

From: [Thomas Karwaki](#)
To: [GOV Hpac * GOV](#)
Subject: University Park Neighborhood Association comments on recommendations
Date: Friday, September 8, 2023 1:14:53 AM

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Co-Chairs Tovey and Hall and Council Members:

The University Park Neighborhood Association's Land Use Committee requests that the Housing Production Advisory Committee consider the following comments.

- 1) There is no evidence that environmental regulations have caused the housing shortage in Oregon, so relaxing such regulations will not solve this problem. In fact due to the state's fire season created by climate change the HPAC should be considering how to make housing more resilient and suggest how building and zoning codes should be modified to minimize the impact of climate-caused housing shortages in Oregon. The HPAC should recommend improved building codes that eliminate wooden roofs, require fire-resistant siding, greater distance between structures etc.
- 2) There is no evidence that the Urban Growth Boundaries are creating the state's housing shortage. Relaxing or eliminating UGBs will result in far greater public investments in roads and utilities, result in greater air pollution, lower public health, and will have a minimal impact on housing prices. Instead, the HPAC should consider reducing parking requirements for new housing - which will reduce land costs for the developer and make housing more affordable.
- 3) The HPAC should recommend energy-efficient technologies be mandated for new housing construction such as heat pumps. This will reduce the total cost of homeownership and reduce total housing expenses for renters by reducing energy expenses.
- 4) University Park (which includes the University of Portland) has two major Superfund sites and includes several wetlands within its borders and in the adjacent neighborhoods (including those in Rep. Dexter's district). Relaxing wetland restrictions will not create new housing in Portland and can cause permanent and irreversable environmental damage.
- 5) The HPAC should host listening sessions or hearings throughout the state to engage the full community of renters, homeowners, institutions and businesses who will be impacted by its recommended policies.
- 6) The HPAC may want to recommend greater funding for land banks and other means of reducing the costs to developers and homeowners and increasing the supply of affordable and shovel-ready land.

Thomas Karwaki
Chair, University Park Neighborhood Association

From: [Chris Browne](#)
To: [GOV Hpac * GOV](#)
Subject: Trees in Development Situations Recommendation
Date: Tuesday, September 5, 2023 8:06:49 AM

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I wholeheartedly agree with your section on Trees in Development Situations Recommendation. I do think that it should not be only on lots that are 6,000 sq ft or less. I think that with the need for housing it should be expanded to lots that are up to half an acre. 20,000 sq ft.

Chris Browne 503 281 0077
5905 NE Failing st
Portland Oregon 97213

From: [HV City Arborist](#)
To: [GOV Hpac * GOV](#)
Cc: [Todd Prager](#)
Subject: Tree comment for Sept. 8, 2023 Monthly Housing Production Advisory Council Meeting
Date: Friday, September 8, 2023 8:43:00 AM
Attachments: [World Health Organization A brief for action.pdf](#)

You don't often get email from cityarborist@happyvalleyor.gov. [Learn why this is important](#)

Housing Production Advisory Council,

This email is in response to the proposed change in tree standards to ease the feasibility to include more housing into Oregon Housing Systems.

Please consider this view as you make your decision. People are healthier in and around trees. Oregonians can sometimes take this for granted as we live among some of the tallest and most healthy forests and ecosystems in the world. Within our state growing trees is an afterthought. With this proposal I would like the Advisory Council to consider forethought as they approach this issue. If as stands, all trees smaller than 48" would fall out of jurisdiction for permit. One 48" tree is very large. Most 48" trees did not get to be 48" trees by themselves. It was a long process with many trees of various sizes contributing to its eco system. Please consider keeping ecology intact by requiring a smaller tree size. 28-32" helps to create the middle understory that is needed to support large tree ecology. We are experiencing tree canopy loss at an alarming rate. What we have taken for granted in the past will not be with us for the future.

I submit the 'World Health Organization: A brief for action PDF' and urge you to consider an unintended side effect by mandating such extreme rule of the 48".

Please also work into your planning a follow up review study of benefits and consequences of these actions should you decide so that we can learn from this for the future.

Respectfully,

Leslie Gover

City Arborist

Happy Valley, OR

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From: [suzanne.sherman](mailto:suzanne.sherman@fatcathatsandsacks.com)
To: [GOV Hpac * GOV](#)
Subject: Testimony for the Housing Production Advisory Council Meeting Sept 8th
Date: Friday, September 8, 2023 12:04:22 AM

You don't often get email from suzanne@fatcathatsandsacks.com. [Learn why this is important](#)

Good Day,

I am unable testify during the Housing Advisory Council Meeting on Sept 8th and would like to enter this written testimony into the record:

I am greatly concerned that the Council is recommending to Governor Kotek to rollback environmental protections on urban landscapes including protections for isolated wetlands, trees and environmental zones. I strongly oppose the rollback of these protections or any expansion of the Urban Growth Boundary.

I am deeply concerned that the process in reaching this recommendation has not been transparent or balanced. The council, which is heavily stacked with developers, has no environmental representation and has not sought input from the environmental community. The process should be fair and include public participation and input in these land use decisions.

We may have a housing crisis BUT we also have a climate crisis and we need to strengthen environmental protections not weaken them!! It is imperative that we find solutions for our housing problem that do not degrade our environment or contribute to our climate crisis.

Thank you,
Suzanne Sherman
Portland, OR



DATE: August 21, 2023

RE: Opposing HPAC recommendation re: urban trees

Dear Governor Kotek:

Oregon's cities are in a climate crisis, with our most vulnerable residents already dying from scorching heat. Urban tree canopy is a key factor in keeping urban neighborhoods cooler, but its inequitable distribution within cities including Portland [is magnifying climate impacts on historically marginalized communities](#).

Within this broader context, the twenty organizations signed on to this letter - representing many thousands of Oregonians - strongly object to the recent proposal from the Housing Production Advisory Council (HPAC) to restrict local governments from maintaining their urban forest canopy while increasing housing density. This recommendation stands in stark contrast to work taking place throughout the state and nation to *increase* tree cover as a key tool for growing climate-resilient cities.

For example, through the Inflation Reduction Act, the federal government is investing deeply in urban forestry efforts nationwide to plant more trees, especially in low-income, low-canopy urban areas whose residents are most likely to suffer from the adverse health effects of neighborhoods with fewer trees. Through the Portland Clean Energy Fund (PCEF), Portland is investing millions of dollars over the next five years in planting tens of thousands of trees to help counter the city's well-documented shade inequity. In addition, Portland just began updating its Urban Forest Plan and associated canopy targets, which will inform the subsequent revision of the city's tree code. With great climate challenges ahead, residents look forward to ensuring that these policy updates reflect the importance of maintaining, and increasing, urban forests to better meet projected climate realities.

Instead of creatively engaging the challenge of maintaining tree cover while increasing housing density, HPAC suggests, in effect, that cities should be stripped of their power to implement existing tree codes, and instead: "On platted lots less than 6,000 square feet where an increase in density from the current configuration of the lot is proposed. No city or jurisdiction shall deny a permit for the removal of trees less than 48" in diameter, nor shall they charge a fee-in-lieu for the removal. For trees larger than 48" in diameter, the city or jurisdiction must offer a program that allows for replacement trees to be planted or for a fee in lieu option, with reasonable caps on fees, when the replacement tree option is not feasible." And it proposes that "where multi-family or single-family development" is proposed, "Trees...that are located in areas of needed streets, utilities, topography, grading and density, shall not be required to be preserved regardless of size."

This extreme proposal would have severe and inequitable consequences. More than half of Portland's tree canopy is located on private property. However, trees larger than 48" in diameter at breast height (dbh) are very rare in residential areas, especially on private property. Urban trees of 20" dbh or more are considered "big trees." This proposal would mean, in effect, that **all** trees could be removed without any restrictions or fees. This is a greenlight for developers to clear-cut lots without even paying for replacements the city could plant elsewhere. Further, the vast majority of residential lots in Portland are less than 6,000 square feet, so this proposal would apply in most neighborhoods and certainly in lower income areas. As a result, the extensive growth that Portland anticipates over the next decades would exacerbate the declines in tree canopy and increase the heat-related illnesses and deaths we're already experiencing.

We firmly support building new, affordable housing. We also believe that affordable housing should be *healthy* housing. Housing that removes existing trees and provides no space for trees is not healthy. U.S. Forest Service research has found [direct links between human health and nearby canopy](#) and, as we've noted, these benefits will become ever more important in our increasingly hot cities. Indeed it is critical to protect **all** green infrastructure on the urban landscape: trees, wetlands, environmental zones, the Willamette River Greenway, and more.

Housing and green infrastructure are not mutually exclusive and should not be pitted against one another. Both are necessary. It would be far more innovative and equitable for your council to be charged with meeting goals for housing, public health, and climate justice simultaneously. With smarter, upfront, climate-centric designs that integrate housing and space for trees, we can have healthier residents and be better climate-prepared.

The HPAC proposal seems designed with one goal in mind—to facilitate developers' ability to build more, profitable, though not necessarily better or affordable, housing at all costs and at the expense of community health, climate and tree canopy equity, environment, livability, and other stated Oregon goals.

Finally, it appears that no one representing these other crucial state interests and goals sits on HPAC. This stymies truly integrative planning that would result in better, healthier outcomes for Oregon residents. Not only do we urge you to reject this HPAC proposal, we also urge you to include at least one or more urban forest and climate justice representatives on your advisory council. We look forward to talking with you about this important issue as soon as possible.

Sincerely,

Kyna Rubin, Trees for Life Oregon
Brenna Bell, Forest Climate Manager, 350PDX
Bob Sallinger, Urban Conservation Director Willamette Riverkeeper
Yashar Vasef, Executive Director, Friends of Trees
Micah Meskel, Assistant Director of Conservation, Portland Audubon
Heather Keisler Fornes, Executive Director, Portland Fruit Tree Project
Albert Kaufman, We Keep Trees Standing
Gayle Palmer, Thrive East PDX, Tree Enhancement for Shade Equity
Ted Labbe, Depave
Jan Zuckerman, Braided River Campaign
Debra Higbee, Conservation Committee Chair, Oregon Chapter Sierra Club

Joanna Kirchoff & Alice Shapiro, Portland Raging Grannies
Lynn Handlin, Cascadia Magical Activists
Annie Cabeckstany, Extinction Rebellion PDX
Scott Shurtleff, EcoFaith Recovery
Melissa Bearns and Bruce Nelson, Co-leaders, Cully Tree Team
Carol Hasenberg, East Portland Parks Coalition and Hazelwood Neighborhood Association
Alison Wiley, Electric School Bus
Harriet Cooke, Havurah Shalom Climate Action Team
Melissa Crosby, Parkrose Argay Opportunity Coalition

Cc:

Taylor Smiley Wolfe, Housing and Homelessness Initiative Director, Governor's Office
Karin Power, Natural Resource and Climate Policy Advisor, Governor's Office
Matt Tschabold, Sr. Housing Policy Advisor, Governor's Office
Geoff Huntington, Sr. Natural Resources Advisor, Governor's Office
Alana J. Cox, Building Codes Division, Oregon Dept of Consumer and Business Services (DCBS)
Michelle M. Usselman, DCBS
Thea Chroman, Oregon Department of Land Conservation and Development
Scott Altenhoff, Oregon Department of Forestry Urban & Community Forestry
Evan Elderbrock, Oregon Department of Forestry Urban & Community Forestry
Andrea Bell, Oregon Housing and Community Services
Dan Ryan, Portland City Commissioner
Carmen Rubio, Portland City Commissioner
Jenn Cairo, Portland City Forester
Brian Landoe, Portland Parks & Recreation/Urban Forestry
Donald Oliverira, Portland Bureau of Planning and Sustainability
Adena Long, Portland Parks & Recreation
Rebecca Esau, Portland Bureau of Development Services
Ethan Nelson, City of Eugene
Roberta Jortner, co-chair, Portland Urban Forestry Commission
Adrienne Feldstein, co-chair, Portland Urban Forestry Commission
Vivek Shandas, former chair, Portland Urban Forestry Commission
Rep. Khanh Pham
Rep. Mark Gamba
Senator Michael Dembrow

From: [Reuben Peterson](#)
To: [GOV Hpac * GOV](#)
Subject: Re: Testifying at HPAC hearing on 9/8/23
Date: Friday, September 8, 2023 9:15:39 AM

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Thanks Dagny. My written testimony is below.

Reuben

Testimony

We are in both a climate crisis and a housing crisis. We need solutions that work to solve both these crises, not proposals that help one but hurt the other. My community and I strongly oppose any rezoning, removal, construction, or development of all wetlands, trees, the Willamette River Greenway, and all other environmental areas. There are ways to build housing without destroying large areas of the environment, such as requiring higher density housing for low income people in already developed but mostly unused areas.

The last several years show we need more environmental protections which offer a myriad of benefits, including climate disaster mitigation, improved mental health, reduced flooding, and improved air quality -- for free! When a developer destroys an environmental area, there is a tremendous unjust cost placed on the surrounding communities. Reparations are slow, imperfect, and are a burden placed on the community to build water treatment plants, replant trees, and change infrastructure to fix the problems caused by overzealous housing development. They are also reactive; action is taken only after a terrible problem, such as undrinkable tap water or massively increased chances of respiratory diseases, afflict a significant amount of the population.

Lastly, it is obvious almost everyone in the Housing Production Advisory Council is a wealthy housing developer. This is unjust, biased, and unbalanced at best, and blatant corruption and exploitation at worst. I demand people are added to the council that speak for environmental priorities, human health, and marginalized communities.

On Thu, Sep 7, 2023 at 11:22 AM GOV Hpac * GOV <HPAC.GOV@oregon.gov> wrote:

Hi Reuban, written testimony can be submitted directly to this email.

Thanks!

Dagny

From: Reuben Peterson <rjpeterson71@gmail.com>
Sent: Thursday, September 7, 2023 8:24 AM
To: GOV Hpac * GOV <HPAC.GOV@oregon.gov>
Subject: Testifying at HPAC hearing on 9/8/23

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Hi, I would like to testify, but I would prefer to submit written testimony because I am unable to attend the meeting in person and attending via video call will be difficult for me. Is that an option?

Thanks,

Reuben Peterson

From: [Zou Stasko](#)
To: [GOV Hpac * GOV](#)
Subject: Open Letter Petition in regards to tree code legislation
Date: Friday, August 18, 2023 3:45:53 PM

Dear Housing Production Advisory Council,

Below is the link to an open letter signed by state and city arborists urging you to not change the current tree code in regards to lot development and to continue to protect Oregon's municipal mature tree canopy. It is an automatically-filling petition that will continue to register all signatures sent in.

We hope that you hear our message and that we can come to an agreement that both fulfills urban housing needs and protects the trees that we love and cherish.

<https://docs.google.com/document/d/1Cb1Rub3RnekmEyVagovdZQPChZDxMX1Efl5pxvMOyQk/edit?usp=sharing>

All the best
Zoe Stasko



Main Office • 133 SW 2nd Ave, Ste 201 • Portland, OR 97204
Willamette Valley Office • 454 Willamette St, Ste 213 • Eugene, OR 97401
Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528

September 8, 2023

To: Governor Kotek's Housing Production Advisory Council
From: Mary Kyle McCurdy, Deputy Director
1000 Friends of Oregon

Re: HPAC Proposal for Urban Growth Boundary Expansions

Thank you for the opportunity to share our perspective on the recommendation on expanding urban growth boundaries. Because of a conflicting medical appointment, we might not be able to present this orally at your meeting.

1000 Friends of Oregon opposes the recommendation on urban growth boundary expansions. It is not bold; it will not deliver the housing Oregonians need, in the locations they need it, at the price points they need it, and quickly; and it continues the unfounded argument that just adding land will resolve our housing needs.

It is a false narrative that we have to pit housing production against the climate, livable communities, the environment, food-producing lands, wildfire resilience, and other important Oregon values. We should, instead, pit housing production against zoning that reflects historic redlining, and against the wasted space of sprawling parking lots, 1-story office parks, mostly vacant strip malls, vacant downtown buildings, etc.... We can bring together our shared values with funding for infrastructure on lands already designated for residential development; on making it easier to convert commercial buildings, office parks, and parking lots to housing; and on maintaining and building affordable housing.

There are tens of thousands of acres inside Oregon's UGBs zoned for residential development,¹ in large parcels, but they lack infrastructure and cities largely lack the financial capacity to provide that infrastructure upfront. Some of the land also needs to be annexed into city limits, a cumbersome *non-land* use process that could also use reform. It is not an efficient use of land or public investments to continue to shift the focus to the edge, adding land to cities that already have more land than they can plan and provide infrastructure for now. Arguments that the new development will pay for all the infrastructure cost ensures that the housing built will not be affordable to even middle income Oregonians.

¹ 1000 Friends presented evidence to the Land Availability work group from cities around Oregon that have hundreds and thousands of acres inside their UGBs, zoned for residential development, but needing infrastructure to truly be development-ready.

We recommend that instead the HPAC lead with real solutions: funding for infrastructure for the lands already zoned for residential development; funding and policies to make it easier to convert underutilized commercial buildings, office parks, and parking lots to housing; and maintaining and building affordable housing. The HPAC has infrastructure recommendations before it; we have submitted written testimony in support of those, and we supported the bipartisan housing infrastructure bills that were in the 2023 legislative session but did not pass. As demonstrated by evidence we provided to the HPAC work group and expert testimony to the legislature, these will produce much more housing – especially for moderate and lower income Oregonians – in more central locations and much sooner.

Below are specific objections to the UGB proposal before the HPAC:

- It will not result in housing built soon. As we detailed in our presentation to the Land Availability work group, there are cities around Oregon that have expanded their UGBs over the past ten years, by thousands of acres, but no housing has been built yet because of the need to layout development patterns and plan for and finance infrastructure. It makes no sense to add to this gaping deficit.
- It is irresponsible to provide every city with the option of a 75 or 150 net acres UGB expansion without consideration of wildfire risk or climate impacts, just to name two issues. Studies and surveys have demonstrated that thanks to UGBs, Oregon has not sprawled into the wildland urban interface (WUI) like our Western neighbors have. Therefore, while we have had large and frequent wildfires, we have not - yet - suffered the degree of human and home loss that these other states have. Oregon should keep building smarter.
- The densities proposed are much too low. The proposal calls for 4 (coast and eastern Oregon), 8 (elsewhere except Metro), or 15 units/acre (Metro). These are significantly lower than the densities currently being approved or required throughout the state, or are identified as needed by local Housing Needs Analyses. The 4 and 8 unit requirements are not bold – they continue the single family zoning that already accounts for approximately 70% of all housing and residential zoning in Oregon, and that cities are moving beyond. This does not meet the smaller household sizes and incomes of most Oregonians. These densities are also not an efficient use of the land or the new infrastructure that would be needed, making it even harder to pay for.
- The affordability framework is weak.
 - The proposal provides that 30% of housing units be available for rent for those making under 80% AMI, or for homeownership for those making 130% of AMI. It is not unreasonable to assume that most or all of the housing built will be at the 130% AMI level. And while housing at that level is needed, it is housing for those of moderate income, not what is normally defined as “affordable” housing.

- The proposal does not meet fair housing best practices. As described, it does not guarantee affordable housing (under 80% or 60% AMI). It continues HB 3414’s allowance for the “affordable” housing to not be built until after 85% of the market rate housing is built, which could be years later, and could be at risk of not being built at all. Finally, while the proposal calls for a “mix of diverse housing types,” the minimum required densities of 4 and 8 units/acre means it could all be detached single family housing on medium to large lots, the most expensive and land-extensive way to build. Even 15 units/acre does not produce a full range of housing diversity. Finally, nothing in the proposal prevents the diverse housing types, and affordable housing of any type, from being segregated from the market rate and single-family detached housing, not integrated.
- The proposal bypasses Goal 14 and Goal 10, which otherwise require cities to show a *need* for more land, and that they have taken steps inside their UGB to meet the housing needs of all. Rather, it allows local governments to avoid the more politically difficult but absolutely necessary actions of rezoning land inside UGBs and taking other actions to increase opportunities for more diverse and affordable housing types inside UGBs.

Many issues raised in the text supporting this proposal are being addressed by the Department of Land Conservation and Development (DLCD) in the rulemaking directed by HB 2001 (2023). For example, the legislature has directed DLCD to:

- Facilitate and encourage housing production, affordability and housing choice on buildable lands within an urban growth boundary;
- Provide greater clarity and certainty in the adoption of housing capacity analyses, UGB amendments, UGB land exchanges, and urban reserves
- Reduce analytical burden, minimize procedural redundancy and increase legal certainty for local governments pursuing UGB amendments, UGB exchanges or urban reserves, especially for smaller cities
- Support coordinated public facilities planning, annexation, and comprehensive plan amendments to facilitate the development of lands brought into a UGB

1000 Friends recognizes that there may be a need for a surgical approach to allowing an expedited UGB expansion for a limited category of cities. In January 2025, the state will release the 20-year projections for each city for housing production, categorized by income level need. The OHNA rules, including those described above, will be released in January 2025 and 2026. At that point, all cities in Oregon will be operating under the revised and more rigorous OHNA methodology for housing production, and cities over 10,000 in population will be required to take the further step of providing detailed Housing Production Strategies, demonstrating how they will meet their projected housing need, including by income levels.

