

Planning for Housing Needs in Oregon

A Guidebook for Goal 10: Housing

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Department of Land Conservation
and Development



DLCD

Department of
Land Conservation
& Development

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How to Use This Guidebook

This document is intended to provide guidance for local government practitioners and consultants doing Statewide Land Use Planning Goal 10 housing planning in accordance with Oregon Revised Statutes and Oregon Administrative Rules.

Who this is for

While Goal 10 applies to all cities and select counties in Oregon, much of the guidance in this document will be most relevant for the following audiences that have (HPS) extended obligations:

- Cities over 10,000 in population
- Metro counties: Washington & Clackamas. *Note: Multnomah County’s obligations are not in effect.*
- Tillamook County’s unincorporated communities and cities

In addition, Goal 10 guidance specifically geared towards cities under 10,000 in population can be found under basic obligations.

Navigating the guidebook

The guidebook is split up into chapters based on specific deliverables or steps in the Goal 10 process. Chapter 1 provides background information and an overview of the program to orient you to the other chapters. Each subsequent chapter includes:

- What the deliverable is and the components
- Purpose and outcome
- Who is required to complete it and the timeline for completion: basic obligations vs. expanded obligations for some jurisdictions
- How to do the work: key steps in the process, including tips, best practices, available safe harbors, and generic examples.
- Applicable definitions
- Adoption process

Links to templates, tools, and resources can be found throughout the document under the relevant chapters. The appendices also provide additional background and helpful resources for completing the work.

Chapter 1: Overview of Goal 10: Housing

Since the inception of Oregon’s land use program, Statewide Land Use Planning Goal 10 has required local communities to “encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density” (OAR 660-015-0000(10)).

In practice, cities’ responsibilities under Goal 10 have historically focused on inventorying buildable land and adopting a housing element in their comprehensive plan. These are critical parts of the land use process to ensure there is sufficient land capacity to accommodate housing need. While important, housing planning today seeks to expand on that foundation to ensure that we follow through on the promise of Goal 10 as it was initially envisioned to achieve adequate housing supply, affordability, and housing choice.

Integrating Affirmatively Furthering Fair Housing in Land Use and Housing Planning

Affirmatively Furthering Fair Housing (AFFH) has been part of federal housing policy since the 1968 Fair Housing Act. The policy continues to be central to federal housing programs. In 2020, AFFH formally became an integral part of land use planning in Oregon, aligning state and federal policy. In that year, the Land Conservation and Development Commission adopted new administrative rules that required all Oregon cities with populations of 10,000 or greater to affirmatively further fair housing through the development and implementation of their Housing Production Strategies. Through House Bill 2001 (2023), the Oregon legislature affirmed this directive by stating that AFFH was one of the primary purposes of the reforms to the Goal 10 Housing Planning process. The requirement to prioritize AFFH is an extension of the founding principle to plan for housing across all income levels. The statute directs local governments to address disparities in housing needs, access to opportunity, and segregation so that all Oregon households have more housing choices, regardless of personal or household characteristics designated as “protected classes.” Oregon’s requirement to AFFH changed housing planning by:

- Establishing a state obligation and framework for cities to AFFH independent of changes that may occur in the interpretation of the federal obligation to AFFH.
- Bringing extended requirements to affirmatively further fair housing to cities of 10,000 residents or more.
- Making AFFH the domain of the entire local government. This includes land use planners, some of whom may not have been engaged with it previously. It may also be a new concept for other related departments, elected officials, and planning commissioners.

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- Ensuring that local governments and planning departments have an active role in identifying and addressing fair housing issues going forward.
 - Helping ensure that fair housing principles are integrated into comprehensive plans, land use ordinances, and other planning documents.
 - Calling upon cities to take concrete, incremental steps to address development patterns and policies that contribute to housing disparities, segregation, and uneven access to community assets.

Relationship to Goal 14: Urbanization

State law requires cities and Metro to maintain enough capacity within an Urban Growth Boundary (UGB) to accommodate twenty years of housing need. Through elements of the Goal 10 planning process, local governments determine whether a city has enough land, zoned to sufficient capacity to accommodate the 20-year housing need. This is particularly true in the Housing Capacity Analysis state. A UGB amendment under Goal 14 determines how and where a city amends the UGB to accommodate an identified land need. For more information see [Chapter 4: Housing Capacity Analysis](#) and the Goal 14 Guidebook.

