



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

February 18, 2016

To: Senate Committee on Finance and Revenue
Senator Mark Hass, Chair
Senator Brian Boquist, Vice Chair

Re: SB 1533A – Inclusionary Zoning - **SUPPORT** As Amended by Senate Human Services

The League of Women Voters of Oregon is a grassroots nonpartisan political organization that encourages informed and active participation in government. As one of many that opposed the preemption against the use of inclusionary zoning in 1999, we are pleased to support SB 1533A that would lift the ban. Local governments should have a choice of tools available to them to implement their vision of their own future.

We are particularly pleased to see that this legislation will apply to rental projects, but disappointed it will not also assist with homeownership opportunities. Half of the renters in Oregon are unable to afford a two-bedroom apartment at fair market value. While inclusionary zoning is only a part of the solution to Oregon's affordable housing crisis, it does offer communities one more tool in meeting the overwhelming need.

The League was pleased that the amendments adopted in Senate Human Services provide local governments with a choice of developer incentives. We support considerations to developers in order to help with this housing crisis. Each jurisdiction has a unique relationship with its development community and may want to use different mechanisms to assure affordable housing inclusion. The League urges the Legislature to give localities the freedom to make their own decisions on whether and how they implement the policy. At the same time, local jurisdictions should be allowed to consider inclusionary zoning as part of a broader set of affordable housing policies.

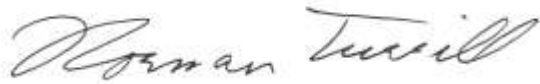
Throughout Oregon, families are burdened by high housing costs, making it difficult for them to cover other expenses including food, transportation, and medical care. Homelessness is not just a big city problem anymore. Cities and counties throughout the state are looking for solutions. By lifting the ban on inclusionary zoning, Oregon's cities and small towns would have the ability to add this to their affordable housing toolbox. It is not the solution to our housing crisis, but just one more option available for creating healthy diverse communities. We believe the mechanisms listed in Table 5 of OAR 660, Division 38, recently adopted by the Land Conservation and Development Commission (attached) can be used NOW by local cities and we encourage that conversation begin today.

There is increasing recognition that living in high opportunity areas close to excellent schools, transportation options, and good jobs contributes to a family’s success. This planning tool increases housing options for lower income families in high opportunity areas. Successful parents and children contribute to a community’s overall wellbeing, reduce the burden on social services, and increase public safety. Furthermore, when affordable housing options are available close to jobs, traffic congestion, pollution, and commute times are reduced.

Making this basic planning tool available to local jurisdictions will enable those who choose to use it the ability to ensure affordable housing in their implementation of Statewide Planning Goal 10: Housing. The League believes we can live in a state where everyone has access to opportunity and a decent, stable, affordable place to call home. By giving local communities the tools they need, including the choice to use inclusionary zoning, we can create an Oregon with a better future for all of us.

We ask for your SUPPORT for SB 1533A **without further amendments** to allow local jurisdictions the opportunity to have this conversation at the local level.

Sincerely,



Norman Turrill
LWV of Oregon President



Debbie Aiona
Affordable Housing Portfolio

Attached: Table 5 of OAR 660, Division 38

Table 5: OAR 660-038-0190(5) Table of measures to accommodate housing needs within the UGB:			
Item	Current Zoning Code Provision	Adopted change (note: none of these changes may require approval of a conditional use permit)	High or Low Impact
1	Does not allow accessory dwelling units	Allows accessory dwelling units: No off-street parking requirement Any type of structure Owner may live in either dwelling Allowed in any zoning district that allows detached single-family No Systems Development Charges for Water, Sewer, or Transportation	High
2	No minimum density standards	Minimum density standard at least 70 percent of maximum density for all residential zoning districts. Exemptions for constrained lands as defined in OAR 660-38-0070 and for minor partitions.	High

3	Single-family detached homes allowed in medium density zoning district (as defined by residential need path standards)	No more than 25 percent of residences in development application in medium density zoning district may be single-family detached homes, unless the detached home is on a lot less than or equal to 3,000 square feet. Minor partitions exempted.	High
4	Off-street parking requirements of one space per multi-family dwelling or greater	Change parking requirements to maximum of no more than one space per multi-family dwelling and no more than .75 spaces per multi-family dwelling within ¼ mile of high frequency transit service (defined as transit service with weekday peak hour service headway of 20 minutes or less). Allow provision of on-street parking spaces to meet offstreet parking requirements. Allow reductions below one space per multi-family dwelling for developments that provide spaces for car-share vehicles or free transit passes to residents.	High

