



600 NE Grand Ave.  
Portland, OR 97232-2736

## Metro Policy Advisory Committee (MPAC)

### agenda

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Wednesday, October 11, 2017

5:00 PM

Metro Regional Center, Council chamber

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1. **Call To Order, Introductions, Chair Communications (5:00 PM)**
  2. **Citizen Communications (5:10 PM)**
  3. **Council Update (5:15 PM)**
  4. **MPAC Member Communication (5:20 PM)**
  5. **Consent Agenda (5:25 PM)**
    - 5.1 MTAC Nomination [COM](#)  
[17-0058](#)

Attachments: [MTAC Nomination Memo](#)
    - 5.2 Consideration of September 27, 2017 Minutes [17-4901](#)

Attachments: [September 27, 2017 Minutes](#)
  6. **Information/Discussion Items**
    - 6.1 Housing Trends and Policies Around the Region: Milwaukie and Clackamas County (5:30 PM) [COM](#)  
[17-0056](#)

Presenter(s): Alma Flores, City of Milwaukie  
TBD, Clackamas County

Attachments: [MPAC Worksheet](#)
  7. **Action Items**
    - 7.1 Expectations for Cities Proposing Residential Urban Growth Boundary Expansions (6:30 PM) [COM](#)  
[17-0057](#)

Presenter(s): Ted Reid, Metro

Attachments: [MPAC Worksheet](#)  
[Draft Amendments to Title 14](#)  
[Draft Administrative Guidance](#)
  8. **Adjourn (7:00 PM)**
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**Upcoming MPAC Meetings**

- *Wednesday, October 25, 2017*
- *Wednesday, November 8, 2017*
- *Wednesday, December 13, 2017*

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។  
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## 2017/2018 MPAC Work Program

*As of 9/29/17*

*Items in italics are tentative; **bold** denotes required items*

<p><b><u>Wednesday, October 11, 2017</u></b></p> <ul style="list-style-type: none"> <li>• Expectations for cities proposing residential urban growth boundary expansions – Recommendation (Ted Reid, Metro; 30 min)</li> <li>• Housing Trends and Policies Around the Region: Milwaukie and Clackamas County (2/4) – Information/Discussion (Alma Flores, City of Milwaukie &amp; TBD, Clackamas County; 60 min)</li> </ul>	<p><b><u>Wednesday, October 25, 2017</u></b></p> <ul style="list-style-type: none"> <li>• 2018 RTP: Project Update – Information/Discussion (Kim Ellis, Metro; 15 min)</li> <li>• Regional Transportation Technology Strategy (Eliot Rose, Metro; 40 min)</li> <li>• Housing Trends and Policies Around the Region: Wilsonville and Beaverton (3/4) – Information/Discussion (TBD; 50 min)</li> </ul>
<p><b><u>Wednesday, November 8, 2017</u></b></p> <ul style="list-style-type: none"> <li>• Greater Portland Pulse Housing Data Hub (Liza Morehead and Sheila Martin, PSU Institute of Portland Metropolitan Studies; 45 min)</li> <li>• Metro’s Housing Data Resources (Jeff Frkonja; 30 min)</li> <li>• City of Portland/PCRI Pathway 1000 Initiative Project Update – Information/Discussion (TBD; 45 min)</li> </ul> <p>November 14 – 17: Association of Oregon Counties Annual Conference, Eugene, OR</p>	<p><b><u>Wednesday, November 22, 2017 – cancelled</u></b></p>
<p><b><u>Wednesday, December 13, 2017</u></b></p> <ul style="list-style-type: none"> <li>• <i>Anti-Displacement Strategies: Panel Discussion (multiple; 90 min)</i></li> <li>• <i>MPAC in 2018</i></li> </ul>	<p><b><u>Wednesday, December 27, 2017 – cancelled</u></b></p>

<u>Wednesday, January 10, 2018</u>	<u>Wednesday, January 24, 2018</u>
<u>Wednesday, February 14, 2018</u>	<u>Wednesday, February 28, 2018</u>
<u>Wednesday, March 14, 2018</u>	<u>Wednesday, March 28, 2018</u>
<u>Wednesday, April 11, 2018</u>	<u>Wednesday, April 25, 2018</u>
<u>Wednesday, May 9, 2018</u>	<u>Wednesday, May 23, 2018</u>

**Upcoming events:**

- February 2018: RTP Regional Leadership Forum #4 (Finalizing Our Shared Plan for the Region)

**Parking lot:**


- Presentation on health & land use featuring local projects from around the region
- Greater Portland, Inc. update
- “Unsettling Profiles” presentation by Coalition of Communities of Color
- System development charges (SDCs)
- City of Portland inclusionary housing
- Economic Value Atlas
- Transportation Resiliency
- Self-driving cars

# Memo



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Date: October 2, 2017  
To: MPAC  
From: Tom Kloster, Acting MTAC Chair   
Subject: MTAC Nomination for MPAC Consideration

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We have received a nomination for the Environmental Advocacy Organization seat on MTAC.

The Audubon Society has nominated Bob Sallinger to fill the seat which is currently vacant.

Please consider this nomination for MTAC membership. Per MPAC's bylaws, MPAC may approve or reject any nomination submitted.

If you have any questions or comments, please do not hesitate to contact me.

Thank you.



