Looking Forward

Do The New 2021 Oregon Laws Affect Your Property?

Plus -

New Wildfire Regulations On The Way.

Home Ownership is Social Justice.

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Volume 28 Issue 1

Looking Forward

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How Did Oregon Property Owners Fare in the 2021 Oregon Legislature?

Senate Chamber, Oregon State Capitol

The Oregon legislature recently completed its 2021 legislative session, with mixed results for Oregon property owners. As expected, OPOA was active in every important land use and property bill in the session, playing either the lead or second role in passing, modifying, or stopping each bill.

Due to COVID, the Capitol was quiet and empty this year, as the legislature passed rules prohibiting the public (including the lobby) from entering the building. The session was conducted almost entirely by virtual meetings and online communications. Legislative committees scheduled Zoom meetings to hear bills, work was conducted by text, email and telephone rather than face-to-face, and the public was not given the opportunity to meet with their elected officials.

"I understand and respect the legislature's decision to have a virtual session," said OPOA President Dave Hunnicutt, "but it made it tough for legislators to understand the true impact of the bills they were debating. Having the public in the building is important to remind legislators of the impacts of proposed new laws, and that was missing."

Despite the unusual session, the legislature approved a number of bills that impact Oregon property owners. "It was definitely a mixed bag for Oregon property owners this session," said Hunnicutt. "The limitations on access into the Capitol made it tough, but OPOA was able to stop really bad bills, significantly weaken others, and pass a couple of helpful bills. We're proud of our work this session."

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Here is a run-through of the land use and real property bills that were debated this session, and what happened to each bill:

HB 2289 allows property owners to rebuild homes lost in the Labor Day 2020 wildfires

House Bill 2289 (PASSED): House Bill 2289 was OPOA's top priority. Over 4,000 Oregon families lost homes and businesses in the 2020 wildfires, including the Labor Day fires in western and southern Oregon. This bill creates a simple, direct, inexpensive, and fast process for these property owners to rebuild a home or business that was destroyed in the 2020 wildfires. The bill bypasses the normal land-use laws and permitting requirements, including applications, public hearings, and potential appeals, and allows the property owner to rebuild quickly without the usual difficulties that are unique to Oregon. The bill is already effective. This was a significant win for Oregon property owners, and will serve as a guide for future disaster recovery impacts.

House Bill 2312 (PASSED): Since the formation of this country, the law has allowed a right of action allowing a court to resolve a property-line dispute between neighboring property owners. If two neighbors dispute the proper location of the boundary between their parcels, the law gives them the right to seek a decision from the court as to the correct boundary line. This bill requires state and local planning agencies and departments to recognize and honor a court judgment that establishes a boundary line and resolves a dispute between two neighbors. While this seems obvious, the bill was necessary because the Multnomah County Planning Department, unfazed by centuries of settled law and both the federal and state Constitutions, decided that a judgment entered by a local trial court judge in a property line lawsuit that changed the boundaries between two parcels resulted in both parcels becoming "illegal". The legislature made it clear that a judge's decision should be respected.

House Bill 2488 (FAILED): House Bill 2488 was an effort to create new "environmental justice" regulations by piggybacking them onto "social justice" issues, and using land use laws to achieve the result. The result was a mess that did far more harm to social justice than good. At one point, the bill would have required local governments to "identify and remedy disparate impacts when making any land use decision to achieve a fair distribution of the benefits and burden to the greatest extent possible." What this means is that every Oregon property owner who submitted a land use application to use their property would be required to prove that their

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proposal met this standardless requirement, even for the most mundane purposes like a new outbuilding or a replacement dwelling. If passed, new development in Oregon would have ground to a halt. As OPOA pointed out, in many cases the proposed "environmental justice" laws, which would force more Oregon families into ever shrinking urban areas, make it more difficult and expensive to drive cars, gentrify existing neighborhoods occupied by communities of color and force lower-income residents to the edges of town, and perpetuate a land- use system that has had tremendously negative impacts on poor and BIPOC families, would actually be worse for "social justice" than doing nothing. If we want to start remedying disparate impacts, we should start with a fresh look at our state land use laws and their impacts on the poor and communities of color, something that OPOA would immediately support.

