

# SAFE HARBOR POPULATION FORECAST

*Bill Van Vactor*  
*Office of City Attorney*

- Under Goal 14, population forecasts are foundation determinations predicate to considering a possible change to an urban growth boundary.

- Counties are responsible for preparation and maintenance of “coordinated” population forecasts.

- Many years ago the responsibility for preparation of coordinated population forecasts was delegated by Lane County to the Lane Council of Governments.

- In 2007, in response to problems across the State of counties being unable to keep population forecasts current, the legislature passed a safe harbor approach for cities who did not have a current forecast.

**195.034 Alternate population forecast.** (1) If the coordinating body under ORS 195.025 (1) has adopted, within 10 years before a city initiates an evaluation or amendment of the city's urban growth boundary, a population forecast as required by ORS 195.036 that no longer provides a 20-year forecast for an urban area, a city may propose a revised 20-year forecast for its urban area by extending the coordinating body's current urban area forecast to a 20-year period using the same growth trend for the urban area assumed in the coordinating body's current adopted forecast.

(2) If the coordinating body has not adopted a forecast as required by ORS 195.036 or if the current forecast was adopted more than 10 years before the city initiates an evaluation or amendment of the city's urban growth boundary, a city may propose a 20-year forecast for its urban area by:

(a) Basing the proposed forecast on the population forecast prepared by the Office of Economic Analysis for the county for a 20-year period that commences when the city initiates the evaluation or amendment of the city's urban growth boundary; and

(b) Assuming that the urban area's share for the forecasted county population determined in paragraph (a) of this subsection will be the same as the urban area's current share of the county population based on the most recent certified population estimates from Portland State University and the most recent data for the urban area published by the United States Census Bureau.

***(3)(a) If the coordinating body does not take action on the city's proposed forecast for the urban area under subsection (1) or (2) of this section within six months after the city's written request for adoption of the forecast, the city may adopt the extended forecast if:***

***(A) The city provides notice to the other local governments in the county; and***

***(B) The city includes the adopted forecast in the comprehensive plan, or a document included in the plan by reference, in compliance with the applicable requirements of ORS 197.610 to 197.650.***

(b) If the extended forecast is adopted under paragraph (a) of this subsection consistent with the requirements of subsection (1) or (2) of this section:

(A) The forecast is deemed to satisfy the requirements of a statewide land use planning goal relating to urbanization to establish a coordinated 20-year population forecast for the urban area; and

(B) The city may rely on the population forecast as an appropriate basis upon which the city and county may conduct the evaluation or amendment of the city's urban growth boundary.

(4) The process for establishing a population forecast provided in this section is in addition to and not in lieu of a process established by goal and rule of the Land Conservation and Development Commission. [2007 c.689 §1]

- On February 13, 2008, Lane County rescinded its delegation to prepare population forecasts from the Lane Council of Governments and reclaimed this authority.

- On May 19, 2008, the Springfield City Council directed City staff to use the safe harbor approach in determining its population forecast. The benefit being that the process was timely and certain.

- On June 25, 2008, the Mayors of Eugene and Springfield sent a letter to Lane County Commissioners informing them of the cities' request to use the safe harbor forecast.

- On August 20, 2008, the Lane County Board of County Commissioners contracted with Portland State University to develop a coordinated population forecast for all of Lane County. Completion is scheduled for December of 2009.

- On November 5, 2008, DLCD stated in a letter that the June 25, 2008 letter was an appropriate request under the safe harbor statute and that the methodology used to calculate the population forecast met the standard in the statute.

- The City of Springfield, after notice to Lane County Local Governments, may now adopt the safe harbor forecast into appropriate planning documents.