

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2488 - 7

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Requires Land Conservation and Development Commission to make changes to statewide land use planning goals by December 31, 2026, to address climate justice by addressing climate change adaptation and mitigation and environmental justice for disadvantaged communities.

Government Unit(s) Affected:

Counties, Cities, Metro, Department of Land Conservation and Development (DLCD)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

	2021-23 Biennium	2023-25 Biennium
General Fund	\$800,000	
Total Funds	\$800,000	\$0
Positions	2	
FTE	1.50	

Analysis:

HB 2488 - 7 directs the Land Conservation and Development Commission to amend the statewide land use planning goal related to citizen involvement (Goal 1), to direct governments to:

- Ensure opportunities for disadvantaged groups to participate in land use planning;
- Incorporate practices to engage the community on climate justice, environmental justice, and equity in land use planning; and,
- Utilize technology to expand communication with the public around land use planning.

The Department of Land Conservation and Development (DLCD) is to appoint an advisory committee and hold at least one public hearing in each congressional district of the state, as well as at least one public hearing regarding the draft goal language. At least 60 days prior to adopting the goal, DLCD is to present draft goal language to an appropriate committee or interim committee of the Legislative Assembly. The final amended goal must be adopted on or before June 30, 2023, and it becomes effective 30 days after adoption. The measure outlines at what times Cities, Counties, and Metro must comply with this goal. The measure appropriates \$800,000 General Fund to the Land Conservation and Development Commission, and declares an emergency and takes effect on passage.

Department of Land Conservation and Development

The Department of Land Conservation and Development (DLCD) notes that there is significant effort required to update this planning goal in an inclusive way. Work required includes:

- Rulemaking;
- Outreach to a wide swath of Oregonians, including contracts with community-based organizations to increase participation by diverse populations;

- Research on national best practices;
- Translation services; and,
- Meeting organization and facilitation.

DLCD would use \$475,000 General Fund of the total amount appropriated by this measure to carry out these activities. DLCDC would use \$120,000 for meeting facilitation, travel, and facilities rentals; \$50,000 for translation and logistics assistance; \$55,000 for a research contract; \$120,000 to contract with community-based organizations; and \$100,000 for outreach, as well as an estimated \$30,000 for legal expenses.

DLCD anticipates hiring one limited-duration, full-time Planner 4 (1.00 FTE in 2021-23) and one limited-duration, part-time Administrative Specialist 2 (0.50 FTE in 2021-23) to implement this measure. The Planner 4 position would manage the amendment process and coordinate with local governments, equity organizations, and other stakeholders; while the Administrative Specialist would support public hearings and the Rules Advisory Committee. The total costs of these positions are estimated at \$300,972 General Fund, with an additional \$24,026 for position-related Services and Supplies.

The agency's 2021-23 Governor's budget includes \$800,000 to do this work.

Cities, Counties, and Metro

Both Cities and Counties note that there will be significant work required to update city and county comprehensive plans and to modify outreach and public engagement practices under this measure. As a point of reference, one small city notes that the cost to amend their comprehensive plan is \$25,000. Cities also note that the cost to modify outreach programs could be up to \$75,000 to \$100,000 per city. Costs are due to hiring consultants to update outreach programs, including outreach in multiple languages. These costs would be less for cities that have already implemented some of the outreach and public engagement practices that might be required under the new planning goal, but actual costs will depend on the final planning goal requirements. Counties and Metro anticipate a similar impact; Metro notes that while some of this work was already planned, it will now be required.

Certain cities, counties, and Metro must first comply with the new requirements by June 30, 2024 and all entities must be in compliance by the sunset date of January 2, 2028. DLCDC may grant a single 12-month extension for a local government, or an ongoing extension if the local government has been unable to receive funding to adopt and implement the amended goal. Because the final goal may not be adopted until June 30, 2023 at the latest, it is likely that any costs to Cities, Counties, and Metro would occur during the 2023-25 biennium.