



American Planning Association
Oregon Chapter

Creating Great Communities for All

March 20, 2023

Hon. Kayse Jama, Chair

Hon. Dick Anderson, Vice-Chair

RE: Testimony from the Oregon Chapter of the American Planning Association (OAPA) on SB 1051, -2 Amendments

Dear Senators Jama, Anderson, and Committee Members:

The Oregon Chapter of the American Planning Association (OAPA) appreciates this opportunity to provide comments on the proposed amendments to SB 1051. OAPA is a nonprofit professional membership organization of over 800 planners and those who work with planning in formulating and implementing development and conservation policies at the state and local level. As planners, our members seek to make sure our land use system works.

OAPA opposes these amendments for several reasons, most of which involve their inability to solve the housing problem, especially as it relates to workforce housing. The bill would allow cities to amend their Urban Growth Boundaries (UGBs) if a landowner asks them to do so and meets some fairly minimal requirements.

It may be suggested that the process would only work if the city has identified a need for “workforce housing,” but that term is defined to include household incomes of up to 120% of the area median income. Thus “workforce housing” in many parts of the state means most housing and doesn’t begin to deal with housing needs for most Oregonians who may need it. A developer can merely aim at the higher side of the income brackets. Moreover, under this bill only 20% of the housing need be “workforce housing.” The covenants for this 20% are illusory benefits – instead, this bill would circumvent the UGB process to identify candidate lands for addition to the UGB, determine whether there is a need and decide just where the boundary should be expanded, assuming there is a need.

This bill allows a city’s self-certification of a need, without considering whether there are other lands already in the UGB that can fulfill that need – remember every UGB must have a 20-year supply of lands for all needs, and Oregon’s system already provides for a process to amend UGBs to accommodate those needs. That process also gives the city, working with the county and other public and private agencies, the responsibility to determine where the boundary expands, assuming there is a need. This bill would give the landowner the advantage of expanding the boundary for their land and preempt this part of the UGB expansion process as well. Metro must grant any UGB expansion petition by one of its cities, apparently without regard to other provisions of

Oregon law.

Additionally, while there's a 60-day comment period, there are no standards to which those comments may be addressed, as section 2(6) seems designed to obviate the usual UGB amendment process.

Finally, section 4 seems to allow for automatic approval of residential, commercial, or industrial development on urban reserve lands, again without regard to current plans or infrastructure arrangements.

As planners, we believe the planning system must be rational. Allowing development without adequate infrastructure arrangements and contrary to existing plans is anathema to good planning. For these reasons, we urge you to table these amendments.

Again, we thank you for the opportunity to express OAPA's support of HB 3016.

Sincerely,

Kevin C. Cook

Kevin Cook (he/him)
Chair, Legislative and Policy Affairs Committee
Oregon Chapter of the American Planning Association
LPAC@oregonapa.org | www.oregonapa.org