,

BE IT RESOLVED:

1. That the Cities of Forest Grove, Happy Valley, Oregon City and Portland and Multnomah County shall receive Functional Plan compliance time extensions as shown in Exhibit A.

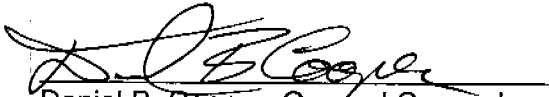
2. That any further requests for time extensions or requests for functional plan exceptions made by the above named jurisdictions shall be determined as delineated in Metro Code 3.07.820, Sections B and C.

ADOPTED by the Metro Council this 17th day of June 1999.



Rod Monroe, Presiding Officer

APPROVED AS TO FORM:



Daniel B. Cooper, General Counsel

MMH/srb
I:\gm\community_development\share\june-extension-resolution.doc

EXHIBIT A

Functional Plan time extensions for the Cities of Forest Grove, Happy Valley, Oregon City, Portland and Multnomah County

Metro Code numbers are used to cite Functional Plan requirements. The applicable Functional Plan title follows each citation in parentheses (). A brief description of Functional Plan requirements appears below for reference. All extensions are to the last day of the month listed in the schedules below.

Functional Plan Requirements by Title

Title 1	<i>Requirements for housing and employment accommodation</i>
Title 2	<i>Regional parking policy</i>
Title 3	<i>Water quality, flood management conservation</i>
Title 4	<i>Retail in employment and industrial areas</i>
Title 5	<i>Requirements for rural reserves and green corridors</i>
Title 6	<i>Regional accessibility</i>
Title 7	<i>Affordable housing</i>
Title 8	<i>Compliance procedures</i>

City of Forest Grove Extensions

September 1999:

- Analyze the actual built densities from 1990 to 1995 as required by Metro Code 3.07.140.A (Title 1).
- Assess the ability of public facilities to accommodate calculated capacity as required by Metro Code 3.07.150.A.5 (Title 1).
- Assess the effect of the items listed in Metro Code 3.07.150.C, including setback requirements, landscaping and off-street parking requirements, on calculated capacity.

October 1999:

- Complete and report to Metro a final capacity analysis as required by Metro Code 3.07.150 (Title 1)
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).

December 1999:

- Amend the zoning ordinance to adopt minimum density standards of 80% of the maximum number of dwelling units per net acre permitted in the zoning designation as required by Metro Code 3.07.120.A (Title 1).
- Amend parking standards and develop reporting requirements to comply with Metro Code 3.07.220 (Title 2).
- Amend the zoning ordinance to prohibit large-scale retail uses in industrial areas and to limit such uses in employment areas as required by Metro Code 3.07.420 (Title 4).
- Adopt language to implement the street design and connectivity requirements of Metro Code Sections 3.07.620 and 3.07.630 (Title 6).

City of Happy Valley Extensions

December 1999:

- Amend the zoning ordinance to adopt minimum density standards as required by Metro Code 3.07.120.A (Title 1).
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).
- Finalize and report to Metro employment capacities for the City as a whole and for mixed-use areas within the City as required by Metro Code 3.07.150 (Title 1).
- Amend parking standards and develop reporting requirements to comply with Metro Code 3.07.220 (Title 2).
- Adopt language to implement the connectivity requirements of Metro Code Section 3.07.630 (Title 6).

City of Oregon City Extensions

The City of Oregon City has met a number of Functional Plan requirements and has been establishing the framework for coming into full compliance with the plan. Currently, the City is preparing a regional center plan, a transportation system plan, a Highway 213 corridor study, a wetland inventory and protections program, and a stormwater management manual. Oregon City will complete its remaining Functional Plan compliance efforts on the following timeline:

October 1999:

- Adopt language to implement the street design and connectivity requirements of Metro Code Sections 3.07.620 and 3.07.630 (Title 6).

June 2000:

- Amend parking standards and develop reporting requirements to comply with Metro Code 3.07.220 (Title 2).
- Amend the zoning ordinance to prohibit large-scale retail uses in industrial areas and to limit such uses in employment areas as required by Metro Code 3.07.420 (Title 4).

July 2000:

- Establish minimum densities as required by Metro Code 3.07.120.A (Title 1).
- Amend the zoning code to allow an accessory dwelling unit within any single-family dwelling as required by Metro Code 3.07.120.C (Title 1).
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).
- Adopt a Comprehensive Plan map, Zoning Ordinance and Land Division Ordinance to protect identified green corridors as required by Metro Code 3.07.520 (Title 5).

September 2000:

- Finalize and report to Metro employment and housing target capacities for the City as a whole and for mixed-use areas within the City as required by Metro Code 3.07.150 (Title 1).

