

TO: UGB Phase 2 Working Group:
FROM: Tom Schauer, Senior Planner, City of Grants Pass
RE: Segmented UGB Process
DATE: October 21, 2008

I would like to provide brief comments at this time, and would like to provide further elaboration at a future date.

Process.

I would like to comment on the discussion pertaining to the segmented UGB process, and some of the issues that relate to its characterization as a “piecemeal” approach or an “iterative” process.

While there may be portions of the process that can be described as iterative, there are some actions, decisions, and assumptions that are ***not iterative***.

Further, there is a need to distinguish between the issue of segmentation and jurisdiction. Regardless of the jurisdictional issue (PAPA/LUBA vs. “Manner of Periodic Review”/DLCD), the process needs to provide for segmentation, so disagreements on foundational work products can be adjudicated and resolved.

Whoever is reviewing products, a city wants to resolve its needs issues before spending money developing solutions based on those assumptions. Further, a city may develop a range of alternatives in the process, and needs to rely on the underlying need assumptions to do so. If they aren’t acknowledged, they are meaningless.

This has not been an issue between Goal 9 and Goal 14 and need not be an issue between Goal 10 and Goal 14.

Terms.

I would also like to comment on the use of terms. It seems that “need analysis” is being used to describe two different things.

Goal 10 and Goal 14.

Some of the discussion of needs analysis and efficiency measures gets lost in the use of these different terms. Goal 10 needs are based on your population forecast and are independent of Goal 14 and any land inventory work. Language about needs, needed density, and efficiency measures must be clearer about the intent. If a community can achieve the “needed density” identified in its housing needs analysis with or without efficiency measures, it may still want to adopt additional efficiency measures for compact development in a manner that doesn’t skew the “needed density” in a way that it isn’t addressing housing needs.

Any provisions that deal with overall average housing density need tend to deal with Goal 14, because this aggregated density information doesn’t address housing needs.

Segmentation and Size of Community.

There is no reason why segmentation should be applicable only to smaller communities. The cost and complexity can be substantially higher for larger communities, thus the need to resolve foundational steps can be even more critical. The segmentation process has worked well for other larger communities such as Redmond.

Proposed Definition of “Amends the urban growth boundary”.

The proposed language describes actions that don't “amend an urban growth boundary”, and thus such a definition is problematic. If the definitions are changed, they should be intuitive, and the rules should provide clear direction based on clear definitions. Using a definition that describes actions that don't amend a UGB as “amends the urban growth boundary” is contradictory.

Recommendations

It is important to cities that they are able to obtain final resolution of certain issues to be able to have confidence in moving on to the next steps which are based on the previous decisions. This is crucial to communities expending resources when it is likely that appeals will follow much of the decision-making as seen in McMinnville. I would request consideration of segmenting in as many steps as possible as described below.

Sequence.

I make a finer distinction in the steps below for a reason. I have separated out capacity analysis from buildable lands inventory for a reason. I have also separated out aspects of the BLI associated with efficiency measures and local assumptions about infill and redevelopment on developed lands.

Further the needs analysis discussed under item 2 below is not iterative. As discussed elsewhere in my comments, there are some issues with grouping several items all under the heading of “needs analysis” and with using the same term “needs analysis” interchangeably to describe two different items below, those in #2 and #4.

1. Buildable Lands Inventory, Part 1-Inventory Vacant and Partially Vacant Lands (Base Year). ***Not iterative. This is largely proscribed and can't be changed through iterative review.***
2. Summary of Housing, Employment, and Baseline Land Use Needs (20-Year Needs). ***Not iterative. These needs are based on Goals 9 and 10, Not Goal 14.***
3. Baseline Capacity Analysis, on Vacant and Partially Vacant Lands (Part 1). (Evaluation of Buildable Lands Based on Need Assumptions Derived from Needs Analysis). ***Not iterative. This is separated out from BLI in step 1, because there may be agreement on Item 1, yet disagreement about the assumptions in the capacity analysis itself. It is desirable to get resolution on as many items as possible as early as possible.***

4. Baseline Comparison of Land Demand and Supply on Vacant and Partially Vacant Lands. (Base Year Supply vs. 20-Year Need, “Comparative Analysis”). *Not iterative. This is a direct result of comparing items 2 and 3.*
5. Efficiency Measures. *Iterative.* This includes any needed efficiency measures to ensure (a) Goal 10 needed densities are being met, and (b) accomplish any Goal 14 policy decisions are made to use land more efficiently or reduce the need for additional UGB expansion, above and beyond efficiency measures that accomplish Goal 10 density needs. The latter may mean measures or densities above the identified Goal 10 need, provided it doesn’t skew to the point the need isn’t being met.

The BLI issues around redevelopment and infill are largely local policy decisions and are not proscribed by statute or rule, so this should be evaluated independently of the BLI of vacant and partially vacant lands. Adjustments to the baseline analysis should be addressed separately if requested by the local jurisdiction. This is policy to address infill and redevelopment of developed lands and developed portions of partially vacant lands, as well as assumptions about residential development in commercial or mixed-use zones, and more efficient use of vacant and partially vacant lands.

Addressing Housing Needs

“Needed Density” as an indirect measure of affordable housing fails to measure the local jurisdictions ability to achieve affordable housing objectives. The blurring of “need” between Goal 10 and Goal 14 objectives continues to confuse these issues, and should be addressed separately as much as possible. Density fails to account for the nature of the product itself. A large multi-million dollar high-end condo development and a subsidized apartment project may have identical density, and may address Goal 14 objectives for efficient land use, but trying to measure affordability through density treats these two project as identical with the same “needed density”.

Thank you for this opportunity to comment.