

Submitter: Jonathan Greenwood

On Behalf Of:

Committee: House Committee On Rules

Measure: HB3414

I will repeat Michael Anderson's testimony for sightline, as I strongly agree.

Living in dense, transit oriented neighborhoods is better for the environment as people in these communities use fewer resources. From construction to the overall lifespan of dense structures, the benefit is clear.

There are a lot of things to like in HB 3414:

- Less chaotic implementation of housing laws.
- A study to make permitting more predictable.
- Cutting of red tape that slows construction.

I support these things in the –5 and –6 amendments:

- A sunset date makes the possibility of unintended consequences more manageable.
- Mandatory lot sizes, lot dimensions, setbacks, and parking counts all limit production of housing, especially in neighborhoods primed to be dense and transit-rich. The –6 amendments would do more than the –5 amendments to fix these issues.
- Awarding attorney fees for challenges to needed housing to the applicant and the approving jurisdiction would reduce potential construction-stalling lawsuits.
- In –5, only allow development-violation reporting by development applicants. Oregon shouldn't make the Housing Accountability and Production Office become a new venue for NIMBYism.
- In –5, giving HAPO the ability to parse complaints that are not "credibly alleged." This new regulatory apparatus shouldn't be required to investigate every single new complaint.
- In –5, preventing simultaneous appeals to HAPO and LUBA.

I am unhappy that neither amendment allows any liberal allowances for height, FAR, or unit count. These are three of the sticking points in getting dense housing built, especially lower-cost housing. Allowing projects to exceed their current maximums by up to 30% would allow denser construction of various types.

Another, limited approach: Section 2 could allow height variances of up to 50% but no changes to FAR. Under both amendments, Section 2 will tend to encourage wide, low-slung buildings by allowing variances on setbacks and lot coverage but not to height. Allowing buildings to be taller in many places may create a more pleasant built environment.

Many people have a stake in this. Any bill written as broadly as the –6 amendments will be opposed by many people. For that reason, I think the legislature might best take a page from the –5 amendments to create a more focused list of adjustments and variances that gives builders temporarily increased flexibility only in a smaller number of particularly burdensome parts of land use law. I suggest height, FAR, unit count, lot sizes, lot dimensions, setbacks, and parking counts.

Thank you,
Jonathan Greenwood