

Submitter: Josephine Hawthorne
On Behalf Of: Myself
Committee: House Committee On Rules
Measure: HB3414

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I am writing to oppose HB 3414. Housing developers are seizing the crisis in affordable housing to achieve a long sought goal: the gutting of Oregon's land use planning regulations. Oregon definitely needs thoughtful and effective strategies to address our current crisis in affordable housing, but HB 3414 is neither. Do you think that housing developers will pass up unlimited opportunities to build expensive single family homes?

I understand the need for affordable housing in Oregon but HB 3414 does not ensure that a single unit of affordable housing will be built. HB 3414 is a long sought, monumental giveaway to housing developers at the expense of our communities and environment with absolutely no safeguards to ensure that this would result in either lower housing costs or increased housing units. HB 3414, as written, would require municipalities to grant from land use regulations to housing developers under almost all circumstances. Developers could request an unlimited number of variances with no requirement in the legislation that a developer demonstrate any benefit to the community as a result of these variances. HB 3414 uses the current housing crisis as a Trojan Horse to exempt housing developers from a vast array of land use planning regulations that protect the health and livability of our communities and environment.

I urge you not to advance HB 3414 because:

Section 2 of HB 3414 is the biggest rollback of urban environmental protections since the land use planning system was put in place. Section 2 allows housing developers to obtain unlimited numbers of variances from land use planning regulations with no commitment to either lower housing costs or increase housing capacity.

HB 3414 allows developers to bypass critically important land use regulations, including regulations to protect trees, wetlands, floodplains, and high value habitat and enables housing developers to encroach into places such as the Willamette River Greenway and other sensitive natural areas. Amendments do not adequately address environmental impacts of HB 3414.

HB 3414 would force municipalities to grant unlimited variances contrary to our land

use regulations whether a developer is building affordable housing or upscale dwellings that evade the goal of increasing the amount of affordable housing.

HB 3414 does not require the developer to pass any of the savings they accrue from bypassing important regulations onto house purchasers. They can keep all the profits they accrue.

There is no requirement that a developer demonstrate that the variance(s) will in result in lower housing costs or increased housing units. The developers keep all the profits; our communities and our environment bear all the costs.

HB 3414 gives housing developers the ability to circumvent most if not all of the urban environmental protections secured over decades of careful planning just as Oregonians, facing climate change, are increasingly aware of the importance of protecting urban natural resources to protect air and water quality, biodiversity, and to further climate resilience.

Our land use regulations are critical for protecting our communities and environment. HB 3414 will allow housing developers virtually unlimited ability to jettison these protections.

I know the state needs to address the current lack of affordable housing. But the housing crisis should not be used as an excuse to bulldoze land use regulations designed to protect our communities and our environment. We may indeed need modifications to existing regulations to advance housing solutions, but those modifications should be carefully crafted to ensure maximum housing benefits and minimize unnecessary impacts to other community values. This bill does the opposite.