

March 9, 2019

Honorable Chair Fagan and Committee Members:

Please consider the following testimony regarding Senate Bill 534.

The intent of SB 534 is unclear. The summary should explain what limitations the bill's provisions are removing or modifying.

My guess, from reading testimony by Elaine Starmer, of Lincoln City, is that an existing zone or overlay of "VRD" ("Vacation Rental Dwelling") may limit the number of single-family dwellings that are used as "vacation rentals" within some designated area. I also assume this results in some vacant lots that the owners do not develop because the owner wants to develop *only* a vacation rental.

Otherwise, in typical areas "zoned to allow for single-family dwellings," a single-family dwelling would be allowed on "buildable" lots of adequate size, dimensions, service, etc. In which case, this bill would seem unnecessary.

Regardless of the purpose of the bill, it would need several corrections, as follows:

- "the building of a single-family dwelling on lots" is grammatically incorrect and ambiguous.
Change to: "the building of at least one single-family dwelling on a lot."
- "(1) The lot's inability to be adequately served by water, sewer or streets;" overlooks other critical services.
Change to: "The lot's inability to be adequately served by water, sewer, streets, fire and medical emergency response, and other essential services for the public health and safety."
- "(2) The lot being too small or too steep to accommodate a single-family dwelling;" is not at all clear and objective, doesn't really provide even discretionary guidance and overlooks other critical properties of a "buildable" site.
Change to: "The lot being unreasonably small, too steep, unstable or otherwise unsafe to accommodate a single-family dwelling;"

With respect to invalidating "VRDs," if that is the intent; the bill should be withdrawn. A "vacation rental" is a use, which it's reasonable to prohibit in zones that were designated and built out with the use limited to "single-family dwellings" with the explicit or tacit understanding would be owner-occupied or long-term rentals. Allowing unlimited "vacation rentals" in such neighborhoods will clearly destabilize them and is an unethical "changing of the rules" that especially harms owner-occupants.

Thank you for your consideration.

Submitted by:

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