



TO: Oregon Legislature  
Senate Committee on Housing & Development

FROM: Matt Brinkley, Planning Director  
City of Medford

DATE: January 27, 2021

RE: SB 458 questions

Thank you for the opportunity to provide input on SB 485. The City of Medford continues to be supportive of the legislature's work to increase housing supply, address affordability and assist municipalities in land use planning. We support what we believe the goal of SB 458 to be – to streamline the process for review and approval of land divisions - but have some concerns we felt should be placed on the record. Having just received the amendments, we apologize for not bringing the questions to sponsors first to help with any misunderstanding we might have.

1. Circumvention of land development code: If you have a 100-parcel lot and only a portion is “middle housing”, does the entire subdivision fall under these new land division rules?
2. Bypassing review criteria: Does Section 2 (3)(a) preempt a city’s ability to control design and siting through clear and objective standards or not?
3. Foregoing public process: Does Section 2 (3)(c) allow for consideration of an application without public input? Medford has already moved to administrative review of partitions, but we worry that preventing people from testifying in a public hearing on a large subdivision may run afoul of other statewide planning goals, especially Goal 1.
4. Unrealistic timetables:
  - a. 5 days to deem an application complete will lead to a vast amount of “Incomplete” letters. The current limit is 30 days. Some applications require a lot assistance and collaboration to even get them to point where they can be reviewed, and that takes time. A 5-day limit will mean a planner will likely only have enough time to look at an application and reject it.
  - b. 60 days for a final local decision only works if the decision is not appealable and is not subject to any of the other statutory requirements by a limited land use decision (i.e. leaving the record open). The current limit of 120 days can be difficult if a decision is appealed; cutting that period in half, at a time when many jurisdictions are working with reduced staffing, will not benefit the communities we serve. It will only make it that much more difficult to meet their growing needs.

We hope that these issues can be addressed and implementation concerns mitigated so we can support this legislation.

We appreciate your public service.