

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RECOMMENDING) RESOLUTION NO. 85-587
ACKNOWLEDGMENT OF HAPPY VALLEY'S)
PLAN) Introduced by the
) Executive Officer

WHEREAS, The Metropolitan Service District (Metro) is the designated planning coordination body under ORS 260.385; and

WHEREAS, Under ORS 197.255 the Metropolitan Service District Council is required to advise LCDC and local jurisdictions preparing Comprehensive Plans whether or not such plans are in conformity with the Statewide Planning Goals; and

WHEREAS, The city of Happy Valley is now requesting that LCDC acknowledge its Comprehensive Plan as complying with the Statewide Planning Goals; and

WHEREAS, LCDC Goal 2 requires that local land use plans be consistent with regional plans; and

WHEREAS, Happy Valley's proposed Comprehensive Plan has been evaluated for compliance with LCDC Goals and regional plans adopted by CRAG or Metro prior to July 1985 in accordance with the criteria and procedures contained in the "Metro Plan Review Manual," as summarized in the Staff Report attached as Exhibit "A"; and

WHEREAS, Metro finds that Happy Valley's Comprehensive Plan meets all regional concerns regarding LCDC Goal compliance; now, therefore,

BE IT RESOLVED,

1. That the Metro Council recommends to LCDC that Happy Valley's request for compliance acknowledgment be granted once the

proposed plan is adopted.

2. That the Executive Officer forward copies of this Resolution and Staff Report attached hereto as Exhibit "A" to LCDC, the city of Happy Valley and to the appropriate agencies.

3. That, subsequent to adoption by the Council of any goals and objectives or functional plans after July 1985, the Council will again review Happy Valley's plan for consistency with regional plans and notify Happy Valley of any changes that may be needed at that time.

ADOPTED by the Council of the Metropolitan Service District
this 22nd day of August, 1985.



Ernie Bonner, Presiding Officer

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08/08/85

HAPPY VALLEY THIRD ACKNOWLEDGMENT REVIEW

INTRODUCTION

Happy Valley's Comprehensive Plan was last reviewed by the Metro Council on August 23, 1985. At that time, the Council recommended that LCDC continue action on the City's plan to enable the City to correct deficiencies on matters of regional concern affecting compliance with Goals 2, 10, 11, 12 and 14. At the same time, the Council directed staff to take a lead role in trying to break the impasse between the City and the DLCD on the issue of housing density. Metro staff worked with City staff and DLCD to develop a strategy for accommodating the required density of six units an acre that was acceptable to both sides. At its December 1984 meeting LCDC endorsed the general approach subsequently developed by the City. City staff then drafted specific plan and code amendments to implement its chosen strategy. On January 31, 1985, LCDC adopted the DLCD staff report on those amendments that identified remaining changes still needed. The City held an extensive series of public hearings on these and other possible changes and on August 6, 1985, adopted a Resolution of Intent to adopt its final version of plan and code amendments once LCDC acted favorably on their acknowledgment.

Metro staff has reviewed and commented on each successive draft prepared by the City and met regularly with City staff, DLCD and objectors to help identify and resolve problems. It believes the final version endorsed by the City satisfactorily addresses all regional concerns regarding goal compliance and recommends that the Council of the Metropolitan Service District support acknowledgment of the City's plan.

In the review that follows, each regional concern identified in the August 23 review is quoted, and then the City's response to that concern summarized.

GOAL 1 -- CITIZEN INVOLVEMENT: No issues identified.

GOAL 2 -- LAND USE PLANNING:

ISSUE: "The City must assure that its plan provisions for population-related policies are consistent with any revisions it makes to its housing policies."

RESPONSE: The City has revised plan materials to recognize an "ultimate" population of some 10,000 people, consistent with the population that could be accommodated at build-out to six units an acre. The City's plan further suggests that this level of growth is expected to be achieved by the year 2000, although Metro's projections for actual growth during that time are significantly lower. Since population at build-out is the level for which the City should be planning its long-term facility investments, the discrepancy between the City's and Metro's projections does not cause any practical problems.

CONCLUSION: The City has satisfactorily addressed regional concerns regarding Goal 2 compliance.

GOAL 3 -- AGRICULTURAL LANDS: Does not apply.

GOAL 4 -- FOREST LANDS: Does not apply.

GOAL 5 -- NATURAL RESOURCES: The only issue of regional concern identified was found to be linked to, and best discussed as part of, regional housing concerns (see issues #4 and 5 under Goal 10).

