

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING LCDC) RESOLUTION NO. 99-2855C
APPROVAL OF A LIMITED EXTENSION TO)
THE LAST DEADLINE OF ORS 197.299 AND) Introduced by Growth Management
ACCEPTING THE 1997 URBAN GROWTH) Committee
REPORT UPDATE)

WHEREAS, Metro manages the Urban Growth Boundary according to requirements of state law and Metro Code; and

WHEREAS, Metro adopted the Urban Growth Management Functional Plan in November 1996, which included Title 3 concerning both water quality and fish and wildlife habitat protection; and

WHEREAS, the regulations to protect environmentally sensitive lands implementing Title 3 operate to reduce the dwelling unit capacity of land inside the urban growth boundary; and

WHEREAS, as part of its five-year legislative review of the Urban Growth Boundary (UGB), Metro completed an Urban Growth Report in 1997 estimating the remaining housing capacity of the UGB; and

WHEREAS, in December of 1997, the Metro Council used the data in the 1997 Urban Growth Report to determine a need for 32,370 dwelling units that could not be otherwise be accommodated in the UGB in compliance with the first deadline in ORS 197.299; and

WHEREAS, in 1998, the Metro Council added 3,527 acres to the UGB, by ordinance, to provide capacity for approximately one-half of the dwelling units needed for a 20-year housing capacity inside the UGB, which DLCD Director Benner concluded met the second deadline in ORS 197.299; and

WHEREAS, to estimate the remaining housing capacity inside the UGB to determine any need for UGB amendments, to provide a 20-year housing capacity inside the UGB, Metro has worked throughout 1999 to publish the 1997 Urban Growth Report Update (Exhibit "A"), containing new data reflecting the period 1994-1998, and revised riparian protection assumptions which identify a range of UGB housing capacity to 2017, which is dependent on the extent of regulations to protect streams and associated wetlands; and

WHEREAS, the 1997 Urban Growth Report Update in Exhibit "A" calculated the high end of the housing capacity of buildable lands inside the UGB based on adopted riparian corridor and wetlands protections in the water quality section of Title 3 of the Urban Growth Management Functional Plan; and

WHEREAS, a calculation of the housing capacity of buildable lands inside the UGB for the low end of the range in the 1997 Urban Growth Report Update was done based on additional regulation to protect riparian corridors and wetlands related to the Goal 5 riparian and fish and wildlife habitat protection which are scheduled to be promulgated by Metro early in 2000; and

WHEREAS, Metro has worked throughout 1999 to analyze regional riparian and habitat resources to consider regional regulations to protect these resources; and

WHEREAS, additional information about the density estimate for environmentally sensitive lands, jobs/housing imbalances and estimated accessory dwellings units is needed to complete the calculation of the housing capacity of buildable land within the UGB; and

WHEREAS, the additional regulation to protect riparian corridors and associated wetlands are being developed. In October 1999 Metro published "*Development of Measures To Conserve, Protect And Restore Riparian Corridors In The Metro Region, Preliminary Draft,*" attached as Exhibit "B" as a preliminary step toward developing and adopting additional riparian and habitat corridor protection identified in Goal 5 resource and protection areas; and

WHEREAS, these regulations scheduled in Exhibit "C" to be adopted in May-June, 2000, would reduce the housing capacity of buildable land within the UGB, by as much as 15,000 dwelling units; and

WHEREAS, protection of environmentally sensitive lands is an important matter as Metro considers possible expansion of UGB; now, therefore,

BE IT RESOLVED:

1. That the Executive Officer is directed to request a recommendation from the Department of Land Conservation and Development Director for approval of such an extension from the Land Conservation and Development Commission consistent with the requirements of ORS 197.299(3). This is a time extension to complete all actions needed to assure 20-year housing capacity in the regional UGB, the last of three (3) deadlines in ORS 197.299.

2. That the time extension requested is from December 31, 1999 to October 31, 2000 to allow completion of Title 3, Section 5 regulations in the Goal 5 regional "resource area" and "impact area" preliminarily described in Exhibit "B." The regulations will be considered for adoption according to the schedule in Exhibit "C." Upon completion of Title 3, Section 5,

regulations, UGB amendments must be considered to accommodate the remaining deficit of housing dwelling units to achieve a 20-year housing capacity within the UGB.


3. That the Metro Council accepts the 1997 Urban Growth Report Update with more work to be completed on the density estimated for environmentally sensitive lands, and estimated accessory dwelling units. The calculated range of the dwelling unit capacity of environmentally sensitive lands is scheduled in Exhibit "C" to receive additional Goal 5-based regulation. This calculation indicates that the scheduled additional regulation will reduce the 20-year buildable residential land inventory inside the UGB by as many as 15,000 dwelling units. In addition work will also be completed on the location of jobs/housing imbalances.

4. That final action to attain Metro compliance with ORS 197.299 by October 31, 2000 in determining the need for additional UGB amendments shall include the density estimated for environmentally sensitive land, the estimated number of accessory dwelling units, consideration of the effects of newly adopted Goal 5-based regulations and the location of jobs/housing imbalances.

5. That during the extension period Metro will consider UGB amendments that respond to local community building efforts that are consistent with the acknowledged 2040 Growth Concept by considering demonstrated subregional community development needs identified by cities and counties. Such subregional UGB amendments will be supported by a decision record which includes the Growth Management Department staff work and reports, studies and other documented information demonstrating subregional jobs/housing imbalances, including areas with insufficient industrial land that result in a disproportionate amount of housing relative to jobs in such communities.


