

I live in North Albany and as a team leader for North Albany Neighborhood Association have been at the intersection of Middle Housing rules and rural/suburban reality. Recently, we were informed that there would be an 80 townhouse development constructed in this rather rural area inside the UGB. There are no buses within 1 ½ miles; there are no services (food, fuel, health, etc.) in this residential area, and to reach any of them one must drive that 1 ½ miles or more down and then back up a single very steep road. This road already has major traffic issues, and it is the sole means into Albany (without adding another 30 minutes to the commute.) We would gladly welcome each and everyone on this Committee to take a tour of this area with us and see for yourself. We are not exaggerating.

Using the Middle Housing one-size-fits-all approach to allow townhouses (for example) wherever residential homes can be built, and not ensuring the transportation system can support such a development is disrespectful for the residents (who are also voters) who live there and must deal with this *tax* placed upon them. It seems these Middle Housing rules are only concerned about builders and people who are not presently living in the area of envisioned development.

We appreciate and support the -4 amendment to this Bill brought forward by Rep. Boshart-Davis. We strongly endorse Section 1(j)(E) to be included in the final version of 2138. We can all look at the area of North Albany where 80 townhouses may be built this year and can see that if this process continues without some rational moderation, another 200 or more townhouses will quickly follow in the adjacent fields. As mentioned, this is not a walkable community, and we already have public safety issues galore related to the current transportation network. Why would the State want to make the situation worse?

I also support language in the -2 amendment that addresses the ability for Cities to require a traffic impact analysis if there are 12 or more units planned for a single development, for all the reasons I have stated above.

I am deeply saddened by the State's approach telling their citizens to "shut up and sit down." Oregon used to be a state that welcomed all points of view, and now it seems if that point of view or concern is about Middle Housing construction, a resident has no right to be noticed or oppose any application (*Section 20(2)(b) and (d).*) What has happened to the State I have loved? We do support SB 737 that at least allows neighbors to be informed about new major developments in their area – even if they do not live within that very small 100 feet of the area of concern.

I implore the State make the following amendments to HB 2138, to allow some reason into the current one-size fits all approach:

- Middle Housing should only be allowed on existing lots or those created by new partitioning of land prior to June 30, 2021, the date that the Cities were responsible for having services available to support Middle Housing. This will help to minimize "greenfilling", which was not a goal of the Middle Housing rules, but rather an unforeseen consequence. This language was contained in the -4 amendment brought forward by Rep Boshart-Davis, and we should note this language is also supported by the City of Albany. The State should understand that this is a modification that is supported by groups that do not always agree on development, and that alone should carry some weight.
- Traffic Impact Analysis (TIA) prohibition should apply only to a single middle housing development on sites within areas of existing residential housing served by urban services on lots or partitions which were created prior to June 30, 2021. Any Middle Housing development that occurs on new lots or new partitions should be subject to TIA.
- People who live in a neighborhood deserve to be informed of imminent changes in their adjacent area. We oppose the language in HB 2138 with amendments to SECTION 20. ORS 197.365 that states, in part, (the City) shall provide notice of the decision to the applicant **but may not require that notice be given to any other person**. We support SB 737 submitted by Sen Sara Gelsler Blouin that expands the radius for giving neighbors notices of proposed middle housing land division. Cities need to understand that they can be responsive to their residents and should not be held liable if they send notices to nearby residents. Incorporating changes made in SB 737 is important for both the Cities, who fear lawsuits if they keep the residents informed, and residents who feel the State is paving over their rights.
- To ensure dense developments (i.e., more than 12 plexes, townhouses or cottages in a single development) have adequate infrastructure when not located in walkable communities, there must be an active bus service or mass transit stop within ¼ mile of the development. If there is no active public transportation system in the area, such infrastructure must be implemented before the units are sold. System development fees should be used to address this lack of mass transit infrastructure.

