



American Planning Association
Oregon Chapter

PO Box 28454 Portland, OR 97228
PHONE: (503) 626-8197

oapa@oregonapa.org • <http://www.oregonapa.org>

Making Great Communities Happen

March 30, 2017

Senator Michael Dembrow, Chair
Senate Committee on Environment and Natural Resources
Oregon State Legislature
900 Court Street
Salem, OR 97301

RE: Oregon Chapter of the American Planning Association testimony to the Senate Committee on Environment and Natural Resources in opposition to SB 618

Dear Chair Dembrow and Members of the Committee,

The Oregon Chapter of the American Planning Association (OAPA) is an independent, statewide, not-for-profit educational organization with 850 members that provides leadership in the development of vital communities by advocating excellence in community planning, promoting education and citizen empowerment, and providing the tools and support necessary to meet the challenges of growth and change.

Our organization has reviewed SB 618 and oppose the bill as drafted. **We respectfully ask that the Committee to not advance the bill out of committee.**

As proposed, this bill would allow the governing body of a local government to declare a land use emergency and bypass the State's established planning process by waiving statewide goals without taking an exception under ORS 197.732.

The bill provides no definition of, nor guidance to determine what specifically would trigger a "land use emergency." The vague language of this bill would allow for a wide range of potentially subjective and arbitrary interpretations to justify land use actions or limited land use actions that cannot comply with statewide goals. In addition, use of such a basis for a UGB expansion places more legal risks on the local governments involved; one government's "emergency" may not be seen the same way by a reasonable person.

The Oregon state planning goals are fundamental to sound long term planning for the needs of both urban and rural communities throughout the state. They ensure that all cities and counties plan comprehensively and consider the long-term consequences of the decisions they make.

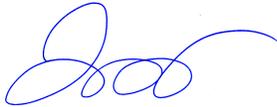
ORS 197.732 already provides local governments a reasoned process by which they may justify the exemption of specific properties or situations from statewide goals.

Comprehensive land use planning is, by its nature, a deliberate and rational process that provides for the long term. It is not intended to be reactionary. The guidance provided by the Oregon Statewide Planning Goals and Guidelines are fundamental to this process.

We recognize the pressures faced by Oregon cities facing demographic and economic change, and we appreciate the motivations and efforts of our elected and appointed officials to respond to these changes. But with this bill, we risk destabilizing the foundation of Oregon's unique statewide planning practice through the arbitrary dismissal of goals without undertaking the exception process already provided for under ORS 197.732.

The Oregon Chapter of the American Planning Association strongly urges the Committee to not pass SB 618.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeannine Rustad', with a stylized flourish extending to the right.

Jeannine Rustad, JD, President
Oregon Chapter of the American Planning Association