6. That any expansions of the UGB during the remaining legislative review shall be correlated with regional regulations to protect the environmentally sensitive lands.

ADOPTED by the Metro Council this 18th day of NOVEMBER 1999.



Rod Monroe, Presiding Officer

APPROVED AS TO FORM:



Daniel B. Cooper, General Counsel
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OGC/LSS/kvw 11/19/1999

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING LCDC) RESOLUTION NO. 99-2855BC
APPROVAL OF A LIMITED EXTENSION TO)
THE LAST DEADLINE OF ORS 197.299 AND) Introduced by Growth Management
ACCEPTING THE 1997 URBAN GROWTH) Committee
REPORT UPDATE)

WHEREAS, Metro manages the Urban Growth Boundary according to requirements of state law and Metro Code; and

WHEREAS, Metro adopted the Urban Growth Management Functional Plan in November 1996, which included Title 3 concerning both water quality and fish and wildlife habitat protection; and

WHEREAS, the regulations to protect environmentally sensitive lands implementing Title 3 operate to reduce the dwelling unit capacity of land inside the urban growth boundary; and

WHEREAS, as part of its five-year legislative review of the Urban Growth Boundary (UGB), Metro completed an Urban Growth Report in 1997 estimating the remaining housing capacity of the UGB; and

WHEREAS, in December of 1997, the Metro Council used the data in the 1997 Urban Growth Report to determine a need for 32,370 dwelling units that could not be otherwise be accommodated in the UGB in compliance with the first deadline in ORS 197.299; and

WHEREAS, in 1998, the Metro Council added 3,527 acres to the UGB, by ordinance, to provide capacity for approximately one-half of the dwelling units needed for a 20-year housing capacity inside the UGB, which DLCDC Director Benner concluded met the second deadline in ORS 197.299; and

WHEREAS, to estimate the remaining housing capacity inside the UGB to determine any need for UGB amendments, to provide a 20-year housing capacity inside the UGB, Metro has worked throughout 1999 to publish the 1997 Urban Growth Report Update (Exhibit "A"), containing new data reflecting the period 1994-1998, and revised riparian protection assumptions which identify a range of UGB housing capacity to 2017, which is dependent on the extent of regulations to protect streams and associated wetlands; and

WHEREAS, the 1997 Urban Growth Report Update in Exhibit "A" calculated the high end of the housing capacity of buildable lands inside the UGB based on adopted riparian corridor and wetlands protections in the water quality section of Title 3 of the Urban Growth Management Functional Plan; and

WHEREAS, a calculation of the housing capacity of buildable lands inside the UGB for the low end of the range in the 1997 Urban Growth Report Update was done based on additional regulation to protect riparian corridors and wetlands related to the Goal 5 riparian and fish and wildlife habitat protection which are scheduled to be promulgated by Metro early in 2000; and

WHEREAS, Metro has worked throughout 1999 to analyze regional riparian and habitat resources to consider regional regulations to protect these resources; and

WHEREAS, additional information about the density estimate for environmentally sensitive lands, jobs/housing imbalances and estimated accessory dwellings units is needed to complete the calculation of the housing capacity of buildable land within the UGB; and

WHEREAS, the additional regulation to protect riparian corridors and associated wetlands are being developed. In October 1999 Metro published "*Development of Measures To Conserve, Protect And Restore Riparian Corridors In The Metro Region, Preliminary Draft,*" attached as Exhibit "B" as a preliminary step toward developing and adopting additional riparian and habitat corridor protection identified in Goal 5 resource and protection areas; and

WHEREAS, these regulations scheduled in Exhibit "C" to be adopted in May-June, 2000, would reduce the housing capacity of buildable land within the UGB, by as much as 15,000 dwelling units; and

WHEREAS, protection of environmentally sensitive lands is an important matter as Metro considers possible expansion of UGB; now, therefore,

BE IT RESOLVED:

1. That the Executive Officer is directed to request a recommendation from the Department of Land Conservation and Development Director for approval of such an extension from the Land Conservation and Development Commission consistent with the requirements of ORS 197.299(3). This is a time extension to complete all actions needed to assure 20-year housing capacity in the regional UGB, the last of three (3) deadlines in ORS 197.299.

2. That the time extension requested is from December 31, 1999 to October 31, 2000 to allow completion of Title 3, Section 5 regulations in the Goal 5 regional "resource area" and "impact area" preliminarily described in Exhibit "B." The regulations will be considered for adoption according to the schedule in Exhibit "C." Upon completion of ~~these~~ Title 3, Section 5,

regulations, UGB amendments must be considered to accommodate the remaining deficit of housing dwelling units to achieve a 20-year housing capacity within the UGB.

3. That the Metro Council accepts the 1997 Urban Growth Report Update with more work to be completed on the density estimated for environmentally sensitive lands, and estimated accessory dwelling units. The calculated range of the dwelling unit capacity of environmentally sensitive lands is scheduled in Exhibit "C" to receive additional Goal 5-based regulation. This calculation indicates that the scheduled additional regulation will reduce the 20-year buildable residential land inventory inside the UGB by as many as 15,000 dwelling units. In addition work will also be completed on the location of jobs/housing imbalances.