HB 2611 allows non-farm uses to occur in ag buildings that are exempt from the commercial building code

House Bill 2611 (PASSED): For most rural property owners, the outbuildings on their property serve a variety of purposes. The same is true for Oregon farmers and their barns. It is uncommon to find a barn in Oregon that is devoted entirely to farm use, with no other activity occurring within. Whether the barn is used to store an old car, park the family RV for the winter, store some old furniture, or used as a repair shop for the family farm and non-farm equipment, barns are almost always used as multi-purpose buildings. Oregon law has long exempted barns and other accessory buildings from the commercial building code, as long as the barn is used for farm use. Recently, a few local building officials have developed a "zero tolerance" policy which requires a farmer or other rural resident making any non-farm use in their barn, no matter how minor, to comply with the commercial building code. The construction costs to comply typically exceed $100,000, and would be triggered when the farmer makes non-farm uses like the ones listed above. HB 2611 clarifies state policy, making it clear that farmers and other rural residents won't have to bring their barns/outbuildings up to commercial building code standards just because there's some non-farm activity within the building.

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House Bill 2654 (PASSED): The idea behind the bill is extend broadband services into rural parts of Oregon, so that rural Oregon families can have access to the internet and other services supplied electronically. This has universal support. The problem is that the first version of the bill would have allowed the rural electric co-ops to use their existing powerline easements for new broadband hardware without any regard to the impact of that new hardware on the rural Oregon property owners whose property was being burdened, essentially rewriting thousands of rural easements that had been negotiated between utilities and Oregon property owners over the last decade. OPOA, along with the Oregon Farm Bureau and representatives for Weyerhaeuser, argued that the proponents of the bill could achieve their objectives in a manner that didn't override existing easements, protected rural property owners, and created a fair system of resolving disputes if they were to occur. Fortunately, after extensive negotiations, the utilities agreed, and the bill was modified to create a win-win for rural Oregonians.

HB 2654 allows for better broadband access to rural Oregon without increasing conflicts with adjacent property uses

House Bill 2927 (PASSED): This bill is a good example of what happens when politicians and government officials try to solve problems that are outside of their area of expertise. The primary purpose of the bill is to reorganize the Oregon Office of Emergency Management, an issue that does not have a direct impact on OPOA's mission for Oregon property owners.

Normally, OPOA would not get involved with a bill like this. Unfortunately, hidden on page 56 of an 89 page behemoth bill was Section 107a, a small section of the bill with massive consequences to Oregon. That section would have required the establishment of 300 foot "wildfire buffer zones" on all sides of a dwelling. Within the buffer zone, all trees would be required to be removed. A 300 foot buffer zone on all four sides of a dwelling amounts to a 600'x600' treeless area, which is nearly 8.5 acres in size. When OPOA pointed out to the committee hearing the bill that an 8.5 acre treeless area around every home in Oregon would result in the complete removal of all trees from urban areas, and significant portions of trees in rural areas, and that maybe the sponsors of the bill should think through the "logic" of their proposal, Section 107a was quickly removed from the bill. Unfortunately, when large, complicated bills are drafted, mistakes like this are an all too common occurrence. Fortunately we were able to catch this one.

