

April 3rd, 2017.

To: Senate Committee on Environment and Natural Resources.

Dear Senate Committee Members:

Before SB 1573 went up for a vote, I had an email exchange with Senator Lee Beyer. My husband, who is a land use attorney, chimed into the exchange. I would like to read to you his response:

Dear Senator Beyer:

My wife forwarded the message you sent you on February 28th (below). I have to say, for someone who claims to have knowledge about our land use system, your message is either patently dishonest or more likely uninformed. You state "I totally support a communities [sic] right to plan for the development level they desire -- including no growth at all." No you don't. Under Oregon law, exactly how is a community to do that? As I hope you know, Oregon law requires 20 years of buildable land to be inside the urban growth boundary, so with SB 1573, there is actually no legal way for a community to be "no growth." I understand your point that the planning process is when the community should get involved, but you and I both know that rarely happens to a meaningful degree, and it certainly does not happen down to the property by property level. If a community's comprehensive plan reflected the will of the people in that community with respect to how each property should be used, you would not need voter approved annexation. The fact that annexations sometimes get voted down is in fact proof that the comprehensive plan and planning process did not in fact express the wishes of the community. With questionable properties, ones that for instance have significant natural areas or other community attributes, what voter approved annexation also does is force developers to put forth plans that deal with the concerns of the community. That is a good thing. It enhances the community. Some communities probably don't care. Oregon is littered with them. For those communities not voting on annexations might be fine to their citizens. However, if you took the time to study some of the communities that have voter approved annexations, you would find that they have some of the most active and involved civic participants. They care.

Another example: A Facebook friend asked my husband why voter approved annexation is important?

My husband's comments were: What voter approved annexation has done is force developers to put plans forward that protect wetlands and oak savannah, for instance. That is what happened with Frager/Witham Oaks after several defeats. The city council later allowed a zone change on the part that was going to be single family housing, but the wetlands and oaks are for the most part still protected. So, even if a property is annexed eventually, it often comes into the City with compromises that please the community. That is the point. Without voter approved annexation, developers only need to meet LDC regs, nothing more.

So, without voter approved annexation, we would have lost the wetlands and oak savannah for many parcels in town.

I will say, I am a native Oregonian, grew up in Salem, my parents own the Enchanted Forest, and I love Oregon. There is no place like it. There is a reason why Oregon is such a special place and that is because we care about the land. Former governor Tom McCall knew that there were those who will try to chip away at Oregon's land use policies, and urged

Oregonians to fight those entities. Voter approved annexation first started the year after Tom McCall finished his terms as the governor of Oregon.

He once said: *The interests of Oregon for today and in the future must be protected from the grasping wastrels of the land. We must respect another truism - that unlimited and unregulated growth, leads inexorably to a lowered quality of life.*

I would say that removing the right of a community to shape how their community grows also leads to a lowered quality of life.

Thank you for your consideration.

Lori Stephens

(Architect - Broadleaf Architecture PC)
412 NW 9th St
Corvallis, OR 97330
541-760-7808