

December 19, 2019

Andrew Scott
Metro Chief Operating Officer
600 NE Grand Avenue
Portland, OR 97232

RE: Conditions of Approval on Land Added to UGB – King City
Exhibit C to Ordinance No. 18-1427

Dear Mr. Scott,

As required by Condition B6 in the Conditions of Approval, which were adopted as part of the Metro 2018 growth management decision, the city of King City is pleased to submit its first progress report. The Conditions of Approval are organized into seven sections, and Sections A., B., and E. apply to King City. While it is early in the process, the city has made significant progress towards ultimately satisfying all of the Conditions of Approval. The attachment to this letter includes all of the relevant Conditions of Approval followed by a response regarding the progress made to date.

King City would like to extend our sincere appreciation for the support provided by Metro Staff, its Council and the State of Oregon by way of staff time, resources and funds allocated for our Master Planning efforts and funds allocated by the Oregon Department of Transportation's Growth Management division. Together we feel these two planning and development grants totaling \$650,000.00 will enable King City to satisfy all of the conditions identified by Metro and LCDC in their subsequent approvals of our request for an urban growth boundary expansion.

Please do not hesitate to contact our City Manager, Michael Weston (503.639.4082, mweston@ci.king-city.or.us), if you have any questions or need further information. Thank you.

Sincerely,

Ken Gibson, Mayor

Conditions of Approval on Land Added to UGB

A. Comprehensive planning in the four UGB expansion areas:

1. *Within four years after the date of this ordinance, the four cities shall complete comprehensive planning consistent with Metro code section 3.07.1120 (Planning for Areas Added to the UGB).*

Response: The city is poised to begin a planning process to develop the city's first TSP, which will cover the existing city and URA 6D. It also received a Metro grant to conduct the master planning for URA 6D, and a draft scope of work is currently being developed for Metro review.

2. *The four cities shall allow, at a minimum, single family attached housing, including townhomes, duplexes, triplexes, and fourplexes, in all zones that permit on all lots on which single family housing is allowed in the expansion areas.*

Response: The Concept Plan for URA 6D calls for a wide range of housing types with an eye on housing choice and affordability. The Master Plan for URA 6D and the implementing King City Community Development Code (CDC) provisions will build upon this key policy direction and comply with this condition.

3. *The four cities shall explore ways to encourage the construction of ADUs in the expansion areas.*

Response: The city has prepared draft revisions to its current ADU regulations in the CDC to encourage ADUs consistent with Condition E. 7.

4. *As the four cities conduct comprehensive planning for the expansion areas, they shall address how their plans implement relevant policies adopted by Metro in the 2014 regional Climate Smart Strategy regarding: (a) concentrating mixed-use and higher density development in existing or planned centers; (b) increasing use of transit; and (c) increasing active transportation options. The cities shall coordinate with the appropriate county and transit provider regarding identification and adoption of transportation strategies.*

Response: The Concept Plan for URA 6D is consistent with this condition, and the city intends to make these climate smart strategies key elements in the TSP, the King City Comprehensive Plan, and the Master Plan for URA 6D. As it has in the past, the city intends to work closely with TriMet to create the land uses and transportation facilities that will encourage transit use. The city is also actively involved in Washington County's Urban Reserves Transportation Study, which is focused on reaching good transportation outcomes as the URAs urbanize.

5. *As the four cities conduct comprehensive planning for the expansion areas, they shall regularly consult with Metro Planning and Development staff regarding compliance with these conditions, compliance with the Urban Growth Management Functional Plan, compliance with the state Metropolitan Housing Rule, and use of best practices in planning and development, and community engagement. To those ends, cities shall include Metro staff in advisory groups as appropriate.*

Response: The city values Metro staff assistance, and the coordination required by this condition shall continue.

6. *At the beginning of comprehensive planning, the four cities shall develop – in consultation with Metro – a public engagement plan that encourages broad-based, early and continuing opportunity for public involvement. Throughout the planning process, focused efforts shall be made to engage historically marginalized populations, including people of color, people with limited English proficiency and people with low income, as well as people with disabilities, older adults and youth.*

Response: The city will do this as part of developing the Master Plan scope for review and approval by Metro.

B. Citywide requirements (for the four cities):

1. *Within one year after the date this ordinance is acknowledged by LCDC (excluding any subsequent appeals), the four cities shall demonstrate compliance with Metro code section 3.07.120(g) and ORS 197.312(5) regarding accessory dwelling units. In addition to the specific requirements cited in Metro code and state law, cities shall not require that accessory dwelling units be owner occupied and shall not require off street parking when street parking is available.*

Response: The city has prepared draft revisions to its current ADU regulations in the CDC consistent with this condition and Condition E. 7.

