

**Testimony of Randy Tucker, Legislative Affairs Manager  
In Support of House Bill 4078-A  
Senate Committee on Rules  
March 3, 2014**



Chair Rosenbaum and Members of the Committee:

Two weeks ago, the Metro Council strongly opposed an effort to use HB 4078 to legislatively establish the urban growth boundary (UGB) and rewrite the map of urban and rural reserves. That effort violated the Metro Council's adopted legislative priorities and principles, which state that while the Legislature is responsible for establishing the process and policy framework for local land use decisions, specific local land use decisions should be made at the local level. At the time, we anticipated that the pending Court of Appeals ruling would move us toward resolution and ultimate implementation of both the reserves and the UGB.

However, that is not what happened. The Court's ruling would send the region back to the drawing board, creating much greater uncertainty at a time when predictability and progress are needed. The region needs to have a final map of urban and rural reserves to avoid several more years of process, and to avoid going back to the old system based primarily on soil quality, which did not adequately account for the suitability of land for urbanization and integration into the urban fabric of the region. While those rules did an admirable job of protecting our valuable agricultural industry, they also brought us Damascus.

Moreover, rather than *overriding* a local decision, this legislative effort represents the *codification of an agreement* among local governments, including Metro, and the key parties to the recent Court ruling. In passing HB 4078-A, the Legislature will be acting at the request of local governments rather than against the will of those governments.

For these reasons, the Metro Council supports HB 4078-A in its current form.

As Metro Council President Tom Hughes has said, in a perfect world we wouldn't have to do this, but we don't live in a perfect world. Given recent events, HB 4078-A will provide greater protection for farms, forests and natural areas; more predictability for local communities, home builders and manufacturers; and improvements that will make the land use planning process more efficient in the future.

The Metro Council urges you to move HB 4078-A to the floor without further amendments. Thank you very much for the opportunity to testify.