NEWS RELEASE

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New Urban Growth Boundary Rules Adopted

At the December 3-4 meeting in Salem, the Land Conservation and Development Commission (LCDC) enacted rules to provide a simpler, more cost effective way for cities to amend urban growth boundaries (UGBs). The new rules authorize cities to use a simplified UGB evaluation method based primarily on population forecasts and a simplified land inventory process. Resulting from the unanimous passage of HB 2254 in the 2013 legislative session, these rules respond to a statewide need for a reformed urban growth management process.

“The land use program was not created in 1974 to remain static,” said the Governor’s Natural Resource Advisor, Richard Whitman, “The magic is in its ability to adapt over time. As the needs, priorities, and values of Oregonians have shifted, so has our land use program. This is a wonderful example of that.”

The new rules were written with the help of extensive stakeholder input in an effort spanning over two years. The rulemaking advisory committee (RAC) included members from local governments, interest groups, planning consultants, land use attorneys, and others with experience and expertise in the UGB process.

Several RAC members testified in person at the meeting, many opening with comments praising the collaborative, inclusive and respectful nature of the rulemaking process. Jon Chandler, of the Oregon Home Builders Association testified before the commission saying, “Will these rules fix everything? No.” He continued, “But will they help immensely in providing guidance for property owners, developers, and most importantly local governments? You bet.”

The new rules include evaluation and amendment methods for “small cities” (under 10,000 in populations) and “large cities” (over 10,000). Effective in January 2016, the rules apply outside the Portland metro area.

Responding to concerns that the traditional UGB amendment process was both lengthy and litigious, the new rules seek to bolster the citizen involvement process in the urban management process and reduce the role of disputes over what the law does or does not require. “A shorter, streamlined process allows the public to stay engaged throughout and ensures greater transparency in the process,” said Whitman, “giving the public the transparency they are owed, by letting them know who is making decisions and how.”
The new optional process also has, as a central component, clear and objective standards of review, allowing cities that employ it to proceed with increased certainty that their decisions will withstand appeal.

Nick Lelack, Director of the Deschutes County Community Development Department wrote testimony in strong support of the rules, saying “I believe the proposal to establish a new ‘simplified process’ is a major step forward to streamline and improve the UGB process while preserving the intended outcomes of the Oregon Statewide Planning Program.”

"In adopting these rules, LCDC responded to concerns about the process for approving growth plans of Oregon cities,” said the commission’s Chair, Greg Macpherson. “This is a demonstration of our ongoing commitment to helping them remain great places to live and work."

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