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March 14, 2019

Senate Committee on Environment and Natural Resources  
Oregon State Capitol  
900 Court Street NE  
Salem, OR 97301

RE: SB 88-2 (LC876) - ADUs in the Rural Residential Zone

Dear Sen. Dembrow & Committee Members:

Friends of Marion County is a 501(c)(3) farmland protection organization founded in 1998. Our mission is to protect farm and forestland, parks, and open space.

I would like to thank Sen. Dembrow for convening the Accessory Dwelling Unit (ADU) workgroup this summer and including our organization as a full participant in the discussions. We met numerous times and therefore had every opportunity to air our concerns about the original concept.

However we believe the well meaning purpose of the bill, perhaps to improve the low cost housing supply, is not achieved in this latest proposal. Very recently, the Albany City Council has rebuffed the mandate to allow 900 sq.ft. ADUs within city limits. I attached a copy of the story from the Albany Democrat-Herald, "Albany council fails to override mayor's ADU veto" 2/27/2019.

During the extensive workgroup discussions, it was quite evident that several interest groups were going to sway the decision to allow these developments on rural residential (RR) lands. We still oppose this concept. We believe that RR lands provide an important buffer between the UGB and EFU zoned farmland. RR lands are often the home to small scale farm operations including nursery, animal husbandry, and other operations that can partially support family income. Many of these uses do require a conditional use permit (CUP).

ADUs should also require a CUP. In conformance with Statewide Goal 1, it is important that surrounding landowners be informed of these developments and be given the opportunity to provide comments at a county public hearing. Counties already have established notification and hearing procedures to accomplish this at little cost to applicants.

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This new version of the bill, SB 88-2, provides some protections to neighbors including groundwater and high fire risk protections but falls short of other issues that may arise. The CUP hearing will flush out other issues, i.e., traffic congestion, other CUPs on the property that might conflict with an ADU, nighttime activity that would be disturbing to neighbors, and others.

SB 88-2 only provides for notice to neighbors about short term rentals. It is not certain that counties are able to police this activity and the companies that register these uses are certainly not going to do so.

I hope this letter provides an important view of the proposal and that the Committee will consider the importance of protecting RR property owners from this kind of use.

Thank you for listening.

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Attachment:

Albany council fails to override mayor's ADU veto, 2/27/2019