4. That final action to attain Metro compliance with ORS 197.299 by October 31, 2000 in determining the need for additional UGB amendments shall include the density estimated for environmentally sensitive land, the estimated number of accessory dwelling units, consideration of the effects of newly adopted Goal 5-based regulations and the location of jobs/housing imbalances. Final action will not include any new Urban Growth Management Functional Plan requirements to further increase densities inside the UGB.

5. That during the extension period Metro will consider UGB amendments that respond to local community building efforts that are consistent with the acknowledged 2040 Growth Concept by considering demonstrated subregional community development needs identified by cities and counties. Such subregional UGB amendments will be supported by a decision record which includes the Growth Management Department staff work and reports, studies and other documented information demonstrating subregional jobs/housing imbalances, including areas with insufficient industrial land that result in a disproportionate amount of housing relative to jobs in such communities.

6. That any expansions of the UGB during the remaining legislative review shall be correlated with regional regulations to protect the environmentally sensitive lands.

ADOPTED by the Metro Council this ____ day of _____ 1999.

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

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OGC/LSS/kvw 11/17/1999

Exhibit "A"

1997 Urban Growth Report Update

Metro Report

1997 Urban Growth Report Update

September 1999



METRO
Regional Services
*Creating livable
communities*

1997 Urban Growth Report Update

Prepared by Growth Management Services
Department

Acknowledgements

Elaine Wilkerson, Director

Sherrie Blackledge

Jennifer Bradford

Sonny Conder

Carol Hall

Lydia Neill

Mark Turpel

Dennis Yee

Exhibit "B"

October 1999 *"Development of Measures To Conserve, Protect And Restore
Riparian Corridors In The Metro Region, Preliminary Draft"*

PRELIMINARY DRAFT

**DEVELOPMENT OF MEASURES TO CONSERVE,
PROTECT AND RESTORE RIPARIAN CORRIDORS IN
THE METRO REGION**

“STREAMSIDE CPR”

OCTOBER 1999

Prepared by

METRO GROWTH MANAGEMENT SERVICES



METRO



EXHIBIT C – Table 1

1997 UGR/UGB Amendment Process 1999-2000

Growth Management Services Department

November 1999

Phase I – Natural Resource Protection Work Schedule

	September/October	November/December	January/February	March/April	May/June
Title 3	Review of Time Extension Requests (Sept '99) Metro Council Extension Determinations (Sept '99)	Compliance Deadline (Dec 31, '99)	Local Government Assistance (Jan – Jun '00)	→ → → → → → → →	→ → → → → → → →
Goal 5 Riparian Habitat Fast Track Project	Draft Report Submitted to GMC (Oct '99) Goal 5 TAC Technical Review (Oct '99 – Jan '00)	Review at GMC (Nov/Dec '99) Committee Review of Draft Report (WRPAC, GTAC, MTAC MPAC) (Nov/Dec '99)	Functional Plan Proposed Amendments to Title 3 (Feb '00) Public Workshops (Jan/May '00)	→ → → → → → → →	→ → → →
		Local Government Contact (Ongoing)	→ → → → → → → →	→ → → → → → → →	→ → → → → → → →

Other Metro departments including Executive Office, Regional Parks and Greenspaces and Transportation are also conducting natural resource work that is not included in this summary.



Table 1
(continued)

Phase II – UGB Amendments (UGBA) Work Schedule

November/December	January/April	May/June	July/August	September/October
UGR/UGBA Hearings	January 1, 2000 Deadline for proposals for UGB changes	June 30 Deadline for providing information and justifications for specific UGB changes	Notice UGBA/Annexation -DLCD -Newspaper -Property Owners	
	UGR Studies and Reports on various items identified for further work Review by MPAC, GMC, Metro Council	Determination of remaining need and location/priorities Based on: 1. natural resource program 2. density of constrained land study 3. jobs/housing balance conclusions 4. accessory dwelling unit study	Staff Reports on Areas being considered for UGBA (Goal 14 analysis)	Hearings on UGBA/Metro Annexation
	Possible adoption of ordinances for subregional need and Metro annexation (as necessary)			By October 31 Adoption of Ordinances for UGB Amendments to satisfy Need and Metro Annexations (as necessary)

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING LCDC) RESOLUTION NO. 99-2855AB
APPROVAL OF A LIMITED EXTENSION TO)
THE LAST DEADLINE OF ORS 197.299 AND) Introduced by Growth Management
ACCEPTING THE 1997 URBAN GROWTH) Committee
REPORT UPDATE)

WHEREAS, Metro manages the Urban Growth Boundary according to requirements of state law and Metro Code; and

WHEREAS, Metro adopted the Urban Growth Management Functional Plan in November 1996, which included Title 3 concerning both water quality and fish and wildlife habitat protection; and

WHEREAS, the regulations to protect environmentally sensitive lands implementing Title 3 operate to reduce the dwelling unit capacity of land inside the urban growth boundary; and

WHEREAS, as part of its five-year legislative review of the Urban Growth Boundary (UGB), Metro completed an Urban Growth Report in 1997 estimating the remaining housing capacity of the UGB; and

WHEREAS, in December of 1997, the Metro Council used the data in the 1997 Urban Growth Report to determine a need for 32,370 dwelling units that could not be otherwise be accommodated in the UGB in compliance with the first deadline in ORS 197.299; and

