

## **HB 2253 – Section-by-Section Analysis (4/4/2013)**

### **Introduction**

HB 2253 addresses how population forecasts are prepared, for purposes of land use planning by cities. The principal use of the forecasts will be for decision-making about urban growth boundary expansions and, if they are needed, the size of those expansions.

### **Problem Addressed**

In the past, population forecasting for cities has been the responsibility of Oregon counties. A majority of Oregon counties have not been able to maintain up to date population forecasts. In other cases, counties have developed multiple population forecasts. Population forecasts have often been challenged in court, as they play a key role in how much cities may expand their urban areas, and there can be a significant degree of variation between forecasts prepared by different entities. All of this has resulted in high costs, high levels of uncertainty, and delay, harming cities' ability to plan for growth in an orderly, predictable and cost-effective way.

### **Section 1**

This section directs legislative counsel to place this legislation in Chapter 195, along with other land use statutes.

### **Section 2**

Subsection 2(1) contains key definitions.

Subsections 2(2) and 2(4) direct the Oregon Population Research Center to prepare population forecasts for each county and city in Oregon every four years. The forecasts are for land use planning purposes only. The Portland Metro area is excluded, as Metro already carries out this function for the this area of the state.

Subsection 2(3) directs cities and counties to use the center's forecasts in their land use planning decisions.

Subsection 2(5) directs the Center to consider information from local governments and the public in making its forecasts. Notice of the forecast also is required so that local government and the public may raise concerns with the forecast and seek revisions.

Subsection 2(6) directs that the forecasts be for set time periods, and be based on population cohorts (forecasted births, deaths and migration), along with other established methods.

Subsection 2(7) establishes a process for raising objections to a forecast.

Subsection 2(8) establishes an oversight mechanism for the forecasts.

Subsection 2(9) provides that the forecast is not appealable.

Subsections 2(10) provides rulemaking authority to implement the forecasting program.

Subsection 2(11) requires the Land Conservation and Development Commission to allocate funding to operate the program.

### **Section 3**

Subsections 3(1) and 3(2) requires the first set of forecasts to be phased in, over a four-year period.

Subsection 3(3) allows cities that have already begun an amendment of their urban growth boundary using a prior forecast to continue without having to change to a new forecast.

### **Section 4**

Section 4 continues Metro's responsibility for population forecasts in the Portland metro area.

### **Section 5**

Section 5 contains conforming amendments for the existing land use grant program.

### **Section 6**

Section 6 repeals ORS 195.034, the existing population forecasting statute that this legislation would replace.