

Legislature passes affordable housing package

By **PARIS ACHEN**
Capital Bureau

SALEM — Lawmakers pushed through the last two bills in a four-pronged housing package Thursday intended to address the state's affordable housing shortage.

The bills, among the last to pass the 35-day short session, authorize cities to require developers to include affordable housing units in their projects, also known as inclusionary zoning, and to annex property without holding an election, if all the landowners agree.

"If we don't make sure we have enough affordable housing, we will not be the state we want to be," said House Speaker Tina Kotek, D-Portland.

The legislation resulted from a deal struck between House Democrats and affordable housing advocates, the real estate industry and builders. As part of the bargain, Kotek agreed that if one bill failed, she would hold back the others.

The deal allows inclusionary zoning, authorizes cities to annex without an election, increases rights for tenants in month-to-month tenancies and establishes a pilot program for smaller cities to build affordable housing outside its urban growth boundary.

Inclusionary zoning

The House of Representatives passed the inclusionary zoning bill 39-to-21 Thursday. Senate Bill 1533 lifts a 17-year ban on inclusionary zoning and authorizes cities to pass ordinances to require up to 20

percent of new units to be offered at below market rates. The requirement applies only to developments with 20 or more units, and the developer must receive at least one incentive from the city in exchange for the affordable units, such as tax exemptions or density variances. The units must be offered at rates affordable to people earning 80 percent or less of median income.

The bill also lifts a moratorium on construction excise taxes. Under the measure, local governments may pass an ordinance to levy an up to 1 percent tax on new construction. The proceeds must be used for housing programs, first-time homebuyer down payment assistance and developer incentives for building affordable units.

Oregon and Texas are the only states in the nation that ban inclusionary zoning.

Rep. Alissa Keny-Guyer, D-Portland, said she was disappointed with some of the compromises lawmakers had to make on the legislation, but she said it's still a good first step. Specifically, the 20-unit threshold precludes many smaller communities in need of more affordable housing, she said. The state also needs more housing that is affordable to residents who earn less than 80 percent of median income, she said.

"I predict we will be back on inclusionary zoning for smaller communities," Kotek said Thursday. "We made compromises on the bill for a reason. It gives bigger communities a tool right now, but we have more to do."

Annexation

What seemed like a narrow change in law in Senate Bill 1573 to allow annexation without an election, when landowners agree, stirred fears that voters could lose control of the character and future of their communities.

The measure narrowly passed the House Thursday 31-to-29 after no floor debate. The bill requires cities to annex land into its urban growth boundary when all landowners sign a petition.

Rep. Ken Helm, D-Washington County, said the bill would not change the way cities plan their urban growth boundary or impact system development charges.

"No one is going to be forced to be annexed," said Helm, who presented the bill on the floor Thursday.

The proposal drew opposition from officials from several cities, including Corvallis and Rogue River, and voters rights organizations such as the League of Women Voters of Oregon. Other communities, such as Clackamas County, supported the measure as a way to expand their urban growth boundary to accommodate its burgeoning population.

Richard Reid, co-chairman of the Oregon Communities for a Voice in Annexation, said the bill removes citizens' right to vote on annexation and have a say in the fate of a community's natural resources, green space, heritage land and recreational areas. The bill also gives no consideration

to whether a community has the infrastructure to take in more land, Reid said.

"It is my belief that large developers that push to remove this right do so because they are only interested in the bottom line and could care less about the impact to the community," Pam VanArsdale, mayor of Rogue River, wrote in a statement to lawmakers. "As a Realtor, I have worked with some very good developers, and I have also seen the disastrous results of poorly planned growth and annexations that leave the local citizens coping with failing infrastructure, water and waste water treatment, and traffic congestion that becomes a tax burden to mitigate."

Tenant protections

The Senate passed House Bill 4143 late Wednesday, 16-to-9, to enhance protections for tenants in month-to-month lease agreements by prohibiting rent increases for one year and requiring a 90-day notice for any increase after that point. Current law requires only 30 days' notice, but the city of Portland requires a 90-day notice.

The measure also increases fees landlords can charge tenants for violating a smoking ban from \$50 to \$250 after a warning. Another tenant protection to increase the notice period for no-cause evictions after a year of tenancy from 60 days to 90 days was stripped from the legislation.

Pilot program

Both chambers also passed a bill

this week to establish an affordable housing pilot program in the state's smaller communities. The program will allow an expansion of urban growth boundaries to include an affordable housing project, which must be used for affordable housing for 50 years.