WHEREAS, in 1998, the Metro Council added 3,527 acres to the UGB, by ordinance, to provide capacity for approximately one-half of the dwelling units needed for a 20-year housing capacity inside the UGB, which DLCD Director Benner concluded met the second deadline in ORS 197.299; and

WHEREAS, to estimate the remaining housing capacity inside the UGB to determine any need for UGB amendments, to provide a 20-year housing capacity inside the UGB, Metro has worked throughout 1999 to publish the 1997 Urban Growth Report Update (Exhibit "A"), containing new data reflecting the period 1994-1998, and revised riparian protection assumptions which identify a range of UGB housing capacity to 2017, which is dependent on the extent of regulations to protect streams and associated wetlands; and

WHEREAS, the 1997 Urban Growth Report Update in Exhibit "A" calculated the high end of the housing capacity of buildable lands inside the UGB based on adopted riparian corridor and wetlands protections in the water quality section of Title 3 of the Urban Growth Management Functional Plan; and

WHEREAS, a calculation of the housing capacity of buildable lands inside the UGB for the low end of the range in the 1997 Urban Growth Report Update was done based on additional regulation to protect riparian corridors and wetlands related to the Goal 5 riparian and fish and wildlife habitat protection which are scheduled to be promulgated by Metro early in 2000; and

WHEREAS, Metro has worked throughout 1999 to analyze regional riparian and habitat resources to consider regional regulations to protect these resources; and

WHEREAS, the additional regulation to protect riparian corridors and associated wetlands are being developed, ~~consistent with the~~ In October 1999 Metro published *"Development of Measures To Conserve, Protect And Restore Riparian Corridors In The Metro Region, Preliminary Draft,"* attached as Exhibit "B" as a preliminary step toward developing and adopting to provide additional riparian and habitat corridor protection identified in Goal 5 resource and protection areas; and

WHEREAS, these regulations scheduled in Exhibit "C" to be adopted in May-June, 2000, would reduce the housing capacity of buildable land within the UGB, by as much as 15,000 dwelling units; and

WHEREAS, protection of environmentally sensitive lands is an important matter as Metro considers possible expansion of UGB; now, therefore,

BE IT RESOLVED:

1. That the Executive Officer is directed to request a recommendation from the Department of Land Conservation and Development Director for approval of such an extension from the Land Conservation and Development Commission consistent with the requirements of ORS 197.299(3). This is a time extension to complete all actions needed to assure 20-year housing capacity in the regional UGB, the last of three (3) deadlines in ORS 197.299.

2. That the time extension requested is from December 31, 1999 to October 31, 2000 to allow completion of Title 3, Section 5 regulations in the Goal 5 regional "resource area" and "impact area" ~~defined preliminarily described in Exhibit "B."~~ The regulations will be considered for adoption according to the schedule in Exhibit "C." Upon completion of those regulations, UGB amendments must be considered to accommodate the remaining deficit of housing dwelling units to achieve a 20-year housing capacity within the UGB.

3. That the Metro Council accepts the 1997 Urban Growth Report Update with more work to be completed on the density estimated for environmentally sensitive lands, ~~location of jobs/housing imbalances,~~ and estimated accessory dwelling units. The calculated range of of the dwelling unit capacity of environmentally sensitive lands is scheduled in Exhibit "C" to receive additional Goal 5-based regulation. This calculation indicates that the scheduled additional regulation will reduce the 20-year buildable residential land inventory inside the UGB by as

many as 15,000 dwelling units. In addition work will also be completed on the location of jobs/housing imbalances.

4. That final action to attain Metro compliance with ORS 197.299 by ~~the end of the year~~ October 31, 2000 in determining the need for additional UGB amendments shall include ~~re-calculation of the 20-year housing capacity inside the UGB, including a final review of the 1997 Urban Growth Report Update including the density estimated for environmentally sensitive land, the estimated number of accessory dwelling units, consideration of the effects of newly adopted Goal 5-based regulations protecting riparian and other environmentally sensitive lands on the estimated 20-year housing capacity inside the UGB for consideration of any needed additional UGB amendments, but~~ and the location of jobs/housing imbalances. Final action will not including any new Urban Growth Management Functional Plan requirements to further increase densities inside the UGB.

5. That during the extension period Metro will consider UGB amendments that respond to local community building efforts that are consistent with the acknowledged 2040 Growth Concept by considering demonstrated subregional community development needs identified by cities and counties. Such subregional UGB amendments will be supported by a decision record which includes the Growth Management Department staff work and reports, studies and other documented information demonstrating subregional jobs/housing imbalances, including areas with insufficient industrial land that result in a disproportionate amount of housing relative to jobs in such communities.

6. That any expansions of the UGB during the remaining legislative review shall be correlated with regional regulations to protect the environmentally sensitive lands.

ADOPTED by the Metro Council this _____ day of _____ 1999.

