

Submitter: Tony Howell
On Behalf Of:
Committee: House Committee On Rules
Measure: HB3414
May 10, 2023

House Committee on Rules
Oregon Legislative Assembly

Re: House Bill 3414

Members of the Committee:

Although we strongly support effective strategies to make housing more affordable, we oppose House Bill 3414 as written

Although intended to increase the supply of affordable housing in Oregon, the current draft of HB 3414 will fail to accomplish that goal. In exchange for giving developers unlimited discretion to receive variances of local land use regulations, it neither requires that the developer provide either more affordable housing or an increase in the number of units over what would be built without the variances.

The very limited list of exceptions (“health, safety, or habitability issues”) would not cover the many variances that will be requested that will undermine other goals that Oregon has established and implemented in local land use ordinances. I will focus on two areas:

- 1) Climate protective ordinances
 - a. Requirements intended to avoid or reduce the creation of urban heat islands, e.g., minimum landscaping and tree planting.
 - b. Preservation of solar access on neighboring properties.
 - c. Protection of significant natural features (riparian areas, wetlands, floodplains) that are critical to a functioning natural system and the ecosystem services they provide.
 - d. Vegetated stormwater retention ponds or swales.
 - e. Requirements intended to increase non-auto travel, e.g., landscaped strips between sidewalk and street to encourage pedestrian use, transit turnouts, pedestrian connections between ends of cul-de-sacs, direct ped connections to transit stops, covered bicycle parking within multi-family developments, maximum walkable block size.

2) Social Justice & Equity

- a. Maintaining local historic preservation ordinances that frequently protect older, affordable neighborhoods from demolition or gentrification that often results in displacement of marginalized communities.
- b. In larger developments, requirements intended to maintain or provide walkable neighborhoods that encourage interactions and supportive relationships among residents.
- c. Protections from development in natural hazard areas (floodplains, landslide-prone areas, earthquake faults).

We believe that most of the variance applications resulting from HB 3414 will result in sales or rentals of units the current market rate, and will not be discounted based on the savings from the variances granted. As written, it is a giveaway to developers, will not result in measurably more affordable housing, and will make the resulting housing developments less climate-friendly and less equitable.

We urge that you not pass HB 3414, or that it be amended extensively to address the issues noted above.

Thank you for your consideration. We appreciate your work.

Sincerely,

Tony Howell & Patricia Benner
2030 SE DeBord Street
Corvallis, OR 97333
howellt@peak.org
bennerp@peak.org