

METRO COUNCIL

Work Session Worksheet

PRESENTATION DATE: September 14, 2017

LENGTH: 45 minutes

PRESENTATION TITLE: Expectations for cities proposing residential UGB expansions

DEPARTMENT: Planning and Development

PRESENTER(s): Elissa Gertler, Planning and Development
Ted Reid, Planning and Development

WORK SESSION PURPOSE & DESIRED OUTCOMES

Purpose: Update Council on the Metro Technical Advisory Committee's (MTAC) recommendations for clarifying expectations for cities proposing residential urban growth boundary (UGB) expansions.

Outcome: The Council provides direction to staff on draft amendments to Metro code and administrative guidance for that code.

TOPIC BACKGROUND & FRAMING THE WORK SESSION DISCUSSION

Past Council direction

When the Metro Council made an urban growth management decision in November 2015, the Council provided direction on next steps for the region's urban growth management work program. One piece of Council direction was to work towards state acknowledgement of urban and rural reserves. Now adopted by Metro and the counties and pending state acknowledgement, urban and rural reserve designations represent a significant step for the region in how it approaches urban growth management decisions.

With the region's anticipated long-range urban form settled, the Council has indicated that it is prepared to take a new, outcomes-based approach to urban growth management that focuses on city readiness. In November 2015, the Metro Council directed staff that it wanted to convene regional partners to explore possible improvements to the region's urban growth management process. From spring 2016 to winter 2017, Council President Hughes chaired the Urban Growth Readiness Task Force. The Task Force developed several consensus recommendations, which the Metro Council endorsed in Resolution No. 17-4764.

Advancing the Urban Growth Readiness Task Force recommendations

The Task Force's efforts were focused on identifying ways that the Metro Council could exercise greater flexibility to respond to city requests for residential UGB expansions into concept-planned urban reserves.¹ In keeping with the Task Force's recommendations, the Council-endorsed work program for the 2018 urban growth management decision seeks to more fully use the flexibility provided under existing state law when identifying housing needs. Additional flexibility is made possible by recent changes to state law – which respond to Task Force recommendations – that facilitate mid-cycle residential growth management decisions.²

¹ The Task Force focused on residential growth management decisions since state law already allows greater flexibility for identifying employment land needs. Likewise, Metro code already includes a process for the Council to respond to applications for non-residential UGB expansions.

² The first mid-cycle decision is expected in 2021, three years after the anticipated 2018 legislative growth management decision.

The Task Force also agreed that, accompanying Council flexibility, the region should have high standards when considering expansion proposals. Generally, the Task Force recommended that, in addition to providing a concept plan for the proposed expansion area (which is already required under Metro Code), cities should describe how they are using best practices to facilitate the development of needed housing in existing urban areas and to achieve the region's desired outcomes.³ To that end, the Task Force recommended that Metro should clarify expectations for cities proposing residential UGB expansions into urban reserves. The Task Force suggested (and the Metro Council concurred) that Metro staff should work with MTAC to develop draft code. The Task Force further advised that the code should seek a balance between providing flexibility and certainty.

MTAC recommendations to MPAC

Since fall 2016, MTAC has discussed the question of flexibility vs. certainty and has landed on the flexibility end of the spectrum. In MTAC discussions, prescriptive code language proved unworkable, particularly since each city has different circumstances and the Council has indicated that it wishes to exercise greater flexibility. On September 6, 2017, MTAC unanimously recommended to MPAC the proposed Title 14 (Planning for New Urban Areas) amendments included in the Council's meeting packet.

MTAC also discussed how flexibility creates uncertainty for cities and has suggested that Metro prepare administrative guidance for cities making proposals. This guidance can be thought of as akin to guidelines for grant applicants that describe the particular interests of the funding body for a grant cycle. Since it would not be adopted as code, the administrative guidance could be updated for future growth management decisions to reflect the Council's current interests.

Metro staff agrees with the approach suggested by MTAC and believes that it is the best way to facilitate the outcomes-based framework that the Council has adopted. MTAC has not discussed the draft administrative guidance document in the Council meeting packet.

Packet materials

The Council's work session packet includes two items:

1. MTAC's recommended draft amendments to Title 14 (Urban Growth Boundary) of the Metro Functional Plan. The draft amendments would do two basic things:
 - Establish expectations for cities making residential expansion proposals (per previous Council direction, these expectations would apply to mid-cycle and legislative decisions); and,
 - Establish procedures for mid-cycle residential expansion proposals and decisions.
2. Draft administrative guidance for cities making residential expansion proposals in 2018.

Given the amount of discussion that MTAC has devoted to the draft Title 14 amendments and barring major Council concerns with the draft code amendments, staff suggests that Council focus most of its discussion on the administrative guidance document where the Council can provide additional direction on its policy interests.

Next steps

If Council agrees with the suggested approach to providing administrative guidance for cities, staff will seek to refine the guidance based on Council interests. Because the guidance is framed around the draft code that MTAC has helped recommended and is intended to provide additional insight into Council policy interests around those requirements, staff does not intend to seek MTAC's formal recommendation on the administrative guidance document. Once the guidance document incorporates Council direction, it will be provided this fall to cities in anticipation of their submission of letters of interest by the end of 2017 and full proposals for residential expansions by the end of May 2018.

³ As defined in the Regional Framework Plan.

MPAC will discuss the proposed code amendments at its September 27 meeting and will be asked for a recommendation at its October 11 meeting. The Metro Council will have an opportunity to consider Title 11 code amendments this fall, after MPAC's recommendation.

QUESTIONS FOR COUNCIL CONSIDERATION

- Does the Council have any questions for staff?
- Does the Council agree with the proposed approach, which relies on flexible code language accompanied by administrative guidance that can be updated in advance of future Council decisions?
- Does the Council have suggestions for the administrative guidance document?

PACKET MATERIALS

- Would legislation be required for Council action ☒Yes ☐No
- If yes, is draft legislation attached? ☒Yes ☐No
- What other materials are you presenting today? Draft administrative guidance to accompany the proposed Title 14 amendments