

# A G E N D A

600 NORTHEAST GRAND AVENUE PORTLAND, OREGON 97232-2736



**METRO**

TEL 503-797-1540 FAX 503-797-1793

**MEETING: METRO POLICY ADVISORY COMMITTEE**

**DATE:** February 8, 2006

**DAY:** Wednesday, 5:00-7:00 p.m.

**PLACE:** Metro Council Chamber/Annex

| NO | AGENDA ITEM   | PRESENTER          | ACTION      | TIME    |
|----|---|--------------------|-------------|---------|
|    | CALL TO ORDER   | Kidd               |             |         |
| 1  | SELF INTRODUCTIONS, ONE MINUTE<br>LOCAL UPDATES & ANNOUNCEMENTS | All                |             | 5 min.  |
| 2  | CITIZEN COMMUNICATIONS FOR NON-<br>AGENDA ITEMS                 |                    |             | 5 min.  |
| 3  | CONSENT AGENDA<br>• January 25, 2005                            | Kidd               | Decision    | 5 min.  |
| 4  | COUNCIL UPDATE  | Hosticka           |             | 5 min.  |
| 5  | EVALUATING REGIONAL WASTE<br>REDUCTION PROGRAMS                 | Barrett            | Information | 10 min. |
| 6  | RESPONSE TO EXPANSION AREA<br>PLANNING FUND                     | Newman/Wagner      | Discussion  | 15 min. |
| 7  | ORDINANCE 06-1110 TITLE 11 PUBLIC<br>FACILITIES                 | Benner             | Decision    | 15 min. |
| 8  | MAYORS/CHAIRS FORUM FOLLOW-UP                                   | Kidd/McArthur      | Discussion  | 15 min. |
| 9  | AFFORDABLE HOUSING  | Burkholder/Liberty | Discussion  | 45 min. |

**UPCOMING MEETINGS:**

MPAC: February 22, 2006 & March 8, 2006

MPAC Coordinating Committee, Room 270: March 8, 2006

For agenda and schedule information, call Kim Bardes at 503-797-1537. e-mail: bardes@metro.dst.or.us

MPAC normally meets the second and fourth Wednesday of the month.

To receive assistance per the Americans with Disabilities Act,  
call the number above, or Metro teletype 503-797-1804.

To check on closure or cancellations during inclement weather please call 503-797-1700.

## METRO POLICY ADVISORY COMMITTEE MEETING RECORD

January 25, 2006 – 5:00 p.m.

Metro Regional Center, Council Chambers

**Committee Members Present:** Chuck Becker, Nathalie Darcy, Dave Fuller, John Hartsock, Jack Hoffman, Richard Kidd, Charlotte Lehan, Diane Linn, Alice Norris, Wilda Parks, Chris Smith, Larry Sowa

**Committee Members Absent:** Ken Allen, Richard Burke, Larry Cooper, Rob Drake, Bernie Giusto, Tom Hughes, Tom Potter, Katherine Ruthruff, Erik Sten, Steve Stuart, (Multnomah Co. Special Districts – vacant, Governing Body of School District –vacant)

**Alternates Present:** Laura Hudson, John Leeper, Lane Shetterly

**Also Present:** Frank Angelo, Angelo Easton & Associates; William Ashworth, Oregon Realty; Margaret Bax, City of Portland; Hal Bergsma, City of Beaverton; Ron Bunch, City of Gresham; Carol Chesarek, Citizen; Bob Clay, City of Portland; Valerie Counts, City of Hillsboro; Danielle Cowan, City of Wilsonville; Tom Cox, Citizen; Shirley Craddick; Brent Curtis, Washington County; Tom Cusack, HUD; Kay Durtschi, MTAC; CJ Grimes, SEIU Local 49; Jon Holan, City of Forest Grove; Stephan Lashbrook, City of Lake Oswego; Jane Leo, Portland Metro. Assoc. of Realtors; Irene Marvich, League of Women Voters; Doug McClain, Clackamas County; Bud Moore, Beaverton School District; Paul Savas, Special Districts, Clackamas County; Martha Schrader, Clackamas County; Jan Youngquist, Beaverton School District

**Metro Elected Officials Present:** Liaisons – Carl Hosticka, Council District 3, Robert Liberty, Council District 6 others in audience: Brian Newman, Council District 2; David Bragdon, Metro Council President; Rex Burkholder, Council District 5; Rod Park, Council District 6

**Metro Staff Present:** Kim Bardes, Dan Cooper, Dick Benner, Andy Cotugno, Marisa Cravens, Chris Deffebach, Lake McTighe, Gerry Uba

### 1. SELF-INTRODUCTIONS, ONE MINUTE LOCAL UPDATES & ANNOUNCEMENTS

Mayor Richard Kidd, MPAC Chair, called the meeting to order at 5:02 p.m. Chair Kidd asked those present to introduce themselves.

### 2. CITIZEN COMMUNICATIONS FOR NON-AGENDA ITEMS

There was none.

### 4. COUNCIL UPDATE

Councilor Brian Newman said that Metro was working on content for a possible bond measure on restoration and natural areas acquisition for the November ballot. He reviewed the dates and times for a series of forums being held around the region pertaining to the bond measure. He also mentioned upcoming forums and Council Public Hearings on the potential bond measure.

Councilor Robert Liberty said that Metro recently had the first speaker of a regional economic development speaker series, Michael Gallis, and that his presentation was very well received.

Councilor Newman said that the Council was working on the budget for next year and that there might be some amendments that would go before the Council on February 2, 2006. He said that there were several initiatives that the Council would be working on regarding the "New Look." One, referred to as "shape of the region," would be looking at expansion. Do we need to expand? Where will we grow urban reserves, buffers, edges, etc.? He said that the process had just begun and Metro had applied to the Department of Land Conservation and Development for a \$250,000 grant to help fund much of the analysis. He said that this would include work by the Department of Agriculture to do some inventories of lands and farming activities, and cultural/economic impacts around the region. He said that the committee had the first meeting today, and in the future, as they reached policy questions, those would get kicked up to MPAC. He said that there would be many opportunities for MPAC to weigh in on this material later in the process.

Chair Kidd said that the forum on the proposed bond measure held in his community had been successful and informative. He pointed out that if the bond measure were to pass then each jurisdiction would have their wish list resulting from the bond measure. He said the bond measure would go before voters in November.

