

Northern Access Work Group  
Follow Up Report #1

- 1) Check to see if the U-Med District Plan from 2003 is a legally binding document, since the road is not recommended in this plan, and if this Plan is still valid because a new plan has not been adopted.

After research and discussion with MOA staff, it was discovered that while Master Plans adopted by the Assembly are considered legally binding documents, in this particular case it does not look like a legal argument could be applied.

Municipal Code Chapter 21.00.30 states that "If elements of the comprehensive plan conflict, the element ***most recently adopted*** shall govern."

Unfortunately, while the Northern Access Road Project was not included in the 2003 plan, it was included as project No. 125 in the 2012 "2035 Metropolitan Transportation Plan." According to MOA staff, this would likely be considered the most recent plan for purposes of a legal challenge.

If it's believed that the Municipality has ignored their legally adopted plans, then it would be up to an individual citizen to sue the city and prove that those plans had been willfully ignored.