**METRO POLICY ADVISORY COMMITTEE (MPAC)**

Meeting Minutes

September 27, 2017

Metro Regional Center, Council Chamber

**MEMBERS PRESENT**

Steve Callaway  
Carlotta Collette  
Betty Dominguez  
Amanda Fritz  
Mark Gamba  
Kathryn Harrington  
Jerry Hinton  
Gordon Hovies  
Larry Morgan  
Carrie MacLaren  
Loretta Smith  
Ty Stober  
Peter Truax

**AFFILIATION**

City of Hillsboro, Largest City in Washington County  
Metro Council  
Citizen of Clackamas County  
City of Portland  
Chair, City of Milwaukie  
Metro Council  
City of Gresham, Second Largest City in Multnomah County  
Tualatin Valley Fire & Rescue, Special Districts in Washington County  
City of Troutdale, Other Cities in Multnomah County  
Oregon Department of Land Conservation and Development  
Multnomah County  
Vancouver Washington  
Forest Grove Mayor

**ALTERNATES PRESENT**

Gretchen Buehner  
Jennifer Donnelly  
Jackie Manz

**AFFILIATION**

Forest Grove  
Oregon Department of Land Conservation and Development  
City of Lake Oswego, Largest City in Clackamas County

**OTHERS PRESENT:** Lynn Peterson, Adam Barber, Tom Armstrong, Colin Cooper, Taylor Eidt, Eric Hesse

**STAFF:** Nellie Papsdorf, Andy Shaw, Ernest Hayes, Taylor Unterberg, Megan Gibb, Ted Reid, Roger Alfred, Alison Kean, Jes Larson, Elissa Gertler

**1. CALL TO ORDER, SELF INTRODUCTIONS, CHAIR COMMUNICATIONS**

MPAC Chair Mark Gamba called the meeting to order at 5:04 p.m. Chair Gamba proceeded to have attendees introduce themselves.

Chair Gamba discussed an upcoming racial equity workshop. The “Leading with a Racial Equity Approach for Structural Transformation” workshop would be offered to MPAC and other Metro advisory committee members on November 1, 2017 from 6:00-8:00PM at the Metro Regional Center in the Council chamber. The workshop would serve as a training opportunity to learn more about why Metro and a growing number of jurisdictions around the country were using racial equity as the way to prioritize their work in order to serve all people more effectively. The workshop would be presented by Scott Winn, a consultant and faculty member at the University of Washington School of Social Work.

## **2. CITIZEN COMMUNICATIONS**

There was none.

## **3. COUNCIL UPDATE**

- Councilor Carlotta Collette invited MPAC members to a special Council meeting. The meeting would be held in Forest Grove on the evening of October 19 at the Forest Grove Community Auditorium. The Council was poised to adopt the Chehalem Ridge Nature Park Master Plan at the meeting.
- Councilor Collette provided a reminder about the Build Small, Live Large summit, which would be held at Portland State University. The summit would center on financing strategies for Accessory Dwelling Units (ADUs) and other small dwellings.
- Councilor Collette provided a Willamette Falls Legacy Project update. She announced that a letter had been sent to the owner of the property, who still needed to sign property agreements in order for the project to move forward.

## **4. MPAC MEMBER COMMUNICATION.**

- Councilor Kathryn Harrington commended the Washington County Board of Commissioners for their September 5 adoption of a statement that rejected racism, bigotry, and violence.

## **5. CONSENT AGENDA**

- **MTAC NOMINATIONS**
- **MINUTES FOR SEPTEMBER 13, 2017**

**MOTION:** Commissioner Amanda Fritz moved, and Councilor Ty Stober seconded, to adopt the consent agenda.

**ACTION:** With all in favor, the motion passed.

## **6. INFORMATION/DISCUSSION ITEMS**

### **6.1 Expectations for Cities Proposing Residential UGB Expansions**

Chair Gamba explained that this item intended to follow through on the recommendations made last year by the Urban Growth Readiness Task Force, a group convened by Metro Council President Tom Hughes in which he and other MPAC members had participated. The Task Force recommended ways that additional flexibility could be built into the residential urban growth management process. Along with that flexibility, the Task Force recommended that cities should have an opportunity to make their case for proposed expansions. Staff had been working with the Metro Technical Advisory Committee (MTAC) to develop more clarity surrounding what constitutes a good proposal. Chair Gamba reminded the committee that MPAC was scheduled to make a formal recommendation on code amendments to the Metro Council on October 11.



*Key elements of the presentation included:*

Mr. Reid explained that there were issues with past growth management processes. The old system had used math to define complex housing needs, expanded the UGB based on soil types, and concept planned areas after they had already been added to the UGB.

In 2006, the region determined that it should identify urban and rural reserves, move toward an outcomes-based approach to growth management, and, using the 2040 Growth Concept as a guide, agree on where the region would and would not grow. Mr. Reid stated the importance of having a plan before expanding the UGB. In 2009, the Council expressed its intent to use Metro's six desired regional outcomes to guide growth management decisions.

Mr. Reid highlighted that the Urban Growth Readiness Task Force made consensus recommendations to the Metro Council in 2016-2017. The recommendations included increasing flexibility to respond to city proposals for residential expansions, as well as clarifying expectations for cities.

Mr. Reid outlined the new regional growth management process. It began with agreement on where the region would grow over the next 50 years, was followed by concept planning urban reserve areas prior to expansion, and finally involved deciding whether proposed expansions were needed based on the six desired regional outcomes.

Mr. Reid stated that MTAC made unanimous recommendations for code language at their September 6 meeting. MTAC recommended clarifying expectations while ensuring flexibility. MTAC recommended that expectations should apply to all residential growth management decisions, but that there should be a higher bar for mid-cycle expansion proposals. Expectations for mid-cycle expansion proposals would include: coordination of housing needs analyses, demonstrated likelihood of development of expansion area, efforts in existing urban centers and corridors, best practices for affordable housing in existing urban areas, and advancement of the six desired outcomes.

