



American Planning Association
Oregon Chapter

Creating Great Communities for All

May 28, 2021

Senator Kathleen Taylor, Co-Chair
Representative Jeff Reardon, Co-Chair
Senator Dick Anderson
Senator Lew Frederick
Representative Vikki Breese-Iverson
Representative Paul Holvey
Representative Khanh Pham
Representative David Brock Smith
Joint Committee On Ways and Means Subcommittee On Natural Resources
Oregon State Capitol
Salem, OR 97301

Via email to: sen.kathleentaylor@oregonlegislature.gov, Rep.JeffReardon@oregonlegislature.gov,
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Rep.KhanhPham@oregonlegislature.gov, Rep.DavidBrockSmith@oregonlegislature.gov

RE: Proposed Budget Note Addition to SB 5530 from the Oregon Chapter of the American Planning Association in Support of Implementation of HB 2488

Dear Co-Chairs Taylor and Reardon and Members of the Subcommittee:

The Oregon Chapter of the American Planning Association (OAPA) supports appropriating \$800,000 to fund the Department of Land Conservation and Development's (DLCD) implementation of HB 2488 - A during the 2021-2023 Biennium as described in the bill's posted Fiscal Impact. This \$800,000 was originally included as part of the Governor's proposed budget Package 90 Equity Initiatives to address environmental justice in land use regarding the Statewide Land Use Planning Goals. This aligns with [OAPA's 2021 Legislative Priorities](#) to: **Advance racial equity**, specifically to make changes to public engagement processes and Statewide Planning Goal 1 (citizen involvement) to explicitly advance anti-racism and elevate the voices of Black, Indigenous, and People of Color (BIPOC) and other traditionally-underrepresented communities; and **Advocate for the Oregon planning program**, particularly initiatives that set a high standard for good planning with authentic engagement.

HB 2488 utilization of Package 90 is consistent with the bill's direction to the Land Conservation and Development Commission (LCDC) to amend Goal 1. Goal 1 is a cornerstone of state and local planning programs and requires local governments to undertake efforts to communicate and engage with their community on land use issues and decisions. Since its adoption in 1975, Goal 1 has neither been amended or subject to rule-making.



HB 2488 would specifically direct governments to:

- Ensure opportunities for disadvantaged groups to participate in land use planning;
- Incorporate practices to engage the community on climate justice, environmental justice, and equity in land use planning; and
- Utilize technology not available in the 1970s to expand communications and exchange of information with the public around land use planning.

As the work of HB 2488 by DLCDC does not stop with the end of the biennium and as the work of local governments does not begin until the start of the subsequent biennium, OAPA recommends a Budget Note to help ensure that DLCDC can assist local governments in implementation of HB 2488 in future years. It is worth noting that local governments are already implementing Goal 1 as written today, but the problem fixed by HB 2488 is to direct DLCDC to update Goal 1 for equity, environmental justice, and the use of critical communication technologies such as the internet and social media. Assistance for local governments is critical to achieving implementation of an updated Goal 1 in jurisdictions across the state.

DLCDC typically assists local governments in three ways:

- Local grants.
- Technical assistance.
- Guidance to local governments (sometimes referred to as “recommendations for best practices”).

OAPA notes that the bill itself addresses the impacts to local governments in three ways:

1. The compliance schedule is phased with largest cities and counties due to be in compliance by June 30, 2024; next size by June 30, 2025; and the remaining by June 30, 2026;
2. Upon the request of any local government, LCDC shall grant a single 12-month extension for any local government; and
3. Upon the request of any local government, the LCDC shall grant an ongoing extension if the local government has been unable to receive funding to adopt and implement the amended goal.

OAPA recommends the following Budget Note for HB 2488 as an example of the legislative direction to the agency regarding reporting resource needs to the Legislature for the implementation of HB 2488 in the 2023-2025 biennium, drafted in collaboration with staff of the League of Oregon Cities and Association of Oregon Counties:

Department of Land Conservation and Development

HB 2488 (Chapter XXX, Oregon Laws 2021)

BUDGET NOTE: With respect to the appropriation needed to assist local governments with planning services and planning grants for the implementation of HB 2488, the Department of Land Conservation and Development is directed to identify agency resource needs for the 2023-2025 biennium and to present a report to appropriate interim legislative committees by the end of January, 2023. In developing the report, DLCDC is directed to seek recommendations from the Association of Oregon Counties and the League of Oregon Cities.



OAPA is an independent, statewide, not-for-profit educational organization of more than 800 planners from across the state who work for cities, counties, special districts, state agencies, tribes, community-based organizations, universities, and private firms. We provide leadership in the development of vital communities by advocating excellence in community planning, promoting education and resident empowerment, and providing the tools and support necessary to meet the challenges of growth and change. OAPA supports sustainable communities and works to enhance the quality of life for current and future generations by helping to create and stabilize places that are equitable, healthy, and resilient and provide ongoing economic, environmental, and social benefits.

OAPA requests that this letter become part of the record for SB 5530, and we thank you for the opportunity to provide our recommendation on this action to support HB 2488.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Aaron Ray'.

Aaron Ray, AICP, President
Board of Directors

A handwritten signature in blue ink, appearing to read 'Eunice Kim'.

Eunice Kim, AICP, Chair
Legislative and Policy Affairs Committee

CC: Chief Sponsors of HB 2488: Representative Karin Power, Rep.KarinPower@oregonlegislature.gov, Representative Ken Helm, rep.kenhelm@oregonlegislature.gov, Senator Golden, Sen.JeffGolden@oregonlegislature.gov, and Senator Michael Dembrow, Sen.MichaelDembrow@oregonlegislature.gov; Amira Streeter, Natural Resources Policy Advisor, Office of Governor Brown, Amira.STREETER@oregon.gov; Kristen Sheeran Ph.D., Director of Carbon Policy Office, Office of Governor Brown, kristen.sheeran@oregon.gov; Mallorie Roberts, Legislative Affairs Manager, Association of Oregon Counties, mroberts@oregoncounties.org; Ariel Nelson, Lobbyist, League of Oregon Cities, anelson@orcities.org; Palmer Mason, Legislative Coordinator, Oregon Department of Land Conservation and Development, Palmer.Mason@state.or.us; and Lisa Arkin, Executive Director, Beyond Toxics, larkin@beyondtoxics.org