

CONFERENCE COMMITTEE AMENDMENTS TO B-ENGROSSED HOUSE BILL 3225

June 10

Amended Summary

[Specifies conditions under which city street or county road may be constructed or extended on land designated as urban reserve by metropolitan service district.]

Authorizes county to take exception to statewide planning goal to allow establishment of transportation facility in area designated as urban reserve.

Declares emergency, effective on passage.

Mr. Speaker:

Your Conference Committee to whom was referred B-engrossed House Bill 3225, having had the same under consideration, respectfully reports it back with the recommendation that the House concur in the Senate amendments dated May 20 and that the bill be amended as follows and re-passed.

1 On page 1 of the printed B-engrossed bill, line 2, after “reserves” insert “; amending ORS
2 195.145; and declaring an emergency”.

3 Delete lines 4 through 26 and delete page 2 and insert:

4 “**SECTION 1.** ORS 195.145 is amended to read:

5 “195.145. (1) To ensure that the supply of land available for urbanization is maintained:

6 “(a) Local governments may cooperatively designate lands outside urban growth boundaries as
7 urban reserves subject to ORS 197.610 to 197.625.

8 “(b) Alternatively, a metropolitan service district established under ORS chapter 268 and a
9 county may enter into a written agreement pursuant to ORS 190.003 to 190.130, 195.025 or 197.652
10 to 197.658 to designate urban reserves. A process and criteria developed pursuant to this paragraph
11 are an alternative to a process or criteria adopted pursuant to paragraph (a) of this subsection.

12 “(2)(a) The Land Conservation and Development Commission may require a local government to
13 designate an urban reserve pursuant to subsection (1)(a) of this section during its periodic review
14 in accordance with the conditions for periodic review under ORS 197.628.

15 “(b) Notwithstanding paragraph (a) of this subsection, the commission may require a local gov-
16 ernment to designate an urban reserve pursuant to subsection (1)(a) of this section outside of its
17 periodic review if:

18 “(A) The local government is located inside a Primary Metropolitan Statistical Area or a Met-
19 ropolitan Statistical Area as designated by the Federal Census Bureau upon November 4, 1993; and

20 “(B) The local government has been required to designate an urban reserve by rule prior to
21 November 4, 1993.

22 “(3) In carrying out subsections (1) and (2) of this section:

23 “(a) Within an urban reserve, neither the commission nor any local government shall prohibit
24 the siting on a legal parcel of a single family dwelling that would otherwise have been allowed un-
25 der law existing prior to designation as an urban reserve.

1 “(b) The commission shall provide to local governments a list of options, rather than prescribing
2 a single planning technique, to ensure the efficient transition from rural to urban use in urban re-
3 serves.

4 “(4) Urban reserves designated by a metropolitan service district and a county pursuant to
5 subsection (1)(b) of this section must be planned to accommodate population and employment growth
6 for at least 20 years, and not more than 30 years, after the 20-year period for which the district has
7 demonstrated a buildable land supply in the most recent inventory, determination and analysis per-
8 formed under ORS 197.296.

9 “(5) A district and a county shall base the designation of urban reserves under subsection (1)(b)
10 of this section upon consideration of factors including, but not limited to, whether land proposed for
11 designation as urban reserves, alone or in conjunction with land inside the urban growth boundary:

12 “(a) Can be developed at urban densities in a way that makes efficient use of existing and future
13 public infrastructure investments;

14 “(b) Includes sufficient development capacity to support a healthy urban economy;

15 “(c) Can be served by public schools and other urban-level public facilities and services effi-
16 ciently and cost-effectively by appropriate and financially capable service providers;

17 “(d) Can be designed to be walkable and served by a well-connected system of streets by ap-
18 propriate service providers;

19 “(e) Can be designed to preserve and enhance natural ecological systems; and

20 “(f) Includes sufficient land suitable for a range of housing types.

21 “(6) **A county may take an exception under ORS 197.732 to a statewide land use planning**
22 **goal to allow the establishment of a transportation facility in an area designated as urban**
23 **reserve under subsection (1)(b) of this section.**

24 “[6] (7) The commission shall adopt by goal or by rule a process and criteria for designating
25 urban reserves pursuant to subsection (1)(b) of this section.

26 “**SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
27 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
28 **on its passage.”.**

29 /s/ Cliff Bentz
30 Representative

31 /s/ Tobias Read
32 Representative

33 /s/ Lee Beyer
34 Senator

35 /s/ Chris Edwards
36 Senator

37 /s/ Bruce Starr
38 Senator
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