



May 8, 2025

Representative Pam Marsh, Chair
House Committee On Housing and Homelessness
900 Court St., NE
Salem, Oregon 97301

RE: Opposition to Senate Bill 974A

Chair Marsh and Members of the **House Committee On Housing and Homelessness**,

I am writing to express our opposition to Senate Bill 974A. When submitting testimony, we typically try to find areas where a bill can be improved rather than express opposition. In this case, we believe that the premise behind the bill is severely flawed and cannot be rehabilitated.

Considering the -A4 amendment, we are concerned that the definition of final engineering plans is problematic because it includes infrastructure plans that may not be under the authority of a local government. Final engineering plans may include infrastructure plans under the approval authority of other agencies such as a local sewerage, water, or fire district, or a state agency such as the Division of State Lands or the Oregon Department of Transportation. Placing the shot clock burden only on local governments is unreasonable when only local governments will be subject to a writ of mandamus and an award of attorney fees and engineering costs.

The city is also opposed to language in the definition of "urban housing application" that includes amendments to a Comprehensive Plan and planned unit developments. The city alone is responsible for its Comprehensive Plan policies and their adherence to statewide planning goals and this type of action should not be available to a developer of housing.

Similarly, with the requirement for clear and objective housing standards, a planned unit development application is a discretionary option available to, but not required of, a developer of housing. Because this is an application type that the developer is opting for in lieu of a clear and objective pathway, it should not be included in the definition of urban housing application.

The city is also opposed to further pre-emption of local review of housing, given the already limited processes in place as a result of clear and objective requirements and the mandatory adjustments process adopted with SB 1537 in the last session. It is not clear what problem the pre-emption of design review on 20 or more residential lots or parcels is attempting to solve.

It is also not clear what solution is being proposed. Is this meant to apply to subdivisions? Planned unit developments? Does this provision apply to any submission of 20 or more lots for building permits at the same time?

There is a significant lack of clarity in the language of this bill, meaning there is a high likelihood of litigation to follow to resolve this lack of clarity. Further, we offer to the Committee that this lack of clarity can also mean that there are unintended consequences that may follow.

For the reasons listed above, the City of Tigard encourages a "no" vote on this bill. Thank you for your consideration.

Sincerely,



Heidi Lueb
Mayor
City of Tigard