INTRODUCTION
At its December 7, 2006 regular meeting, the OAPA Board considered the recommendations of the Legislative and Policy Affairs Committee (LPAC) and approved, with modifications, the following position statement. The purpose of this position statement is to guide future testimony before the 2007 Oregon Legislature.

Comments Welcome! Over the last week, we have received comments from several members arguing for or against the M37 principles outlined below in Statement I.A. Questions related to positions that have generated the most comments are shown in italic following the statement. To offer your opinion on these three questions – or any of the Board’s positions – please send a brief email to Greg Winterowd, OAPA Vice-President. greg@winterbrookplanning.com He will summarize what we hear from you and report back to the Board at its January 5, 2007 meeting in Portland.

I. MEASURE 37 (ORS 197.352)
A. Authorize approval of the following “core principles”:
   1. ORS 197.352 should be amended to provide for the basic sense of fairness that voters believed they approved in 2004.
   2. Fairness should allow owners to construct a single-family home – with transferability – on their property based on the rules in place when they acquired it.
   3. Fairness does not include the approval of residential subdivisions, commercial or industrial development on land zoned for farm or forest use.

Question 1: Should the fairness principle of allowing a house on every “property” be extended to apply to all parcels of land - or be limited to property ownerships (i.e., contiguous parcels under common ownership). (Item A.2)

Question 2: Should “fairness” be extended to exclude Measure 37 claims that allow commercial or industrial development on land zoned for residential use - whether inside or outside an urban growth boundary. (Item A.3)

Question 3: Should “fairness” be extended to exclude Measure 37 claims that allow urban levels of development on land zoned for rural residential use. (Item A.3)

B. Authorize LPAC to draft legislation to clarify technical provisions of ORS 197.352 related to:
   1. A statute of limitations for submitting claims and for how long an approved claim is valid.
   2. Attorney fees to the prevailing party – rather than the claimant only.
   3. Protection from Measure 37 claims for future planning efforts.
   4. A reasonable method for determining the effect of land use planning on property values.
   5. A completeness requirement similar to that found at the local level.
   6. A provision limiting Measure 37 claimants to one claim per property than cannot be subsequently amended.
   7. Additional time (one year rather than 180 days) for processes of Measure 37 Claims filed between November 1 and December 4, 2006.
   8. Systematically address timing issues related to submittal, review and processing of claims.
II. **THE BIG LOOK**
   A. Support the Re-engage Oregon Committee’s efforts to strongly encourage The Big Look Task Force to increase its public outreach and to assist with their efforts to design and implement an effective broad based public outreach program that will engage Oregonians in a meaningful open public discussion about the Oregon land use program.
   B. Such efforts should indicate OAPA’s support for focused public involvement as the Task Force continues to review of the Oregon Land Use Program.

III. **FUNDING TO SUPPORT LOCAL PLANNING AND TRAINING**
Support increased state funding for technical assistance grants to local governments, planning commissioner and elected official training, and decennial periodic review efforts (see Item V below).

IV. **SCHOOL SYSTEMS DEVELOPMENT CHARGES**
Support state authorization for local governments to adopt systems development charges for schools, while addressing potential unintended consequences of such charges by:
   A. Encouraging pooling of school bonds on a statewide basis to reduce interest rates;
   B. Allowing SDC credits for low and moderate income housing; and
   C. Allowing for phased implementation of fees.

V. **PERIODIC REVIEW**
   A. Authorize LPAC to draft legislation requiring and funding periodic review of local comprehensive plans related to economic development, public facilities planning and housing:
      1. Periodic Review shall take place every ten years following the decennial census.
      2. The focus of state-mandated Periodic Review will be on:
         a. Updating county-wide population projections and allocating population to constituent cities.
         b. Supporting economic opportunities and housing needs analyses necessary to ensure an adequate land supply within urban growth boundaries.
         c. Amending urban growth boundaries and/or urban reserve area to implement the results of such studies.
         d. Allowing for smaller, slower-growing communities to streamline the periodic review process, without jeopardizing eligibility for state planning grants.
   B. Mandatory periodic review shall be dependent on adequate state funding to support local government efforts related to the above.

VI. **MEASURE 37 CLAIMS ADJACENT TO URBAN GROWTH BOUNDARIES**
The Board viewed photographs of an approved Measure 37 claim adjacent to the McMinnville UGB, showing road construction that could lead to vesting of the claim. The Board supported further consideration of this issue by LPAC before taking a formal position.

VII. **LEGISLATIVE TRAINING**
Encourage OAPA members to offer training to Legislators, Committee Chairs and Members of the House and Senate Land Use Committees.