



2023 Compliance Report

January 10, 2024

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Executive Summary

Metro Code Chapter 3.07 (the “Urban Growth Management Functional Plan” or “UGMFP”) and Chapter 3.08 (the “Regional Transportation Functional Plan” or “RTFP”) provide standards, tools, and guidance for local land use plans, transportation system plans, and implementing regulations that are necessary to advance the regional vision, goals, and policies of Metro’s Regional Framework Plan and the 2040 Growth Concept.

As required annually by Metro Code Subsection 3.07.870(a), the 2023 Compliance Report summarizes the status of compliance with the UGMFP for each city and county in the region.¹ To better connect land use planning with transportation planning, this report also includes information on local government compliance with the RTFP.

All jurisdictions are in compliance with the UGMFP, with the exception of a few jurisdictions that continue to work to satisfy UGMFP Title 11 requirements related to planning for areas previously added to the urban growth boundary (UGB). All jurisdictions are in compliance with their respective RTFP requirements.

Per the Metro Code and if requested, the Chief Operating Officer (COO) may grant formal extensions to deadlines for meeting UGMFP requirements if a local government meets one of two criteria: the city or county is making progress towards compliance; or there is good cause for failure to meet the deadline for compliance. In 2023, there were no requests for extensions of compliance dates for the UGMFP. Nonetheless, this report notes that progress is being made by cities and counties to address deficiencies.

Appendix A summarizes the compliance status for all local governments with the requirements of the UGMFP, as of December 31, 2023.

Appendix B shows the status of UGMFP Title 11 new urban area planning for areas added to the UGB since 1998, as of December 31, 2023.

Appendix C summarizes local jurisdictions’ compliance with the RTFP, as of December 31, 2023.

Appendix D is the report required by Metro Code Subsection 3.07.450(k) on amendments made in 2023 to the UGMFP Title 4 Employment and Industrial Areas Map (also known as the “Industrial and Other Employment Areas Map” and the “Title 4 Map”).²

¹ Metro Code Subsection 3.07.870(a) requires Metro’s COO to submit the report to the Metro Council by March 1 and to send a copy of the report to MPAC, JPACT, PERC, and each city and county within Metro.

² Subsection 3.07.450(k) requires the COO to submit a written report to the Metro Council and MPAC by January 31 of each year on the cumulative effects on employment land in the region of the amendments made to the Title 4 Map the preceding year. The report must include any recommendations the COO deems appropriate on measures the Council might take to address the effects.

APPENDIX A
Summary of Urban Growth Management Function Plan (UGMFP)
Compliance Status as of December 31, 2023

City/ County	Title 1 Housing Capacity	Title 3 Water Quality and Flood Management	Title 4 Industrial and other Employment Land	Title 6¹ Centers, Corridors, Station Communities and Main Streets	Title 7 Housing Choice	Title 11 Planning for New Urban Areas <small>(See Appendix B for detailed information)</small>	Title 13 Nature in Neighborhoods
Beaverton	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance
Cornelius	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Durham	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Fairview	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Forest Grove	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Gladstone	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Gresham	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Happy Valley	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Hillsboro	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Johnson City	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
King City	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Lake Oswego	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Maywood Park	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Milwaukie	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Oregon City	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance

¹ Title 6 takes an incentive approach and only those local governments seeking a “regional investment” (defined as a new high-capacity transit line) need to comply with its provisions. No cities or counties are currently seeking a regional investment requiring Title 6 compliance.

APPENDIX A (continued)
Summary of Urban Growth Management Function Plan (UGMFP)
Compliance Status as of December 31, 2023

City/ County	Title 1 <i>Housing Capacity</i>	Title 3 <i>Water Quality and Flood Management</i>	Title 4 <i>Industrial and other Employment Land</i>	Title 6¹ <i>Centers, Corridors, Station Communities and Main Streets</i>	Title 7 <i>Housing Choice</i>	Title 11 <i>Planning for New Urban Areas</i> (see Appendix B for detailed information)	Title 13 <i>Nature in Neighborhoods</i>
Portland	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Rivergrove	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Sherwood	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance
Tigard	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance
Troutdale	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Tualatin	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
West Linn	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Wilsonville	In compliance	In compliance	In compliance	See footnote	In compliance	In compliance	In compliance
Wood Village	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Clackamas County	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance
Multnomah County	In compliance	In compliance	In compliance	See footnote	In compliance	Not applicable	In compliance
Washington County	In compliance	In compliance	In compliance	See footnote	In compliance	Not in compliance	In compliance

¹ Title 6 takes an incentive approach and only those local governments seeking a “regional investment” (defined as a new high-capacity transit line) need to comply with its provisions. No cities or counties are currently seeking a regional investment requiring Title 6 compliance.

