

Senate Committee on Housing and Development
Attn: Chair Pham, Vice-Chair Anderson, Senators Broadman, Nash, and Patterson
Oregon State Legislature
900 Court St NE
Salem, Oregon 97301

RE: Support to SB 462

Dear Chair Pham, Vice-Chair Anderson, and Senators Broadman, Nash, and Patterson

My name is Natalie Janney. I am a civil engineer in Salem, Oregon. I work with developers all over the State of Oregon to produce various types of housing. As a part of the development process, we work with developers to take their projects from conception, through the land use process, design, and permitting.

When it comes to solving our housing crisis, it would be nice if there was one thing we could change that would allow housing to get built quicker and cheaper. Unfortunately, a one-part solution isn't going to work. Like assembling a mosaic, where each small tile contributes to the full picture, that is how we will need to tackle our housing problem. SB 462 can, and should, be a part of that full picture.

While a lot of our land use regulations are based on good ideas, they all come with a cost. While each individual element may not be overly expensive, all together they can make projects unfeasible.

- A pedestrian walkway might not seem like a big ask, but when you consider that the walkway needs to be paved (increasing stormwater), accessible (i.e. no stairs), safe (meaning it will likely need lighting), a simple walkway can become a big deal.
- Design elements like pedestrian connectivity from roadways to building entrances for apartments can mean that stairs have to be built from the sidewalk to every single unit. On a site with topography, this can mean the addition of retaining walls in addition to the cost of stairs.
- Albany just enacted requirements for dedicated private common open space for lot divisions that will require the creation of Homeowner's Associations.
- We have a multi-family project that has been bisected into several smaller pieces of property because of street connectivity requirements. The property had two streets stubbed into it on the northern property line, was bordered on the east by a major arterial and on the south by a collector street. Along the north side of the property, to the west of the two stub streets, is an additional parcel. The southwest side of the property has a street stubbed in and there is vacant parcel to the west. We were required to provide 7 street connections, including two connections to properties that are undeveloped and had other street access. The proximity of the street connections, along with the topography of the site, broke up the site, making it much less efficient to develop and provide housing. With roadways come utility extensions, increased hard surface (more stormwater), as well as the general costs to construct. But for

multi-family, roadways also bring setback requirements, building orientation requirements, pedestrian/unit access requirements to name a few. (See pictures below)



The legislation mentions discussions regarding the time value of money. This is a crucial, often missed element, that creates frustration for developers during the land use process. While Oregon Law requires decisions within 120 days, that clock only begins after an application is deemed complete. We have been noticing that several cities have been dragging out the portion of time prior to deeming the application complete. City staff has 30 days to either deem an application complete or provide an incomplete letter. In theory, the incomplete letter is supposed to be clear enough that the applicant can address the items in the incomplete letter, resubmit the application and have a

complete application. More and more, Cities are using this resubmission to provide another incomplete letter, often with items that were not listed in the first incomplete letter. While applicants can require that applications be deemed complete, thus starting the 120 day clock, some Cities will threaten denial based on the new “incomplete” items. Applicants are faced with a choice of allowing multiple incomplete reviews or having to appeal a denial, both of which take time.

It can often feel like there is a silent battle between City planning staff and private development. Providing training to City Planner’s may help give some perspective about housing projects are affected by delays and codes. While this doesn’t mean the regulations will actually change, seeing a different point of view usually helps in all relationships. Housing is not different.

New legislation and LUBA cases can have a large impact on the policies for developing housing throughout the state. By providing a central training for all cities, the context, legal language, and implementation can be more consistently applied at all communities in the state, ensuring everyone is under the same understanding of how the legislation/cases are to be applied.

Thank you for your time and consideration.

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