

HPAC Survey Summary

Introduction

The survey collected responses from 21 council members.

The survey asked respondents to look at recommendations grouped in the six policy areas that had been laid out by staff initially. Respondents selected the policy areas they wished to provide feedback on, and then prioritized the recommendations within those policy areas by selecting recommendations they felt should be further developed during this process.

Finally, respondents were able to submit new ideas for recommendations they felt were important and not previously listed either within the policy area specifically, or generally at the end of the survey if they felt it was an idea not adequately encompassed by the existing policy areas.

This document is organized with an individual section for each of the 6 policy areas. Each recommendation submitted PRIOR to the survey is listed in the tables with the number of prioritizations votes it received. New recommendations are listed below the table in their corresponding policy area.

Finally, staff took some existing recommendations that were duplicative and/or redundant and combined them together. This will make it easier to sort through new and additional recommendations, as well as complete the additional prioritization that will be covered later today. Further grouping and aggregating of new recommendations will be required.

Overview of Themes

Policy Area	Number of Selections
Affirmatively Furthering Fair Housing	10 selections
Affordable and Market Rate Development	21 selections
Affordable Housing Development	17 selections
Building codes and inspections	12 selections
Labor supply and work force	13 selections
Land use and zoning	17 selections

Affirmatively Furthering Fair Housing

7 original recommendations, all of which received at least one selection to prioritize.

Recommendation	Votes
Adopt provisions to state law that would make existing Covenants, Conditions, and Restrictions (CC&Rs) for Homeowner Associations (HOA) on real property unenforceable if they restrict size of homes, prohibit ADUs, middle housing types, or conflict with land use regulations implementing state housing laws.	7
Direct the Oregon Health Authority to add a module to the Adult Behavioral Risk Survey (BRFSS) assessing housing-related metrics for people with disabilities, including affordability, availability, quality, and accessibility features. Specify that they must provide notice to the Oregon Office on Disability and Health, DLCDC, and OHCS once reports are published.	6
Support Oregon of Bureau of Labor and Industries (BOLI) efforts to increase enforcement of fair housing laws as a HUD-funded Fair Housing Advocacy Program (FHAP) grant recipient.	5
Expand state agency participation in the next update of the State of Oregon's Analysis of Impediments to Fair Housing done by OHCS, Business Oregon, and Oregon Health Authority to also include DLCDC as a commitment to AFFH.	5
Direct a multi-agency effort to develop statewide policy recommendations that establish Affirmatively Furthering Fair Housing (AFFH) policy. The intent is to ensure all state agencies with touchpoints connected indirectly or directly to housing have a responsibility to ensure their actions, programming and practices achieve fair and equitable outcomes.	5
DLCDC to join OHCS, Business Oregon, and OHA partnership on the implementation of relevant actions identified in the current (and future) State AI with direct connection/implication to DLCDCs housing program (goal 10) and as part of the agency's commitment to AFFH.	4
Create a new disparate impact provision in Oregon fair housing law that would make it a violation of state fair housing law (adjudicated by BOLI or LCDC) for a government entity to have laws, regulations, or practices that have a substantial and negative disparate impact on Oregon and federal protected classes. The remedy to said practice would include changes to the law, regulation, or practice.	4

AFFH Additions (4 additions)

(1) These all need to be done, but we don't need HPAC to spend time on all of them.

My recommendations for furthering fair housing:

- Disaggregate disparate impacts on people with disabilities to understand barriers faced by people with intellectual and developmental disabilities very specifically. This

is a poorly-understood populations, and their needs are very different from those with mobility, vision, or hearing disabilities. Recognize that just as Fair Housing Act failed to adequately address housing discrimination based on race, the ADA fails to address needs of the IDD population, which faces severe - and disproportionate - housing insecurity.

- Get ODHS and its Aging and Disabilities Division to pay more attention to unmet housing needs of clients who receive DD services. They have long said "we don't do housing," and OHCS has long said, "we don't do services." The resulting programmatic and funding gap is making housing this population much, much harder than it needs to be. "Choice" is rarely a luxury people with IDD have.
- Provide set asides in OHCS funding for housing for people with IDD. Washington Governor Inslee's budget has such a carve-out.
- OHCS needs to update language to acknowledge that its obligations around FH do not end with Racial Justice. Racial justice is paramount, of course. But so is disability justice.
- The built environment is impacted not just by zoning but also by transportation, economic development, environmental quality, building codes. We should consider carrots and sticks for local governments that go beyond what's been identified thus far and in OHNA. Localities are motivated to protect their transportation and ec dev \$\$ - put some requirements into those funding sources.

- (2) Counties/local municipalities need to have state indemnification of local government in cases where the county contracts with the State to provide services. Those experiencing mental illness need to have local housing solutions and supportive services - in Lincoln County those are delivered by our County health department. Supporting legislation like SB319 would provide local mental health authorities with the same immunity as the state when the local program provides essential community resources. Just a part of the solution, but important when we are looking to provide housing for everyone in our community - and often the most vulnerable include those with mental health concerns. If the local municipality turns them away because they are unable to afford insurance due to the indemnification policies at the state then we are taking a huge step backwards.
- (3) Set metrics and reporting requirements for the implementation of state housing actions (any department) flowing from the HPAC process, with the objective of ensuring that the states investment in housing is consistent w/ AFFH principles. Identify a set of practical AFFH best practices (including legal reps & warranties) that can be required for housing projects receiving state investment.
- (4) Suggest that Fair Housing is considered and integrating in each of the categories/work groups to ensure that unintended consequences do not occur.

Consider and Study if preference could be given for affordable housing while meeting fair housing, i.e. teachers, health care providers, service workers, required employment documentation within County, etc.