APPENDIX B
Status of Compliance with UGMFP TITLE 11, *Planning for New Urban Areas,*
as of December 31, 2023

Project	Lead Government(s)	Compliance	Status
1998 UGB Expansion			
Rock Creek	Happy Valley	Yes	Planning completed; mostly annexed and developed
Pleasant Valley	Gresham, Happy Valley, Portland	Yes	Planning completed; a portion annexed by each city, with limited development occurring
1999 UGB Expansion			
Witch Hazel	Hillsboro	Yes	Planning completed; majority annexed and developed
2000 UGB Expansion			
Villebois Village	Wilsonville	Yes	Planning and annexation completed; development almost complete
2002 UGB Expansion			
Springwater	Gresham	Yes	Planning completed; some limited annexations and development
Damascus/Boring	Happy Valley	Yes	Happy Valley portion: Planning completed; development ongoing
	Clackamas County, Happy Valley	No	Former City of Damascus land area: Happy Valley adopted a Title 11 compliant comprehensive plan (Pleasant Valley / North Carver Comprehensive Plan) for approximately 2,700 acres of the area, and the County and the City have an Urban Growth Management Agreement for the City to do comprehensive planning for additional portions of the area
	Gresham	Yes	Gresham portion: Kelley Creek Headwaters Plan completed; some limited annexations and development
Park Place	Oregon City	Yes	Planning completed; portion annexed and waiting development
Beavercreek Rd	Oregon City	Yes	Planning completed; portion annexed and waiting development
South End Rd	Oregon City	Yes	Planning completed; waiting annexation and development
East Wilsonville (Frog Pond West)	Wilsonville	Yes	Planning completed; mostly annexed, with development ongoing
NW Tualatin (Cipole Rd and 99W)	Tualatin	Yes	Planning completed; waiting annexation and development
SW Tualatin	Tualatin	Yes	Planning completed; waiting annexation and development
Brookman Rd	Sherwood	Yes	Refinement plan completed; annexation and development ongoing
West Bull Mountain (River Terrace 1.0)	Tigard	Yes	<i>See Roy Rogers West (River Terrace 1.0) with 2011 expansion</i>
Study Area 59	Sherwood	Yes	Planning and annexation completed; development almost complete
Study Area 61 (Cipole Rd)	Sherwood	No	Extension to 12/31/2021 expired; City staff working to complete project
99W Area (near Tualatin-Sherwood Rd)	Sherwood	Yes	Planning completed; partially annexed and developed

APPENDIX B (continued)
Status of Compliance with UGMFP TITLE 11, *Planning for New Urban Areas,*
as of December 31, 2023

Project	Lead Government(s)	Compliance	Status
North Cooper Mountain	Washington County	No	Preliminary planning completed by City of Beaverton in conjunction with Washington County; Future discussions of comprehensive and urban services planning will be informed by Beaverton's Cooper Mountain Community plan and its related Cooper Mountain Utility Plan
Study Area 64 (14 acres north of Scholls Ferry Rd)	Beaverton	Yes	Planned, annexed, and developed
Study Areas 69 and 71	Hillsboro	Yes	Planning completed as part of South Hillsboro; portion annexed and developed
Study Area 77	Cornelius	Yes	Planning and annexation completed; small portion developed
Forest Grove Swap	Forest Grove	Yes	Planned, annexed, and developed
Shute Road	Hillsboro	Yes	Planning and annexation completed; majority developed
North Bethany	Washington County	Yes	Planning completed; majority developed
Bonny Slope West (Area 93)	Washington County	Yes	Planning completed; development ongoing
2004/2005 UGB Expansion			
Damascus area	Clackamas County	See 2002 above	<i>See Damascus/Boring 2002 expansion above</i>
Tonquin	Sherwood	Yes	Planning completed; portion annexed, with development ongoing
Basalt Creek / West RR Area	Tualatin, Wilsonville	Yes	Planning completed; some limited annexation; waiting further annexations and development
North Holladay	Cornelius	Yes	Planning completed; waiting annexation and development
Evergreen	Hillsboro	Yes	Planning completed; majority annexed, with development ongoing
Helvetia	Hillsboro	Yes	Planning completed; majority annexed, with development ongoing
2011 UGB Expansion			
North Hillsboro	Hillsboro	Yes	Planning completed; annexation and development ongoing
South Hillsboro	Hillsboro	Yes	Planning completed; annexation and development ongoing
South Cooper Mountain	Beaverton	Yes	Planning and annexation completed; development ongoing
Roy Rogers West (River Terrace 1.0)	Tigard	Yes	Planning completed; annexation and development ongoing

APPENDIX B (continued)
Status of Compliance with UGMFP TITLE 11, *Planning for New Urban Areas*,
as of December 31, 2023

