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Dear Chair Gelser and Members of the Senate Committee on Human Services:

I own and live in a home on a property zoned Rural Residential (RR) in the Tualatin Mountains, in western unincorporated Multnomah County. For many years, my neighborhood has worked hard to preserve the farms and significant wildlife habitat in these hills. Forest Park Neighborhood includes Portland's Forest Park and thousands of acres of high value habitat on rural land around the park with that helps keep the park and its wildlife healthy. We worked hard to get the rural portions of our neighborhood, which are zoned EFU farmland, CFU forest lands, with some MUA and RR, designated as Rural Reserves to preserve them from urban development and protect these valuable natural resources.

I oppose Senate Bill 1024, and hope it will not be endorsed by your committee. I was frankly astonished to learn that this bill would require counties to allow an accessory dwelling unit (ADU) on Rural Residential zoned properties even in rural reserves, and that the bill explicitly prohibits enforcement of thoughtful restrictions on building locations and uses in RR zones – blocking rules that protect natural resources and farm and forest uses, livability, and rural character.

I expected this bill to be about creating additional affordable housing, but it does nothing to create affordable homes. Instead it allows unfettered creation of second homes on Rural Residential properties.

Multnomah County recently finished extensive revisions of our Comprehensive Plan, including policies for all our rural zones. This work affirmed the county's longstanding commitment to protect farm and forestry operations and high value natural resources in our rural areas. The revisions were developed over more than a year by an all-citizen advisory committee, working with county staff. The process was an exemplary model of effective citizen involvement in policy development.

SB 1024 would deliberately undermine those policies and protections by forbidding the county to restrict uses allowed in ADUs in RR zones. It would allow these unrestricted dwelling units to be added even in our hard-won rural reserves. It says so in Section 2 (underline added):

(3) The governing body of a county may not adopt or enforce any ordinance, rule or regulation that has the effect of prohibiting or restricting the use, installation or habitation of an accessory dwelling unit in any area zoned rural residential.

This bill would allow a property owner with an existing home to add an additional "dwelling unit" without restriction on the size, location, or use as long as state building codes and local safety codes are met.

An accessory "dwelling unit" could have 10 (or more) bedrooms, all of which could be high-end overnight AirBNB type rentals -- effectively creating a hotel. It could also include a retail store, mini-mart, or, as one respected local planner suggested to me, a slaughterhouse, on the ground floor, since the county isn't allowed to restrict the uses in this ADU. The first home on a property must follow county rules, but the ADU can ignore them. If a property owner wants to maximize the value of their RR lot, they will build the largest ADU they can afford, and they'll rent out the ADU bedrooms as AirBNB type overnight rentals. They'll put the highest profit use they can find on the ground floor, knowing the county can't restrict the use. Perhaps a day spa or winery, or why not both? How about a factory or warehouse? A parking structure? It seems the sky is the limit as long as there's a single bedroom, kitchen, and bath included and building codes are met. Don't forget that we can ignore pesky environmental restrictions too. Is that what we want in our "rural" areas?

Unrestricted uses in ADUs would harm farm and forestry operations, natural resources, livability and rural character. The bill eliminates any local voice in how these "dwelling units" could be used, or where they could be placed.

Squeezing these added dwelling units, septic systems, and occupants (short or long term) onto 5 acre RR lots will fragment my neighborhood's valuable wildlife habitat and harm our healthy headwater streams.

Experience is proving that existing rural ADUs are being used as lucrative short term AirBNB rentals (with or without proper city or county permits). While a property owner could choose to limit their ADU rentals to low income occupants, there's no requirement in this bill that a current or subsequent property owner do the same. Subsequent owners are likely to rely on rental income when they calculate the largest mortgage they can afford, making it likely that they'll need highly profitable AirBNB type income to meet their mortgage payments.

I hear more and more complaints from long term rural residents who find that the home next door to them is now a short-term rental, resulting in endless problems over shared driveways and wells that are abused, renters who come and go at all hours, who trespass, who make many more driving trips than residents do, and who host loud parties, knowing that they're going home the next day.

Our rural roads are already congested, making it difficult for farmers and foresters to move equipment. We don't have many through roads, and virtually all of them were closed for significant periods of time this winter due to landslides. One road (NW Newberry Road) will remain closed for months, if not years, because the ground under one lane slid downhill, taking half the road with it. Aside from the environmental harm that would result from the additional residences that could be allowed under this bill, it would be daft to put more homes and more people in these hills.

Rural areas can't effectively serve low income or homeless folks and help them become self-sufficient – our rural areas don't have transit, don't have services, don't generally have stores you can walk or bike to, and don't offer many jobs. You have to have a car to get around, which is a big expense. Rural roads are often dangerous to walk or bike on.

My neighborhood worked hard to preserve our outstanding natural features and farmland with a Rural Reserve. Multnomah County has worked hard on a brand new Comprehensive Plan that protects our farms, forests and natural resources, as well as rural character and livability. SB 1024 undermines it all.

Senate Bill 1024 would be bad for Oregon's rural resources – farm and forest lands, and wildlife habitat. It isn't written to help our vulnerable low income populations. We do need more housing for our low income friends, but that housing should have access to transit, connect them to services, provide good access to jobs, and help them become self-sufficient. That housing must also come with income restrictions to ensure the units are available to the low income people who need them most. ADUs are a great idea for many urban areas, and I hope you will find ways to support their development in urban areas with services. But the state should not require local jurisdictions to allow ADUs without sensible restrictions on their siting and uses.

Please do not support SB 1024, which prohibits thoughtful, locally developed rules, undermining environmental protections, livability, and measures that protect farm and forestry operations from being degraded by incompatible uses in ADUs in Rural Residential zones.

Thank you for your consideration.



Carol Chesarek