Mr. Reid identified next steps. MPAC was scheduled to provide a formal recommendation to the Metro Council on urban growth code amendments on October 11. Council consideration of code amendments would take place on October 26 and November 2 of 2017. Full proposals from cities proposing expansions would be due May 31, 2018. MPAC advice and Council decision on the proposals was scheduled to occur at the end of 2018.

*Member discussion included:*

- Mayor Steve Callaway asked if these code amendments were the same as ones presented in March 2017. He was informed that they were the same.
- Councilor Jerry Hinton asked who would be tasked with creating a concept plan in an unincorporated area. Mr. Reid responded that incorporated cities would have to propose expansions to their existing boundaries, and that a concept plan had to be in place in order for a city to be granted a mid-cycle expansion.
- Ms. Betty Dominguez asked about the current status of state acknowledgement of urban reserves.

- Ms. Carrie MacLaren responded that state hearings on reserves were scheduled for November, and should be done by January 2018 at the latest.
- Commissioner Fritz inquired if all property owners involved in an expansion area had to agree on the expansion, and if not, how the process would proceed. Mr. Reid informed the commissioner that cities would be charged with persuading residents that the expansion was necessary. Mr. Roger Alfred indicated that the process would involve outreach to property owners and community members.
- Mayor Callaway asked if it would be possible for the draft administrative guidance document for cities proposing residential expansions to be reviewed by MPAC before it was sent to the Metro Council for final approval.
- Councilor Harrington also asked for the document to be shared with MPAC members.
- Ms. Elissa Gertler emphasized that the document did not dictate what cities could and could not do; rather, it intended to guide cities trying to move through the UGB expansion process.

## **6.2 Housing Trends and Policies around the Region: Hillsboro and Portland**

Chair Gamba announced that this topic was part of an ongoing dialogue about how the region was growing. He informed the committee that it would be discussing housing trends throughout the region more over the next year as it prepared to make a recommendation to the Council on its next urban growth management decision. Chair Gamba welcomed planning staff from the cities of Portland and Hillsboro to provide overviews of some of the housing trends, challenges, opportunities, policies, and investments in their cities. He stated that MPAC hoped to hear from Clackamas County and Milwaukie staff on October 11, and from Beaverton and Wilsonville staff on October 25.

Chair Gamba introduced Tom Armstrong, City of Portland, and Colin Cooper, City of Hillsboro.

*Key elements of the presentation included:*

Mr. Armstrong stated that the City of Portland was planning 30 percent of its growth within the central city, 50 percent in its corridors, and the remaining 20 percent in various other areas. One of the city's goals was to achieve complete and connected neighborhoods wherein residents could find most of what they needed within 20 minutes of their homes. The target was for 80 percent of households to be part of complete community; Mr. Armstrong stated that currently, approximately 65 percent of Portland households were located in such neighborhoods.

Mr. Armstrong discussed housing cost trends. He stated that the demand for close-in housing was high. Since 2007, the median home sales price had increased by 13 percent, while median incomes had only risen by about 9 percent, and rent had increased anywhere from 25 to 29 percent. The rental market was outpacing incomes, and Portland was experiencing displacement from inner neighborhoods to east Portland and other parts of the region.

Mr. Armstrong provided an overview of population growth in the Portland region and the disappearance of middle-wage jobs accompanied by an increase in high-wage jobs. He noted that multi-family housing unit construction permits were high. He also highlighted that ADU permits had gained traction in recent years, and the city of Portland was permitting 400-500 units per year. Ms. Carrie MacLaren asked about the dispersion of ADUs around the city, specifically if ADU construction was taking place in areas where planners wanted to see increased housing density. Mr. Armstrong responded that the Build Small Coalition was analyzing ways to provide low-cost

financing options to help middle-income people construct ADUs. Ms. Dominguez cited a city program that involved constructing ADUs for homeless people; Mr. Armstrong clarified that this was a county program rather than a city of Portland program.

Mr. Armstrong discussed Portland's affordable housing strategy. Affordable housing funding methods included the urban renewal fund, 45 percent of which was dedicated to affordable housing; short term rental lodging tax revenue that amounted to approximately \$1 million a year; and a city-exercised Construction Excise Tax (CET) on commercial and residential development, which would generate 8 to 9 million dollars annually. Mr. Armstrong also highlighted the city's adoption of renter protections, which included 90 day notices for no cause evictions and rent increases, and a relocation assistance requirement. Mr. Armstrong expressed that the city's inclusionary housing requirement mandated that 20 percent of new units constructed be affordable for families earning 80 percent of the Area Median Income (AMI); alternatively, developers could opt to offer deeper affordability, with 10 percent of units affordable to those at 60 percent AMI. There were various developer incentives, including a ten-year property tax exemption, CET exemption on affordable units, a parking requirement exemption, and System Development Charge (SDC) waivers on affordable units. Chair Gamba asked how the city verified that rental units were compliant with existing requirements. Mr. Armstrong stated that in addition to annual self-reporting from property owners, the city relied on tenant complaints. Chair Gamba asked if the city of Portland had explored the option of requiring property owners to report rents in their various units. Commissioner Fritz and Mr. Armstrong both stated that the city had considered this. Commissioner Loretta Smith emphasized that it took 4 to 6 years from predevelopment to development to construct affordable housing, and advocated tax abatement for existing units in order to advance the availability of permanent affordable housing. Ms. Gretchen Buehner asked if there was a plan to address housing affordability at 30 to 50 percent AMI. Mr. Armstrong stated that there was not a plan to do so at this time. Mr. Armstrong outlined future actions, which included updates to the central city plan and adjustments to permitted building heights; a residential infill project that would limit the size of single-dwelling houses and create options for smaller housing units in neighborhoods; and rewriting multi-dwelling zones to allow housing flexibility.

