

HOUSE COMMITTEE ON ENVIRONMENT AND ENERGY

January 20, 1997 Hearing Room E

1:00 Tapes 4 - 5

MEMBERS PRESENT:

Rep. Leslie Lewis, Chair

Rep. Frank Shields, Vice-Chair

Rep. Michael Fahey

Rep. Mike Lehman

Rep. Dennis Luke

Rep. Mark Simmons

Rep. Jim Welsh

STAFF PRESENT:

Pat Zwick, Policy Analyst

Marjorie Taylor, Administrative Support

ISSUES HEARD:

1,000 Friends of Oregon

Oregonians in Action

Oregon Homebuilders Association

Association of Oregon Counties

League of Oregon Cities

Association of Realtors

Oregonians for Food and Shelter

Manufactured Housing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

Tape/#	Speaker	Comments
Tape 4, A		
001	Chair Lewis	Calls meeting to order at 1:08 p.m. and provides introduction.
<u>1,000 FRIENDS OF OREGON</u>		
014	Robert Liberty	1,000 Friends of Oregon, Executive Director. Discusses the organization and what it does.
023	Liberty	Discusses the relation of the committee to 1,000 Friends of Oregon and issues related to population growth.
035	Liberty	Questions whether population growth is good or bad for Oregon. Provides statistics from various counties.
055	Liberty	Relates concerns about growth to perceptions and ways to limit growth.
066	Liberty	States that this is a time of population growth in Oregon, and an inappropriate time to weaken land use laws.
075	Liberty	Shows two statutes and the changes to land use laws and how they're related to non-farm use.
100	Liberty	Explains that urban growth boundaries grow to comply with the law.
110	Liberty	Suggests three changes to current laws - first, defend the taxpayers interest - provide impact statements.
122	Liberty	Suggests second change - local control - 1,000 Friends of Oregon is skeptical about this issue.
140	Liberty	Suggests third change - no super-citing exemptions - 1,000 Friends of Oregon is opposed to exemptions for those sites.
151	Liberty	Shows a booklet (Agenda for Livability - 40 Reforms to cope with growth) related to 1,000 Friends - calls for questions.
158	Rep. Luke	Questions issue related to local control in eastern Oregon - wants to also know how many times 1,000 Friends of Oregon has sided with contractors, home-builders and density issues.
175	Liberty	Answers that 1,000 Friends of Oregon does not have that information available.
193	Chair Lewis	Acknowledges Mr. Liberty and introduces Oregonians in Action.
<u>OREGONIANS IN ACTION</u>		
200	Larry George	Oregonians in Action, Executive Director.
204	George	Shares the organization view of the legislative session - land use system has a number of flaws.
		Indicates that small, rural property owners who have been

220	George	affected by land use issues, support Oregonians in Action.
230	George	Quotes 1973 committee member in relation to land use.
245	George	States that mis-zoning is causing problems in rural areas.
253	Dave Hunnicut	Director of Legal Affairs for Oregonians in Action, discusses former legislation concerning farmlands, primarily HB 3661 (1993) and Land Conservation and Development (LCDC) rules.
287	Hunnicut	Lists problems with HB 3661.
290	Hunnicut	Lists problems with LCDC rules, primarily the \$80,000 rule - explains that most Oregon farmers can't meet criteria listed by the rules, therefore there is no recognition for small farmers.
330	Hunnicut	States that small farms are equally as important as large farms.
344	Hunnicut	Suggests solutions to the current problems.
370	Hunnicut	Suggests diverting urban growth boundaries from good farm land.
Tape 5, A		
004	Hunnicut	Suggests a good secondary lands bill would help with further laws.
008	Hunnicut	Indicates that small farmers need to be recognized as important.
014	Hunnicut	Summarizes presentation and calls for questions.
<u>OREGON HOMEBUILDERS ASSOCIATION</u>		
017	Jon Chandler	Oregon Building Industry Association (OBIA) (formerly the Oregon State Homebuilders Association), Director of Government Affairs.
030	Chandler	Speaks of land use and land use planning from builders perspectives.
039	Chandler	Indicates that OBIA thinks Oregon has a good idea with land use planning, but it needs work.
050	Chandler	Relates how laws affect growth inside and outside the urban growth boundaries (UGB).
060	Chandler	Urges legislature to keep perspective in mind - growth has been a problem for a while and various areas react differently to the problem.
080	Chandler	Urges the legislators to strike a balance between growth and land use.
090	Chandler	Indicates that Measure 47 is causing problems for current legislation related to several bills associated with this issue.
110	Chandler	Discusses future legislation.
115	Chandler	Summarizes and calls for questions.

116	Rep. Luke	Inquires about Sisters annexation issue.
130	Chandler	Responds about growth and annexation.
141	Chair Lewis	Relates a recent vote in Newberg on annexation.
146	Chair Lewis	Acknowledges Jon Chandler and calls the Association of Oregon Counties.
<u>ASSOCIATION OF OREGON COUNTIES</u>		
151	Gordon Fultz	Representative of the Association of Oregon Counties (AOC).
156	Fultz	Describes the association members and constituents - Encourages the committee to think of AOC as a partner.
170	Fultz	Indicates specific interest areas of the AOC.
178	Fultz	Discusses former legislation and what it produced, and inquires what to do under Ballot Measure 47.
191	Fultz	Introduces ideas of new legislation - regional problem solving.
204	Fultz	Indicates that AOC will follow land use and hazardous waste issues.
218	Art Schlack	Representative of the Association of Oregon Counties. Relates that local government has been involved with land use planning for a long time. Introduces legislative priorities for the Association of Oregon Counties. Provides a list of legislative priorities (EXHIBIT A) .
252	Schlack	Notes concerns with the current land use system.
276	Schlack	Expresses concern for the management of agricultural and forest lands.
288	Rep. Luke	Comments on legislation coming in from Deschutes county.
<u>LEAGUE OF OREGON CITIES</u>		
314	Phil Fell	Representative from League of Oregon Cities.
321	Fell	Discusses the organization and members of the League of Oregon Cities.
335	Fell	Indicates that the League supports land use planning within urban growth boundaries.
355	Fell	Discusses concerns with recent legislation related to the League of Oregon Cities. Presents a limited land use agenda for the session.
378	Rep. Luke	Comments about former legislation and what has occurred with it.
Tape 4, B		

