

Corrected Title

House Bill 4078

Sponsored by Representatives DAVIS, CLEM; Representatives BARKER, BENTZ, CAMERON, THATCHER, Senators HASS, STARR (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Validates urban growth boundary adopted by Metro and acknowledged by Land Conservation and Development Commission as acknowledged urban growth boundary of Metro.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to post-acknowledgement changes to regional framework plan in Metro; and declaring an
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. The Legislative Assembly finds and declares that:**

6 **(1) Oregon law requires a metropolitan service district to establish an urban growth**
7 **boundary and to maintain development capacity sufficient for a 20-year period within the**
8 **boundary based on periodic assessments of the development capacity within the boundary.**

9 **(2) Metro, the metropolitan service district for the Portland metropolitan area, has not**
10 **implemented an approved amendment to the urban growth boundary since 2002.**

11 **(3) In 2010, Metro assessed the development capacity within the urban growth boundary**
12 **and determined that the boundary did not contain sufficient capacity for a 20-year period.**

13 **(4) The Metro Council, the governing body of Metro, established policies, including an**
14 **investment strategy, for using land within the urban growth boundary more efficiently by**
15 **adopting Ordinance No. 10-1244B on December 16, 2010.**

16 **(5) Ordinance No. 10-1244B significantly increased the development capacity of the land**
17 **within the urban growth boundary, but left unmet needs for housing and employment.**

18 **(6) On July 28, 2011, the Metro Council held a public hearing in Hillsboro to allow public**
19 **review of and to take comments on proposed expansion of the urban growth boundary to fill**
20 **the unmet needs for housing and employment in the region.**

21 **(7) On September 14 and 28, 2011, the Metro Council sought advice on expansion of the**
22 **urban growth boundary from the Metro Policy Advisory Committee, which is composed pri-**
23 **marily of elected and other local government officials in the region. On September 28, 2011,**
24 **the Metro Council received a recommendation from the committee.**

25 **(8) The Metro Council, with the advice and support of the committee, established six de-**
26 **sired outcomes as the basis for comparing policy and strategy options to increase the de-**
27 **velopment capacity of the region.**

28 **(9) On September 30, 2011, the Metro Council reported likely effects of the proposed ex-**
29 **pansion of the urban growth boundary to:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) The cities and counties in the region; and

2 (b) Nearly 34,000 households within one mile of land proposed to be included within the
3 urban growth boundary.

4 (10) The Metro Council developed, in cooperation with the cities and counties responsible
5 for land use planning in areas potentially to be included within the urban growth boundary,
6 policies and strategies addressing the affordability of housing, the compatibility of residential
7 use with nearby agricultural practices and the protection of industrial lands from conflicting
8 uses.

9 (11) On October 6 and 20, 2011, the Metro Council held public hearings on the proposed
10 expansion of the urban growth boundary.

11 (12) On October 20, 2011, the Metro Council unanimously adopted Ordinance No. 11-1264B,
12 expanding the urban growth boundary to fill the unmet needs for increased development ca-
13 pacity for housing and for industries that require large areas of developable land.

14 (13) The adopted policies and strategies reflect the intention of the Metro Council to de-
15 velop vibrant, prosperous and sustainable communities with reliable transportation choices
16 that minimize carbon emissions and to distribute the benefits and burdens of development
17 equitably in the Portland metropolitan area.

18 (14) The Director of the Department of Land Conservation and Development referred the
19 expansion of the urban growth boundary by Ordinance No. 11-1264B to the Land Conservation
20 and Development Commission for review.

21 (15) On May 10, 2012, the commission held a public hearing, according to rule-based pro-
22 cedures adopted by the commission, to consider the proposed amendment to the urban
23 growth boundary made by Ordinance No. 11-1264B.

24 (16) The commission continued the public hearing to June 14, 2012, and requested that
25 the Metro Council submit additional information describing how the record demonstrates
26 compliance with the appropriate statewide land use planning goals, administrative rules and
27 instructions.

28 (17) On June 14, 2012, the commission unanimously accepted the expansion of the urban
29 growth boundary by Ordinance No. 11-1264B.

30 (18) Metro and other local governments have made significant investments in
31 infrastructure to ensure that housing, education and employment needs in the region are
32 met.

33 (19) Ordinance No. 11-1264B and its findings satisfy Metro's obligations under ORS 197.295
34 to 197.314 and under statewide land use planning goals relating to citizen involvement, es-
35 tablishment of a coordinated planning process and policy framework and transition from
36 rural to urban land uses.

37 **SECTION 2.** (1) For the purpose of land use planning in Oregon, the Legislative Assembly
38 validates the urban growth boundary reflected in Metro Ordinance No. 11-1264B, adopted
39 October 20, 2011, as the acknowledged urban growth boundary of Metro.

40 (2) This section does not prevent Metro from adopting, in the manner authorized by law,
41 changes to the acknowledged urban growth boundary on or after the effective date of this
42 2014 Act.

43 **SECTION 3.** Section 2 of this 2014 Act applies to land use decisions and limited land use
44 decisions made on or after January 18, 2012.

45 **SECTION 4.** This 2014 Act being necessary for the immediate preservation of the public

1 **peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect**
2 **on its passage.**

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