Mr. Colin Cooper, City of Hillsboro, stated that Hillsboro was a city that had been steadily growing and whose growth was projected to continue into the future. Mr. Cooper informed MPAC that the city's median income was currently \$67,000, which was higher than then regional average and county average, and that households in Hillsboro were slightly younger and larger in size than the regional average. He explained that the city was home to approximately 68,000 jobs, 45,000 of which were in high-tech manufacturing. He emphasized the city's pride in its diversity, stating that the city was 61 percent Caucasian and 49 percent non-Caucasian, with a significant Hispanic population. Mr. Cooper stated that 70 percent of Hillsboro housing stock since 2010 was multi-family, and that the city's total housing stock was equal parts multi-family and single family dwellings. Mr. Cooper advocated for the regional enhancement of opportunities for ownership of attached properties such as condominiums.

Mr. Cooper highlighted Hillsboro's focused growth on corridors and centers. He stated that 24 percent of new units were located within a quarter mile of Light Rail Transit (LRT) and 44 percent were built within a half mile of LRT. Mr. Cooper reiterated TriMet General Manager Neil McFarlane's assertion that TriMet's service on the west end of Washington County was "skeletal at best". Mr. Cooper requested more transit support in Hillsboro. He also stated that the city's current housing capacity did not meet demand.

Mr. Cooper discussed infill development. While there were not many secondary dwelling units in Hillsboro, the city did intend to encourage them. In partnership with the Washington County Housing Authority, the city was working on a 121 unit multi-family 6-story housing development; the development was located at a light rail station, near bus lines, and next to Portland Community College's Rock Creek campus. Mr. Cooper believed this site demonstrated Hillsboro's commitment to affordable housing. Mr. Cooper also stressed the importance of preserving Hillsboro's inventory of non-regulated affordable housing.

Mr. Cooper outlined redevelopment of a former grocery store near Pacific University in downtown Hillsboro. The grocery store had been removed from the lot and the city, who now owned the land, was looking for a developer to construct affordable housing at the site. Mr. Cooper informed the committee that Hillsboro was expecting 300 to 400 units at this location. He also described a new development in South Hillsboro that was slated to include attached single family homes and community parks. Mr. Cooper noted financing challenges in south Hillsboro, but stated that he expected the area to rapidly expand in the coming years.

Mr. Cooper introduced Hillsboro's intended future development. He informed MPAC that in 2018, Witch Hazel South would ask for a UGB expansion. The desired expansion area was to the south of middle and an elementary school that abutted walkable and high density attached and detached housing.

*Member discussion included:*

None.

## **ADJOURN**

*Closing remarks of MPAC members included:*

- Councilor Harrington thanked the presenters for the hard work that had gone into developing their cities.

MPAC Chair Gamba adjourned the meeting at 6:57 p.m.

Respectfully Submitted,



Taylor Unterberg  
Recording Secretary

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF SEPTEMBER 27, 2017**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>3.0</b>	Handout	09/27/2017	Build Small, Live Large Summit Flyer	092717m-01
<b>6.1</b>	Handout	09/27/2017	2018 Urban Growth Management Decision Work Program Overview	092717m-02
<b>6.1</b>	PowerPoint	09/27/2017	Urban Growth Management	092717m-03
<b>6.2</b>	PowerPoint	09/27/2017	Portland Housing	092717m-04
<b>6.2</b>	PowerPoint	09/27/2017	Hillsboro Housing	092717m-05

# MPAC Worksheet

**Agenda Item Title:** Housing Trends and Policies Around the Region: Milwaukie and Clackamas County

**Presenter:** Alma Flores, City of Milwaukie

Presenter to be determined, Clackamas County

**Contact for this worksheet/presentation:** Ted Reid, [ted.reid@oregonmetro.gov](mailto:ted.reid@oregonmetro.gov)

## **Purpose/Objective**

Provide MPAC with an opportunity to hear about and discuss housing trends, policies, challenges, and opportunities around the region.

## **Action Requested/Outcome**

No action required. This agenda item is part of a series to provide MPAC with additional background on housing-related topics. The intent is to inform MPAC's discussion of projects such as the 2018 urban growth management decision, the Equitable Housing Initiative, the 2018 update of the Regional Transportation Plan, and the Southwest Corridor Equitable Development Strategy.

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

When the Metro Council made an urban growth management decision in November 2015, the Council directed staff to provide ongoing opportunities for dialogue about development and growth trends. The [Regional Snapshots](#) program provides ongoing reporting as well as occasional speaker events. A forthcoming fall 2017 Regional Snapshot will be about housing. Over the coming weeks, MPAC will also have opportunities to hear about and discuss housing trends in several communities, including (tentative).

September 27: Portland and Hillsboro

October 11: Milwaukie and Clackamas County

October 25: Wilsonville and Beaverton

Early 2018: Tigard

## **What packet material do you plan to include?**

None

# MPAC Worksheet

**Agenda Item Title:** Expectations for Cities Proposing Residential Urban Growth Boundary Expansions

**Presenter:** Ted Reid, Principal Regional Planner

**Contact for this worksheet/presentation:** Ted Reid, [ted.reid@oregonmetro.gov](mailto:ted.reid@oregonmetro.gov)

## **Purpose/Objective**

Provide MPAC with an opportunity to make a recommendation to the Metro Council on proposed amendments to Metro code. The amendments are intended to clarify expectations for cities proposing residential urban growth boundary (UGB) expansions.

