

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESCRIBING) RESOLUTION NO. 94-1930B
INTENDED METRO ACTION ON)
FINAL REGION 2040 REPORTS) Introduced by Rena Cusma,
AND COMMENTS) Executive Officer
)

WHEREAS, Metro adopted land use regional goals and objectives called Regional Urban Growth Goals and Objectives (RUGGO) in September 1991 which are required by state law; and

WHEREAS, During the development of RUGGO, there was widespread interest in a long-range, 50-year view of regional growth which leads to Metro's Region 2040 planning program; and

WHEREAS, State law requires several significant 20-year regional land use decisions in 1995 that will be affected by identifying the region's long-term planning direction; and

WHEREAS, The Metro Council intends to identify the region's long-term planning direction in 1994 to enable Metro to complete specific complex planning tasks in 1995 after extensive public involvement and full participation of its local government partners; and

WHEREAS, Final 2040 reports and problem-solving responses to the research are anticipated in August 1994 when the Metro Council anticipates beginning its deliberations; now, therefore,

BE IT RESOLVED,

1. That the Metro Council shall review 2040 reports and shall receive comments and recommendations from the public, local governments, the Future Vision Commission and MPAC about the preferred conceptual approach to the form of the Metro region in 2040 including, but not limited to, growth trends (up or out, less or more), Urban Growth Boundary (UGB) and land supply, travel congestion, urban centers, urban design, intensity of development, satellite cities, neighborhoods and greenbelts.

2. That the Metro Council intends to act on final 2040 reports and public and MPAC comments by adopting a resolution identifying the region's long-term planning direction containing the following:

a. A description of the preferred configuration of Metro's urban form to the year 2040 including a map of approximate locations of the

conceptual UGB and urban reserves and phasing strategies to the extent possible.

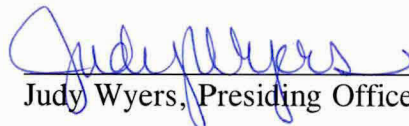
- b. A work plan to achieve a site-specific UGB and urban reserves and the regional Transportation Systems Plan (TSP) required by LCDC's Transportation Planning Rule.
- c. Preliminary 2015 population and employment growth forecast derived from 2040 reports as the basis for discussion of the 1995 UGB and TSP.
- d. A range of preliminary 50-year population and employment growth] forecasts for refinement in the regional framework plan.
- e. A regional framework plan implementation strategy based on the urban form concept describing an approach to preparation and adoption of framework plan components required in the 1992 Metro Charter including the UGB, urban reserves, TSP, housing density, urban design, Greenspaces, water supply, coordination with Clark County, and elements such as transit corridor and urban centers and water quality.
- f. Referral to MPAC of any draft functional plan provisions and referral to JPACT of any draft transportation functional plan provisions needed to preserve opportunities to implement the preferred urban form for review and recommendation per RUGGO Objective 5.

3. That implementation of the Region 2040 preferred alternative shall attempt to integrate local plans while still achieving regional goals.

4. That the Metro Council shall adopt an ordinance containing a set of amendments to RUGGO based on the preferred urban form which have been reviewed by MPAC per RUGGO Objective 6.

5. That the Metro Council shall describe applicable state, regional and local government implementation responsibilities for the adopted urban form configuration, regional framework plan strategy, and any proposed functional plan provisions.

ADOPTED by the Metro Council this 28th day of April, 1994.



Judy Wyers, Presiding Officer

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**METRO**

Date: March 15, 1994
To: Metro Council
From: *LS*
Larry Shaw, Senior Assistant Counsel
Regarding: 2040 DECISION RESOLUTION
Our file: 7.§2.DD

Introduction

At the last Council retreat, the Council discussed a series of optional 2040 decision packages, each progressively more inclusive and comprehensive. This draft resolution incorporates both the Council preference for "Option #4," the most comprehensive package and the Planning Department's recommended steps for implementation. The draft resolution is intended for action at the April 7 Planning Committee meeting and, possibly, review at a joint MPAC/JPACT meeting April 6.

Option #4 Elements

1. Metro Council adoption of a "preferred alternative" urban form concept illustrated with a map.

This conceptual urban form is the basis for upcoming implementation actions such as urban reserves, UGB review, and the Transportation System Plan (TSP). This is a concept contingent on further work, not an appealable land use decision.

2. Metro Council adoption of a work plan leading to Metro adoption of some Charter-mandated regional framework plan components such as urban reserves, UGB, TSP, housing density, Greenspaces in 1995.
3. Metro Council adoption of preliminary 2015 population and employment growth allocations from 2040 reports as the basis for discussion of the 1995 UGB and TSP.
4. Metro Council adoption of a range of 50-year population and employment growth allocations for refinement in development of the regional framework plan.

