



TO: Oregon Legislature  
House Committee on Housing

FROM: Matt Brinkley, Planning Director  
City of Medford

DATE: February 3, 2021

RE: HB 2655 Opposition

I wish to have the following submitted into the record as testimony pertaining to House Bill 2655. I have substantial concerns about the intent and likely outcome of this legislation and urge you to carefully consider these outcomes in deciding its final legislative disposition.

My concerns are informed by my perspective as a planning director for the eighth largest city in the state of Oregon, a city which is the metropolitan center of a large, rural region. As proposed the bill would have the effect (and I believe this must be the authors' intent) of increasing the residential density surrounding most cities in Oregon by a factor of at least two as counties would be prohibited from requiring a minimum lot size of not "more than one acre" for "rural residential" zoned land. A doubling of residential density on the edges of cities would impose unfunded infrastructure liabilities upon cities as households residing just outside of a city's jurisdictional boundaries would avoid paying city-levied taxes and user fees that support the transportation infrastructure that these very households would use to their benefit as they commute to and from employment and urban services and amenities. This unfairly and inequitably forces city residents and businesses to subsidize increased development along the urban edge. When residential development occurs within cities, costs of necessary infrastructure improvements are recovered through system development charges, ad valorem taxes, and assorted user fees. It is worth noting that city residents and businesses pay county taxes to provide infrastructure outside of city limits; the reverse, however, is not true.

Increasing residential development outside of cities also poses infrastructure challenges from a practical, operational standpoint. As more households locate beyond the service boundaries of urban infrastructure providers, additional stress is exerted on finite resources like drinking water. Increased water withdrawals will deplete aquifers that may already be compromised, and new septic systems represent a long term threat to the safety of those very drinking water supplies. When private wells fail or become contaminated and are no longer able to be replaced, residents will be forced to obtain water by overland delivery or they will have to turn to public water utilities, many of them municipally owned and operated, for relief. Public water utilities will then be burdened by the cost of correcting but one of the negative consequences of the proposed legislation.

Finally, one acre lots pose a long-term problem for cities in the event that these lands are eventually annexed (in response, for example, to a public health emergency when drinking water supplies become contaminated). Large, urban lots seldom subdivide as residents are able to realize the benefits of urban infrastructure and amenities and the benefit of a large, private yard. Large residential lots fail to provide housing needed by lower and middle income residents, And under the current statewide land use planning system, the existence of large residential lots within a city's Urban Growth Boundary impairs a city's ability to expand its urban growth boundary to include land that could be used to more efficiently provide housing for its residents. Large lots also present problems for cities as they attempt to construct connected, efficient road networks.

For these reasons and others, I do not believe HB2655 to be in the best interests of the State of Oregon, its communities, its residents or businesses.

Thank you for your public service.