### **3. CONSENT AGENDA**

Meeting Summary for January 11, 2006 and 2006 MTAC Nominations for MPAC Consideration:

|         |   |
|---------|---|
| Motion: | Mayor Chuck Becker, City of Gresham, with a second from, Mayor Alice Norris, City of Oregon City, moved to adopt the consent agenda and the MTAC Nominations without revisions. |
|---------|---|

|       |                                |
|-------|--------------------------------|
| Vote: | The motion passed unanimously. |
|-------|--------------------------------|

Chair Kidd said that the Nominating Committee had put forth Mayor Alice Norris' name for the position of 2<sup>nd</sup> Vice Chair for MPAC.

|         |   |
|---------|---|
| Motion: | John Hartsock, Clackamas County Special Districts, with a second from, Nathalie Darcy, Washington County Citizen, and Jack Hoffman, City of Lake Oswego, moved to nominate Mayor Alice Norris, City of Oregon City, for the 2 <sup>nd</sup> Vice Chair position on MPAC for 2006. |
|---------|---|

|       |                                |
|-------|--------------------------------|
| Vote: | The motion passed unanimously. |
|-------|--------------------------------|

### **6. EXPANSION AREA PLANNING FUND UPDATE**

Councilor Newman reviewed the reasons for forming the committee and then explained the recommendation for the committee members. The Expansion Area Planning Fund (EAPF) report is attached for the record.

Mayor Chuck Becker, City of Gresham, asked if a city had already done some planning on that new land brought in during 2002 and 2004 would they receive reimbursement for that money already paid out?

Councilor Newman said that had not been part of the committee recommendation.

Reed Wagner, Policy Advisor, said that the recommendation stated that the fund would apply to all action taken after January 1, 2006.

Councilor Newman said when MPAC deliberated on this issue in order to give Council a recommendation, they could then highlight that as something the Council should consider.

Mayor Becker said that the reason he was asking was that the City of Gresham had been asked to accelerate the planning for Springwater. He said that Gresham was doing everything they could to comply and it did not seem fair that other areas that did not comply would get all the monies.

There was discussion about excise tax and how that would apply to the areas brought into the urban growth boundary (UGB) during the 2002 and 2004 decision and to development.

Chair Kidd said that the report indicated that the fee would sunset at the end of the three (3) years. He wanted to know if there was a sunset clause that addressed reaching the 5.6 million dollar cap first?

Councilor Newman said the committee was very firm that it should not exceed three (3) years. He said that whether or not there was enough building activity that the 5.6 million was reached before the end of three (3) years was not certain. He said that the homebuilders were supportive of the 3-year sunset. He said that could be part of MPAC's recommendation as well.

Mr. Wagner said that the grant application should be sent out as soon as possible. He said that the recommendation was that Metro would front-load the money. He said that by front-loading it they should have a pretty good indication by the 2<sup>nd</sup> year of how much money would be necessary to complete the work that needed to be done. Then they would be able to anticipate how much longer they would need to go before they reached the full cost and the sunset date.

Councilor Liberty said that he had heard that the cost of materials was currently so high that building projects had been eliminated. He asked Mr. Wagner how confident the committee was that the level of building activity would continue.

Mr. Wagner said that all projections had been based on levels of development over the last four (4) years, and he acknowledged that those levels could change. He said the actual recommendation did not address costs beyond estimates or shortfall. There was discussion about the value of the permits and how those were calculated.

Chair Kidd said that the concern was that if the building curve that currently existed dropped, how would that affect collection of the monies for comprehensive planning? He expressed concern that if Metro front-loaded that money, applied for the grant, received the grant, and did the work, and the plan was ready to go but the builders would not build because the market had dropped, then Metro would be left holding the bag.

Councilor Carl Hosticka said that if reimbursement was an issue, then they might have to readjust the cost estimates to see how much money would be required to meet the need.

Mayor Becker asked how many jurisdictions/areas had completed the planning for the 2002 portion that had been brought into the boundary.

Councilor Newman said that Damascus and Springwater were the only two areas that had made any planning progress. He said that the 6000 acres brought in did not include Damascus because Damascus was funded. He reviewed the areas that had been brought in.

## **5. HOUSING CHOICE TASK FORCE FINAL REPORT**

Councilor Rex Burkholder reviewed the charge of the committee and the process that the committee had undertaken to reach the final report.

Councilor Liberty reviewed the handout, "Regional Housing Choice Implementation Strategy" which is attached and forms part of the record.

Bill Ashforth, Housing Choice Task Force (HCTF) Committee, said that all three (3) of the subcommittees had come to the same conclusion that the reporting aspect was prejudicial to anything that they chose to do. He said that they found that in each jurisdiction the actual inventory of affordable housing was not complete. In order to have a cohesive policy and funding or to address areas of most concern that reporting aspect was of primary importance.

Margaret Bax, HCTF Committee, talked about revenue streams and funding sources.

Tom Cusak, HCTF Committee, talked about income limits. He provided a handout on this and that is attached and forms part of the record.

Hal Bergsma, HCTF Committee, talked about the land use policies for increasing affordable housing.

Councilor Liberty said there were more players involved now in affordable housing issues than ever before. He said that the Metro Council had set aside money for this issue because they thought it was important. He said Metro was working on the budget for the next fiscal year and there would be tradeoffs that they would have to make. He said the question for partners in the region was "how important do you think the affordable housing system is?"

Commissioner Diane Linn, Multnomah County, said that was a fair question and that it would only get harder. She referenced the rising costs for healthcare, energy, affordable housing, and other concerns. She said that more people were going to food banks and that there had been a rise in homelessness. She said that studies indicated that unless people had a place to stay and support services, the community ended up spending more money putting them in jail or other facilities. She said they should look at results and see how making inroads in producing more units would help in creating solutions. She said that they should look at multi-dwelling units to be reused for housing. She said that all the available tools were great but the issue needed to be taken to a higher and simpler level. She said that they needed to create effective solutions for affordable housing and that it would take concerted effort. She said she hoped Metro would continue with this effort, as it was a growing concern.

## **7. ORDINANCE 06-1110 TITLE 11 PUBLIC FACILITIES**

Dick Benner, Metro Attorney, reviewed the materials included in the packet for the members. He said that MTAC would look at this again next week and that they would make a recommendation for the next MPAC meeting, therefore MPAC would have a chance to review and make a recommendation for Metro Council. He reviewed what MTAC had commented on so far. There would be a more in-depth report for the MPAC members at the next meeting.