GOAL 6 -- AIR, WATER AND LAND QUALITY: No issues identified.

GOAL 7 -- NATURAL HAZARDS: No issues identified.

GOAL 8 -- RECREATION: No issues identified.

GOAL 9 -- ECONOMY: No issues identified.

GOAL 10 -- HOUSING:

1. Density

ISSUE: The City must "provide for an overall density for new development on buildable lands at 6 UNA (or justify lower densities consistent with the Goal 2 requirements for taking an exception to this standard)."

RESPONSE: The City has not revised the plan designations, adopted last June, that provide for an overall density of 3.45 units per acre. Instead, they have adopted three new development provisions that provide opportunities for development to occur at levels above that provided for by the base zone. These provisions are: (1) density transfers from unbuildable land, with a .5 unit per acre bonus for clustering; (2) a density bonus of 1 unit per acre for developments that are found to provide adequate levels of all basic services and that are clustered; and (3) development of secondary units in existing dwellings. These three provisions, in conjunction with a variety of other needed plan and code changes, effectively provide the opportunity for development to occur at an overall average density of just over six units per net buildable acre.

2. Clear and Objective Standards

ISSUE: The City must "establish clear and objective standards for approval of all needed housing by revising Code sections governing: (a) impact statements; (b) the approval of attached housing and density transfers through the PUD or other process; and (c) site plan approval."

RESPONSE: The City has substantially revised and improved its Planned Unit Development provisions to provide clear guidelines for the clustering required to achieve the available density bonus and to allow certain needed housing types. A variety of other code

amendments have corrected other problems identified by LCDC and provided the necessary assurance that needed housing that complies with code requirements cannot be arbitrarily denied.

3. Regional Housing Responsibilities

ISSUE: The City must "revise plan policies and supporting information to establish an appropriate basis for future land use decisions consistent with the City's regional housing responsibilities."

RESPONSE: The City has revised its plan policies and supporting information to recognize its obligation to meet the requirements of LCDC's Metropolitan Housing Rule and State Housing Rule, as applicable.

4. Density Transfers

ISSUE: The City must "demonstrate that density transfers for protection of resource and hazard land do not threaten to reduce development densities on buildable lands below the maximum allowed under each designation (or undertake other appropriate action to address the potential conflict with needed housing)."

RESPONSE: By clarifying the density transfer process and requirements and by providing a bonus for undertaking it as part of a PUD, the City has eliminated the problems which might have interfered with a developer's ability to achieve the maximum densities allowed by the City's plan and code.

5. Open Space Dedications

ISSUE: The City must "revise open space dedication requirements to limit the amount of land which must be dedicated to an amount consistent with its open space needs analysis."

RESPONSE: The City has made the corrections requested.

CONCLUSION: The City has satisfactorily addressed regional concerns regarding Goal 10 compliance.

GOAL 11 -- PUBLIC FACILITIES AND SERVICES:

1. Sewers

ISSUE: The City must "prepare and adopt a sewerage treatment plan and/or definitive sewers policies for the City."

RESPONSE: The City has adopted policy committing the City to completion of a Public Facilities Plan consistent with the requirements of LCDC's administrative rule on the subject (adopted subsequent to Metro's August 23 review).

2. Coordination Language

ISSUE: The City must "adopt Metro sample language on regional coordination with Metro's solid waste and wastewater treatment plans or a satisfactory equivalent."

RESPONSE: The City has adopted Metro's sample language regarding coordination with Metro's solid waste and wastewater treatment plans.

CONCLUSION: The City has satisfied regional concerns regarding Goal 11 compliance.

GOAL 12 -- TRANSPORTATION:

ISSUE: "Consistency with the RTP is a Goal 12 issue of regional concern. To address this concern, the City must (1) identify streets appropriate for future transit use; and (2) if needed, amend its plan to address any inconsistencies in functional classification identified by adjacent jurisdictions in the acknowledgment process."

RESPONSE: The City has not identified any streets it believes suitable for transit use, but nor has Tri-Met expressed any interest in providing service to the City in the near future. By not identifying transit streets in its plan, the City may be foreclosing on the opportunity to obtain transit service in the future. Metro's interest is in seeing that jurisdictions who do desire transit service work with Tri-Met to identify suitable transit streets and any improvements needed to accommodate transit on those streets. So long as the City understands and accepts the consequences of not identifying any transit streets in its plan, its failure to do is not a goal compliance issue of regional concern. No jurisdictions have identified any inconsistencies in functional classifications.

