



CITY MANAGER'S OFFICE

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May 8, 2023

Chair Julie Fahey  
Members of the House Committee on Rules  
Oregon State Capitol  
900 Court Street NE  
Salem, Oregon 97301

Dear Chair Fahey, Vice-Chairs Breese-Iverson and Kropf, and Members of the Committee:

I'm writing on behalf of the City of Salem to oppose Section 2 of HB 3414 with -4 or -6 amendments, which limits a local jurisdictions' ability to plan for and manage the development of housing. While Salem understands the ongoing housing crisis and agrees with the bill's intent to remove potential barriers to housing development, the City has significant concerns about Section 2 of the bill.

Specifically, HB 3414 would require local governments to approve variances – and other requests to modify a “land use regulation” – when sought for the development of housing. While current and future amendments seek to provide a list of exemptions to this requirement, the bill would likely result in unintended consequences and stifle local governments' ability to achieve shared goals.

Salem is Oregon's second largest city and continues to rapidly grow, adding thousands of residents each year. To meet the needs of our community, Salem has been working diligently to promote and expedite the development of housing, including affordable housing. Last year alone, the City permitted more than 1,200 housing units, roughly a third of which were affordable units. The City also rezoned more than 1,500 acres of land to mixed use and 300 acres to multifamily last year, opening the door for multifamily housing to be developed outright across Salem. In addition, the City recently simplified and created flexibility in its design standards for multifamily housing and streamlined the review process for such housing.

While Salem has focused on promoting the development of housing, the City, like other local jurisdictions as well as the State, is also working to advance other priorities, such as those addressing climate change, promoting equity, and encouraging transportation options. Under HB 3414, planning for all of these priorities could be compromised or negated. Below are some examples:

- Land use regulations adopted in compliance with the new Climate-Friendly and Equitable Communities rules would be difficult, if not impossible, to enforce. This includes land

EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Women, minorities, and disabled are encouraged to apply•ADA Accommodations will be provided upon request

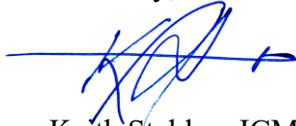
use regulations related to electric vehicle charging, bicycle parking, tree canopies, and pedestrian connections.

- Siting and design standards for middle housing that comply with the rules adopted by the Oregon Land Conservation and Development Commission would be difficult, if not impossible, to enforce. These middle housing rules were developed with significant input from local jurisdictions, developers, housing advocates, and others.

The State already has rules, processes, and laws – including the recently-enrolled HB 2001 – that aim to promote the development of housing. Cities like Salem are required, for example, to develop a Housing Production Strategy (HPS) that specifically looks at removing barriers to housing development. It is through this HPS process that cities are required to identify a variety of strategies necessary to encourage the development of needed housing. That process, unlike the one-size-fits-all requirement of HB 3414, allows communities to target strategies that will actually lead to housing production, understanding that each community has its own unique set of challenges to address. The HPS process also ensures that local governments develop those strategies through equitable community engagement.

The City of Salem therefore requests that Section 2 of HB 3414 be removed from the bill.

Sincerely,



Keith Stahley, ICMA-CM  
Salem City Manager