

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass
<b>Vote:</b>	7 - 0 - 1
<b>Yeas:</b>	Clem, Cowan, Esquivel, Garrett, Greenlick, Hanna, Wingard
<b>Nays:</b>	0
<b>Exc.:</b>	Nolan
<b>Prepared By:</b>	Cheyenne Ross, Administrator
<b>Meeting Dates:</b>	5/14, 5/21

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**WHAT THE MEASURE DOES:** Specifies that a metropolitan service district does not have to consider the capability classification system or the cubic foot site class of land it designates as urban reserve within an urban growth boundary. Effective December 1, 2009.

**ISSUES DISCUSSED:**

- Technical fix regarding hierarchy of lands to be included within urban growth boundary
- Effects metropolitan service district only

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Oregon Revised Statute 197.298 has long been understood to give first priority for inclusion within an urban growth boundary (UGB) to lands designated as urban reserve. However, ORS 197.298(2) could be interpreted to require that higher priority be given to lands of “lower capability” as measured by the capability classification system or by cubic foot site class. The capability classification system is used by the U.S. Department of Agriculture’s Natural Resource Conservation Service, the Oregon Department of Agriculture, and Oregon’s statewide land use planning program to classify soils for agricultural productivity, as I through VIII. Oregon’s statewide planning Goal 3 requires counties to protect soil classes I through IV in western Oregon and soil classes I through VI in eastern Oregon. The cubic foot site class rating system is used to rate forest timber productivity. Senate Bill 566A makes the longstanding interpretation of ORS 197.298 express: When a metropolitan service district includes land designated as urban reserve within its UGB, it does not have to consider the capability classification system or the cubic foot site class of that land.