

Talking Points for Testimony to LCDC

Thank you, Chair Lazo and members of the Commission, for the opportunity to testify. For the record, my name is Alex Johnson, II, Mayor of the City of Albany. Oregon.

The Oregon Homes rules, as currently written, cannot and should not be implemented.

Oregon's strength lies in the diversity of its communities, from small rural towns to large urban centers. That diversity presents real challenges, and it is not possible to design a single statewide program that works for all communities.

Before highlighting a few specific issues in the proposed rulemaking, I want to emphasize how these details illustrate much larger structural problems with a one-size-fits-all approach.

- A universal 5-foot setback standard fails to account for major differences in local conditions, including infrastructure constraints, absence of sidewalks, existing franchise utility easements, and most importantly each city's fundamentally unique community character.
- There is an inherent conflict between the draft rules and the legislation in that the legislation intentionally uses "may," while the rules interpret "may" as "shall." This contradicts legislative intent and what was communicated to cities during the legislative process.
- The legislation gives LCDC the option to determine whether all siting standards should be regulated. That option is not provided through this rulemaking.
- A statewide "shall" mandate cannot work given the variation in infrastructure, public utilities, and the unique character of communities across Oregon.

Regarding the RAC Process in General

- The League of Oregon Cities (LOC) and Cities like Albany participate in nearly every DLCD Rulemaking Advisory Committee (RAC).
- From the experience of ours and other city's staff, who are in fact the subject matter experts, the RAC process needs improvement.
- We as jurisdictions dedicate substantial time and resources to meaningfully engage in RACs.
- Despite this, draft rules have not changed in response to this feedback.
- In many cases, our input has been dismissed or rejected outright.
- DLCD's RAC structure should be reworked to:
 - Present a draft framework early that reflects input from practitioners (Cities) and developers by incorporating their feedback directly into revisions.
 - Create separate community engagement events and accessible venues for community members to provide feedback without needing to navigate highly technical discussions.

Oregon's cities want to achieve housing goals. But for that to happen, we need rules that respect the diversity of our communities, reflect legislative intent, and are shaped through a collaborative process that values the expertise of local practitioners.

Thank you for your time and consideration.