

SENATE COMMITTEE ON WATER AND LAND USE

April 8, 1997 Hearing Room C

8:30 AM Tapes 54 - 56

MEMBERS PRESENT:

Sen. Veral Tarno, Chair

Sen. Bob Kintigh, Vice-Chair

Sen. Ginny Burdick

Sen. Ted Ferrioli

Sen. Bill Fisher

Sen. David Nelson

Sen. Thomas Wilde

STAFF PRESENT:

Mark Volmert, Administrator

Nancy Masee, Administrative Support

MEASURE/ISSUES HEARD:

SB 1137 Public Hearing

SB 1148 Public Hearing

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, 54, A		
002	Chair Tarno	Opens meeting at 8:30 AM and public hearing on SB 1137
<u>SB 1137</u> <u>PUBLIC</u> <u>HEARING</u>		
004	Mark Volmert	Committee Administrator, gives background on SB 1137
	Sen. Cliff	District 18, testifies against SB 1137; cites Corvallis's experience under present law. Responds to Division of Land Conservation and

013	Trow	Development's (DLCD) position, saying the department's arguments have no basis in fact (EXHIBIT A)
048	Sen. Trow	Relates Governor's response to this bill agreeing to a comprehensive study on the cost of growth; reiterates opposition to SB 1137
057	Rep. Barbara Ross	District 35, testifies against SB 1137; voting on annexation is a catalyst for discussion of what is needed by the communities; the right to vote by local people should remain. Developers should not be saddled with the total cost of growth. (EXHIBIT B)
090	Rep. Ross	Continues presentation and urges a "no" vote on this bill
110	Jon Chandler	Oregon Building Industry Association (OBIA), gives background on their view of SB 1137. Supports land use planning and SB 1137. Supports the idea of a study on cost and management of growth (EXHIBIT C)
156	Chandler	Continues on problems of annexation; SB 1137 is * supported by a broad scope of professionals in the field * not anti-citizen but provides citizen participation * land use planning will be better for this bill
178	Sen. Wilde	Does not believe a city can annex without citizens agreeing to it
204	Hector McPherson	Former senator, farmer Linn County, supports SB 1137. Speaks for the commission's goals of rational cost effectiveness, and adequate land for housing. (EXHIBIT D)
261	McPherson	Continues presentation relating to Corvallis's annexation program.
306	Sen. Wilde	Asks if the goal of land use planning is to include the vote of the people
312	McPherson	Says he is not opposed to voting by the citizens. States there are inappropriate times and appropriate times for citizens to vote.
321	Sen. Wilde	Comprehensive plans do not have public participation and this is one of the few ways the citizens can participate
357	Sen. Fisher	Comments on Corvallis's efforts to annex, and asks when the most recent annexation votes have not passed. States that locations for annexation have not always resulted in the best for supplying services.
377	Richard Benner	Director, Oregon Department of Land Conservation and Development (DLCD), states the department's objectives of a comprehensive plan include affordable housing and cost effectiveness
TAPE 55, A		
006	Benner	Continues his presentation on comprehensive planning, and indicates the state system encourages public participation.
022	Benner	Relates land use statutes on comprehensive planning
038	Sen. Kintigh	Asks about annexations in the comprehensive plan
074	Chair Tarno	Asks what the interim meeting on land use found

082	Benner	Says fall of 1996 meetings were held and discussions widely attended
101	Sen. Burdick	Asks about affordable housing
104	Benner	Comments on affordable housing and refers to upcoming Corvallis annexation proposal
124	Sen. Nelson	Comments on the Stewart annexation case
156	Sen. Wilde	Asks about requirements of annexation plans for a city
163	Benner	Responds that the city identifies parcels consistent with their comprehensive plan
176	Sen. Wilde	Comments that the job of getting citizens involved and well informed has been poorly handled
204	Benner	Responds on specific development planning involving citizens
223	Sen. Wilde	Comments on the Portland experience and the lack of citizens' involvement
242	Sen. Ferrioli	Asks what recourse citizens have
264	Benner	Responds the citizens vote for their city council members; annexation of territory is not the same as the development of that territory; there is a specific development planning process.
297	Sen. Ferrioli	Says his concern is that if during the process citizens become aware that the annex will change the character of the community, what recourse is there with the comprehensive plan already in place
331	Baruti Artharee	Director, Oregon Housing and Community Services Department * supports SB 1137 * needs 50,000 units of affordable housing * the working poor need affordable housing * subsidies for public housing have been greatly impacted
383	Sen. Ferrioli	Says that citizens have a right to decide how their communities develop
418	Artharee	Continues on NIMBYism (not in my back yard)
425	Sen. Wilde	How often do annexations lead to low income housing
433	Artharee	Says the major concern is the delay in the process of annexing lands to the city for development. Relates the side of NIMBYism that discriminates against certain groups of people. Does not have an exact number or a percentage to reveal how often annexations lead to low income housing.
TAPE 54, B		
074	Dennis Derby	Double-D Development Company, Portland, Oregon, past president of the Home Builders Association of Portland and the Oregon Building Industry Association, supports SB 1137. (EXHIBIT E)

