

Submitter: Gabriel Buehler

On Behalf Of:

Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water

Measure, Appointment or Topic: HB3013

As a commercial construction project manager I see many problems with this bill. If a land use change or zone permit is later deemed void because it was based on an unacknowledged provision, developers or property owners could face significant financial losses. They may have invested considerable time and resources into projects that could be undone, including halting construction and demolishing improvements. This could create a highly unpredictable environment for developers, discouraging investment in land development. This would only hurt the construction industry. With such fine margins, it has the ability to make developers not want to do business in Oregon all together.

Local governments may be less inclined to approve land use changes or zone modifications if they fear they could be challenged or reversed due to unacknowledged provisions. This could delay or stifle planning for necessary infrastructure or housing developments, especially in areas where land use regulations are evolving or being updated. This uncertainty would also have an effect on businesses involved with development of land. Making it hard to build houses is not what this state needs. Local governments could be required to spend more time and resources defending land use decisions in court, as well as ensuring that comprehensive plans and regulations are always in full compliance with state law to avoid any potential legal challenges. This could divert resources from other important community initiatives. I just can't see how this would help the citizens of the state of Oregon by burdening them and their local governments.

My last point might just be the most important. This bill could be used as a weapon. People who are politically opposed to certain land use changes could use the legal mechanisms set out in this bill to delay or block development projects, even if those projects are ultimately in line with broader community goals. For example, local residents or activists may use legal challenges as a tool to stop development they disagree with, regardless of the merits of the project itself. We definitely don't need to open the door to this kind of manipulation. I urge the elected representatives of the people in Oregon to consider these unintended consequences before they vote for this bill.