



April 3, 2025

Rep Thuy Tran, Chair
Rep. Dacia Grayber, Vice-Chair
Rep. Rick Lewis, Vice-Chair
House Committee on Emergency Management, General Government, and Veterans
Oregon State Capital
900 Court Street NE, Room 453
Salem, OR 97301

RE: City of Bend Testimony on HB 2658

Chair Tran, Vice-Chairs Grayber and Lewis, and Members of the Committee:

The City of Bend provides the following testimony on HB 2658 as introduced. Thank you for the opportunity to testify. The city is opposed to the Introduced version and believes that it is not needed to support housing production. That said, the city has proposed several amendments that, if included, would provide good cause to change our position to neutral. The city proposes these amendments so that the final bill will work for both cities and developers building infrastructure for housing production.

The city would like to offer the following amendments to Section 3(4)(f), shown in underlined text:

(f) A city with a population of 15,000 or greater may not condition a permit or zone change for a single lot or parcel on the applicant funding, implementing, creating, repairing, renovating or installing any project related to a compliance criteria of the application, if the city or another public body, as defined in ORS 174.109, has prior to the application and for the project or a project serving substantially the same function at the same location:

(A) Appropriated, dedicated or raised funds, which for the purposes of this section means construction funds for the project are included in a city's adopted annual or biennial budget, and does not include projects that are merely included in either a general obligation bond or system development charge project list, or for which funds have been identified solely for design,

(B) Approved plans by someone other than the applicant, unless the condition requires the applicant to construct the project only if the other entity fails to construct it before the project is needed for the applicant's development; or

(C) Initiated procurement.

City staff have been communicating to developers that until a project's construction contract is approved by Council, the City cannot rely on removing any requirements for a developer to construct that project. There have been instances when budgeted capital improvement program



(CIP) projects get pulled prior to construction. In addition, with respect to budgeted projects, there are times when a piece of City infrastructure is needed prior to the issuance of a certificate of occupancy (CO) or recording of a plat. For example, if there is a city project shown in the CIP for year 2 and the development needs the project to safely open their doors in year 1, then we have a conflict. In these situations, the city has informed developers that they either need to wait for the city project to be constructed or in some instances if they want to move faster, they will need to construct that critical piece of infrastructure

Thank you for the opportunity to provide testimony. Please let us know if you have any questions.

Sincerely,



Damian Syrnyk, AICP
Senior Planner
Community and Economic Development Department
City of Bend



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