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

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OGC/LSS/kvw 11/02/1999

Metro Report

1997 Urban Growth Report Update

September 1999



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PRELIMINARY DRAFT

**DEVELOPMENT OF MEASURES TO CONSERVE,
PROTECT AND RESTORE RIPARIAN CORRIDORS IN
THE METRO REGION**

“STREAMSIDE CPR”

OCTOBER 1999

Prepared by

METRO GROWTH MANAGEMENT SERVICES



METRO

Draft Table 1

1997 UGR/UGB Amendment Process 1999-2000
Growth Management Services Department

November 1999

Phase I – Natural Resource Protection Work Schedule

	September/October	November/December	January/February	March/April	May/June
Title 3	Review of Time Extension Requests (Sept '99) Metro Council Extension Determinations (Sept '99)	Compliance Deadline (Dec 31, '99)	Local Government Assistance (Jan – Jun '00)	→ → → → → → → →	→ → → → → → → →
Goal 5 Riparian Habitat Fast Track Project	Draft Report Submitted to GMC (Oct '99) Goal 5 TAC Technical Review (Oct '99 – Jan '00)	Review at GMC (Nov/Dec '99) Committee Review of Draft Report (WRPAC, GTAC, MTAC MPAC) (Nov/Dec '99)	Functional Plan Proposed Amendments to Title 3 (Feb '00) Public Workshops (Jan/May '00) Local Government Contact (Ongoing)	→ → → → → → → →	Functional Plan Adoption (May/June '00) → → → → →

Other Metro departments including Executive Office, Regional Parks and Greenspaces and Transportation are also conducting natural resource work that is not included in this summary.

Draft Table 1
(continued)

Phase II – UGB Amendments (UGBA) Work Schedule

November/December	January/April	May/June	July/August	September/October
UGR/UGBA Hearings	January 1, 2000 Deadline for proposals for UGB changes	June 30 Deadline for providing information and justifications for specific UGB changes	Notice UGBA/Annexation -DLCD -Newspaper -Property Owners	
	UGR Studies and Reports on various items identified for further work Review by MPAC, GMC, Metro Council	Determination of remaining need and location/priorities Based on: 1. natural resource program 2. density of constrained land study 3. jobs/housing balance conclusions 4. accessory dwelling unit study	Staff Reports on Areas being considered for UGBA (Goal 14 analysis)	Hearings on UGBA/Metro Annexation
	Possible adoption of ordinances for subregional need and Metro annexation (as necessary)			By October 31 Adoption of Ordinances for UGB Amendments to satisfy Need and Metro Annexations (as necessary)

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING LCDC) RESOLUTION NO. 99-2855A
APPROVAL OF A LIMITED EXTENSION TO)
THE LAST DEADLINE OF ORS 197.299 AND) Introduced by Growth Management
ACCEPTING THE 1997 URBAN GROWTH) Committee
REPORT UPDATE)

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4. That final action to attain Metro compliance with ORS 197.299 by the end of the year 2000 shall include re-calculation of the 20-year housing capacity inside the UGB, including a final review of the 1997 Urban Growth Report Update including consideration of the effects of newly adopted Goal 5-based regulations protecting riparian and other environmentally sensitive lands on the estimated 20-year housing capacity inside the UGB for consideration of any needed additional UGB amendments, but not including any new Urban Growth Management Functional Plan requirements to further increase densities inside the UGB.

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6. That any expansions of the UGB during the remaining legislative review shall be correlated with regional regulations to protect the environmentally sensitive lands.

ADOPTED by the Metro Council this _____ day of _____ 1999.

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

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OGC/LSS/kvw 11/02/1999

Metro Report

1997 Urban Growth Report Update

September 1999



METRO
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PRELIMINARY DRAFT

**DEVELOPMENT OF MEASURES TO CONSERVE,
PROTECT AND RESTORE RIPARIAN CORRIDORS IN
THE METRO REGION**

“STREAMSIDE CPR”

OCTOBER 1999

Prepared by

METRO GROWTH MANAGEMENT SERVICES



METRO

Draft Table 1

1997 UGR/UGB Amendment Process 1999-2000
Growth Management Services Department

November 1999

Phase I – Natural Resource Protection Work Schedule

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		Local Government Contact (Ongoing)	→ → → → → → → →	→ → → → → → → →	→ → → → → → → →

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Draft Table 1
(continued)

Phase II – UGB Amendments (UGBA) Work Schedule

November/December	January/April	May/June	July/August	September/October
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	Possible adoption of ordinances for subregional need and Metro annexation (as necessary)			By October 31 Adoption of Ordinances for UGB Amendments to satisfy Need and Metro Annexations (as necessary)

GROWTH MAGEMENT COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 99-2855A, FOR THE PURPOSE OF REQUESTING LCDC APPROVAL OF A LIMITED EXTENSION TO THE LAST DEADLINE OF ORS 197.299 AND ACCEPTING THE 1997 URBAN GROWTH REPORT UPDATE

Date: November 9, 1999

Presented by: Councilor Park

Committee Action: At its November 2, 1999 meeting, the Growth Management Committee voted 3-0 to recommend Council adoption of Resolution 99-2855A. Voting in favor: Councilors Bragdon, Park and McLain.

Committee Issues/Discussion: Chair McLain introduced the resolution, and an amended A version that she said had been prepared based on suggestions from MPAC members, including the Mayors of Hillsboro and Beaverton. Larry Shaw, Senior Assistant Counsel, then called out several of the amendments for clarification.

For example, three items are listed in the third "resolved" section of the resolution, relating to the acceptance of the Urban Growth Report Update, that will require additional work during the time period of a requested time extension from DLCD. These are; calculating the density expected on environmentally sensitive land, location of jobs housing imbalances and calculating accessory dwelling units. Mr. Shaw added that Mr. Benner, director of the Department of Land Conservation and Development, had indicated that any time extension request had to be based, in part, on a need to finish analysis of key data.