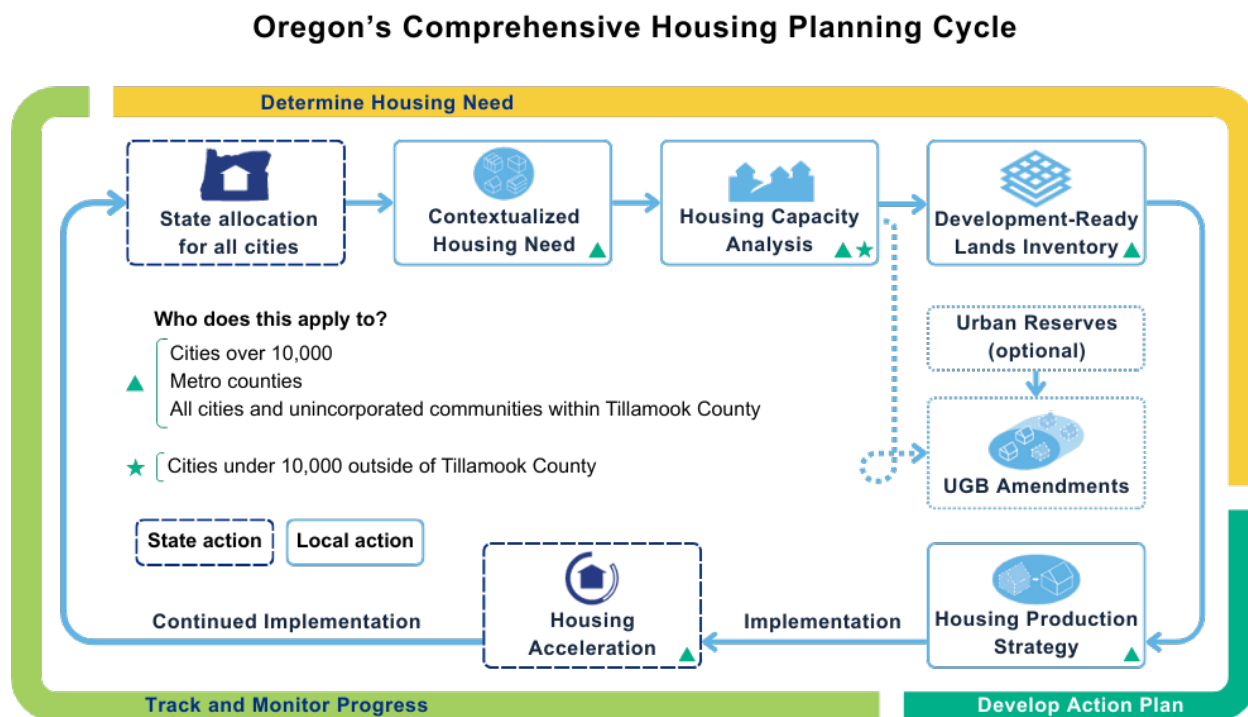
Housing Planning as a Multi-Departmental, Whole City (or County) Effort

The obligation to plan for housing needs and affirmatively further fair housing apply to the city as a whole, including all its departments and public officials. While the Goal 10 planning process is typically coordinated by the Planning Department, all other relevant city departments must be involved. For example, addressing issues of accessibility might involve the Building Department. Issues related to access to community amenities might involve Parks, Public Safety, Fire Marshal, and Public Works and include relevant public agencies like Public Housing, Libraries, and Health and Human Services. Cities are expected to bring all relevant assets and experience to the table to address housing needs, and solutions may involve multi-departmental actions.

Goal 10 Process at a Glance

With the passage of HB 2001 (2023) and implementation of [the Oregon Housing Needs Analysis](#), the housing planning process now includes a suite of programs and policies directing implementation of statewide planning goal 10, as shown in Figure 1. Brief descriptions of the Goal 10-specific elements follow. Please refer to subsequent chapters for additional detail.