Chris Smith, Multnomah County Citizen, talked about the importance of safe routes to schools and the need to have school planning integrated in the overall plan of community. He said they needed to create some momentum to connect those values back into the discussion.

Larry Sowa, Clackamas County, asked about the question of immanent domain.

Mr. Benner said the ordinance only addressed the ability to take larger parcels and divide into smaller parcels for public facilities. There was discussion about ownership, purchase of property before it was brought into the boundary versus after, the risks involved, and the reality of the problems faced by public facilities.

Andy Cotugno, Planning Director, said that schools were usually active participants in the planning process.

Jack Hoffman said he had concern that the ordinance would allow school districts to shop areas even if no concept planning had begun. He asked that MTAC examine carefully the unintended consequences of the ordinance.

Chair Kidd said he would probably support the ordinance. He said that immanent domain was the last tool in his toolbox that he would use as a mayor.

## **8. MAYORS' FORUM**

Chair Kidd distributed an agenda for the Mayors/Chairs forum to be held on February 3<sup>rd</sup>, 2006. That document is attached and forms part of the record. He emphasized that Mayors from all over the region, both inside and outside the boundary were invited. He said that anyone could attend the meeting, but the emphasis and discussion was only for the mayors and chairs.

Jack Hoffman reviewed the time frame, the agenda, and the focus of the Mayors/Chairs forum.

There being no further business, Chair Kidd adjourned the meeting at 6:44 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kim Bardes".

Kim Bardes  
MPAC Coordinator

ATTACHMENTS TO THE RECORD FOR JANUARY 25, 2006

The following have been included as part of the official public record:

| <b>AGENDA ITEM</b>                         | <b>DOCUMENT<br/>DATE</b> | <b>DOCUMENT DESCRIPTION</b>  | <b>DOCUMENT NO.</b> |
|--|--------------------------|--|---------------------|
| <b>#3 MTAC<br/>Nominations</b>             | 1/23/06                  | 2006 MTAC Nominations for MPAC<br>Consideration and MTAC membership<br>list  | 012506-MPAC-01      |
| <b>#6 Expansion Area<br/>Planning Fund</b> | 1/25/06                  | Expansion Area Planning Fund Report  | 012506-MPAC-02      |
| <b>#5 Housing Choice<br/>Report</b>        | 1/25/06                  | Regional Housing Choice<br>Implementation Strategy,<br>Recommendation of the Housing<br>Choice Task Force draft report | 012506-MPAC-03      |
| <b>#5 Housing Choice<br/>Report</b>        | January 2006             | 2005 Portland Metro HUD Income<br>Limits submitted by Tom Cusack,<br>HUD   | 012506-MPAC-04      |
| <b>#8 Mayors' Forum</b>                    | January 2006             | Mayors'/Chairs' Forum "Investing in<br>our Communities" agenda   | 012506-MPAC-05      |

M E M O R A N D U M

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TEL 503 797 1540 | FAX 503 797 1793



**METRO**

**To:** MPAC members  
**From:** Lee Barrett, Waste Reduction & Outreach Division Manager  
**Date:** February 1, 2006  
**Re:** **Evaluating Regional Waste Reduction Programs**

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Recycling in the Metro region has in recent years fallen short of the state-mandated goal. In response, Metro is considering the adoption of new waste reduction programs to target specific types of recyclable wastes that are now routinely land-filled. In order to help Metro choose the best approach(es) to improving waste recovery, stakeholders have recommended that Metro consider five key drivers in decision making. Metro staff will explain those key drivers, and MPAC members will be asked to share their views about the relative importance of each one.



February 2, 2006

**Expansion Area  
Planning Fund  
Committee**

**Chuck Becker**  
Mayor, City of Gresham

**Tom Brian**  
Washington County Board  
of Commissioners

**Jim Chapman**  
President, Home Builders  
Association

**Diana Godwin**  
Land Use Attorney

**Gil Kelly**  
Planning Director, City of  
Portland

**John Hartsock**  
City Councilor, City of  
Damascus

**Holly Iburg**  
Project Manager, Newland  
Communities

**Wally Mehrens, Columbia**  
Pacific Building Trades

**Bud Moore**  
Deputy Superintendent of  
Beaverton School District

**Ryan O'Brien**  
Land Development  
Specialist

**Bob Stacey**  
Executive Director, 1000  
Friends

**Ex-Officio Non-Voting  
Members**

**David Bragdon**  
Council President, Metro

**Michael Jordan**  
Chief Operating Officer,  
Metro

**Council Liaison**

**Brian Newman**  
Councilor, Metro

To the Metro Council:

The Expansion Area Planning Fund (EAPF) Committee is pleased to forward the final report and recommended actions of the committee to the Metro Council.

The committee reached this decision with a vote of five (5) yeas, zero (0) nays, and one (1) abstention. A minority report follows the recommended actions of the committee.

The charge and focus of the Committee was narrow in scope: to identify the need, distribution and mechanism for funding concept and comprehensive planning in the 2002 and 2004 Urban Growth Boundary Expansion Areas. The Committee determined that a regional need for such funding does exist, and that a construction excise tax is the best available means for creating such a fund.

The construction excise tax is a tool designed to get at the specific issue of funding planning in new areas. However, the Committee would like to acknowledge that it supports regional growth goals in urban areas, and the continuing efforts to reach these goals through funding center and corridor planning and transit oriented development.

Additionally, in order to support local government capacity to plan for new areas, the Committee encourages Metro staff be more proactively involved early on in the planning process. Peer review and peer participation can be used to bolster the ability of local jurisdictions to produce quality plans, as in the Damascus planning process.

An additional charge of the Committee was to determine whether a portion or additional percentage of the chosen funding mechanism should be allocated for the construction of affordable housing across the region. The Committee recommends that this proposed construction excise tax should be associated with concept and comprehensive planning purposes only. However, the Committee does recommend that building permits for the construction and rehabilitation of affordable housing be exempted from this tax. The Committee would like to acknowledge the current efforts of the Housing Choice Task Force, which is addressing the needs of affordable housing across the region, including identifying funding mechanisms for an affordable housing fund. The EAPF Committee supports these efforts and the importance of addressing affordable housing needs, and feels that the Housing Choice Task Force is the appropriate forum for these efforts.

Under the category of process the committee recommends that the Council offer MPAC the opportunity to comment on these recommendations before moving forward with a decision.

The committee would like to thank the Metro Council for the opportunity to examine these important issues and make recommendations. The committee hopes that its efforts will aid the Council in identifying a solution to expediting concept and comprehensive planning in the 2002 and 2004 Urban Growth Boundary Expansion Areas.