Project	Lead Government(s)	Compliance	Status
2014 UGB Expansion (HB 4078)			
Cornelius North	Cornelius	Yes	Planning completed; small portion annexed and developed
Cornelius South	Cornelius	Yes	Planning completed; mostly annexed, with development ongoing
Forest Grove (Purdin Rd)	Forest Grove	Yes	Planning completed; about half annexed and small portion developed
Forest Grove (Elm St)	Forest Grove	Yes	Planning and annexation completed; waiting development
Hillsboro (Jackson East)	Hillsboro	Yes	Planning and some annexations completed; waiting further annexations and development
2018 UGB Expansion			
Cooper Mountain	Beaverton	No	Comprehensive planning expected to be completed in 2024
Witch Hazel Village South	Hillsboro	Yes	Planning completed; waiting annexation and development
Beef Bend South (Kingston Terrace)	King City	Yes	Planning completed; waiting annexation and development
Advance Road (Frog Pond East and South)	Wilsonville	Yes	Planning completed; waiting annexation and development
2023 UGB Amendment			
River Terrace 2.0	Tigard	No	Area only recently added to UGB; planning expected to be completed in 2026

APPENDIX C
Summary of Regional Transportation Functional Plan (RTFP)
Compliance Status as of December 31, 2023

Jurisdiction	Title 1 <i>Transportation System Design</i>	Title 2 <i>Development and Update of Transportation System Plans</i>	Title 3 <i>Transportation Project Development</i>	Title 4 <i>Regional Parking Management</i>	Title 5 <i>Amendment of Comprehensive Plans</i>
Beaverton	In compliance	In compliance	In compliance	In compliance	In compliance
Cornelius	In compliance	In compliance	In compliance	In compliance	In compliance
Durham	Exempt	Exempt	Exempt	Exempt	Exempt
Fairview	In compliance	In compliance	In compliance	In compliance	In compliance
Forest Grove	In compliance	In compliance	In compliance	In compliance	In compliance
Gladstone	In compliance	In compliance	In compliance	In compliance	In compliance
Gresham	In compliance	In compliance	In compliance	In compliance	In compliance
Happy Valley	In compliance	In compliance	In compliance	In compliance	In compliance
Hillsboro	In compliance	In compliance	In compliance	In compliance	In compliance
Johnson City	Exempt	Exempt	Exempt	Exempt	Exempt
King City	In compliance	In compliance	In compliance	In compliance	In compliance
Lake Oswego	In compliance	In compliance	In compliance	In compliance	In compliance
Maywood Park	Exempt	Exempt	Exempt	Exempt	Exempt
Milwaukie	In compliance	In compliance	In compliance	In compliance	In compliance
Oregon City	In compliance	In compliance	In compliance	In compliance	In compliance
Portland	In compliance	In compliance	In compliance	In compliance	In compliance
Rivergrove	Exempt	Exempt	Exempt	Exempt	Exempt
Sherwood	In compliance	In compliance	In compliance	In compliance	In compliance
Tigard	In compliance	In compliance	In compliance	In compliance	In compliance
Troutdale	In compliance	In compliance	In compliance	Exception	In compliance
Tualatin	In compliance	In compliance	In compliance	In compliance	In compliance
West Linn	In compliance	In compliance	In compliance	In compliance	In compliance
Wilsonville	In compliance	In compliance	In compliance	In compliance	In compliance
Wood Village	In compliance	In compliance	In compliance	In compliance	In compliance
Clackamas County	In compliance	In compliance	In compliance	In compliance	In compliance
Multnomah County	In compliance	In compliance	In compliance	In compliance	In compliance
Washington County	In compliance	In compliance	In compliance	In compliance	In compliance



Memo

Date: January 10, 2024
To: Metro Council and the Metro Policy Advisory Committee
From: Marissa Madrigal, Chief Operating Officer
Subject: Annual report on amendments to UGMFP Title 4 Map

Background

Title 4, *Industrial and Other Employment Areas*, of the Urban Growth Management Functional Plan (UGMFP) seeks to improve the region's economy by protecting a supply of sites for employment with requirements for local jurisdictions to limit the types and scale of certain non-industrial uses in designated Regionally Significant Industrial Areas, Industrial Areas, and Employment Areas. Those areas are officially depicted on the UGMFP's "*Title 4 Industrial and Other Employment Areas Map*" (i.e., the "Title 4 Map"). The Title 4 Map was first adopted in 1996 and has been amended several times. However, amendments have been infrequent in recent years. Between 2014 and 2022, only one amendment, affecting 20 acres, was made to the map.

Title 4 requires that Metro's Chief Operating Officer (COO) submit a written report to the Council and MPAC by January 31 of each year on the cumulative effects on employment land in the region of amendments to the Title 4 Map during the preceding calendar year. This memo constitutes the report on map amendments made in 2023.

