



American Planning Association
Oregon Chapter

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Making Great Communities Happen

February 11, 2015

RE: Testimony from the Oregon Chapter of the American Planning Association on HB 2457

Dear Chair Clem, Members of the House Committee on Rural Communities, Land Use, and Water

The Oregon Chapter of the American Planning Association (OAPA) represents over 800 professional and citizen planners in the State of Oregon and offer this testimony in support of HB 2457. This bill was introduced by the Oregon Department of Land Conservation and Development through Governor Kitzhaber. Thank you for the opportunity to comment on this important issue.

HB 2457 would authorize a lot size exception to the minimum lot size for parcels of land which are divided by an urban growth boundary and split zoned to include urban land and farm or forest land. As a result of a 2009 decision of the Oregon Land Use Board of Appeals (LUBA) (*Jouvenat vs. Douglas County*), parcels of land less than the statutory minimum lot size (80 acres, 160 acres, etc) in farm and forest districts may not be created even when a parcel is divided by an urban growth boundary. The result is that a parcel of land that is partially zoned for urban uses in UGB and partially zoned for farm and forest uses outside the UGB cannot practicably be divided even in circumstance where the portion of the lot zoned for resource use is already smaller than the minimum lot size. This prohibits cities and counties from approving a land division for urban and rural uses along a legislatively created urban growth boundary and in practice makes it difficult to annex land into a city which is in fact planned and zoned for urban uses.

The Oregon Chapter of the American Planning Association supports HB 2457. Thank you for the opportunity to comment on this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Franklin'.

Jason Franklin, AICP, President
Oregon Chapter of the American Planning Association