Attached: Expansion Area Planning Fund (EAPF) Committee Final Report

BEFORE THE METRO COUNCIL

|  |   |                         |
|--|---|-------------------------|
| FOR THE PURPOSE OF ESTABLISHING AN     | ) | RESOLUTION NO. 05-3626A |
| EXPANSION AREA PLANNING FUND COMMITTEE | ) | Introduced by           |
|  |   | Metro Council President |
|  |   | David Bragdon           |

WHEREAS, Metro has taken a leadership role in identifying regional fiscal needs associated with concept and comprehensive planning for areas added to the Urban Growth Boundary; and

WHEREAS, the implementation of concept and comprehensive planning in areas added to the Urban Growth Boundary is consistent with state statute, the Metro Code, and will help to implement Metro's 2040 growth concept; and

WHEREAS, discussions with regional elected officials, developers, municipal planning staff, Realtors, and representatives of the general population generally encouraged the establishment of a revenue study committee to develop a mechanism for the funding of concept and comprehensive planning; and


WHEREAS, the Metro Council adopted Ordinance No. 00-860A, on November 9, 2000 "For the Purpose of Adding a New Chapter 2.19 to the Metro Code Relating to Advisory Committees," amended by Ordinance 02-955A, on June 27, 2002 "For the purpose of amending chapter 2.19 of the Metro Code to conform to the charter amendments adopted on November 7, 2000," and authorized under Metro Code No. 2.19.200 "Tax Study Committee" and the creation and purpose states that "before considering the imposition of any new tax or taxes, which do not require prior voter approval under the Charter, the Council shall create a tax study committee by adoption of a resolution";

NOW, THEREFORE, BE IT RESOLVED BY THE METRO COUNCIL THAT,

1. The Metro Council hereby establishes an Expansion Area Planning Fund Committee to serve as the tax study committee authorized under Ordinance No. 00-860A and hereby appoints the Committee Chair and committee members as set forth in Exhibit A attached hereto and incorporated herein;

2. The Tax Study Committee shall meet 3 to 4 times between now and December 15, 2005, with administrative and technical support from the Metro staff, and the committee shall advise and make recommendations to the Metro Council regarding aspects of the need, distribution and mechanism for funding concept and comprehensive planning as more specifically set forth in Exhibit B attached hereto, and the Committee shall return to the Metro Council by December 15, 2005 with specific recommendations.

ADOPTED by the Metro Council this 13<sup>th</sup> day of October, 2005.

  
David Bragdon, Council President

Approved as to Form:

  
Daniel B. Cooper, Metro Attorney

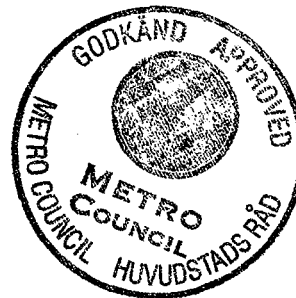


Exhibit A  
Resolution 05-3626A

The Expansion Area Planning Fund Committee is being asked to serve on a short term basis, beginning in late October and concluding by December 15<sup>th</sup>, 2005, and meet 3 to 4 times to analyze funding mechanism options for concept and comprehensive planning in the Metro Region. Metro staff will serve as technical and administrative support to the committee and provide background information.

11 Metro residents have been identified as possible committee members. They are

|                |   |
|----------------|---|
| Ryan O'Brien   | Land Development Specialist                     |
| Jerome Colonna | Superintendent of Beaverton School District     |
| Bob Stacey     | Executive Director, 1000 Friends                |
| Wally Mehrens  | Columbia Pacific Building Trades                |
| Diana Godwin   | Land Use Attorney                               |
| Tom Brian      | Chair, Washington County Board of Commissioners |
| Gil Kelley     | Planning Director, City of Portland             |
| John Hartsock  | City Councilor, City of Damascus                |
| Holly Iburg    | Project Manager, Newland Communities            |
| Jim Chapman    | President, Home Builders Association            |
| Chuck Becker   | Mayor, Gresham                                  |

Exhibit B  
Resolution 05-3626A

The Expansion Area Planning Fund Committee is being asked to serve on a short-term basis, beginning in late October and concluding by December 15<sup>th</sup>, 2005, and meet 3 to 4 times to analyze funding mechanism options for concept and comprehensive planning in the Metro Region. Metro staff will serve as technical and administrative support to the committee and provide background information.

The Committee will be asked to advise the Council on the following specific questions:

- a. How large is the regional need for concept and comprehensive planning?
- b. How should the funds be distributed? Are certain areas prioritized?
- c. Should the funds accompany other resources?
- d. What role should Metro play?
- e. What role should local jurisdictions play?
- f. What mechanism should be used for capturing this fee?
- g. What administrative processes and costs should be considered in regards to this fee?
- h. What should be the time period for this fee, should it sunset?
- i. What mechanism should be used to satisfy long term needs? How can this source of funding be more directly linked to the areas that benefit?
- j. Should this funding mechanism include a portion or additional percentage for construction of affordable housing across the region?

Following the completion of the Committee's work by December 15, 2005, they will issue their recommendations about the funding to the Metro Council. The Council will then ask the community at large to review and comment on those recommendations.

## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NO. 05-3626A, FOR THE PURPOSE OF ESTABLISHING AN EXPANSION AREA PLANNING FUND COMMITTEE

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Date: September 29, 2005

Prepared by: Reed Wagner

## BACKGROUND

The majority of acreage added in the 2002 Urban Growth Boundary expansion has yet to be developed. It is argued by much of the development community and expansion area jurisdictions that the major hurdle in development, of these new Metro areas, is the lack of funding for concept and comprehensive planning. Initial discussions with developers, realtors, planners and elected officials from the Metro region suggests that a regional funding mechanism may be welcomed in an effort to expedite development in expansion areas.

## ANALYSIS/INFORMATION

1. **Known Opposition** None known
2. **Legal Antecedents** According to Metro Code No. 2.19.200 "Tax Study Committee", "before considering the imposition of any new tax or taxes, which do not require prior voter approval under the Charter, the Council shall create a tax study committee by adoption of a ordinance;" Metro Council Ordinance No. 00-860A.
3. **Anticipated Effects** The identified committee of 11 will be convened and a recommendation will be made to the Metro Council by December 15, 2005 as set forth in Exhibit B to the Resolution.
4. **Budget Impacts** The impact includes a minimal amount of staff time, including data from the Data Resource Center, support by Metro's office of the Chief Operating Officer and Office of the Metro Attorney.

## RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this resolution.

## Estimated Costs for Concept Planning and Comprehensive Plan Adoption

### TITLE 11 NEW AREA PLANNING

| Project/<br>Study Area                                 | Total<br>Acres | Dwelling<br>Unit<br>Capacity | Status of Funding for Concept and<br>Comp. Planning   | Unfunded<br>Cost | Cost Status <ul style="list-style-type: none"> <li>Partially funded</li> <li>Not funded</li> </ul> |
|--|----------------|------------------------------|---|------------------|--|
| <b>2002 UGB Expansion</b>                              |                |                              |   |                  |  |
| Park Place Master Plan<br>(Areas 24, 25, 26)           | 512            | 577                          | City committed to funding concept planning effort. The city is anticipating financing most of the cost and is attempting to negotiate approximately \$90,000 from a private property owner in the area.                               | <b>\$250,000</b> | <b>Not funded</b>  |
| Beavercreek Road<br>(Area 26)                          | 245            | 0                            | Industrial land. <b>Total cost \$250,000. Recently received \$170,000 TGM grant</b> for concept planning. The remaining cost will be funded by the city.  | <b>\$80,000</b>  | <b>Partially funded</b>  |
| South End Road<br>(Area 32)                            | 919            | 413                          | No money or staff to take on third concept planning effort at this time. The city anticipates asking for an extension of the 2007 deadline.   | <b>\$250,000</b> | <b>Not funded</b>  |
| East Wilsonville<br>(Frog Pond)<br>(Area 45)           | 183            | 660                          | Developers have had discussions with city but no formal process has begun.  | <b>\$100,000</b> | <b>Not Funded</b>  |
| Northwest Wilsonville<br>(Coffee Creek 1)<br>(Area 49) | 216            | 0                            | Designated by Metro as Regionally Significant Industrial Area. City had consultant do a preliminary urban reserve plan in 1998. City is working with developers/owners on revised master plan. <b>Received TGM Grant (\$100,000).</b> | <b>\$50,000</b>  | <b>Partially funded</b>  |
| Brookman Road (Area 54, 55)                            | 231            | 914                          | City seeking grant funds for planning effort  | <b>\$150,000</b> | <b>Not Funded</b>  |

### Estimated Costs for Concept Planning and Comprehensive Plan Adoption

| Project/<br>Study Area                        | Total<br>Acres | Dwelling<br>Unit<br>Capacity | Status of Funding for Concept and<br>Comp. Planning  | Unfunded<br>Cost | Cost Status <ul style="list-style-type: none"> <li>Partially funded</li> <li>Not funded</li> </ul> |
|---|----------------|------------------------------|--|------------------|--|
|   |                |                              |  |                  |  |
| Study Area 59                                 | 85             | 313                          | Metro Council approved Title 11 extension request to March 2006. City has started concept planning; 40-50% complete.   | <b>\$75,000</b>  | <b>Partially funded</b>  |
| 99W Area                                      | 18             | 0                            | Road Alignment   | <b>\$25,000</b>  | <b>Not funded</b>  |
| Bull Mountain Area<br>Study Area 63 and<br>64 | 258 and<br>262 | 688 and<br>1,047             | Measure to annex to Tigard unincorporated area between city boundary and area added to UGB was defeated by voters in Nov 2004. County in talks with residents about future service provision and planning responsibility. Areas 63 and 64 will be planned together | <b>\$745,00</b>  | <b>Not funded</b>  |
| Cooper Mountain (Area<br>67)                  | 507            | 1,019                        |  | <b>\$213,000</b> | <b>Not funded</b>  |
| Study Area 69                                 | 384            | 884                          | Hillsboro developed <b>South Hillsboro Concept Plan</b> , which includes both areas 69 and 71 and other areas not brought into the UGB. Metro should be getting concept plan soon. Only the Northern half is planned   | <b>\$0</b>       | <b>Partially funded</b>  |
| Study Area 71 (portion)                       | 88             | 416                          | Portion contained in <b>Witch Hazel Community Plan</b> , which is completed. Remainder of area included in South Hillsboro Concept Plan  | <b>\$0</b>       | <b>Partially funded</b>  |
| Evergreen                                     | 532            |                              |  | <b>TBD</b>       | <b>Partially funded</b>  |
| Forest Grove Swap                             | 0              | 0                            | Industrial land. Metro Council approved Title 11 extension request to June 2006 for comp plan amendments and rezoning and June 2007 for long-range boundary recommendations  | <b>\$90,000</b>  | <b>Not funded</b>  |



### Estimated Costs for Concept Planning and Comprehensive Plan Adoption

| Project/<br>Study Area         | Total<br>Acres | Dwelling<br>Unit<br>Capacity | Status of Funding for Concept and<br>Comp. Planning   | Unfunded<br>Cost   | Cost Status <ul style="list-style-type: none"> <li>Partially funded</li> <li>Not funded</li> </ul> |
|--------------------------------|----------------|------------------------------|---|--------------------|--|
|                                |                |                              |   |                    |  |
| Bethany<br>(Areas 84-87)       | 716            | 3,546                        | Total cost \$1,170,000. <b>Recently received \$150,000 TGM grant</b> for concept planning.  | <b>\$1,020,000</b> | <b>Partially funded</b>  |
| Bonny Slope<br>(Study Area 93) | 159            | 524                          | Metro Council adopted Resolution 04-3518 directing Metro staff to facilitate completion of concept planning. Metro is in process of bringing local governments together to facilitate concept planning. | <b>\$225,000</b>   | <b>Not funded</b>  |