Thus, there is a 2-4 year gap until the housing projections and rules are fully operational. We understand, anecdotally, that there are a small number of cities who can show they have a housing need now but do not have sufficient land available – who are essentially built-out – and where a small UGB expansion, adjacent to the UGB and existing infrastructure, in this interim period would be helpful and relatively easy to serve. It might be possible to define this narrow set of need-based circumstances, that would be city-driven, for an expedited UGB approval process. To meet our current housing needs, any expansions should include affordable housing that is built before or concurrently with the market rate housing. This will require a concept plan that is city-approved. This expedited UGB process should not be available to cities that have had recent UGB expansions, or that have significant amount of residential land inside their UGBs that need infrastructure.

From: [Judy Clinton](#)
To: [GOV Hpac * GOV](#)
Subject: HPAC testimony
Date: Friday, September 8, 2023 9:37:10 AM

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Sept. 6, 2023

Re: Opposing HPAC recommendations re: Urban trees

Dear Governor Kotek:

Save Bend Green Space (SBGS) is a non-profit in Bend dedicated to promoting and improving natural open spaces, advancing good environmental stewardship of the land and water, supporting smart growth policies, promoting carbon sequestration through tree preservation and reducing heat island effects.

After reviewing the proposed recommendations (Recommendations) from HPAC, we are exceedingly concerned about its adverse effects on climate change and urban heat island effects. We think in particular that these Recommendations will adversely affect cities east of the Cascades if these policies are adopted. Developers will be allowed to clear-cut their land leaving few if any large Ponderosa pines, our iconic species. Trees are one of the major players in solving society's climate problems.

Housing affordability is a complex problem with many contributing factors, but trees impeding residential development is not one of the primary causes. Short-term rentals (STRs), the trend towards second and third-home ownership, fewer people living in a house and co-ownership groups such as Pacaso all reduce available housing. State and federal tax policies are at odds with getting residents into houses, instead, investors are encouraged to bid up housing prices.

Lack of affordable housing is a problem but it pales in comparison to the looming threat of a warming planet. Trees are a major solution to this looming global problem. There are numerous studies that show the urban tree canopy is a factor in mitigating heat island effects, provides an escape to nature for historically marginalized communities, and helps sequester carbon and absorb CO2. Large trees are exponentially more effective than smaller trees at sequestering carbon and absorbing CO2. Planting numbers of smaller trees with much greater irrigation requirements does little to replace the effectiveness of the larger tree that has been removed.

There are solutions to gaining more available buildable land than a **War on Trees** which would be unleashed by these Recommendations. Neighborhood street rights of way could be reduced, more creative site planning for buildings and more imaginative architectural design are a few. We can build more housing for our communities without rolling back vital environmental policies that are foundational to livability, climate and human health. Oregon can do better than this for its citizens and wildlife.

This Recommendation squanders the legacy that defines Oregon, its trees. That's why we have one on our license plates.

Sincerely,
Save Bend Green Space
Judy Clinton
Secretary

Include by reference:

City of Portland letter from Portland Parks & Recreation and Planning and Sustainability Aug. 17, 2023

Group letter from Trees for Life, 350PDX, Portland Audubon, Sierra Club OR Chapter, Willamette Riverkeeper, Friends of Trees, etc. Aug. 21, 2023

From: [Judy Clinton](#)
To: [GOV Hpac * GOV](#)
Subject: HPAC testimony
Date: Friday, September 8, 2023 10:06:51 AM

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Sept. 6, 2023

Housing Production Advisory Council & Codes Design Workgroup
c/ Alana J. Cox, Administrator
Building Codes Division
Oregon Department of Consumer & Business Services

Re: Opposing HPAC recommendations re: Urban trees

Dear HPAC Codes and Design workgroup members:

Save Bend Green Space (SBGS) is a non-profit in Bend dedicated to promoting and improving natural open spaces, advancing good environmental stewardship of the land and water, supporting smart growth policies, promoting carbon sequestration through tree preservation and reducing heat island effects.

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Save Bend Green Space
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Secretary

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September 8, 2023

To: Housing Production Advisory Council
Office of Governor Tina Kotek

From: Corie Harlan, Cities & Towns Program Director, Central Oregon LandWatch
Mary Kyle McCurdy, Deputy Director, 1000 Friends of Oregon

RE: **Land Availability Recommendation: Provide Resources to Help Cities Overcome Infrastructure Barriers to Housing Production**

Summary

To urgently tackle Oregon's housing crisis and rapidly increase housing production, it is critical to provide cities with substantial and sustained state resources for housing-related infrastructure.

1000 Friends of Oregon and Central Oregon LandWatch strongly support the Land Availability Work Group's recommendation to 'Provide Resources to Help Cities Overcome Infrastructure Barriers to Housing Production.' These key elements of this recommendation address one of the most significant barriers to delivering housing to Oregon's Communities: Land Readiness. To make land more ready for housing production throughout Oregon, it is key for the state to dedicate funds to activate buildable land within UGB's for housing.

Work Group Recommendation:

- Identify new infrastructure funding source to support 10-year housing production horizon.
- Expand Business Oregon Infrastructure and Facilities Inventory to include critical housing infrastructure to include sewer, water and transportation. Use inventory to guide new Business Oregon Housing Infrastructure Fund program
- Prioritize infrastructure funding to cities who are producing housing at 80% AMI for 30 or more years
- Prioritize infrastructure funding to cities who have identified infrastructure needs in their Housing Production Strategies
- Prioritize infrastructure funding to cities who have demonstrated implementation of multiple policy, regulatory, and funding tools to increase housing production
- Develop streamlined and equitable funding application and distribution process to allow cities with limited staff capacity to participate (consider program tranches—cities 100-1000, cities 10,000-25,000, cities 25,000 and up)
- Limit eligible applicants to cities or counties, who can apply in partnership with special districts, private, or non-profit housing developers.

Why we support this recommendation

At its core, this recommendation is about equitably delivering housing quickly by tackling one of

the biggest barriers to land within our cities becoming shovel ready. In doing so, it helps maximize and make the most of land within our existing UGBs. Not only is this great for more diverse and affordable housing options, it is also good for our climate, health, safety and wallets.

In every Oregon city, infrastructure improvements are one of the most significant barriers to available land becoming shovel-ready for housing development. Right now, most Oregon cities have available land within their current UGB that can become housing, quickly, if the necessary infrastructure is built. However, the water¹, sewer and transportation² infrastructure needs of our cities are immense - and cities are unable to meet their critical housing-related infrastructure needs through existing funding mechanisms.

Contributing factors include declining federal and state funding sources, limited local funding for multiple city-wide priorities including police and fire; limited ability to raise revenue through property taxes; a backlog of deferred maintenance; and increasing construction and maintenance costs. **New, substantial, and sustained state resources for infrastructure funding are needed to close this funding gap and tackle Oregon's housing crisis.**

A good place to start is committing sustained investment in the production of housing that the market is unlikely to produce on its own, including investments in infrastructure and development readiness, system development charges (SDCs), and gap funding and loan guarantees for affordable and diverse housing options. **HB 2980A and 2981A both included solid, broadly supported paths for implementing many of these policies. Both bills should be brought forth in the short session and include an increase in funding.**

Worth further evaluation

- **A new revenue stream for a reasonable, robust, long-term program with both a revolving loan fund and grants.** The need for a fund like this will far surpass the 10 year limit outlined in this recommendation. A successful state infrastructure program needs to have a *minimum* of \$100-300M in funding. It should include a revolving fund that continues to replenish in perpetuity, like the one outlined in HB 2980A. However, because cities will be making payments over a number of years, this fund will need to be renewed and increased as necessary to meet the need, in perpetuity. This program should also include grants, like those proposed in HB 2981A.
- **Getting the most bang for the buck.** Focus on cities' BLIs and the raw land and developable lots where an investment in infrastructure makes that lot buildable/shovel ready for housing.

¹ 2021 Water Infrastructure Survey: Summary Report. League of Oregon Cities
https://www.orcities.org/application/files/3816/2196/3174/Infrastructure_Survey_Summary_Report_5-25-21.pdf

² 2020 Bend Transportation System Plan, page 121:
<https://www.bendoregon.gov/home/showpublisheddocument/47764/637381859539770000>

- **Leveraging federal money.** This program should also be used as a match to leverage federal infrastructure dollars.
- **Targeting specific affordability levels.** Priority should be given to housing types the market isn't delivering. A particular focus on 60% AMI and under is important - however, delivering middle housing (60%-120% AMI) is also critical. Seeing the 80% AMI in this recommendation is on the right track. Other additional consideration could be to prioritize projects where infrastructure investments serve 60% AMI and under, while still offering opportunities for projects that serve 60-120% AMI. SDC support for 60-120% AMI is also another element to consider. Grants vs. loans is another consideration for housing type/AMI level served.
- **Infrastructure: Maintenance, upgrades, new build.** If it delivers the diverse, affordable housing types a community needs, it should be eligible for funding via this program. For example, if what a city needs most is an upgrade to a sewage treatment plant or water storage facility that benefits a whole city or part of a city and creates critical capacity for more housing, there should be room in this program for that kind of project.
- **Eligibility:** We support the part of this recommendation that limits eligible applicants to cities or counties, who can apply in partnership with special districts, private, or non-profit housing developers.

From: [Balkema, Johnathan](#)
To: [GOV Hpac * GOV](#)
Cc: [TSCHABOLD Matthew * GOV](#)
Subject: HPAC August 11, 2023 Land Development Permit Application Written Comments
Date: Friday, August 11, 2023 1:03:36 PM
Attachments: [Outlook-https_ww.png](#)
[Outlook-Facebook.png](#)
[Outlook-Twitter.png](#)
[Outlook-LinkedIn.png](#)
[Outlook-YouTube.png](#)

Honorable Chair-

I am writing in regards to the Land Development Permit Application's recommendations for the August 11, 2023 HPAC meeting. While the recommendation is good natured, I would like to share some concerns and potential friendly amendments that may help clarify the groups intent, while minimizing the unintended consequences the current recommendation could provide.

Below is the current recommendation with my editorial below each section italicized for the reader's ease:

Expand the current Building Codes Division capacity for streamlining plan review and site inspections to accommodate increased levels of production at the local level.

Comment: Since their inception in 1973, the Building Codes Division (BCD) operates as an oversight government entity to promulgate a statewide building code, standardized fee methodologies, and uniform operating standards for local cities and counties that opted to operate a program under a delegation. This oversight approach was heavily influenced by industry to retain some local flexibility, but have a unified application across the state. As written this proposal would suggest increasing the staffing capacity at BCD rather than including the local jurisdiction where direct benefit would be realized. The proposal as written can also have unintended staffing issues at the local level, if projects can seek plan review from the state over the state operating as more of a overflow capacity, there by exacerbating the problem the recommendation is attempting to solve.

Suggestion revision to the proposal:

Expand the ~~current~~ Building Codes Division **and local jurisdiction** capacity for ~~streamlining~~ plan review and site inspections to accommodate increased levels of **housing** production.

- a. Fund additional resources for plan reviewers/inspectors/support staff to increase "in-house" capacity at Building Codes (referred to finance group)
- b. Increase the number of qualified ~~independent contractors (third parties)~~ **individuals or entities** who are licensed **certified** by the state to provide plan review and inspection services **at and/or** for cities where capacity is not available **local jurisdictions.**

- c. Tailor program to provide new state plan review and inspections services to: 1. **Cities Local Jurisdiction which do not meet or exceed production targets- program standard established by the state the Building Codes Division**. 2. Affordable Housing projects in excess of 20 housing units, **where the local jurisdiction cannot meet plan review timeline specified by the Building Codes Division**
- d. Expand and fast-track the state's role in mediating **building code requirement** disputes between design professionals and **local jurisdictions**. ~~cities specifically relating to building, planning and public works~~ **Provide assistance with customer relations with other state entities regarding disputes related to those other entities that impact the structures regulated under the Building Codes Division's authority.**
- e. Provide resources including education to maximize the potential for virtual inspections with a target of **conducting a video inspection within two-business day of the request** ~~24-hour inspection~~ anywhere in the state.

Comments: The suggested language retains the relationship between the state building code and the local requirements, while providing some additional paths to ensure projects complete building code plan review within a reasonable timeline. I included two-business days to allow for leaves and workload fluctuations.

Thank you,







Johnathan Balkema

Building Official Manager
541-791-0199 phone | 541-917-7598 fax

Community Development

City of Albany, Oregon
333 Broadalbin St SW, Albany, Oregon 97321

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From: [Balkema, Johnathan](#)
To: [GOV Hpac * GOV](#)
Cc: [TSCHABOLD Matthew * GOV](#)
Subject: HPAC August 11, 2023 Codes and Design Written Comments
Date: Friday, August 11, 2023 1:20:39 PM
Attachments: [Outlook-https_ww.png](#)
[Outlook-Facebook.png](#)
[Outlook-Twitter.png](#)
[Outlook-LinkedIn.png](#)
[Outlook-YouTube.png](#)

Honorable Chair-

I am writing in regards to the Codes and Design's recommendations for the August 11, 2023 HPAC meeting. While the recommendation is good natured, I would like to share some concerns and potential friendly amendments that may help clarify the groups intent, while minimizing the unintended consequences the current recommendation could provide.

Below is the current recommendation with my editorial below each section italicized for the reader's ease:

Update existing regulations and requirements for condominiums to make them easier to build and expand the types of construction that qualify to include smaller middle housing concepts.

- Reduce statute of ultimate repose to 6 years. BCD to develop on envelope inspection standards to be inspected by local jurisdictions as part of the building inspection process to help reduce risk of defects. -Clarify rules and roles for condominium documentation to keep out of local jurisdiction (HB 3395). Provide information to cities and help amending code to remove local guidance (Real Estate Agency). -Release of earnest money for construction
- Provide more state resources for approval and training/code amendment (more staff)
- Do not require individual Limited Common Elements to be measured as part of the condo plat (outer boundary to be measured with individual elements within it to be listed, rather than measured).
- Air space condominiums shall be permitted for detached single family and townhomes.

Comments: The first bullet would direct BCD to add an additional inspection for the weather resistive barrier. This is not the first time this recommendation has come up. Following the Construction Claims Task Force new weather resistive barrier requirements were added to the low rise building code and at that time it was suggested a required inspection should be included. What was determined through that public process was industry had little desire for another required inspection that could slow down a project and since the liability fell on the design team or the developer, there was little benefit. Albany was one of, or the only, local municipality that required them after 2008. As of 2018 we ceased conducting these inspections. By adding an additional inspection, likely fees would need to increase to cover the inspection(s), the developer would need to provide access to all areas which could be challenging on mid to high rise structures, and often the siding installers are installing as they

go to limit setup times.

My recommendation would be that that line be changed to direct the requirement back to the architect's law and an additional requirement for their required construction monitoring. They are more familiar with the product they specified and have a direct contractual relationship. Alternatively, a third-party or manufacturer certification would be more of a benefit to the owners, as they would the manufacturer is the ones providing the material warranty.

*Then on the last bullet, I would suggest adding "single family, **duplex**, and townhomes."*

Thank you,



Johnathan Balkema

Building Official Manager
541-791-0199 phone | 541-917-7598 fax

Community Development

City of Albany, Oregon
333 Broadalbin St SW, Albany, Oregon 97321



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From: [Theresa Kohlhoff](#)
To: [GOV Hpac * GOV](#); eolson@ci.oswego.or.is
Subject: Draft arising from Housing Production Advisory Council
Date: Friday, August 11, 2023 2:18:14 PM

You don't often get email from theresakohlhoff@gmail.com. [Learn why this is important](#)

I am stunned and completely opposed to the non-protection of 60" or smaller trees. What on earth are you thinking? Do you not see how crucial these large trees are to combat climate change? Why can you not develop around these big trees? I understand the need for affordable housing but the idea that trees are the enemies of housing is regressive and dangerous.

Please do not try to pacify us by saying this is only a draft. That it would even be contemplated, let alone in a draft, is in and of itself entirely alarming.

Theresa M. Kohlhoff
Attorney at Law
7512 N Berkeley Ave.
Portland, Oregon. 97203
www.NorthPortlandAttorney.com
808 374 5103 (Office)
503 975 8881 (Cell)

From: [Owen Parker](#)
To: [GOV Hpac * GOV](#)
Subject: Protecting trees and wetlands
Date: Sunday, August 13, 2023 11:07:57 AM

You don't often get email from mannfys@gmail.com. [Learn why this is important](#)

It is a lot easier to protect trees and wetlands then reconstruct them later, and I am deeply disappointed with this advisory council's suggestion that preventing cities from protecting what little nature still exists in their boundaries is the right way forward for Oregon. Rather than redevelop any of the urban sprawl, empty office buildings, or abandoned urban blight (burning K-marts come to mind), this is the best we can come up with for building more housing? I suggest taking a hard look at what we want Oregon cities to look like in ten or twenty years to guide your work, and if you think draining away our remaining wetlands and cutting down the lasts stands of urban old growth trees looks like progress, I would politely ask you find other ways to serve the state.

From: [Iris Mairead](#)
To: [GOV Hpac * GOV](#)
Subject: Maintain protections for wetlands and trees
Date: Monday, August 14, 2023 2:37:03 PM

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Please do not remove protections for urban trees and wetlands.

Trees are so important. Beyond increasing everyday livability and quality of life, they reduce heat, and mitigate the dangerous effects of climate change.

With climate change, we will continue to see more extreme heat. We should be doing everything we can to protect the urban canopy we already have and plant more trees in areas that lack the cooling effects trees provide. Removing protections on trees and wetlands to build more suburban sprawl will add to the climate crisis with more car-dependence, and replacing natural heat-sinks with more human-made structures will mean deforested neighborhoods will be even hotter during the ever-increasing heatwaves Oregon experiences.

I am all for a rapid increase in the availability of safe, affordable, stable homes. I live in downtown Portland, I see many people on a daily basis who lack safe shelter. I myself, as a 29-year-old renter, worry that I may not be able to afford rent increases, and I will never be able to buy my own home without substantial assistance. We are in severe need of affordable housing. But in solving our immediate housing crisis, we MUST NOT allow our trees and wetlands to be demolished. Those trees have taken decades or in some cases centuries to reach their current sizes. Even if all the trees cut down were replaced with new young trees, it would take far too long for new trees to provide the cooling canopy we need right now.

We are dealing with a climate crisis as well as a housing crisis. We cannot sacrifice what little mitigation we have for the effects of climate emergencies (TREES) in a short-sighted effort to build more of the same types of sprawling suburbs that make it impossible to get anywhere without a car (thus adding to the climate crisis!)

There are so many better ways to solve the immediate housing crisis. Please don't even consider sacrificing the future sustainability of life in Oregon for short-term housing goals. Find better ways to house more people-- encourage dense, walkable developments, redevelopment of empty office space into affordable housing-- replace inefficient human-made infrastructure, not our limited natural spaces.

Sincerely,

Iris

From: [E.Gately](#)
To: [GOV Hpac * GOV](#)
Subject: Tree canopy is critical
Date: Tuesday, August 15, 2023 5:14:37 PM

Hello,

Is it true that a suspension of the tree code in Portland is on the table? I am vehemently opposed to a suspension of the tree code. We need the tree canopy to cool the city, for the animals, and to avoid erosion. I understand we need more housing but creating it at the expense of trees is just lazy. Do better! Please find solutions that don't require allowing trees to be cut down.

What can I do to stop the suspension of the tree code?

Best regards,

Erin Gately
5040 NE 35th Place
Portland, OR 97211

From: [HV City Arborist](#)
To: [GOV Hpac * GOV](#)
Cc: [Todd Prager](#)
Subject: Tree comment for Sept. 8, 2023 Monthly Housing Production Advisory Council Meeting
Date: Friday, September 8, 2023 8:43:00 AM
Attachments: [World Health Organization A brief for action.pdf](#)

You don't often get email from cityarborist@happyvalleyor.gov. [Learn why this is important](#)

Housing Production Advisory Council,

This email is in response to the proposed change in tree standards to ease the feasibility to include more housing into Oregon Housing Systems.

Please consider this view as you make your decision. People are healthier in and around trees. Oregonians can sometimes take this for granted as we live among some of the tallest and most healthy forests and ecosystems in the world. Within our state growing trees is an afterthought. With this proposal I would like the Advisory Council to consider forethought as they approach this issue. If as stands, all trees smaller than 48" would fall out of jurisdiction for permit. One 48" tree is very large. Most 48" trees did not get to be 48" trees by themselves. It was a long process with many trees of various sizes contributing to its eco system. Please consider keeping ecology intact by requiring a smaller tree size. 28-32" helps to create the middle understory that is needed to support large tree ecology. We are experiencing tree canopy loss at an alarming rate. What we have taken for granted in the past will not be with us for the future.

I submit the 'World Health Organization: A brief for action PDF' and urge you to consider an unintended side effect by mandating such extreme rule of the 48".

Please also work into your planning a follow up review study of benefits and consequences of these actions should you decide so that we can learn from this for the future.

Respectfully,

Leslie Gover

City Arborist

Happy Valley, OR

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World Health
Organization

REGIONAL OFFICE FOR **Europe**

A large, semi-transparent white circle containing the title text, positioned in the lower right quadrant of the page. The background of the entire page is a photograph of a lush green lawn in the foreground, a dense line of trees in the middle ground, and several modern glass skyscrapers in the background under a bright blue sky with wispy clouds.