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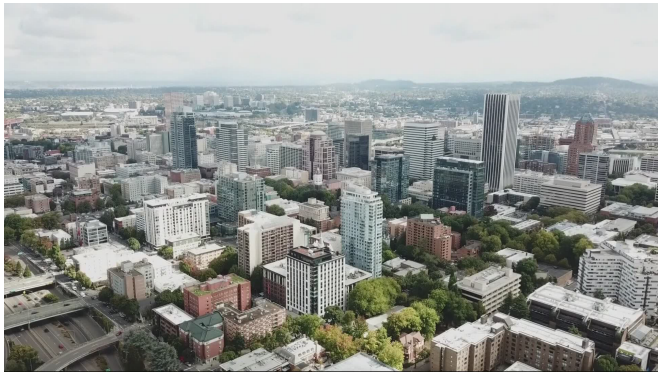
Senate Bill 405 (PASSED): Senate Bill 405 provides important protections for property owners with "non-conforming uses" on their property who were forced to abandon their normal activity due to the various state and local COVID-19 restrictions. It also protects the same properties from the impacts of the 2020 Labor Day wildfires. When a property is used in a way that was authorized when the use began, but would no longer be authorized under current law, the use is considered "non-conforming". For example, a school building that has been used for decades in an area where schools would no longer be allowed under state zoning laws is considered a non-conforming use, and can continue to operate as long as the use isn't discontinued or abandoned for a certain period of time, usually one abandoned for more than the allowed This proved to be a real problem for property owners who had non-conforming uses that could not be conducted due to the COVID-19 restrictions imposed by the state or local government, or uses that were lost to the Labor Day wildfires. It is unfair to punish property owners with non-conforming uses on their property by claiming that the use was abandoned, when the sole reason the use was abandoned was because it was prohibited by a COVID-19 shutdown order or it was destroyed in the 2020 wildfires and couldn't be rebuilt in time to meet the deadline. SB 405 fixes that problem.

SB 762 "contains multiple potential areas for significant new restrictions and requirements for Oregon property owners, both urban and rural."

Senate Bill 762 (PASSED): Sometimes the most important victories in the legislature are bills that are modified or defeated, rather than bills that are passed. Senate Bill 762 is one such example. This was the legislature's primary wildfire bill for the 2021 session. It contains multiple potential areas for significant new restrictions and requirements for Oregon property owners, both urban and rural. It is a dangerous bill that will be used by some groups and legislators to achieve limits on Oregon property owners that have nothing to do with preventing wildfires or limiting the damage resulting from them. Fortunately, OPOA, working with legislators from both parties, was able to remove language from the bill that would have locked nearly every rural Oregon property owner into the "wildland-urban interface" (WUI) for purposes of Oregon statute, where only the legislature could remove the designation. Inclusion in the WUI will result in new restrictions and significant new development requirements for Oregonians, making it critical that the maps are accurate and only contain areas where there is a mix (interface) of housing clusters (urban) and wildland fuels (wildland). Telling a farmer on 100-acres in Benton County that their property is "urban" and included in the WUI is silly, and locking that definition into statute is even worse. More than anything else, keeping this language out of statute was a huge win for Oregonians, and a defeat for the most ardent supporters of the bill, who used the wildfires as an excuse to achieve policy objectives that they would otherwise not be able to obtain. ■

Action Alert - New Wildfire Rules Will Apply to Nearly Every Oregon Property

Is your home or business at risk of being destroyed by a wildfire? If so, how high is the risk? As a result of the recent passage of Senate Bill 762 by the Oregon legislature, Oregon property owners are about to find out how the state views their property. Unfortunately, many people aren't going to like the state's answer.



Portland skyline. Does this look like "wildland"?

As discussed in the legislative article in this issue, one of the primary bills passed by the 2021 Oregon legislature was Senate Bill 762. SB 762 makes sweeping changes to Oregon wildfire policy, affecting how the state responds to wildfires and potentially mandating activities that property owners must take in order to lower their wildfire risk.

Unlike before, where regulations on property uses relating to wildfire were the primary responsibility of counties, SB 762 shifts control from local governments to four primary state agencies – the Oregon Department of Forestry (ODF), Oregon State Fire Marshal (OSFM), the Oregon Department of Land Conservation and Development (DLCD), and the Oregon Department of Consumer and Business Services (DCBS). SB 762 gives each agency a new role in shaping wildfire policy as it relates to private property.

Under the bill, ODF is in charge of creating a statewide map of wildfire risk. This map will serve as the state's map for all wildfire risk efforts. ODF is directed to map every Oregon parcel and assign a wildfire risk to the property. From a 10,000 acre ranch in Union County to a condo in Lake Oswego, ODF will classify every parcel in one of five wildfire risk classes – extreme, high, moderate, low, and no risk.