## **Action Requested/Outcome**

A recommendation to the Metro Council regarding proposed amendments to the Metro code.

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

MPAC discussed the proposed Metro code amendments at its September 27, 2017 meeting. MPAC members asked clarifying questions, but did not suggest any changes to the proposed code amendments.

## **Background**

### Past Council direction

When the Metro Council made an urban growth management decision in November 2015, the Council provided direction on next steps for the region's urban growth management work program. One piece of Council direction was to work towards state acknowledgement of urban and rural reserves. Now adopted by Metro and the counties and pending state acknowledgement, urban and rural reserve designations represent a significant step for the region in how it approaches urban growth management decisions.

With the region's anticipated long-range urban form settled, the Council has indicated that it is prepared to take a new, outcomes-based approach to urban growth management that focuses on city readiness. In November 2015, the Metro Council directed staff that it wanted to convene regional partners to explore possible improvements to the region's urban growth management process. From spring 2016 to winter 2017, Council President Hughes chaired the Urban Growth Readiness Task Force. The Task Force developed several consensus recommendations which the Metro Council endorsed.

### Advancing the Urban Growth Readiness Task Force recommendations

The Task Force's efforts were focused on identifying ways that the Metro Council could exercise greater flexibility to respond to city requests for residential UGB expansions into concept-planned urban reserves.<sup>1</sup> In keeping with the Task Force's recommendations, the Council-endorsed work program for the 2018 urban growth management decision seeks to more fully use the flexibility provided under existing state law when identifying housing needs. Additional flexibility is made possible by recent

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<sup>1</sup> The Task Force focused on residential growth management decisions since state law already allows greater flexibility for identifying employment land needs. Likewise, Metro code already includes a process for the Council to respond to applications for non-residential UGB expansions.

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

The Task Force also agreed that, accompanying Council flexibility, the region should have high standards when considering expansion proposals. Generally, the Task Force recommended that, in addition to providing a concept plan for the proposed expansion area (which is already required under Metro Code), cities should describe how they are using best practices to facilitate the development of needed housing in existing urban areas and to achieve the region’s desired outcomes<sup>3</sup>. To that end, the Task Force recommended that Metro should clarify expectations for cities proposing residential UGB expansions into urban reserves. The Task Force suggested (and the Metro Council concurred) that Metro staff should work with MTAC to develop draft code. The Task Force further advised that the code should seek a balance between providing flexibility and certainty.

#### MTAC recommendations to MPAC

Since fall 2016, MTAC has discussed the question of flexibility vs. certainty and has landed on the flexibility end of the spectrum. In MTAC discussions, prescriptive code language proved unworkable, particularly since each city has different circumstances and the Council has indicated that it wishes to exercise greater flexibility. On September 6, 2017, MTAC unanimously recommended to MPAC proposed Title 14 (Urban Growth Boundary) amendments.

MTAC also discussed how flexibility creates uncertainty for cities and has suggested that Metro prepare administrative guidance for cities making proposals. The guidance would be framed around the proposed code amendments. Since it would not be adopted as code, the administrative guidance could be updated for future growth management decisions to reflect the Council’s current interests. Metro staff agrees with the approach suggested by MTAC and believes that it is the best way to facilitate the outcomes-based framework that the Council has adopted.

#### Council discussions of proposed code amendments

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

#### Next steps (dates may be subject to change)

- October 11: MPAC recommendation to the Metro Council on proposed code amendments
- October 26: Metro Council hearing on proposed code amendments
- November 2: Metro Council decision on proposed code amendments

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

<sup>3</sup> As defined in the Regional Framework Plan.

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



**What packet material do you plan to include?**

MPAC's packet includes draft amendments to Title 14 (Urban Growth Boundary) of the Urban Growth Management Functional Plan. The proposed code in MPAC's packet is the version recommended by MTAC with one change (noted above) requested by the Metro Council. Staff is seeking MPAC's recommendation on these amendments. The packet also includes draft administrative guidance to assist cities in making strong proposals. This administrative guidance is included for information only. Staff is not seeking MPAC's recommendation on the administrative guidance.

## **Proposed New Sections of Title 14 to Implement HB 2095**

### **3.07.1427 Mid-Cycle Amendments - Procedures**

- (a) The Metro Council may consider a mid-cycle amendment to the UGB for residential needs between legislative UGB amendments, as provided in ORS 197.299(6). Cities may initiate a mid-cycle amendment to the UGB by filing a proposal on a form provided by Metro.
- (b) The COO will accept proposals from cities for mid-cycle UGB amendments during the period that is between 24 and 30 months after the date of the Council's adoption of its most recent analysis of the regional buildable land supply under ORS 197.296.
- (c) The COO shall provide written notice of the deadline for proposals for mid-cycle amendments not less than 90 days before the first date proposals may be accepted to each city and county within the Metro region and to anyone who has requested notification.
- (d) Proposals must indicate that they have the support of the governing body of the city making the proposal.
- (e) As part of any proposal, the city shall provide the names and addresses of property owners for notification purposes, consistent with section 3.07.1465.
- (f) The proposing city shall provide a concept plan for the urban reserve area that includes the proposed expansion area consistent with section 3.07.1110.
- (g) The proposing city shall provide written responses to the criteria listed in 3.07.1428(b).
- (h) Proposals from cities under this section shall be initially reviewed by the COO and the Metro Planning Department. No later than 60 days after the final date for receiving proposals under subsection (b) of this section, the COO shall submit a recommendation to the Metro Council regarding the merits of each proposal, including consideration of the criteria listed in Section 3.07.1428.
- (i) The Metro Council is not obligated to take action on proposals submitted by cities or on the recommendation of the COO. If the Council chooses to expand the UGB in

accordance with one or more of the proposals, it may add no more than 1000 acres total.

