

April 16, 2017

Senator Sara Geiser, Chair, and all committee members
Senate Committee on Human Services, Oregon State Legislature
900 Court St.
Salem, OR 97301

RE: SB 1024

Dear Chair Geiser and Committee members,

My husband and I have lived on a rural residential parcel just southeast of Salem for over 22 years. We carefully read all about the zone (AR = Acreage Residential in Marion County) prior to purchasing our lot and we determined that it was what we desired. We live adjacent to a large SA (Special Agriculture) parcel and, therefore, required a larger setback than otherwise would be needed and we understood that our neighborhood's mix of actively farmed land and rural residential dwellings presented a wonderful combination that we very much enjoy to this day.

This weekend I became aware of proposed SB1024, which mandates that counties allow Accessory Dwelling Units in all rural residential zones, and was surprised that it is being considered. It is an affront to the Statewide Planning Goals which provide protection to rural residential lands. Just to offer a few brief examples, according to the Oregon Department of Land Conservation and Development website:

- Goal 14 describes these rural lands suitable for **sparse settlement**, small farms or **acreage homesites** with no or hardly any public services, and which are not suitable, necessary or intended for urban use.
- Rule OAR 660-004-0040 recognizes all existing 'RR' zoning if it carries a minimum lot size of at least two acres. Any county with a smaller minimum lot size may not allow creation of new lots smaller than two acres.
- **To change a zone so that a higher residential density would be permitted requires an 'exception' to Goal 14.**
- Rule OAR 660-004-0022 covers reasons necessary to justify an exception in Rural Residential Development areas: "A county must show why, based on the economic analysis in the plan, there are reasons for the type and **density** of housing planned".
- Rule OAR 660-004-0040 "Application of Goal 14 to Rural Residential Areas" mandates that "**a local government shall not allow more than one permanent single-family dwelling to be placed on a lot or parcel in a rural residential area.** Where a medical hardship creates a need for a second household to reside temporarily on a lot or parcel where one dwelling already exists, a local government may authorize the temporary placement of a manufactured dwelling or recreational vehicle."

The proposed change to increase density of rural residential areas by up to 100% is contrary to the intent of the zone and is breathtaking in its potential impact.

Other letters already submitted to the committee detail the legitimate concern that increased density would have on those of us who live in state-designated limited groundwater areas. These are not idle concerns. In our rural residential area of several hundred homes, there are myriad examples of households replacing or deepening their wells. However, those who have not experienced a well-water problem might feel perfectly comfortable adding an ADU as proposed in SB1024 - - - not knowing that

the accompanying increased water use could impact the neighbor two doors down who has a well in the same geological strata/aquifer.

We cannot afford any more strain or conflicts over what the state has already acknowledged - - - that **our South Salem Hills Limited Groundwater Area can't support increased density**. Why pit neighbor against neighbor, or neighbor against county, or neighbor against state, by adopting the proposed SB1024 or even a modified version of it? Approving the potential doubling of housing density in rural residential areas would be rife with potential conflicts.

Even if it was modified to be optionally available to counties, why even do this? In order to provide "affordable" rental housing for someone who likely will work inside the city limits? Urbanizing a rural area in this manner makes no sense and is totally inconsistent with the state's carefully crafted land use goals and rules.

The Oregon State Legislature website lists "no items to display" under the SB1024 section for "Fiscal Impact Statement". It seems certain there will be an impact on the state and counties. The state will have to deal with changes to Oregon Administrative Rules and any other impacted laws and regulations. The state Water Resources Department will also be burdened with increased complaints of water-well problems. The counties will have to modify their Comprehensive Plans and their ordinances to comply with this change, if enacted, and for what purpose? Mainly to provide rental housing for people who likely will commute to the city to work! And, since there is no bus service to this proposed "affordable housing", nearly every one of those added residents will use an automobile for their transit needs, increasing the burden on our rural roads.

Both the state and the county will likely bear substantial expense in protracted appeals processes by the owners of rural residential properties who believe this change does not comply with Statewide Planning Goals and will unacceptably impact their groundwater, their open rural living environment, and traffic on their rural roads.

I urge you to reject this ill-advised proposal.

If, instead, you decide you should proceed, then I urge you to follow the letter and spirit of Goal 1 of the Statewide Goals: Citizen Involvement (OAR 660-015-0000(1) which "shall involve a cross-section of affected citizens in all phases of the planning process." Although I see that you had a public hearing before your Human Services Committee, this was totally inadequate considering the potential impact on citizens in our rural neighborhood and others. The Senate Committee on Environment and Natural Resources, which typically reviews land use laws, should examine this proposal in detail and hold public hearings, as well, to ensure compliance with all Statewide Planning Goals, especially Goal 2 (Land Use Planning) and Goal 14 (Urbanization) and to assess anticipated conflicts and costs.

Regards,

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