



VANESSA CORNWALL

Intergovernmental Relations Officer
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DATE: March 17, 2025
TO: Senate Committee on Housing and Development
FROM: Vanessa Cornwall, Lane County Intergovernmental Relations Officer
RE: SB 974, Relating to the Timeline for Reviewing Land Use Applications for Housing

Dear Chair Pham, Vice-Chair Anderson, and Members of the Committee:

As drafted, it appears that the base bill would create a shortened review period for *both inside and outside UGBs*. While we share in the goal of reducing timelines for permits for housing, to the extent that the shortened 45-day time period would apply outside of UGBs, it does not take into account other, current statutory requirements that add time for rural land use permits, limited land use decisions or zone changes. For example:

- ORS 215.418 provides 30 days to Department of State Lands to respond to land use notice before a county decision can be issued for areas mapped on the State Wetlands Inventory
- ORS 215.416 provides that a county may not establish an appeal period that is less than 12 days from the date the written notice of decision
- ORS 197.797 requires 20 days advance notice for hearing (for initial decision or on appeal)
- ORS includes notice of application requirements for certain applications (e.g. ORS 215.213(6))

These procedures amount to a time period that is a minimum of 42 days, not including time to evaluate, render, and mail a decision and for any subsequent appeals. Moreover, Statewide Planning Goal 3, 4, 5, as well as Coastal Goals, and implementing/related state law, involve additional criteria and exercise of discretion and accordingly, these types of permits often take longer to process and/or appealed.

For ministerial or “clear and objective review” such as upcoming requirements of HB 3197 (2023) for non-resource areas or Rural Residential zoned areas (as defined in ORS 215.501), this timeframe would be more feasible.

By not meeting the 45-day deadline, counties are put at risk of costly refunds and writ of mandamus.

We hope to have an opportunity to review the forthcoming amendment(s).

ELECTRONICALLY SUBMITTED BY VANESSA CORNWALL, LANE COUNTY
INTERGOVERNMENTAL RELATIONS OFFICER