5. Metro Council adoption of a regional framework plan implementation strategy for preparation and adoption of all framework plan components.
6. Metro Council adoption of RUGGO amendments consistent with the urban form concept that have been reviewed by MPAC prior to Council adoption. Adoption of these amendments is an appealable land use decision with statewide goal findings.
7. Metro Council referral to MPAC of any draft functional plan concepts or provisions needed to preserve opportunities to implement the adopted urban form concept. MPAC review and recommendation per RUGGO. Objective 5 would precede final Metro Council action. Final Metro actions, not referral to MPAC, are likely to be appealable land use decisions.

Adoption Process

The Metro Council review of final 2040 reports and receipt of public comments and recommendations is anticipated to begin in August 1994.

Action on 2040 reports is proposed to be in (1) a resolution containing all of the elements of Option #4, above, and (2) an ordinance adopting RUGGO amendments (element 6, above). This is a timing change from the retreat discussions on RUGGO amendment adoption. Planning staff believes that MPAC review of the urban form concept and draft RUGGO amendments should proceed together so the regional planning policy impacts of the urban form will be clear. This is intended to allow the Metro Council to adopt urban form RUGGO amendments at or near the same time as the 2040 resolution in the fall.

Functional Plan Provisions

The most controversial element of this 2040 decision package is likely to be any draft functional plan provisions referred to MPAC. These are not goal statements binding only on Metro. They are recommendations or requirements for changes in local comprehensive plans of 24 cities and 3 counties. Some recommendations and all requirements are likely to be appealable land use decisions. As such, findings of compliance with both RUGGO and applicable statewide goals and LCDC regulations will be required later, at adoption. Since the resolution is merely Council initiation of any proposed functional plan provisions, that action is not a land use decision reviewable by LUBA.

Conclusion

This resolution describes intended Metro actions at the end of the 2040 planning process. It includes all of the elements of the most comprehensive option discussed at the Council retreat. The proposed 2040 resolution would include a description of the preferred urban

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form and a map, 1995 work plan, preliminary 2015 growth allocations, 50-year ranges of growth allocation, and a regional framework plan implementation strategy. The resolution would include a referral to MPAC of any draft functional plan concepts or provisions the Council deems necessary. At or near adoption of the 2040 resolution, an ordinance of RUGGO amendments reflecting the preferred urban form would be adopted.

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PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 94-1930A DESCRIBING INTENDED METRO ACTION ON FINAL REGION 2040 REPORTS AND COMMENTS

Date: April 26, 1994

Presented By: Councilor Moore

Committee Recommendation: At the April 21 meeting, the Planning Committee voted unanimously to recommend Council adoption of Resolution No. 94-1930A. Voting in favor: Councilors Kvistad, Gardner, Devlin, McLain, Monroe, Moore, and Washington. Absent: Councilor Gates.

Committee Issues/Discussion: Larry Shaw, Senior Assistant Counsel, presented the staff report with the assistance of John Fregonese, Manager of Growth Management Division. Mr. Shaw summarized the various changes that were suggested by the Metro Policy Advisory Committee (MPAC). The changes relate to implementation of the 2040 decision, specifically in relationship to local plans. Further changes clarify the role of each level of government.

Councilor McLain voiced concern over the use of "shall attempt" in Resolve #3. She asked for a legal interpretation of the words. Further, she asked what would happen if parties disagreed. Mr. Shaw explained that the purpose of this resolution is to show the Council's intent of what the final Region 2040 decision resolution will contain. It in no way binds the Council regarding content.

Councilor Moore reiterated Bonnie Hays concern that local governments clearly understand the amount and nature of responsibility expected of them. She also referenced an error in Resolve "2 d" where "allocations" should read "forecasts". She suggested that Resolve #3 be amended as follows:

3. That implementation of the Region 2040 preferred alternative [shall} **should** attempt to integrate local plans [~~while still achieving~~] **where those plans achieve** regional goals.

Councilor Gardner questioned Resolve "2 e", regarding whether it is a complete list of Charter requirements. Staff clarified that the list of Charter requirements is complete in the first part of the sentence (up to "and elements") except for "water quality", which should read "water supply". "Water quality" should be part of the "elements" at the end of the sentence. The committee amended the resolution by clarifying "water supply" in the list of Charter requirements and adding "water quality" to the list of "elements". They

also approved amending the resolution in "2 d" to change "allocations" to "forecasts", as was the intent of MPAC.

There was some discussion about whether the committee was bound to return the resolution to MPAC if the committee amended the resolution. Councilor Gardner clarified that this item was sent to MPAC for information purposes as a courtesy. There is no need to return the item if changes are made.

The motion to approve Councilor Moore's wording for Resolve 3 (above) failed 4-3 (voting no: Councilors Kvistad, Devlin, Monroe and Washington).

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