

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 McEnery-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

March 3, 2023

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

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