

Submitted by: Paul Shaffer, Charlyn Ellis
Committee: House Rules Committee
Measure: House Bill 3414

Members of the committee:

We write in support of the -5 amendments to Oregon HB 3414. Although we write as individuals, we are engaged in the planning and development process as City Councilors in Corvallis, and we believe our comments speak to some of the concerns of other Councilors and planning staff in the city. We have carefully looked at the -6 amendments and find they continue to have many of the flaws in the language of the original bill. We recognize the need to improve housing stock and affordability in Oregon and believe that the -5 amendments provide a more straightforward, implementable and effective process for housing development in Oregon.

Please support the -5 amendments.

Among our concerns with the -6 amendments:

- Under the -6 amendments, there is not a clear link between the variances that would be allowed under the bill and improvements in housing stock or affordability. The -5 amendments explicitly link and limit variances to development of affordable housing, ensuring that variances are properly targeted.
- The -6 amendments create conflicts with a variety of existing and proposed mandates. Examples include transportation infrastructure, middle housing climate-friendly and equitable communities rules, and housing production needs and strategies as codified in HB 2001 and 2003.
- The limited grounds for denial of a variance make it very difficult to provide a defensible denial based on anything close to clear and objectives standards. The process would substitute with an ambiguous and discretionary process that invites legal challenges, which would defeat the purpose of the proposed legislation by slowing approvals and increasing costs.
- Language of the -6 amendments shifts and greatly enlarges the responsibilities of local planners, without providing resources. The result will be to slow development. The -5 amendments identify a list of standards that are explicitly subject to waiver. The -5 approach streamlines the process and assures a less confusing approach that can improve supply of affordable housing and would streamline the application process.
- We believe the -5 amendments would improve the functionality of the Housing Accountability and Production Office by narrowing the complaint function of the process and improving the complaint/enforcement process.
- The -6 amendments would substantially diminish the role of public participation – Goal One of Oregon’s land use plan.

Thank you for your service to Oregonians and thank you for your consideration.