Affordable and market rate housing development

Subthemes:

- Rural and geographic specific policy changes or incentives
- Mapping land availability and ownership type
- Examining infrastructure funding: see 2021 SDC report for some suggestions.

14 original recommendations, all of which received at least one selection to prioritize.

Recommendation	Number
Evaluate policy changes to support the production of condominiums, especially for smaller-scale projects and middle housing.	15
Evaluate policy options to increase homeownership opportunities in market-rate and subsidized affordable contexts.	14
Use the Council to bring together all the available federal funding opportunities, coordinate state agency alignment with those opportunities, and use the Council as a communication opportunity to get the word out about opportunities that impact housing production.	13
Study and develop recommendations on policies related to taxation that affect housing production and affordability, including property and income taxation, with an emphasis on the following outcomes: increase the supply and affordability of housing; increase opportunities for homeownership, especially in historically underserved communities and communities of color; incentivize the development of vacant and partially vacant lands; and disincentivize speculative ownership of land and housing.	12
Develop policy recommendations in response to Oregon Housing and Community Services report on System Development Charges (SDCs) and infrastructure planning (HB 3040)	12
Consider legislation enabling the Business Oregon Infrastructure Finance Authority (IFA) to fund infrastructure for housing.	11
Audit and develop recommendations on state-authorized local policy and financial incentive tools to increase their flexibility and use.	9
Audit and develop recommendations on Loan Guarantee Programs to preserve existing naturally occurring affordable housing and to increase accessibility and maneuverability as people age in their existing housing situation.	9
Prioritize grant funds for large and small cities with the highest production needs	8
Audit and develop recommendations for supporting developer capacity to increase housing production in coastal communities.	8

Audit and develop recommendations for training programs and licensing requirements for housing and construction-related contractors to increase the capacity to produce housing.	8
Audit existing funding sources that support housing for members of the Tribes and develop recommendations to consolidate and increase flexibility of funding sources to increase their accessibility.	5
Focus resources to reduce barriers for expanding BIPOC Developers working in Oregon	6
Coordinate and partner with the Legislative Commission on Indian Services and Commission Members on housing production and affordability.	5

Affordable and Market Rate Additions

(1) We need to re-frame the conversation. Market rate is affordable to those making 120% and above. Affordable is 60% and below. We are missing the 60%-120%. This is where we can have a big impact.

Too much focus on affordable housing; public resources all directed there vs. supply overall. LIHTC is broken and costs too much and takes too long. Reform too big a lift?

Cocktail of local, state and Federal funding mechanisms / sources creates high costs (\$80,000+ per unit in financing costs alone).

LIHTC incentivizes higher costs due to eligible basis

GAP +/- \$150,000 but going into a system that is now well over \$600,000/unit in total development cost (for 5 over 1 in Portland).

If we know that we have a massive undersupply, and we know affordable housing is the most expensive form of housing, why don't we simply overflow the system with the lowest cost housing w. no income restrictions? Should there be a new public housing initiative.

Government owned / built housing?

(2) State needs to function like a bank. Provide low-interest loans for affordable and workforce (0-100% MFI) housing projects

State issue its own tax credits

Law that exempts affordable housing developments from property tax statewide

One-time the State redirect Kicker funds to land and infrastructure

Make easier to rezone land for manufactured home parks

Adapt state funding to support modular and manufactured home projects.

(3) My suggestion would be to drop the Market Rate Development and replace it with missing middle/workforce housing(80-120% of AMI). Anything that streamlines the process will benefit Market Rate Housing. The workforce housing needs assistance because it falls below Market Rate in Sales Price and Rent.

I have a vision of Four Buckets for all ideas to fall under:

Land Supply/process/financing/workforce

Our goal should be to enhance production to the point of oversupply. An oversupply will never happen, but it would be exciting to push for it.

- (4) Governance of any new funding programs for market-rate housing. What would that look like?
- (5) Evaluate policy changes to reduce barriers to development of modular homes. explore opportunities to attract factory built home and housing component industry to Oregon. Develop programs to incentivize pilot programs for innovative housing construction design intended to reduce costs, reduce construction labor/time, and/or increase economic life of housing
- (6) Reduce barriers and expand capacity for small rural and coastal communities to seek access to state funding opportunities. Eg. assistance with identifying and applying for funding opportunities, streamlining or coordinating application processes.
- (7) Work with Congress to expand the volume cap for the 4% LIHTC which will allow more developers to access the noncompetitive funds - which can then be paired with LIFT for more robust affordable housing production in Oregon.
- (8) Audit and develop recommendations for supporting community based non profit and local public housing authority development capacity to increase housing production in all corners of the State.
- (9) Government risk sharing for missing middle projects (such as loan guarantees; loss-share agreements with lenders; etc.). Government financed subordinated debt for SDCs and other pre-vertical construction costs
Enforce SDC proportionality to realistic capital plans (do not let jurisdictions build up large SDC balances with no reasonable plan to spend)
 - a. Direct investment in large-scale redevelopments (hundreds of units) that are shovel ready.
 - b. Expand permanent property tax exemption to workforce housing!
 - c. Direct loan fund with mission-driven returns, recycling loan funds
 - d. Inventory of developable state-controlled property.
 - e. Direct investment in land purchases in exchange for commitment to develop specified number of units on specified timeline.
 - f. Identify new replenishing funding sources.
- (10) Identifying opportunities to increase market and affordable homes to be built across the state in metro and urban areas.
 - a. Identify incentives for market builders to build affordable units in their communities to create integrated mixed income neighborhoods.
 - b. Add State funds to for Cities to use to offset affordable homes to be built in their cities by offsetting infrastructure costs for developers.

Affordable Housing Development

Subthemes:

1. LIHTC and LIFT program changes
2. Defining affordability as a group – less than 80% AMI = affordable
3. Defining missing middle/workforce housing and its role in meeting governors' goals
4. State affordable housing tax credit

9 original recommendations, all of which received at least one selection to prioritize.