The program will pilot two projects, one from a community of 25,000 or less and another community greater than 25,000. The state's most populous counties are excluded, including Clackamas, Marion, Multnomah, Polk and Washington. The program takes effect in July 2017.

Other affordable housing measures included:

- Senate Bill 1582 sets out implementation guidelines for the \$40 million bonding investment the state made last year to build new affordable housing
- House Bill 4042 restarts the General Assistance Program to support homeless individuals who cannot work and qualify for federal disability assistance
- \$8 million to increase emergency housing assistance to community agencies around the state
- \$2 million to increase support for homeless shelters
- \$2.5 million in lottery bonds for the preservation of existing affordable housing
- \$2.7 million for foreclosure counseling and \$200,000 in additional support for Legal Aid Services of Oregon to help low-income Oregonians with housing problems

Seattle jury convicts woman of killing 6 family members

SEATTLE (AP) — A Seattle jury on Friday convicted a 37-year-old woman of killing six members of her family on Christmas Eve 2007 during a holiday gathering in Carnation.

Michele Anderson was found guilty of six counts of first-degree aggravated murder for gunning down three generations of her family following a five-week trial in King County Superior Court.

She faces life in prison without the possibility of parole. King County Prosecutor Dan Satterberg had initially sought the death penalty against Anderson, but changed his mind last July.

In closing arguments Wednesday, King County senior deputy prosecutor Scott O'Toole said Anderson was the mastermind behind the murders. He told jurors in opening statements that family members were shot a combined 14 times and the motive for the slayings was "pure, unadulterated greed," *The Seattle Times* reported.

Anderson's lawyer Colleen O'Connor had argued the deaths weren't premeditated and that at most Anderson should be found guilty of second-degree murder. Anderson did not take the stand and the defense team rested its case without calling any witnesses.

Judge denies pretrial release for last refuge holdout

PORTLAND (AP) — The final holdout in the 41-day standoff at an Oregon wildlife refuge will remain in jail for now.

U.S. Magistrate Judge Stacie Beckerman agreed with government prosecutors Friday that David Fry is a danger to the community and can't be counted on to show up for trial.

The Ohio man surrendered Feb. 11 after threatening suicide during a tense negotiation that was broadcast online. He has pleaded not guilty to a federal conspiracy charge.

In seeking Fry's pretrial release, defense attorney Per Olson said his client has strong family ties and a job lined up back home. Olson said there's been a lot of "hyperbole" surrounding Fry, but he has good character.

"This is a person who has a tremendous way of making friends wherever he goes," Olson said.

He said Fry wasn't thinking clearly in the last days of the standoff, because he was gripped with fear after police fatally shot fellow occupier LaVoy Finicum during a Jan. 26 traffic stop.

The takeover of the Malheur National Wildlife Refuge began Jan. 2, with occupiers wanting the U.S. government to relinquish public lands to locals and free two ranchers who they say were wrongly imprisoned for setting fires.

Most occupiers were arrested or left the refuge on their own the night of Finicum's death. Four holdouts remained, none longer than Fry.

Assistant U.S. Attorney Ethan

Knight said Fry's decision to stay shows an inability to follow directions, and he might skip court appearances. On the issue of danger, Knight recited a statement Fry made during an online broadcast: "I declare war against the federal government."

Knight said FBI agents found five guns and a significant amount of ammunition in Fry's car. Olson said Fry did not bring the firearms to the refuge, and was only storing the weapons of those who left.

The issue of Fry's mental health was raised by both sides, but specifics from a confidential evaluation were not revealed.

Corrections

The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

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AccuWeather.com Forecast

TODAY	SUNDAY	MONDAY	TUESDAY	WEDNESDAY
A little rain this afternoon	Mostly cloudy, a shower or two	An afternoon shower in spots	Sun, then clouds	Cloudy

PENDLETON TEMPERATURE FORECAST

63°	48°	57°	36°	50°	35°	52°	36°	53°	45°
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HERMISTON TEMPERATURE FORECAST

65°	48°	60°	34°	53°	34°	54°	35°	54°	45°
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ALMANAC

PENDLETON
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	62°	36°
Normals	52°	33°
Records	75° (1968)	7° (1896)

PRECIPITATION
24 hours ending 3 p.m. 0.00"
Month to date 0.29"
Normal month to date 0.13"
Year to date 2.66"
Last year to date 1.55"
Normal year to date 2.68"

HERMISTON
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	62°	31°
Normals	54°	31°
Records	70° (1987)	15° (2015)

PRECIPITATION
24 hours ending 3 p.m. 0.00"
Month to date 0.18"
Normal month to date 0.14"
Year to date 1.67"
Last year to date 1.06"
Normal year to date 2.41"

REGIONAL FORECAST

Coastal Oregon: Rain, some heavy today; increasingly windy. Rain tonight. Periods of rain tomorrow.