Once ODF completes its risk mapping and assigns a risk category to each individual property, they must then define and map the wildland-urban interface (WUI). As it sounds, the WUI is supposed to consist of those areas where a mix of housing and wildland fuels exist. The mixing of both is the interface.

Using the best available fire science and common sense, the WUI should include areas where a cluster of homes mixes with unkept wild areas. Get too far into town and there's "urban" but no "wildland". Get too far out of town and there's "wildland" but no "urban". It's those areas where both clustered development and wildland fuels that can rapidly spread a fire are present that should be mapped as the WUI.

Unfortunately, the environmental industry and some ardent supporters of SB 762 are using the most recent wildfire to create policies that have nothing to do with wildfire prevention. For these groups/legislators, an

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overly broad definition of WUI is helpful, as it subjects more property to regulation by OSFM, DCBS and DLCD (more on that below) while at the same time, providing more opportunity and money from the state for grants and "studies". Follow the money and power and you'll figure out what these folks want.

In fact, the supporters of SB 762 have made their intent clear. Until OPOA and the Oregon Farm Bureau were able to cobble together a bare majority of legislators to reject the proposal, SB 762 contained a definition of WUI that was so broad it would have required ODF to map a single ranch house on a 10,000 acre ranch as "urban" and include it on the maps. Fortunately, the legislature removed that definition from the bill, preventing it from being locked into statute forever.

The jury is still out on whether ODF will map the WUI based on science and logic and whether they'll adopt maps that capture areas where there is truly an interface between urban development and wildland fuels without going overboard by including rural areas with no urban pressure. ODF has formed a Rule Advisory Committee (RAC) to guide the agency, and OPOA is a member of the RAC. We're doing our best to keep the agency focused on science and common sense.

Why are the WUI definition and ODF maps important? Because once the maps are created, the other three agencies (OSFM, DCBS, DLCD) prepare rules for some or all of the mapped areas. SB 762 requires OSFM to draft "defensible space" rules for structures on properties within the WUI that are labeled as extreme risk or high risk.

Defensible space regulations are rules that will regulate both new and existing development in the WUI. SB 762 gives OSFM the authority to require removal of wildland vegetation, crops, managed timber, and landscaping. The agency may also regulate building locations, proximities, setbacks, and may require the construction of water retention facilities as a condition of siting a structure.

The Oregon Board of Forestry wants to declare ranches like this as "urban" areas.

The potential impact of the OSFM defensible space regulations to property owners is significant and worrisome. Farmers may find themselves being forced to remove crops near a barn, a rural resident may be forced to significantly alter their landscaped yard, a property owner may be prohibited from building a home on their property, and a small woodlot owner may be required to remove (and not replant) a stand of timber near a structure. These rules apply to new and existing development – there is no grandfather clause for existing structures.

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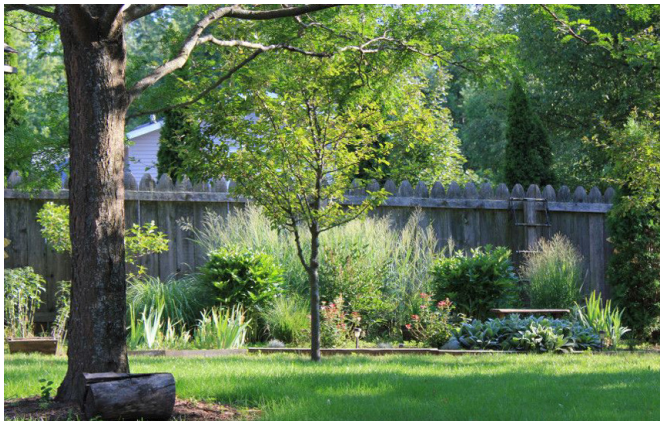
Given the potential impact to property owners, the size and location of the WUI is critical, as well as a correct mapping of the extreme and high risk wildfire areas. That risk is heightened based upon the role of DCBS under SB 762.