Assess state program for lower interest rate permanent debt for financing affordable rental housing	12
Assess Building a Pipeline of Affordable Rental Housing Projects by Creating a Pre-development Program	12
Streamline affordable housing funds; Review State Resource Access Improvement / Consolidate Offerings Options	11
Explore State Low Income Housing Tax Credit	10
Prioritize expedient delivery of Affordable Rental Housing; Review Timing of Fund Reservation / Readiness Standard	8
Explore targeted resources for development on tribal trust land	8
Consider Development Focused Housing Stability Council Advisory and Approval Body	6
Assess Implications and Benefits of Internal Legal Counsel for OHCS developments	6
Develop Resource and Navigation Guide	1

Affordable Housing Development Additions (26 total)

1. Can we reform LIHTC and or create affordable funding channel that is faster and less expensive?
2. Should we be promoting MIHTC (middle income housing tax credit)?
3. Audit OHCS's multiple housing finance programs to see if they are deploying them to best effect, including with how segmented programs are, which ones could be modified to get more bang for the buck (see comment in prior section on LIFT), and ensuring agency real estate finance expertise. My experience as former director tells me there's opportunity here to up our game. Alot.
4. Require that DOJ hire lawyers from outside firms with experience in complex AH finance and get out of the way of deal flow.
5. Consider significant reorganization of OHCS functions to produce better results. Align human-service types of investments (homeless, community services, ODHS, OHA, Dept

of Corrections re-entry, Early Learning, etc.). Separately align built-environment and real estate finance functions (BizOR, ODOT, DEQ, HECC, OFA, OST).

6. Low-income housing tax credit programs are expensive, time consuming, and cumbersome, leading to increased costs for affordable housing. The tax credit model isn't a healthy way to finance affordable housing and, really, systemic changes are needed. For this reason, I think adding another state tax credit program will have more costs than benefits. Though this committee is more focused on immediate changes than systemic ones, we should be aware of the long-term implications of the actions we bring forward now.
7. The same issues we face for market rate housing apply to affordable housing as well. It still takes years to get projects approved.
8. Even if tax credits or grants or state funds are used for the development of affordable housing, it doesn't change that the housing process in general is broken. The longer it takes for projects to go through the development process, the more expensive these projects become. It would be a better use of funds to fix the development process and then use public funds to pursue affordable housing projects.
9. Create a fund for utility infrastructure. This is an issue everywhere but especially on the Coast, where you are literally pumping water UP a hill. There are several small pockets of developable land in the County and inside cities but the infrastructure costs are very high, thus making it not pencil.
10. Another thought is to fund local municipalities to do land banking. There is one existing program, but it is allocated by regions and the region that includes Lincoln County covers a lot of geography but only awards \$1.5 million - which is too little to make an impact with so much competition and current land prices.
11. Expand affordable housing development capacity for community based not for profit and public housing authorities.
12. Leverage State owned lands, within urban growth boundaries, toward the highest and best use of affordable housing production. (i.e. fund relocation of current State services on underutilized property, fund below market acquisition when it may be required)
13. Identify common reported strategies from local jurisdictions' housing production strategies targeted to affordable housing.
14. Expand duration of restrictive covenants for state funded affordable housing as well as prioritize affordable housing development resources to mission based non-profits and public housing authorities.
15. The Federal Home Loan Bank System was created by the Federal Home Loan Bank Act as a government sponsored enterprise to support mortgage lending and related community investment. It is composed of 11 regional FHLBanks, about 6,800 member financial institutions, and the System's fiscal agent, the Office of Finance. Each FHLBank is a separate, government-chartered, member-owned corporation.

The Federal Home Loan Bank of Des Moines covers the state of Oregon (as mandated by its charter). <https://www.fhlbdm.com/about/state-impact/>
In 2021 the state of Oregon was awarded \$37.5 Million for the creation of 5,561 units; Washington was awarded \$166 Million (16,563 units); and Montana \$119 Million (15,014 units). I would like for us to engage in conversation with the FHLB to discuss its short and term plans for funding affordable housing in the state of Oregon.

16. Limit or remove discretionary (open ended, qualitative) criteria from state housing funding (in effort to expedite review and award)
17. A few more ideas I thought about are....
Creating a mechanism for assembling parcels of tax-delinquent or abandoned properties for redevelopment (or preservation). Access to OHCS inventory of multifamily rental properties that are “at risk” of transitioning from affordable to market rate housing.
18. Revive loan guarantee programs for affordable housing
19. Remove all non-housing production requirements/thresholds/targets
20. State of Oregon master lease for residential projects; OHCS to sublease to meet program goals (unlocks credit tenant financing; provides housing for OHCS to allocate based on policy priorities).
21. Establish predevelopment loan fund
22. Identify funding vehicles for workforce housing
23. Explore a SIMPLE statewide tracking system on deed restricted housing units tracking the years of affordability and expiration of deed restriction expiration to accurately capture the affordable housing stock in the State.
24. All of them need to be done, but HPAC doesn't need to lead on all of them. My adds, not prioritized:
 - c. Modify LIFT program so that it is not entirely linked to 4% credits. Original design in 2015 was for it to be a shallow subsidy that could fast track innovative projects. Original design also called for it to support (again, shallow subsidy) projects for people up to 80% AMI or higher. Change statute to remove 60% limitation and change OHCS rule and program administration so that it can be used more broadly.
 - d. Map all publicly-owned and under-utilized parcels of land, including those owned by school districts, other local special districts, for each municipality. Maps can overlay zoning, flood plains, known contamination. Develop a process to make it easy for public entity owners to transfer through sale, long-term leases, etc.; and for municipalities to expedite changes to comp plans for zone changes.
 - e. Scale up factory-built housing by providing up front risk capital for new modular housing producers. Similar to provisions in HB 2001, but come up with more creative factory financing sources. Make sure that those loans/grant to factories are administered as business loans by BizOR; not through OHCS.
 - f. Create a Housing Innovation Center of Excellence, similar to the CIEs sponsored by the Or Innovation Council, to research and help scale up modular and other innovations like mass timber.

