



City of Stayton

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May 12, 2025

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

RE: Opposition to Senate Bill 974A

Dear Chair Marsh and Members of the House Committee on Housing and Homelessness,

On behalf of the City of Stayton, I am writing to express our opposition to SB 974-A4, as amended. While we understand and share the goal of increasing housing supply and reducing unnecessary delays in development, we have serious concerns about the unintended consequences this bill poses for small jurisdictions with limited staff and infrastructure review capacity.

1. Unrealistic Review Deadlines for Small Communities

SB 974 requires local governments to:

- Confirm completeness of final engineering applications within 14 days, and
- Approve or deny the applications within 90 days after deemed complete.

For small cities like ours—with only part-time planning and engineering staff and a Planning Commission that meets once per month—these timeframes are often unworkable. We do not have in-house engineering services, and our review processes must be coordinated with third-party consultants, each of whom has their own workloads and timelines. Without flexibility or exceptions, we risk falling out of compliance through no fault of our own.

2. Legal and Financial Exposure Through Mandamus Petitions

If a city does not meet the 90-day deadline, the bill allows the applicant to file a writ of mandamus, transferring the entire matter to circuit court. In such cases, the local government may be ordered to approve the application and be required to pay the applicant's attorney's fees, engineering costs, and pre-litigation expenses.

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This creates substantial liability and cost exposure for small jurisdictions—especially those acting in good faith but constrained by capacity. The process becomes punitive, not productive.

3. Limits on Local Design Standards for Larger Housing Projects

The bill prohibits cities from applying residential design standards to urban housing applications with 20 or more units, removing important tools that help communities maintain consistency, compatibility, and neighborhood character. In small towns, large developments have outsized impacts, and the ability to apply basic design standards is critical to ensuring thoughtful growth.

4. No Consideration for Staff or Volunteer Capacity

We appreciate efforts to streamline housing development processes. However, SB 974 assumes a level of staffing, access to consultants, and procedural agility that does not exist in many small or rural jurisdictions. Without exemptions, phased implementation, or technical assistance provisions, this bill could overwhelm our systems and set the stage for increased litigation, staff burnout, and poorly integrated development.

If this bill moves forward, we strongly urge you to either:

- Exempt communities under a certain population threshold or with limited staff,
- Allow extended timelines where staff capacity is limited or Planning Commissions meet infrequently, or
- Convert the hard 90-day mandate to an aspirational timeline with state-supported assistance for local governments.

We are committed to being part of the solution to Oregon’s housing crisis—but mandates without flexibility will do more harm than good in small communities.

Thank you for your consideration of our concerns.

Sincerely,



Brian Quigley, Mayor