

HB 2893 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

Action Date: 04/18/17

Action: Without recommendation as to passage and be referred to Rules.

Vote: 8-0-1-0

Yeas: 8 - Barreto, Clem, Esquivel, McKeown, McLain, Power, Smith DB, Witt

Exc: 1 - Sprenger

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Amends statutes pertaining to prioritization of lands for land use planning processes (ORS 197A.320 and 195.145). Adds agricultural land consisting predominantly of class VI, VII or VIII soils to list of lands that may be evaluated for inclusion within urban growth boundary. Directs Land Conservation and Development Commission to adopt, by goal or rule, a process and criteria for designating urban reserves and to authorize local governments to evaluate land for inclusion in urban reserves according to following priorities:

- Lands adjacent to or nearby urban growth boundary and identified in acknowledged comprehensive plan as exception area;
- Resource land completely surrounded by exception areas that are not high value crop areas or unique agricultural lands;
- Land that is nonresource land; or
- Land classified as agricultural land in comprehensive plan and consisting predominantly of soil classes VI, VII or VIII.

Authorizes local governments to evaluate other lands, in order of priority, for inclusion as urban reserves if lands are not sufficient to satisfy need. Authorizes first evaluation of lands designated as marginal lands and second evaluation of land designated in comprehensive plan for agriculture or forest uses, subject to certain restrictions.

Specifies that changes apply to evaluations of land occurring on or after effective date of Act.

ISSUES DISCUSSED:

- City of Bend rapid growth and housing shortages
- Planning process and directing growth away from resource lands
- Agricultural lands and soil class designations

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon's rapid population growth and development during the 1960s and 1970s prompted concern about what effect growth might have on the environment, natural resources and the livability of communities. In a state where agriculture and timber are two of the largest industries, there was concern that conversion of farm and resource lands for development presented a threat to the state's economy. Sprawling development was also thought to present challenges for paying for public services as planned cities require fewer streets, shorter sewers and fewer police and fire fighters.

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All of Oregon's cities are surrounded by an urban growth boundary (UGB); a line drawn on planning and zoning maps to designate where a city expects to grow residentially, industrially and commercially over a 20-year period. Often UGBs include farm, forest or low-density residential areas in unincorporated areas outside city limits. But, unlike farm and forest land outside UGBs, areas inside UGBs are planned for development. Zoning restrictions in areas outside of UGBs protect farm and forest resource land and prohibit "urban levels" of development in other areas. A UGB is adopted or expanded through a joint effort among the city and adjoining counties in coordination with special districts that provide important services in the urbanizable area, and with participation of citizens and other interested parties. A UGB can be modified in compliance with statewide planning goals and state laws. In 2007, the legislature authorized Metro and metro-area counties to designate urban and rural reserves by identifying lands that might be urbanized in the future and lands that are likely to be left in a rural setting.

House Bill 2893 would authorize cities to evaluate agricultural land consisting of predominantly class VI, VII or VIII soils for potential inclusion within urban reserves and the urban growth boundary. The bill would authorize cities to evaluate other lands for inclusion as urban reserves if lands that meet certain criteria, including soil type, are not sufficient to meet projected housing needs.