

**Mayor**  
Honorable Tom Ellis

**City Manager**  
Jason A. Tuck, ICMA-CM



April 4, 2023

House Committee on Agriculture, Land Use, Natural Resources, and Water  
Oregon State Capitol  
Salem, OR 97301

**Re: Support for House Bill 2659**

Dear Honorable Chair Helm and Members of the Committee:

On behalf of the Happy Valley City Council, I would like to express our strong support for HB 2659. The City of Happy Valley has long worked to make our community more climate friendly and equitable. While well intended, local implementation of the statewide Climate Friendly Equitable Communities (CFEC) rules have unintended consequences that are counter to the underlying goals. This one-sized fits all approach applied to Happy Valley may create more greenhouse gasses, widen disparities; and reduce public trust.

**Create More Greenhouse Gasses**

Based on census data, 96% of the working population of Happy Valley commutes outside of the city for work. We recognized and prioritized the city's needs for more local employment options to become more climate friendly before the CFEC Rules were issued. Two of Happy Valley's most important future projects are the development plans for a future downtown area on the edge of the city and the expansion of the Rock Creek Employment Center, a regionally significant industrial area identified by Metro. These plans have been in the works for the past 5 to 10 years and are intended to bring more balance to a largely residential, commuter community. However, both projects are on the edge of the city and, as such, will be strongly disincentivized by the CFEC Rules which seek to promote development in city cores with good transit infrastructure. Happy Valley, however, does not have such areas to build up and lacks the ability to increase regional transit services.

**Widen Disparities**

Eliminating parking minimums, as required by the CFEC Rules will impact those living in multifamily developments the most. Currently, many multifamily developments do not have nearby on-street parking or contiguous safe sidewalks between the multifamily development and a place to park. In the future, community members living in these types of developments will be forced to walk in unsafe conditions to find legal, on-street parking. This is a serious safety concern that is likely to be quite common for developments on the fringe of the Metro region. It also has a disproportionate impact on lower-income families in which parents are forced to balance commutes to one or more jobs in addition to numerous other obligations.

**Reduce Public Trust**

Top-down approaches can produce conflicts between state goals. Notably, the CFEC rulemaking process was counter to the very pillar of Oregon's unique land use system: Goal 1, Citizen Involvement. City development codes are written after a considerable amount of public engagement and with the support of volunteer Planning Commissioners and the elected City Council. The CFEC rules require cities to change the development code without seeking input from the local community.

As a City Council, we ask the Governor and Legislative Assembly to direct DLCD to work more closely with cities to develop climate friendly rules that are flexible to meet the needs of each unique community in Oregon, while also achieving our shared interests. Please, partner with us to

continue this work, rather than forcing us to spend our efforts implementing new bureaucratic measures that don't solve the problem.

Thank you for your consideration of our concerns.

A handwritten signature in black ink, appearing to read "TOM ELLIS".

Tom Ellis  
Mayor

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*Preserving and enhancing the safety, livability and character of our community*