



February 25, 2021

Representative Julie Fahey, Chair
House Committee on Housing
Oregon State Capitol
900 Court St. NE
Salem, OR 97301

RE: Opposition to HB 2558

Dear Chair Fahey and Members of the House Committee on Housing:

Thank you for the opportunity to comment on HB 2558. While we appreciate the Legislature's continued work to address the significant housing issue we have in Oregon, we do have concerns with HB 2558 that fall into two general categories that we will address below.

First, we have concerns with addressing local zoning issues through state law. We do not question the Legislature's authority to prescribe specific zoning outcomes in the manner proposed in HB 2558. However, we caution the Legislature to be judicious in exercising its authority in this fashion, as it represents a stark break from the general premise of state land use law that leaves zoning decisions to local communities, and conflicts with the foundation of local self-determination contemplated by Article XI Section 2 of the Oregon Constitution and codified in 241 city charters. We question whether the issues proponents seek to address are of such critical nature as to warrant an alternative to statutory and constitutional principles.

Second, we have policy concerns should HB 2558 be enacted. Multifamily is undefined within the legislation and cities do not have the ability to apply minimum parking standards. If this bill moves forward, we strongly urge amendments to define multifamily and to clearly state that cities can apply parking minimums to non-residential and mixed-use developments.

Furthermore, goal protections should be expanded to include at least historic resources; other goal protections may need to be included as well. HB 2558 as written does not provide for an opportunity to address deficient infrastructure, which needs to be remedied to ensure services are available to meet density requirements. Similarly, there is no provision indicating whether cities will be subject to the Transportation Planning Rule (TPR) and if so, how do they resolve conflicts between regulations adopted pursuant to HB 2558 and the requirements of the TPR? Finally, the timelines for compliance are relatively short, leaving little time for public outreach, engagement and education. This is especially important as we are still working to help our community understand the changes forthcoming with implementation of HB 2001.

Thank you for the opportunity to provide comments on HB 2558.

Sincerely,



Andy Smith
Government Relations Manager
City of Hillsboro