

HB 3062-3: Threatens the Oregon Economy and Community Vitality

Zoning is a foundational responsibility for local governments in Oregon. Local governments zone so community members have access to jobs (industrial/commercial), access to goods and services (commercial), and access to housing (residential). All these zones are necessary for thriving communities. While zoning, local governments must balance the current and future needs of their communities, comply with state land use goals, and plan for growth. To ensure efficient use of land, zones must abut each other and sometimes zones of various uses are across the street from each other or there are zones with multiple uses. We understand and share the goals of protecting and ensuring public health. The –3 amendment of HB 3062 raises concern, including:

- 1. It creates an ambiguous process in the already complicated land use system.** The bill is narrowed to warehouses and distribution centers, but has no threshold to decide which are less burdensome to communities, like a grocery store and which are more burdensome, like a logistics center. There are no thresholds on loading bays, number of trucks, etc. The bill says that local governments will use the DEQ Level 1 Risk Assessment to evaluate what mitigation efforts may be needed but provides no clarity on what cities are allowed to require for mitigation, how is a city to determine when to deny an application. This concept is not fully fleshed out enough to move forward this session, for a land use bill of this scope to be implementable it would need substantially more developed, with clauses about enforcement, the role LUBA, who has standing, metrics for denial or approval and more.
- 2. It limits local government's ability to recruit necessary jobs for the community.** Local governments need a strong industrial and employment land base (where warehouses and distribution centers are typically and appropriately sited) because those business spur the economy and help cities afford critical services like safe drinking water, police and fire, libraries, and more. Adding more barriers like those in HB 3062 could delay or prevent certain industries from coming to communities because of added bureaucracy or force communities to develop industrial land further in greenspaces not already included in their urban growth boundaries further from services, increasing time needed and cost to develop employment land. Oregon already has a \$300-500 million need to develop industrial lands inside communities now.
- 3. It still applies to many small and rural local governments.** The bill requirements apply to any local governments within a metropolitan statistical area (MSA) defined by the U.S. Office of Management and Budget. [The MSAs in Oregon](#) include 13 counties and many cities, including small ones like Rivergrove (pop.569), Detroit (pop. 174), Coburg (pop.1419) and Rogue River (pop. 2419).

We are opposed and urge the committee to create space outside of the legislative session for impacted stakeholders to help shape any necessary policy changes before taking any action on this bill.

Respectfully,