- (j) If the Council elects to amend the UGB under this section, it shall be accomplished by ordinance in the manner prescribed for ordinances in Chapter VII of the Metro Charter. For each mid-cycle amendment, the Council shall establish a schedule of public hearings that allows for consideration of the proposed amendment by MPAC, other relevant advisory committees, and the public.
- (k) Any decision by the Council to amend the UGB under this section must be adopted not more than four years after the date of the Council's adoption of its most recent analysis of the regional buildable land supply under ORS 197.296.
- (l) Notice to the public of a proposed amendment to the UGB under this section shall be provided as prescribed in section 3.07.1465.

### **3.07.1428 Mid-Cycle Amendments - Criteria**

- (a) In reviewing city proposals for mid-cycle UGB amendments, the Metro Council shall determine whether each proposal demonstrates a need to revise the most recent analysis of the regional buildable land supply as described in ORS 197.299(5). The Council's decision shall include consideration of:
  - (1) Need to accommodate future population, consistent with the most recently adopted 20-year population range forecast; and
  - (2) Need for land suitable to accommodate housing and supporting public facilities and services, schools, parks, open space, commercial uses, or any combination thereof.
- (b) If, after revising its most recent analysis of the buildable land supply under paragraph (a) of this subsection, the Council concludes that expansion of the UGB is warranted, the Council shall evaluate those areas that have been proposed by cities for possible addition to the UGB. Any expansion(s) under this section may not exceed a total of 1000 acres. Cities proposing mid-cycle UGB amendments shall demonstrate that:

- (1) The city has an acknowledged housing needs analysis that was completed in the last six years and is coordinated with the Metro forecast in effect at the time the city's housing needs analysis or planning process began;
  - (2) The housing planned for the city's proposed UGB expansion area is likely to be built in fewer than 10 years. As part of any proposal, cities must provide a concept plan that is consistent with section 3.07.1110 of this chapter. Cities may also provide evidence of property owner support for the proposed UGB expansion, and/or other evidence regarding likelihood of development occurring within 10 years;
  - (3) The city has demonstrated progress toward the actions described in section 3.07.620 of this chapter in its existing urban areas;
  - (4) The city has implemented best practices for preserving and increasing the supply and diversity of affordable housing in its existing urban areas. Such practices may include regulatory approaches, public investments, incentives, partnerships, and streamlining of permitting processes; and
  - (5) The city has taken actions in its existing jurisdiction as well as in the proposed expansion area that will advance Metro's six desired outcomes set forth in Chapter One of the Regional Framework Plan.
- (c) The land proposed for UGB expansion must be a designated urban reserve area.
- (d) Mid-cycle UGB amendments made under this section are exempt from the boundary location requirements described in Statewide Planning Goal 14.

## Amendments to Existing Title 14 Provisions

### 3.07.1425 Legislative Amendment to the UGB - Criteria

\* \* \* \* \*

(c) If the Council determines there is a need to amend the UGB, the Council shall evaluate areas designated urban reserve for possible addition to the UGB and shall determine which areas better meet the need considering the following factors:

- (1) Efficient accommodation of identified land needs;
- (2) Orderly and economic provision of public facilities and services;
- (3) Comparative environmental, energy, economic and social consequences;
- (4) Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on land outside the UGB designated for agriculture or forestry pursuant to a statewide planning goal;
- (5) Equitable and efficient distribution of housing and employment opportunities throughout the region;
- (6) Contribution to the purposes of Centers and Corridors;
- (7) Protection of farmland that is most important for the continuation of commercial agriculture in the region;
- (8) Avoidance of conflict with regionally significant fish and wildlife habitat; and
- (9) Clear transition between urban and rural lands, using natural and built features to mark the transition.

(d) If the Council determines there is a need to amend the UGB for housing, in addition to consideration of the factors listed in subsection (c) of this section, the Council shall also consider the following factors in determining which urban reserve areas better meet the housing need:

- (1) Whether the area is adjacent to a city with an acknowledged housing needs analysis that is coordinated with the current Metro forecast;
- (2) Whether the area has been concept planned consistent with section 3.07.1110 of this chapter;
- (3) Whether the city responsible for preparing the concept plan has demonstrated progress toward the actions described in section 3.07.620 of this chapter in its existing urban areas;
- (4) Whether the city responsible for preparing the concept plan has implemented best practices for preserving and increasing the supply and diversity of affordable housing in its existing urban areas; and
- (5) Whether the city responsible for preparing the concept plan has taken actions to advance Metro's six desired outcomes set forth in Chapter One of the Regional Framework Plan.

### **3.07.1465 Notice Requirements**

\* \* \* \* \*

(b) For a proposed mid-cycle amendment under section 3.07.1427, the COO shall provide notice of the first public hearing on the proposal in the following manner:

- (1) In writing at least 35 days before the first public hearing on the proposal to:
  - (A) The Department of Land Conservation and Development and local governments of the Metro area;
  - (B) The owners of property that is being proposed for addition to the UGB;
  - (C) The owners of property within 250 feet of property that is being considered for addition to the UGB, or within 500 feet of the property if it is designated for agriculture or forestry pursuant to a statewide planning goal;

- (2) In writing at least 30 days before the first public hearing on the proposal to:
  - (A) The local governments of the Metro area;
  - (B) A neighborhood association, community planning organization, or other organization for citizen involvement whose geographic area of interest includes or is adjacent to the subject property and which is officially recognized as entitled to participate in land use decisions by the cities and counties whose jurisdictional boundaries include or are adjacent to the site;
  - (C) Any other person who requests notice of amendments to the UGB; and
- (3) To the general public by posting notice on the Metro website at least 30 days before the first public hearing on the proposal.

