

Findings of Fact and Conclusions of Law

Ordinance No. 24-1513 amends Title 6, *Centers, Corridors, Station Communities, and Main Streets*, of Metro's Urban Growth Management Functional Plan (UGMFP) to comply with a state mandate in OAR 660-012-0012(4)(d). The following findings of fact and conclusions of law explain how the Metro Council decision to adopt this ordinance complies with that mandate, as well as other state and regional land use goals and provisions.

A. Statewide Planning Goals

Goal 1 – Citizen Involvement:

The amendments to UGMFP Title 6 in Exhibit A do not modify any element of Metro's existing public involvement program or reduce opportunities for public input. Amendments to Title 6 were considered at Metro Technical Advisory Committee (MTAC) on December 20, 2023, and June 26, 2024. They were also considered at a public Metro Policy Advisory Committee (MPAC) meeting on July 24, 2024. Notice of the amendments in Exhibit A were submitted to the Department of Land Conservation and Development (DLCD) Post Acknowledgement Plan Amendment (PAPA) system 35 days prior to the December 12, 2024, public hearing on the amendments with the Metro Council. The adopted amendments will also be provided to all cities and counties in Metro as required by Metro Code.

Goal 2 – Land Use Planning:

As noted above, the amendments fulfill a state requirement for Metro. The amendments do not change the planned land use designation or zoning for any property, nor do they amend an urban growth boundary (UGB). The findings here in Exhibit B provide a factual basis for the amendments and demonstrate that they are consistent with statewide planning goals and relevant state and regional requirements.

Goal 3 – Agricultural Lands:

The amendments do not reduce the supply of Goal 3 agricultural land. The amendments only concern lands that are already inside Metro's UGB and require a local adoption of a boundary for centers that have been planned and zoned by local governments for urban land uses consistent with Goal 3.

Goal 4 – Forest Lands:

The amendments do not reduce the supply of Goal 4 forest land. The amendments only concern lands that are already inside Metro's UGB and require a local adoption of a boundary for centers that have been planned and zoned by local governments for urban land uses consistent with Goal 4.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces:

The amendments do not change any Goal 5 inventory, significance determination, or protection requirement for a natural resource, scenic or historic area, or open space. The amendments do not change the land use plan designation or zoning of any property or amend any UGB.

Goal 6 – Air, Water and Land Resources Quality:

The amendments do not change any air, water, or land resource quality protection plan or requirement.

Goal 7 – Areas Subject to Natural Hazards:

The amendments do not change mapping or risk evaluation of any natural hazard or amend any plan or land use regulation related to protection from a natural hazard.

Goal 8 – Recreational Needs:

The amendments do not change any existing plan for meeting the recreational needs of the region's residents and visitors. The amendments concern areas inside Metro's UGB and not a destination resort on rural lands.

Goal 9 – Economic Development:

The amendments do not reduce the supply of sites that may be used for employment (e.g., commercial or industrial) uses or modify the protections on industrial and other employment areas that Metro requires of cities and counties (e.g., those in UGMFP Title 4, *Industrial and Other Employment Areas*). The amendments do not adopt or amend an economic opportunity analysis.

Goal 10 – Housing:

The amendments do not change any housing related projection, policy, or standard.

Goal 11 – Public Facilities and Services:

The amendments only concern lands that are already inside Metro’s UGB. The do not change any public facilities or services plan or any requirement related to water, sewer, or other utility services.

Goal 12 – Transportation:

The amendments are made pursuant to and consistent with a mandate on Metro in OAR chapter 660, division 12, which implements Goal 12 and other statewide planning goals related to transportation planning. The amendments do not themselves change a transportation system plan (e.g., Metro’s Regional Transportation Plan) or any transportation system requirements. Cities and counties who may amend their local transportation system plans or transportation regulations to satisfy state requirements related to locally adopted center boundaries would independently address compliance with relevant Goal 12 provisions.

Goal 13 – Energy Conservation:

The amendments are made pursuant to and consistent with the state mandate noted above. They do not themselves change any energy utilization plan or regulation, nor do they change the allocation of land or uses permitted on land identified by Metro as having non-renewable energy sources or change a waste management program. Nonetheless, the adoption of boundaries for 2040 Growth Concept centers, as required by the amendments, may, depending on the related policy and regulatory decisions made by cities and counties, help to advance the development of centers as denser, more walkable, more transit-oriented areas consistent with the planning guidelines enumerated in Goal 13.