The new OSFM "defensible space" regulations may apply to backyard landscaping like this.

DCBS is the agency in charge of the state's residential and commercial building codes. Unlike other states, Oregon has a statewide building code for both homes and non-residential structures. SB 762 requires DCBS to create new amendments to the residential building code for dwellings and accessory structures for high and extreme wildfire risk properties in the WUI. The new building code standards are intended to "harden" homes by using materials and construction techniques that make the structure safer for human occupants during a wildfire event.

The new DCBS rules will apply to both new construction and also to exterior remodeling of existing dwellings/ accessory structures. During the hearings on SB 762, experts indicated that the new construction requirements could add as much as $100,000 to the cost of a new home or the remodeling of an existing structure. Given that the high and extreme wildfire risk areas will apply in both urban and rural areas, the DCBS rules could have significant impacts on housing prices, which are already at historic highs.

Finally, SB 762 directs DLCD to review the existing land use laws and recommend needed changes to the 2023 Oregon legislature. Fortunately, the bill does not require DLCD to make changes, only to report to the legislature. But the definition of WUI and the wildfire risk classifications are likely to play a significant role in what changes the agency recommends to the legislature, and will probably lead to a contentious bill in the 2023 session that tries to further erode property rights in Oregon. Having a reasonable definition of WUI and science based risk classifications will better ensure any new restrictions are limited, if they are proposed.

SB 762 is a broad bill with multiple impact points for property owners. OPOA will continue to update you as the agencies undertake their work, and will remain active in opposing proposals that are overbroad and unnecessary. ■

View From Scholls

In 2016, Habitat For Humanity published a research summary entitled "Beneficial Impacts of Homeownership". The summary should be a must read for every Oregon legislator and government official involved with our land use system.

For those of you unfamiliar with the organization, Habitat For Humanity is a non-profit corporation founded in the early 1970's that works both nationally and internationally to build affordable homes in underserved communities. Founded in Georgia, Habitat found its success early, based in large part on the support of Jimmy and Rosalynn Carter. Habitat works to better the lives of people around the world, and has built (and rebuilt) homes in many countries. For decades, Habitat has been a voice for the socially disadvantaged community.

Former President Jimmy Carter and First Lady Rosalynn Carter

Habitat's 2016 study shouldn't be surprising to anyone. According to the report:

> "Homeownership is a crucial foundation for helping low-income families find a path out of poverty. When they move out of substandard housing and into simple, decent, affordable homes, homeowners and their families frequently improve their health, educational attainment, safety and personal wealth."

The study goes on to demonstrate that homeownership leads to increases in children's good health, graduation rates and net family wealth, and lowers rates of children's behavioral problems, reliance on government assistance and asthma.

Not surprisingly, the U.S. Department of Housing and Urban Development agrees. Its studies have shown that "homeowners accumulate wealth as the investment in their homes grows, enjoy better living conditions, are often more involved in their communities, and have children who tend on average to do better in school and are less likely to become involved with crime."

All this makes me wonder why Oregon state and local leaders haven't figured out that Oregon's current land

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use laws inhibit home ownership, making it more difficult for lower income households to break the cycle of poverty and perpetuating the problems that HUD and Habitat so clearly point out can be remedied by increasing homeownership rates.

Earlier this year, we worked closely with Oregon legislators to introduce House Bill 3072, a bill designed to create a quick supply of "workforce housing" in parts of the state (i.e. nearly everywhere) where housing prices are unaffordable to working class families. Our targeted group were families with median family incomes that were right in the middle for their community. Younger couples starting their careers. Blue-collar workers who don't want to rent but can't afford a $500,000 mortgage on an entry level home in town. A single parent with a good job but no other financial support.

These families used to represent entry-level homebuyers, but they can no longer afford homes in today's housing market. That means they remain in the rental pool, which puts significant pressure on the rental market, where more families need to occupy the same units.