Resolved # 5 points out that during the extension period, Metro will consider urban growth boundary amendments consistent with the 2040 Growth Concept, that address demonstrated community building needs, and that are supported by Growth Management department work in the area of job/housing imbalance. Elaine Wilkerson, Growth Management Department director, added that she felt her department would be able to produce both Goal 5 work and jobs/housing subregional need data in a timely manner, allowing the Council to meet the October 31, 2000 deadline which the resolution now calls for.

Committee discussion ended with an indication that Mr. Benner would be invited to the November 23 Council/Executive informal meeting, to discuss the effects of this resolution in addition to aspects of the periodic review process.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REQUESTING LCDC) RESOLUTION NO. 99-2855
APPROVAL OF A LIMITED EXTENSION TO)
THE LAST DEADLINE OF ORS 197.299 AND) Introduced by Growth Management
ACCEPTING THE 1997 URBAN GROWTH) Committee
REPORT UPDATE)

WHEREAS, Metro manages the Urban Growth Boundary according to requirements of state law and Metro Code; and

WHEREAS, Metro adopted the Urban Growth Management Functional Plan in November 1996, which included Title 3 concerning both water quality and fish and wildlife habitat protection; and

WHEREAS, the regulations to protect environmentally sensitive lands implementing Title 3 operate to reduce the dwelling unit capacity of land inside the urban growth boundary; and

WHEREAS, as part of its five-year legislative review of the Urban Growth Boundary (UGB), Metro completed an Urban Growth Report in 1997 estimating the remaining housing capacity of the UGB; and

WHEREAS, in December of 1997, the Metro Council used the data in the 1997 Urban Growth Report to determine a need for 32,370 dwelling units that could not be otherwise be accommodated in the UGB in compliance with the first deadline in ORS 197.299; and

WHEREAS, in 1998, the Metro Council added 3,527 acres to the UGB, by ordinance, to provide capacity for approximately one-half of the dwelling units needed for a 20-year housing capacity inside the UGB, which DLCD Director Benner concluded met the second deadline in ORS 197.299; and

WHEREAS, to estimate the remaining housing capacity inside the UGB to determine any need for UGB amendments, to provide a 20-year housing capacity inside the UGB, Metro has worked throughout 1999 to publish the 1997 Urban Growth Report Update (Exhibit "A"), containing new data reflecting the period 1994-1998, and revised riparian protection assumptions which identify a range of UGB housing capacity to 2017, which is dependent on the extent of regulations to protect streams and associated wetlands; and

WHEREAS, the 1997 Urban Growth Report Update in Exhibit "A" calculated the high end of the housing capacity of buildable lands inside the UGB based on adopted riparian corridor and wetlands protections in the water quality section of Title 3 of the Urban Growth Management Functional Plan; and

WHEREAS, a calculation of the housing capacity of buildable lands inside the UGB for the low end of the range in the 1997 Urban Growth Report Update was done based on additional regulation to protect riparian corridors and wetlands related to the Goal 5 riparian and fish and wildlife habitat protection which are scheduled to be promulgated by Metro early in 2000; and

WHEREAS, Metro has worked throughout 1999 to analyze regional riparian and habitat resources to consider regional regulations to protect these resources; and

WHEREAS, the additional regulation to protect riparian corridors and associated wetlands are being developed consistent with the October 1999 *"Development of Measures To Conserve, Protect And Restore Riparian Corridors In The Metro Region, Preliminary Draft,"* attached as Exhibit "B" to provide additional riparian and habitat corridor protection identified in Goal 5 resource and protection areas; and

WHEREAS, these regulations scheduled in Exhibit "C" to be adopted in May-June, 2000, would reduce the housing capacity of buildable land within the UGB, by as much as 15,000 dwelling units; and

WHEREAS, protection of environmentally sensitive lands is an important matter as Metro considers possible expansion of UGB; now, therefore,

BE IT RESOLVED:

1. That the Executive Officer is directed to request a recommendation from the Department of Land Conservation and Development Director for approval of such an extension from the Land Conservation and Development Commission consistent with the requirements of ORS 197.299(3). This is a time extension to complete all actions needed to assure 20-year housing capacity in the regional UGB, the last of three (3) deadlines in ORS 197.299.

2. That the time extension requested is from December 31, 1999 to December 31, 2000 to allow completion of Title 3, Section 5 regulations in the Goal 5 regional "resource area" and "impact area" defined in Exhibit "B" according to the schedule in Exhibit "C." Upon completion of those regulations, UGB amendments must be considered to accommodate the remaining deficit of housing dwelling units to achieve a 20-year housing capacity within the UGB.

3. That the Metro Council accepts the 1997 Urban Growth Report Update, particularly the placeholder range of calculations of the dwelling unit capacity of environmentally sensitive lands which are scheduled in Exhibit "C" to receive additional regulation. This calculation indicates that the scheduled additional regulation will reduce the capacity of the 20-year UGB within the range estimated in the 1997 Urban Growth Report Update.

4. That final action under QRS 197.299 in the year 2000 shall include re-calculation of the housing inside the UGB, including the estimate of the impact of newly adopted Goal 5-based regulations to protect riparian lands on the estimated 20-year housing capacity inside the UGB for consideration of UGB amendments, not additional Urban Growth Management Functional Plan requirements to further increase densities inside the UGB.