- g. Create teams of skilled professionals at the local level to aid developers, community groups, and jurisdictions navigate new development process. Changes to Goal 10 are fantastic, but they will not help at local level given severe capacity constraints.
 - h. Do better at promoting infill development.
 - i. Do better at helping homeowners, renters, and communities get back into stable housing after a natural disaster.
25. Create a State income tax credit for impact investors that accept a below-market return on missing middle housing.

Building Codes and Inspections

6 original recommendations, all of which received at least one selection to prioritize.

Remove barriers and make it less complex to build smaller, more affordable homes.	11
Find opportunities to improve and streamline the permitting process and provide an opportunity for local building departments to share what is working and what isn't in their local jurisdictions through best practices and guidelines.	9
In a future building code amendment process conducted by the Building Codes Division, incorporate provisions that reduce barriers for housing production, including barriers to housing affordability, diversity, accessibility, and alternative construction methods that reduce cost and delay. The resultant changes must balance the following goals: 1) Increase affordability and housing choice, including middle housing, through the refinement of overly restrictive standards 2) Increase and incentivize the provision of accessibility features suitable for people living with different types of disabilities 3) Increase and incentivize the use of alternative construction techniques that reduce cost and delay, such as modular housing 4) Maintain standards necessary for the protection of life and property	8
Create the ability for contractors to ask that BCD perform plan reviews or inspections to assist in moving specified housing projects (see ORS 455.466, may require designation of certain affordable housing projects as essential to the economic well being of the state to qualify).	5
Provide additional clarification and protections for local building department funds to keep construction permit fees paying for building inspection services, keeping regulatory costs down.	3
In a future building code amendment process conducted by the Building Codes Division, incorporate provisions that increase and incentivize accessibility features of new housing construction at different levels of accessibility (e.g., Type A, Type B, or Accessible units).	2

Building Codes and Inspections Additions (10 total)

1. I believe this this group needs to include evaluation of development codes that originate from public works departments. Many impediments to development of housing comes from a sometimes unpredictable and non-creative PW depts. Furthermore, this should extend to DSL and DEQ as far as making land easier and quicker to develop (without generally compromising the values which are implicit in what those agencies do).
2. Provide planning department support to digitize in small areas, make the planning and building process less high touch for small planning departments so they can be more efficient, this will speed things up.
3. Please review SB 847. Our staff is happy to answer any questions you may have.

4. Technical fixes will not be effective without culture change in building department staffs. Requires direct leadership and intervention from elected officials. Culture must shift from "what could be wrong with this application" to "how do we approve this application".
 - a. "Shall-Issue" building permits for certain residential projects (any residential project 3 stories or less with plans stamped by an architect and engineer shall receive a building permit within 30 days).
 - b. Authorize + publicize contract code review program (developers can pay building permit fee to private code review company in lieu of using local building jurisdiction).
 - c. Survey building departments for average permit time (by permit type) and plans review staff / population. Adopt practices from highest performing jurisdictions. Limit review comments to major safety deficiencies; comments not impacting constructability or having a substantial nexus to life/safety are barred.
5. Implement Stock Plans through BCD Statewide for plan permit expedition.
6. Implement Master Plans through BCD Statewide for plan permit expedition.
7. Possible Governor Action to identify expansion areas as "essential" under ORS 455.466 to allow BCD to review plans and inspections in areas that cities are unable/unwilling to get housing built.
8. Incentivization for accessibility, drought resistant landscaping, wildfire retardant. Encourage but do not require.
9. BCD to create an AFFORDABLE model code for middle housing that meets health and safety standards with affordability at the forefront. Including a small MF attached unit built to a residential code instead of a commercial code.
10. Allow Photo inspections for small jurisdictions to cut down on needed staffing.

Labor Supply and Workforce

16 original recommendations, duplicative recommendations were consolidated and are mentioned together below.

Recommendation	Votes
Revive CTE in secondary schools and expose students to careers	10
Grow the pool of licensed tradespeople that will be necessary to build needed housing.	9
Create and connect students with youth apprenticeships	9
Expand earn and learn models	9
Build connections between employers and educators	7
Grow the available workforce of inspectors and plans examiners, and leverage training, technology, and mutual aid agreements to make the existing workforce more efficient.	7
Develop skills certification programs through various associations	6
Expand MWESB certification and business incubation	5

1. I also believe other more technically trained individuals (engineers and surveyors) are a major issue as far as shortages now and in the future. We need to encourage those professions as well.
2. Explore opportunities to provide technical assistance and cost abatement for MMWESB entities.
3. Reduce barriers to apprenticeships to attract and skill-up more in-state talent
4. Explore support of mechatronics programs which will be integral to the likely emergence of industry for factory built homes and housing components
5. explore opportunities to attract factory-built home and housing component industry to Oregon
6. I mentioned this in a previous section, but the state need to look at the supply of Land Surveyors. Maybe this should have gone under "Labor shortage" but I don't think it is something most people think of when they think of a labor shortage. The average age of PLS's is in their 50/60's. One survey I read said that 40% of Land Surveyors are set to retire in the next 4 years. This will be critical in drawing and submitting plats, as well gathering topographic and field data to be used for design and reviewing and approving surveys.
7. I don't know if there is a way to change the standards for land surveyors to make to possibly make it easier for civil engineers to obtain cross licensure?