Urban green spaces: **a brief for action**

1. The relevance of urban green spaces¹

Urbanization results in an increasing proportion of the population living in cities. In Europe it is expected that around three quarters of the population will live in urban settings by 2020. Urban living limits access to nature and can increase exposure to certain environmental hazards, such as air and noise pollution. Many urban areas face increasing pressure from expanding populations, limited resources and growing impacts of climate change. These challenges must be addressed in order for cities to provide healthy and sustainable living environments.

Green spaces and other nature-based solutions offer innovative approaches to increase the quality of urban settings, enhance local resilience and promote sustainable lifestyles, improving both the health and the well-being of urban residents. Parks, playgrounds or vegetation in public and private places are a central component of these approaches and can help to ensure that:

- urban residents have adequate opportunities for exposure to nature;
- urban biodiversity is maintained and protected;
- environmental hazards such as air pollution or noise are reduced;
- the impacts of extreme weather events (heatwaves, extreme rainfall or flooding) are mitigated;
- the quality of urban living is enhanced;
- the health and well-being of residents is improved.

Urban green space is a component of “green infrastructure”². It is an important part of public open spaces and common services provided by a city and can serve as a health-promoting setting for all members of the urban community. It is therefore necessary to ensure that public green spaces are easily accessible for all population groups and distributed equitably within the city.

1 This brief for action is based on evidence compiled on urban green space. Nevertheless, the reflections may be relevant for any settlement size and should also be considered for rural places.

2 In this brief urban green space is defined as all urban land covered by vegetation of any kind. This covers vegetation on private and public grounds, irrespective of size and function, and can also include small water bodies such as ponds, lakes or streams (“blue spaces”).

A vibrant urban park scene featuring a pond in the foreground, a winding path, and a variety of trees including palm trees and a large weeping willow. A person in a red shirt is walking on the path. A white bust on a pedestal is visible on the left. The scene is bathed in bright sunlight, creating a lush green atmosphere.

Urban green space is an important investment that local authorities can make on behalf of citizens and their well-being

2. Purpose and structure of this brief for action

The links between green space and health have been summarized in many publications (Hartig et al., 2014; WHO Regional Office for Europe, 2016). The information in this brief is based on the conclusions of an expert meeting convened by WHO, which brought together an international team of urban health and green space experts to discuss the practical side of urban green space interventions. A full technical report of the expert meeting is also available (WHO Regional Office for Europe, 2017).

This brief aims to support urban policy-makers and practitioners by translating the key findings of a review of research evidence and practical case studies on urban green space interventions into implications for practice. It presents lessons learned and highlights aspects to consider when designing urban green spaces to maximize social and health benefits.

The brief provides information about urban green spaces and their benefits (section 4); general considerations on planning (section 5) and design (section 6), involving the community and stakeholders (section 7) and promoting use (section 8); and lessons learned on monitoring and evaluation (section 9). Section 10 describes potential risks and challenges to be considered and avoided, and a set of key messages is provided in section 11, followed by a short list of references, further reading and helpful tools.

3. Target audience

This brief for action aims to inform:

- practitioners at the local level involved with the design, planning, development and maintenance of urban green spaces;
- local decision-makers, politicians and public authorities with responsibility for urban development, environmental management, social affairs and public health;
- civil society organizations, local initiatives and citizens concerned with the quality of urban settings and the quality of life at the local level.

Researchers and private land owners, companies and developers may also be interested in the reflections shared.

A scenic view of a red running path along a riverbank. The path is bordered by a green fence on the left and a dirt path on the right. Trees with autumn foliage line the path, and a body of water is visible in the background. A person in a red shirt is visible near a trash bin on the right. The sky is clear and blue.

Urban green spaces
provide opportunities
for active lifestyles

4. Urban green space interventions and the benefits they provide

Urban green space interventions are defined as actions that significantly modify the quality, quantity and accessibility of urban green space. This can be done by establishing new urban green spaces or by changing the characteristics and functions of existing ones.

A broad spectrum of intervention types can be implemented at different scales in private or public spaces. These include:

- Picture 1:** roadside greenery and vegetation barriers along streets or rail tracks;
- Picture 2:** small urban green spaces (such as gardens or pocket parks) and playgrounds;
- Picture 3:** green roofs and facades;
- Picture 4:** parks and urban meadows;
- Picture 5:** greenways and corridors (such as green trails for walking/cycling);
- Picture 6:** coastal, riverside or lakeside trails, linking green with blue spaces;
- Picture 7:** recreational and urban gardening facilities (such as community gardens, sport and play areas and school grounds); and
- Picture 8:** facilitated access to urban woodlands, forests and natural wildlife areas.

Opportunities

Opportunities to involve urban green space interventions in urban planning include:

- development of new residential neighbourhoods, community facilities, business parks or transport infrastructure projects;
- regeneration projects and urban renewal initiatives;
- brownfield development and rehabilitation of industrial areas;
- urban gardening/agriculture projects;
- initiatives to enhance biodiversity.

Benefits

Through improved air and water quality, buffering of noise pollution and mitigation of impacts from extreme events, urban green spaces can reduce environmental health risks associated with urban living. In addition, they support and facilitate health and well-being by enabling stress alleviation and relaxation, physical activity, improved social interaction and community cohesiveness. Health benefits include improved levels of mental health, physical fitness and cognitive and immune function, as well as lower mortality rates in general (Fig. 1).

Everyone can benefit from urban green space interventions, but they can be of particular relevance for socially disadvantaged or underserved community groups, which often have least access to high-quality green spaces.



1



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Fig. 1. A causal model of the impacts of urban green spaces on health and well-being



Source: developed from a figure created by A. Roué-Le Gall in Milvoy & Roué-Le Gall (2015).

5. How to approach the planning of urban green spaces

Experiences with urban green space interventions at the local level have identified a few general aspects to be considered within the urban planning process. This section suggests approaches for urban policy-makers and practitioners to consider during the process.

○ Be clear about the **objectives** of green space planning.

- What type and size of urban green space is being planned?
- What are its main functions to be?
- Which population groups are expected to make use of it?
- Who is responsible for its maintenance and management?
- Might the planned urban green space be a way to upgrade a deprived area?

○ Make use of the urban/local **planning context** and frameworks. These will ensure that planners:

- create a long-term vision of a green city within the local authority;
- integrate urban green space infrastructure needs in urban masterplans;
- consider green spaces within infrastructural projects (housing, transport, business parks, community and health facilities) and urban rehabilitation approaches;
- consider regional planning frameworks such as green corridors and networks;
- engage the local community as part of the local planning process.

○ Have a **long-term perspective** and remain flexible.

- Green spaces are a long-term investment: they may need some time to establish before they are fully usable, and they require long-term maintenance.
- The benefits of urban green spaces may only become apparent over time.
- Urban green spaces should be planned and designed in a flexible way, making functional adjustments possible to adapt to changing future demands.

○ Consider green space projects to be a **public health and social investment**.

- Providing green spaces in urban settings is an investment in health, well-being and quality of life, creating places for relaxation, recreation and social interaction.
- Urban green spaces are valuable settings for community organizations to host cultural or recreational events or provide space for (intercultural) gardening.

Contact with nature
is an essential
component of
healthy cities



6. How to design urban green spaces

Urban policy-makers and practitioners are advised to consider four practical implications for the planning and design of urban green spaces identified from the review of evidence and practice.

○ Put the green space **close to people**.

- Establish street greenery, urban gardens and green trails in close vicinity to urban residents, and use public open spaces for greenery.
- As a rule of thumb, urban residents should be able to access public green spaces of at least 0.5–1 hectare within 300 metres' linear distance (around 5 minutes' walk) of their homes.
- Ensure access to urban green space of sufficient quality for all population groups and users (universal access).
- Use greening opportunities in other sectors and projects (greening of schools, business areas, shopping areas, housing estates and similar) and promote private green areas.

○ Plan for a **diversity of urban green space types**, responding to diverse demands.

- Consider various types of urban green space – street greening, small and large parks, greenways, nature playgrounds and so on – to satisfy different needs.
- Make use of biodiversity, using different plants to create diverse settings.
- Do not over-design urban green spaces to support only very specific functions or attract only specific users – they should facilitate activities by all population groups.

○ Consider **simple design** features to improve the comfort of urban green space use.

- Establish clearly visible entrance or access areas.
- Use signing within parks or for greenways and trails.
- Prepare for different seasons (lighting, drainage, materials).
- Consider safety issues (lighting, visibility, accessibility).
- Supply infrastructural features such as benches, waste bins, toilets and so on.

○ Think of the **maintenance needs** of the urban green space.

- Regular maintenance is necessary so that end users perceive the urban green space as safe, clean and cared for.
- Combat signs of vandalism and antisocial behaviour quickly.
- Use maintenance-friendly designs, avoiding the need for expensive and/or complex maintenance requirements.
- Use plant species with no or small allergic potential – especially native species with fewer maintenance needs.
- Apply ecological maintenance practices and avoid potential health risks.

7. How to ensure adequate targeting, stakeholder collaboration and community engagement

Urban green space interventions improve the quality of life for the whole city, and a wide range of community groups and stakeholders need to be involved in their planning. Such interventions provide opportunities specifically to support disadvantaged or underserved areas and to reach out to individual population groups.

- Green spaces can be used to **target specific user groups** and create health and social benefits.
 - Local data on urban green space quantity and quality can be used to guide equitable planning.
 - Adequate provision of urban green spaces within disadvantaged areas can provide a means of improving health promotion and social integration for specific target groups.
 - Green space functions and equipment can be tailored to specific target groups, but should not exclude other functions or population groups.
- **Community participation** in the planning, design and maintenance of urban green spaces is important to assure that local needs are met.
 - Planning *for* people is planning *with* people – the community should be involved from the beginning to create urban green spaces that match the needs of local residents.
 - Sufficient time and funding should be arranged to facilitate community engagement in the planning phase.
 - Active involvement of local residents in building urban green spaces increases their identification with and use of the space.
- Practitioners should nevertheless clarify that community engagement is not a recipe for satisfying all demands and requirements from all population groups, and that the best compromise must be found.
- **Collaboration with stakeholders and other sectors** can help urban green space interventions to be more effective.
 - Multisectoral collaboration (including, for example, environment, transport, health, social affairs, police and so on) can help to maximize urban green space benefits and prevent unintended negative impacts.
 - Partnerships with local businesses and organizations can help to fund the establishment of new urban green spaces (especially on private land) and support maintenance.
 - Collaboration with environmental experts, academic institutes and research centres aids effective planning, monitoring and evaluation of urban green space interventions.
 - Within local authorities, urban green spaces should be considered across regional and local planning processes to achieve a higher impact.



Community participation assures use and acceptance of urban green spaces

8. How to promote the use of urban green spaces

Outreach and promotion activities are of paramount importance to ensure that urban green spaces are used by a diversity of population groups and provide a setting for all local residents.

All urban green space interventions should apply a dual approach through which physical changes (such as creating new or improving existing green space) are accompanied by social promotion activities. Such promotion activities can be very diverse and include:

- promotion of urban green space through websites, onsite signs, brochures and similar;
- facilitated activities and public events such as family days, sports events, festivals and markets;
- small-scale group activities such as guided walks or green gyms;
- local champions and celebrities, who are very effective for promoting the use of urban green spaces and engaging the local community;
- setting up or collaborating with local organizations to (help) run and maintain the urban green spaces or to use them for their activities (such as urban gardening allotments).

9. How to monitor and evaluate urban green space interventions

It is vital to monitor and evaluate urban green space interventions to:

- assess whether the intervention provides the intended benefits; and
- find out whether certain population groups benefit less, or could even be negatively affected by unintended side-effects.

Effective monitoring and evaluation starts at the beginning of a project by reflecting on the indicators that should be used to document the project outcomes, and by incorporating monitoring and evaluation activities in the project timeline and budget.

○ Ensure that **monitoring is considered from the start** and that appropriate **budget is allocated**.

- Consider the use of existing data at the local level to reduce the need for new data collection.
- Be realistic about the impacts of the intervention and how they can be measured.
- Collect baseline data prior to project implementation to compare the results before and after the intervention.
- Consider the time frame for the project outcomes to be realized (environmental impacts may occur more quickly than social or health impacts).

○ The **impacts on both users and non-users** should be considered.

- Include non-users in assessment surveys to understand why they make no use of the urban green spaces.
- Identify potential conflicts between different user groups with different needs.
- Ensure that monitoring identifies whether the urban green space has activated new users or whether visitors simply used other green areas before.

○ Mixed **monitoring methods** should be used.

- Quantitative data collected through surveys, observations or measurements can provide valid and comparable information on use and impacts of urban green spaces.
- Qualitative data compiled through interviews is helpful to explore the meaning of urban green spaces to an individual, and to understand personal preferences and concerns.

Aspects to consider in monitoring and evaluation

As health is affected by a wide range of factors, complex methods are required to assess and monitor the health impact of urban green space actions. Some health and well-being parameters can be taken from established and validated surveys; these include perception of/self-reported quality of life and well-being, perception of restoration and relaxation in green spaces, and self-reported health status.

Unless there is professional support from health experts, local projects should take particular care when using objective health parameters (such as body mass index or cardiovascular disease) to document the impact of their interventions.

Green space impacts to consider in monitoring and evaluation include the following (Table 1).

Table 1. Impacts to consider in monitoring and associated questions

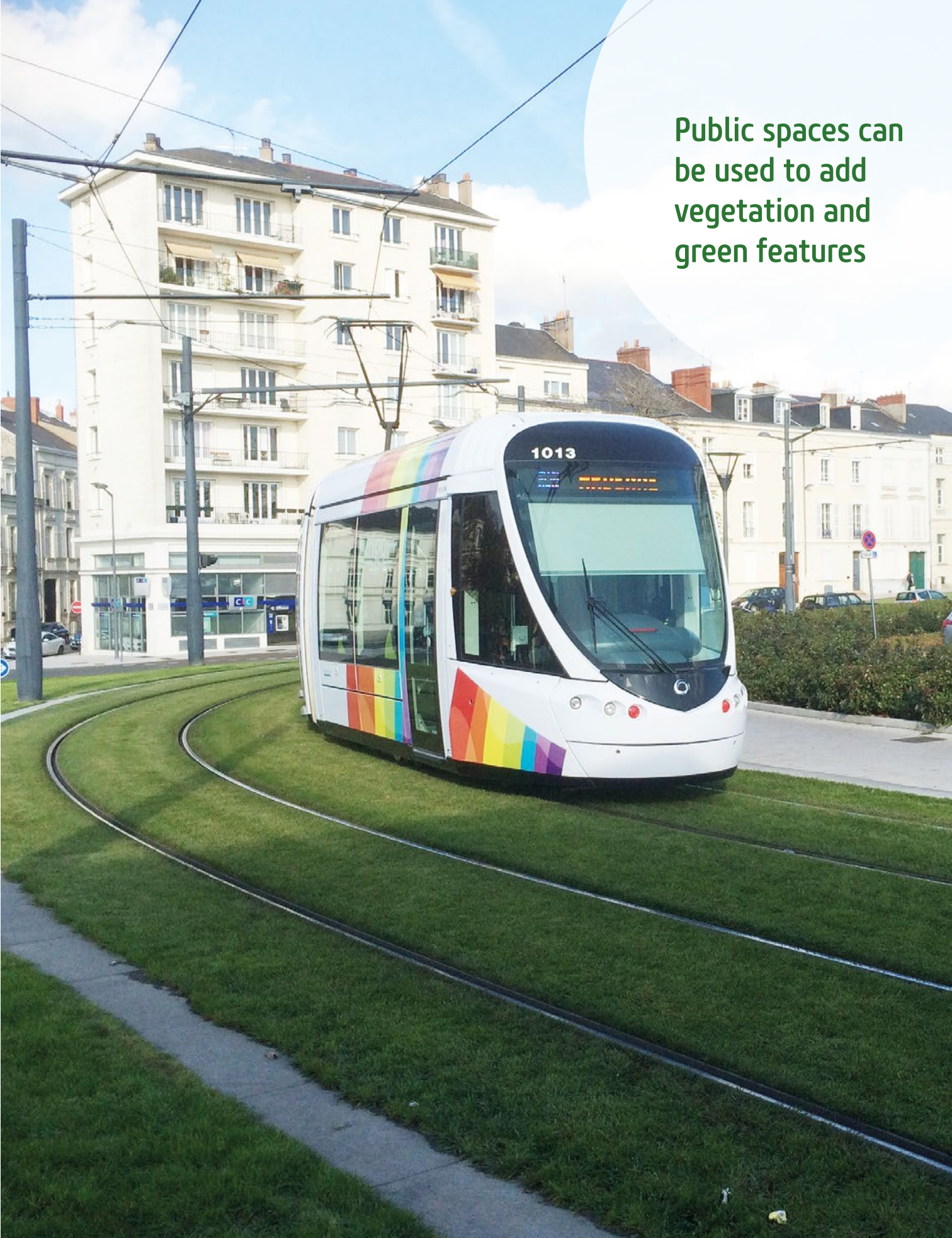
Impacts	Suggested questions to pose to establish the information
Environmental/ ecological impacts	<ul style="list-style-type: none"> ▪ What is the impact of the urban green space on air quality, noise or urban heat exposure? ▪ Does it support water management and reduce risk of flooding? ▪ Does it support contact to nature? ▪ Does it enhance biodiversity?
Lifestyle impacts	<ul style="list-style-type: none"> ▪ Does the urban green space support/increase physical activity levels? ▪ Does it enable active transport by foot or bike? ▪ Does it increase the time people spend outdoors? ▪ Are more people using the urban green space? ▪ Does it support healthy lifestyles and active recreation?
Social impacts	<ul style="list-style-type: none"> ▪ Does the urban green space support or enhance social cohesion? ▪ Does it promote social interaction and exchange? ▪ Does the development of a green space support gentrification processes leading to displacement of local residents?
Equity impacts	<ul style="list-style-type: none"> ▪ Do all population groups make use of and benefit from the urban green space? ▪ If not, who are those groups that benefit least or even face disadvantages? ▪ Does the urban green space enable different functions for different user groups?

Some practical tips and tools to support monitoring and evaluation are listed below.

- Observational data of urban green space use are a relatively simple and cost-efficient way to assess what type of people are using it, how many are doing so and for what purposes.
- Existing audit and observational tools – such as the Commission for Architecture and the Built Environment guides (CABE, 2004; 2006; 2009) or the System for Observing Play and Recreation in Communities (SOPARC) tool (RAND Corporation, 2017) – can be used but may need to be modified for the context.
- Engaging with local networks and organizations is a useful way to collect feedback from the community and urban green space users.
- Collaborating with academic institutes and research centres can assist with the delivery of effective monitoring and evaluation.



Public spaces can
be used to add
vegetation and
green features



10. How to prevent and manage potential challenges and conflicts

It is important to be aware that **unintended side-effects** and conflicts can occur with any urban green space intervention (Table 2). These should be considered during the planning process and monitored after implementation to enable early detection and countermeasures.

Experience from urban green space intervention case studies shows that such challenges can be tackled through adequate planning and maintenance and effective communication with local users.

Table 2. Potential challenges and suggested solutions

Potential challenge/conflict	Suggested solutions
Conflict between users and competition for space	<ul style="list-style-type: none"> ▪ Early community engagement ▪ Providing adequate urban green space to allow for parallel functions catering to different groups ▪ Mixing determined use of urban green space with specific equipment features for certain activities, with spaces that are less structured and allow all kinds of activities
Degradation of urban green spaces due to overuse	<ul style="list-style-type: none"> ▪ Providing local urban green space close to people’s homes to distribute the demand pressure ▪ Restricting planning to functions that match the size and capacity of the urban green space ▪ Ensuring adequate and frequent maintenance and cleaning ▪ Avoiding the establishment of “event places” that attract too many customers (unless the size is sufficient for this)
Community dissatisfaction with urban green space features/ services	<ul style="list-style-type: none"> ▪ Early community engagement ▪ Involving local residents in design and construction ▪ Managing expectations during the planning phase, making clear that it will not be possible to meet all requests ▪ Clarifying at an early stage that urban green space interventions need time to deliver their full benefits



Potential challenge/conflict	Suggested solutions
Safety issues, antisocial behaviour, vandalism and fear of crime	<ul style="list-style-type: none"> ▪ Ensuring adequate and frequent maintenance to avoid the impression that the place is not taken care of ▪ Providing adequate lighting to improve safety perceptions ▪ Scheduling regular patrol walks by local police ▪ Involving local residents in planning, building and maintaining the urban green space to increase the sense of ownership ▪ Making the urban green space lively and used at different times of the day, such as by promoting social events and recreational use
Gentrification and replacement of residents with low socioeconomic status	<ul style="list-style-type: none"> ▪ Cooperating with urban and housing managers to avoid significant rent increases caused by public green space investment ▪ Distributing green space investments evenly between city districts
Increase of health risks related to urban green spaces	<ul style="list-style-type: none"> ▪ Inspecting and maintaining urban green spaces and associated equipment regularly ▪ Providing walkable paths for elderly and physically impaired people to minimize the risks of falls ▪ Using plant species that do not produce large amounts of allergic pollen or poisonous fruit or leaves ▪ Informing users about potential health risks related to the use of urban green spaces (such as ultraviolet exposure or vector-borne diseases like ticks) and how to avoid them ▪ Considering protection from potential risks arising from water bodies and blue spaces such as lakes, wells and rivers
Uncertain or reduced budgets for maintenance of urban green spaces	<ul style="list-style-type: none"> ▪ Ensuring a low-maintenance design ▪ Looking at innovative models of funding (such as community ownership models like land trusts, foundations or cooperatives) ▪ Ensuring local political support early on ▪ Working with community groups, nongovernmental and other organizations to support maintenance



11. Key messages

1

Urban green spaces provide multiple benefits and constitute a necessary feature of healthy settlements.

