



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

Tuesday, May 23, 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 regarding HB 3012 A-Engrossed.

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.

OAPA has reviewed HB 3012 A-Engrossed and, while neutral on the bill, we still have significant concerns with the over-all policy direction of this bill. OAPA fears that this bill undermines the role of urban growth boundaries throughout the state and the significant policy, resource, and infrastructure planning that are dependent upon the effectiveness of that policy—that of keeping urban uses and densities in urban areas, as well as supporting rural communities and economies.

The Oregon courts have found that Goal 14 of Oregon's land use planning requires the state to determine urban uses and rural uses, and to keep those uses separate (1986 ruling in *1000 Friends of Oregon v. LCDC*, 301 Or 447 (Curry County)). The LCDC adopted rules determining minimum lot size of two acres for one house in rural residential zones (OAR 660-004-0040). HB 3012 A-Engrossed would change this standard and allow two dwelling units per two acres for qualifying properties, which will potentially allow thousands of additional dwelling units in the Willamette Valley, surrounding the Portland Metro area, as well as across the state.

The additional dwelling units begins to blur the line between what is urban and what is rural. The additional people that live in the new housing will increase the demand for public services and programs, including fire and life safety, schools, roads and transportation, water, and much more. Counties, special districts, and school districts in rural areas around the state are not designed to service higher densities of people. Many of these rural properties are in ground-water limited areas, which may be impacted by the increase demand for water as well as by

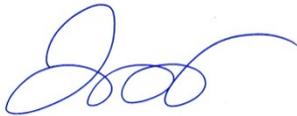
water quality issues with an increase in septic systems.

That said, we are supportive of some of the amendments that have been adopted into the A-Engrossed version of the bill, including:

- Section 2 which allows (but does not require) a County to allow owners of a lot or parcel to construct a new single-family dwelling.
- Section 3 which does not allow the subdivision, partition or other division of the two dwelling units.
- Section 5 which allows counties to impose additional conditions.

Thank you again for the opportunity to testify on this bill.

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