Eastern and Central Oregon: Rather cloudy today; a brief morning shower or two, then periods of rain.

Western Washington: Considerable cloudiness today into tomorrow with showers.

Eastern Washington: A few showers this morning, then afternoon rain. Rain at times tonight.

Cascades: Periods of rain today; increasingly windy in the south.

Northern California: Rain, heavy at times today with strong winds; gusts over 50 mph, especially coast.

REGIONAL CITIES

	Today			Sun.		
	Hi	Lo	W	Hi	Lo	W
Astoria	58	47	r	54	41	r
Baker City	57	48	c	52	28	sh
Bend	57	36	r	47	32	sh
Brookings	58	46	r	51	41	sh
Burns	53	37	sh	46	28	sn
Enterprise	55	42	c	48	31	sh
Eugene	60	45	r	55	39	r
Heppner	61	42	r	55	33	c
Hermiston	65	48	r	60	34	c
John Day	60	43	r	52	31	c
Klamath Falls	53	32	r	46	28	sn
La Grande	58	45	r	53	30	sh
Meacham	57	41	c	50	29	sh
Medford	61	41	r	53	38	r
Newport	57	48	r	53	43	r
North Bend	61	48	r	55	43	r
Ontario	63	49	c	60	35	sh
Pasco	67	49	r	62	35	sh
Pendleton	63	48	r	57	36	sh
Portland	60	46	r	55	42	r
Redmond	60	38	r	53	28	sh
Salem	58	44	r	55	41	r
Spokane	54	46	sh	51	34	sh
Ukiah	57	40	r	49	29	sh
Vancouver	58	43	r	52	41	r
Walla Walla	63	49	r	57	38	sh
Yakima	61	43	r	59	31	c

WORLD CITIES

	Today			Sun.		
	Hi	Lo	W	Hi	Lo	W
Beijing	56	30	s	50	24	pc
Hong Kong	70	63	c	71	63	pc
Jerusalem	65	41	s	63	49	s
London	45	34	sh	46	33	pc
Mexico City	73	44	pc	74	47	pc
Moscow	35	32	sn	38	29	c
Paris	44	34	sh	44	31	pc
Rome	59	47	t	57	45	sh
Seoul	57	37	s	54	35	s
Sydney	84	69	s	85	71	s
Tokyo	61	52	pc	61	56	r

WINDS

(in mph)	Today	Sunday
Boardman	SSE 4-8	SW 7-14
Pendleton	SSE 12-25	WSW 7-14

UV INDEX TODAY

0 2 2 1 0 0

8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.

0-2, Low 3-5, Moderate 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

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NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

National Summary: A batch of snow and rain will move quickly southeastward through the Midwest today. A significant storm will spread drenching rain and high-elevation snow from Washington to California.

Yesterday's National Extremes: (for the 48 contiguous states)
High 90° in Imperial, Calif. Low -20° in Clayton Lake, Maine

NATIONAL CITIES

	Today			Sun.		
	Hi	Lo	W	Hi	Lo	W
Albuquerque	70	40	pc	68	38	c
Atlanta	64	43	s	66	43	s
Atlanta City	41	32	pc	43	31	sn
Baltimore	46	34	pc	48	30	pc
Billings	68	43	pc	69	38	pc
Birmingham	66	40	c	68	47	pc
Boise	63	52	c	57	37	sh
Boston	38	27	pc	41	29	pc
Charleston, SC	67	46	s	68	43	s
Charleston, WV	49	35	sh	52	33	pc
Chicago	40	27	sf	48	43	pc
Cleveland	38	25	sn	45	35	pc
Dallas	77	55	pc	74	61	c
Denver	70	37	pc	70	38	pc
Detroit	37	22	sn	41	34	pc
El Paso	82	53	pc	80	51	pc
Fairbanks	22	1	s	22	-1	pc
Fargo	43	35	pc	57	42	pc
Honolulu	83	70	s	83	69	s
Houston	77	54	pc	76	63	c
Indianapolis	47	30	c	53	42	pc
Jacksonville	72	44	pc	71	46	c
Kansas City	62	42	s	70	55	c
Las Vegas	78	60	pc	66	46	sh
Little Rock	71	43	pc	71	54	pc
Los Angeles	69	57	c	65	51	c
Louisville	53	31	c	55	42	pc
Memphis	68	40	pc	66	52	pc
Miami	80	67	pc	80	65</	