

# Senate Bill 677

Sponsored by Senator JOHNSON (at the request of Tim O'Callaghan)

## 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**.

Requires county and metropolitan service district, when considering land for designation as urban reserve, to give highest priority to land containing sewer line that is located pursuant to goal exception and that serves land within urban growth boundary.

## A BILL FOR AN ACT

1  
2 Relating to the designation of land use reserves; creating new provisions; and amending ORS 195.137  
3 and 195.145.

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

5 **SECTION 1.** ORS 195.145 is amended to read:

6 195.145. (1) To ensure that the supply of land available for urbanization is maintained:

7 (a) Local governments may cooperatively designate lands outside urban growth boundaries as  
8 urban reserves subject to ORS 197.610 to 197.625 and 197.626.

9 (b) Alternatively, a metropolitan service district established under ORS chapter 268 and a  
10 county may enter into a written agreement pursuant to ORS 190.003 to 190.130, 195.025 or 197.652  
11 to 197.658 to designate urban reserves. A process and criteria developed pursuant to this paragraph  
12 are an alternative to a process or criteria adopted pursuant to paragraph (a) of this subsection.

13 (2)(a) The Land Conservation and Development Commission may require a local government to  
14 designate an urban reserve pursuant to subsection (1)(a) of this section during its periodic review  
15 in accordance with the conditions for periodic review under ORS 197.628.

16 (b) Notwithstanding paragraph (a) of this subsection, the commission may require a local gov-  
17 ernment to designate an urban reserve pursuant to subsection (1)(a) of this section outside of its  
18 periodic review if:

19 (A) The local government is located inside a Primary Metropolitan Statistical Area or a Met-  
20 ropolitan Statistical Area as designated by the Federal Census Bureau upon November 4, 1993; and

21 (B) The local government has been required to designate an urban reserve by rule prior to No-  
22 vember 4, 1993.

23 (3) In carrying out subsections (1) and (2) of this section:

24 (a) Within an urban reserve, neither the commission nor any local government shall prohibit the  
25 siting on a legal parcel of a single family dwelling that would otherwise have been allowed under  
26 law existing prior to designation as an urban reserve.

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

30 (4) Urban reserves designated by a metropolitan service district and a county pursuant to sub-  
31 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) While giving highest priority to lots or parcels that contain a sewer line that is lo-**  
 5 **cated pursuant to an exception taken under ORS 197.732 by the district or by a local gov-**  
 6 **ernment and that serves lots or parcels within an urban growth boundary,** a district and a  
 7 county shall base the designation of urban reserves under subsection (1)(b) of this section upon  
 8 consideration of factors including, but not limited to, whether land proposed for designation as ur-  
 9 ban reserves, alone or in conjunction with land inside the urban growth boundary:

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

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

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

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

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

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

19 (6) A county may take an exception under ORS 197.732 to a statewide land use planning goal  
 20 to allow the establishment of a transportation facility in an area designated as urban reserve under  
 21 subsection (1)(b) of this section.

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

24 **SECTION 2.** ORS 195.137 is amended to read:

25 195.137. As used in ORS 195.137 to 195.145:

26 (1) **“Lot” has the meaning given that term in ORS 92.010.**

27 (2) **“Parcel” has the meaning given that term in ORS 215.010.**

28 [(1)] (3) **“Rural reserve”** means land reserved to provide long-term protection for agriculture,  
 29 forestry or important natural landscape features that limit urban development or help define ap-  
 30 propriate natural boundaries of urbanization, including plant, fish and wildlife habitat, steep slopes  
 31 and floodplains.

32 [(2)] (4) **“Urban reserve”** means lands outside an urban growth boundary that will provide for:

33 (a) Future expansion over a long-term period; and

34 (b) The cost-effective provision of public facilities and services within the area when the lands  
 35 are included within the urban growth boundary.

36 **SECTION 3. The amendments to ORS 195.137 and 195.145 by sections 1 and 2 of this 2015**  
 37 **Act apply to land designated urban reserve on or after the effective date of this 2015 Act.**