



Oregon

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TO: The Honorable Senator Kayse Jama, Chair
Members of the Senate Committee on Housing and Development

FROM: Emma Land, Legislative Coordinator
Palmer Mason, Senior Policy Advisor

RE: **SB 8**

SB 8 limits the standards and conditions of approval that local governments may apply to certain affordable housing. The bill also requires local governments to approve affordable housing development applications on lands not zoned for residential use under certain conditions. The department is not taking a position on this bill but would like to suggest several small tweaks that could improve this legislation.

Section 2, subsection (2) of the bill requires local governments to approve an application for affordable housing development without condition if certain circumstances are met. Section 2 subsection (6) appears to define the circumstances where the criteria of subsection (2) may be applied to a development application in an urban growth boundary. However, as written, this link is not explicitly clear. DLCD recommends adding a provision in Section 2 subsection (2) that clearly calls out the criteria of subsection (6) in order to avoid any confusion or potential litigation.

Additionally, Section 2 subsection (6) identifies specific circumstances where development applications cannot occur, including where, “the property cannot be adequately served by water, sewer, storm water drainage or streets...” The department recommends replacing “streets” with a more comprehensive term such as “transportation infrastructure” or “transportation facilities.” The term “streets” is too limited, and making this change would allow for development to occur near necessary transit infrastructure such as bus stations.

Thank you for this opportunity to share this information. The department would like to reiterate our interest and willingness to work with the bill sponsor and committee to address these concerns and improve this legislation.