5. That Metro will continue to consider some UGB amendments for community building consistent with the acknowledged 2040 Growth Concept by considering subregional needs identified by cities and counties during the extension period. Such subregional UGB amendments will be supported by the Growth Management Department staff work concerning subregional jobs/housing imbalances, particularly regarding industrial land requirements.

6. That any expansions of the UGB during the remaining legislative review shall be correlated with regional regulations to protect the environmentally sensitive lands.

ADOPTED by the Metro Council this ____ day of _____ 1999.

Rod Monroe, Presiding Officer

APPROVED AS TO FORM:

Daniel B. Cooper, General Counsel

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OGC/LSS/kvw 10/20/1999

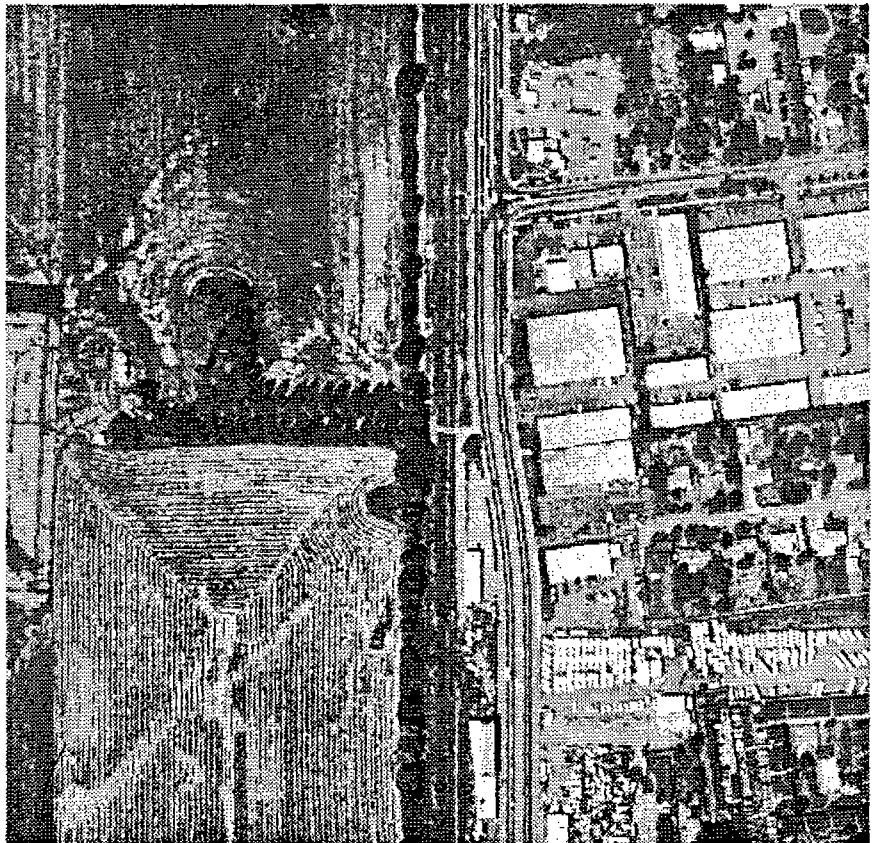
Exhibit "A"

1997 Urban Growth Report Update

Metro Report

1997 Urban Growth Report Update

September 1999



METRO
Regional Services
*Creating livable
communities*

Exhibit "B"

October 1999 *"Development of Measures To Conserve, Protect And Restore
Riparian Corridors In The Metro Region, Preliminary Draft"*

PRELIMINARY DRAFT

**DEVELOPMENT OF MEASURES TO CONSERVE,
PROTECT AND RESTORE RIPARIAN CORRIDORS IN
THE METRO REGION**

“STREAMSIDE CPR”

OCTOBER 1999

Prepared by

METRO GROWTH MANAGEMENT SERVICES



METRO



Table 1

Natural Resource Protection Work Schedule 1999-2000
Growth Management Services Department
September 1999

	September/October	November/December	January/February	March/April	May/June
Title 3	Review of Time Extension Requests (Sept '99) Metro Council Extension Determinations (Sept '99)	Compliance Deadline (Dec 31, '99)	Local Government Assistance (Jan - Jun '00)	→ → → → → → → →	→ → → → → → → →
Goal 5 Riparian Habitat Fast Track Project	Draft Report Submitted to GMC (Oct '99) Goal 5 TAC Technical Review (Oct '99 - Jan '00)	Review at GMC (Nov/Dec '99) Committee Review of Draft Report (WRPAC, GTAC, MTAC MPAC) (Nov/Dec '99)	Functional Plan Proposed Amendments to Title 3 (Feb '00) Public Workshops (Jan/May '00)	→ → → → → → → →	Functional Plan Adoption (May/June '00) → → → →
		Local Government Contact (Ongoing)	→ → → → → → → →	→ → → → → → → →	→ → → → → → → →

Other Metro departments including Executive Office, Regional Parks and Greenspaces and Transportation are also conducting natural resource work that is not included in this summary.

