



February 14, 2013

To: Ways and Means Subcommittee on Natural Resources  
Sen. Chris Edwards, Co-Chair  
Rep. Ben Unger, Co-Chair  
Members of Committee  
([WaysandMeans.NaturalResourcesSub@state.or.us](mailto:WaysandMeans.NaturalResourcesSub@state.or.us))

Re: HB 5531 – Land Use Board of Appeals (LUBA) - Support of Funding

The League of Women Voters is a nonpartisan, grassroots political organization that encourages informed and active participation in government. The League has a number of positions on Citizen Access and Land Use Planning. We believe that the Land Use Board of Appeals provides a mechanism for addressing concerns related to local land use decisions in a timely manner. Decisions are made by judges whose expertise is in land use law. **Their mission:**

- *simplify the appeal process;*
- *speed resolution of land use disputes; and*
- *provide consistent interpretation of state and local land use laws.*

Our land use planning system provides for broad citizen involvement in development of Comprehensive Plans and Development Codes. Those documents are then used to guide development in our communities. Sometimes there are questions regarding the administration of those Plans and Codes. That's when LUBA's role is critical. Cases are brought to LUBA by both applicants and others who participated at the local level. Enforcement of land use laws is a complaint driven system. All parties must have access to adjudication of those complaints.

We ask support for the Governor's Budget request to restore some staffing to levels that will assure timely decision making. We are returning to a growth in application requests which may require increased caseloads.

The issue of appeals is a perennial conversation. Those discussions usually occur around anecdotal or one time cases. We also ask for funding for data collection so that decision makers have adequate information on the total number of land use actions, the number of appeals, types/general issues of appeals, appeals upheld, denied or remanded (and for what reason). It is possible that an intern could provide that data and perhaps set up a system that LUBA could maintain so it is not just a one-time exercise.

We encourage your consideration of these recommendations.

A handwritten signature in cursive script that reads 'Robin Wisdom'.

Robin Wisdom  
President

A handwritten signature in cursive script that reads 'Peggy Lynch'.

Peggy Lynch  
Natural Resources Coordinator

cc: Tod A. Bassham, LUBA Board Chair  
Richard Whitman, Governor's Natural Resources Policy Advisor