005	Chair Lewis	Inquires about the action and results of former legislation.
011	Fell	Acknowledges that there have been a few problems.
012	Rep. Luke	Inquires about the support for recent legislation.
015	Chair Lewis	Calls for the Association of Realtors.
<u>ASSOCIATION OF REALTORS</u>		
018	Fred VanNatta	Representative of the Association of Realtors
022	VanNatta	Discusses the organization and former legislation related to them.
035	VanNatta	Expresses concern for Ballot Measure 30 - related to the issue of notice when the government is re-zoning land.
048	VanNatta	Discusses the 120 day rule and related current legislation.
060	VanNatta	Discusses legislation on requirements for fire protection for rural dwellings.
068	VanNatta	Expresses interest in possible future legislation related to the income test for farmlands and farm dwellings.
077	VanNatta	Expresses concern with annexation question.
082	Jerry Schmidt	Association of Realtors, lobbyist on water-related issues. Indicates that water is a new fight issue for land use.
094	Schmidt	Indicates that there are health safety issues related to drinking water.
099	Schmidt	Expresses interest in ground water issues.
105	Schmidt	Discusses his relation to other current committee issues.
113	Schmidt	Indicates that one of his focuses will be the controversial issue of navigability.
140	Schmidt	Concludes and calls for questions.
142	Rep. Luke	Questions why a city would rezone without the permission of the land owner.
145	VanNatta	Answers about the re-zoning process.
152	Rep. Luke	Asks if the process can be stopped at any time.
155	VanNatta	Answers that it is possible.
160	Rep. Luke	Suggests a time limit for unrequested zone changes.
165	VanNatta	Answers that Rep. Luke has a thoughtful suggestion.
177	Chair Lewis	Relates a re-zoning story.

190	Rep. Luke	Discusses issues related to LCDC.
195	Schmidt	Relates complexity of all involved issues. For instance, in some ways water is now being thought of as land.
219	Rep. Simmons	Relates a rezoning story from his district. Also requests more information on the navigability issues.
230	Schmidt	Answers about navigability issues - primarily Federally related issues.
253	Rep. Fahey	Relates rezoning story.
261	Chair Lewis	Calls Oregonians for Food and Shelter.
<u>OREGONIANS FOR FOOD AND SHELTER</u>		
266	Terry Witt	Oregonians for Food and Shelter, Executive Director - provides a profile sheet of the organization. (EXHIBIT B)
294	Witt	Summarizes and calls for questions.
<u>MANUFACTURED HOUSING</u>		
300	Chair Lewis	Calls Manufactured Housing.
306	Don Miner	Representative of Manufactured Housing - introduces the organization and members.
320	Miner	Indicates that most manufactured homes in Oregon fall into the Super Good Cents homes.
336	Miner	Indicates current problems with land size and regulations for siting a manufactured home.
350	Miner	Suggests that for current legislation to work, growth can occur when enough land is in urban growth boundaries. Inquires on the benefits of legislation related to HB 2709.
370	Miner	Reports on previous legislation (HB 2065) and how it is currently working.
Tape 5, B		
006	Miner	Continues to discuss previous legislation.
014	Stan Ash	Representative from Manufactured Housing Communities of Oregon, and a mobile home park owner.
028	Ash	Expresses concern for a current 5 acre regulation for building.
030	Ash	Expresses concern about adjacent acreage to mobile home parks.
046	Ash	Indicates that many mobile home parks don't know if they are urban or rural - this affects the urban growth boundaries.

056	Ash	Expresses that rent in the Portland Metro area is very high, due to the lack of land available which is due to land use planning.
062	Rep. Luke	Inquires about the correct terminology for various structures.
068	Miner	Answers that terminology is manufactured home in all cases.
070	Rep. Fahey	Inquires as to typically how many units per acre.
074	Ash	Answers that it depends - discussion ensues about rent and related costs to manufactured house communities and trailer courts.
085	Rep. Fahey	Attempts to establish the definition of affordable.
090	Ash	It depends on location.
093	Rep. Luke	Inquires about property lines in manufactured communities.
103	Miner	There are some communities with a zero lot line and duplexes and fourplexes are being built. Discusses lot lines.
112	Chair Lewis	Relates story about a constituent and manufactured home and city ordinances.
125	Miner	Consultants are working with cities on ordinances.
130	Rep. Luke	Questions discrimination against manufactured home developments.
137	Miner	Acknowledges Rep. Luke's work to fight against discrimination. Enters legal document as evidence. (EXHIBIT C)
144	Chair Lewis	Calls for questions and adjourns the meeting at 2:37 p.m.

Submitted By, Reviewed By,

Marjorie Taylor, Pat Zwick,

Administrative Support Policy Analyst

EXHIBIT SUMMARY

A - Association of Oregon Counties - Legislative Priorities, Art Schlack, 11 pp.

B - Oregonians for Food and Shelter - Organization Profile, Terry Witt, 1 p.

C - Peggy Contreras, John Bolte, and Friends of Neabeack Hill vs. City of Philomath, Don Miner, 9 pp.