

Beth and Samantha,

Please share this email with the committee SB 210. The bill has a hearing today at 3:00 pm

Dear Chair Edwards, Members of the Senate Committee on Environment and Natural Resources,

The Oregon Chapter of the American Planning Association (OAPA) represents over 800 professional and citizen planners in the State of Oregon and offers this testimony in opposition to SB 210. For the following reasons OAPA recommends a Do Not Pass recommendation from the Committee.

1. There is no need for this bill. No problem has been identified that requires the legislature to act in order to resolve some issue regarding permitting. If such a problem exists, the better way is to ensure permitting requirements are clear and that agencies have adequate resources to ensure permit applicants are aware of permit requirements and that agencies can review and act on permits in a timely and reliable manner. If there is any additional question, another option is to evaluate how different agencies do their permitting and actually determine if the time spent to ensure compliance with state statutes and administrative rules is adequate.
2. The bill puts forth that there is an assumed public benefit to someone being able to pay to get in front of the line. This bill provides an advantage to other permit applicant who could not afford such a financial obligation. This bill does not put forth a public benefit to expediting permit processes in this way, especially where citizen involvement is mandated through Statewide Planning Goal 1 and incorporated in permit requirements for notice and an opportunity to comment.
3. The bill applies to city and county plan amendments. Such amendments are not subject to a statutory timeline because they can affect multiple sections of plan, require concurrent adoption with implementing land use regulations, and require findings that demonstrate compliance with state statutes, administrative rules, and case law. Timelines for review and action on discretionary land use permits exist to ensure such decisions can be acted upon in a timely manner, with adequate public notice, and to ensure their compliance with adopted approval criteria.
4. The bill has as least one other problematic section – Section (1)(4). The bill allows the entity that is processing the expedited application to contract with other governments, if that assistance or review is necessary. This has the potential to throw the government performing such work into the same expedited time period. And while the other government could charge for their time, existing work and responsibilities would be interrupted by this expedited application.

Thank you for the opportunity to provide testimony on this bill.

Damian Syrnyk AICP
Chair, Legislative and Policy Affairs Committee
Oregon APA
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