**Administrative guidance for cities proposing residential urban growth boundary expansions in the 2018 urban growth management decision**

The factors found in section 3.07.1425 (d) 1-5 were drafted with the intent of providing flexibility for cities that are proposing residential urban growth boundary (UGB) expansions. This is in recognition of the fact that cities have differing circumstances. With that flexibility comes some ambiguity. Acknowledging that ambiguity, this document is intended as guidance for cities making proposals. It seeks to further explain the Metro Council's policy interests in order to help cities make the strongest proposal possible. In addressing these expectations, cities should make their best case for their proposed expansion, highlighting not only the merits of the proposed expansion area, but also demonstrating a commitment to implementing best practices in existing urban areas.

All code sections 3.07.1425 (d) 1 – 5 must be addressed in a city's proposal narrative. Please limit the proposal narrative (not including attachments or cover pages) to 15 pages. To be considered in the 2018 growth management decision, cities must submit all required proposal materials to Metro's Chief Operating Officer by close of business on May 31, 2018. The Metro Council will not consider proposals that are incomplete or late. Please contact Metro staff with any questions about how to address these code sections.

Cities proposing expansions primarily for employment purposes do not need to address these code sections as they are primarily focused on residential considerations, but must still submit a proposal letter and a concept plan for the urban reserve by May 31, 2018.

Relevant Metro code sections are in **bold**. Administrative guidance is in *italics*.

**1. Whether the area is adjacent to a city with an acknowledged housing needs analysis that is coordinated with the current Metro forecast.**

*The State Department of Land Conservation and Development (DLCD) – not Metro – is responsible for acknowledging city housing needs analyses if they determine that the city's analysis is consistent with [Statewide Planning Goal 10 \(Housing\)](#). Cities are encouraged to coordinate with DLCD early to ensure that deadlines and requirements can be met. Cities should request from DLCD, and provide to Metro, written state acknowledgement of their housing needs analysis.*

*Cities should coordinate their housing needs analyses with the distributed forecast that was adopted by the Metro Council via Ordinance No. 16-1371. The [2040 Distributed Forecast is available on Metro's website](#). Cities that are planning for more household growth than depicted in the Metro forecast should explain their rationale and how their plans, investments and the proposed expansion will address that growth.*

*In addressing this code section in the proposal narrative, the Metro Council expects cities to demonstrate that, consistent with Statewide Planning Goal 10 (Housing), they are planning for a variety of housing types that can address the needs of diverse household sizes and incomes. This demonstration should be made for the city as a whole, while also describing the role of the proposed expansion area in addressing those needs.*



**2. Whether the area has been concept planned consistent with section 3.07.1110 of this chapter.**

*The Metro Council only wants to expand the UGB in locations that are likely to develop within the 20-year planning horizon. This is one of the reasons that the Council requires – in the [Urban Growth Management Functional Plan](#) – a concept plan before expanding the UGB. The concept plan must be consistent with Title 11 (Planning for New Urban Areas) of the Functional Plan. Cities should summarize their concept plan’s relevant components – such as infrastructure funding strategies and agreements with the county and special districts – in their proposal narrative. Cities should also demonstrate that the concept plan is consistent with the requirements of Title 11.*

*The Metro Council will only consider proposals for expansions in designated urban reserves. A concept plan may include a larger urban reserve area than what a city is proposing for expansion. Cities should clearly indicate in their proposal which areas are being proposed for expansion.*

*Concept plans should be formally adopted or accepted by a city’s governing body and a city should submit evidence of that formal action and the plan itself with its proposal. Cities should also submit a resolution from their governing body that expresses support for the proposed expansion. If desired, one resolution (or appropriate legislation) may be used for both purposes. Plans and proposals that lack formal endorsement by the city’s governing body will not be considered by the Metro Council.*

*To demonstrate the likelihood of development in the proposed expansion area, cities may submit additional information such as market studies, evidence of the city’s past track record in producing housing, and letters of support from or agreements with property owners in the proposed expansion area.*

*If a city has planning or governance responsibility for past UGB expansion areas, the Metro Council will want to know whether and how those areas have been annexed and developed. If past expansion areas have not been annexed or developed, the Metro Council will want a city to explain why that is and how the proposed expansion would be different.*

*Please note that Metro administers [2040 Planning and Development Grants](#) that can be used to fund concept plans for urban reserves.*

**3. Whether the city responsible for preparing the concept plan has demonstrated progress toward the actions described in section 3.07.620 of this chapter in its existing urban areas.**

*The Metro Council is committed to encouraging most growth in existing centers, corridors, main streets, and station communities. Development of UGB expansion areas should not be at the expense of existing urban areas. The Metro Council expects cities proposing residential expansions to make the case that they are making meaningful efforts to encourage the success of these existing urban areas.*

*Please refer to Title 6 (Centers, Corridors, Station Communities, and Main Streets) of the [Functional Plan](#) for specific actions that are encouraged. Generally, proposals from cities that*

*have taken more of those actions and had positive results will be regarded more favorably. If cities have not taken these actions, they should explain the reasons why they have not.*

