



hrules.exhibits@oregonlegislature.gov

February 19, 2020

Re: HB 4001 A

Dear Rules Committee,

**Bill Harvey**  
Commission Chair  
bharvey@bakercounty.org

Baker County strongly opposes HB 4001A. The County supports the legislature's efforts to address the needs and concerns of the homeless and unhoused, but HB 4001A is not the correct way to do it.

To begin with, the supermajority has introduced far-reaching legislation with very little time for stakeholder involvement, review and comment. This is legislation that will significantly impact every single community in the State. The process has not allowed for reasonable opportunities for community leaders and the public to read and understand the impacts. Baker County works hard to make sure the voices of our citizens are heard at the federal and state levels. This hurried process flies in the face of a public involved process and leaves out the voices of those whose lives are going to be impacted the most.

Baker County is a rural county in eastern Oregon. The population of 16,000 residents already has 15.4% of its citizens below the poverty line. Currently, there is a housing shortage for both homes to purchase and rent. To promote temporary shelters for those that will be a drain on the economy in lieu of providing housing for citizens that want to live in the area and work is a travesty.

We already struggle to provide enough resources and infrastructure for current residents due to the low tax base. Especially hard hit is our emergency services; fire and ambulance. The burden emergency shelters would have on the County's economy would likely overload the system.

As a rural county, the majority of our privately owned land is agricultural. Farming, ranching, and forestry are our traditional, and main, sources of revenue. Oregon's land use processes exist to protect these agricultural lands. Emergency shelters outside of the Urban Growth Boundary present very real conflicts within these areas. Not only will those using the shelters be subjected to the odors, dust, and noise of agricultural operations, there are sizable safety concerns with the use of large machinery and livestock. Without requiring local land use approval prior to construction, the use of EFU lands for emergency shelters is a huge conflict waiting to happen.

The County is deeply concerned about the indiscriminate, blanket preemption against municipal land use authority found in Section 3 that states, "a local government shall

approve an application for the development or use of land...notwithstanding...any local land use regulation, zoning ordinance, regional framework plan, functional plan or comprehensive plan.” The County is concerned that this exemption will allow special interest groups to develop land outside cities without the correct level of supporting public infrastructure and lead to zones that cannot be serviced by emergency agencies in a timely manner or deteriorate in areas of housing blight.

Specific to HB 4001 with Amendments:

- Mental illness and substance abuse are large factors in chronic homelessness. According to media sources the fact is 44.8% of those experiencing chronic homelessness self-report as suffering from mental illness, and 37.5% self-report substance abuse disorders (PDX Monthly, 4/23/2019). Small communities within Baker County simply do not have the ability to provide services to additional people in need of these services when the community cannot meet the needs of its own citizens.
- Under Section 3(1), local governments are mandated to approve an application for the development or use of land for an emergency shelter on any lot or parcel. Indicated in subsection (b), this may include “transitional housing accommodations”, the later definition for which includes “yurts, huts, cabins, fabric structures, tents and similar accommodations, as well as areas in parking lots or facilities for individuals or families to reside overnight in a motor vehicle...”. Communities, therefore, are unable to limit or disapprove of locating any transitional housing accommodations, which may include tent encampments or overnight vehicle camping, on any property within their jurisdiction. Baker County opposes this transitional housing accommodation language. It will not have any functional or structural benefits to those needing these kinds of accommodations and potentially locates them within established neighborhoods, or even entire communities, where support services are not available.
- HB 4001A is proposed to impact all cities and counties within the state. Small cities, such as those found in Baker County, cannot provide the breadth of services needed to combat the causes of temporary or chronic homelessness. Locating shelters in these kinds of communities does a huge disservice both to those seeking assistance as well as those in the community that must now bear the negative impacts from transitional housing. Baker County proposes that this bill be limited to cities with a population over 100,000 as these larger cities often have services that can better support those experiencing and suffering from the multiple causes of homelessness.
- There must be consideration of for the safety, health, and well-being of established residents. Zoning considerations must limit the locating of emergency shelters to those zones wherein such facilities are currently permitted in each jurisdiction and follow all local land use laws.

Baker County opposes HB 4001A. This legislation must be done through a structured land use process where the impacted communities can have their voices heard. Rural Oregon should not have their rights so infringed upon through the passage of this legislation.

Sincerely,



Bill Harvey, Chair  
Baker County Commission