Table 1
(continued)

Phase II – UGB Amendments (UGBA) Work Schedule

November/December	January/April	May/June	July/August	September/October
UGR/UGBA Hearings	January 1, 2000 Deadline for proposals for UGB changes	June 30 Deadline for providing information and justifications for specific UGB changes	Notice UGBA/Annexation -DLCD -Newspaper -Property Owners	
	UGR Studies and Reports on various items identified for further work Review by MPAC, GMC, Metro Council	Determination of remaining need and location/priorities Based on: 1. natural resource program 2. density of constrained land study 3. jobs/housing balance conclusions 4. accessory dwelling unit study	Staff Reports on Areas being considered for UGBA (Goal 14 analysis)	Hearings on UGBA/Metro Annexation
	Possible adoption of ordinances for subregional need and Metro annexation (as necessary)			By October 31 Adoption of Ordinances for UGB Amendments to satisfy Need and Metro Annexations (as necessary)

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 99-2855, FOR THE PURPOSE OF REQUESTING LCDC APPROVAL OF A LIMITED EXTENSION TO THE LAST DEADLINE OF ORS 197.299, AND ACCEPTING THE 1997 URBAN GROWTH REPORT UPDATE

Date: October 22, 1999

Prepared by: Michael Morrissey

Proposed Action: Resolution 99-2855 requests from the Land Conservation and Development Commission, through its director, a one year extension of a deadline to assure a 20-year housing capacity in the urban growth boundary. The extension is requested to December 31, 2000. The resolution also accepts the 1997 Urban Growth Report Update, including a range for the dwelling unit capacity of certain environmentally sensitive lands for which consideration of additional protection is scheduled in Metro's Goal 5/Title 3 process. The range of this "placeholder" housing capacity estimate is between a dwelling unit surplus of 200 to a deficit of as much as 15,000 dwelling units.

Resolution 99-2855 allows consideration of UGB expansions based on subregional need during the time extension for the purposes of supporting communities and addressing identified livability issues, including imbalances between jobs and housing.

Factual Background and Analysis: Metro is completing a legislative UGB process that meets the requirements of ORS 197.296, insuring a 20 year housing inside our Urban Growth Boundary. Deadlines for meeting these requirements are identified in an associated statute, ORS 199.299. Two of three deadlines in that statute have been met, and Metro has performed key activities towards meeting the final deadline. This process has taken place in the context of the Urban Growth Management Functional

Plan which is estimated to have the effect of significantly increasing the capacity of land in the urban growth boundary, protecting environmentally sensitive lands and enhancing the transportation-land use linkage, consistent with the 2040 Growth Concept.

First, Metro has determined a need for a 20-year housing capacity using the 1997 Urban Growth Report. The report concluded a need for 32,370 dwelling units beyond the capacity of the current urban growth boundary. Second, the Metro Council, by ordinance, added approximately ½ of the land needed to accommodate those dwelling units (3,527 acres) to the urban growth boundary in 1997. The final statutory requirement, then, is to finalize the housing capacity assessment and take actions, if needed, to increase the capacity of the UGB by adding additional land needed for a 20 year housing capacity to the year 2017.

In assessing the capacity of buildable lands inside the urban growth boundary, the 1997 Urban Growth Report assumed a 200-foot setback from each side of streams and wetlands. This assumption went beyond the protection that is now provided in the water quality and floodplain section of Title 3 of Metro's Urban Growth Management Functional Plan. This protection was adopted by Metro in June of 1998, with a requirement for adoption by cities and counties by December 18, 1999. This section of Title 3 requires a range of riparian buffers, from 15 feet for intermittent streams, to 200 feet for riparian areas with steep slopes. Generally the required riparian buffer is 50 feet for most protected areas. The housing capacity calculation for a full 200 area assumed some low level of development in these areas as part of the larger calculation that resulted in a UGB dwelling unit deficit.

The current update to the 1997 report calculates buildable lands in a different manner with regard to riparian area protection, partly in response to a Nov. 1998 letter from DLCD director Benner, by using only riparian setbacks identified in actual Title 3 functional plan regulation, rather than a uniform 200 feet from each stream bank.

At the same time, Metro has continued additional Title 3 work, related to fish and wild life habitat protection (State Goal 5). As of the date of this staff report, a Preliminary Draft of this report titled "Development of Measures to Conserve, Protect and Restore Riparian Corridors in the Metro Region" has been issued. A May/June 2000 Council action to amend Title 3 of the Urban Growth Management Functional Plan, is planned for implementation of this report. This work is part of the rationale for requesting a 1-year extension from DLCD. The housing capacity lost to additional riparian area regulation outlined in this report is not known definitively at this time. However, a rough estimate is that additional regulations could reduce the buildable land capacity inside the urban growth boundary by as much as 15,000 dwelling units if protection is extended to a 200 foot buffer from the centerline of each stream and from each wetland.

Finally, Resolution No. 99-2855 establishes a link between protection of environmentally sensitive lands and possible expansion of the urban growth boundary. The acknowledged 2040 Growth Concept, in RUGGO, and now adopted into the Regional Framework Plan, calls out protection of sensitive lands both outside and inside the UGB in the service of a livable community. The Framework Plan itself is replete with references to access to nature, protection of natural resources and balance in the urban environment for the purpose of liveability communities. The link between natural resource protection and ugb expansion is that current Title 3, water quality and floodplain protections, will apply to any land brought into the UGB in this legislative process. In addition, the amount of UGB expansion, related to general need will not be calculable until Metro adopts Goal 5 functional plan regulation.

Additional linkages will be discussed by the Growth Management Committee.