

February 8, 2019



Representative Alissa Keny-Guyer
Chair
House Committee on Human Services and Housing
900 Court Street NE, Rm 453
Salem, OR 97301

Re: Testimony Regarding HB 2001

The City of Hermiston respectfully wishes to submit testimony to the House Committee on Human Services and Housing in opposition to HB 2001. The intent of the bill is noble, but the implementation is not in harmony with Statewide Planning Goal 1 and with the Home Rule doctrine in the Oregon constitution. Goal 1 seeks to solicit citizen input in all stages of the land use decision process. A legislative amendment rather than a local requirement removes the ability of the citizenry to participate in an important part of the planning process. Similarly, the concept of home rule states that each city is able to determine how best to satisfy local demands while simultaneously meeting state and federal law. Cities should retain the right to be the arbiters of how best to craft local zoning law.

The City agrees with the desire to increase density and provide all needed housing types under Goal 10. The City itself has undertaken code amendments to move towards this goal. For example, the City now has a residential infill program which allows existing underdeveloped residential property to develop at a higher density than otherwise allowed in our code. However, before a property can take advantage of the infill program, a hearing must be held allowing Goal 1 citizen participation. The City has had luck with this program leading to more dense development on lots that were otherwise considered built out. We have similarly implemented the state's requirement to allow accessory dwellings city-wide and amended the development standards to increase density and reduce development costs. The city has undertaken most of these amendments voluntarily in response to changing local needs.

However, even with these changes, the vast majority of new housing is still single-family, detached housing. The ability to build middle-housing is already in place in all but one of the city's residential zones yet the market demand supports single-family. The lack of middle-housing is a result of more than just zoning barriers. The committee may wish to consider researching what factors, such as cost of labor, cost of code compliance, and other structural factors make it most attractive to build single-family dwellings above all other housing types.

As noted, the City is supportive of the legislature's goal of increasing middle-housing construction in the state. One alternative solution that we propose is to amend HB

2001 to require cities to implement middle-housing requirements on property annexed or zoned for residential use after a certain date. This alternative allows cities to adequately plan for utility and transportation infrastructure, involve the citizenry in the hearings process, and in general adequately plan for denser development. The City fears that making this requirement retroactive on existing neighborhoods will negatively impact our ability to adequately provide services and provide our residents with the neighborhood quality they have come to expect.

Thank you for your consideration in this matter.

Sincerely,



Clinton Spencer
City Planner

C: Byron Smith, City Manager
Hermiston City Council
Representative Greg Smith, District 57