Figure 1. Goal 10 Housing Planning Process



Determine Housing Need

OHNA Housing Allocations

Each year, the State of Oregon's Department of Administrative Services' (DAS) Office of Economic Analysis (OEA) [publishes](#) a 20-year housing need allocation and 1-year housing production target for every Urban Growth Boundary in the state. These are based on a methodology which factors in both future population growth and demographic change as well as historic underproduction and unmet needs. The allocation serves as the factual basis for each local government's housing planning work and informs the actions which local governments will take to meet their housing needs.

Contextualized Housing Need

The Contextualized Housing Need (CHN) is a community's deeper assessment of its housing needs. Through the work of the CHN, a local government ground-truths its allocated housing need and production target through the lens of Affirmatively Furthering Fair Housing. In other words, it's more than just the count of how much housing a community needs. Through the work of the CHN, the community arrives at a more deeply informed understanding of what kind of housing its particular community needs.

Housing Capacity Analysis

A Housing Capacity Analysis (HCA), formerly called a Housing Needs Analysis (HNA), compares the Buildable Land Inventory to the specific housing needs in the Contextualized Housing Need. In this step, the local government determines whether a community has enough buildable residential land to support its housing needs over the next 20 years. The HCA/HPS schedule shows the deadlines for each local government required to adopt an HCA. An updated HCA is required every six years for local governments in Metro and every eight years for local governments outside Metro.

Development-Ready Land Inventory

A Development-Ready Land Inventory (DRLI) assesses how much of a local government's residential land is ready for housing construction in the near-term, with critical utilities and infrastructure available for site development. The local government incorporates the DRLI into the HPS.

Local Actions to Respond to Need

Housing Production Strategy

The Housing Production Strategy (HPS) is a local government-wide action plan that must include a list of specific actions that will address the housing needs identified in the Contextualized Housing Need (CHN). The actions collectively must work towards meeting the local government's allocated housing production target, by affordability bracket, in efforts to work toward fair housing choice. Local governments are required to adopt an HPS within a year of adopting their HCA.

METRO

Housing Coordination Strategy

A Housing Coordination Strategy (HCS) is a regional action plan that is similar in structure to a local Housing Production Strategy, but distinct in that it reflects actions across the region. The HCS includes a list of actions including policies, programs, or coordinated efforts that the regional entity will undertake to promote housing production, affordability, and choice across the communities in the region.

Track and Monitor Progress

Implementation

Statute requires periodic reporting to assess the progress and implementation of the actions in the Housing Production Strategy over the course of the implementation timeline for each action. A midpoint report on housing action completion is required for

all local governments with a Housing Production Strategy. Annual reporting both on housing that has been issued a permit for construction and housing that has been produced is also required for these local governments. The state uses this information to track progress over time.

Housing Acceleration (if referred)

The Housing Acceleration program tracks housing production, supports state and local collaboration, and ensures follow-through on a local government's Housing Production Strategy. It is designed to locate barriers to market rate and affordable housing production and to address those barriers by identifying localized responsive actions. The Housing Acceleration program gives local governments greater opportunities to receive state assistance where persistent barriers seem to be holding a local government back from reaching its local housing goals.

AT A GLANCE

Housing Capacity Analysis (HCA) and Housing Production Strategy (HPS) Schedule

OAR 660-008-0045 directs local governments to regularly assess their future housing needs through a Housing Capacity Analysis (HCA) and to plan concrete actions to meet those needs through a Housing Production Strategy (HPS).

The HCA/HPS schedule outlines when cities must complete these documents, how adoption is evaluated, and what options exist when a city needs additional time.

This at-a-glance guidance summarizes the deadlines, adoption requirements, available flexibilities, and transition rules that apply under state law and administrative rule.

Annual Adoption Deadline

Local governments must adopt both their HCA and HPS **no later than December 31** of each year in which they are due. This deadline applies consistently unless a local government qualifies for a statutory exception or receives an approved extension under ORS 197A.130 (10).

What Counts as Adoption

Housing Capacity Analysis (HCA)

A city meets its HCA obligation once the HCA is adopted by ordinance.

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- If the ordinance is appealed, the city is still considered to have met the deadline.
 - Appeals do not affect compliance with the schedule.

Housing Production Strategy (HPS)

A city meets its HPS obligation once the HPS is formally adopted.

- An HPS is not a land use decision and is not appealable.

Early Adoption and Resetting the Cycle

Cities that adopt an HCA **before** their scheduled deadline “reset the clock.”

