



*The League of Women Voters of Oregon, established in 1920, is a grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.*

February 3, 2025

To: [Rep. Ken Helm](#), Co-Chair, [Rep. Mark Owens](#), Co-Chair  
[House Committee on Agriculture, Land Use, Natural Resources, and Water](#)

Re: [HB 3013](#) with [-1 amendment](#) - Related to land use provisions that fail to gain acknowledgment -

### **Support**

The League of Women Voters of Oregon supports HB 3013 with the -1 amendment, based on our positions on statewide planning and citizen participation. For over thirty years we have testified in support of policies that promote the conservation and development of land as a natural resource, in accordance with Oregon's land use goals. We believe that citizens should have the right to participate in decision-making on land use issues at all levels of government and that mechanisms for citizen appeal and enforcement of those decisions must be guaranteed.

ORS 197 clearly spells out the process for filing and enforcing land use appeals. For our land use system to work as designed, decision-making must be based on an accurate interpretation of those rules and the expectation that appeal rulings are respected and enforced by local governments and state agencies. Unfortunately, this did not happen in the case of Schaefer v. Oregon Department of Aviation (23CV14126), illustrating that without additional clarifications in ORS 197, it is possible for LUBA rulings to simply be ignored. This begs the question: What incentive is there for petitioners to go through the arduous appeal process if developers and governments are allowed to move forward with projects, in spite of what LUBA rules?

HB 3013, along with the -1 amendment, gives teeth to the enforcement process by creating new provisions for ORS 197.625 and ORS 197.825. The added language unequivocally states that a permit, license, agreement, zone change, or other authorization is voided if it is based on an overturned land use plan or regulation. A written termination notice must be sent out to all participating parties, and any improvements based on the authorization must be removed within 180 days. We are happy to see that the question of standing is also addressed in the bill. It clarifies that any person who participated in the appeal process has standing and may bring a claim in circuit court.

The League also applauds the inclusion of a proposed amendment to ORS 197.013, which adds the important words "and public interest" to the end of this statement: "Implementation and enforcement of acknowledged comprehensive plans and land use regulations are matters of statewide concern."

We strongly urge your support for HB 3013.

Thank you for the opportunity to discuss this legislation.

A handwritten signature in black ink that reads "Lisa Bentson".

Lisa Bentson  
President, LWVOR

A handwritten signature in black ink that reads "Marge Easley".

Marge Easley  
LWVOR Action Committee Member