



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

February 25, 2015

To: Senate Committee on Judiciary
Senator Floyd Prozanski, Chair
Members of the Committee
Mike.Reiley@state.or.us

Re: SB 359, Limits Appeals Fees—Provides Access to Local Officials in Land Use Decisions - **SUPPORT**

The League of Women Voters is a nonpartisan, grassroots political organization that encourages informed and active participation in government. The League supports our statewide land use planning program **with local implementation**. Land use planning is about where people live, work, play, shop and how they get there.

The League has long supported the involvement of citizens in developing their Comprehensive Plans and Development Codes. The next step, of course, is actual implementation of those documents by development applications. Citizens should have the same right to participate in the quasi-judicial process as the legislative one. The rules become more proscriptive since the general policy questions should have been answered. We support such a clearly defined process. However, policy documents can lack clarity and may be applied in a manner that those participating feel is incorrect. At that point, those appealing should have reasonable access to their local elected officials. Remember that appellants might be the original applicant and not just “the neighbors”. An unreasonable appeals fee is truly lack of access.

It has long been recognized that our Land Use Board of Appeals (LUBA) should be accessible to those wishing to challenge a local decision. There should not be an unreasonable barrier to the local government even before such LUBA appeal—if any. In fact, clarity of interpretation of a local decision belongs first with the final local authority—the city or county elected officials. Access to those bodies should not be barred by an unreasonable appeals fee.

Many jurisdictions in the state respect the value of public input and limit fees to below the \$1,000 limit under this bill. There are those who charge much more, which has caused the need for this legislation. \$1,000 for many citizens is prohibitive, even though their communities may approve applications that will harm the livability of those communities and violate those Comprehensive Plans or Development Codes adopted by community consensus. We want to commend those jurisdictions who will continue to require lesser fees than the \$1,000 upper limit allowed under this bill.

The League supports SB 359 and asks that the Committee move it out of Committee with a “do pass” recommendation.

Sincerely,

Handwritten signature of Robin Wisdom in black ink.

Robin Wisdom
President

Handwritten signature of Peggy Lynch in black ink.

Peggy Lynch
Natural Resources Coordinator