



August 5, 2011

JOHN A. KITZHABER, MD  
GOVERNOR

The Honorable Kate Brown  
Secretary of State  
136 State Capitol  
Salem, OR 97310-0722

Dear Secretary of State Brown:

I have signed Enrolled House Bill 3225. This legislation will allow counties in the Portland metro region to *consider* applications for comprehensive plan amendments to allow new urban transportation improvements, including new roads, within areas designated as urban reserves by Metro. Such amendments could be approved, however, only if they meet state standards for a land use exception – fundamentally requiring the county to document that: (a) the proposed transportation improvement can't be located on urban lands; (b) that there is a real need for the improvement; and (c) that the plan amendment needs to occur now (as opposed to when the lands are included within the UGB). As you also know, urban reserve areas are the highest priority area for future urban growth boundary (UGB) amendments to add new lands to the Metro UGB. While these areas represent the primary long-term supply of land for the Portland region to grow into, until they are added to the Metro UGB, state law requires that they continue to be planned and used as rural lands (in most cases, as farm lands).

I am writing you to make it clear that the state does have expectations that any application for a plan amendment allowed under this legislation be fully considered in a transparent public process, before it is acted on by a county. Further, as described above, the bar that state law creates for approval of an urban transportation facility on rural lands is high, and we expect the counties to respect these high standards, and to work closely with Metro on any plan amendments that would fall under this legislation. Ideally, such amendments would occur only in conjunction with concept planning for urban reserve areas – when these areas are close to being brought within the Metro UGB.

In the end, it will be up to Metro and the counties to make the reserves process a success by balancing urban and rural land needs in the region. We expect that balance will be respected in how the counties apply this legislation as the region works to outline its future.

Sincerely,

John A. Kitzhaber, M.D.  
Governor

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