



Testimony by City of Wilsonville Mayor Julie Fitzgerald Opposing SB 1051:

Proposed Legislation Preempts Local Land-use Planning, Removes Public Input, Uses Ambiguous Phrasing that Can Harm Long-term Urban Development

Scheduled for public hearing on March 20, 2023, before the
Senate Committee on Housing and Development

Chair Jama, Vice-Chair Anderson, and Members of the Committee:

On behalf of the City of Wilsonville, I am testifying in opposition to SB 1051.

The proposed bill would preempt careful local-planning efforts for appropriate Urban Growth Boundary (UGB) expansions that by law require significant citizen engagement. SB 1051 commands that a “local government shall amend its comprehensive plan or land use regulations” in spite of prior citizen-engaged planning efforts to site appropriate land-uses within the UGB urban reserve areas.

The bill provides very limited public-engagement opportunities (a brief 60-day comment period) to provide input to a sudden change in the UGB. Substantial UGB amendments usually involve extended outreach to the community, including those that are historically underrepresented and would not be able to successfully be engaged within this short timeframe. Such omission violates land-use planning Oregon Goal 1: Citizen Involvement.

As one of Oregon’s fastest growing cities for 20 years, having doubled our population during that time to 27,000 with half of our residents living in multifamily communities and half in single-family homes, Wilsonville understands how to do public engagement and develop key infrastructure that results in producing substantial amounts of a wide range of “middle housing.”

SB 1051 bill fails to clearly define terms. For example, the bill references “workforce commercial” as a land-use term for which there is no definition in law or common practice.

The proposed legislation has the effect of siting so-called “workforce housing” locations on the UGB edge. This kind of policy harms both the intended beneficiaries of such a policy—lower-income residents seeking affordable housing—and the greater community.

Wilsonville believes that it is problematic to site affordable housing on the UGB edge without prior careful and thoughtful planning, due to the general lack of walkability and public transit services to provide ready-access to key commercial retail facilities, including grocery and important social services that are generally located in the city core areas.

Rather than being sited on the UGB edge where transportation barriers and food deserts are likely outcomes, Wilsonville believes affordable workforce housing should be located in core city locations. Housing located in a city along commercial corridors

can empower people with access to public transit services and near healthy grocery and other helpful retail and social services needed by lower-income residents.

Placing affordable housing on the UGB edge forces lower-income residents to spend limited financial resources on operating a vehicle to travel for all essential services. In essence, congregating affordable housing into low-income housing projects on the UGB edge appears to be a policy unintentionally favoring the creation of “suburban slums” that harm all residents of a community, rather than integrating affordable housing developments within the generally more desirable areas of the community.

Regarding process, language added to the 2023 bill over a similar 2021 bill could encourage “jurisdiction shopping” that is harmful to regional land-use and transportation infrastructure planning. The language allows a city to add urban reserve land adjacent to the urban growth boundary of “Metro or the city.” This would allow a developer that is turned down by one local government to which the land subject to the petition is contiguous to petition another nearby jurisdiction. Also, the added small jurisdiction language would allow a developer, in certain cases, denied by a larger jurisdiction to turn to a smaller nearby rural community to impact the same general area of rural lands.

The City also notes the 2023 bill language is more permissive in a number of ways than similar language from 2021. This includes doubling the allowed area to be added from 100 to 200 acres, reducing the duration of the affordable-housing covenant by half from 60 to 30 years, and substantially reducing the timeframe in which the zoning on the land cannot be changed from 50 years to 30 years.

The City of Wilsonville respectfully urges the committee to table SB 1051. Affordable housing is a critical issue but this bill takes an unreasonable approach. Thank you.

Sincerely,



Julie Fitzgerald, Mayor
City of Wilsonville