### Estimated Costs for Concept Planning and Comprehensive Plan Adoption

| <b>Project/<br/>Study Area</b>                  | <b>Total<br/>Acres</b> | <b>Dwelling<br/>Unit<br/>Capacity</b> | <b>Status of Funding for Concept and<br/>Comp. Planning</b>  | <b>Unfunded<br/>Cost</b> | <b>Cost Status</b> <ul style="list-style-type: none"> <li>• <b>Partially<br/>funded</b></li> <li>• <b>Not funded</b></li> </ul> |
|---|------------------------|---------------------------------------|--|--------------------------|---|
| <b>2004 UGB<br/>Expansion</b>                   |                        |                                       |  |                          |   |
| Damascus West                                   | 102                    | 0                                     | Industrial land. Part of Damascus /Boring<br>Concept Plan  | <b>\$125,000</b>         | <b>Not funded</b>   |
| Beavercreek<br>(Portion of area 26)             | 63                     | 0                                     | Industrial land. Included in 2002 expansion<br>area 26 for concept planning. <b>Cost included<br/>with Beavercreek Road (Area 26).</b>   | <b>\$0</b>               | <b>Partially funded</b>   |
| Quarry<br>(Portions of areas 48 &<br>49)        | 354                    | 0                                     | Industrial land. Tualatin and Sherwood applied<br>for TGM grant for concept planning but grant<br>request not approved.<br><b>(Concept planning: \$217,000;<br/>code implementation: \$13,000)</b>     | <b>\$230,000</b>         | <b>Not Funded</b>   |
| Coffee Creek<br>(Portions of areas 48 &<br>49)  | 264                    | 0                                     | Industrial land. Concept planning not yet<br>begun. Applied for TGM grant for concept<br>planning but request not approved.<br><b>(Concept planning: \$254,000;<br/>code implementation: \$16,000)</b> | <b>\$270,000</b>         | <b>Not funded</b>   |
| Tualatin Area<br>(Portions of areas 47 &<br>49) | 646                    | 0                                     | Industrial land. Concept planning not yet<br>begun.<br><b>(Concept planning: \$379,000;<br/>code implementation: \$21,000)</b>   | <b>\$400,000</b>         | <b>Not funded</b>   |
| Cornelius                                       | 64                     | 0                                     | Industrial land.   | <b>\$50,000</b>          | <b>Not funded</b>   |
| Helvetia  | 249                    | 0                                     | Industrial land. Awaiting 2005 UGB expansion<br>decision. Will concept plan Helvetia and<br>Evergreen together if Evergreen is added to<br>UGB   | <b>\$350,000</b>         | <b>Not funded</b>   |

The Expansion Area Planning Fund map will be distributed at the meeting. The file is too large to include in the PDF of the meeting packet. If you would like to view the map before the meeting, please contact Kim Bardes at [bardes@metro.dst.or.us](mailto:bardes@metro.dst.or.us) and she will send it to you. The file is large, however, and you may have difficulty opening it.

**Expansion Area Planning Fund Committee (EAPF)  
Recommended Actions on the Need, Distribution and Mechanism for  
Funding Concept and Comprehensive Planning in the 2002 and 2004 Urban  
Growth Boundary Expansion Areas**

**Presented to the Metro Council**

**February 2, 2006**

**Expansion Area Planning Fund Committee Members**

Chuck Becker, Mayor, City of Gresham  
Tom Brian, Washington County Board of Commissioners  
Jim Chapman, President, Home Builders Association  
Diana Godwin, Land Use Attorney  
Gil Kelly, Planning Director, City of Portland  
John Hartsock, City Councilor, City of Damascus  
Holly Iburg, Project Manager, Newland Communities  
Wally Mehrens, Columbia Pacific Building Trades  
Bud Moore, Deputy Superintendent of Beaverton School District  
Ryan O'Brien, Land Development Specialist  
Bob Stacey, Executive Director, 1000 Friends

**Ex-Officio Non-Voting Members**

David Bragdon, Council President, Metro  
Michael Jordan, Chief Operating Officer, Metro

**Council Liaison**

Brian Newman, Councilor, Metro

**Metro Staff**

Dan Cooper, Metro Attorney, Metro  
Alison Kean Campbell, Senior Attorney, Metro  
Ken Ray, Senior Public Affairs Specialist, Metro  
Randy Tucker, Legislative Affairs, Metro  
Ray Valone, Principal Regional Planner, Metro  
Reed Wagner, Policy Specialist, Metro  
Dennis Yee, Forecasting & Modeling, Metro  
Daniel Lerch, Policy Intern, Metro  
Lake McTighe, Policy Intern, Metro

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## **Background**

Of the 2002 and 2004 Urban Growth Boundary (UGB) Expansions over 6,000 acres remain unplanned (see Appendices II and III for a map and table of these areas). The Metro Ordinances that brought the land into the UGB specify that the city or county with land use planning responsibility for the new areas complete Title 11 planning within two years (the timelines for some areas are longer). Several of the deadlines for compliance expired in March 2005, because many of the local jurisdictions responsible for completing the Title 11 planning requirements do not have the funding to do so. Development in these areas is stalled until comprehensive plans are adopted.

## **Policy Development**

On October 13, 2005, the Metro Council passed RESOLUTION NO. 05-3626A (see Appendix I) establishing a tax study committee. The Expansion Area Planning Fund (EAPF) Committee was charged with identifying the need, distribution and mechanism for funding concept and comprehensive planning in the 2002 and 2004 Urban Growth Boundary Expansion Areas.

Specifically, the EAPF Committee was charged to advise the Metro Council on the following questions:

- a. How large is the regional need for concept and comprehensive planning?
- b. How should the funds be distributed? Are certain areas prioritized?
- c. Should the funds accompany other resources?
- d. What role should Metro play?
- e. What role should local jurisdictions play?
- f. What mechanism should be used for capturing this fee?
- g. What administrative processes and costs should be considered in regards to this fee?
- h. What should be the time period for this fee, should it sunset?
- i. What mechanism should be used to satisfy long-term needs? How can this source of funding be more directly linked to the areas that benefit?
- j. Should this funding mechanism include a portion or additional percentage for construction of affordable housing across the region?

## **Committee Process**

The Expansion Area Planning Fund (EAPF) Committee was comprised of eleven members, two ex-officio non-voting members, and a Metro Council liaison. The committee served on a short-term basis and met five times from November 9, 2005 through January 18, 2006. The original conclusion date for the committee was December 15, 2005; the committee agreed to extend this deadline in order to conduct further outreach with local leaders and jurisdictions. Not all committee members were able to attend every meeting; in most cases an alternate attended.

The committee agreed to use modified consensus with a minority dissenting report to reach decisions. Metro staff served as technical and administrative support to the committee and provided background information.

Various committee members and Metro Councilors participated in outreach discussions with local area leaders to inform them of the committee's work, gain their insight, and answer questions. This issue was also discussed at the October 12, 2005 Metro Policy Advisory Committee (MPAC) meeting and the December 7, 2005 Metro Technical Advisory Committee (MTAC) meeting.