City of Portland Extensions

December 1999:

- Amend the zoning code to establish minimum densities for all residential zones as required by Metro Code 3.07.120.A (Title 1).
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).
- Adopt language to implement the street design and connectivity requirements of Metro Code Sections 3.07.620 and 3.07.630 (Title 6).

Multnomah County Extensions

March 2000:

- Finalize zone changes and transfer planning and Functional Plan implementation responsibilities for the County's unincorporated urban areas to the cities of Gresham, Portland and Troutdale.

I:\gm\community_development\projects\COMPLIANCE\extension requests\June extension exhibit a

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2802 GRANTING TIME EXTENSIONS TO THE FUNCTIONAL PLAN COMPLIANCE DEADLINE – JUNE 1999

Date: May 28, 1999

Presented by: Mary Weber
Prepared by: Marian Maxfield Hull

PROPOSED ACTION

Adoption of Resolution No. 99-2802 granting timeline extensions to the Functional Plan compliance deadline for the cities of Forest Grove, Happy Valley, Oregon City, Portland and Multnomah County.

BACKGROUND AND ANALYSIS

Metro Code 3.07.820.C (Title 8 of the Functional Plan) provides that Metro Council may grant time extensions to Functional Plan requirements if a jurisdiction can demonstrate "substantial progress or proof of good cause for failing to complete the requirements on time."

Twenty-five jurisdictions requested time extensions to implement some of the requirements of Functional Plan that were due to be completed on February 19, 1999. Metro Council approved the first 11 requests in Resolution No. 99-2755 on February 25, 1999. The Council approved 10 more requests in Resolution No. 99-2771 on April 29, 1999. Resolution No. 99-2802 includes the final four requests and a second extension request from the City of Portland.

Metro Code numbers are used to cite Functional Plan requirements. The applicable Functional Plan title follows each citation in parentheses (). A brief description of Functional Plan requirements appears below for reference.

Functional Plan Requirements by Title

- Title 1 *Requirements for housing and employment accommodation*
- Title 2 *Regional parking policy*
- Title 3 *Water quality, flood management conservation*
- Title 4 *Retail in employment and industrial areas*
- Title 5 *Requirements for rural reserves and green corridors*
- Title 6 *Regional accessibility*
- Title 7 *Affordable housing*
- Title 8 *Compliance procedures*

Compliance Progress

Though most jurisdictions requested some time extensions to complete Functional Plan compliance, all have made significant progress towards meeting Functional Plan goals. Most cities and counties have completed this work without additional staff. The only significant outside resources for compliance work have come from State grant programs such as the Transportation/Growth Management grants and the periodic review program.

The most common time extension requests have been for work related to Title 6, planning for mixed-use areas and capacity calculation. The most common reasons for the requests are to provide time to include compliance work in broader planning and public involvement efforts and to meet schedules dictated by grant funding sources. This is particularly true for planning efforts in mixed-use centers. Most jurisdictions with outstanding compliance work have requested time extensions for the capacity calculation. The capacity calculation is the final step in the Functional Plan compliance process for most jurisdictions because zoning and plan changes, planning for mixed-use areas and even new parking requirements affect calculated capacity.

Work on Title 6 has been delayed, in part, due to the postponed adoption of the Regional Transportation Plan. Many jurisdictions plan to meet Title 6 requirements through their Transportation System Plans (TSP). Many TSP work schedules are timed to coincide with the adoption of the Regional Transportation Plan. Grant funding schedules are also affecting the timing of transportation work.

Some cities are completing compliance work through periodic review. For these jurisdictions, compliance work is being done according to the State approved periodic review schedules and grants that run through most of 1999.

The following pages summarize the progress of each jurisdiction included in Resolution No. 99-2802 and provide implementation timelines for remaining Functional Plan elements. Each jurisdiction listed below has met the Metro Code criteria for "substantial progress or proof of good cause for failing to complete" Functional Plan compliance (Metro Code 3.07.820.C).

City of Forest Grove

The City of Forest Grove has adopted a town center plan and is in the process of amending the zoning code to implement the plan. This effort is part of a complete re-write and update of the entire zoning and subdivision ordinances. The City will revise its capacity analysis and use the revised version to determine public facility needs. Three grant projects are underway to complete this work. Forest Grove will complete its remaining Functional Plan compliance work on the following timeline:

By September 1999:

- Analyze the actual built densities from 1990 to 1995 as required by Metro Code 3.07.140.A (Title 1).

- Assess the ability of public facilities to accommodate calculated capacity as required by Metro Code 3.07.150.A.5 (Title 1).
- Assess the effect of the items listed in Metro Code 3.07.150.C, including setback requirements, landscaping and off-street parking requirements, on calculated capacity.

By October 1999:

- Complete and report to Metro a final capacity analysis as required by Metro Code 3.07.150 (Title 1)
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).