2. *Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not regulate housing types, including accessory dwelling units, or impose any standards that would have the effect of prohibiting or limiting the type or density of housing that would otherwise be allowable under city zoning.*

Response: The city will work with the City Attorney to enact this provision in the CDC.

3. *Before amending their comprehensive plans to include the expansion areas, the four cities shall amend their codes to ensure that any future homeowners associations will not require owner occupancy of homes that have accessory dwelling units.*

Response: The city will work with the City Attorney to enact this provision in the CDC.

4. *The four cities shall continue making progress toward the actions described in Metro Code section 3.07.620 (Actions and Investments in Centers, Corridors, Station Communities, and Main Streets).*

Response: A central expectation of the Master Plan for URA 6D will be to comply with this and other relevant sections of the Metro Code. With the funding provided from a previous Metro grant, the King City Town Center Plan and Implementation Strategy was created and adopted in 2015. This included CDC amendments to allow and encourage uses and urban design elements that support the Town Center designation in the 2040 Growth Concept. Since its adoption, the city (including partnerships with Washington County and ODOT) has completed critical

pedestrian and bicycle improvements to promote active transportation in and around the town center.

5. *Cities shall engage with service providers to consider adoption of variable system development charges designed to reduce the costs of building smaller homes in order to make them more affordable to purchasers and renters.*

Response: This will be considered as an element of the Master Plan for URA 6D and amendments to the King City Comprehensive Plan.

6. *For at least six years after this UGB expansion, the four cities shall provide Metro with a written annual update on compliance with these conditions as well as planning and development progress in the expansion areas. These reports will be due to the Metro Chief Operating Officer by December 31 of each year, beginning December 31, 2019.*

Response: This represents the first of this series of annual updates.

E. King City:

1. *King City shall coordinate with Washington County and the City of Tigard as it engages in its work on a Transportation System Plan, other infrastructure planning, and comprehensive planning.*

Response: This is written into the scope for the TSP work. Coordination will include all partner agencies and jurisdictions, including the two cited above and TriMet.

2. *Before amending the King City comprehensive plan to include the expansion area, King City shall conduct additional market analysis to better understand the feasibility of creating a new mixed-use town center.*

Response: Additional market analysis is in the scope for the TSP, and it will be in the scope for the Master Plan for URA 6D as well. Care will be taken to coordinate the market analysis conducted for these two plans plus what has already been completed as part of the Concept Plan for URA 6D.

3. *Pending the results of the market analysis of a new town center, King City shall plan for at least 3,300 homes in the Beef Bend South expansion area. If the market analysis indicates that this housing target is infeasible, King City shall work with Metro to determine an appropriate housing target for the expansion area.*

Response: Agreed.

4. *The expansion area shall be designated Neighborhood on the 2040 Growth Concept map.*

Response: The city is prepared to work with Metro regarding the appropriate designation for the URA 6D planning area.

5. *Pending the results of the market analysis of a new town center, Metro will work with King City to make necessary changes to the 2040 Growth Concept map.*

Response: Agreed. This will be a logical outcome of the TSP and master planning process.

6. *Prior to amending the King City comprehensive plan to include the expansion area, King City shall complete a Transportation System Plan for the city.*

Response: As noted above, this will be funded by a TGM grant, and it is underway.

7. *Prior to amending the King City comprehensive plan to include the expansion area, King City shall amend its code to remove barriers to the construction of accessory dwelling units, including:
 - a. *Remove the requirement that accessory dwelling units can only be built on lots that are at least 7,500 square feet, which effectively prohibits construction of accessory dwelling units in the city.*
 - b. *Remove or increase the requirement that accessory dwelling units be no bigger than 33 percent of the square footage of the primary home so that an accessory dwelling unit of at least 800 square feet would be allowable.**

Response: As noted above, the city has begun working on ADU amendments to comply with this and other ADU-related conditions.

8. *The Columbia Land Trust holds a conservation easement over portions of the Bankston property, which King City's concept plan identifies as the intended location for a key transportation facility serving the expansion area. King City shall work with the Columbia Land Trust to protect, to the maximum extent possible, the portion of the Bankston property covered by the conservation easement.*

Response: The City continues to work with Columbia Land trust and will work to minimize impacts to the conservation area identified. There are a lot of details that still need to be worked out through the TSP process. While Fischer road is still and will remain the most viable and optimal connection we will continue to evaluate alignment and design options to minimize impacts per the condition above.

9. *To reduce housing costs, King City shall, in its comprehensive planning, explore ways to encourage the use of manufactured housing in the expansion area.*

Response: The city currently allows manufactured housing on individual lots, subdivisions, and parks. It will evaluate how this housing type may be encouraged during the master planning process.