



February 7, 2022

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

RE: HB 4063

Dear Chair Fahey and Members of the Committee:

The City of Hillsboro appreciates the work of Representative Morgan and the various stakeholders on the issue of substantial completion and believe we've had productive conversations on how we can achieve our shared goal of creating more housing. However, we are concerned with certain components of HB 4063 which are more fully described below. It is our belief we should continue forward with those areas of the bill we believe we can find consensus and continue conversations on the other areas during the upcoming interim. For our comment purposes, we are focused on three distinct areas of the bill and would defer to other stakeholders who are better situated to comment on the remaining portions.

The first area of concern is relating to road completion in section 3(1)(c)(G). While we have concerns around infrastructure, we believe some minor changes to the existing language will help provide clarity and lessen our concern. Specifically, we recommend amending that language to read:

Requested Change:

(G): The roads engineered and constructed to support load designs necessary for all-weather access and all vehicle loading of any emergency response vehicles and any heavy construction vehicle traffic that will utilize the roadway until final completion, whether or not the roads are fully paved or completed;

We believe this change will add clarity that it applies to construction vehicles in addition to emergency response vehicles and adds language indicating a timeframe to final completion. With these changes, the City of Hillsboro would be comfortable moving that section of the bill forward.

The additional concerns for the city are sections 3(4)-(5), which would require permits be issued prior to a plat being recorded and would also require the issuance of temporary addresses.

Regarding building permits prior to a plat being recorded, we have the following two main concerns. First, without a recorded plat, there is no way for inspectors to verify lot lines prior to foundations being poured. An example would be homes with minimal setbacks and minimal distance between each other, which raises the need for ensuring lot lines are correct. Small variations can have large impacts. Second, property pins are verified at the time of plat recording and this opens us up for error with appropriate lot lines. Based on these two primary concerns, we recommend the conversation on this topic be deferred to the interim.

In terms of requiring the issuance of temporary addresses, many cities and counties that have developed their own e-permitting systems have invested significant time and funding to develop those systems and some permitting systems may have limitations with this new requirement. All of the permit and utility billing systems are indexed by an address or tax lot identification. If there is no recorded plat, the City of Hillsboro has concerns with how indexes will be reconciled with temporary addresses. Additionally, issuing addresses before plat recordation means there will be no right of way within our mapping software as the right of way is created by the county with the plat recordation. This will result in address points in a green field with no indication of the street network or response. It is our belief that this will cause issues in emergency response, the breadth of which we're still analyzing and discussing with stakeholders.

With the above issues, it is our recommendation the legislature move forward with areas of consensus and continue to work on issues in the interim where more discussion is needed. Again, we are very appreciative of the diverse stakeholder group that has come together to discuss this issue thus far and look forward to continuing the conversation.

Thank you for considering our comments on HB 4063.