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House Committee on Housing and Homelessness

RE: SB 3414 – Limits on Conditions on Local Governments can Deny a Variance and Establishment of the Housing Accountability and Production Office.

Hon. Chair Dexter and Committee Members,

I am writing to express the support of Housing Works for HB 3414 and to recommend amendments. Housing Works is the housing authority for the Central Oregon region. Housing Works has developed nearly 1,300 affordable housing units in nearly 30 separate apartment communities since 1977. Throughout this history we have struggled repeatedly with overreaching local land use regulations which were designed to inhibit housing development or had the effect of making the development of new housing more expensive. As a result of these practices, Oregon is one of the most under-housed states in the nation.

HB 3414's two major provisions are both critically important. Section 2 establishes a standard that variances should be granted unless to do so would compromise health or safety of the community. However this section does not go far enough. Variances are only involved in a small portion of the anti-housing actions taken by local governments. The vast majority involve the denial of "exceptions" and "waivers" including exceptions and waivers to conditions or exactions imposed under the authority of zoning or subdivision regulations. Those conditions and exactions often make housing affordable only to the wealthy. Until housing regulations are limited to the "need to haves" and not the "nice to haves," housing development continue to be unaffordable and inaccessible to many working Oregonians.

Section 3 of HB 3414 is arguably even more important. Section 3 will create the Housing Accountability and Production Office (HAPO) housed jointly between the Department of Land Conservation and Development (DLCD) and the the Department of Consumer and Business Services (DCBS). The proposed Housing Accountability and Production Office provides both a resource to housing developers but also assists and holds accountable, local governments to comply with existing housing production laws. Under HB3414, the HAPO will ensure that local governments are fully complying with State statutes adopted to prioritize the development of critically needed housing in Oregon. We strongly urge the Committee to support HB3414 and consider amendments which would close the loophole that permits unnecessary and excessive conditions to housing development.

Sincerely,

David Brandt
Executive Director