

Submitter: Benjamin Nielsen

Committee: Senate Committee On Housing and Development

Measure, Appointment, or Topic: SB974

I oppose the -1 Amendment for SB974 in general, and in particular the elimination of Design Review as proposed in the SB974 –1 Amendment “Section 12 (5)” on page 10 and “Section 13 (5)” on page 11.

I am writing you today regarding SB974 to encourage you to reject (and encourage your colleagues to reject) the -1 Amendment, which is, in general, poorly reasoned, and specifically adds unnecessary new burdens on both Oregon municipal governments and developers of much needed new housing while also removing reasonable requirements that help new development fit into our communities.

The [-1 Amendment \(on page 5, line 15\)](#) adds to the definition of “limited land use decision” in [ORS 195.015](#) the development of an “urban housing application”, which the Amendment defines as including the siting of “a specific dwelling structure, including single-unit dwelling, manufactured dwelling, middle housing, single room occupancy or multiunit building.” This poorly thought out addition to state law will add unnecessary bureaucracy to the development of housing across the state, requiring municipal governments to provide public notice and comment periods for ALL housing, as required by [ORS 197.195](#) for all limited land use decisions. Current law includes only specific, larger-scale land use decisions, such as new land divisions, as requiring such public notice and public comment, and Portland, specifically, currently has no such requirement for the development of housing at any scale.

In addition to adding unnecessary bureaucracy to all new housing, the -1 Amendment removes the ability for communities, such as Portland, to have reasonable landscaping and urban design requirements (aka: “design review”) for new development. As a design and development professional who lives and works in Portland, I can speak to my experience here. Going through design review is not required to develop new single-family, ADU, duplex, or other middle housing in Portland at all, and it is not required for most multi-family housing either. Where design review may apply (for larger-scale developments in specific corridors and centers—a very limited geography), most new residential development uses the objective standards track in the city’s (and state’s) two-track system for design review, which requires only the bare minimum in terms of urban design. Crucially, this track does not add any additional time to the development review process. For those projects that do go through a discretionary design review process, this can occur concurrently with other permit review requirements.

Additionally, Portland's code does not allow for reductions in height or floor area in any development, does not require parking if none is proposed, and the city's discretionary design guidelines do not impose specific styles or aesthetics upon the design of buildings. Rather, the city's design guidelines and objective urban design standards aim to foster the further development of resilient and enduring buildings and vibrant, walkable, enjoyable neighborhoods and centers.

These are the reasons design review and such urban design standards were developed and exist in the first place: to counter the sterile, unpleasant, and auto-oriented development prevalent from the 1950s through 1980s. They are not designed, nor do they function, to hinder or burden new residential development. Instead they aim to ensure new development contributes to the life and character of our city.

Thank you.