8. I have read the 2022 Oregon Talent Assessment, including the presentation given to the HPAC by Sam Thomas of Higher Education and Coordinating Commission (HECC). I found it all quite interesting and I want to share with the committee my perspective on the topic.

I am a founding member of a 501(c) (3) group, Malheur County Poverty to Prosperity. One of our goals is to increase Career and Technical Education (CTE) classes and training within the area high schools and Treasure Valley Community College. We have been working on this initiative for approximately ten years. It has been a painful process and we have only made small gains toward achieving our goal. Over the years, we have had numerous meetings with experts in the field, who for the most part do not have experience working in the construction industry. CTE will be discussed in passing and always through an academic lens and not from the standpoint or needs of an employer. Which brings me back to the 2022 Oregon Talent Assessment. Clearly, the report verifies what we know, there is a shortage of labor and this is particularly true with construction industry personnel (pages 30, 31). The missing piece of information in this report is the role that the Bureau of Labor and Industry (BOLI) plays. BOLI controls the plumbing, electrical and HVAC technical workforce by the execution of strict apprenticeship ratios, which creates a bottleneck. If we are going to build 80% more housing, then BOLI needs to be at the table.

We need to reframe how we look at recruiting and training the construction and manufacturing workforce. We need to take a look at the European model where aptitudes are tested at the 8th grade level and begin offering CTE classes in High School. America is far behind in the manufacturing labor force, Oregon could lead the way by reframing and revising current practices and looking for new and innovative ways to increase, train and support the workforce. An individual who apprentices in the construction trade can turn it into a life-long career or use it as pathway to higher

9. Forgivable loan for education costs for specified trades; loan forgiven pro-rata over 5 years for work in Oregon
10. Separate, easier to obtain licensing for residential specialties (e.g., limited residential electrical license)
11. Remove BOLI commissioner as elected official; bring BOLI under governor's jurisdiction to enable alignment between BOLI policies and other executive branch actions
12. Leverage our existing local Workforce Development Boards infrastructure to activate Worksource Oregon CTE Programs for both secondary and post secondary across the state. 7 of the 9 areas across the state include construction. Add Mid-Willamette & Northwest.
13. Utilize and implement the National Standard, BOLI approved curriculum utilizing NCCER standards/curriculum across the state.
14. Alter Work Force Grant (90 Million) to include Construction. Currently, authorized for Technical, Healthcare and Manufacturing Only.

Land Use and Zoning

Subtheme:

- Clear differentiation between land use, permitting, zoning and the levers that can be pulled in each specific policy area
- Analysis/easy to understand inventorying of available land for building, ownership type, state of infrastructure, land type, etc.
- Appeals process

5 original recommendations, all of which received at least one selection to prioritize.

Recommendations	Votes
Develop permit-ready plans for smaller-scale, fee-simple “starter homes” and partner with local jurisdictions to adopt and incentivize.	16
Develop policy recommendations in response to a Department of State Lands (DSL) report on wetlands permitting streamlining and the partial 404 assumption (HB 2436 2019 Legislative Session)	11
Provide housing-related analysis and data through the Oregon Housing Needs Analysis to the Tribes.	10
Conduct a study of short-term rentals (STRs) in recreation cities and counties and develop policy recommendations that provide more local tools to regulate and leverage STRs.	6
Direct the Land Conservation and Development Commission to adopt administrative rules that enable the development of housing on tribal lands that are not held in tribal trust.	6

Land Use and Zoning Additions (27 total)

1. Rebuilding after a disaster needs to be easier. The housing losses from the 2020 Labor Day fires provide numerous case studies of how land use and zoning continue to stand in the way of people being able to return. This is especially true in Lane County, where all 500 homes that burned are in rural, unincorporated Lane County. Homes and whole communities (like Blue River) that were built more than 50 years ago are "legal non-confirming." The County needs to update its comprehensive plan, which naturally needs to include a study of water and wastewater capacity. It has been ridiculously, frustratingly, and sadly slow. Mid-level state agency personnel have been present and helpful, but they lack the authority to fast track anything. Regional Solutions has been of no help, and the County - like all of Oregon's counties - lack professional staff capacity at the level needed to undertake plan changes. There's a case study here that needs to be done for lessons learned at multiple levels.
2. I think that buildable land inventory analysis needs to be reviewed. Many jurisdictions, while may on paper suggest they have ample buildable land, in practicality the buildable lands are often not available due to the type of property owners, the existence of site impediments (wetlands), or the lack of infrastructure to accommodate the potential development.

