

City of Gresham Supports the -5 Amendment to HB 3414 with strong recommendation to form Rulemaking Advisory Committee

The City of Gresham supports the goals of increased housing production, reduced development timelines, and improved affordability – while minimizing red tape and administrative burden on local government.

We strongly believe that with the requirement to form a Rulemaking Advisory Committee, the -5 Amendment can achieve these goals.

May 9, 2023

Chair Fahey

Vice-Chairs Breese-Iverson and Kropf

Members of the House Committee on Rules:

Subject: City of Gresham Supports HB 3414

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

On behalf of the City of Gresham, I am writing in support of the -5 amendments to HB 3414 with a strong recommendation to require the establishment of an associated Rulemaking Advisory Committee (RAC).

From a local government perspective, the -5 amendments are a significant step forward to meet the goals of increasing housing production, reducing development timelines, and improving affordability while minimizing red tape and administrative burden on local government.

Gresham is currently implementing legislative mandates on middle housing code, housing production strategies, and climate friendly and equitable communities. All of these recent state mandates have direct impacts on housing production, many just being realized. Outside of state mandates, Gresham is working on other areas to streamline the development process.

To expedite the housing production that our state critically needs, it's crucial that our cities avoid unnecessary, time-consuming, and costly litigation. To that end, Gresham supports clarity around the bill's -5 amendments variance section specifying which variances our cities shall adopt vs. which variances we may deny. Additionally, we support placing the onus on developers to tangibly demonstrate how adjustments will reduce development times, increase housing production, and improve affordability directly to the end user.

Gresham also supports more sideboards on the proposed Housing Accountability and Production Office. Specifically, we want to ensure that the office will only be able to receive complaints on specific developments, not complaints on local legislative or planning decisions. We also support clarity on the interplay of LUBA/HAPO to ensure that development is not unnecessarily slowed through duplicative appeals. Finally, we support a clear statute of limitations on developer appeals so that approval processes can run smoothly.

CITY OF GRESHAM

Let me close by flagging that if the burden of substantial evidence for variance denial falls on city staff either by statute or because it must defend against litigation, this will undoubtedly slow land use applications for housing and production permits. City of Gresham planning staff already struggle with capacity in our resource-constrained environment. Additional administrative burden will not speed the development process or provide our residents and developers the service they deserve. 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 time on this important issue.



Eric Schmidt PE, SE, CBO
Assistant City Manager

CITY OF GRESHAM