Green space interventions have been used to improve environmental conditions, protect and improve biodiversity, promote outdoor activities and active lifestyles, increase social interaction and exchange, and provide healthy urban conditions for good physical and mental well-being. When designed well, urban green spaces can be universally accessible, providing benefits for *all* members of the urban community.

Even small-scale greening interventions can deliver health, social and environmental benefits in a cost-efficient way – not many public health interventions can achieve all of this.

Green spaces benefit cities and urban quality of life because they can:

- deliver positive health, social and environmental outcomes;
- upgrade the social and environmental quality of disadvantaged and deprived areas;
- make cities more liveable and enjoyable;
- contribute to the positive image of cities/city branding or identity.

2

The benefits of urban green spaces can be maximized through adequate planning, design and evaluation.

- Urban green space interventions are most effective when a **dual approach** is used, coupling a physical improvement to the urban environment with a social engagement and participation element promoting the use of green spaces and reaching out to different local users.
- Urban green spaces are most sustainable when they are supported and implemented by various sectors and stakeholders. **Cross-sectoral collaboration** within local authorities and with community groups/private actors can help the interventions to deliver on multiple outcomes.
- Planning and design of urban green space interventions should actively involve the local community and the intended end users. This will ensure **community engagement** and the delivery of interventions that serve the needs of the community.
- Urban green space must be considered as a part of the whole **urban planning process** and the wider green infrastructure network. Urban greening interventions should be embedded in local planning frameworks and masterplans, and be reflected in other sector policies (such as housing, transport, health, sustainability, biodiversity and so on).

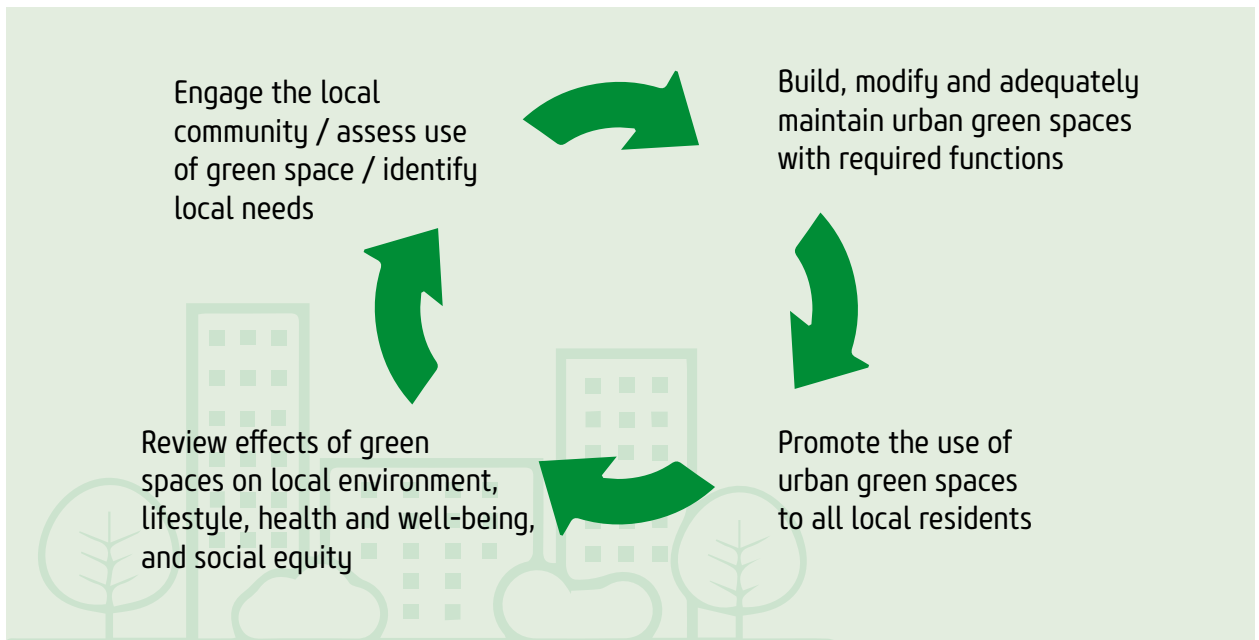
- Although there are some short-term effects, green space interventions need to be considered as an urban investment that delivers the strongest benefits over a **longer time period**.
- The use of urban green spaces and the related benefits need to be evaluated to inform future planning and to ensure that existing green spaces are **reviewed and adapted** to meet the community's needs (Fig. 2).

3

Local authorities are responsible for protecting and maintaining existing urban green spaces.

Local authorities may lack the financial means to establish new or modify existing green spaces, or municipally owned land that can be devoted to public open spaces may be limited. In this situation, it is most important to protect existing urban green spaces and make them accessible to as many residents as possible. Especially in disadvantaged urban areas, further reduction of green areas may result in negative social and health effects and should be avoided.

Fig. 2. Green space action cycle



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Put the green space close to people



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To: Co-Chairs Damien Hall and J.D. Tovey;
Members of the Housing Production Advisory Council
(submitted electronically to: HPAC.Gov@oregon.gov)

From: Tracy Rainey, Senior Policy Analyst, Clean Water Services

Date: August 11, 2023

RE: Comments on Workgroup Recommendations for 8/11 Meeting

On behalf of Clean Water Services, we appreciate the opportunity to provide comments on the most recent workgroup recommendations forwarded to the full Housing Production Advisory Council (HPAC) for consideration at the August 11 meeting.

Clean Water Services is a water resource management utility that provides sanitary, stormwater and water resource recovery services to more than 600,000 residents and businesses in urban Washington County. Our utility was created by a vote of the citizens in 1970 as a result of a 1968-issued building moratorium that was placed on Washington County. The building moratorium resulted from a lack of necessary sanitary sewer infrastructure that created significant public health risks, as well as environmental impacts. That same year, the voters of Washington County also approved a \$36 million bond to make the necessary infrastructure investments that would enable the moratorium to be lifted. We share this background information to highlight the critical importance of water infrastructure and the services that we provide. This infrastructure is not only critical for public health and the environment, but is absolutely necessary in order to support growth, housing production and economic development within our region.

In addition to providing comments on specific workgroup recommendations (as outlined below), we want to extend our willingness to serve as a resource to the workgroup process and to members and staff of the HPAC. Our staff is fully committed to provide any information, technical expertise or insight that may help to inform and guide ongoing workgroup efforts and HPAC deliberations.

CWS Feedback/Comments on Specific Workgroup Recommendations

Financing Workgroup Recommendation:

“Create a State of Oregon Revolving Infrastructure Loan Fund that finances critical, local infrastructure through conditionally forgivable loans investing in public facilities that support the development of housing.

Critical infrastructure shall mean any improvements which will ultimately be dedicated to the public or transferred to a public utility in such a manner that is critical to housing development.”

CWS Comments:

- Clean Water Services appreciates the Financing Workgroup’s recognition of the need for additional state investment in infrastructure, especially water-related infrastructure. Unfortunately, water infrastructure has not seen the level of investment that other infrastructure types have seen in recent decades (e.g. roads). According to a recent [report](#) from the National Association of Clean Water Agencies, the federal cost-share of water utility capital investment has fallen from 62.77% in 1977 to less than 10% in recent years. In 1977 the federal government’s investment in water infrastructure represented approximately \$76 per person (adjusted to 2014 dollars); however, in 2014 that support represented just \$10.74 per person. This shift away from federal funding has shifted costs onto local communities.
- Oregon drinking water, wastewater and stormwater utilities are responsible for making the necessary investments to support community growth while ensuring the protection of the environment and public health as outlined in federal and state clean water and drinking water standards. These federal and state standards are implemented through permit requirements that local water utilities must comply with. The cost of meeting these requirements and the cost of necessary infrastructure expansion, replacement, operations and maintenance have escalated significantly over the past decades. In addition, much of the federal infrastructure investment that accompanied passage of the Clean Water Act in 1972 has now reached, or will soon reach, the end of useful life for that infrastructure. This represents a significant water infrastructure challenge as the majority of the infrastructure costs are now being passed on to local ratepayers/communities, creating affordability challenges in many communities.

CWS Recommendations for Consideration:

- We would appreciate clarification as to whether the intent of this recommendation is to create a conditionally forgivable loan that would be available to all drinking water, wastewater, and stormwater utility providers. As an example, CWS is a local government entity and that serves a significant urban population within Washington County, including within 12 cities. Many Oregon communities receive water utility services from a special service district or other non-city local government entity. We encourage the workgroup to work with Oregon’s water utilities to structure any infrastructure assistance program in a manner that will serve the variety of utility service delivery models seen in communities throughout Oregon.
- In addition, we encourage the workgroup to work with the variety of Oregon water utility types, especially those that are not operated by a city, to ensure that this financing structure can also work when the local government that is responsible for land use and housing development (including the issuance of certificates of occupancy) is distinct and separate from the local government that is responsible for providing water/wastewater/stormwater utility service.
- Page 3, item 1, of the workgroup recommendation document describes that this recommendation “does not reduce the cost of system development charges, it simply shifts the burden more broadly to the local tax-base.” CWS fully supports investments and financing tools that drive down the

actual cost of water-related infrastructure. The way to do this successfully is through a grant to the local government or through a forgivable loan. If the funding provided by the state were a grant or forgivable loan, it could potentially reduce costs for infrastructure that supports housing development. There would need to be some mechanism in place to ensure that any potential cost savings would be reflected in the ultimate price of the housing for the individual purchasing that home. It is important to note that a loan would not reduce infrastructure costs and may increase the costs as a result of interest paid.

- We would have concerns with shifting the costs of new development onto existing ratepayers that have already paid for their upfront share of water infrastructure capacity. This scenario would likely have a regressive impact to lower-income ratepayers and seniors on fixed incomes.
- Finally, it is worth noting that there will likely be scenarios where large infrastructure projects provide benefit to multiple properties/developments and may cross city, or other jurisdictional boundaries. We encourage the workgroup to reach out to Oregon water utilities to help navigate this potential challenge as it relates to this proposed funding resource.

Land Development Permit Applications Workgroup Recommendation:

“Expand and fast-track the state’s role in mediating disputes between design professionals and cities specifically relating to building, planning and public works.”

CWS Comments:

- We encourage the workgroup to reach out to utilities, such as Clean Water Services, to better understand how federal and state water quality permit requirements impact certain development requirements. As the permittee responsible for a National Pollutant Discharge Elimination System (NPDES) permit, we must implement certain requirements or risk violation of Clean Water Act standards and requirements. Failure to carry out the requirements in our NPDES permit can result in severe penalties, including significant fines or possible imprisonment.
- The review process to ensure that housing development is compliant with federal/state water quality permit requirements takes time and highly technical staff/expertise. CWS would be interested in serving as a resource to explore efficiencies in permitting that will also preserve our ability to ensure compliance with federal/state water quality permit requirements.

Availability of Land Workgroup Recommendation:

(Page 2, Item 1) “...state agencies own and lease land and buildings that may be suitable for housing development which may already be served by infrastructure...”

CWS Comments:

- We commend the innovation of the recommendations included within the Availability of Land Workgroup report, and we were especially encouraged to see the focus on affordable housing. We would encourage that any inventory of state lands/buildings for potential conversion to housing development should also include coordination with the local drinking water/sewer

utility provider to ensure that the infrastructure (e.g. lateral pipelines) that serves the land/building has been adequately sized to support the additional capacity that would result from that conversion. For example, an office building typically has several bathrooms on each floor, but would not likely have the number of plumbing fixtures (showers, facets, toilets, dishwashers) necessary to support multi-family housing. The state may want to look at an infrastructure fund that would help support necessary upgrades of infrastructure that may be required for conversion of state-owned lands/buildings to residential housing.

Again, we want to extend our appreciation for the time, effort and innovation that you all are bringing to this process. We hope that we can help provide helpful insight and expertise as you continue to work through this process.

Please feel free to reach out to Tracy Rainey at raineyt@cleanwaterservices.org with any questions or requested follow-up information that we can provide.



The League of Women Voters of Oregon, established in 1920, is a grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

September 8, 2023

To: **Co-Chairs Damien Hall and J.D. Tovey**
Members of the Housing Production Advisory Council

Re: **Council Recommendations - Appeals - Comments and Concerns**

The League of Women Voters of Oregon has engaged in both housing and land use policies for many years. The League supports our statewide land use planning program with its 19 Goals.

The League supports both Goal 10, Housing, and Goal 1, Public Involvement. In an attempt to address one, we cannot gut the other. Although we have no objection to local jurisdictions hiring a hearings officer should they be able to afford the expense, we have concerns about funding the Councils of Governments for this purpose without a clear understanding of who pays and how that resource will be allocated to the Council’s jurisdictions.

We do object to removal of an opportunity for a de novo hearing. We understand the concerns of applicants, but this is an opportunity for engagement by the public. **The findings requirement provides an opportunity for the jurisdiction and applicant to seriously consider the comments by the public and for the commenters to feel heard in the process. This brings transparency and trust to the process.** It is important for the public to be engaged and feel heard because they may well be asked to pay for infrastructure and other services (police and fire, for instance).

We hope you will consider these comments as you develop your final recommendation.

Thank you for the opportunity to discuss this proposal.

Becky Gladstone
LWVOR Co-President

Debbie Aiona
Housing Portfolio

Peggy Lynch
Natural Resources Coordinator

Nancy Donovan
Housing Portfolio

Cc: [Geoff Huntington](#), Governor’s Senior Natural Resources Advisor
[Karin Power](#), Governor’s Natural Resources and Climate Advisor
[Brenda Bateman](#), Dept. of Land Conservation and Development Director
[Andrea Bell](#), Oregon Housing and Community Services Director
[Alana Cox](#), Dept of Consumer and Business Services Building Codes Division Administrator



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September 8, 2023

To: **Co-Chairs Damien Hall and J.D. Tovey**
[Members of the Housing Production Advisory Council](#)

Re: **Council Recommendations - Infrastructure Fund - SUPPORT**

The League of Women Voters of Oregon has engaged in both housing and land use policies for many years. We also have strong positions on revenue, on budgeting and on taxation.

We provided earlier comments in our [August 25th letter](#) on the issue of infrastructure funding:

*Using these values as a guide, **we support your focus on infrastructure funding**. It's buildable lots that developers need and those who build housing for those 60% and below AMI are most in need of financial assistance for infrastructure. An ***ongoing revolving fund*** could provide help for individual lots in cities to pay for sidewalks, stormwater requirements, connection to sewer and/or water or road improvements. A fund could also help with the provision of infrastructure for raw land currently in Urban Growth Boundaries so those lands can be annexed into a city and the cost of multiple infrastructure needs reduced. ***With the current federal government funding sources, Oregon should take advantage of access to those monies to supplement any state monies for such a fund.****

We are aware of the Dept. of Environmental Quality's Clean Water Revolving Loan Fund and the fact that recent federal legislation has provided additional monies for this fund, as well as the Oregon Health Authority's Safe Drinking Water Fund. And we know that the Oregon Dept. of Transportation has a variety of funds to assist in addressing multiple transportation issues. However, local governments have been hamstrung by property tax Measures 5 and 47/50, both of which forced cities to create or increase the amount of Systems Development Charges required in order to address infrastructure needs. Their ability to provide funding or ask voters to bond for these needs is also limited. **Any new fund should be complementary to any current funding programs or should be grant funding for low-income housing.**

We are also aware of the amount of raw land sitting in current Urban Growth Boundaries (UGBs) that would benefit from a loan fund to help pay for needed infrastructure.

Additionally, many cities need to upgrade their current water and wastewater systems in order to meet current EPA standards. Yet, particularly in smaller cities, asking residents to self-fund those upgrades or expansions would put their utility bills beyond reach. (The League supported [HB 3125](#), to create a Ratepayer Assistance Fund to help low-income people pay for sewer and water bills in 2023. Although that bill was not passed, funding was provided to study this important issue.)

We support the concept of an Infrastructure Fund with state dollars as well as accessing whatever federal dollars might be available. But we also recognize the challenge of setting up a new funding program. However, the League is ready to help seek out a fair and equitable funding source beyond the General Fund (although that source should be considered in 2024 due to the urgent need to create buildable lots in current cities) in order to create an ongoing (not sunset in 10 years) fund since this need will continue well into the future. The urgent need to address this funding gap will require creative and efficient action by our state agencies.

We hope you will consider these comments as you develop your final recommendation.

Thank you for the opportunity to discuss this proposal.



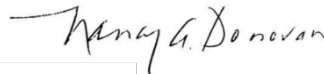
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September 8, 2023

To: **Co-Chairs Damien Hall and J.D. Tovey**
[Members of the Housing Production Advisory Council](#)

Re: **Council Recommendations—UGB Expansion Without Need – Opposed**

The League of Women Voters of Oregon has engaged in both housing and land use policies for many years. The League supports our statewide land use planning program with its 19 Goals. We also have strong positions on addressing our Climate Emergency.

We provided [comments](#) to the Land Conservation and Development Commission on Nov. 17, 2022:

...we implore you and your state agency counterparts, the current and new Governor, and the Legislature to take urgent action on recommendations that will more quickly provide housing opportunities for all Oregonians. Among those recommendations are to: Focus on the use of buildable lots in current cities, provide funding for infrastructure needs for those lots, and provide state funding to offset System Development Charges for development that will house Oregonians with 60% and under AMI with a priority placed on units affordable to extremely low-income households.

Next, help local governments look at their current Urban Growth Boundary (UGB) lands and help them update their Public Facilities Plans so that infrastructure can be provided, again using state and federal funds where appropriate—not only to help with the planning but also funding all or part of those infrastructure needs.

We also support a review of those current UGB lands related to wetlands that should not be developed but are assumed “buildable” in city calculations. This same principle should apply to other natural hazards lands. (Cities need to update their Natural Hazards maps and that may well include your proposals related to Wildfire Adapted Communities. This is another area where cities may well need staffing or funding help.)

We provided comments to you in our [August 25th letter](#) on providing developable serviced land for housing:

The League is proud to have advocated for a number of years on the need for affordable housing. We have participated in rulemaking and supported legislation to help Oregonians have a safe home. We support a local government’s adoption of a Comprehensive Plan and Development Code to designate developable lands within their jurisdiction so long as they meet statewide Goals and rules around Hazard areas and Federal Emergency Management Act (FEMA) regulations around floodplains.

The League believes that **the reason for UGB expansions should be focused on clearly defined need.** We acknowledge the statistics provided related to housing unit need, but want to stress that much of the need is for low-income housing requiring a subsidy for which the Governor and legislature have stepped up to help reduce the gap. The residents of that housing need to be near jobs and services, so locating them at the edge of cities does not serve them well. And we want to note that the housing shortage is happening all over the U.S., so **blaming our land use planning system is not only unfair, it is wrong.** Good planning saves money and builds successful communities where **we can all live, work, shop and play and can get there in a manner that reduces the effects on global warming.**

We have no objection to providing an opportunity for cities to consider adopting Urban Reserves, recognizing the cost of such an effort. First of all, we would hope to see cities updating their Public Facilities Plans and invest in conversations with their residents on how to provide infrastructure for the many acres of raw land in their current UGBs.

Since one argument for this process is to assure that truly affordable housing will be part of any units built, the recommendation that 35-acre expansions would not require a master plan assures that these acres will be yesteryear's subdivisions without mixed income developments.

We note that the current recommendation says that the new land only needs to be next to a UGB but that could mean for most cities a leap over unserviced raw land to get to the city boundary.

We also object to allowing Metro cities to be a part of this proposal. Metro was created in part to be the regional planning organization for this 3-county area and allowing individual cities to expand outside of Metro's process removes the important element of Metro's existence and ignores the fact that Metro cities have many acres of raw land yet to be developed.

As to [HB 3414 B](#) (2023) and the density requirements of that bill, **no place in Oregon should allow only 4 units per acre density.** Oregon cannot afford to squander our precious land nor can cities afford to provide services to such a limited density.

The League supports reviewing our UGB process as we did by participating in a previous UGB Streamlining [rulemaking](#). But **the overall principle of "need" must be a cornerstone of that effort.** Otherwise, we squander what is often valuable agricultural land needed to feed the world. And it is our understanding that the statement that it will be 4 years before any UGB expansions is incorrect. The OHNA effort does not freeze planning in Oregon.

The League wants Oregonians—all Oregonians—to have safe shelter. We will continue to monitor efforts by the Council, by the Governor's Office, by the Legislature, and in our various cities and support proposals that provide that housing while also supporting a broader set of values that make Oregon a special place.

We hope you will consider these comments as you develop your final recommendation.

Thank you for the opportunity to discuss this proposal.