## **Data and Analysis**

The committee utilized the following data to analyze the issue and answer the questions set forth by the Metro Council (see Appendices):

- Acreage and background information on UGB Expansion Areas that have not yet been planned
- Local jurisdictions estimations of planning costs through comprehensive plan adoption
- Totals of building permit values for Clackamas, Multnomah, and Washington Counties for the years 2003-2004
- Construction Excise Tax modeling based on various ceilings and floors
- Estimated construction costs for affordable housing units constructed between 2003 and 2004
- Draft Metro Code Chapter for a New Construction Excise Tax
- Draft Administrative Rules: Metro Code Chapter 7.04
- Sample Intergovernmental Agreement (IGA)



## **Recommended Actions**

The Expansion Area Planning Fund (EAPF) Committee recommends that the Metro Council adopt an ordinance to impose a region wide construction excise tax (CET) on all new building permits applied for within Metro's boundaries for the purpose of funding and expediting concept and comprehensive planning and development in the 2002 and 2004 Urban Growth Boundary Expansion Areas.

The EAPF Committee reached this recommendation with a majority vote of five (5) and one (1) abstention. The remaining five (5) members of the committee were unable to attend the final meeting.

### **a. How large is the regional need for concept and comprehensive planning?**

Over 6,000 acres of land brought inside the Urban Growth Boundary remains unplanned (see Appendices II and III for a list and map of these areas).

The committee determined that there is a regional need for a funding source for concept and comprehensive planning, and identified lack of funding as the major hurdle to development of these new areas.

The total cost of concept and comprehensive planning (through comprehensive plan adoption) for these areas was derived from estimates provided by the local jurisdictions. The estimated total amount is approximately \$5,628,000 (see Appendix II for the estimated amount for each individual area).

### **b. How should the funds be distributed? Are certain areas prioritized?**

- The committee recommends that local jurisdictions apply for the funding and it be distributed as planning milestones are completed.
- Funding should be distributed in the form of grants as areas move forward with the planning process and demonstrate that they are completing the process according to the requirements laid out in Title 11 of the Urban Growth Management Functional Plan.
- Planning through comprehensive plan adoption should be covered.
- Concept and comprehensive planning (through adoption of the comprehensive plan) should be within a standard timeline of 18 months, with exceptions considered on an individual basis.
- Prioritization of areas should not be necessary because all areas that apply for funding should be funded.

- The committee recommends that the Metro Council consider frontloading funds from Metro's general account in anticipation of revenues from the CET, in order to expedite planning.
- The committee recommends that jurisdictions can apply for funds to cover planning costs incurred after January 1, 2006, in the 2002 and 2004 UGB expansion areas. Costs incurred before January 1, 2006 will not be funded.

**c. Should the funds accompany other resources?**

The committee recommends that funding from the CET revenues should be combined with other sources of funding (such as TGM grants, city funds, and developers) whenever possible.

**d. What role should Metro play?**

The committee recommends that Metro hold the CET revenue collected in a separate account within Metro's general account. Metro would distribute the funds, working with local jurisdictions to determine appropriate milestones for the completion of planning and the distribution of funds as laid out in individual IGAs.

**e. What role should local jurisdictions play?**

The committee recommends that local jurisdictions collect the CET revenues when building permits are processed and pass the revenue to Metro. Local jurisdictions will apply for the funding and work with Metro to establish the appropriate timelines and milestones for the completion of planning and the distribution of funds as laid out in individual IGAs.

**f. What mechanism should be used for capturing this fee?**

The committee discussed various funding mechanisms for capturing a fee. The Construction Excise Tax (CET) on building permit values was determined to be the best funding mechanism because of its clear nexus with development of the expansion areas.

A CET is a tax on new residential and commercial/industrial building permits (including remodels and additions) and, in this case, is based on the value attached to the building permit. The tax would only apply to building permits within Metro's boundaries.

The committee recommends that:

- collection of the tax begin July 1, 2006
- building permit values below \$100,001 are exempted from the tax

- the tax be .1% of the value of the building permit (a building permit value of \$250,000 would generate \$250)
- there be no cap on the amount collected per building permit
- approximately \$2 million a year be collected for three years; the final amount to be collected will be determined based on IGAs
- the tax sunset after three (3) years
- affordable housing development building permits be exempt from the tax

**g. What administrative processes and costs should be considered in regards to this fee?**

The committee recommends that no more than 5% of the total revenue collected be used for administration costs. The committee also recommends utilizing existing administrative structures and processes for the collection of the tax. To streamline the process and keep costs down, and because the administrative processes of jurisdictions will vary, the committee recommends that Metro staff communicate early with permit processing divisions to determine administrative needs and costs.

**h. What should be the time period for this fee, should it sunset?**

The committee recommends that the fee sunset after three (3) years.

**i. What mechanism should be used to satisfy long-term needs? How can this source of funding be more directly linked to the areas that benefit?**

The committee recommends that long-term needs be addressed through discussion in the 2007 legislative session. The committee also recommends that once the CET sunsets, if no other funding mechanism has been identified, that this CET is reviewed for the possibility of extending the process and creating a revolving fund in which areas that receive funding from the CET could fund future expansion areas.

**j. Should this funding mechanism include a portion or additional percentage for construction of affordable housing across the region?**

The committee recommends that this CET be associated with concept and comprehensive planning purposes only. The committee also recommends that building permits for the construction and rehabilitation of affordable housing be exempted from this tax. The committee recognizes the work of the Housing Choice Task Force currently looking at regional affordable housing needs and solutions and believes that this is the best forum to address regional funding solutions for affordable housing.

### **Minority Report**

For some jurisdictions, predominately those on the Westside, a few issues remain regarding a construction excise tax that would fund planning in the 2002 and 2004 Urban Growth Boundary Expansion Areas. One issue is that these local jurisdictions feel that in most cases, they will be able to identify the necessary resources to complete concept and comprehensive planning on their own with mechanisms other than the construction excise tax (such as developer fees). These jurisdictions want the opportunity to pursue these other funding sources before supporting a regional funding solution.

A second concern is the perception that a regional funding solution will add an extra layer of unneeded bureaucracy. These jurisdictions do not want to collect the tax, send it to Metro, only to have to apply to Metro to redistribute the funds back to local jurisdictions through grants with attendant reporting requirements and possibly planning requirements beyond those already in place. Most of the jurisdictions want any taxes collected locally to remain in local hands and be used in the jurisdiction near where they are collected.

