

Submitter:

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On Behalf Of:

Committee: House Committee On Housing and Homelessness

Measure, Appointment or Topic: HB2138

Middle Housing should only be allowed on existing lots or those created by new partitioning of land prior to June 30, 2021, the date that the Cities were responsible for having services available to support Middle Housing. This will help to minimize greenfilling, which was not a goal of the Middle Housing rules, but rather an unforeseen consequence.

Traffic Impact Analysis (TIA)prohibition should apply only to a single middle housing development on sites within areas of existing residential housing served by urban services on lots or partitions which were created prior to June 30, 2021. Any Middle Housing development that occurs on new lots or new partitions should be subject to TIA.

People who live in a neighborhood deserve to be informed of imminent changes in their adjacent area. We oppose the language in HB 2138 with amendments to SECTION 20. ORS 197.365 that states, in part, (the City) shall provide notice of the decision to the applicant but may not require that notice be given to any other person. We support SB 737 submitted by Sen Sara Gelser Blouin that expands the radius for giving neighbors notices of proposed middle housing land division. Cities need to understand that they can be responsive to their residents and should not be held liable if they send notices to nearby residents. Incorporating changes made in SB 737 is important for both the Cities, who fear lawsuits if they keep the residents informed, and residents who feel the State is paving over their rights.