The bill applied to property owners in areas designated as "urban reserve" areas by the nearest city or Metro, the Portland area regional government responsible for managing the Portland-area urban growth boundary. Urban reserve areas are blocks of land that have been identified and selected as the next place for the urban growth boundary to expand, when growth makes that necessary. These areas have been analyzed and approved by both the local government and LCDC as the most logical places where a city should grow.

Property owners in urban reserve areas are in an interesting position. They know that their land will

A segment of the Portland Metro UGB.

eventually be inside the urban growth boundary, making it valuable. But the decision to bring the land inside the boundary is up to Metro or their city, and is completely out of the property owner's control. It may happen in 10 years, it may be 20 years, or it may be 30 years before the land is brought into the boundary.

Once the land is brought inside the boundary, the property owner will reap a reward akin to winning the lottery. For example, land zoned for exclusive farm use lying just outside the Metro urban growth boundary in Washington County sells for approximately $20,000/acre. If Metro brings that land inside the boundary, it sells for $700,000/acre. Obviously, that's quite a difference for the exact same land, and it's all based on the invisible urban growth boundary line drawn by Metro.

Why is land inside the urban growth boundary so expensive? Because Metro and our land use system intentionally create artificial shortages, making any available land extremely valuable. Supply and demand isn't all that complicated. Reduce the supply during a steady demand and the price goes up. As long as we continue to have an influx of people moving to Oregon (which we do), and Oregonians keep having children (which they are), we'll have a need for more housing and more land.

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Metro and the most strident advocates of the land use system will tell you that shorting the supply is needed to "save farmland" and encourage the maximum use of land already inside the boundary. But you don't have to advocate for unbridled sprawl to recognize that there's a middle ground that allows enough land inside the boundary to lower land prices to the point where less expensive housing can be built while at the same time not jamming more apartments and multi-family housing into every backyard of established single family neighborhoods.

It's called finding a balance, something that Metro and our land use agencies really don't show much interest in exploring, and likely wouldn't be good at if they were.

"There's a middle ground that allows enough land inside the boundary to lower land prices to the point where less expensive housing can be built while at the same time not jamming more apartments and multi-family housing into every backyard of established single family neighborhoods."

If you own land in the urban reserve, you probably know that your property is going to skyrocket in value when it's brought inside the boundary, but you have no idea how long that will take. You also know that if you sell your property now, the price will be low, because anyone who buys your property will be in the same situation you are.

At the same time, the cities on the edge of the boundary are facing tremendous growth pressure, and the resulting demands for more (and cheaper) housing. They also know that expanding the boundary is either entirely out of city control (for cities within Metro), or an endless slog through the state land use goals and a decade of lawsuits from every NIMBY group who believes that now that they live in town, nobody else should be allowed the same privilege, or that it's a bad trade off to lose an acre of cannabis, fallow acreage or wine grapes in order to give some young family a reasonable chance at getting out of the rental rat race. Just ask Bend, McMinnville, Newberg, Woodburn, Scappoose, or any of the small Willamette Valley cities about trying to expand the boundary under current Oregon land use law.

If we take nearly every local politician at their word, finding a solution that 1) enables the property owner to receive value for their property, 2) allows the city to avoid the boundary expansion quagmire that we've managed to create in this state, and 3) provides residents in the community with a supply of housing that is affordable to people in the middle is a win-win-win.

That's exactly what HB 3072 would have done. The bill allowed a property owner with land in the urban reserve and the adjacent city, working together in a partnership, to bypass the normal boundary expansion morass and bring land inside the boundary. In exchange, the property owner had to agree to limit development of the property to workforce housing, and the city had to agree to provide services to the property to enable the development to occur within two years.

How would the project pencil so that affordable homes could be built by the private sector? Easy – the property owner would have to agree to sell their property at a lower price than they would receive if they waited until the property was brought into the boundary under existing

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HB 3072 would have allowed houses like this to be sold for a fraction of the cost of an average home.

law. It doesn't take a genius to understand that if a homebuilder is required to pay $700,000/acre for bare land, and then pay another astronomical fee (somewhere between $10,000 and $50,000 per house) to the local government for the pleasure of building a home, it will be impossible to build a low cost home. But if the homebuilder could buy the land for $250,000/acre, then the housing could be built.