## **Appendices**

**Appendix I** - Resolution NO. 05-3626A

**Appendix II** – *Table* Title 11 New Planning Areas

**Appendix III** - *Map* Funding Status of 2002 UGB Expansion Areas

### **Additional Materials on file:**

- Meeting Agendas
- Meeting Minutes
- Committee member contact list
- Housing Choice Task Force memos regarding affordable housing
- Local jurisdiction communications on planning costs
- *Table* Building Permit Values
- *Draft* Administrative Rules: Metro Code Chapter 7.04
- *Draft* Metro Code Chapter for a New Construction Excise Tax
- Sample Intergovernmental Agreement (IGA)
- Title 11, Metro Functional Plan
- Committee members, Metro Councilor, Metro staff, and local jurisdiction email communications

# M E M O R A N D U M

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TEL 503 797 1540 | FAX 503 797 1793



February 2, 2006

TO: Metropolitan Policy Advisory Committee (MPAC)  
FROM: Richard Benner, Senior Assistant Counsel  
SUBJ: Proposed Amendment to Title 11 (interim protection standards)

The Metro Council seeks MPAC's recommendation on the proposed amendments to Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan. MPAC first viewed and discussed the proposal at its January 25 meeting. Ordinance No. 06-1110 and the amendment (Exhibit A) are attached.

The proposed amendment would allow an exemption from one of the interim protection standards of section 3.07.1110 of Title 11. These standards are intended to protect the status quo in territory newly added to the UGB while the responsible counties and cities amend their plans to allow urbanization of the territory. One of the standards is a temporary 20-acre minimum size for land divisions. The amendment would allow an exemption from that standard for creation of new parcels for public schools and other types of public facilities, such as police or fire stations. The effect of the amendment would be that a county or city could approve creation of parcels smaller than 20 acres for these uses prior to completion of comprehensive planning for new territory.

#### Recommendation by the Metropolitan Technical Advisory Committee (MTAC)

MTAC discussed the proposal first on January 18 and again on February 1. Following its February 1 discussion, it voted (unanimous, with one abstention) to recommend the attached version of the amendment to Title 11 to MPAC.

MTAC focused on two issues: (1) the advisability of the language suggested by Clackamas County Commissioner Larry Sowa to prohibit use of the exemption if the school district acquired the land to be divided through eminent domain, and (2) whether to add a criterion to the exemption that would a demonstration that a proposed land division is consistent with ongoing Title 11 planning. MTAC decided not to recommend a limit on the use of eminent domain as unwise and, perhaps, beyond Metro's authority. MTAC also decided against a criterion requiring consistency with ongoing Title 11 planning because of the unavoidable vagueness of a criterion linked to incomplete planning, and because of confidence that coordination takes place between school districts and local governments about sites for new public schools.

#### Schedule

The Council has scheduled its first reading (no hearing) of Ordinance No. 06-1110 for February 9, 2006, and its second reading (and public hearing) for February 23.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING TITLE 11 )      ORDINANCE NO. 06-1110  
(PLANNING FOR NEW URBAN AREAS) OF )  
THE URBAN GROWTH MANAGEMENT )  
FUNCTIONAL PLAN TO FACILITATE THE )  
SITING OF CERTAIN PUBLIC USES IN NEW )  
URBAN AREAS )      Introduced by Council President Bragdon

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan (“UGMFP”) establishes temporary limitations on land divisions in territory newly added to the urban growth boundary (“UGB”) in order to avoid premature commitment of land during the time of comprehensive planning for the new territory; and

WHEREAS, given the slow pace of comprehensive planning for territory added to the UGB, this limitation can unintentionally delay and, thereby, increase the public cost of, acquisition of sites for certain needed public facilities; and

WHEREAS, this potential effect of the limitation on creation of new parcels is not the intent of Title 11, and is inconsistent with Policy 1.14.4 (School and Local Government Plan and Policy Coordination) of Metro’s Regional Framework Plan (“RFP”) ; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan is hereby amended, as shown in Exhibit A, attached and incorporated into this ordinance, to facilitate the siting of certain public uses in new urban territory subject to comprehensive planning under Title 11.
2. The Findings of Fact and Conclusions of Law in Exhibit B, attached and incorporated into this ordinance, explain how this amendment to Title 11 complies with the RFP and state planning laws.

ADOPTED by the Metro Council this \_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
David Bragdon, Council President

Attest:

Approved as to form:

\_\_\_\_\_  
Christina Billington, Recording Secretary

\_\_\_\_\_  
Daniel B. Cooper, Metro Attorney

**Exhibit "A" to Ordinance No. 06-1110  
Amendment to Title 11 (Planning for New Urban Areas)  
of the Urban Growth Management Functional Plan**

**TITLE 11: PLANNING FOR NEW URBAN AREAS**

3.07.1105 Purpose and Intent

It is the purpose of Title 11 to require and guide planning for conversion from rural to urban use of areas brought into the UGB. It is the intent of Title 11 that development of areas brought into the UGB implement the Regional Framework Plan and 2040 Growth Concept.

3.07.1110 Interim Protection of Areas Brought into the Urban Growth Boundary

**[After inclusion of an area within the UGB and prior to the adoption by all local governments with jurisdiction over an area brought into the UGB] Until the effective date of amendments to comprehensive plans and implementing land use regulations that comply with section 3.07.1120, the city or county responsible for planning territory added to the UGB [local government] shall not approve [of]:**

- A. A[ny] land use regulation or zoning map amendment[s] specific to the territory allowing higher residential density than allowed by acknowledged provisions in effect prior to the adoption of the UGB amendment;
- B. A[ny] land use regulation or zoning map amendment[s] specific to the territory allowing commercial or industrial uses not allowed under acknowledged provisions in effect prior to the adoption of the UGB amendment;
- C. **[Any] A** land division or partition that would result in the creation of [any] a new lot or parcel [which would be] less than 20 acres in [total] size, except to create lots or parcels for public facilities and services as defined in Metro Code section 3.01.010 or a new public school;
- D. In an area identified by the Metro Council in the ordinance adding the area to the UGB as a Regionally Significant Industrial Area:
  - 1. A commercial use that is not accessory to industrial uses in the area; and
  - 2. A school, church or other institutional or community service use intended to serve people who do not work or reside in the area.



## MPAC Agenda Item #8: Mayors/Chairs Forum Follow-up

The meeting is not until Friday, February 3<sup>rd</sup>, so material or a verbal report will have to be presented at the meeting.

## MPAC Agenda Item #9: Affordable Housing

Materials to be provided at the meeting.