

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO 97-711
URBAN GROWTH BOUNDARY AND)
URBAN RESERVE PROCEDURES) Introduced by Metro Councilor Susan McLain
)
)

WHEREAS, Metro’s acknowledged Urban Growth Amendment Procedures were last amended by Ordinance No. 96-655E to add urban reserve procedures; and

WHEREAS, (1997) HB 2493 now requires a five-year review of all UGBs in the state;

WHEREAS, (1997) HB 2493 amended the statutory requirements for Metro’s urban growth boundary (UGB) update to allow phased legislative amendments of the UGB over a two-year period, after completion of the five-year analysis required by ORS 197.296(3); and

WHEREAS, Metro’s five-year UGB review process, adopted and acknowledged in 1992, does not provide for phased legislative UGB amendments; and

WHEREAS, certain definitions adopted in 1992 need to be updated to reflect the analysis approach used in the 1997 Urban Growth Report analysis of the regional UGB; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. That the phased legislative UGB amendments allowed by 1997 HB 2493 are hereby added to Metro’s five-year UGB review process by adding a new subsection to Metro Code 3.01.020(b)(1) to read as follows:

“(E) Consistent with 3.01.012(e) areas included in a legislative amendment of the UGB shall have completed an urban reserve conceptual

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plan. If suitable lands with completed urban reserve plans are not sufficient to meet the identified need, additional legislative amendments of the UGB may be adopted as urban reserve plans are completed. This legislative review process for the regional UGB shall continue to consider legislative UGB amendments until the identified need is fully met.

“(F) The district must find that the identified need cannot reasonably be met within the UGB, consistent with the following considerations: . . .”

Section 2. That the definitions of “Net developable vacant land” and “Net redevelopable land” at Metro Code 3.01.010(p) and (q) are hereby amended to read as follows:

“(p) ‘Net developable vacant land’ means the amount of land remaining when gross developable vacant land is reduced by the amount of the estimated land needed for the provision of additional roads, schools, parks, private utilities and other public facilities.

“(q) ‘Net redevelopable land’ means the amount of land remaining when gross redevelopable land is reduced by the estimated land needed for the provision of additional roads, schools, parks, private utilities and other public facilities. The district shall determine the appropriate factor to be used for each jurisdiction in consultation with the jurisdiction within which the specific redevelopable land is located.”

Section 3. That the provisions of this ordinance are separate and severable. The invalidity of any clause, sentence, paragraph, section, subsection, or portion of this ordinance or the invalidity of the application thereof to any city, county, person or

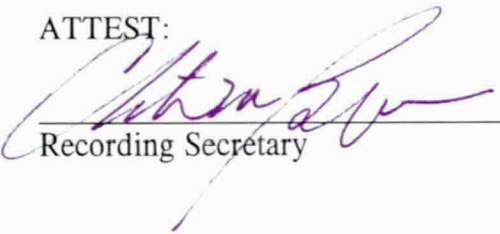
circumstance shall not affect the validity of the remaining provisions of this ordinance or its application to other cities, counties, persons or circumstances.

ADOPTED by the Metro Council this 23rd day of October 1997.



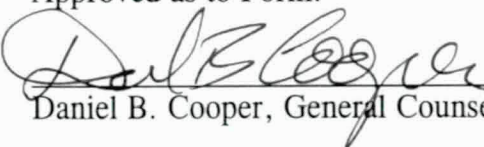
Jon Kvistad, Presiding Officer

ATTEST:



Recording Secretary

Approved as to Form:



Daniel B. Cooper, General Counsel

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STAFF REPORT

CONSIDERATION OF ORDINANCE 97-711, FOR THE PURPOSE OF
AMENDING THE URBAN GROWTH BOUNDARY AND URBAN RESERVE
PROCEDURES

Date: October 15, 1997

Prepared by Michael Morrissey

PROPOSED ACTION: Ordinance 97-711 changes Metro code to reflect changes in state law (HB 2493). Metro code will now allow a phased legislative amendment of the UGB over a two year period, rather than a one year period, as is currently required. The ordinance also updates certain definitions in Metro code to be consistent with analysis used in the 1997 Urban Growth Report.

BACKGROUND: The substance contained in this ordinance was discussed in the Growth Management Committee over several meetings. Legal staff was directed to draft this ordinance, and a draft was also sent to DLCDC in August in order to meet the requirements of 45 day review. Having been reviewed by committee, the intention is that this ordinance will require no further committee action, and receive direct Council consideration.

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circumstance shall not affect the validity of the remaining provisions of this ordinance or its application to other cities, counties, persons or circumstances.

ADOPTED by the Metro Council this ____ day of _____ 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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