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February 19, 2013

To: Rep. Brian Clem, Chair
Rep. Kevin Cameron, Vice Chair
Rep. Lew Frederick, Vice Chair
Members of the House Committee on Land Use

From: Erin Doyle, Intergovernmental Relations Associate

Re: HB 2617 – Modifying the Voting Requirements for Areas 100 Acres or More

As you know, the League of Oregon Cities represents all 242 cities within the state of Oregon, providing assistance, training, and other services with a statewide perspective about the important role of local government.

HB 2617 would interfere with a city's ability to manage urban growth and prevent inefficient urban sprawl by modifying the voting requirements for large areas of land that a city may attempt to annex by vote. Currently, for all annexations by vote, the vote is tallied to determine if the majority of votes cast on the issue favor annexation or not by combining city residents and territory owners. This system works by allowing the local community to determine the nature of the growth and development of a city. This voting structure is important to the cities which require by their own charter or ordinances that a vote occurs.

This legislation would directly interrupt that voting process if the land sought to be annexed is 100 acres or more. To require that a majority of the territory to be annexed votes for annexation does not allow cities to make efficient use of the urban growth boundaries that it develops. For example, if a city owns a park or area of land that it wishes to annex, there is no voter to represent the territory and therefore the city cannot annex its own property. Or, if a corporation owns the 100 acres, there is no one to represent the territory and the area could not be annexed even if the corporation wants to enter the city limits.

Inherent in this modification is a restriction on cities about how and where a city annexes. Cities develop comprehensive plans, urban growth boundaries, public facility plans, and other devices to determine how to grow a city to accommodate a denser population and efficiently service urban areas. In addition, cities consider cost of infrastructure,

expected population growth, and other potential land uses, like farming or forestry, while developing its growth plan. Further restricting a city's ability to plan by modifying a voting requirement diminishes a city's ability to continue the trend of efficient land use that was highlighted to you earlier in this session. For this reason and for the reason of the unintended consequences when there is no voter to represent the territory in a vote, we oppose this legislation.