

CITY OF SPRINGFIELD, OREGON

DEVELOPMENT AND PUBLIC WORKS DEPARTMENT



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TO: House Committee on Housing, Oregon State Legislature
FROM: Sandy Belson, Comprehensive Planning Manager, City of Springfield
DATE: February 2, 2021
RE: HB 2283-1

The City of Springfield appreciates the legislature's work to address the urgent and real housing needs that exist across Oregon, including those related to affordable homeownership opportunities. We appreciate the opportunity to provide feedback on HB 2283-1.

The City of Springfield has a long history of support for affordable homeownership opportunities. In 2019, the City of Springfield's testimony on HB 2001 included a request that townhomes be included as one of the middle housing options so that a home-ownership housing type would be included as "middle housing". At the same time, the Springfield City Council directed staff to complete a full development code update, starting with a focus on housing, that was streamlined, straightforward, and user-friendly. In February of 2020, we released a draft housing code that would have allowed any type of housing to be developed on any residentially zoned lot within the parameters of our adopted density ranges. We thought this approach would allow the market to respond favorably to housing needs in our community, address access and equity considerations by allowing a variety of housing types and sizes within every neighborhood, and greatly simplify the code making it easier for developers. However, the newly adopted rules for HB 2001 focus on housing type, which precludes us from going forward with adoption of our draft code based on density ranges.

In this context, our preference would be to implement the provisions of HB 2001 into our codes and then, if there continued to be barriers across the state to building that had not been resolved, work with stakeholders to identify and solve those issues. As it stands, HB 2283-1 lacks clear alignment with approved processes for building permit approvals, land use approvals, and land divisions.

Without further clarification, the bill has the potential to add confusion and complexity to our regulatory system and to cause confusion between the definitions of duplex, triplex, fourplex and townhome and likely make things more difficult for builders/developers. But we recognize the urgency felt by stakeholders and have appreciated the opportunity to participate in discussions on the development of this legislation. Most of our specific concerns with the language in HB 2283-1 have been part of those discussions and we are optimistic that they will be addressed in future amendments:

1. Section 2 (2) (c) (B) should require easements for pedestrian access for “each” dwelling. Furthermore, easements for vehicular access should also be provided if the driveway/parking area will end up on or crossing a neighboring property.
2. Section 2. (3) (a) limits the approval criteria used by a city or county to those in the subsection. While it seems this subsection relates to preliminary land division approval – that should be so specified. It would also help to make clear that all typical final plat requirements for surveying and what’s shown on the plat would still apply, including that all public assessments, liens, or fees have been paid.
3. If the land is divided before city has issued a certificate of occupancy, and the lots/parcels or sold, that would also necessitate the need for a new permit as the permit holder is the responsible party – the permits do not “run with the land”.
4. If the intent for these land divisions is to be horizontal (on the ground) there is nothing in the legislation that would prevent a vertical land division if the dwelling units are stacked which creates more issues. Recommend adding language to restrict this to horizontal divisions only.
5. The five days for completeness review in Section 2. (3) (d) (A) is very short. Some cities do not have multiple planners on staff, so if the planner is on vacation or sick, the city would not be able to meet this review time. A more realistic timeframe for completeness review is 10 business days.
6. A preliminary land division approval within 60 days is reasonable, but not if includes appeals as stipulated in Section 2. (3) (d) (B).
7. Section 2. (2) (e) should require “That any new lots or parcels cannot cause the building to be out of compliance with the Oregon Residential Specialty Code.”
8. Contrary to provisions in Section 2. (3) (a), the City or County should be able to require maintenance agreements which would solve a lot of future problems between homeowners.

Lastly, the City of Springfield has already been working with Habitat for Humanity on a development called Fischer Village. The project has obtained approvals for construction and will be comprised of pairs of attached single-family homes.

Thank you again for the opportunity to provide this feedback and for your leadership on this issue.