

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE)	ORDINANCE NO. 23-1488
URBAN GROWTH BOUNDARY TO)	
INCLUDE LAND ADJACENT TO THE CITY)	Introduced by Marissa Madrigal, Chief
OF TIGARD IN EXCHANGE FOR)	Operating Officer, with the concurrence of
REMOVING A SUBSTANTIALLY)	Lynn Peterson, Council President
EQUIVALENT AMOUNT OF LAND IN)	
CLACKAMAS COUNTY)	

WHEREAS, state law requires Metro to assess the capacity of the urban growth boundary (UGB) at least every six years and, if necessary, to increase the region's capacity for housing and employment for the next 20 years; and

WHEREAS, Metro's most recent growth management decision was made in 2018 when Metro adopted the 2018 Urban Growth Report (UGR) via Ordinance No. 18-1427, which forecasted population and employment growth in the region to the year 2038, inventoried the supply of buildable land inside the UGB, and added approximately 2,181 acres to the UGB in four locations adjacent to the cities of Hillsboro, Beaverton, Wilsonville, and King City; and

WHEREAS, in 2021 the City of Tigard submitted a proposal to the Metro Planning Department seeking to add approximately 490.6 acres of land known as River Terrace 2.0 to the UGB through Metro's mid-cycle amendment process under Metro Code Section 3.07.1427; and

WHEREAS, the City of Tigard's proposal includes a concept plan for River Terrace 2.0 that is consistent with Title 11 of the Metro Urban Growth Management Functional Plan and offers a full range of housing opportunities to meet the diverse needs of the people of Tigard while providing accessible parks and open spaces and a transportation system that treats all modes equally with biking and walking trails spread throughout the plan area; and

WHEREAS, the Metro Chief Operating Officer (COO) reviewed the City of Tigard's proposal and issued her COO Recommendation on April 28, 2022, which recommends that the Metro Council adopt a proposed UGB expansion for River Terrace 2.0, but through a UGB exchange process rather than the mid-cycle amendment process; and

WHEREAS, Oregon law authorizes UGB land exchanges to amend the UGB without requiring a new analysis of 20-year regional capacity where land is added to the UGB in one location while a substantially equivalent amount of buildable acreage is simultaneously removed in another location; and

WHEREAS, after receiving the COO Recommendation, the Metro Council directed Metro Planning Department staff to prepare a proposed approach for identifying properties inside the existing UGB that are the preferred candidates for being removed through the proposed UGB exchange; and

WHEREAS, Metro staff created a process for identifying potential exchange candidates that mapped buildable lands in unincorporated areas within a one-mile buffer inside the UGB, followed by consultation with the relevant local jurisdictions and special districts to determine which areas are being planned for future development and which areas are not; and

WHEREAS, after removing lands from consideration that have some level of development readiness, Metro staff presented the remaining land exchange options to the Metro Council at its meeting on September 15, 2022, and discussed potential considerations that could be applied for further narrowing of the UGB exchange areas; and

WHEREAS, the Metro Council endorsed staff's proposal to narrow the remaining options by applying a number of considerations to the remaining areas, including the amount of time property has been in the UGB, parcelization, whether an area was added to the UGB for a special purpose, and the existence of environmental features; and

WHEREAS, based on direction provided by the Metro Council and the Metro Policy Advisory Committee (MPAC) regarding the considerations for UGB exchange areas, on October 20, 2022, the Metro COO issued a recommendation to the Metro Council identifying three options for potential removal from the UGB that apply those considerations and also meet the applicable state law requirements; and

WHEREAS, on November 9, 2022, MPAC voted to recommend that the Metro Council approve a UGB exchange that would allow the addition of the River Terrace 2.0 area to the UGB to provide additional housing options to the region while removing the area identified as "Option 3" in the COO Recommendation, which includes two exchange areas, one in the area formerly known as the City of Damascus and one adjacent to the northeast part of Oregon City; and

WHEREAS, on November 22, 2022, the Metro Council also endorsed the COO's "Option 3," and directed staff to move forward with removal of those areas from the UGB through the exchange process while adding the River Terrace 2.0 area adjacent to the City of Tigard; and

WHEREAS, since the COO Recommendation on April 28, 2022, Metro staff have undertaken a significant amount of public engagement with local jurisdictions and stakeholders regarding the proposed UGB exchange and the areas proposed for removal from the UGB; and

WHEREAS, the addition of River Place 2.0 will add approximately 490.6 gross acres and 346.5 buildable acres of urban reserve land to the UGB and provide a diversity of housing types including single detached dwellings and middle housing types such as accessory dwelling units, duplexes, triplexes, quadplexes, cottage clusters, courtyard units and rowhouses; and

WHEREAS, removal of the areas identified in Exhibits A-3 and A-4 to this ordinance will remove approximately 571.8 gross acres and 351.5 buildable acres from the UGB in areas that are unlikely to be ready for development in the next 20 years; and

WHEREAS, utilizing the UGB land exchange process to provide the region with additional housing in the location proposed by the City of Tigard is consistent with Metro's policy to only add land to the UGB where a city has demonstrated readiness for development and a detailed plan for housing, transportation, parks and other infrastructure; and

WHEREAS, as required by Statewide Planning Goal 14, Metro staff evaluated other areas in the region designated as urban reserves for possible addition to the UGB based upon their relative suitability under the Goal 14 locational factors and the related Metro Code factors; and

WHEREAS, the Metro Council held a public hearing on this ordinance on January 19, 2023; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The UGB is amended to add and remove the areas as shown on Exhibit A, attached and incorporated into this ordinance; a detailed map of the River Terrace 2.0 area is at Exhibit A-2 and detailed maps of the areas being removed are at Exhibits A-3 and A-4.
2. The conditions set forth in Exhibit B, attached and incorporated into this ordinance, are applied to the UGB expansion areas.
3. The Urban Growth Boundary and Urban and Rural Reserves Map in Title 14 of the Urban Growth Management Functional Plan, attached and incorporated into this ordinance as Exhibit C, is amended to reflect the UGB amendments shown on Exhibit A.
4. The Findings of Fact and Conclusions of Law attached as Exhibit D to this ordinance are hereby adopted to explain how this ordinance is consistent with state law and applicable Metro policies, and to provide evidentiary support for this decision.
5. The Metro COO and planning department staff are directed to work with the City of Tigard toward providing 2040 Planning and Development Grant funding to assist the city with its comprehensive planning of the River Terrace 2.0 area.

ADOPTED by the Metro Council this ____ day of February 2023.

Lynn Peterson, Council President

Attest:

Approved as to Form:

Connor Ayers, Recording Secretary

Carrie MacLaren, Metro Attorney