3. The importance of integration: how do we get housing produced, so that it's located in areas with infrastructure (water, wastewater, broadband) that can support it, and so that we end up with safe, walkable, healthy communities?
4. Consider Transfer of Development Rights land banks in areas with land constraints, e.g. wetlands, tsunami, landslide zones. Allow and assist cities to consolidate denser development in appropriate areas and preserve sensitive lands while protecting people.
5. The idea of shovel ready "starter homes" is a good idea, except there isn't anywhere to put them. We need to make it easier/quicker/less expensive to develop lots for homes to go on. More affordable homes aren't being built just because home builders don't want to do it. More affordable homes aren't being built because the amount of money that goes into developing the land does not allow for a more affordable home to be put there. When small lots are going for \$180,000, you can't put a home on there for \$225,000.
6. We need to work to make the land use process faster and more definite. Currently, the City of Salem requires that projects basically be designed as part of the land use process. They say this is to provide clarity to the developer that what they are proposing is able to be built. However, these plans are not thoughtfully reviewed during the land use process. This means there is a great deal of cost and risk to the developer as they have to pay for full engineering just to get through entitlements. In addition, things change during the land use process and so the project has to be redesigned before it can be submitted for construction plans.
7. We need to make it easier to get variances/adjustments to some land use criteria that affect density such as tree removal, tree plans, street connectivity, and block length requirements. While these policies are good on paper, we end up losing a great deal of developable land when these policies are enforced on hard pieces of land (which is what is left in most existing UGBs).
8. Currently, the appeal process is extremely unfriendly to development. The process to take a project through LUBA is expensive and it takes a great deal of time for an uncertain outcome. Many of the developers we work with will make large concessions that they legally don't need to do in order to avoid having a project go to LUBA. These concessions result in a project that has more development costs associated with it and result in less density. We need to look at changing the scope of land use appeals to limit who can appeal and what they can appeal about. In the City of Salem, an appellant is not required to list why they are appealing a project. Or they can have their neighborhood association appeal the project for no cost. Or they have their city councilor call the project up and they also don't have to give a reason for the call-up. This delays the project and requires that the applicant prepare for any and all things that could come up.
9. A lot of the land we have available in our UGBs has significant challenges to it whether it be wetlands, access to infrastructure, topography, difficult soils, etc. We are going to need to be innovative in order to develop these areas. We need to figure out a way to get everyone on the same page to collaborate. A lot of times through the development process, it can feel like an "us versus them" system. I would love to see a way to incentivize jurisdictions to work with developers.

10. NIMBYism is also tricky to balance when we are talking about housing projects. People seem to take mental ownership of vacant private land that is adjacent to their homes. It can be difficult to put any development in, but it gets even more challenging when you are putting a non-single family type of housing in. We need to focus on ways that still allow for public involvement without allowing the land use process or the planning commission/staff/city councilors to be swayed by NIMBYism.
11. Develop a State policy on ADUs in unincorporated areas (most unincorporated areas are on septic but some counties have found paths forward with advanced treatment systems)
12. Expand on HB 2819 to include properties not yet surplus as well as include state owned lands within urban growth boundaries not yet surplus.
https://www.oregon.gov/lcd/UP/Documents/202200201_HB%202918_Surplus_Lands_Database_Legislative_Report.pdf
13. Limit or bar discretionary conditions for housing
14. Limit appeal options or make appellant bear some risk
 - a. Attorney fees
 - b. Bond for delay/damages on appeal
15. No appeal of land use decisions where local government has approved and LUBA affirms (note: would remove judicial review of land use decisions)
16. Create presumption of conformity for projects meeting certain residential targets; shift burden to staff/opponents to prove substantial negative impacts to community.
17. Revise Goal 10 to include a mandate that local governments invest in (and not just plan for) needed housing and supporting infrastructure
18. Preclude use of FAR as a standard for residential development
19. Set clear limits on aggregate fees (total \$ per dwelling unit)
20. Review SDC Fees for Middle Housing and Small Units including a tiered SDC Fees strategy to incentivize builders to construct smaller homes.
21. Reduce notification area to prioritize public comment to close proximity neighbors, reducing NIMBY commentary.
22. Outline individuals that can appeal due to proximity of property
23. Wetlands: Review allocating funds to DSL to create more mitigation banks, allow builders to pay a "fee in lieu" to eliminate the exorbitant times for mitigation review applications to be reviewed.
24. Utilize Office of Accountability as a navigating agency between State, Federal and Local jurisdictions to align goals when requirements are misaligned.

25. Mandate and Fund Urban Reserves in every city in the State for 50 year land supply. To encourage predictable growth for the city AND early evaluation of Goal 5.
26. Utilize HB4079 as a pilot model add concentrated market rate and affordable housing to a city outside UGB area.
27. Add number of restricted days of timeline for land development process (from permit to permit).
28. We need a way to limit the amount of time that it takes to get a project through land use and getting construction permits. Currently, it takes 2-3 years to get a project through this process. My recommendations in this area will be related mostly to this issue:
 - a. During plan review, ensure that the plans get a detailed plan review, with an exhaustive list of issues the first time. After that, no new comments may be added to the plan review unless it is the result of a change made by the applicant.
 - b. Limit the reach of local jurisdictions to layer on requirements that add time and cost to the develop. For example, limit the ability of cities to impose tree retention requirements that reduce the developability of a project. Or the requirement that all intersections have ADA accessible crossing on all legs of the intersection. Or requiring a master plan facility be built for for regional use (and therefore taking over a year longer to approve and holding up a project) when a local system would have served the facility and allowed it to move forward.
 - c. Make the "Needed Housing" statutes clear that they also apply to engineering standards as well.
 - d. Make is easier to incorporate stormwater systems into developments, especially in the ROW. This might mean that there aren't as many street trees.
 - e. Develop a clear priority list for development objects. Is it housing? Is it saving trees? And then put some weight behind the priorities. Recognize that in order to achieve the primary goal, some other things will be impacted and allow for those changes to be made. Currently, many jurisdictions want everything to be a number one priority. They want density, to save the trees, provide infrastructure, and parks, and be affordable.
 - f. I think the state should be monitoring the time it takes for projects to get through the engineering phase and seeing how long some jurisdictions take to turn around reviews. This is especially important since so many jurisdictions use outside firms to perform their plan review. I think there needs to be some oversight for these private firms providing public review, especially since they are making a profit from it and reviewing competitors work product.
 - g. NPDES permits have become extremely time consuming and complicated to achieve. And if something goes wrong during construction, getting approval to do something else to treat the runoff prior to its release can take weeks.
 - h. Provide some oversight to power companies to ensure they are working quickly with development to provide power and designs. It isn't uncommon to request a design from a power company and not hear for months from them.
 - i. The state need to look at the supply of Land Surveyors. Maybe this should have gone under "Labor shortage" but I don't think it is something most people think of when they think of a labor shortage. The average age of PLS's is in their 50/60's. One survey I read said that 40% of Land Surveyors are set to retire in the next 4 years. This will be critical in drawing and submitting plats, as well

gathering topographic and field data to be used for design and reviewing and approving surveys.

