

House Bill 3215

Sponsored by COMMITTEE ON RURAL COMMUNITIES, LAND USE, AND WATER

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**.

Allows local government, without taking exception to statewide land use goals, to extend infrastructure that provides water, sewer, utility or transportation services within urban growth boundaries through urban reserves to connect with other infrastructure that provides services within urban growth boundary.

A BILL FOR AN ACT

1
2 Relating to the process for reserving land; amending ORS 195.145.

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

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 and 197.626.

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 No-
21 vember 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 the
24 siting on a legal parcel of a single family dwelling that would otherwise have been allowed under
25 law existing prior to designation as an urban reserve.

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

29 (4) Urban reserves designated by a metropolitan service district and a county pursuant to sub-
30 section (1)(b) of this section must be planned to accommodate population and employment growth for

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 at least 20 years, and not more than 30 years, after the 20-year period for which the district has
2 demonstrated a buildable land supply in the most recent inventory, determination and analysis per-
3 formed under ORS 197.296.

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

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

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

10 (c) Can be served by public schools and other urban-level public facilities and services efficiently
11 and cost-effectively by appropriate and financially capable service providers;

12 (d) Can be designed to be walkable and served by a well-connected system of streets by appro-
13 priate service providers;

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

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

16 (6) A [county] **local government** may take an exception under ORS 197.732 to a statewide land
17 use planning goal to allow the establishment of a transportation facility in an area designated as
18 urban reserve under subsection (1)(b) of this section.

19 **(7) For the purpose of efficient service delivery to areas within an urban growth bound-**
20 **ary, a local government may, without taking an exception under ORS 197.732, extend water,**
21 **sewer, utility or transportation infrastructure through an urban reserve solely to connect**
22 **infrastructure that provides water, sewer, utility or transportation services within an urban**
23 **growth boundary to other infrastructure that provides the services within another portion**
24 **of the urban growth boundary.**

25 [(7)] (8) The commission shall adopt by goal or by rule a process and criteria for designating
26 urban reserves pursuant to subsection (1)(b) of this section.

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