



**Bureau of Planning and Sustainability**  
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March 11, 2021

House Committee on Housing  
900 Court Street NE, Salem Oregon 97301

RE: HB2008 – Affordable Housing Provided by Religious Organizations

Dear Chair Fahey and Members of the Committee:

The City of Portland Bureau of Planning and Sustainability supports the concept of making it easier for religious organizations to build affordable housing, but as currently drafted, HB 2008 goes too far with significant issues that need to be addressed.

The City of Portland recently adopted zoning code and map changes to make it easier for all types of institutions to develop affordable housing. Our work identified three major issues to address: 1) make it easier to amend conditional use permits and allow residential development on existing conditional use sites without a discretionary review; 2) map changes to allow greater density; 3) land use review that is focused on clear and objective standards and not discretionary design review.

The major issues with HB 2008 include the following:

- Section 3 (5) *Notwithstanding any statewide land use planning goal or land use regulation.* As written, cities could not regulate for natural resources or natural hazards or historic resources. The bill should be amended to incorporate language used in 2019 HB 2001 that allows *local governments to regulate housing to comply with protective measures adopted pursuant to statewide land use planning goals.*
- Section 3(5)(a) is problematic because the limits on development standards include a vague reference to “conditions related to health, safety, habitability and infrastructure” which means local interpretations can easily get tied up in appeals to LUBA. Even HB 2001 (middle housing) allowed reasonable siting and design standards. The legislation should focus review on clear and objective standards, with allowances for compliance with protective measures adopted pursuant to statewide planning goals, as mentioned above, and infrastructure limitations.

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- As written, the bill goes too far in allowing unlimited density and building height. Aside from neighborhood compatibility issues, the major concern is that such development is not anticipated and may not be accommodated by public infrastructure. Again, the reference to conditions related to “health” standards is unclear as to whether or not a city could limit density in these situations. As an alternative, the bill should be amended to use similar language from HB 2558 - shall allow the development of residential multifamily buildings of no less than three floors that achieves an area density of up to 45 residential units per acre.
- Section 3(5)(b) creates a loophole that could allow the conversion of industrial land if that land is contiguous to other residential zoning. There is always an edge between zoning districts and these sites may not be the best location for affordable housing and conversion could limit middle wage job opportunities in the community.

Religious organizations have a role to play in providing affordable housing in our communities and local jurisdictions should take steps to facilitate that development. But as currently drafted, HB 2008 goes too far and creates too many uncertainties that will make it difficult to implement at the local level.

Sincerely,



Andrea Durbin, Director