- Cities **inside Metro** begin a new **six-year** cycle.
- Cities **outside Metro** begin a new **eight-year** cycle.

This new cycle determines the city’s next required HCA deadline.

Housing Need Allocation and Production Targets

When a city adopts its HCA, the applicable housing need allocation and housing production target are those published *in the year of adoption*.

Optional Use of Prior-Year Data

A city may choose to use the prior year’s allocation and target. To do so, the city must:

- Submit written notice to DLCD and Oregon Housing and Community Services
- Do so by December 1 of the year before the city’s HCA deadline

Special Deadlines Triggered by Population Estimates

If updated population estimates cause a city to qualify under ORS 197A.270, 197A.280, or 197A.335, the city must adopt an HCA:

- Within two years of qualifying, or
- By the next scheduled HCA deadline under the reset-cycle rule, whichever provides more time.

HPS Timing When an HCA Is Adopted Early

If a city adopted an HCA after December 31, 2021 but before its scheduled deadline, the city must adopt its HPS one year after the original HCA deadline, even though the HCA was completed early.

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- Cities may adopt their HPS earlier, for example, concurrently with their HCA, if they choose.

Requesting Additional Time or Extensions for Good Cause

Cities that determine they will be unable to adopt their HCA, HPS, or midpoint report by the required deadline may request additional time.

How to Request an Extension

A city must:

- Notify DLCD at least 60 days before the applicable deadline
- Explain the reason for the delay or “good cause”
- Identify which document(s) will be late: HCA, HPS, or midpoint report

What the Department May Do in Response

After receiving a timely request, the department may take one or more of the following actions:

- Authorize concurrent adoption - allow the city to adopt its HCA at the same time as its HPS, using the HPS deadline in ORS 197A.100(1).
- Recommend a revised deadline - propose an amended deadline to the commission under OAR 660-008-0045.
- Review partial work - review components of the city’s HCA, deficiency response, or HPS to help the city move toward completion.
- Enter a voluntary agreement - within 90 days, work with the city to create a written agreement outlining the actions, timelines, and resources needed to complete the required work.

Chapter 2: OHNA Allocation & Progress Reporting

Purpose and Outcomes

The Oregon Housing Needs Analysis (OHNA) reflects a comprehensive, data-driven approach to estimating and allocating housing demand across the state. Under ORS 184.451–184.453, the Department of Administrative Services – through its Office of Economic Analysis (OEA)– conducts an annual statewide housing analysis projecting 20-year housing needs and shorter-term housing production targets. The analysis takes into account current underproduction, homelessness, and second homes.

This analysis produces a region-by-region – and local government-by-local government – allocation of housing need, segmented by income level from under 30% AMI to above 120% AMI, ensuring an equitable distribution of needed housing units throughout Oregon.

The [methodology](#) draws on population and job growth forecasts, demographic trends, housing market dynamics, and other analyses to establish both statewide and local production targets.

By integrating this framework into Goal 10 of Oregon’s land use planning system, the OHNA shifts much of the analytical burden of accurately identifying how many housing units are needed and at which income levels from local governments to the state. This provides a consistent, equity-focused foundation on which local jurisdictions build Housing Capacity Analyses and Housing Production Strategy.

Why Do we Need It?

Oregon needs a consistent, statewide approach to understanding and planning for housing because local housing markets don’t operate in isolation. Communities are interconnected through shared labor markets, regional growth patterns, and statewide inequities in access to housing. Without a common methodology, each jurisdiction would estimate housing needs differently, leading to mismatched assumptions, inequitable distribution of production, uneven planning, and gaps in the supply of homes—especially for lower-income households.

The OHNA allocation and methodology provide a unified baseline that ensures every community is planning from the same data foundation. It clarifies how much housing is needed, where it’s needed, and for whom. It also shifts the analytical burden from the local governments to the state, freeing local capacity to focus on truly local conditions. This shared framework strengthens Goal 10 implementation, supports coordinated state and local action, and helps Oregon make measurable progress toward meeting the housing needs of all residents.

Prior to the OHNA allocation, jurisdictions mostly relied on historical housing data, emphasizing the results of the market and the existing supply. The OHNA methodology reviews the market trends, as well as captures the latent demand for different housing types, regardless of whether those housing types are produced by the market.

