

URBAN GROWTH BOUNDARIES FLEXIBILITY PROVISIONS
December 17, 1997 Revised September 25, 2001

The Extent of Urban Development Map in the Metro Vision 2020 Plan is to be prepared through a regional/local collaborative process. The Urban Growth Boundary/Area concept, while a necessary element of the region plan, will only be effective to the degree that it is consistent with local planning. The purpose of these provisions is to set forth a process and uniform requirements for any changes proposed by local governments, or by the DRCOG Board, to the Extent of Urban Development Map. In order for the Metro Vision 2020 Plan to remain flexible and relevant, the Plan is subject to major reconsideration every five years. The regional population and employment forecast, and the extent of development map, will be re-examined every two years. The following provisions are proposed by the Metro Vision Issues Committee to support a flexible approach to map revision.

Level I - Self-Certification (Local Prerogative)

The intent of self-certification is to allow small changes to occur to the map that do not have regional impact. Changes then made by the local community would only need a letter addressing the impacts, a map of the revisions provided to DRCOG, and a statement describing the expected land use of the proposed area for use in regional forecasts. Such changes would have met the following criteria:

Communities wishing to revise the boundary with an offsetting area of equal size

For these areas, the community is asked to provide, with the map revision, a letter documenting that the revision would not have regional impacts. The determination of no regional impact is supported by all of the following findings:

- revised area is consistent with the community's current comprehensive plan;
- revised area is consistent with local open space plans and the goals and action strategies of the Regional Open Space Plan Element of Metro Vision 2020;
- the community has informed the county, adjoining local governments and affected service providers of the revised area;
- if the revised area is in what is now part of a community's CWP Planning Area it will be considered consistent with the Clean Water Plan.
- revised area does not require a change to the Regional Transportation Plan and, therefore, a new conformity analysis is not needed.
- area being proposed for non-urban designation (offset area) does not affect the need for, or nature of, improvements to regional infrastructure either already constructed or identified in the first three years of the current Transportation Improvement Program. This would not include commitments that also serve designated urban areas.

- revised area is contiguous with areas within municipal limits or previously identified for growth by the municipal comprehensive plan, or as defined in municipal annexation law and annexation boundaries defined by adopted intergovernmental agreements between neighboring municipalities.

Small Communities

A level I self-certification for an area that fits the definition of a Metro Vision 2020 “small community” will be able to add additional urban growth boundary or area of up to 10% of their area per year, but not to exceed two square miles total without identifying an offsetting area. The small community would need to address the following:

- addition is consistent with the community’s current comprehensive plan;
- addition is consistent with local open space plans and the goals and action strategies of the Regional Open Space Plan Element of Metro Vision 2020;
- the community has informed the county, adjoining local governments and affected service providers of the addition.
- revised area is consistent with the Clean Water Plan;

A local government can make these level I changes at anytime. All local self-certifications received during the previous year will be summarized in an annual report from the Metro Vision Issues Committee to the DRCOG Board as part of the annual Metro Vision Plan Assessment process. This report would provide an analysis of the cumulative impacts of these changes on the regional plans.

Level II - Regional Review and Input

The purpose of level II review is to ensure that issues of regional concern are resolved prior to recommending inclusion in the regional plan. When the proposed change does not meet the criteria for self-certification, there may be the potential for regional impact. To determine if that impact is significant and may require other changes to regional plans, the change would be considered through a review process.

- the Metro Vision Issues Committee would provide the forum for discussing the proposed change and its impacts, with advisory committees’ input as needed.
- the Metro Vision Issues Committee would provide the review findings to the community for its consideration and possible modification of the change.
- the Metro Vision Issues Committee may identify offsetting areas of urban growth boundary/area that may be available elsewhere in the region to accommodate the request for additional urban growth boundary/area.
- Every effort will be made to respond within 45 days.

Should the review determine that the proposed change would have significant regional impacts, the Issues Committee would refer its findings to the DRCOG Board for action as described in level III. If no regional impacts are identified, or if regional impacts are resolved by the community, the change would be included in the Metro Vision Plan.

In the case where a change has a regional impact on another community, mediation or facilitation services may be needed to resolve conflicts between communities. Criteria need to be developed to determine “standing” and to outline appropriate areas for an objection. For example, if a proposed addition is in conformance with an intergovernmental agreement which is consistent with Metro Vision, objections from parties to the agreement should be resolved through that agreement.

The following items would be considered during the review to determine regional impact:

- if the revised area is consistent with the Clean Water Plan. If a need to amend the Clean Water Plan is documented, the review process would be moved to Level III.
- if regional resources have already been committed to the proposed offset area, the jurisdiction would provide repayment or other mitigation to the affected regional entity. This assumes that the investment was made to serve the offset area. Less than full mitigation, or no mitigation, may be appropriate if the investment services additional areas in the regional plan.
- if the revised area is noncontiguous with the urban growth boundaries, the review would assess the impacts on regional facilities. Any need to add facilities to the Clean Water Plan and/or the Regional Transportation Plan or a demonstrated increase in regional trip-making would move the review to level III.

Level III Changes Requiring DRCOG Board Action

This level of review is intended to address changes that would entail regional plan amendments. There are three ways this can occur: the DRCOG Board will direct that the urban growth boundary/area be reviewed every two years and revised if needed; a local government can submit a proposal to the DRCOG Board to act on a level III proposal; or the Metro Vision Issues Committee can request a urban growth boundary/area review and revision after conducting a level II review.

Based on the review findings in level II, the Metro Vision Issues Committee may forward a proposed change to the regional plan to the Board of Directors for consideration through the annual Metro Vision Plan Assessment process. The report to the Board of Directors would also:

- document the anticipated impacts of the proposed change on regional infrastructure such as roadways or wastewater facilities;

- document the air and water quality implications of the proposed change;
- describe any unresolved issues related to Metro Vision criteria between jurisdictions concerning the proposed change; and
- describe the changes necessary to the Clean Water Plan and/or the Regional Transportation Plan to accommodate the change to the urban development area.

If a community wishes to change the Extent of Urban Development Map but cannot identify an equivalent area as an offset within its jurisdiction, it could still request that the DRCOG Board of Directors consider a formal plan amendment through the Metro Vision Plan Assessment process. For the revised area, this request should:

- address all of the elements listed above for changes with an offset;
- also document that growth is exceeding levels expected in the community in the original mapping; and
- DRCOG staff may assist the community requesting a change in identifying an offset area to change to non-urban, which has not grown as expected, in order to reach the 747-square-mile goal.

Because of the potential regional impacts, changes under level III would require a formal amendment to the Metro Vision Plan. The Metro Vision Plan Assessment process defines the steps for such consideration. This includes a public hearing before the Board of Directors and a vote of the Board representing a majority of the DRCOG membership.