

MPAC Worksheet

Agenda Item Title: Expectations for cities proposing residential urban growth boundary expansions

Presenter: Ted Reid, Principal Regional Planner

Contact for this worksheet/presentation: Ted Reid, ted.reid@oregonmetro.gov

Purpose/Objective

Provide MPAC with an update on MTAC discussions of proposed amendments to Metro code. The amendments are intended to clarify expectations for cities proposing residential urban growth boundary (UGB) expansions.

Action Requested/Outcome

MPAC has an initial discussion of proposed code amendments to prepare it for making a formal recommendation (at its October 11 meeting) to the Metro Council.

What has changed since MPAC last considered this issue/item?

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.

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

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.

changes to state law – which respond to Task Force recommendations – that facilitate mid-cycle residential growth management decisions.²

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 outcomes³. 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 proposed Title 14 (Planning for New Urban Areas) amendments.

MTAC also discussed how flexibility creates uncertainty for cities and has suggested that Metro prepare administrative guidance for cities making proposals. The guidance would be framed around the proposed code amendments. 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.

Council discussions of proposed code amendments

The Metro Council discussed the proposed code amendments (version recommended by MTAC) and an initial draft of administrative guidance at its September 14 work session. The Metro Council suggested one change to the mid-cycle UGB amendment criteria described in proposed code section 3.07.1428(b)2. That criterion references a timeframe during which the proposed housing is likely to be developed. MTAC recommended that this be a 20-year time horizon. The Metro Council subsequently requested that this be changed to 10 years to recognize that mid-cycle decisions are intended to respond to more immediate opportunities to provide needed housing.⁴ That Council direction is reflected in the version in MPAC’s meeting packet.

Next steps (dates may be subject to change)

September 27: MPAC discussion of proposed code amendments

October 11: MPAC recommendation to the Metro Council on proposed code amendments

October 26: Metro Council hearing on proposed code amendments

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

³ As defined in the Regional Framework Plan.

⁴ Legislative UGB amendments, which must be considered by the Council at least every six years, respond to a 20-year time horizon.

November 2: Metro Council decision on proposed code amendments

What packet material do you plan to include?

MPAC's packet includes draft amendments to Title 14 (Urban Growth Boundary) of the Urban Growth Management Functional Plan. The proposed code in MPAC's packet is the version recommended by MTAC with one change (noted above) requested by the Metro Council.