Becky Gladstone
Co-President LWVOR



Debbie Aiona
Housing Portfolio



Peggy Lynch
Natural Resources Coordinator

Cc: [Geoff Huntington](#), Governor's Senior Natural Resources Advisor
[Karin Power](#), Governor's Natural Resources and Climate Advisor
[Brenda Bateman](#), Dept. of Land Conservation and Development Director
[Andrea Bell](#), Oregon Housing and Community Services Director
[Alana Cox](#), Dept of Consumer and Business Services Building Codes Division
Administrator



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September 8, 2023

To: **Co-Chairs Damien Hall and J.D. Tovey**
Members of the Housing Production Advisory Council

Re: **Council Recommendations - Gutting Tree Codes - Opposed**

The League of Women Voters of Oregon has engaged in both housing and land use policies for many years. The League supports our statewide land use planning program with its 19 Goals. We also have strong positions on addressing our Climate Emergency.

We provided earlier comments in our [August 25th letter](#) on this issue of tree removal:

We are equally concerned by the potential recommendation related to tree removal. Many Portland neighborhoods with the least tree canopy cover and fewest parks also have the most impermeable surfaces, compounding the heat island effect. See a [KPTV map](#) of the Portland Metro area from 2023. Trees and other greenspaces are valuable assets to absorb carbon (think diesel fumes in urban areas) and to help with our increasingly hot summers.

There are multiple calculations to determine the age of a certain species of tree by its diameter. In any case, one can assume that a 48-inch diameter tree of any species has lived a long time—much longer than any new “street tree” that might be substituted for such a large tree. And a “fee in-lieu” doesn’t get you the purpose for required trees.

Are there circumstances when a tree should be removed? Yes. But **allowing for a blanket rule to remove all 48-inch diameter trees on small lots and clearcutting on larger parcels should be rejected.** Local jurisdictions have created tree ordinances with the public’s input. In prior input to this Work Group, it was noted that **there are different species of trees with varying degrees of local importance. That is why this issue should be left to the local jurisdiction.**

Any changes in those ordinances should be done locally after public discussion around both the need for affordable housing and the need to preserve valuable trees, and not by statewide legislation.

Not considered in the recommendation is the role trees play in addressing our climate emergency. Do we need more housing? Yes. But if we don’t provide mitigating strategies, our warming climate will make our planet unlivable. Without trees, that will certainly be true of our cities. **The 2023 legislature recognized the value of trees and other natural areas when they passed [HB 3409](#), Sections 24-26.**

We hope you will consider these comments as you develop your final recommendation.

Thank you for the opportunity to discuss this proposal.



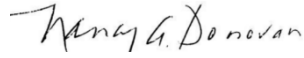
Becky Gladstone
LWVOR Co-President



Debbie Aiona
Housing Portfolio



Peggy Lynch
Natural Resources Coordinator



Nancy Donovan
Housing Portfolio

Cc: [Geoff Huntington](#), Governor's Senior Natural Resources Advisor
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September 8, 2023

To: **Co-Chairs Damien Hall and J.D. Tovey**
Members of the Housing Production Advisory Council

Re: **Council Recommendations - Public Involvement Exemptions - Comments and Concerns**

The League of Women Voters of Oregon has engaged in both housing and land use policies for many years. The League supports our statewide land use planning program with its 19 Goals. We have a strong position on Goal 1, public involvement, and Goal 2, which requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. Cities and counties must build their comprehensive plans on a factual base, and follow their plan when making decisions on appropriate zoning.

There are 241 cities in Oregon, each with a publicly adopted development code. Not all cities have Design Review Committees. By focusing on one city yet providing a recommendation related to all cities, this recommendation does a disservice to the other cities and their residents in Oregon who have engaged in creating and adopting these development codes. We note that this recommendation does NOT focus only on affordable housing development but ALL development.

We would support the creation of a **model code that cities can consider** to address the concerns raised by this recommendation. We note that another solution recommended is more **robust pre-application meetings—which the League supports. But residents are not invited to those meetings, leaving their voices out of the process.**

We hope you will consider these comments as you develop your final recommendation.

Thank you for the opportunity to discuss this proposal.

Becky Gladstone
LWVOR Co-President

Debbie Aiona
Housing Portfolio

Peggy Lynch
Natural Resources Coordinator

Nancy Donovan
Housing Portfolio

Cc: [Geoff Huntington](#), Governor's Senior Natural Resources Advisor
[Karin Power](#), Governor's Natural Resources and Climate Advisor
[Brenda Bateman](#), Dept. of Land Conservation and Development Director
[Andrea Bell](#), Oregon Housing and Community Services Director
[Alana Cox](#), Dept of Consumer and Business Services Building Codes Division Administrator



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September 8, 2023

To: **Co-Chairs Damien Hall and J.D. Tovey**
[Members of the Housing Production Advisory Council](#)

Re: **Council Recommendations - Cottage Clusters - Comments and Concerns**

The League of Women Voters of Oregon has engaged in both housing and land use policies for many years. The League supports our statewide land use planning program with its 19 Goals.

This recommendation includes two issues. The League has no position on the recommendation removing requiring separate utilities for each unit except that we have supported the opportunity for home ownership which might require splitting of utilities. One of many positive attributes of middle housing is the provision of possibly less expensive homes. The solution of creating a Homeowners Association would seem to increase the cost of rental or ownership so we caution recommending that solution. **We would not want this recommendation to reduce the opportunity for individual unit home ownership.**

As to the removal of the requirement of a courtyard, we do believe that a small greenspace is important. Greenspaces are valuable assets to absorb carbon (think diesel fumes in urban areas) and to help with our increasingly hot summers. They also provide an opportunity for a small play space and/or an opportunity to increase community connections among the cottage residents. **We do not support this recommendation.**

We hope you will consider these comments as you develop your final recommendation.

Thank you for the opportunity to discuss this proposal.

Becky Gladstone
LWVOR Co-President

Debbie Aiona
Housing Portfolio

Peggy Lynch
Natural Resources Coordinator

Nancy Donovan
Housing Portfolio

Cc: **[Geoff Huntington](#)**, Governor's Senior Natural Resources Advisor
[Karin Power](#), Governor's Natural Resources and Climate Advisor
[Brenda Bateman](#), Dept. of Land Conservation and Development Director
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[Alana Cox](#), Dept of Consumer and Business Services Building Codes Division Administrator



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September 8, 2023

To: **Co-Chairs Damien Hall and J.D. Tovey**
Members of the Housing Production Advisory Council

Re: **Council Recommendations - 20% “Adjustments” - Comments and Concerns**

The League of Women Voters of Oregon has engaged in both housing and land use policies for many years. The League supports our statewide land use planning program with its 19 Goals. We have a strong position on Goal 1, public involvement, and Goal 2, which requires each local government in Oregon to have and follow a comprehensive land use plan and implementing regulations. Cities and counties must build their comprehensive plans on a factual base, and follow their plan when making decisions on appropriate zoning.

There are 241 cities in Oregon, each with a publicly adopted development code. As the legislature and the development community have required “clear and objective standards” for development codes, the flexibility that was once a part of the development process has been eliminated. Therefore, any ability to assist in development of non-standard lots has required a series of variances to assure that the development meets the public’s concerns around amount of greenspace, trees to help with heat islands and to absorb carbon, street connectivity, and other standards. The development community, even affordable developers, cannot have it both ways: Clear and Objective Standards and Waiving of Important Development Criteria. Allowing a “by-right” exemption of these development requirements without a public process is overreach. What may be seen as a “small technical detail” is often a huge livability issue both for the future resident of that unit as well as current ones.

We hope you will consider these comments as you develop your final recommendation.

Thank you for the opportunity to discuss this proposal.

Becky Gladstone
LWVOR Co-President

Debbie Aiona
Housing Portfolio

Peggy Lynch
Natural Resources Coordinator

Nancy Donovan
Housing Portfolio

Cc: [Geoff Huntington](#), Governor’s Senior Natural Resources Advisor
[Karin Power](#), Governor’s Natural Resources and Climate Advisor
[Brenda Bateman](#), Dept. of Land Conservation and Development Director
[Andrea Bell](#), Oregon Housing and Community Services Director
[Alana Cox](#), Dept of Consumer and Business Services Building Codes Division Administrator



CITY OF BEND

September 8, 2023

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Melanie Kebler

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Anthony Broadman
Barb Campbell
Ariel Méndez
Megan Norris
Mike Riley

CITY MANAGER

Eric King

Housing Production Advisory Council
Via email to HPAC.Gov@oregon.gov

Dear Co-Chairs Hovey and Hall and Members of the Council,

I write to share Bend's experience with HB 4079 (2016) and HB 3318 (2021) and provide recommendations for future policy action on land availability. We welcome the opportunity to share how changes to the UGB process can help provide more well-planned affordable housing within cities, as well as to identify some pitfalls and barriers that have held up the timeline for much-needed housing.

To provide context and background for Council members who may not be familiar with Bend's history of UGB expansion, our 2016 expansion was acknowledged by the Department of Land Conservation and Development (DLCD) in 2016. Our UGB project included a significant comprehensive plan update and extensive community involvement. It included efficiency measures and created opportunity areas for lands already inside the UGB, and was as much a commitment to efficient utilization of existing lands as it was an effort to add new lands. For these and other reasons it was recognized with awards from both the Oregon Chapter of the American Planning Association and DLCD.

Since 2016, we have partially or fully entitled over 5,000 housing units in seven of our ten expansion areas. A total of 700 housing units have been built or have a building permit issued. One of our most exciting infill areas, which was enabled as part of the 2016 expansion, was just entitled through the Timber Yards master plan, bringing mixed use vertical urban housing development to the core of our city. The fact that it has taken several years to get to 5,000 entitled units is not a failure – in fact we believe it's likely the most any city of our size in the state has achieved in that same time period. It simply takes time to master plan, plan and build infrastructure, develop annexation agreements, move through the land use process, and finally develop housing.

It's important to note here reforms that have been attempted in the past. Specifically, in 2013 the Legislature passed HB 2254 directing DLCD to develop new rules for a simplified UGB amendment process. Those rules weren't approved until 2016, and to date no city has used them. We need to up our

game if we want to make improvements to this process that will work for cities, address our housing crisis, and uphold Oregon's land use values.

Also in 2016, the Legislature passed HB 4079, creating an opt-in for cities to pursue small, expedited UGB expansions with strong affordable housing commitments. Bend and Redmond were the only cities successful in getting approval to proceed. Unfortunately, the on the ground implementation of HB 4079 was a huge lift and did not result in the rapid affordable housing development that was intended. After six years, the City Council just approved a master plan and annexed the land into the city, thanks largely to Hayden Homes stepping up and finding a way to make the development work. One example of a barrier we had to deal with was the size constraints in HB 4079 that prevented us from considering true complete community planning with a range of uses that prevent the development from being reliant on commercial and economic lands elsewhere in the city. This also was a missed opportunity to help the developer offset the cost of income-restricted affordable housing. The one advantage of an approach like HB 4079 is the guarantee of a certain number of those affordable homes, at the level we desperately need in Bend and across the state.

In 2021 we had another opportunity not just to apply for a new idea but to shape that idea ourselves. In HB 3318, Bend advocated for a complete community approach to bringing land in outside of the typical UGB process. This was treated as a one-time decision that was outside the normal land use process, allowing us to expedite bringing in 261 acres of land known as the Stevens Road Tract, owned by the Department of State Lands. We developed a concept plan for the land within seven months of the bill passing, including getting community feedback and support for a community with dense housing, open spaces, connections to transit and trails, and affordable housing set aside for educators. We continue to move through the process to include the land in the UGB this calendar year and hope to urge a swift land sale so we can move into partnering with a developer to support the development of over 2,500 planned homes. It's been two and a half years since the bill passed, which means that we are already well ahead of the timeline our HB 4079 project experienced or the timeline of development through our 2016 UGB expansion areas. While there are improvements to be made to this process, we believe that HB 3318 should be used as a model for future one-time UGB amendments. I have included an additional document about the lessons we have learned from HB 3318 with more detailed information from our staff.

Given the above experience of the City of Bend, we share the following top policy recommendations when considering a land availability recommendation:

- Require concept planning to ensure all required elements in the policy can be addressed. Allow cities to incorporate land for commercial and employment uses into the plan to support the new community. Require open spaces, parks, and trails to be incorporated.
- Require that infrastructure be planned for and decisions be made with agreements on who will be paying for and building infrastructure up front before a master plan is submitted for review.
- Require residential land be allocated for multiple types of housing – single family detached, multifamily, middle housing, etc.

- Require that any land coming into a UGB is counted for housing needs. Cities should be required to include the land in the next Buildable Lands Inventory or Housing Capacity Needs analysis.
- Follow the process in HB 3318, Section 9 to treat expansion as a non-land use decision. This approach was supported by DLCDC during legislative hearings this past session.
- Limit the one-time UGB amendment to lands that have few or no development constraints, e.g. non-resource or exception land, or land not having any Goal 5 resources (e.g. wildlife, cultural).
- Clarify the relationship between cities and counties when cities use this option. Allow the city to do the work and the county to adopt their final amendment without a separate hearing.
- Require coordination with school districts, special districts organized under ORS 198, and private utilities that may also provide infrastructure and utility services.

Finally, I will continue to emphasize the need for infrastructure funding and support for cities as part and parcel of any housing and land use policy changes recommended by this Council. Whether inside or outside an existing UGB, land that can't be expeditiously served with infrastructure can't be considered ready for housing or other needs. The state needs to help cities fund needed infrastructure for all developable lands. Bend's primary focus is on infill development. But some infill lands are more difficult to make ready than others. And our need estimates call for a small to modest amount of additional lands. It may be that some of our best opportunities to expeditiously meet our community's needs lie in lands adjacent to, rather than within, our current UGB.

Thank you for your work already done in this area – it is crucial to speeding up housing development and infrastructure investments from the State must be linked to any new land coming into UGBs if we are to see the homes we want built on the timeline we need.

Please do not hesitate to reach out to me and our staff at the City of Bend with any further questions.

Sincerely,

A handwritten signature in purple ink, appearing to read 'MK', with a stylized flourish extending to the right.

Melanie Kebler
Mayor of Bend

Attachments:

HB 3318 Lessons Learned document from City of Bend staff
HB 3318 full text

September 3, 2023

Dear Housing Production Advisory Council,

My name is Hannah Althea. I'm an Urban and Regional Planning graduate student, and I deeply care about environmental issues, the built environment, and how those interactions have tangible, daily impacts on people's wellbeing and equity, particularly in our ever-changing world.

I am writing to you today regarding the proposal to allow residential development in nonconnected wetlands through loosening definitions and expanding mitigation banks, and loosening restrictions on preserving tree canopy, but particularly regarding building housing on wetlands. This is what a planner might deem a "wicked problem". It's sticky, complex, and it seems like there's no right answer...but in this case, the answer is very clear: building on wetlands is short-sighted, and **follows a pattern of urban/rural development for a climate we do not have anymore.**

It's helpful to turn to the question of equity to help inform our decision-making. History shows that building on wetlands - even nonconnected ones - will result in any buildings developed on those lands and their inhabitants being at much higher risk of flooding. Here are just a few of many examples of those consequences:

- In Philadelphia, the brilliant Anne Whiston Spirn found a connection between the filling of Mill Creek in the 1880s and a pattern of urban disinvestment. She found that buildings developed on these floodplains fell apart and eventually resulted in empty lots, furthering the cycle of poverty and disinvestment ([video](#)).
- In our very own Portland, Oregon, "the Columbia River, roaring downstream fifteen feet above the floodplain in Portland, undermined a railroad embankment that served as a dike, starting a flood that would leave 18,000 people homeless and significantly alter race relations in Portland." Despite a relatively low population of Black people in Portland in general, in proportion, the Vanport region had a high concentration of Black community members, and as a result, 1/3 of those who became homeless from the Vanport floods were Black. ([source](#))
- Not only that, lost wetlands have a resounding impact on remaining wetlands: ".. A study of a small Canadian watershed estimates that the combined effect of all wetlands

(approximately 15 percent of the basin area) reduces flood peaks by 10 percent. Conversely, the loss of wetlands has been found to increase flood risk. In fact, studies have found a strong positive correlation between individual wetland permits and flood damages. That is, projects that alter wetlands (particularly in the 100-year floodplain) result in significantly greater flood damage.” ([source](#)) Flood damage costs money - and the people who can least afford it are going to be the most impacted. This is only being exacerbated by climate change.

Wetlands are imperative because they make our environments more habitable. They become less prone to flooding, the water quality is better, they house a wide variety of flora and fauna, they keep regions cooler (again, very important in our changing climate) and they make Oregon beautiful which attracts taxpayers and tourists. The more we lose, the more pressure is put on other wetlands that receive more inundation of pollutants concentrated in their waters, and are more susceptible to invasive species.

Even with FEMA’s requirement of flood insurance, complications still remain: Low income communities are less likely to afford it, and even if they do pay for it, it’s hard for those same people to then find housing outside of a floodplain since it’s generally more expensive. [FEMA is rapidly losing money with the increased pressure from climate change induced-extreme weather events, such as the Maui wildfires of this summer.](#) As a result, FEMA has to make tough choices. Oregon will have to make tough choices in the wake of increased flooding events.

To end this humanitarian crisis and do it well so it doesn’t just result in more harm, we need to build smarter, *not* take shortcuts that ultimately benefit developers at the expense of the people who will live in these regions. It’s a tale as old as time, and we can do better. Oregonians deserve better.

Climate change has forever altered the way we experience our environment. It’s time to become resilient, part of which means honoring the natural world we still have. It is also very clear that we need to address the problem of affordability to tend to homelessness in Oregon.

Homelessness is not a result of lack of housing stock, but rather, the financialization of the housing market that has rapidly increased in price over time. It’s about profits being prioritized over people, time and time again.

Thank you,
Hannah Althea



P.O. BOX 250 ■ WARRENTON, OR 97146 -0250 ■ OFFICE: 503.861.2233 ■ FAX: 503.861.2351

TO: J.D. Tovey and Damien Hall, Co-Chairs Oregon Housing Production
Advisory Committee
Matthew Tschabold, Senior Housing Policy Advisor, Office of Governor
Tina Kotek

DATE: September 8, 2023

RE: City of Warrenton Support of HPAC Recommendations

The City of Warrenton is pleased to provide comments in support of the important changes proposed by the Land Availability Work Group. Warrenton is a fast-growing rural community in northwestern Clatsop County. Our position on the Columbia River and the North Oregon coast gives us a unique perspective on the housing crisis facing our state. We are successfully blending commercial and water-oriented industrial development with an emerging tourism industry. The demands for multiple types of housing have never been higher.

The natural features that make the cost so unique also create challenges for our community. The lure of the beach and scenery of the Pacific Ocean and the Columbia River has created unprecedented demand for second homes and vacation developments. While, at the same time, our expanding service sector and industrial employers are competing for housing with investors and short-term rentals. It is a fine line that communities are attempting to manage.

The availability of reasonably priced infrastructure (sanitary sewer, water, and roads) is hard to come by. We are faced with a wastewater treatment plant nearing capacity after just 20 years and are in the planning process for a new \$36 million plant replacement/expansion. This lack of capacity has the potential to delay the construction of a new 450-unit mixed housing development within our community. Limits on water rights have also placed a squeeze on our ability to provide water service for areas both inside and outside of the City of Warrenton. We currently provide water services for parts of rural Clatsop County and the City of Gearhart.

We are trying to do our part in working through the housing crunch. We amended our development code to add minimum density requirements for residential districts, added multi-family housing to residential and commercial zoning districts, allowed accessory dwelling units and cottage clusters. We initiated a development code audit process this year with the goal to streamline the development review process where allowed by law.

State regulations regarding urban growth boundaries and expansion have created a false notion that cities have adequate lands within which to encourage development. Our community is the amalgamation of several smaller cities that are separated by large expanses of wetlands and sand ridges. Very few truly developable tracts remain within our growth boundary. Wetlands, hydric soils, tsunami evacuation zones, and flood plains all impact our developable lands inventory. The costs and time associated with a major UGB amendment and master planning process are financially difficult for smaller rural cities to absorb.

The City of Warrenton strongly supports financial resources for infrastructure from the State of Oregon. We have secured funds for part of our infrastructure expansions, but still need additional funds to move the projects forward. We also encourage supporting cities that are working on ways to improve the housing development process.

The City of Warrenton strongly supports an expedited UGB review process that removes development restricted lands and wetlands from buildable lands inventories and housing needs. The City also supports the exemption for master planning for smaller UGB amendments.

Thank you for the opportunity to share our support for the much-needed improvements to our housing development process.

Sincerely,

A handwritten signature in blue ink that reads "Henry A. Balensifer, III". The signature is written in a cursive, flowing style.

