



METRO COUNCIL PRESIDENT TOM HUGHES

March 18, 2015

The Honorable Brian Clem, Chair
House Rural Communities, Land Use, and Water Committee
900 Court St. NE, S-207
Salem, OR 97301

RE: Opposition to HB 3211

Dear Chair Clem and Members of the Committee,

Management of urban growth in the Metro region is a complex undertaking that involves extensive analysis, public input, and a balancing of many factors. The designation of urban and rural reserves, as well as decisions to expand the urban growth boundary, have profound impacts, not just on land at the periphery of our region, but on communities within the existing urban growth boundary and on farms and other rural lands outside the boundary. For these reasons, the Metro Council feels strongly that the Legislature should **provide the policy framework and process** for local governments to make specific land use decisions. Except under the most extreme circumstances, such as those that led to the adoption of HB 4078 in 2014, we believe the Legislature should not **make** local land use decisions.

This is reason enough for the Metro Council to urge you to **oppose HB 3211**, which would intervene in an ongoing land use process involving local governments in our region. In addition, we do not believe either that there is an immediate need for the Legislature to act on this issue or that the areas identified in the measure are actually close to being ready for inclusion in the urban growth boundary.

Legislation Not Needed

While urban and rural reserves in Multnomah and Clackamas Counties have not yet been acknowledged, Metro and the two counties have the ability to resolve the issues raised in last year's reserves remand from the Court of Appeals without legislative involvement. Just this week, the Land Conservation and Development Commission (LCDC) delivered a remand order that directs Metro and the counties to initiate proceedings to address the issues identified by the Court of Appeals. We believe the best way to arrive at final, acknowledged urban and rural reserves in Clackamas and Multnomah Counties will be to respond to the remand order through local actions, seek state acknowledgement through LCDC, and then address any further legal challenges that may result. This may take more time than was originally anticipated, but will result in a complete set of

both urban and rural reserves through work of the local governments responsible for establishing and making use of those reserves.

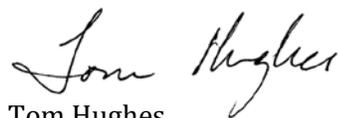
Furthermore, there does not appear to be an immediate need for these reserves that would justify the Legislature stepping in and making local land use decisions. The 2014 draft Urban Growth Report, Metro's 20-year population and employment forecast, indicates that the region will have more than enough land to accommodate housing and industrial growth (it is important to note that the region's current land supply includes more than 1,100 acres added to the UGB by the Legislature as part of HB 4078 last year). Through 2015, Metro will continue to work closely with cities, counties, and other stakeholders in the region to refine our forecast, though we have no indication at the moment that the metropolitan region will have a need to expand the UGB in the current five-year planning cycle. Metro can return to the question of whether new land is needed to accommodate growth and make an urban growth management decision at any time after urban and rural reserves are acknowledged.

Planning Process to Proceed UGB Decisions

When Metro does have a shortage of land to accommodate projected future growth, we will first look to areas in acknowledged urban reserves that have a local government sponsor. In order to ensure that lands added to the urban growth boundary can be successfully developed, it is Metro's policy and practice to ask local governments to pre-plan expansion areas and identify how infrastructure will be provided. To support such pre-planning, Metro provides funding to cities and counties that want to plan for future development in urban reserves through a competitive Community Planning and Development Grant program. No local government has applied for a grant to plan the areas identified in HB 3211. In fact, rather than stepping up to sponsor planning for development, the cities immediately adjacent to these areas have raised concerns about future development there. As a result, the areas identified in HB 3211 would not be candidates for an urban growth boundary expansion in Metro's 2015 urban growth management process, even if they are legislatively designated as urban reserves.

For all of these reasons, the **Metro Council urges you to oppose HB 3211.**

Sincerely,



Tom Hughes
Metro Council President