



American Planning Association
Oregon Chapter

Creating Great Communities for All

March 19, 2025

Senate Committee on Housing and Development

Re: SB 974

Position: Oppose

Dear Chair Pham, Vice-Chair Anderson, and members of the committee:

I am writing in opposition of SB 974 and the -1 amendments, on behalf of the Oregon Chapter of the American Planning Association.

The Oregon Chapter of the American Planning Association (OAPA) is a nonprofit professional membership organization of over 800 planners and those who work with planning in formulating and implementing development and conservation policies at the state and local level. OAPA works to create sustainable and vibrant Oregon communities through professional development, advocacy for sound planning, providing resources to meet the challenges of growth and change, and embracing and promoting diversity, inclusion and equity.

It is an OAPA policy and legislative priority is to address the housing supply and housing affordability crisis. We advocate for solutions to increase long-term housing availability, affordability, and choices for Oregonians statewide. However, SB 974 with its -1 amendments, place requirements on local jurisdictions that will hinder rather than help address housing needs. We have noted other submitted testimony that highlights concerns about inconsistencies and unintended consequences. Below are a few of the sections we would like to highlight.

Section 1 (d) and Section 2 (c). These sections would drastically reduce the timeline for reviewing single-family development applications to 45 days. While OAPA supports speeding up and streamlining processes for housing development review and approval, 45 days is an inadequate time to allow for a thorough review for

compliance with local regulations related to such elements as infrastructure capacity, environmental impacts and for public comment periods and appeals. Perhaps an amendment that matches the existing 100 days for multi-family affordable housing could address this issue. We do note that, in many cases, single-family reviews are based on clear and objective standards and don't go through more attentive development review.

Sections 10. The proposed changes raise significant concerns about the prioritization of speed over sound planning principles. Awarding attorney fees and engineering costs to prevailing applicants in urban housing applications, including pre-litigation expenses, could incentivize aggressive development proposals and place undue financial pressure on local governments to approve applications, regardless of their adherence to established plans and regulations.

Section 11. The mandated 120-day timeframe for final engineering review, e.g. for "grading, water, sewer, stormwater, transportation systems, utilities and landscaping, with automatic approval if not rejected could lead to insufficient scrutiny or denials leading to time consuming processes and uncertainties.

Section 12 (5). This section (5) states: "*A local government **may not require** an applicant to comply with any design review process or requirement as a condition of obtaining approval of an urban housing application or any aspect of the application, including any design review process or requirement relating to aesthetics, landscaping, building orientation, parking or building design, but not including limitations on size.*"

While OAPA advocates for legislation that results in a partnership between the State (funding, DLCD rule-making) with local governments to assess and update existing local development codes such as lot size, building form, context and design requirements to remove barriers to housing production, diversity, affordability and equity, this provision is oversimplifying complex land use issues and stripping local governments of the necessary flexibility to both address unique community needs, and protect vital resources. As an example, and as stated in the City of Portland's testimony, "not allowing requirements related to landscaping and building orientation could impact regulations intended **to reduce urban heat island effects** and **appropriate placement of buildings in relation to streets and pedestrian areas.**

Thank you for considering OAPA's testimony in opposition to SB 974 and its -1 amendments. OAPA advocates planning for increased housing supply with

data-driven insights, a clear sense of desired outcomes and robust engagement to create a vision and method for increasing housing supply. Instead SB 974 represents an approach that prioritizes speed at the expense of sound planning, environmental protections, and community involvement. This measure poses a threat to the long standing partnership of the State and local jurisdictions in implementing Oregon's statewide land use planning program.

Sincerely,

A handwritten signature in black ink that reads "Jonathan Harker".

Jonathan Harker, AICP

Chair, Legislative and Policy Affairs Committee

Oregon Chapter of the American Planning Association

www.oregonapa.org