29. From an engineering/construction permit standpoint, it doesn't matter if the project is affordable or market rate, they are reviewed the same. I predict that allowing middle-housing in single family zone land will become an issue in the future in regard to traffic. Since we are designing subdivisions based on one single-family residence, there runs the risk that the actual traffic from a project could far exceed what was designed/account for in the Traffic Impact Analysis.
30. Focus on evaluating permitting and regulatory barriers within cities public works and building permitting which greatly slow down or prevent development of otherwise city / state desired housing.
31. Make easier to rezone land for manufactured home parks.

Uncategorized Additions

1. If we know that we have a massive undersupply, and we know affordable housing is the most expensive form of housing, why don't we simply overflow the system with the lowest cost housing w. no income restrictions?
2. Treasury organize a workforce housing investment fund for Oregon employers to invest in in order to catalyze construction middle income units that in turn support those employers.
3. With the rise in interest rates, our undersupply will only be worse. Should we have a massive loan fund for all production or a smaller low-rate loan fund to provide 2% mezz debt up to 50% of cost?
4. Fund for State Government buying and converting office buildings (first find out what those are trading for - from banks who are taking deed in lieu).
5. State needs to function like a bank. Provide low-interest loans for affordable and workforce (0-100% MFI) housing projects.
6. State issue its own tax credits
7. Law that exempts affordable housing developments from property tax statewide
8. Adapt state funding to support modular and manufactured home projects
9. Public works / permitting / regulatory delays or issues. Market rate & affordable housing development. Many public works issues such as street development standards prevent infill properties from being developed for both market rate or affordable housing projects due to the exorbitant costs, standards and delays required by jurisdictions.
10. State agency coordination and reorganization needs to be high on the list. Get agency directors - not just mid-level managers - involved in solving the problems that are created simply by government silos.
11. Focused assistance to local governments (which have been starved by Oregon tax policy)
12. Shallow subsidy or loan guarantees for middle- and market-rate housing
13. BOLI's administration of prevailing wages for publicly-subsidized housing needs to be updated and modified to reflect the current crisis

14. I'm not sure I love the pre-set categories.

15. I have a general concern about how we are grouping the a few of the areas of concentration. My recommendation is that we have the following groups that would focus on what the development community contends with every day--and are the functional impediments to the Governor's executive order: Roughly something that looks like this--to be filled as the groups define issues of importance:

Area 1 Availability of Land

Buildable Lands Inventory

Wetlands

Cost to get shovel ready

Tree ordinances

UGB Expansion

Reserves

Area 2 Entitlement Process

Nimbyism

Time to obtain entitlements

Wetland Mitigation

DSL/DEQ

Condo Approvals

LUBA appeals

Area 3 Codes and Design

Public Works Standards

Condominiums

Residential versus Commercial Construction

Storm water

Pre-approved plans

Area 4 Workforce Shortages

Inspectors

Surveyors

Planners

Trades

Area 5 Ownership and Financing

Cooperative housing

Grants

Subsidies

Condos

Then within the framework of these groups, there would be important values which would establish the framework for solving each one of the problems.

Fair Housing, Funding/Sourcing, Affordability, Production Levels, Local Jurisdiction Impediments, Quality Control, Innovation, Expediting Processes, External Market Conditions, Serving both Rural Urban Development, Housing Options

For us to have experts in fair housing participate in the discussion on entitlements, for instance, I believe will help to form a solid path on say, Nimbyism. They are closely related. So to have Fair Housing as a separate group I fear isolates that important discussion which need to be integrated into nuts and bolts aspects of land development and housing construction. From my experience having various disciplines solving problems often drives creative and successful outcomes.

The values above are simply meant for illustrative purposes--but should be laid out and supported (or dictated) by the Governor. Then the groups can work within a framework which ultimately help assure Governor support...which is obviously crucial.

16. Institute By Right entitling
17. Support modular housing factories through bulk purchasing by the State of units for rapid deployment.
18. Create a housing version of the West Coast Infrastructure Bank so pension funds can participate and diversify risk across a broader geography.
19. Find ways (through innovation!) to quantify cost avoidance. Explore social impact bonds related to climate/carbon sequestration, health impacts, reentry housing, and other costs that are externalized in traditional housing construction.

20. Go big on Mass Timber modular housing to leverage the EDA's investment in the ecosystem
21. Get USFS to provide fire damaged logs and fiber to mass timber producers and to researchers.
22. Get procurement people back in their lane. They too often jam up processes in the name of risk aversion when the bigger risk is lack of progress.
23. Require a "Housing Impact Statement," similar to an EIS or a racial justice assessment, when enacting laws or rules to provide full transparency around unintended consequences.
24. For LIHTC and other OHCS programs, develop - with the help of investors, lenders, and developers - template documents that cannot be modified. This will reduce need for lawyers' time and expense.
25. I'm not overly excited with how the six categories were split up. There are a lot of things that affect housing, regardless of the type of housing. We need to make large strides towards making the process of housing more efficient and economical. This will translate to affordable, fair, and market rate housing.

Because development projects are evaluated the same, regardless of what type of project they may be.

Since affordable housing almost always has a public funding source attached to it, wouldn't it be better if the process for getting the project through land use, engineering, and into construction happen faster? This would mean more money is available for other affordable housing projects.

I would love to see the categories be split up to focus on the areas of development that all types of housing go through (i.e. land use, design and permitting, building code for the actual housing units). In addition, it is obvious that a work group needs to be dedicated to labor force. And another group would seem appropriate to addressing the availability of land.

