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**Date:** March 27, 2019 at 2:45:15 PM PDT

**To:** [haglul.exhibits@oregonlegislature.gov](mailto:haglul.exhibits@oregonlegislature.gov)

**Subject:** HB 3272

March 27, 2019

House Agricultural and Land Use Committee

Chair: Representative Brian Clem

Vice-Chair: Representative Susan McLain

Vice-Chair: Representative Bill Post

Member: Representative Shelly Boshart Davis

Member: Representative Ken Helm

Member: Representative David Brock Smith

Member: Representative Anna Williams

RE: HB 3272

Dear Chairman Clem and Land Use Committee Members,

My name is Kent Ziegler and I have been serving as the President of the Oregon City Business Alliance for the past Five years. I am excited to say that there are several new projects on the horizon in our local community and region but we have continually had to deal with frivolous and outlandish LUBA appeals over that same period of time. I am a fourth generation Oregonian and am also serving on the board for the redevelopment of the Willamette Falls right in our own backyard. As we prepare for this amazing natural wonder to open to the public for the first time in close to 150 years it is critical that our land-use system function in the way it was intended to. That being that if you meet the development codes and standards you should be able to proceed with your project to fruition without needless and costly delays.

Unfortunately, as our codes are written it is very easy to appeal a project to LUBA that may have taken several years to prepare the support documents and studies in order to complete your application. The proposed amendments that are outlined in HB 3272 will try to bring closure to the endless lawsuits and inappropriate appeals that have been occurring at a much more frequent rate. There are many reasons for this but mainly because people may not like change or simply have other personal agendas that don't agree with the local Planning Commission and City Council decisions. One thought was that if the costs that would be attached to anyone filing a LUBA appeal were either increased substantially or allow for attorney fees to be awarded then I believe you would see a major reduction in these time consuming legal actions.

The other major concern is the amount of time that is allotted for the plaintiff to continue the LUBA proceedings. HB 3272 attempts to limit the amount of time that opponents of a project can use in manipulating the system in the hope that the development will eventually run out of funds to carry it during the review process and simply die and go away. The end result of such tactics are either that their goal is achieved and it becomes a reality or the additional costs are passed on to the consumer. In either case no one wins but the opponents and their anti-growth supporters. In this environment where we have thousands of people moving to our state every month we need to provide a solid pathway for new development to occur that provides affordable housing, employment opportunities and numerous quality of life options.

I appreciate your time in reading my letter and my hope is that you will proceed forward in a positive manner in approving HB 3272 out of your committee.

Warmest regards,

Kent Ziegler  
OC Business Alliance President