



Chair Pham, Vice-Chair Anderson, and members of the Senate Committee on Housing and Development,

Thank you for the opportunity to provide testimony in support of SB 1522 with the -1 amendments. For the record, my name is Brock Nation and I'm the Policy Director at Oregon REALTORS® — an industry association comprised of roughly 17,000 members who work as real estate brokers, principal real estate brokers, real estate property managers, and affiliated industry professionals.

SB 1522-1 would amend the statute governing the designation of urban reserves to ensure that the lands held by local governments in reserve for addition into their urban growth boundaries are the lands best suited for future urban development. Contrary to what you are likely to hear from others, this is a needed fix.

The ability to voluntarily adopt urban reserves has been available to all local governments since 2011, yet less than 10% of local governments have designated urban reserves to date. This is because the rules for designating urban reserves, as adopted by the Land Conservation and Development Commission in 2011, were never fully aligned with their authorizing statute. During this 15-year misalignment, LCDC's rules required urban reserve designation to be based upon functionally the same prioritization order as UGB amendments, severely limiting the utility of urban reserve planning to local governments.

Until LCDC adopted the final slate of rules for the Oregon Housing Needs Analysis in December 2025, there was no mention of the designation criteria established by ORS 197A.245 (6), nor even a reference to ORS 197A.245 except in the footnotes of the rule to identify which statute it implemented.

While I and other OHNA rulemaking participants flagged this misalignment for the Department when the first draft of amendments to the rules were distributed to us shortly before our June 5, 2025 meeting, we did not receive a revised draft of the proposed rule that incorporated ORS 197A.245 (6) until the materials for our October 21 meeting were distributed – after the 2025 Notice of Proposed Rulemaking was filed on September 29.

We raised our concerns repeatedly between June and December, both in verbal comments during meetings, in redline language suggestions sent to Department staff, and in comment letters submitted to the Commission. Our concerns were never adequately addressed.

The adopted rules remain misaligned with statute: OAR 660-021-0030(3) says the factors prescribed by statute “may” be considered; ORS 197A.245 (6) says these factors “must” be considered. I submitted a graphic of the rule and statute side-by-side so you can see where they differ. The priority order for inclusion of lands in an urban reserve remains the same as those for adding lands to a UGB.

I have no reason to believe the Department or Commission will correct course unless forced to by this legislature. That is why SB 1522-1 is not a good bill, but a necessary bill.



Oregon REALTORS® urges you to vote YES on SB 1522-1.

Thank you for your time and consideration of my testimony.