086	Deborah Weaver	<p>Oregon Association of Realtors, supports SB 1137. (EXHIBIT F) Asks to amend the bill to include Corvallis. Voting on annexations does not work for many reasons such as:</p> <ul style="list-style-type: none"> * destroys the comprehensive plan * no future planning can be done * needed services cannot be planned for * forces large lot development into the urban fringe * development driven to surrounding communities * clogs transportation system with commuters on highways * Drives up costs of housing
142	Weaver	Urges passing SB 1137 and including Corvallis in that bill
151	Sen. Fisher	Asks about statistics that were previously presented by senators and her statistics which do not match
173	Weaver	Since 1976, 36 annexations have been approved, 18 denied with 4 or 5 approved for health hazards
175	Helen Berg	Mayor of Corvallis; says the right to vote on annexations is very important to citizens of Corvallis. Since 1976, 36 annexations were approved; 5 not approved. (EXHIBIT G)
260	Berg	Continues on Corvallis annexation program and its success and the inclusion of citizens rights by voting. Indicates six of the last eight proposals were approved. Since 1976, 13,650 housing units have been added.
278	Chair Tarno	Asks Helen Berg if she would recommend adoption by other cities of their annexation charter
286	Berg	Responds that Corvallis does not wish to use their experience as a model
306	Sen. Wilde	Asks about comprehensive plan of Corvallis and makeup of annexations
318	Berg	Responds on annexation selection by boundary and densities. Says at comprehensive plan development level, there is citizen involvement. Thinks you need to do both--annexation by vote and citizen participation in the comprehensive plan.
369	Jon Nelson	City Manager of Corvallis, comments on comprehensive plan and annexation policy process
387	Sen. Kintigh	Asks about system development charges
391	Nelson	Says they are about average with other communities
TAPE 55, B		

013	Howard Paine	<p>Sisters, Oregon, comments on schools costs and developing costs.</p> <p>(EXHIBIT H)</p> <ul style="list-style-type: none"> * Sisters cannot accommodate more people at this time * local taxpayers will have to come up with financing these schools * 25 percent of Sisters residents below poverty level * 28 percent are over 65 years old * opposes SB 1137
073	Sen. Fisher	Asks about role of developers and their share of costs. Says he resents the tone that newcomers are the only ones causing new costs
109	Paine	Says that everyone in the community should share the costs
112	Gordon Petrie	Councilman of Sisters, Oregon; opposes SB 1137. Says it would take away citizens rights (EXHIBIT I)
156	Jim Lewis	Oregon Title Insurance Company, testifying for himself. Says SB 1137 creates a double standard and is discriminatory against Corvallis and Philomath. Wants removal of section 3. (EXHIBIT J)
197	Lewis	Opposes SB 1137. Says citizen participation in Corvallis is very high
250	Lewis	Continues presentation on need for housing in Corvallis
292	Tom Powell	Broker, Coldwell Banker, describes area in Corvallis available for possible annexation, and conflicting land use that prohibits growth
376	Powell	Continues presentation on problems of annexation in Corvallis. By voting on annexation restrictions are imposed on the citizens.
TAPE 56, A		
014	Nathan Clayton	Canby, Oregon, opposes SB 1137, and states his personal experience.
024	Lynn Nordhausen	Corvallis, 41-acre landowner; gives her experience with annexation process and supports SB 1137
075	Sen. Kintigh	Comments that educated planners do not always make correct choices
082	Nordhausen	Responds that citizens can be educated
089	Marlyn Weaver	<p>Corvallis, agrees with McPherson's testimony and supports SB 1137</p> <p>(EXHIBIT K)</p> <ul style="list-style-type: none"> * supports private property owner * disagrees that there is a successful annexation process in Corvallis * cannot apply for annexation unless adjacent to city limits
	Donna	Corvallis, comments on her experience with annexation, and supports

122	Brokken	SB 1137
200	Jeff Lamb	Philomath, Chairman, Oregon Communities for Annexation, opposes SB 1137. He feels it breaks the home rule (EXHIBIT L)
240	Lamb	Continues presentation on * kind of growth * where it will be * how fast it will take place * who will pay for it
283	Chair Tarno	Adjourns meeting at 10:50 AM so committee can attend floor session.

Submitted By, Reviewed By,

Nancy Masee, Mark Volmert,

Administrative Support Administrator

EXHIBIT SUMMARY

A - SB 1137, written testimony, Sen. Cliff Trow, 3 pp

B - SB 1137, written testimony, Rep. Barbara Ross, 1 p

C - SB 1137, written testimony, Jon Chandler, 1 p

D - SB 1137, written testimony, Hector McPherson, 2 pp

E - SB 1137, written testimony, Dennis Derby, 1 p

F - SB 1137, written testimony, Deborah Weaver, 1 p

G - SB 1137, written testimony, Helen Berg, 4 pp

H - SB 1137, written testimony, Howard Paine, 2 pp

I - SB 1137, written testimony, Gordon Petrie, 1 p

J - SB 1137, written testimony, Jim Lewis, 61 pp

K - SB 1137, written testimony, Marlyn Weaver, 2 pp

L - SB 1137, written testimony, Jeff Lamb, 3 pp