Title 4 Map amendments in 2023

Title 4 sets forth several avenues for amending the map, either through a Metro Council ordinance or through an order of the COO, depending on the circumstances. There were no amendments made to the Title 4 Map by the Metro Council in 2023, but COO Order No. 23-001, signed in September of 2023, amended the map at the request of the City of Happy Valley pursuant to UGMFP Subsection 3.07.450(b).

Subsection 3.07.450(b) provides that, when the Metro Council adds territory to the UGB and designates all or part of the territory as Regionally Significant Industrial Area, Industrial Area, or Employment Area, the COO shall issue an order to conform the Title 4 Map to the land use designations subsequently established by the city or county responsible for comprehensive planning. In the case of COO Order No. 23-001, the map amendment occurred a number of years after the UGB expansion, for the following reasons.

Ordinance No. 02-969B adopted by the Metro Council in December 2002, and Ordinance No. 04-1040B adopted by the Metro Council in June 2004, added territory in Clackamas County to the UGB, including approximately 2,700 acres generally located in the Pleasant Valley / North Carver area¹ of the former City of Damascus. These ordinances also preliminarily designated some sections of the added territory as Regionally Significant Industrial Area, Industrial Area, and Employment Area on the Title 4 Map, with the understanding that the Title 4 Map could be amended after the area was planned for urban uses by the responsible local jurisdiction. With the incorporation and disincorporation of the City of Damascus, the subsequent agreement between the City of Happy Valley and Clackamas County for the area to be planned by the City of Happy Valley, and the general complexities of developing the area, urban planning of the Pleasant Valley / North Carver area wasn't completed by the City of Happy Valley until March of 2023.

¹ The Pleasant Valley / North Carver area is generally located east of SE 152nd Ave, west of SE Anderson Rd, and north of the Clackamas River.

The City of Happy Valley's comprehensive land use plan for the Pleasant Valley / North Carver area was informed by a December 2018 buildable lands inventory, a January 2020 housing needs analysis, and a January 2020 economic opportunity analysis, as well as traffic and utility studies, analyses of topography and habitat areas, broad public outreach, and input from numerous stakeholders. The City's plan identifies that certain portions of the 2,700-acre plan area are less suitable for industrial development than they are for other types of employment uses (e.g., commercial uses) and residential uses, but retains protections of 14.5 acres of Title 4 designated Industrial land in the plan area. COO Order No. 23-001 therefore amended the Title 4 Map to conform with the determinations made by the City in its local plan.

COO Order No. 23-001 also updated the Title 4 Map to reflect a UGB amendment adopted by the Metro Council in February 2023 in Ordinance No. 23-1488.

Councilors may be aware of some other city or county zone changes from industrial to other uses that occurred during 2023. None of those zone changes were found to be in conflict with Title 4, so amendments to the Title 4 Map were not necessary or requested by cities or counties.

Cumulative effects on employment land in the region

COO Order No. 23-001 removed Title 4 Map designations for approximately 800 acres of the roughly 2,700-acre Pleasant Valley / North Carver comprehensive plan area, while retaining 14.5 acres of the plan area's Industrial designations along Hwy 212. The undesignated acres were: already developed with other (e.g., institutional, commercial, or residential) uses; not zoned to allow for industrial uses; and/or were determined by the City of Happy Valley to be less suitable for industrial development than other uses due to factors such as topography, environmental features, parcel size, road and utility service access, and nearby land uses. The City's adopted land use plan for the area and its implementing regulations nonetheless allow for other employment-supporting uses in some affected areas, such as tourism-oriented commercial uses, medical offices, and financial institutions.

As noted above, COO Order No. 23-001 also updated the Title 4 Map to reflect Ordinance No. 23-1488, which added land to the UGB adjacent to the City of Tigard in exchange for removing a substantially equivalent amount of land in Clackamas County. The areas removed from the UGB by the ordinance were *not* planned or zoned for industrial uses and were determined to be less ready to accommodate urban development than the areas the ordinance added to the UGB.

Therefore, the Order's removal of Title 4 Map designations in Pleasant Valley / North Carver area, which had been applied nearly 20 years ago and prior to any comprehensive planning of the affected territory, and the updates to reflect Ordinance No. 23-1488 did not reduce the supply of land that would reasonably be expected to develop with employment land uses.

Future UGMFP and Title 4 Map updates

Staff anticipates that the number of requests for Title 4 Map amendments may increase in the next few years as local plans and regional economic needs continue to change. A refresh of the 2040 Growth Concept would offer an opportunity for Metro Council consideration of industrial land policy and regulatory updates including an update of the Title 4 Map.