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House Rules Committee

RE: SB 3414 – Limits on Conditions on Local Governments can Deny a Variance and Establishment of the Housing Accountability and Production Office.

Hon. Chair Fahey and Committee Members,

I am writing to express Housing Works' support for HB 3414. Housing Works is the housing authority for the Central Oregon region and has developed nearly 1,300 affordable housing units in nearly 30 separate apartment communities since 1977. By definition, the housing that our agency develops cannot be built without significant public subsidies. At various times since Housing Works has been developing affordable housing, we have struggled with overreaching local land use regulations that have inhibited our ability to provide critically needed affordable housing. As local land use regulations have developed, the trend has been to add an increasing number of design and infrastructure requirements that have incrementally added costs to housing projects. Often these requirements or conditions of approval involve providing upgrades to previously under designed infrastructure or adding elements which are aesthetic in nature and are not required to insure public health or safety. As a result of these practices, Oregon has become one of the most under-housed states in the nation.

HB 3414 provides State oversight of local land use practices similar to regulations that have been in place in neighboring States for many years. HB 3414's two major provisions are both critically important. Section 2 establishes a standard that variances required to accommodate housing development projects should be granted unless to do so would compromise health or safety of the community. Frequently, conditions and exactions that are not necessary to protect public health and safety often make housing affordable only to the wealthy. Until housing regulations are limited to the "need to haves" and not the "nice to haves," housing development continues to be unaffordable and inaccessible to many working Oregonians.

Section 3 of HB 3414 is arguably even more important. Section 3 will create the Housing Accountability and Production Office (HAPO) housed jointly between the Department of Land Conservation and Development (DLCD) and the Department of Consumer and Business Services (DCBS). The proposed Housing Accountability and Production Office provides both a resource to housing developers but will also assist and assure that local governments comply with existing housing production laws.

Sincerely,

David Brandt
Executive Director