

June 3, 2019

Senator James Manning, Jr. and
Representative David Gomberg, Co-Chairs
Joint Committee on Ways and Means
Subcommittee on Transportation and Economic Development
Oregon State Capital
900 Court St. NE
Salem, Oregon 97301

Dear Senator Manning, Representative Gomberg, and Subcommittee Members:

At the start of this legislative session, the Milwaukie City Council submitted a letter in general support of the “as introduced” version of HB 2001. We were unanimous in our support because, among other things, the bill did not require cities to allow more than a duplex on any city lot. Alas, the engrossed version of HB 2001 has been amended to be more dictatorial, imposing requirements of greater density and invading the land use planning province of Oregon cities. I can no longer support HB 2001, and urge you to remove the dictates on the scale of infill development.

Milwaukie is in the middle of a two-year process to update our Comprehensive Plan, which includes consideration of “missing middle” housing types and the appropriate density for infill development. It is possible that our community will choose to do what HB 2001 threatens to mandate – allow up to a quadplex or townhomes in every residential zone. But those discussions are ongoing, and that is a decision that our community, and every Oregon community, should make for themselves. This is what is envisioned by the state’s Land Use Planning Goals, and particularly by Goal 1, which requires citizen participation in the land use planning process. We take Goal 1 very seriously in Milwaukie, and are blessed with a community that engages on these issues, and that process should not be truncated by a dictate from Salem.

Milwaukie already allows accessory dwelling units in all residential zones, and duplexes in most. We are experiencing a boom in development, with over 1,000 housing units in the development pipeline – more than a 10% increase over current housing levels. But we also have infrastructure constraints to address, most notably wastewater and road capacity issues.

The blanket dictates of HB 2001 ignore that cities may face such constraints. I already hear frequent complaints about rush hour traffic in Milwaukie, and the 1,000 housing units in the pipeline will exacerbate that problem. In fifteen to twenty years, transit and shared-ride options may have changed the way Milwaukie residents commute and thus greater density and parking reductions may make sense. But we have an obligation to maintain livability for current residents in the meantime.

We may determine that adding density to our built-out community should be done incrementally, but HB 2001 would deprive us of the ability to make that determination. Moreover, the blanket upzoning mandated in the current draft of HB 2001 ignores the fact that such upzoning often serves to make housing less affordable, not more so. *See, e.g., Does Upzoning Boost the Housing Supply and Lower Prices? Maybe Not*, by Richard Florida, Citylab, at <https://www.citylab.com/life/2019/01/zoning-reform-house-costs-urban-development-gentrification/581677/>



In short, HB 2001 improperly interferes with what should be local land use decisions, imposes a one-size-fits-all “solution” that deprives cities of the ability to develop the correct response for the realities in their communities, and may actually impede rather than advance the availability of more affordable housing. If the legislature is serious about increasing the stock of affordable housing, it should consider financial incentives for cities that welcome and facilitate the construction of affordable housing.

Please either shelf HB 2001 for revisiting next term, or remove the mandate for adding middle housing to all residential zones.

Thank you for your attention.

Sincerely,


Lisa M. Batey
City Councilor

cc: Senator Kathleen Taylor
Representative Karin Power
Milwaukie City Council
League of Oregon Cities