

Memorandum

Date: March 17, 2025
From: Jeff Joslin
To: Oregon Senate Committee On Housing and Development
RE: SB 974-1 Amendment Concerns

To Whom It May Concern:

I'm testifying as one that has been on the forefront of urban design of cities – and design review regulation and policy in particular - for some time now. As a Land Use Supervisor for the City of Portland, for over a decade I led the advancement and implementation of the urban design policies, design regulation, and design review implementation. As Director of Neighborhood Planning for San Francisco, I led the establishment of urban design and design review policy, regulation, and implementation. I've lectured at national and international conferences on regulation of design; and provided consulting to cities regionally and across the continent on the establishment of new urban design policies and regulation. I've had direct regulatory authority over the review and approval of billions of dollars of real estate development, including tens of thousands of units of housing, both affordable and market rate. I've negotiated development agreements for major projects in both of the cities mentioned above to ensure appropriate and substantial numbers and quality of affordable housing units.

There's no doubt there are challenges to the creation of sufficient new housing to meet current demands. This deficit is the result of numerous factors, including rising costs of labor, materials, and land. I do not include the regulation of design attributes on this list.

From time-to-time over the last several decades, each recessionary episode has resulted in jaded efforts to eliminate – in some cases, any and all - discretionary regulation applying to housing and development under the auspices of housing affordability. As with this period, the argument is that such regulation stands in the way of development.

Ensuring the quality of housing is not an impediment to housing development. In fact, it's the opposite. There is no study that demonstrates that cost added due to design review procedures and requirements is detrimental to the timely and cost-efficient provision of housing. There are, however, numerous studies that demonstrate that the stability and value-added to quality of design for both affordable and market rate housing contributes directly to the life-cycle costing, ability to finance, and efficiency of long term maintenance of all housing.

This near-term financial case for such stabilizing attributes, coupled with long-term operational and maintenance savings, is most significant for the economic and environmental sustainability of social housing (affordable) projects.

The proposed amendment is not only unnecessary, but contrary to housing goals by eliminating a powerful tool for housing development. The attributes most valuable to developers are consistency, predictability and flexibility. These first two – consistency and predictability – are already guaranteed by the clear and objective paths to approval already embedded in the bill and existing regulation. Flexibility is necessary when projects desire or require alternatives to clear and objective standards. This can be the result of new practices or technologies, or – simply – a better idea than otherwise regulatorily achievable. **Design Review provides this flexibility and, in doing so, provides the community and leadership the means to determine whether alternative propositions are viable and desirable. To eliminate this path would not only stifle creativity, but would – more importantly – stifle innovation; a critical component in efforts to further and better address the housing challenges of the future.**

Cost-benefit modeling developed to apply to a range of climates and building typologies have clearly demonstrated that sustainable, durable materials and assemblies add more value than cost to projects and minimize maintenance over time. These benefits, accrue to building owners and renters for the life of each project, while also stabilizing and augmenting property values in the vicinity of such facilities. **Allowing for the introduction and evolving technologies and materials will contribute to the to the ongoing development of innovative approaches to housing development, a goal best served by allowing for the flexibility design review offers.**

We must not make the mistake of the past, where compromised design of affordable housing contributes to the stigma that can be associated with such projects, and potentially degrades the value and quality of surrounding properties.

Portland has been a pivotal example of the value and efficacy of design review. Calls to improve processes have resulted in significant and successful streamlining of review. These reforms, coupled with timeline certainties guaranteed statutorily in Oregon, Portland – and the State as a whole – ensures the one regulatory component most essential to advancing housing projects is already present: procedural certainty.

I respectfully suggest and request that this Amendment not move forward. Related considerations could be undertaken at a future time. **Such a drastic regulatory shift warrants an appropriate level of analysis, which this late-stage amendment does not provide.**

Portland’s history of appropriately and efficiently managing the quality of development, neighborhoods, and the City as a whole has been admired and replicant in cities both nationally and internationally. **This amendment attempts to fix something that’s not broken, with potentially profound negative unintended consequences.**

A handwritten signature in black ink, appearing to read 'Jeff Joslin', with a long horizontal stroke extending to the right.

Jeff Joslin