Goal 14 – Urbanization:

The amendments do not change the location of a UGB, or any policy or regulation related to development of land outside a UGB. The amendments do not concern unincorporated communities or “exception lands”. The amendments only concern 2040 Growth Concept centers that are already in Metro’s UGB and only require adoption of boundaries for such centers that have been planned locally for urban land uses.

Goal 15 – Willamette River Greenway:

The amendments do not change the state’s Greenway Boundary, any Greenway-related inventory, or any land use allowance, development standard, or natural resource protection measure applicable within the Greenway Boundary.

Goal 16 – Estuarine Resources:

The Metro region does not have an estuary subject to Goal 16.

Goal 17 – Coastal Shorelands:

The Metro region does not have coastal shorelands subject to Goal 17.

Goal 18 – Beaches and Dunes:

The Metro region does not have beaches or dunes subject to Goal 18.

Goal 19 – Ocean Resources:

The Metro region does not have ocean resources subject to Goal 19.

B. OAR 660-012-0012(4)(d)

Metro shall amend its Urban Growth Management Functional Plan in conjunction with its next growth management analysis under ORS 197.296 and no later than December 31, 2024, to require each city and county within Metro to:

- (A) By December 31, 2025, adopt boundaries for all regional and town centers identified on Metro’s 2040 Growth Concept map for which the city or county has adopted urban land use designations in their*

comprehensive plan, except for any portions of centers that have boundaries adopted by another city or county;

(B) Adopt boundaries for any other regional and town center identified on Metro's 2040 Growth Concept map when the city or county adopts urban land use designations for the area of that center in their comprehensive plan, unless portions of the center have boundaries already adopted by another city or county; and

(C) Identify boundaries for regional and town centers that are adopted pursuant to this subsection to be located in the general area of the center as identified in the Metro 2040 Growth Concept map.

The amendments in Exhibit A to UGMFP Title 6 were adopted in the same month as the ordinance for Metro's next growth management analysis under ORS 197.296 (the "2024 Growth Management Decision"), and both ordinances were adopted prior to December 31, 2024.

Consistent with 660-012-0012(4)(d)(A), the amendments to UGMFP Title 6 in Exhibit A require that, by December 31, 2025, each city and county within Metro adopt boundaries for all regional and town centers identified on Metro's 2040 Growth Concept Map for which the city or county has adopted urban land use designations in their comprehensive plan, except for any portions of regional and town centers that have boundaries adopted by another city or county. The amendments to Title 6 also require adoption of boundaries for the Central City by December 31, 2025.

Consistent with 660-012-0012(4)(d)(B), the amendments to UGMFP Title 6 in Exhibit A require that each city and county in Metro adopted boundaries for any other regional and town center identified on the 2040 Growth Concept Map when the city or county adopts urban land use designations for the area of that center in the comprehensive plan, unless portions of the center have boundaries already adopted by another city or county;

Consistent with 660-012-0012(4)(d)(C), the amendments to UGMFP Title 6 in Exhibit A require that adopted boundaries for regional and town centers, as well as the adopted boundary for the Central City, be in the general area of the center as identified on the 2040 Growth Concept Map.

C. Metro Code

2.19.080 – Metro Policy Advisory Committee (MPAC)

(a) Purpose. The purpose of MPAC is to advise the Metro Council and perform the duties assigned to it by the Metro Charter and to perform other duties that the Metro Council shall prescribe.

At its July 24, 2024, meeting, MPAC considered and voted to recommend approval by the Metro Council of the amendments to UGMFP Title 6 in Exhibit A.

(c) MPAC may provide in its bylaws for the creation of a Technical Advisory Committee, which may make recommendations to MPAC.

MTAC considered the amendments at public meetings on December 20, 2023, and June 26, 2024, before recommending them to MPAC.

3.07.810 – Compliance with the Functional Plan

(b) Cities and counties shall amend their comprehensive plans and land use regulations to comply with the functional plan, or an amendment to the functional plan, within two years after acknowledgement of the functional plan or amendment, or after any later date specified by the Metro Council in the ordinance adopting or amending the functional plan. The COO shall notify cities and counties of the acknowledgment date and compliance dates described in subsections (c) and (d).

Exhibit B to Ordinance No. 24-1523

The state mandate in OAR 660-012-0012(4)(d) obligates Metro to require cities and counties adopt boundaries for 2040 Growth Concept centers by the end of December 31, 2025, roughly one year from the adoption of these amendments. Subsection 3.07.615(e) of the amendments therefore include a provision requiring local compliance with the 2025 deadline, notwithstanding the generally applicable two-year functional plan compliance deadline in Subsection 3.07.810(b). The COO will notify cities and counties of the date of these amendments' acknowledgement and of the required compliance dates.