

**Mayor Lacey Beaty**  
City of Beaverton

**Mayor Brian Hodson**  
City of Canby

**Mayor Jeffrey Dalin**  
City of Cornelius

**Mayor Gery Schirado**  
City of Durham

**Mayor Brian Cooper**  
City of Fairview

**Mayor Malynda Wenzl**  
City of Forest Grove

**Mayor Michael Milch**  
City of Gladstone

**Mayor Travis Stovall**  
City of Gresham

**Mayor Tom Ellis**  
City of Happy Valley

**Mayor Steve Callaway**  
City of Hillsboro

**Mayor Jaimie Fender**  
City of King City

**Mayor Joe Buck**  
City of Lake Oswego

**Mayor Lisa Batey**  
City of Milwaukie

**Mayor Teri Lenahan**  
City of North Plains

**Mayor Denyse McGriff**  
City of Oregon City

**Mayor Ted Wheeler**  
City of Portland

**Mayor Walt Williams**  
City of Rivergrove

**Mayor Tim Rosener**  
City of Sherwood

**Mayor Heidi Lueb**  
City of Tigard

**Mayor Randy Lauer**  
City of Troutdale

**Mayor Frank Bubenik**  
City of Tualatin

**Mayor Anne McEnerny-Ogle**  
City of Vancouver (ex officio)

**Mayor Rory Bialostosky**  
City of West Linn

**Mayor Julie Fitzgerald**  
City of Wilsonville

**Mayor John Miner**  
City of Wood Village

Chair Fahey  
Vice-Chair Breese-Iverson  
House Committee on Rules  
Oregon State Legislature  
Salem, OR 97301

March 3, 2023

**Re: Support for the -5 Amendment to HB 3414**

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

The Metropolitan Mayors' Consortium represents the mayors of twenty five cities in the Portland Metro Area, collectively home to over 1.7 million Oregonians. The MMC writes to express its support for the -5 amendment to HB 3414.

The mayors of the MMC acknowledge the intent of HB 3414, which is to develop more housing units across income levels, as a valuable and worthy goal to accommodate 20 years of population growth. Cities understand the housing crisis and are urgently working towards addressing the crisis in our communities while balancing community needs. Without the -5 amendment HB 3414 creates administrative burdens on local governments, burdens that would be costly and time consuming, further delaying housing production and the land use application process.

Local governments are already complying with existing laws passed by the Legislature in recent years and are already working to implement state housing code and mandates. Without the -5 amendment developers can bypass a number of state and local development priorities that would result in significant detriments to livability, health, environment, climate, and equity. To that end, the MMC supports clarity around which variances cities shall adopt versus which variances may be denied. Additionally, we support placing the responsibility on developers to show how adjustments will reduce development times, increase housing production, and improve affordability. Without the -5 amendment, functionally, if a city denies a variance based on one of the listed reasons, it will have to make findings supported by substantial evidence in the record demonstrating the necessity of the denial to survive a legal challenge. This shifts the burden to local city staff to provide substantial evidence for the variance request. Staff time and capacity will be diverted from approving land use applications for housing and associated construction permits in a timely manner.

With sideboards, the MMC supports the creation of the proposed Housing Accountability and Production Office. Specifically, sideboards to ensure that the office will only be able to receive complaints on specific developments, not complaints on local legislative or planning decisions. To

ensure a smooth approval process, the MMC supports a clear statute of limitations on developer appeals.

Cities are your partners in government and support the state's goals in expediting sorely needed housing units. Please ensure that the tools included in this legislation are clear, implementable, and respectful of the work being done in planning offices around the state.

Thank you for your leadership and your consideration of our testimony.

Sincerely,

The Metropolitan Mayors' Consortium