

Historic Properties, LLC
1300 John Adams St.
Oregon City, OR 97045
March 26, 2019

House Agriculture and Land Use Committee
Chair Representative Brian Clem
Vice-Chair Representative Susan McLain
Vice-Chair Representative Bill Post
Member Representative Shelly Boshart Davis
Member Representative Ken Helm
Member Representative David Brock Smith
Member Representative Anna Williams

RE: HB 3272

Dear Chair Clem and Committee,

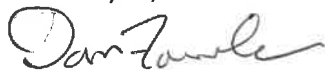
I am writing to you as one who has personally been at the hands of the abuse this bill is addressing. I want to make it clear I am in support of Oregon's land use goals and process, but when they are abused, they expose our system to small changes that need to take place. People talk of the need for more housing and of course "affordable" housing. It is easy to talk about but rarely does anyone connect to dots between the cost of a process and affordability. I am here to tell you it is real. Cost is often not just money but time. If our land use system can be manipulated to continually take longer often time the opponent will count that as a win. Time can kill a project; sometimes more than a decision. This bill does three main things:

1. Limits extension that LUBA may provide petitioner, whose objection to the record is denied, to seven days from later of original deadline or date of denial.
2. Prohibits board from accepting motions to take evidence not in record after period to object to record.
3. Authorizes board to award attorney fees for motions filed without merit or made for purposes of causing frustration or delay.

The main issue that these spurious motions to take evidence not in the record and objections to the record cause is that **they stop the LUBA clock and don't count against LUBA's statutory timeline for a decision**. Opponents know this and use delay as a tactic when, in fact, improper delay is contrary to the legislative intent **that speed be of the essence in LUBA's process**. If a party has a valid record objection or motion to take evidence, there's no issue under the bill but if someone cynical uses these devices to intentionally slow the process, they shouldn't be rewarded.

This bill will help protect our farm and forest land by allowing development to occur in a timelier manor inside the UGB. I believe one of the tradeoffs for a complex land use system was speed. I respectfully ask for you passage out of committee.

Thank you,



Dan Fowler
Former Mayor of Oregon City
Co-owner of Historic Properties, LLC