A lot of the land we have available in our UGBs has significant challenges to it whether it be wetlands, access to infrastructure, topography, difficult soils, etc. We are going to need to be innovative in order to develop these areas. We need to figure out a way to get everyone on the same page to collaborate. A lot of times through the development process, it can feel like an "us versus them" system. I would love to see a way to incentivize jurisdictions to work with developers.

26. Stop pushing money through grants that counties/local municipalities, etc. have to apply for, small communities do not have the capacity for this. Take the ARPA approach, just give every county (or every housing authority) some money directly for them to use on

housing. The grant approach is in itself a barrier. Direct funding without a grant app is the way to go.

27. Location:

It is my understanding that preference and scoring points are given to certain census tract areas based on the median income for that census tract where the housing development would be located.

Additional points are awarded to the application because of lower-income levels in a particular census tract. This seems odd, unfair and maybe even discriminatory. Why would OHCS want to keep families with low-incomes and other disadvantages out of higher-opportunity areas?

The goal of Oregon Housing and Community Services is for everyone to be able to access quality, safe, clean and affordable housing, especially for Oregon's most vulnerable citizens. Over the past few years, there has been a growing trend for housing to have more elegant designs with more corners and breaks in lines, more rooflines, and aesthetic appointments. The design accoutrements do add to the appearance of the building, however, they are considerably more expensive to both build and maintain. The optics of it, especially in small, rural communities is difficult to deal with and explain to people who do not qualify for low-income housing. I regularly hear comments such as, "Look at that place, I work hard and can't afford a place like that. "Revise the aesthetic building requirements to save the State money so we can build more housing.

28. Property Tax Relief:

As I understand it, there is a vehicle in our state government available for property tax relief/state payment in lieu of for certain Senior Housing Projects.

In my small rural town of Ontario, we need housing for every income level, but the need is greatest for our homeless population and housing for our workforce. The City Council is always very interested in supporting housing development; however, Ontario spends more on law enforcement than the city collects in property taxes.

Small rural communities need a means to pay for the added burden, it is inevitable, and growth puts a greater demand on city government's resources.

There needs be a system for state paid property taxes in lieu of for affordable housing. It is unfortunate, but certain types of housing bring more demand on law enforcement.

29. Miscellaneous Discussion Points:

The intention of the sixty-year obligation is well-meaning, but what are the consequences of this obligation? What benefit does this obligation give the for-profit owner?

The Development Team takes 50-60% of the development fee.

The owner must sign and be legally obligated for the debt.

The management fees are such that no profit can be made there.

Caps on rents are under the rate of inflation.

With a 60 year obligation and deed restriction, the owner will be dead before any profit from a sale can realized. Bottom line, the benefits are negligible to none.

30. Oregon's honorable goals of housing for everyone does have some unintended consequences. There are members of our population, who for many different reasons, intentional or unintentional, cause damage to dwelling units. With the current system of fair housing laws and goals, many individuals are granted occupancy with very little latitude in screening. It would be helpful, if the state established a damage fund for an owner to recover damages caused by indigent tenants who negligently cause damage. This will insure the long-term viability of a project.
31. Determine the mechanism for state government to implement HPAC recommendations (new department, combination of existing departments, etc.)
32. Coordinated informatics, reporting, and metric setting
33. I strongly urge that in order to get housing built throughout the state that the following items are included in the major categories for the committee to work on with recommendations throughout the year:
 - a. Land Supply/Availability - Evaluate UGB Expansion & Set Urban Reserves
 - b. Entitlements & Public Notice & Appeals - Nimbyism, Wetland Assessment & Approvals
 - c. Public Notice & Appeal - Neighbors within the area.
34. We should have an ongoing outcomes evaluation of all policies enacted to understand their impact and change/amend them as appropriate.
35. We need to align as many state agencies as possible to support affordable/workforce housing production in every part of the state.
36. We need a large, one-time and sustainable investment in housing similar to an endowment so that we have ongoing resources.
37. Types of Government Support
 - a. Too much focus on affordable housing; public resources all directed there vs. supply overall. Middle income (60-120) a huge opportunity.
 - b. Property Tax exemption for middle-income housing.
 - c. Is there an opportunity for State MUPTE program to be more widely adopted or required?
 - d. Eliminate latent defect liability to promote the construction of more condos?

- e. Infrastructure development (many sites lack the infrastructural connections such as roads and utilities) such that development is not viable if that one site must bear burden of building that infrastructure.

38. Permits & Fees

- a. SDC/Fee waiver or funding from State to cover SDCs in certain jurisdictions / target areas – perhaps for deed restricted middle-income housing (\$25,000/unit or 10% of cost)
- b. Standardization of plans/permits @ State level for certain multi-family housing designs? Pre-approved. For instance, I believe up to 6 units are now allowed on a standard 5,000sf lot – standardize plan and eliminate permit fees for that kind of infill.
- c. Fragmentation/bifurcation of land use and permitting process (site plan approval vs. building approvals).
- d. Separation, in some jurisdictions of public works permitting. Adds cost and time. Eliminate/integrate approval?
- e. Land banking. Identify substantial/large and strategic sites. PDX ex: Broadway Corridor (Prosper owned), Albina Vision Trust, etc.
- f. Require public entities to evaluate potential housing sites (Council Member Mathews comment).
- g. BCD Strips permitting authority from jurisdictions that don't keep up w. their share of production and then expedites permits.

39. Planning & Zoning

- a. Density bonuses for middle income.
- b. Suspend inclusionary housing for a period.
- c. Waive zoning / create a BCD program to streamline the adaptive re-use of office to apartments.
- d. Elimination of parking requirements.
- e. Local Regulation leads to more discretionary approvals vs. "By right".
- f. Tax undeveloped land (I believe other jurisdictions are doing that) in order to incentivize development.