

Submitter: Bob VanderLinden

On Behalf Of:

Committee: House Committee On Housing and Homelessness

Measure, Appointment or Topic: HB2138

I oppose Bill 2138 as proposed in the overview and PowerPoint on March 3.

After watching the meeting video: The proposal is to legalize and facilitate building 1000's of new homes (wait, 500,000 thousand over the next 20 years from the PowerPoint) to address the stated deficits and projected needs; provide less expensive rental and ownership costs (2500 sf townhouses?); address stated needs for housing for those with less than 80% AMI with some minimal developer incentives; reduce developer barriers while not addressing potential effects on existing owners from existing and increased traffic, water and sewer; providing official notification within a mere 100 foot distance from proposed developments even though effects are felt much farther than that; not preventing cities from being sued if they extend that notification based on their reasonable evaluation of impacts (real or not, it is what we are hearing from the city); not requiring cities to evaluate and provide reasonable notice of impacts; building denser housing based on the stated walkable community resources and amenities without having those items significantly in place (or a plan to); eliminating traffic impact analysis for significant developments; pushing out all of the impacts into the future for someone else to deal with.

The objective is good. The implementation seems haphazard.

Most homes I have seen are not going to be accessibly priced to meet under 80% AMI needs. For example, 2,500 sf townhouses in Riverwood. Even if there are developer incentives to include some homes that may be accessible to the under 80% AMI, it seems woefully short of the identified deficit and future needs. Again, 2500 sf townhouses are probably still out of the range of many first-time buyers.

I support the following North Albany Neighborhood Association proposals and comments:

- Middle Housing should only be allowed on existing lots or those created by new partitioning of land prior to June 30, 2021, the date that the Cities were responsible for having services available to support Middle Housing. This will help to minimize "greenfilling", which was not a goal of the Middle Housing rules, but rather an unforeseen consequence.
- Traffic Impact Analysis (TIA) prohibition should apply only to a single middle housing development on sites within areas of existing residential housing served by urban services on lots or partitions which were created prior to June 30, 2021. Any Middle Housing development that occurs on new lots or new partitions should be subject to TIA.

- People who live in a neighborhood deserve to be informed of imminent changes in their adjacent area. We oppose the language in HB 2138 with amendments to SECTION 20. ORS 197.365 that states, in part, (theCity) shall provide notice of the decision to the applicant but may not require that notice be given to any other person. We support SB 737 as submitted by Sen Sara Gelsler Blouin that expands the radius for giving neighbors notices of proposed middle housing land division. Cities need to understand that they can be responsive to their residents and should not be held liable if they send notices to nearby residents. Incorporating changes made in SB 737 is important for both the Cities, who fear lawsuits if they keep the residents informed, and residents who feel the State is paving over their rights.
- To ensure dense developments (i.e., more than 10 plexes, townhouses or cottages in a single development) that are not located in walkable communities have adequate infrastructure, there must be an active bus service or mass transit stop within ¼ mile of the development. If there is no active public transportation system in the area, such infrastructure must be implemented before the units are sold. System development fees should be used to address this lack of mass transit infrastructure.