

April 8, 2019

Senate Committee on Housing  
Oregon Legislature  
900 Court Street NE  
Salem, Oregon 97301

Dear Chair Fagan, Vice-Chair Heard and Members of the Committee:

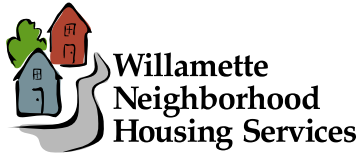
Please accept this written testimony in support of SB 8, including the -2 amendments. SB 8 provides a reasonable and measured change in support of affordable housing development, by providing prevailing party attorney fees to developers whose affordable housing projects are challenged to the Land Use Board of Appeals.

Willamette Neighborhood Housing Services (WNHS) and NEDCO are two nonprofit affordable housing and community development agencies that merged as of January 1, 2019. Together we own more than 400 units of affordable housing and serve low and moderate income Oregonians in Lane, Linn, Benton, Lincoln, Marion, Polk and Clackamas Counties. Our residents are supported through our community health worker programming, services that help our tenants navigate resources in the community such as health care and community resources. We believe that all Oregonians deserve a safe and affordable place to call home.

Developing affordable housing is an incredibly difficult task. It feels almost impossible to align the many factors that lead to a successful project: well-located land, zoning, comprehensive plan priorities, design standards, construction costs, 6-10+ different funding sources (and all of their various timing requirements and use restrictions), the needs of unique populations, the needs of local communities, etc. With the complexity of these projects, there is no quick fix or magic solution to suddenly meet the need for new units across our state; instead, we need to work collectively to reduce barriers and streamline the development of affordable housing across all of these areas. SB 8 is only one part of the solution, but it's an important part in reducing the risk that affordable housing developments – those that have received local approval - will be targeted with a LUBA appeal for the purpose of delaying the project and/or making the legal battle cost-prohibitive to continue it.

WNHS – like our nonprofit affordable housing development peers and the State of Oregon – is committed to citizen involvement in local planning efforts and in affordable housing development. During comprehensive planning processes, we are often helping publicize and host local engagement opportunities. During the development of individual projects, WNHS hosts multiple neighborhood meetings, including during pre-development so that neighbors can influence the design of the project. Almost every project we develop requires a site design review, PUD, or other land use process that also includes the opportunity for public testimony. And finally, many of our local funding applications include review by committees that encourage public testimony. We include and welcome public engagement at all of these steps.

The changes proposed by SB 8 would change none of the public engagement that I just described, and it's changes to the LUBA appeal process are quite narrow: it would only apply to projects that are 100%



Creating affordable housing and healthy communities

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affordable housing (not to mixed use or mixed income projects), and only in which the developer or municipality prevails (as opposed to an issue being remanded back to the local jurisdiction). It's a limited change that is designed to discourage those LUBA appeals that are used as a tactic to prevent much-needed affordable housing.

In the midst of our current housing crisis, SB 8 is one step in the right direction toward removing barriers and streamlining the development of housing for the most vulnerable Oregonians. We urge you to pass SB 8, with the -2 amendments. And thank you for all of your work to support Oregonians.

Sincerely,

Emily Reiman  
CEO  
NEDCO and Willamette Neighborhood Housing Services