*If the proposed expansion would somehow reinforce an existing urban center or corridor, please describe how. If a city wishes to assert that the proposed expansion would reduce commute distances, the Metro Council will expect the city to provide evidence since people make complex decisions about where to live and work and this region, like other metropolitan areas, has a regional commute shed.*

*The region's [State of the Centers Atlas](#) is available as an online resource for describing current conditions in centers. Please also note that Metro administers [2040 Planning and Development Grants](#) that can be used to conduct work recommended under Title 6.*

**4. Whether the city responsible for preparing the concept plan has implemented best practices for preserving and increasing the supply and diversity of affordable housing in its existing urban areas.**

*The Metro Council seeks to preserve and increase the supply and diversity of affordable housing. This includes both market rate and subsidized housing that is affordable to households with incomes equal to or less than 80 percent of the median family income for the county. Cities should describe the actions and investments they have taken to accomplish this in their existing urban areas. Please refer to the region's [Equitable Housing Initiative](#) for examples that could be cited. Cities should also describe the effectiveness of actions that they have taken. The [Regional Inventory of Regulated Affordable Housing](#) is available as a resource. Generally, proposals from cities that have taken more actions to improve or preserve affordability (and have achieved results) will be regarded more favorably.*

*Please note that Metro administers [2040 Planning and Development Grants](#) that can be used to conduct work to help ensure equitable housing. If a city has received an Equitable Housing Grant, please summarize the status of that work.*

**5. Whether the city responsible for preparing the concept plan has taken actions to advance Metro's six desired outcomes set forth in Chapter One of the Regional Framework Plan.**

*The Metro Council seeks to make urban growth management decisions that advance the region's six desired outcome (described in the [Regional Framework Plan](#)).*

- 1. People live, work and play in vibrant communities where their everyday needs are easily accessible.*
- 2. Current and future residents benefit from the region's sustained economic competitiveness and prosperity.*
- 3. People have safe and reliable transportation choices that enhance their quality of life.*
- 4. The region is a leader in minimizing contributions to global warming.*
- 5. Current and future generations enjoy clean air, clean water and healthy ecosystems.*
- 6. The benefits and burdens of growth and change are distributed equitably.*

*Cities should address each of the six desired outcomes, referencing the actions that they have taken (and results achieved) in existing urban areas as well as how the proposed expansion may*

*advance these outcomes. For several of the outcomes (particularly outcomes one, two, three, four, and six), cities may wish to summarize relevant portions of their responses to code section 3.07.1425(d)3, which requires that a city describe actions it has taken to enhance its centers, corridors, main streets or station communities. If these design types are proposed in the expansion area, the city should describe relevant aspects of the concept plan.*

*For outcome number four, cities should also reference any other policies or investments that specifically aim to reduce housing and transportation related carbon emissions. Cities may wish to describe how the housing planned for the proposed expansion addresses residential demand that could otherwise spillover outside the Metro UGB (thereby enlarging the regional commute-shed). In particular, cities may wish to note how the type and cost of housing that is being proposed could reduce spillover growth. If a city wishes to assert that the proposed expansion would reduce commute distances, the Metro Council will expect the city to provide evidence.*

*For outcome number five, cities may note their compliance with Titles 3 (Water Quality and Flood Management) and Title 13 (Nature in Neighborhoods) of the Functional Plan. Cities may also document additional policies or strategies that go beyond regional requirements, including parks and natural area acquisition programs. Cities should also summarize the relevant portions of their concept plans for proposed expansion areas.*

*Outcome six is of central interest to the Metro Council. To help achieve this ambitious goal, in June 2016 Metro adopted the [Strategic Plan to Advance Racial Equity, Diversity and Inclusion](#). The strategic plan focuses on removing barriers and improving equity outcomes for people of color by improving how Metro works internally and with partners around the Portland region. While individual UGB expansions may have few direct impacts on region-wide racial equity, the cumulative impacts of how communities, cities, the region and the nation have grown have often adversely impacted people of color. Though the best course of action may not always be clear, Metro seeks to encourage a more intentional process for acknowledging and addressing these inequities in growth management decisions with the hopes that cities can help to develop best practices.*

*Cities making residential expansion proposals should describe whether any of the following social outcomes are worse for communities of color in their jurisdiction than their white counterparts: transportation, housing, jobs, and parks (for a more complete description of these outcomes, please reference the [2015 Equity Baseline Report](#)). Cities should also describe how they meaningfully engage diverse communities in their planning processes (not exclusively for the urban reserve concept plan), how the identified disproportionate outcomes and engagement practices influence plans and community outcomes and how they measure or track the distribution of benefits and burdens of plans and policies across populations.*

**Cities submitting proposals for residential UGB expansions should include the following in their proposals (due on May 31, 2018 for consideration in the 2018 decision):**

- A proposal narrative addressing the Title 14 code sections (3.07.1425 (d) 1-5) that are described

in this guidance document (limit to 15 pages, not including the attachments listed below)

- Adopted resolution from the city's governing body in support of the expansion proposal
- Resolution or other formal action from the city's governing body adopting or accepting a concept plan for the proposed UGB expansion area
- The adopted or accepted concept plan for the urban reserve area
- Findings of fact and conclusions of law that demonstrate that the concept plan for the urban reserve complies with Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan.
- A map of the proposed expansion area (if smaller than the area described in the concept plan)
- Agreements with the county and service districts for the concept plan area as required in Metro Code Title 11 (Planning for New Urban Areas)
- Letter from DLCD confirming state acknowledgement of the city's housing needs analysis
- Any other supporting materials that demonstrate the city's commitment to facilitating the development of needed housing or achieving regional desired outcomes

DRAFT