Table 5: OAR 660-038-0190(5) Table of measures to accommodate housing needs within the UGB:

Item	Current Zoning Code Provision	Adopted change (note: none of these changes may require approval of a conditional use permit)	High or Low Impact
5	No density bonus for affordable housing	Establish density bonus for affordable housing of at least 20 percent with no additional development review standards vs. development applications that do not include a density bonus. The affordable housing units shall constitute at least 20 percent of the overall dwelling units in the development application granted the density bonus. The affordable housing units must be reserved as affordable housing for a minimum of 50 years. Affordable housing is defined as housing that is reserved for households with a maximum household income of 80 percent of a city's mean household income. The percentage threshold for the household affordable housing reservation may also be less than 80 percent of a city's mean household income.	High
6	Current land use/zoning designations	Rezone from low density to medium or high density: City UGB 10,000 to 25,000: at least 10 acres City UGB 25,000 to 50,000: at least 25 acres City UGB > 50,000: at least 50 acres	High
7	Does not allow duplexes in single-family residential zoning districts	Permit duplexes on any lot in single-family residential zoning districts with no additional development review standards vs. single-family detached residences.	High

8	Current public street standards	Reduction in public street right of way width standard by at least two feet.	High
9	Does not allow residences in some commercial zoning districts	Allow residences above the first floor and behind commercial uses on additional commercially-zoned lands, with no off-street parking requirement greater than one space per residence, with provisions for additional parking reductions for shared commercial and residential uses and in areas with approved parking management districts. UGB population 10,000 to 25,000: at least 20 acres UGB population 25,000 to 50,000: at least 50 acres UGB population > 50,000: at least 100 acres	High

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Item	Current Zoning Code Provision	Adopted change (note: none of these changes may require approval of a conditional use permit)	High or Low Impact
10	Systems Development Charges reductions or waivers	Adopt provisions that eliminate systems development charges for affordable housing units, or reduce systems development charges for such units by a minimum of 75 percent of the total systems development charges assessed to similar units that are not reserved for affordable housing. The affordable housing units must be reserved as affordable housing for a minimum of 50 years. Affordable housing is defined as housing that is reserved for households with a maximum household income of 80 percent of a city's mean household income. The percentage threshold for the household affordable housing reservation may also be less than 80 percent of a city's mean household income.	High
11	Does not authorize property tax exemptions for low income housing development pursuant to ORS 307.515 to 307.537	Authorizes property tax exemptions for low income housing development pursuant to ORS 307.515 to 307.537 under both the criteria set forth in ORS 307.517 and the criteria set forth in ORS 307.518, for all zoning districts within the city that permit multiple-family dwellings, with no additional development review standards vs. equivalent residential development that does not receive the exemption.	High
12	Does not authorize property tax exemptions for non-profit corporation low-income housing development pursuant to ORS 307.540 to 307.548.	Authorizes property tax exemptions for non-profit corporation low-income housing development pursuant to ORS 307.540 to 307.548, with no additional development review standards vs. equivalent residential development that does not receive the exemption.	High

13	Does not authorize property tax exemptions for multiple unit housing pursuant to ORS 307.600 to 307.637	Authorizes property tax exemptions for multiple unit housing pursuant to ORS 307.600 to 307.637, with no additional restrictions on location of such exemptions above those set in the statutes, and with required benefits pursuant to ORS 307.618 that are clear and objective and do not have the effect of discouraging the use of the property tax exemption by otherwise qualifying developments through the imposition of unreasonable cost or delay.	High
14	Allows accessory dwelling units, but missing one or more of desired attributes	Allows accessory dwelling units: No off-street parking requirement Any type of structure Owner may live in either dwelling Any zoning district that allows detached units No Systems Dev. Charges for Water or Sewer	Low

Table 5: OAR 660-038-0190(5) Table of measures to accommodate housing needs within the UGB:

Item	Current Zoning Code Provision	Adopted change (note: none of these changes may require approval of a conditional use permit)	High or Low Impact
15	Does not allow accessory dwelling units	Allows accessory dwelling units, but with at least one of the attributes from measure #14 above not adopted.	Low
16	Off-street parking requirements greater than one space per multi-family dwelling	Change parking requirements to maximum of one space per multi-family dwelling.	Low
17	No minimum density standards	Minimum density standards at least 50 percent of maximum density for all residential zoning districts. Exemptions for constrained lands as defined in OAR 660-38-0070 and for minor partitions.	Low
18	Minimum density standard less than 70 percent of maximum density	Raise minimum density standards to at least 70 percent of maximum density for all residential zoning districts. Exemptions for constrained lands as defined in OAR 660-038-0070 and for minor partitions.	Low
19	Current land use/zoning designations	Rezone from low density to medium or high density: City UGB 10,000 to 25,000: 5 to 10 acres City UGB 25,000 to 50,000: 10 to 25 acres City UGB > 50,000: 20 to 50 acres.	Low
20	Density bonus for affordable housing less than 25 percent or with additional development review restrictions vs. standard housing	Increase density bonus for affordable housing to at least 25 percent with no additional development review standards vs. standard housing	Low

21	Current land use/zoning designations	Reduce minimum lot size for single-family residential zoning districts by at least one-quarter of the current minimum: City UGB 10,000-25,000: at least 25 acres City UGB 25,000-50,000: at least 50 acres City UGB >50,000: at least 100 acres	Low
22	Does not allow residences in some commercial zoning districts	Allow residences above the first floor and behind commercial uses on additional commercially-zoned lands, with no off-street parking requirement greater than one space per residence. UGB population 10,000 to 25,000: 10 to 20 acres UGB population 25,000 to 50,000: 20 to 50 acres UGB population > 50,000: at least 40 to 100 acres	Low
23	Does not have a cottage housing code provision	Adopt a cottage housing code provision authorizing at least 12 du/ac.	Low
24	Does not allow duplexes in single-family residential zoning districts	Permit duplexes on corner lots in single-family residential zoning districts with no additional development review restrictions vs. single-family	Low
Table 5: OAR 660-038-0190(5) Table of measures to accommodate housing needs within the UGB:			
Item	Current Zoning Code Provision	Adopted change (note: none of these changes may require approval of a conditional use permit)	High or Low Impact
		detached residence.	
25	Off-street parking requirements for detached single-family units, attached single-family units, duplexes, or triplexes greater than one space per unit.	Reduce parking requirements for detached singlefamily units, attached single-family units, duplexes, and triplexes to no greater than one space per unit.	Low

26	No systems development charge deferrals	Adopt provisions that defer payment of systems development charges for affordable housing units to the date of occupancy of the unit. The affordable housing units must be reserved as affordable housing for a minimum of 50 years. Affordable housing is defined as housing that is reserved for households with a maximum household income of 80 percent of a city's mean household income. The percentage threshold for the household affordable housing reservation may also be less than 80 percent of a city's mean household income.	Low
27	Does not authorize property tax exemptions for single-unit housing in distressed areas pursuant to ORS 307.651 to 307.687	Authorizes property tax exemptions for single-unit housing pursuant to ORS 307.651 to 307.687, with design standards pursuant to ORS 307.657(3) that are clear and objective and do not have the effect of discouraging the use of the property tax exemption by otherwise qualifying developments through the imposition of unreasonable cost or delay.	Low
28	Does not authorize freeze in property tax assessment valuation for rehabilitated residential property pursuant to ORS 308.450 to 308.481	Authorizes freeze in property tax assessment valuation for rehabilitated residential property pursuant to ORS 308.450 to 308.481. The boundaries of the area that qualifies for the assessment freeze shall be between 10 percent and 20 percent of the city's total land area. The city shall promulgate standards and guidelines for review of applications under the program pursuant to ORS 308.456(3) that are clear and objective and do not have the effect of discouraging use of the program by otherwise qualifying rehabilitations through the imposition of unreasonable cost and delay.	Low
29	Single-family homes allowed in high density zoning district (as defined by residential need path standards)	New single-family homes not allowed in high density zoning district	Low
30	Does not allow attached-single family residences in a single-	Permit attached single-family residences in a singlefamily residential district with a minimum lot size of	Low
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Item	Current Zoning Code Provision	Adopted change (note: none of these changes may require approval of a conditional use permit)	High or Low Impact
	family residential district with a minimum lot size 5,000 square feet or less	5,000 square feet or less.	

31	No maximum lot size for singlefamily detached dwellings in zoning districts that permit attached and multi-family housing	Maximum lot size for single-family detached dwellings in zoning districts that permit attached and multi-family housing of 5,000 square feet. Minor partitions exempted.	Low
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