CONCLUSION: The City has satisfactorily addressed regional concerns regarding Goal 12 compliance.

GOAL 13 -- ENERGY: No issues identified.

GOAL 14 -- URBANIZATION:

ISSUE: "To address regional Goal 14 concerns, the City must include the language from its Comprehensive Plan Addendum, or an appropriate substitute, recognizing Metro's role in the UGB amendment process."

RESPONSE: The City has reinstated the language from its Comprehensive Plan Addendum.

CONCLUSION: The City has satisfied regional concerns regarding Goal 14 compliance.

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STAFF REPORT

Agenda Item No. 7.1

Meeting Date August 22, 1985

CONSIDERATION OF RESOLUTION NO. 85-587 FOR THE
PURPOSE OF RECOMMENDING ACKNOWLEDGMENT OF
HAPPY VALLEY'S PLAN

Date: August 8, 1985

Presented By: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

It is almost a year to the day since the representatives of the city of Happy Valley appeared before the Council of the Metropolitan Service District and expressed the City's willingness to work towards acknowledgment, with Metro's assistance. The City has abided by that commitment and, after a year of hard work on the part of City staff, citizens, Planning Commission and City Council, has endorsed a set of extensive amendments to its plan and code that the Metro staff believes are sufficient for acknowledgment of goal compliance. Staff is pleased to forward to Council the attached Resolution recommending that LCDC acknowledge Happy Valley's plan for state goal compliance.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 85-587.

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5. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

6. APPROVAL OF MINUTES

Motion: Councilor Waker moved the minutes of July 25, 1985, be approved and Councilor Kafoury seconded the motion.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper and Hansen

The motion carried and the minutes were approved.

7. RESOLUTIONS

7.1 Consideration of Resolution No. 85-587, for the Purpose of Recommending Acknowledgment of Happy Valley's Comprehensive Plan

Motion: Councilor Kirkpatrick moved for adoption of Resolution No. 85-587 and Councilor Kafoury seconded the motion.

Jill Hinckley explained the city of Happy Valley had worked hard to accomplish acknowledgment of their Plan. LCDC also supported the acknowledgment, she said. She further explained staff's recommendation was made subject to several amendments in progress which staff had not reviewed. There was a remote possibility the matter would return to the Council if an amendment needed Council review. She also explained that since the Council last reviewed the Plan in July 1984, new issues had risen not covered in the Plan. Ms. Hinckley did not think these issues would be of concern to the Council but she volunteered to answer questions about them. There were no questions from the Council.

Jim Carskadon, City Attorney, city of Happy Valley, represented Mayor Robnett to thank Metro staff and Council for assistance in developing the Plan. He urged adoption of the Resolution.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper and Hansen

The motion carried and Resolution No. 85-587 was adopted.

8. OTHER BUSINESS

8.1 Consideration of Order No. 85-3 Declaring Certain Property Surplus and Authorizing the Execution of a Sublease (with Mark W. Eves and Francis I. Smith)

Judy Munro reviewed highlights of the proposed sublease as contained in the agenda materials. She said if the proposed tenants chose to cancel the lease at the end of three years, Metro would experience a small loss. She expected the lease would continue after three years but if the lease was terminated, Metro would have a fully improved, highly marketable office space.

Motion: Councilor Waker moved Order No. 85-3 be adopted and Councilor Kirkpatrick seconded the motion.

In response to Councilor Kelley's question, Ms. Munro explained Metro's cost per square foot for office space varied according to improvements offered and terms of subleases. Metro's price was competitive with the average price for comparable downtown office space, she said.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Gardner, Kirkpatrick, Kafoury, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Absent: Councilors Cooper and Hansen

The motion carried and Order was adopted.

8.2 Consideration of a Contract for Improvements to the New Metro Offices, 2000 S. W. 1st Avenue

8.3 Consideration of a Contract for Non-Custom Furnishings for the New Metro Offices, 2000 S. W. 1st Avenue

Ms. Munro reviewed the process for bidding the two contracts as well as the contract for custom furnishings approved earlier in the evening by the Council Management Committee. She referred the Council to Exhibit A of the staff report which compared actual contract costs to those budgeted. The construction contract came in over estimates, she explained, due to the recent increase in construction work in the area. Contractors were bidding higher to take