

SENATE AMENDMENTS TO SENATE BILL 634

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

May 5

1 On page 1 of the printed bill, delete lines 5 through 32 and delete page 2 and insert:

2 “**SECTION 1.** ORS 197.298 is amended to read:

3 “197.298. (1) In addition to any requirements established by rule addressing urbanization, land
4 may not be included within an urban growth boundary except under the following priorities:

5 “(a) First priority is land that is designated urban reserve land under ORS 195.145, rule or
6 metropolitan service district action plan.

7 “(b) If land under paragraph (a) of this subsection is inadequate to accommodate the amount of
8 land needed, second priority is land adjacent to an urban growth boundary that is identified in an
9 acknowledged comprehensive plan as an exception area or nonresource land. Second priority may
10 include resource land that is completely surrounded by exception areas unless such resource land
11 is high-value farmland as described in ORS 215.710.

12 “(c) If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the
13 amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247
14 (1991 Edition).

15 “(d) If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the
16 amount of land needed, fourth priority is **state in-lieu lands that are zoned for exclusive farm
17 use and that are adjacent to the urban growth boundary.**

18 “**(e) If land under paragraphs (a) to (d) of this subsection is inadequate to accommodate
19 the amount of land needed, fifth priority is** land designated in an acknowledged comprehensive
20 plan for agriculture or forestry, or both.

21 “(2) Higher priority shall be given to land of lower capability as measured by the capability
22 classification system or by cubic foot site class, whichever is appropriate for the current use.

23 “(3) Land of lower priority under subsection (1) of this section may be included in an urban
24 growth boundary if land of higher priority is found to be inadequate to accommodate the amount
25 of land estimated in subsection (1) of this section for one or more of the following reasons:

26 “(a) Specific types of identified land needs cannot be reasonably accommodated on higher pri-
27 ority lands;

28 “(b) Future urban services could not reasonably be provided to the higher priority lands due to
29 topographical or other physical constraints; or

30 “(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclu-
31 sion of lower priority lands in order to include or to provide services to higher priority lands.

32 “**SECTION 2. The amendments to ORS 197.298 by section 1 of this 2009 Act apply to land
33 included within an urban growth boundary on or after the effective date of this 2009 Act.**”.

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