Henry A. Balensifer, III
Mayor, City of Warrenton, Oregon



CITY OF COOS BAY

Community Development Department

500 Central Avenue
Coos Bay, OR 97420

541.269.8918

www.coosbayor.gov

September 7, 2023

RE: Housing Production Advisory Council (HPAC) September 8, 2023 Meeting – Availability of Land Expedited UGB Expansion Recommendation

HPAC Council Members:

The City of Coos Bay has long been a leader, taking an active role in finding solutions to the housing supply crisis in our area. In 2020, the City of Coos Bay completed a Buildable Lands Inventory (BLI) and Housing Needs Analysis (HNA) with a focus on producing more middle housing options. In 2022, the City revisited its BLI and HNA in an attempt to evidence support for more residential land for needed housing in our area after a 400 unit manufactured home park development stalled. Both studies found that the City has an adequate supply of buildable land to meet the projected need for residential development through 2042; the City rejected this finding with their acceptance of the 2022 BLI/HNA, finding instead that the results were not reflective of the actuality of our local circumstances. Over the last three years, the City has implemented housing production strategies through amendment of the zoning ordinance to allow for more middle housing types and to streamline permitting procedures and is currently moving forward to implement its own Multi-Unit Property Tax Exemption (MUPT) Program. Still, after utilizing most tools available, middle housing type development in our area is lacking.

In early 2023, the City began coordinating with Coos County to amend its Urban Growth Boundary (UGB) to include already acknowledged shared Urban Growth Areas pursuant to the 1987 Joint City-County Management Agreement. However, this process stalled when the Department of Land Conservation and Development (DLC) suggested the City would need to follow current UGB amendment rules and evidence a need for more residential land – based on current adopted methodologies for analyzing housing needs, this is impossible.

We know that the Port of Coos Bay's shipping container facility project, supported by the Governor's office, is imminent and can only have the best chance of succeeding when our community is ready to house the thousands of workers who will come from outside our area. We know there is already a lack of opportunities across most income levels for both ownership and rental housing in Coos Bay. We know we need to be part of the housing crisis solution in our area. Cities urgently need all the tools available, including increased available land supply, to help encourage the varied types of residential development needed to ease the pressure our communities are feeling and to help support much needed economic growth in Oregon.

The Expedited UGB Expansion recommendation, as written, may not specifically work for the City of Coos Bay because of the unique UGB history between the City and Coos County; however, it will provide relief

for many other cities to be allowed to do a one-time controlled expansion with a City Council vote instead of wading through the arduous UGB amendment process currently required by the State and DLCD, especially in light of the fact that housing is clearly needed to support jobs and economic growth. The City of Coos Bay supports prioritizing seats at the OHNA rulemaking table and resources to establish urban reserves to cities opting-in to this program and asks to be afforded the same if the Expedited UGB Expansion does not work to meet our needs. The City of Coos Bay is currently working with DLCD to coordinate expansion of our UGB based on the prior agreement and we are hopeful that we can come to an agreement as to what this expansion process and timeline looks like soon so we can best be prepared to facilitate development of needed housing in our community.

The City of Coos Bay asks that local municipalities be provided a variety of tools, including the recommended Expedited UGB Expansion option, to utilize in our attempts to facilitate the development of needed housing and continued economic growth in Oregon. Furthermore, the City asks for a seat at the OHNA rulemaking table. We know not one tool will be enough to meet every community's need, and every available tool makes a difference.

Sincerely,

Chelsea Schnabel, AICP, CFM
City of Coos Bay Planning Administrator

From: thomassonct@gmail.com
To: [GOV Hpac * GOV](#)
Subject: Testimony on workforce, regulation and UGB
Date: Friday, September 8, 2023 5:39:22 PM

You don't often get email from thomassonct@gmail.com. [Learn why this is important](#)

To: Housing Production Advisory Council

Sept 8th, 2023

Cc: Governor Kotek

Dear Governor Kotek's Housing Production Advisory Council:

As a physician, homeowner, mother and Portland apartment owner, it is incredibly apparent that we are in an affordable housing and general housing crisis. At the same time, as a climate change expert and former Executive Director of Physicians for Social Responsibility, we must not pit the crisis of climate with its impacts of urban heat islands, drought, loss of wetlands, and concerns with loss of natural and working lands against the housing crisis.

Thank you for your service in coming up with assessments and possible solutions to obstacles from a builder and developer point of view.

The public announcements and outreach for this council is limited and should have had much greater reach and breadth. This is evident in the lack of quantitative data and sources for the recommendations listed in the recommendations.

I am in favor of the work force development concepts. However, the data outlining workforce retirement and shortages are not footnoted, so cannot be corroborated. The only data listed is for general trades and electricians. Likewise, the Bureau of Labor and Industries provided no input and are required to approve apprenticeships so their expertise could have been sought. However, the building trades have limited apprenticeship training sources and mentors and increasing these opportunities is essential especially in the electricity sector for solar, battery and smart meter installation.

There are a number of land use environmental regulations that should not be altered for the sake of building faster. The following are only a few.

1. People are dying of heat in urban areas. Trees and roof gardens are essential to lower the ambient temperature not just from shade but from transpiration. White roofs are in order as well but are not regulated yet. Changing tree ordinances or "adjustments" to streamline permits cannot be allowed, unless they are in the footprint of the building proposed and tree planting should be planned in other areas of the platted lots. Requirements sparing trees on and in other rights of way even including sewer and water lines should be put forward. Additional planting on the same lots being built or in other areas must be required as a small measure to replace those cut. The sizes listed are often not even found in parks, so the recommendations are not in line with reality.
2. Wetlands. Building in wetlands and floodplains should stop. The Willamette River Greenway is designated for important reasons of managing floodplains, ecology and species protection. There are minimal or no wetland banks because they've been overbuilt or oversubscribed. I would rather have building in non-agricultural land outside the UGB than overtaking the few remaining wetlands because of their natural and essential work to filter water, manage stormwater and protect species.
3. Lastly, please keep in mind that many homes and even multifamily buildings can benefit from solar. Solar orientation is a new recommendation in some jurisdictions. This should be kept in mind.

Lastly, changes to the methods of expanding the Urban growth boundaries is not necessary. There are relatively few cities potentially at the coast where geography dictates a need for expansion on shorter notice and there are variance methodologies in our laws for them. But in general, expansion based on need is required and our UGB is what makes Oregon agriculture and forest lands safe and productive. Building on the edges requires much more in infrastructure costs, public transportation demands that is hardly serving low-income Oregonians now. The densities listed in the amendment to HB 3414 were far too low providing only single family homes without adequate requirements for the true affordability needed.

Allowing the initial component of HB 3414 move forward with an office to provide input and support for cities and counties around the state to manage the land use laws and permits is a welcome addition.

What is needed is the following:

- Rotating fund for development costs for affordable housing for the 46% of those in need at or below 80% of Average Median Income (AMI) and with lesser availability for housing in the next 20% of need i.e. 130% of AMI where development costs are a burden to pass through or are essential to get the project initiated.
- Thorough inventory and assessment of unbuilt or underbuilt lots in our cities and the barriers to their development.
- Increase the ability or funding to purchase underwater vacant buildings, parking lots, strip malls and struggling office parks.
- Further changes in zoning to intermix mixed-use and multi-family housing in more areas of our cities.
- Evaluation of city funding to help build infrastructure and overhaul of the property tax structure that is failing our system for support services, schools and equity.
- Staff and fund the Department of Land Conservation and Development adequately to implement HB 2001 (2023) to help smaller cities manage the permitting process and land use assessments to meet the needs of lower income Oregonians. Then require speed in implementation. In larger cities, demand turnaround on permits that is in keeping with the crisis we are facing. Again, cities are struggling with funding as well.

I and the groups I work with are willing and interested in helping to move policies and actions to help overcome development cost barriers, streamline permitting without undercutting essential environmental regulations and building a skilled workforce.

Warm regards,

Catherine Thomasson
503-819-1170
thomassonct@gmail.com

From: [Anna Beaty](#)
To: [GOV Hpac * GOV](#)
Subject: Submission of Public Testimony
Date: Friday, September 8, 2023 4:23:36 PM

You don't often get email from annabeaty@yahoo.com. [Learn why this is important](#)

Hello,

I was unable to participate in this afternoon's session due to work meeting, so, I am submitting my public testimony to the council below.

Anna Beaty

Public Testimony

I am a third-generation Oregonian, longtime SE Portland resident and I staunchly oppose the council's proposed rollback on environmental protections in urban landscapes. That the council is even considering this misguided proposal, at a time of massive drought, wildfire, heat waves in Oregon, is reckless and a dangerous threat to the welfare of Oregon's inhabitants.

I work with children with disabilities in preschools all along the SE 92nd and SE Foster corridor. That is to say, the exact neighborhood which experienced the highest heat levels in the city of Portland during the heat dome of 2021. We know that the affluent West Hills was 99 degrees during that time, a full 13 degrees cooler **due to the presence of tree canopy alone**. As our years get hotter and hotter--Portland alone loses lose tree canopy the equivalent to Mt Tabor park *every year*. And the council wants to increase this lamentable figure?

These very SE neighborhoods are the site of increased affordable housing development and these very neighborhoods are the ones that need tree canopy and environmental protections the most. That the council proposes further degrading the already fragile environmental protections is unconscionable. The preschools I work at shut down early in the heat as the children can no longer play outside. The residents are more at risk of heat stroke. We know heat kills.

There is a simple solution--which the council apparently is unable or unimaginative enough to consider: create affordable housing **and** maintain a robust environment of trees, wetlands, environmental zones. There is absolutely no reason that these two can't operate in tandem.

As we saw with Lahaina, environmental degradation creates a tinderbox resulting in tragedy. Don't burn the houses you build. And if you do, maybe you shouldn't be on this council.

Sincerely,
Anna Beaty
SE Portland

From: [Sara Grigsby](#)
To: [GOV Hpac * GOV](#)
Subject: Message to HPAC on UGB expansion recommendation
Date: Sunday, September 10, 2023 8:22:47 AM

You don't often get email from sara@healthysystems.net. [Learn why this is important](#)

Message to HPAC on UGB expansion recommendation 9/10/23

Co-Chairs Tovey and Hall and Council Members:

I am writing concerning your workgroup's Recommendation #5: Expedited UGB Expansion--reported in your August meeting.

I urge you to reconsider this recommendation and come out strongly to protect the existing urban growth boundaries, which since the adoption of Oregon's signature land use policies in 1973 have protected farm and forest land from development.

There is no evidence that allowing expansion of UGBs would translate into more affordable housing. There is no evidence that current UGBs are creating the state's housing shortage. More likely, allowing such expansions would lead to an increase in higher end housing at the periphery of the urban areas, where amenities such as public transportation and other support services to benefit low-income populations would be scarce. Moreover, increased auto traffic from housing on the periphery would add additional greenhouse gas emissions, which would run counter to Oregon's climate goals.

It's a Bad idea!

Rather than using the state's housing shortage as an excuse to relax land use regulations, HPAC should come out strongly in support of Oregon's current land policies, for the sake of the health and well-being of all Oregonians.

Sincerely,

Sara Grigsby

PO Box 146

Corbett, OR 97019

--

Sara Grigsby
Healthy Systems
THE HEART OF THE MATTER
503 789 7542

From: [John Christensen](#)
To: [GOV Hpac * GOV](#)
Subject: Maintain Oregon's Urban Growth Boundary restrictions
Date: Saturday, September 9, 2023 10:55:23 PM

You don't often get email from nagarkot247@gmail.com. [Learn why this is important](#)

Co-Chairs Tovey and Hall and Council Members:

I am writing concerning your workgroup's Recommendation #5: Expedited UGB Expansion-- reported in your August meeting.

I urge you to reconsider this recommendation and come out strongly to protect the existing urban growth boundaries, which since the adoption of Oregon's signature land use policies in 1973 have protected farm and forest land from development. There is no evidence that allowing expansion of UGBs would translate into more affordable housing. There is no evidence that current UGBs are creating the state's housing shortage. More likely, allowing such expansions would lead to an increase in higher end housing at the periphery of the urban areas, where amenities such as public transportation and other support services to benefit low-income populations would be scarce. Moreover, increased auto traffic from housing on the periphery would add additional greenhouse gas emissions, which would run counter to Oregon's climate goals.

Rather than using the state's housing shortage as an excuse to relax land use regulations, HPAC should come out strongly in support of Oregon's current land policies, for the sake of the health and well-being of all Oregonians.

Sincerely,

John F Christensen, PhD
39825 Gordon Creek Rd.
Corbett, OR 97019
(971) 645-3882
nagarkot247@gmail.com

From: [loni gray](#)
To: [TSCHABOLD Matthew * GOV](#); [GOV Hpac * GOV](#)
Subject: RE: Written Testimony for Session 3 of UGB Recommendation under consideration - An alternative proposal that can live within UGB
Date: Friday, September 8, 2023 4:37:06 PM
Attachments: [ZOdwelling's email logo 1_75.png](#)
[2 SUITE ADU 8-7-23 WITH NOTATION.pdf](#)
[ZO Conversion Proposal Final August 7 2023.pdf](#)

Matthew, HPAC Members and Legislators,

I would like to submit an alternative proposal to the UGB recommendation now under your consideration. Since this proposal crosses policy, finance and design as well as existing land use, I'm offering it to all of you.

My name is Loni Gray, and since 2011 I've been a leading voice for well-designed infill, collaborative and ADU housing at cities, APA conferences, and housing policy think-thanks on the West Coast.

The program I'm offering for your consideration focuses on nimble, but not costly, re-design of existing housing to create more affordable dwelling places for Oregonians. I'm attaching a proposal summary, with suggestions for program details. I'm also attaching a sample ADU design.

Council members, I believe this idea to be something of a secret weapon for the Governor that lets her:

- ~ Develop at less cost and great speed than non-profit housing and infill new construction.
- ~ This program allows existing housing stock to serve more families!
- ~ And it offers tenants more affordable rents, even as it gives property owners - owner-occupied and investors alike - a bonus on size, possible funding and financial return.

The ZO conversion program, as I call it (Greek words Zo, Zontanos: to live vibrantly) offers Oregonians many advantages beyond providing quickly produced shelter. By lessening their costs, along with providing a healthy support system, they can live a life with dignity.

So I believe a program to reward and encourage these conversions would be a worthy recommendation for you to shape, and adopt.

Please look over the program proposal and let's talk further.

Loni Gray

510-508-7003

ZOdwelling's
re-defining HOME

<https://www.linkedin.com/in/lonigray/>

<https://www.youtube.com/watch?v=nVyuRm8Q204>

the Roost - BASEMENT 2 BED/2BA ADU

2 SUITES
SHARED KITCHEN & DINING

ADU CAN BE USED BY ONE FAMILY HOUSEHOLD

OR

2 MORE AFFORDABLE SUITES AROUND A COMMONS -
WITH 2 PRIVACY SUITES AND SHARED KITCHEN
COMMONS

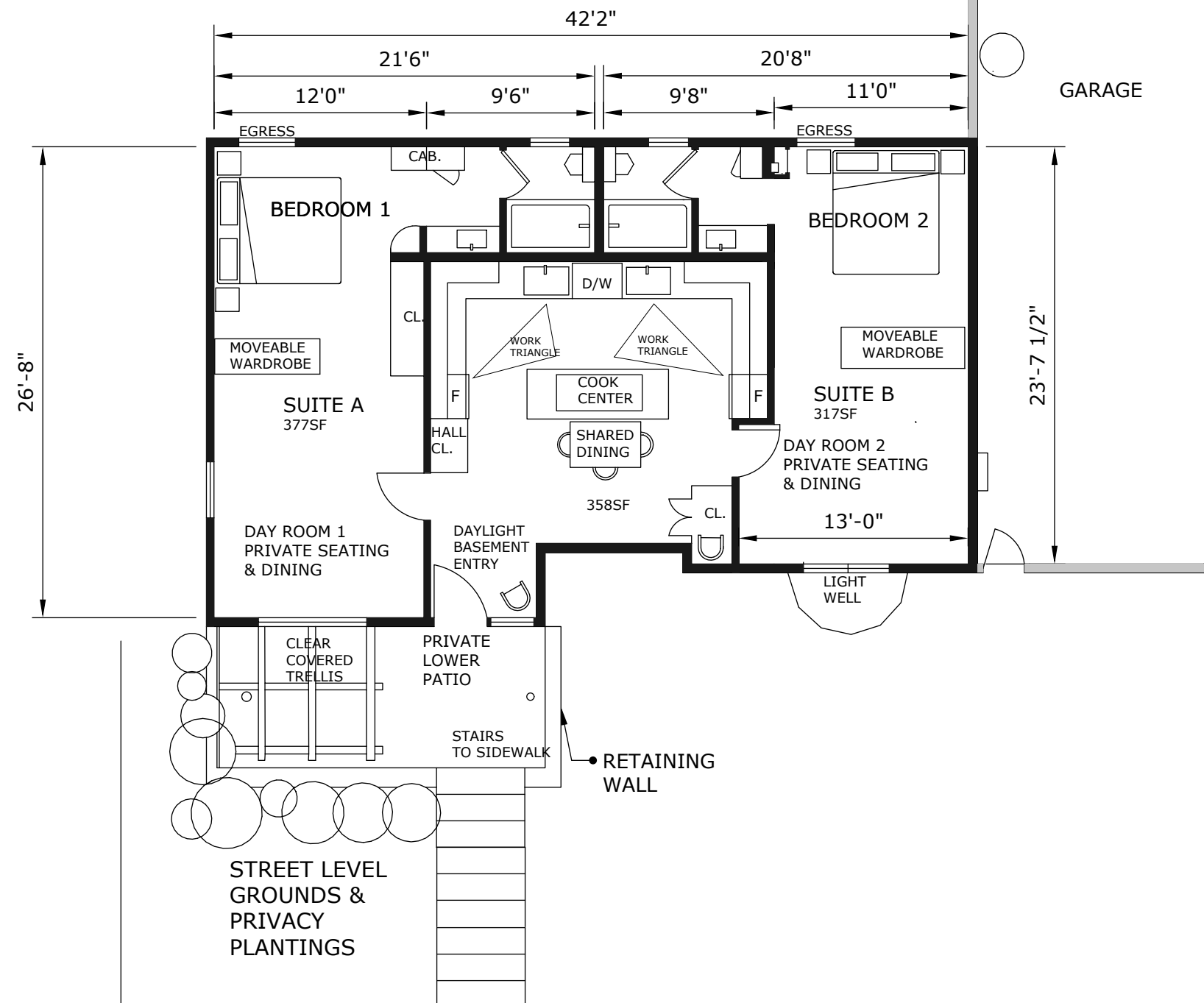
~ KITCHEN HAS 2 WORK TRIANGELS, SEPARATE
SHELVING & FRIDGES. (CAN REDUCE TO ONE LARGE
SINK WITH DISHWASHER)

~ 2 PRIVACY SUITES WITH DAY ROOMS THAT CAN BE
USED FOR PRIVATE DINING OR LIVING ROOMS.

~ EACH HOUSEHOLD HAS 675-735SF OF INDOOR
LIVING AREA

~ DAY ROOMS (CHANGE TO DOUBLE POCKET DOORS)
ONE OR BOTH CAN BE OPENED ALLOWING FOR A
LARGER SHARED COMMONS FOR PARTY OR WHEN
DESIRED.

~ NOT A TINY HOUSE, FULL-SIZED ROOMS AND
KITCHEN, AND GROUNDS, WITH ASSES STORAGE IN
BACKYARD



1/8" = 1'0"



ZO Conversion Program

INTRODUCTION

This proposal crosses the focus of several of your working committees on HPAC, so I offer it to all of the HPAC Council for consideration.

Since 2011, I have been a leading voice for *well-designed* collaborative housing at cities, APA conferences, and housing policy think-tanks. Having been one of the founders of the East Bay ADU Task Force, I went on to coordinate the City of Oakland's ADU presentations and tours, presenting the policy segments. I also ran an in-fill design and policy consulting business, helping owners and investors site ADUs, and convert single-family homes into collaborative housing.

What I'm proposing is a state program to encourage the remodeling of existing residences into a specific form of collaborative housing where 2-4 households can thrive, living together long-term. I call this subset of designed collaborative housing ZOs, from the Greek words Zo, Zontanos - *to live vibrantly*.

ZOs consist of:

One or more buildings on a parcel that by their redesign, arrangement and relationship intentionally bring together several households of various demographics and configurations for the social and economic benefits, the housing affordability, and resilience it offers all residents.

These are specifically designed to encourage healthy, long-term living as a 2-4 household arrangement.

A ZO is usually the adaptive re-use of an existing single-family residence or commercial structure, or an ADU designed for more than one household. (**See the attached example being built in Portland.**) If part of city code, other remodeling possibilities such as detached bedrooms can be included. In all variations, the housing includes redesigned collaborative kitchens and commons, good-sized privacy realms or quarters for each household, circulation re-designed for several occupants, and may include optional income-generating or affinity spaces.

Please note that in all cases, re-design of these existing structures is vital to the success of this class of housing and this program!

Most efforts at collaborative residences are makeshift; they pour multiple households into unaltered single-family dwellings. Without attention to privacy, personal storage and good circulation for multiple residents, they can only be looked upon and used as an interim housing strategy. But with **careful but not costly** redesign for privacy and commons, the existing housing stock can be nimbly converted to housing for 2-4 households. This is why the program aims to develop State-wide ZO Design Guidelines for jurisdictions and pay staff-time for participating.

Since this program focuses on redesigning mostly internal spaces, it leaves existing neighborhood open space, and structural density. As well, it encourages ZOs to be organically developed by owners, scattered across all neighborhoods, allowing infrastructure to keep pace with the growing density.

~ Matt, I do see this as Governor Kotek's secret weapon. Her actual goal is housing 36,000 *household families*/per year. **Why count units as only single household entities, when each unit can affordably be made to serve multiple households!?**

~Designing for long-term satisfaction and living can more than **double available housing** for Oregonians, a key goal of the Governor.