By December 1999:

- Amend the zoning ordinance to adopt minimum density standards of 80% of the maximum number of dwelling units per net acre permitted in the zoning designation as required by Metro Code 3.07.120.A (Title 1).
- Amend parking standards and develop reporting requirements to comply with Metro Code 3.07.220 (Title 2).
- Amend the zoning ordinance to prohibit large-scale retail uses in industrial areas and to limit such uses in employment areas as required by Metro Code 3.07.420 (Title 4).
- Adopt language to implement the street design and connectivity requirements of Metro Code Sections 3.07.620 and 3.07.630 (Title 6).

City of Happy Valley

The City of Happy Valley is developing a town center/main street plan that will be presented to the City Council in July 1999. In addition, the City is in the process of completing its transportation system plan and an urban forestry plan. Happy Valley will be able to meet its housing target but will likely request an exception to the employment capacity target.

By December 1999:

- Amend the zoning ordinance to adopt minimum density standards as required by Metro Code 3.07.120.A (Title 1).
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).
- Finalize and report to Metro employment capacities for the City as a whole and for mixed-use areas within the City as required by Metro Code 3.07.150 (Title 1).
- Amend parking standards and develop reporting requirements to comply with Metro Code 3.07.220 (Title 2).
- Adopt language to implement the connectivity requirements of Metro Code Section 3.07.630 (Title 6).

City of Oregon City

The City of Oregon City has met a number of Functional Plan requirements and has been establishing the framework for coming into full compliance with the plan. Currently, the City is preparing a regional center plan, a transportation system plan, a Highway 213 corridor study, a wetland inventory and protections program, and a

stormwater management manual. Oregon City will complete its remaining Functional Plan compliance efforts on the following timeline:

By October 1999:

- Adopt language to implement the street design and connectivity requirements of Metro Code Sections 3.07.620 and 3.07.630 (Title 6).

By June 2000:

- Amend parking standards and develop reporting requirements to comply with Metro Code 3.07.220 (Title 2).
- Amend the zoning ordinance to prohibit large-scale retail uses in industrial areas and to limit such uses in employment areas as required by Metro Code 3.07.420 (Title 4).

By July 2000:

- Establish minimum densities as required by Metro Code 3.07.120.A (Title 1).
- Amend the zoning code to allow an accessory dwelling unit within any single-family dwelling as required by Metro Code 3.07.120.C (Title 1).
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).
- Adopt a Comprehensive Plan map, Zoning Ordinance and Land Division Ordinance to protect identified green corridors as required by Metro Code 3.07.520 (Title 5).

By September 2000:

- Finalize and report to Metro employment and housing target capacities for the City as a whole and for mixed-use areas within the City as required by Metro Code 3.07.150 (Title 1).

City of Portland

The Metro Council approved the City of Portland's Functional Plan implementation schedule in Resolution No. 99-2755. The City has adopted many of the Functional Plan changes and has requested additional time to complete three key elements of its program to allow more time for public review and comment. The City of Portland has committed to completing the following work:

By December 1999:

- Amend the zoning code to establish minimum densities for all residential zones as required by Metro Code 3.07.120.A (Title 1).
- Amend the comprehensive plan to include a map showing 2040 design type boundaries as required by Metro Code 3.07.130 (Title 1).
- Adopt language to implement the street design and connectivity requirements of Metro Code Sections 3.07.620 and 3.07.630 (Title 6).

Multnomah County

Multnomah County has amended its Comprehensive Framework Plan to implement Metro Code Sections 3.07.620 and 3.07.630 (Title 6). The County has entered into intergovernmental agreements with the cities of Portland, Gresham and Troutdale to transfer all urban planning and development services for Multnomah County unincorporated urban areas to those cities. With the exception of Title 6, which the County already has in place, the cities will be responsible for Functional Plan implementation for the unincorporated urban areas.

The County has requested a time extension to **March 2000** to complete the work needed to finalize the zone changes and transfer of planning responsibility. Metro Council granted the cities of Troutdale and Portland time extensions to December 1999 to complete all Functional Plan compliance work. The City of Gresham has until September 1999 to complete Functional Plan compliance. The County will need time after the adoption of the cities' code changes to review the code and plans, conduct public involvement efforts, adopt code and plan changes for affected County unincorporated urban areas and to adopt intergovernmental agreements to transfer planning implementation responsibilities from the County to the cities.

BUDGET IMPACT

Adoption of this resolution has no budget impact.

EXECUTIVE OFFICER'S RECOMMENDATION

The Functional Plan implementation time extension requests for the cities of Forest Grove, Happy Valley, Oregon City, Portland and Multnomah County are recommended for approval. Any further requests for time extensions or requests for Functional Plan exceptions made by these jurisdictions would be determined as delineated in Metro Code 3.07.820, Sections B and C.

\\gm\community_development\projects\COMPLIANCE\extension requests\June extension staff report