

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 25-1535, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTERS 3.07 AND 3.09 TO MAKE HOUSEKEEPING UPDATES, MODERNIZE PUBLIC NOTICE METHODS, INCORPORATE PLAIN LANGUAGE BEST PRACTICES, AND IMPLEMENT NEW STATUTORY METRO DISTRICT ANNEXATION REQUIREMENTS

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Department: Planning, Development & Research

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BACKGROUND

Metro Code chapter 3.07, *the Urban Growth Management Functional Plan (UGMFP)*, has requirements and recommendations for local governments for advancing certain land use related regional goals and policies. Separately, Metro Code chapter 3.09, *Local Government Boundary Changes*, has requirements for changes to various types of boundaries in the region, including annexations to the “Metro boundary”, which is the boundary for Metro as a metropolitan service district under state law.

Recent changes to state statute and anticipated changes to state regulations described further below warrant conforming amendments to chapters 3.07 and 3.09. While amending these Metro Code chapters, there is also the opportunity to make minor “housekeeping” amendments that do not create new requirements for cities or counties, but rather:

- Correct typographic errors, outdated citations, and inconsistent terminology, formatting, and referencing;
- Remove provisions that are expired or are now regulated by the state, rather than Metro;
- Apply the Metro Council’s 2022 inclusive and plain language policy¹ for improving clarity and accessibility, appropriately addressing all audiences, and removing biases;
- Clarify and reorganize, without substantively changing, other existing requirements to improve readability; and
- Reduce public noticing costs associated with certain Metro processes, including costs paid for by private applicants.

The last package of “housekeeping” amendments to chapter 3.07 was in 2015, while chapter 3.09 has not been amended since 2012.

PROPOSAL

Ordinance 25-1535 would amend Metro Code chapters 3.07 and 3.09, as proposed in Exhibit A to the ordinance, to achieve the following four goals.

1. General clean-up:

The amendments would correct typographic errors, outdated citations, and inconsistent terminology, formatting, and referencing that should be corrected. They would also: clarify and

¹ Resolution No. 22-5293

better organize, without substantively changing, existing policies; repeal the text of temporary and now expired requirements; and to remove provisions that are redundant because of or in conflict with state regulations/allowances.

2. *Apply the Metro Council’s inclusive and plain language policy:*

When any amendments to a Metro Code chapter are proposed, Metro Council Resolution No. 22-5293 directs staff to review the entire chapter for opportunities to incorporate best practices for use of inclusive and plain language. Examples of best practices include avoiding the words “shall” and “citizen”, word-numeral doubles (e.g., “five (5)”), jargon, and archaic terms. Amendments to chapters 3.07 and 3.09 are needed to comply with these best practices.

3. *Codify forthcoming new state provisions:*

The state is in the process of rulemaking related to Statewide Planning Goal 5 cultural areas. Draft regulations are expected to be considered by the Land Conservation and Development Commission in early December. Those regulations, if adopted, will require Metro to provide direct notice to Tribes of proposed urban growth boundary (UGB) amendments. They would also require Metro to forward information received from Tribes to the Oregon State Historic Preservation Office and to the city/county responsible for comprehensive planning of the UGB expansion area. In anticipation of these regulations being adopted, consideration of prospective conforming amendments to Metro Code chapter 3.07 is warranted.

A recent change to state law will also eliminate the need for a separate application for annexation to Metro’s service district boundary in many instances and, thereby, reduce costs associated with development in Metro’s cities.² Those statutory changes take effect January 1, 2026. The proposed amendments to chapter 3.09 would conform Metro Code to these changes.

4. *Modify sign posting and newspaper noticing:*

The ordinance would make additional amendments to chapter 3.09 that, while relatively minor, would further reduce unnecessary costs associated with Metro boundary annexation applications that are not exempted by the statutory changes mentioned above. Specifically, they would repeal existing requirements for printing and posting of plastic annexation public hearing signs, and for publishing of newspaper notices, thereby saving an applicant more than \$700, even while continuing to send notices directly to nearby property owners, local governments, and other interested parties and continuing to post hearing notices online. The UGMFP also has newspaper noticing requirements which may no longer be worth the expense, considering that newspaper notices go to a limited audience and the same notices can be posted on Metro’s website to be viewed by anyone; the proposed amendments would repeal this newspaper notice requirement and, instead, require publication on Metro’s website.

At its meeting on October 15, 2025 the Metro Technical Advisory Committee (MTAC) recommended that the Metro Policy Advisory Committee (MPAC) recommend adoption by the Metro Council. MPAC was briefed on the proposed amendments at its October 22, 2025, meeting and is scheduled to consider the amendments further its November 19, 2025, meeting. Metro Staff will inform the Metro Council of MPAC’s recommendation.

² House Bill (HB) 2356 of the 2024 legislative session amended Oregon Revised Statutes (ORS) 268.354 such that, when a city in Metro annexes territory already in the UGB, that territory is annexed to the Metro boundary without the need for a separate Metro annexation application to be approved before the territory can be urbanized. HB 2356 is not “retroactive”; territories already in city limits must still go through the existing Metro boundary annexation process before they can be urbanized.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition.

Legal Antecedents:

- Chapter 3.09 was last amended in 2012 by Ordinance No. 12-1276.
- The last package of “housekeeping” amendments to chapter 3.07 was in 2015 with Ordinance No. 15-1357.
- In 2022, the Metro Council adopted Resolution No. 22-5293. The resolution directs staff to use inclusive and plain language best practices when drafting Metro Code language and, when staff seeks Council adoption of a code change for a particular chapter, to review the remainder of that code chapter for opportunities to also incorporate inclusive and plain language best practices.
- Chapter 3.07 was last amended in 2024 by Ordinance No. 24-1523. The ordinance specifically amended Title 6 to require local adoption of boundaries for centers depicted on the 2040 Growth Concept Map, as mandated by state ‘Climate Friendly and Equitable Communities’ rules.
- House Bill 2356 of the 2024 legislative session amended ORS 268.354. With the amendments, when a city in Metro annexes territory already in the UGB, that territory is annexed to the Metro boundary without the need for a separate Metro annexation application.

Anticipated Effects: This ordinance will amend Metro Code chapters 3.07 and 3.09 as shown in Exhibit A. The amendments would not require cities or counties to make changes to their local land use plans or implementing regulations.

Budget Impacts: There will be no significant budget impacts from this measure. Staff will codify adopted amendments.

RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 25-1535.

ATTACHMENTS

Attachment 1: Summaries of proposed amendments, by chapter and title

Attachment 2: House Bill 2356 of the 2024 legislative session