~ Building a program around remodeling (with fast-tracked ADUs), means permitting and creating ZO housing will be significantly **faster** than non-profit housing, and infill new construction.

Therefore, I believe a program to reward and encourage these conversions would be a worthy recommendation for you to develop, and adopt.

I would like to assist in helping you shape this recommendation as needed. See the proposal suggestions below. Then I can lead the informational roll-out presentation that takes this program to Oregonians, renters, investors and owners alike.

<https://www.youtube.com/watch?v=nVyuRm8Q204>

Since my return to the Pacific Northwest was for an intended retirement, I have taken down my ADU/in-fill housing consultancy website. But you can see from my LinkedIn profile (<https://www.linkedin.com/in/lonigray/>) that I am stepping up to form a professional Institute to promote ZOs as a legitimate class of housing worthy of its own Design & Development Standards, with its own assistance and incentive programs. The Institute will train designers, contractors and incremental developers to respond to the real needs of this housing class and create ZOs for long-term healthy living.

CONVERSION PROGRAM SUMMARY

The Program encourages conversion of single-family homes into ZO collaborative housing, via redesign and remodeling within the envelope or with minimal additions. It also allows and encourages approved, larger ADUs that are designed for collaborative living.

In practice, the State will develop incentives, including possible funding assistance for property owners to do these conversions, and ZO Design Guidelines and a checklist to clarify which remodels qualify for the program. (See Appendix: ZO Design Guideline Criteria.)

The program will be rolled out to the public in a series of free, state-wide presentations to homeowners, investors and renters. Presentations will offer the benefits and program guidelines, financial incentives and requirements for converting their properties. Similar to Habitat for Humanity, the Program also includes an educational component offered by an experienced private-sector training partner, about how to manage and succeed at collaborative living. The

State will develop a **ZO Program Website** to recruit and gather together renters that property owners with approved ZOs may tap.

At the jurisdiction level, the Program will be introduced via staff meetings. They will be educated about the program, the State ZO Design Guidelines, and the checklist they will use for applicants. In addition, we will lay out how the State pays for the ZO Specialist.

Lastly, the Program will do a baseline & post-program survey/study to gauge its impact on the housing crisis and affordability. Feedback is also essential to evolve the model's design criteria as lessons are learned, with the aim of developing pre-approved or preferred design layouts.

If the survey shows good buy-in and growing interest, the State could develop a **Share Loan** component. As part of the ZO Conversion Program requirements, owners who wish to sell would offer their tenants first option to purchase. A share loan program allows renters to take the step into affordable ownership to wealth build.

PROGRAM BENEFITS

- Makes existing housing stock serve more families.
- Uses remodeling over new construction to speed development at less cost.
- Makes rents more affordable and ownership more achievable to more Oregonians.
- Incremental development allows jurisdictions to keep up with infrastructure build out.
- As RIP 1&2 and ADUs began, this continues to shift the mindset away from one home on a lot. This old view burdens a single family and **create barriers to renting and ownership**.
- Encourages designs that better respond to the modern profile of Oregon families. (28.1% solo residents, of that 11.8% are over 65yr and wish to age-in place in their communities; 247,420 single parents (15%); a 4-fold growing national population of multi-generational and unrelated collective households. (See Appendix: Resources & References.)
- If the program includes a revolving loan fund with interest or shared appreciation, it can grow the State coffers when repaid, as well as create jobs for designers, and remodelers.

SUGGESTED DETAILS OF PROGRAM

ZO CONVERSIONS MUST

- Be done in existing building stock that can be legally converted for residential use, or ADUs built specifically for collaborative living.
- Cannot be used for multi-family development over 4 households.
- Must rent to long-term residents except as bonus shown below.
- Agrees to host up to 3 tours/open houses/year while program is active.
- When owner sells a ZO dwelling, they must offer it to tenants first. (See Share Loan under Funding)

CARROTS

Tenants

- Shared, lower security deposit and lower rents.
- Website that helps them find other interested housemates.
- Path to ownership with Share Loan.

Property Owners - Investors and Owner-occupied

Program could offer favored terms to encourage owner-occupied conversions.

- Like ADUs, SDC waiver and Fast-track permitting **with a ZO specialist at city.**
- If ZO-ing an ADU, can build to **1200sf** to create good 2 realms/Commons collaborative design.
- Bonus: 1 month of STRs/year/per ZO created to earn income between long-term leases.
- Bonus rent (A deed restriction):
Example: (See calculation detail in Appendix.)
 - 2bedroom rents \$2100 in town. Each ZO suite + commons rents for \$1,113 (\$2,226)
 - 3bedroom rents for \$2700. Each ZO suite rents \$945. (\$ 2,835 monthly)
 - 4Bedrm rents for \$3000. Each ZO rents for \$840. (\$ 3,360 monthly)
- Lower rate Funding – See below

Jurisdictions

- Program develops **A Design Guideline Checklist** for jurisdictions to use.
- State offers ½ to 1 FT staff funding to Cities offering program based upon # of permits approved. The more they do, the more staff time money they earn.

FUNDING SUGGESTIONS

- State Tax Credits.
- State as guarantor of conventional bank loans- descending liability over first years of loan.
- Pursue HUD programs to add to Loan Fund, like PRO Housing, an \$85 million grant program to remove obstacles to housing:
https://www.hud.gov/program_offices/comm_planning/pro_housing. They award 20 grants from \$1 to 10 million to (primarily) local coalitions that are actively taking steps to remove barriers to affordable housing. It is not just for zoning and policy work. It includes work on a broader set of strategies to remove obstacles to housing production for relatively affordable units.
- Construction Loans – Interest Only. (Lower rates for owners-occupied projects.)
- Bridge and TD loans- 5- 20years

- **Investor ZOs**- the longer they agree to a deed restriction limiting rent (as above), the lower the interest rate.
- **Owner-Occupied ZO.** Lowest interest rate, right to remove undesirable housemate.
- **Appreciation Share Loan** - no monthly payments in exchange for shared % of appreciation at sale, estate, or 20 years.
- **Stock Share Loan** for renters wanting to own a ZO – *a path to ownership!*
 - State offers low interest **Share Loans** for purchase by multiple households. (Buyers create non-profit corporation that buys property. Occupants buy a corporate stock share using a Share mortgage, to have right of occupancy. This allows someone who has life changes or doesn't want to live collectively to sell their share to the next resident without disrupting the rest of the household.)

OTHER POTENTIAL OUTCOMES

- Creates more rentals that can accommodate families as well.
- Stimulates other lenders to explore shared home financing. (Share and fractional loans)
- Can offer path to more Oregon ownership and wealth building.

POSSIBLE WAYS LONI WORKS WITH HPAC

- Works with State to develop program, or reviews program HPAC develops.
- Does state-wide presentations to property owners and municipalities with guidelines and calls to action.
- Assists with Study aspects of Program.
- Gathers prospective tenant groups through free presentations across the state, with sign-up website and house governance training. Adds tours of properties as they are completed.
- When Institute is formed, gathers, trains designers and builders to teach program and guidelines

~~

APPENDIX

RENTAL BONUS CALCULATION

- Property Owners can rent for a small percentage more than area unit rental: (As a deed restriction)
 - 2HH ZO can rent up to 52% of area average 2B rental rate = 104%
 - 3HH ZO- rent up to 35% of average 3B rental = 105%
 - 4HH ZO rent up to 28% of 4Bedroom rental = 112%

Examples:

2bedroom rents \$2100 in town. Each ZO suite + commons rents for \$1,113 (\$2,226)

3bedroom rents for \$2700. Each ZO suite rents \$945. (\$ 2,835 monthly)

4Bedrm rents for \$3000. Each ZO rents for \$840. (\$ 3,360 monthly)

OTHER ZO BONUSSES

- One month of STR/per ZO realm created/per year to fill vacancies between long-term tenants.
- Free- Standing ZO ADUs need to be designed for 2 privacy realms with commons and can go up to 1200sf to create good collaborative design. Must be approved by ZO Specialist as meeting all ZO design criteria.

ZO DESIGN GUIDELINES CRITERIA

Here is what must be developed. The minimum sizes and requirements will differ for ADU ZOs versus House ZO conversions:

- 2-4 Privacy Realms around a Commons, each is larger than typical bedrooms.
 - Bedrooms can be alcoves rather than full rooms with floor to ceiling closets/storage
 - Flexible private side or dayrooms that can be connected to commons if desired.
 - Minimum sf of personal storage per occupant
 - Private 1/2 to full bathrooms.
- Shared full baths are family designed bathrooms with segregated uses.
- Personal conditioned storage everywhere, with unconditioned group and individual storage.
- Private and shared indoor/outdoor extension spaces- patios decks, porches, pergolas.
- A Collaborative Kitchen. Multiple work triangles/ stations, private prep rooms or areas and storage shelves for each household with at least ½ fridge. A designed shared cooking center.
- Collaborative Circulation Design with niches for privacy within the commons and airlocks that gently squeeze residents together when entering common areas to foster conversation.
- Shared affinity and work areas somewhere on property if possible.

RESOURCES & REFERENCES

From Census 2021 American **Community Survey** and **Stacker** July, 2023:

Oregon households 1,702,599

State Population 4,237,256

- **Solo HH residents** - 479,248 (28.1%) (11.8% over 65.)
Men- 216,855
Women 262,393
- **Single parents** 15% 247,420 HH
Dad's 82,016 (3+ family avg);
Mom's 165,404 (3.27ppl)
- **Multi-generational**
44,448HH (2.7%) AC Survey includes grandparents with a parent present.)
46,323 (2.9%) Stacker by state
- **Unrelated ppl living together** 648,567 (including friends and unmarried couples, I suspect)

AARP articles about senior lifestyles

- How Seniors wish to live: WhereWeLive-2018-lr-v2-5. AARP.pdf
- <https://www.aarp.org/livable-communities/tool-kits-resources/library/>

Fast Company <https://www.fastcompany.com/90342219/the-future-of-housing-looks-nothing-like-todays>

Pew articles about living arrangements of Americans:

- <https://www.pewresearch.org/short-reads/2022/07/20/young-adults-in-u-s-are-much-more-likely-than-50-years-ago-to-be-living-in-a-multigenerational-household/>
- <https://www.pewresearch.org/short-reads/2019/12/12/u-s-children-more-likely-than-children-in-other-countries-to-live-with-just-one-parent/>
- <https://www.pewresearch.org/short-reads/2020/04/10/as-family-structures-change-in-u-s-a-growing-share-of-americans-say-it-makes-no-difference/>
- <https://www.pewresearch.org/social-trends/2021/10/05/rising-share-of-u-s-adults-are-living-without-a-spouse-or-partner/>

Washington Post. Since smart phones and internet, we're spending more time alone:

<https://www.washingtonpost.com/opinions/2022/11/23/americans-alone-thanksgiving-friends/>

Greetings,

First, thank you for your work in expanding affordable housing. It's an obvious injustice and need.

The false dichotomies surrounding affordable housing are troubling. Saying that climate mitigating architecture (i.e., trees and wetlands) is in opposition to rapid, affordable development is patently false, and is more a result of a lack of creativity than it is reality.

A building's temperature depends largely on [how it's built](#), like [painting the roofs white](#), and [its surroundings, including shade](#). [The City of Portland even surveyed developers](#) on barriers to building housing. Of the 23-25 options presented (unclear why "other" was listed three times), trees ranked 15th. Developers seem to agree that we can leave trees as they are and build housing. Considering 0.07% of street trees are greater than 48" in diameter in Portland, we *must* leave them as they are.

Affordable housing needs an intersectional approach to address all of the harms low-income communities are experiencing from housing inaccessibility and the climate crisis. **We can address the housing crisis and the climate crisis at the same time.**

As heat waves become more frequent and extreme (we just had our [hottest June in recorded history](#)), citizen deaths will continue to rise as they did in the June 2021 heat wave: "[The heat killed more people](#) than the Vanport Flood (15 people), a 2014 landslide that wiped out Oso, Wash. (41 people), or the 1980 eruption of Mount St. Helens (57 people)." PSU professor Vivek Shandas states, "Without direct mitigation of these places [in the city] that are often **15, 20 degrees hotter [due to lesser amounts of trees and more asphalt]**, we're going to continue seeing people die."

If we are to truly care for the **well being of our low-income neighbors**, we cannot provide affordable housing in the absence of trees. They may have a place to live, but that home may well have truly unlivable temperatures. Some sidewalks in the June 2021 heat wave were hot enough to give barefoot walkers third degree burns. Trees would help prevent that from happening again.

Lastly, [the top 10% of wealth](#) (in terms of people) are responsible for 50% of greenhouse gas emissions. Low-income communities are not only struggling to afford housing but also are not contributing nearly as much to the climate crisis that they are disproportionately suffering from. These same wealthy people drive up housing costs and contribute greatly to gentrification.

Please find **bold solutions** that are not oversimplified. Thank you for your time and important work. We need it.

Tyler Gilmore
4616 SE Milwaukie Ave, #28
Portland, OR 97202

From: [Rick Ray](#)
To: [GOV Hpac * GOV](#)
Subject: Housing and Urban Growth Boundaries
Date: Sunday, September 10, 2023 1:52:47 PM

You don't often get email from rick@rickray.com. [Learn why this is important](#)

Co-Chairs Tovey and Hall and Council Members,

As a longtime Oregonian, I am concerned about affordable housing but equally concerned about protecting farm and forest land and preventing urban sprawl. Our Urban growth boundaries are a big part of what make Oregon special.

Please consider the following:

- There is no evidence that environmental regulations have caused the housing shortage in Oregon, so relaxing such regulations will not solve this problem. In fact due to the state's fire season created by climate change the HPAC should be considering how to make housing more resilient and suggest how building and zoning codes should be modified to minimize the impact of climate-caused housing shortages in Oregon. The HPAC should recommend improved building codes that eliminate wooden roofs, require fire-resistant siding, greater distance between structures etc.
- There is no evidence that the Urban Growth Boundaries are creating the state's housing shortage. Relaxing or eliminating UGBs will result in far greater public investments in roads and utilities, result in greater air pollution, lower public health, and will have a minimal impact on housing prices. Instead, the HPAC should consider reducing parking requirements for new housing - which will reduce land costs for the developer and make housing more affordable.
- The HPAC should recommend energy-efficient technologies be mandated for new housing construction such as heat pumps. This will reduce the total cost of homeownership and reduce total housing expenses for renters by reducing energy expenses.
- The HPAC should host listening sessions or hearings throughout the state to engage the full community of renters, homeowners, institutions and businesses who will be impacted by its recommended policies.
- The HPAC may want to recommend greater funding for land banks and other means of reducing the costs to developers and homeowners and increasing the supply of affordable and shovel-ready land.

Thank you for your consideration.

Rick Ray

30777 NE Hurt Road
Troutdale, OR 97060

From: [Helena Birecki](#)
To: [GOV Hpac * GOV](#)
Subject: Correction Re: HPAC recommendations re Urban Growth Boundaries and urban trees are counterproductive
Date: Sunday, September 10, 2023 9:37:10 AM

You don't often get email from helenaster@gmail.com. [Learn why this is important](#)

Hello, I realize that I made an error in what I wanted to say in the email I send last night (timestamped Sun, Sep 10, 2023 at 12:25 AM).

Would you please delete the previous comment and accept the following corrected comment?

Thank you very much,
Helena Birecki

Corrected Comment:

Dear Governor Kotek and members of the Housing Production Advisory Council,

Thank you for accepting written comments regarding the future of housing in Oregon.

I am writing because I wholeheartedly support actions to create more affordable and healthy housing, and therefore ask you to amend your recommendations regarding urban growth boundaries and urban trees.

First, **please do not relax or eliminate the Urban Growth Boundaries.** There is no evidence that the Urban Growth Boundaries are creating the state's affordable housing shortage. Instead, it is likely that relaxing or eliminating UGBs will increase the drain on the state budget from more miles of roads and utilities, increase air pollution, lower public health, and have a minimal impact on housing prices. What we need is more housing near public transit, and walkable and bikeable communities. Encouraging smaller homes and multi-unit buildings is a more reliable way to create affordable units than allowing sprawl. [All-electric new construction](#) with energy efficient heat pumps would reduce both the total cost and energy expenses of new homes.

Second, **healthy housing requires trees**, and trees reduce utility costs by moderating temperature and wind. Trees shading buildings and streets [reduces urban heat islands](#). Have you ever, on a sunny summer day, been bicycling or walking down a street which suddenly goes from shaded by trees to bare asphalt? I have, and the increased heat stress is instantaneous. There is also significant research concluding that ["exposure to urban forests generally reduces mental and physical stress, anxiety, and depression, and that they improve moods."](#) Maintaining tree canopy is an environmental justice and public health necessity, especially as we create resilience in the face of climate change. I concur with the letter ([pages 5-6](#)) sent by Sierra Club Oregon and 19 other organizations for more information on why and how we need to maintain protections for large trees, and expand tree cover in vulnerable communities.

Additionally, we must **maintain environmental regulations for areas like wetlands** both for both home resilience and climate change mitigation: intact [wetlands provide protection](#) from storm surge and flooding, and [sequester carbon](#).

Thank you for considering these comments.

Helena Birecki, resident of Tillamook County, OR

From: lynn.spitaleri.handlin
To: GOV.Hpac * GOV
Subject: testimony sept 8 UGB and trees and more
Date: Friday, September 8, 2023 2:39:09 PM

My name is Lynn Handlin, I live in Happy Valley and work and play in Portland. This process is very cumbersome and does not encourage the public to participate. This process has not been an easy one for the public to access, I hope this was not by intent, please fix it.

Why are there no climate resilience and prevention folks on this council? Where are the environmental justice advocates? There is a housing crisis in Oregon, there is also a climate crisis in Oregon and everywhere else on the planet. And they are related. We must and can deal with both together.

I would have liked to testify about the UGB issues as well as trees and more. The UGB in Oregon has gone a long way to avoid urban sprawl. Gutting it will not solve the housing crisis. It has not in other areas, and will not here. There are other, better ways to increase housing availability for lower income people. Expanding UGBs will end up increasing vehicle miles driven, as this kind of sprawl is generally not transit, walking and biking friendly. There is a climate crisis as well as a housing crisis, please remember this. There is land inside our UGB that can be used, and isn't. Work on that, not gutting UGB rules.

Gutting land use laws in the name of the housing crisis is a false choice. We need more healthy, affordable housing, not hot boxes in increased heat islands, which is where some of these tree related rules are heading. Also, this gutting of our rules that protect wetlands, flood plains, urban tree canopy, greenspaces and more, is not for low income housing, it is for any housing, how much life saving tree canopy will be lost to build housing in areas already losing canopy with deadly consequences?

How many wetlands will be paved over to build luxury condos? How much green space will be lost to the detriment of people and wildlife to build high end homes?

People who live in low income housing need shade, and access to greenspaces. There need to be creative solutions to create more low and middle income housing that integrates climate resilience into the housing projects. If and when this increases costs for the low income housing, then the state can and should help with funding, but not for high end projects. Planting new trees is great, but it takes decades to replace the shade and water absorption qualities of mature trees, we do not have decades. The climate crisis is here. People died in Portland and other parts of Oregon during the heat dome due to lack of shade. Where I work in outer SE Portland I have experienced this impact directly. I had to have an emergency dental procedure at my dentist's office on outer SE Division St in Portland during the heat dome. I was fine at home, but when I had to walk a block on SE Division, no trees in site, I became quite ill from the heat. I am lucky, I could get out of it and was ok. Low income people who had to be on the street, waiting for buses or walking suffered greatly. People died here because of this. Our shade trees have been going fast. This must stop, this is a low income area and people died

here because of lack of shade.

When the Trump administration took steps to gut wetland protections our Governor, Kate Brown, did the right thing for our environment for all Oregonians and the planet, she put protections in place that would offset this dangerous ruling. We need to expand wetlands in Oregon, not reduce them. Wetlands sequester carbon, even better than forests, Wetlands provide valuable habitat, urban wetlands help spread and slow water from floods to ease the impacts, but this commission wants to put the Trumpian rules back in place, gutting our wetland protections. Not for low income housing, but for any housing including high end homes and condos, of which there is no shortage.

No pay to destroy wetland program, this is unacceptable.

Don't gut environmental protections, rather, subsidize retention and improvement of natural resources as part of projects.

Where I live McMansion subdivisions have been going in with the corresponding loss of tree canopy, and natural areas but there are some green spaces and ... but this has not really helped the housing crisis because they are higher end homes. I wish they had built some low income higher density housing that had the same greenspaces. None of these rules would have helped with this. It would have lowered my housing value and I am just fine with that. I tried to advocate for this but to no avail. Why not create policies that make it easier to build low income housing that have increased tree canopy and greenspaces?

Thank you

Lynn Handlin

8725 se Happy Valley

503-753-6270

To: Co-Chairs Damien Hall and J.D. Tovey & HPAC Members

From: Aileen Kaye, Horse Owner

Date: 9-8-23

Re: "No" to Workgroup Recommendation "Expedited UGB Expansion Process"

I am addressing the recommendation entitled Expedited UGB Expansion Process because you said we had to focus our comments on the workgroup recommendations. However, I am against the entire goal of this workgroup.