The bill required an agreement from both parties. If the property owner wanted to continue to wait until the land was brought into the boundary in the normal process, they could do so. If the city did not (or could not) provide services to the property, or did not want to bring that land within the boundary, it could refuse to do so. In other words, the bill created a partnership, not a mandate.

If the owner used HB 3072 to bypass the normal boundary process, the purchase price for their property would be significantly higher than it would be currently, but also likely much lower than it would be if the land was brought into the boundary without any restrictions on the type of housing that could be built. For the property owner, HB 3072 gave the property owner a choice – take less money now, but bypass an uncertain and potentially timely process that would likely result in more money at some point in the future.

The city could also choose to use HB 3072 to bypass the normal boundary process, saving years of headache and taxpayer dollars spent on trying to jump through every hoop and fight every NIMBY lawsuit thrown up as a roadblock to their need to build more housing, building a stronger and more diverse community, furthering the goals outlined in the HUD and Habitat studies, and keeping their promise to their constituents.

And best of all, the housing that would be built would be affordable without the need for any taxpayer subsidy. No funding schemes, no taxpayer grants, no urban renewal plans. Nothing but an agreement between a willing property owner and a willing local government.

The testimony in support of HB 3072 was fantastic. A local homebuilder with decades of experience testified that if HB 3072 were adopted and a Metro area city were to partner with a property owner in an urban reserve area, brand new homes could be built and sold for $250,000 per unit. These are brand new, single-family detached homes with yards and off-street parking. Not condos. Not duplexes. Not apartments. A house with a yard and parking for $250,000, a price that is less than half the current price of a single family home in the Metro area. In many instances, the monthly payment on a mortgage for a house at that price is significantly lower than the rent that is being charged for single family homes in the Metro area.

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So why did HB 3072 fail? Look to your "friends" at Metro and the environmental community. The Metro Council sent a strongly worded letter to the legislature telling them that HB 3072 bypassed Oregon land use law and threatened Metro's careful control of land use planning in the Portland Metropolitan area. Really?

How can Metro support the existing process? Its track record is less than stellar, as its decisions to expand the boundary or adopt urban and rural reserves have repeatedly been rejected by Oregon appellate courts or the Oregon Land Use Board of Appeals, forcing Metro to go back and redo the decision.

Worse yet, even when Metro goes back to the drawing board and eventually gets it right, the time it takes is years, not months. Metro's 2010 decision designating urban and rural reserves in Clackamas, Multnomah and Washington Counties wasn't finalized until 2019, and required the 2014 Oregon legislature to intervene and resolve part of the dispute and legislatively approve Metro's 2010 boundary expansion, overriding a lawsuit that was sure to succeed. Metro's most recent boundary expansion was approved by the Metro Council in 2018 – it's still being litigated today.

Given their record of failure and delay, and the need for immediate solutions for Oregon families, how can Metro justify keeping things the same? More importantly, why does anyone listen to their concerns?

The environmental lobby was equally disingenuous in their opposition to HB 3072. According to the Oregon League of Conservation Voters, the umbrella organization representing a host of small environmental organizations, HB 3072 was a "major threat" to the environment. Say what?

Dave Hunnicutt, President Oregon Property Owners Association

Looking at their website, OLCV advocates for issues involving climate change, oil spills, pesticides and other typical environmental causes. What does providing lower cost homes by eliminating red-tape and a broken land use process have to do with any of that? And more importantly, why does OLCV believe that the local governments who make the decisions under HB 3072 would support proposals that had negative impacts to the environment?

But in a legislative session where every hearing was conducted "virtually" and where the public was excluded from the Capitol, a few comments are enough to convince legislators that a bill is dangerous, especially legislators who don't understand our land use laws. And that's exactly what happened to HB 3072.

So I guess Habitat For Humanity and the Oregon residents they're trying to help will have to wait another two years before we can try again. Protecting Metro's role in the land use system is obviously way more important. ■

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