



House Committee on Rules
Testimony in Support of HB 4026 -1

Chair Fahey, members of the Committee,

Thank you for the opportunity to provide testimony today in support of HB 4026 with the -1 amendment. By way of background, the Oregon Home Builders Association (OHBA) represents nearly 3,000 members engaged in the residential construction industry. OHBA supports HB 4026 -1 because it will ensure that Oregon's communities can continue planning for needed housing and community growth in a predictable and coordinated way.

Like many cities in Oregon, the City of North Plains has identified a need to expand their urban growth boundary (UGB) to meet future housing needs. The City of North Plains conducted a robust multi-year public process and technical analysis that supported its decision to expand its UGB. Despite years of work, countless hours of staff time, thorough analysis by planning professionals, and an undisputed housing crisis, a referendum petition was filed challenging the city's expansion.

This unprecedented and unconstitutional use of the referendum power threatens not only the City of North Plains ability to plan for future housing needs, but throws Oregon's statewide planning system out the window. **Oregon's land use planning system was designed to prevent uncoordinated and reactionary schemes like the North Plains referendum from dictating local planning decisions:**

“The impetus behind Senate Bill 100, [...] the framework within which land use planning occurs, was legislative concern that state intervention was needed to stop a process of cumulative public harm resulting from uncoordinated land use. [...] Senate Bill 100 was intended to substitute a systematic decisional process based on consideration of all relevant facts, affected interests and public policies, for the prevailing practice of inconsistent land use decision-making.”¹

Allowing a small handful of voters to ignore the planning system and decide important planning at the ballot box would undo the intent of SB 100 altogether.

Further, allowing referendums to drive the planning process will throw out the work this body just completed with passing HB 2001 (2023), also known as the Oregon Housing Needs Analysis.

¹ See 1000 Friends of Or. v. Wasco Cty. Court, 299 Or. 344, 347, 703 P.2d 207, 212 (1985).

Oregon is in a severe housing crisis. The Legislature has taken significant strides to address this crisis by passing legislation requiring cities to plan for needed housing and holding them accountable when they do not act to meet this need. Without HB 4026-1, communities across the state will be subject to ballot measures any time a city seeks to expand its UGB, even if the city has followed all laws and needs to grow to meet future housing needs. This tactic may only be being used for UGB expansions now, but may also be used to stop important land use decisions that support needed housing development.

For these reasons, we urge you to please vote YES on HB 4026-1 to support effective land use planning and needed housing development. Please do not hesitate to reach out with any questions or concerns.

Thank you,

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