I feel the current push for massive homebuilding is a bait and switch by Gov. Kotek. Voters thought the governor was going to focus on (I take this wording from today's meeting notice) how "to provide immediate relief to unsheltered Oregonians and prevent thousands of families from becoming homeless." Candidate Kotek also pledged to not weaken Oregon's land use laws.

Originally, the number of units needed to accomplish the above goal was 140,000. For some political reason, the number burgeoned to 36,000 units per year for 10 years=360,000 units/houses.

Oregonians did not vote for that. Some evidence for my conclusion:

1. Talking with people in general and recently at our state fair booth on land use. People love Oregon's land use planning system and do not want sprawl, loss of trees and wetlands, loss of farm land, loss of flora and fauna, loss of our current quality of life here.
2. A pre-election survey taken by DHM Research in February of 2022 found the following:

What do you think is the most important problem facing Oregon today? [Open]

Response category n=600

Homelessness 29%

Government, leadership 22%

Public safety, crime, lack of law enforcement 16%

Politics, partisanship 15%

Jobs, economy 6%

Affordable housing, rent, cost 6%

Drugs, paraphernalia, addiction 5%

Oppose COVID mandates and regulations 5%

Environment 4%

Climate Change 4%

Healthcare, mental health 3%

Education, schools 3%

Individual rights, freedoms 3%

Support COVID mandates and regulations 3%

Inflation, cost of living 2%

Transportation infrastructure, traffic, roads 1%

All other responses <2%

3. A DHM survey taken April, 2023, showed 71% of Oregonians wanted farmland to remain farmland, not housing developments.

4. The Oregon Farm Bureau, the Oregon Association of Nurseries, OLCV, Willamette Riverkeeper, 1000 Friends of Oregon and many local groups and individuals helped kill HB 3414.

Excerpt: "Loss of farmland feared from Oregon urban growth boundary bill"

By MATEUSZ PERKOWSKI Capital Press Jun 22, 2023

Lawmakers recently altered a housing-related bill to ease residential development by expanding Oregon's "urban growth boundaries," raising concerns about further losses of farmland.

Under an amendment to [House Bill 3414](#), cities would be permitted to make a one-time addition of 75-150 acres to their UGBs without following state land use goals that require housing and urbanization planning.

Oregon's urban growth boundaries stop cities from sprawling onto farmland, but farmland advocates are concerned by a bill that would bypass normal UGB expansion procedures."

In conclusion, I must add that your own position paper on this recommendation is flawed. It makes statements with no verification. It states that there is a lack of available land inside UGB's. Where did you get that information and where is the data?

"Recommendation #5: Expedited UGB Expansion

It will take bold action to reach the Governor's goal of producing 36,000 homes per year for the next 10 years to address the 140,000 housing-shortage and keep up with current need. Over the last 5 years we have produced 20,000 homes a year setting a 160,000-unit deficit over the next 10 years. A lack of available land inside UGBs and the cost of those lands is a major underlying factor in this underproduction of homes. UGB Expansion is a pressure relief valve for cities needing additional

affordable land supply for rapid housing production. This solution has the potential to generate more than 150,000 units in 10 years. “

When the public finds out what is going on here, they will be upset. I will do all I can to inform them about the potential gutting of Oregon’s well-respected land use planning system and the danger to flora/fauna and our quality of life in both cities and rural areas.

Thank you for your time.

From: [Amber Geiger Productions](#)
To: [GOV Hpac * GOV](#)
Subject: Re: I would like the opportunity to testify this Friday.
Date: Friday, September 8, 2023 3:37:24 PM

Hi Dagny, I'm concerned that there will not be time for the public testimony specifically related to the trees in development recommendations. I'd like to submit public testimony here for the record but also request that another meeting be held specifically to address the recommendations not addressed today.

Amber Geiger Morgan Public Testimony:

One of the housing proposals aims, is to bring equality to underserved populations. What it doesn't take into account is that preserving large canopy trees does exactly that. It is well studied, by our own Professor at PSU, Vivek Shandas, that low income neighborhoods are disproportionately affected by the heat domes because of their lack of large canopy trees in their neighborhoods. Low income neighborhoods can be more than 20 degrees hotter on the same day than higher income neighborhoods with the large canopy trees. Replanting a small tree doesn't fix this problem, we must actively protect and support the continued growth of our large canopy trees which store larger amounts of carbon and provide shade that smaller trees can not.

The trees proposal says any tree OVER 48" in diameter will be protected. And any tree under 48" in diameter can be cut down.. That will mean that most of the large canopy trees in our urban environment could be cut down with no protections. Do any of you know in reality how big a 48" diameter tree is? Let me help you imagine it. I have a 100 year old pine tree in my backyard. It is only 35" diameter. I have to open my arms wide, and my husband has to open his arms wide on the other side of the tree and our fingers just barely meet as we form a circle around the tree. That's a VERY large tree that is doing a lot of work protecting the community with fresh air, shade, carbon storage, and a home for birds and other wildlife. So a 48" diam tree is a massive tree. Much larger than my tree. It is probably 3 people standing with arms stretched out in a circle around the tree.

Somehow we keep forgetting that we need trees to exist! They provide us with much needed shade and give us oxygen. This is something that we all can agree we need more of with each passing summer. Trees are what make our region a home that is livable.

Please consider the tree design recommendation very seriously and understand clearly the ramifications to Portland's large tree canopy and the resulting health and life safety of underserved communities that are especially impacted. We will actually be harming those communities even more with this recommendation. We must consider community health and climate resilience while providing housing. The recommended tree code is unacceptable and would increase fatalities in those neighborhoods. We need to be developing UP. That is a proven way to provide more housing and not harming the environment in ways that will harm ourselves.

Sierra club endorsed Governor Tina Kotek. If they knew that she would even consider a recommendation such as the tree and wetlands ones stated here today, they would never have supported her. Tina signed the Climate Resilience Package. These recommendations are in direct contrast to the efforts of the Climate Resilience package.

--
amber geiger | PRODUCER
cell: 503.816.2371
email: productions@ambergeiger.com
web: www.ambergeiger.com

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On Sep 8, 2023, at 2:29 PM, GOV Hpac * GOV <HPAC.GOV@oregon.gov> wrote:

Of course, <https://www.oregon.gov/policies/Pages/Housing-Production-Advisory-Council.aspx>

Under meeting materials you will find the recommendations posted under the last August meeting.

Let me know if I can help with anything else,
Dagny

From: Amber Geiger Productions <productions@ambergeiger.com>
Sent: Friday, September 8, 2023 2:19 PM
To: GOV Hpac * GOV <HPAC.GOV@oregon.gov>
Subject: Re: I would like the opportunity to testify this Friday.

Thank you. Can you send me the Recommendations page again. I can't find the link.

--
amber geiger | PRODUCER
cell: [503.816.2371](tel:5038162371)
email: amber@ambergeiger.com
web: www.ambergeiger.com

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Sent from my iPhone

On Sep 8, 2023, at 2:13 PM, GOV Hpac * GOV <HPAC.GOV@oregon.gov> wrote:

Hello,
It is toward the end of the 2:20-3:50 2nd reading segment.

Dagny

From: Amber Geiger Productions <productions@ambergeiger.com>
Sent: Friday, September 8, 2023 2:03 PM
To: GOV Hpac * GOV <HPAC.GOV@oregon.gov>
Subject: Re: I would like the opportunity to testify this Friday.

Hi Dagny, I'm not seeing when the timing of the tree design recommendation. Is that not being discussed today?

--
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email: productions@ambergeiger.com
web: www.ambergeiger.com

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On Sep 7, 2023, at 4:25 PM, GOV Hpac * GOV <HPAC.GOV@oregon.gov> wrote:

Hi Amber,

From: [Claire Carder](#)
To: [GOV Hpac * GOV](#)
Subject: RE: Testimony to the Governor's Housing Production Advisory Council
Date: Friday, September 8, 2023 1:35:10 PM
Attachments: [Housing-estimony 9-8-2023.docx](#)

You don't often get email from scherzcarder@comcast.net. [Learn why this is important](#)

I have attached and included my testimony below:

Written Testimony to Governor's Housing Production Advisory Council

From:

Claire S. Carder

6156 SW Nevada Ct.

Portland, OR 97219

Date: 9-8-2023

Dear Council Members and Governor's Advisors on housing:

I live in Portland Oregon. I was on the City of Portland's Development Review Advisory Committee for 7-1/2 years. I've been a neighborhood association land use chair, and am currently the president of the Maplewood Neighborhood Association. I have an undergraduate degree in Physical Geography and a Masters in Landscape Architecture. I worked for the Oregon Department of Transportation for 33 years, 6 years as an environmental project manager, and 27 years as a permits/wetlands specialist. I like to believe I have some background in environmental issues.

I am concerned about the current desire to loosen environmental protections, temporarily or otherwise, to expedite the construction of desperately needed housing. The most pressing need is for **affordable** housing. I would really like for that to be stated clearly in any changes that are proposed to expedite new housing construction and legislated in any expedited permitting process for housing construction.

And, as a general overview, you all should know that there are no temporary impacts to environmental functions. The overarching concern with loosening environmental protections to address the "housing emergency" is that the environmental/ecosystem functions that will be affected will be **lost forever**, not just temporarily impacted.

Please do not loosen the protections of preserving large diameter trees. Trees, especially large trees, provide functions that moderate the climate change impacts of higher temperatures and more extreme weather/rainfall events. Depending on the species of tree, it takes 70-100 years for some trees to reach maturity and provide the mitigating functions of

severe weather events. Allowing large trees to be taken down will take time longer than the lifespan of most houses to replace the eco-system functions of moderating temperature spikes through respiration, shading the ground and buffering reflected heat impacts, and rainfall absorption/intensity moderation.

Keep the existing UGB expansion process. The current process works for allowing considered, data-driven growth of urban areas. As I mentioned before, once building is allowed, the impacted areas will never revert back to vacant land that provides agricultural opportunity and natural resource functions.

Do not allow the incremental filling of isolated wetlands. Wetlands provide not just habitat functions. Perhaps their most important functions are hydrological: All wetlands, even isolated wetlands, act as sponges, absorbing rainfall that would otherwise immediately run-off into waterways, causing downstream flooding. These isolated wetlands recharge sub-surface aquifers that we all rely on in dry seasons and times of drought. And they purify run-off, keeping our surface and sub-surface water sources clean. And, as any developer will tell you,

Testimony of Claire S. Carder

9-8-2023

Page Two

the wetlands don't just go away. Housing constructed on isolated wetland sites will always have problems of high soil moisture that will severely impact the livability of the housing. Think toxic mold.

Please do not loosen environmental protections that have been in place for years to expedite the production of new housing in areas that are not appropriate. We need to protect our essential eco-system functions that allow us, as a species, to live comfortable lives, free from flood dangers, temperature extremes, and keeps our surface and sub-surface waters un-polluted and still drinkable.

Thank you for your time and consideration of these concerns. Feel free to contact me with any questions you might have.

Sincerely,

Claire S. Carder

scherzcarder@comcast.net

503-880-6503 mobile

From: [Colin](#)
To: [GOV Hpac * GOV](#)
Subject: Public Testimony: Rollback On Environmental Protection
Date: Friday, September 8, 2023 3:56:09 PM

You don't often get email from electroncricquet@gmail.com. [Learn why this is important](#)

I am unable to attend today's virtual session and so I'm sending my public testimony. As follows:

What's the point of building housing in a deadly environment? If you don't know, Californians whose homes have burnt to the ground or slid down the muddy hillside, etc., they can school you. Worse than none. Such things are borne of ignoring consequences like children are taught not to do.

Here's a description of heat stroke from the author Carolyn Kormann.

“In the hot sun, or a very hot dwelling, the body must work to maintain its normal internal temperature, generally about ninety-eight degrees. The heart starts pumping more blood to the skin, where it can cool down. You will start sweating profusely, and might experience cramps or nausea.

If you cannot find a way to cool off, your core temperature will quickly increase, forcing your heart to beat faster, which increases your metabolism, and generates more heat. As blood is diverted away from your internal organs, including your brain, they become starved of oxygen. You will feel dizzy, or faint.

Once your body temperature rises above a hundred and three, heatstroke can begin. Sweating stops, and the skin will turn red, hot, and dry. Your head will throb. As the blood pressure falls in your brain, you will probably pass out. Sprawled, unconscious, in the hot sun, you will continue to overheat.

Once your body reaches a hundred and five or a hundred and six degrees, your limbs might convulse, and, at a hundred and seven, your cell membranes melt, and proteins inside the cells unfold. Organ function starts to shut down; muscle tissues begin to disintegrate. It becomes increasingly difficult to cool you off fast enough to save your life. The heart just stops.”

Comments to HPAC regarding tree recommendations

Submitted by Carolyn Mayers

September 8, 2023

I am a Planning Commissioner for the City of Corvallis. My views are my own and not those of the city. I ask that you consider a few things before making this particular recommendation:

“Trees, regardless of size that are located in areas of needed streets, utilities, topography, grading and density, shall not be required to be preserved regardless of size. The above provisions shall not apply to trees in a riparian corridors or environmental protection areas.”

Trees and Stormwater

You may not be aware that many cities around Oregon are currently having to update their Stormwater Management practices to fulfill the requirements for renewing their National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit. The MS4 permit issued by the Oregon Department of Environmental Quality (ODEQ) establishes conditions, prohibitions, and management practices applicable to discharges of stormwater from permit registrants like the City of Corvallis.

Development and redevelopment of urban areas impacts the quality and quantity of stormwater discharges. Stormwater that flows through developed areas has the potential to carry pollutants such as sediment, nutrients, hydrocarbons, and litter to water bodies degrading the water quality. The National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit issued by the Oregon Department of Environmental Quality (ODEQ) establishes conditions, prohibitions, and management practices applicable to discharges of stormwater from permit registrants like the City of Corvallis.

The NPDES recognizes the importance of trees, specially large trees on steep slopes, as crucial and effective components of stormwater management systems. Their publication on the subject of Stormwater Best Management Practice in Urban Forestry may be found [here](#).

Bottom line: Trees are a crucial component of cities stormwater management systems, a fact which, if ignored, could set up conditions whereby they may no longer be able to obtain future permits.

Trees and Soil Stabilization

Quite simply, to recommend a list of areas where trees “may not be preserved”, “regardless of size” that includes topography as a disallowed criteria for preservation is going to end up resulting in problem that have, perhaps not been considered. In essence, this read like trees can be cut down to develop property, regardless of slope.

However, this flies in the face of our Natural Hazards protections, in addition to the above problems with pollutants and run-off.

Bottom line: Trees roots stabilize steep slopes, in which locations they should be preserved.

Trees and Wildfire Risk

Finally, the less shade our cities have the hotter they will be, and the drier the vegetation will be surrounding new developments for decades until canopy can be (somewhat) restored. In this current environment, is it really a good practice to encourage removal of existing environmentally cooling large tree canopy? Especially in the case of Oregon White Oaks, the density of their canopies lower the temperature around them significantly. To ignore this fact is to increase our wildfire risk, and reduce the safety of every Oregonian affected.

Bottom line: Tree canopy, specially Oregon White Oak, keeps us cooler, wetter and less wildfire prone.

Thanks you for your time and consideration. I hope you will not permanently alter our landscapes in a manner that ignores these issues.

Carolyn Mayers



Southwest Mountain States Regional Council of Carpenters

Representing Carpenters in Southern California, Nevada, Arizona, Utah, New Mexico,
Colorado, Washington, Idaho, Montana, Wyoming, Alaska, and Oregon



Sean Hartranft
President

Frank Hawk
Executive Secretary-Treasurer/CEO

Frank Zambrano
Vice President

September 8th, 2023

RE: HPAC Workforce Shortages

Written testimony in lieu of verbal testimony:

Members of the council,

Thank you for your time and allowing me to speak today. My name is Paul Philpott, Deputy Political Director for the SWMSRCC and I am here to speak about the importance of mentorship, education, and training. I am also speaking against the HPAC recommendations for workforce shortages.

The pathway out of poverty is education, whether that's a four-year college degree or a registered apprenticeship. To get a proper education the student or apprentice needs time with their instructor or journeyman for proper instruction. The recommendation that HPAC is considering for workforce shortages reminds me of the situation in our public schools. Class sizes are so large now that it is hard for students to get the one-on-one attention they need. We hear stories of teachers being overwhelmed and feeling like they cannot give the students the attention they need to succeed with such large classes.

If the state were to adopt the committee recommendations of 4 apprentices per journeyman, it would lead to a situation where the apprentice would not progress in their skillsets, jeopardizing their education and employment. Apprentices do not just get hands on training in their skills, but also the vital safety training and hazard awareness needed to return home to their family every night. The mentorship role the journeyman plays in the development of apprentices is vital to their physical safety as well as their economic stability.

The HPAC recommendations include a provision for establishing a new system for "Indirect Supervision" cards. By removing the skilled trainer and mentor, the apprentice would be robbed of vital educational opportunities, reducing exposure to new skills and limiting their professional progress to specific tasks requiring lower skill levels.

Current apprenticeship ratios for the various construction crafts in Oregon have been in effect for many years, having been approved by the State Apprenticeship and Training Council (OSATC) under BOLI. This has long been the established governing and policy body for registered apprenticeship programs in our state that approves new apprenticeship committees, programs, and policies.

The focus of these programs has always been on quality training that will sustain a career capable of supporting economic mobility. These recommendations would amount to an eroding of the current foundational training standards that the industry adheres to, with no evidence they would result in increasing the skilled construction workforce pipeline.



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Sean Hartranft
President

Frank Hawk
Executive Secretary-Treasurer/CEO

Frank Zambrano
Vice President

The Governor's vision identified a need to drastically increase the number of housing units available in Oregon. The best way to increase the number of apprentices on these housing projects is to enact enforceable minimum requirements for apprentice employment on all state funded projects moving forward. This alone creates more opportunities for local residents to join the industry as apprentices.

Aspirational goals do not move industry to employ more apprentices, enforceable requirements are a proven method to ensure apprentice participation. These requirements will lead to more apprentices completing their programs through sustained work opportunities. HPAC recommendation documents site that a primary reasons apprentices fail to complete their program is lack of stable work opportunity, requirements for apprentice utilization will ensure that apprentices have security in future work.

There is a claim made by some that there is a shortage of workers entering the skilled construction trades. There are thousands of apprentices in Oregon working currently. Looking at local infrastructure and publicly funded projects covered under prevailing wage, there is no shortage of workers. There is a shortage of workers in the residential industry willing to work for poverty wages with no benefits. The residential industry has experienced wage stagnation, largely due to criminal contractors willing to exploit the most vulnerable workers to increase their profit margins.

I would like to draw attention to the fact that HPAC, which is discussing drastic changes to established workforce training standards, does not include stakeholders that bring direct experience with operating state registered apprenticeship programs. The largest stakeholders who will be responsible for implementing any new mandates should hold a primary role in any policy decisions moving forward.

As policy recommendations progress through this process, it is vital to include worker organizations and signatory contractors who manage the largest and most successful state registered apprenticeship programs. We look forward to continued opportunity for collaboration in moving our industry forward, creating economic opportunity for local residents and solving the housing crisis all Oregonians are facing.

Best Regards,

Paul Philpott
Deputy Political Director
Southwest Mountain States Regional Council of Carpenters



September 8, 2023

Co-Chairs Hall and Tovey
Housing Production Advisory Council
900 Court Street
Salem, OR 97301

RE: Eugene Comments on Housing Production Advisory Council Membership

Thank you for the opportunity to provide public comment on Governor Kotek's Housing Production Advisory Council recommendations and process. I am Ethan Nelson, the City of Eugene's Intergovernmental Relations Officer representing the City of Eugene today.

Thank you to all of the citizen volunteers for your time, effort, and interest in advancing housing production in Oregon. It is a heavy load and your dedication to Oregon is very much appreciated.

The City of Eugene respectfully calls upon Senators Anderson and Jama, as well as Representatives Dexter and Helfrich to formally request to Governor Kotek to appoint a city representative onto the HPAC as soon as possible.

As has become clear over the course of the subgroup and full HPAC meetings, the work of cities is integral to the recommendations of this Council. Day in and day out, city professionals in the code, infrastructure, development, and construction sectors are implementing state statute, local codes, and rules. Without a seat at the HPAC table, these professional voices are marginalized and unable to provide clarity and insight into the complex issues which HPAC is addressing, setting a dangerous precedent for policy development in Oregon.

Additionally, without a city representative as part of the Council, the voice of elected officials from Oregon's cities is missing. City Councilors and Mayors, who have been elected by their communities to represent the community interests and understand the broad mix of ideals, concerns, and hopes, is not being represented through the HPAC's work. Again, addressing the largest issue facing Oregonians without including a city representative is disenfranchising a large swath of voices.

The HPAC recommendations will help to form Governor Kotek's housing package for the upcoming short legislative session in February. Cities look forward to working with Governor Kotek and the Legislature to tackle the housing production challenge. Yet, we are very concerned that many of the HPAC recommendations will be so far from what we can support, that the limited time during the short session will be spent advocating on substantial revisions rather than building support for quality policy.

Please consider our request to appoint a city representative to the HPAC so that we can all work collaboratively and efficiently towards solving Oregon's housing shortage.

Thank you,
//submitted electronically//
Ethan Nelson
IGR Manager