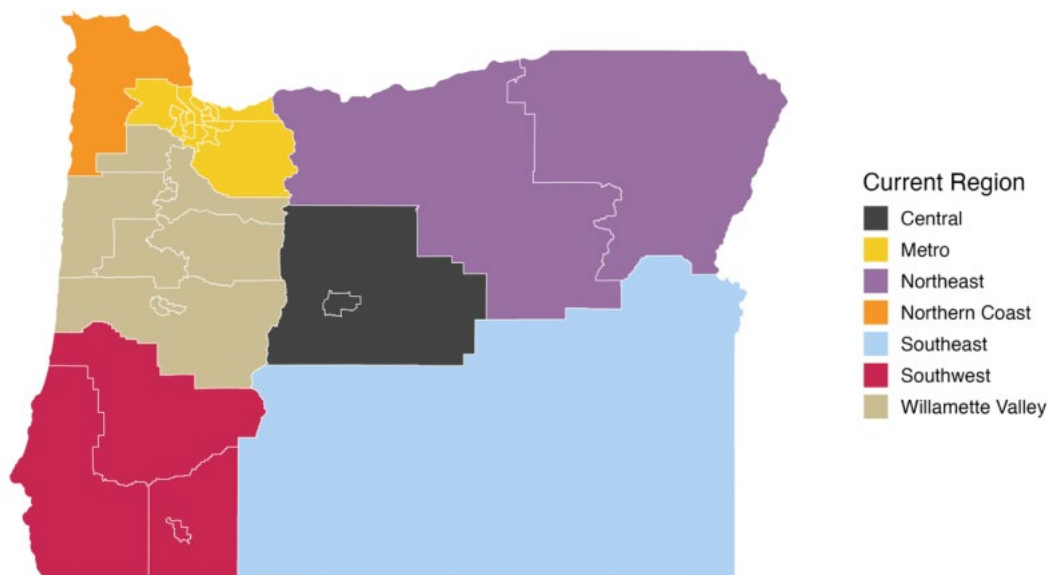
What is the OHNA Methodology?

This section provides a high-level summary of housing allocation determination process.

For more details, please refer to the [Oregon Housing Needs Analysis Methodology](#). At the writing of this guidebook, the OEA follows six steps to allocate housing need using the [methodology](#):

1. Determine Regions
2. Determine Income Categories
3. Determine Components of Housing Need
4. Allocate Needed Housing to Income Categories
5. Allocate Needed Housing to Cities and UGBs
6. Set Housing Production Targets

Housing need is calculated and assigned at a regional level to reflect the reality that the housing markets, as with transportation and employment, have an interconnected scope that extends beyond jurisdictional boundaries. Currently, the regions defined by the OHNA Methodology are Central, Metro, Northeast, Northern Coast, Southeast, Southwest, and Willamette Valley.



DAS then determines the income categories to which housing need will be allocated to, aligning with Goal 10's requirement for plans to "encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are

commensurate with the financial capabilities of Oregon households.” ORS 184.453(4) defines these categories:

- a) Less than 30% of Area Median Income (AMI)
- b) 30% or more and less than 60% of AMI
- c) 60% or more and less than 80% of AMI
- d) 80% or more and less than 120% of AMI
- e) 120% or more of AMI

As with the calculation of the total housing need, AMI is also calculated for the entire OHNA region, rather than at the jurisdictional level. These regional income categories are also used to define housing affordability, which is defined as a housing cost of no more than 30% of a household’s gross income.

The OHNA methodology to determine housing need goes beyond just accounting for 20 years of projected population growth. Total housing need is based on both current and future housing need.

- Current Need includes housing underproduction and housing units for people experiencing homelessness.
- Future Need includes units for expected population growth, expected housing units that will be lost to second and vacation homes, and units to accommodate expected demographic change.

This formulation accounts for historic underproduction of housing, as well as new household creation in an effort to provide a holistic and accurate accounting of housing need. The regional allocation to each income category is based on a formula which takes into account the unique attributes of each component of current and future need. Housing underproduction, for instance, is based on the rate of cost burdened renter households, while housing units for people experiencing homelessness are based on income data from the Homeless Management Information System (HMIS) managed by Continuums of Care (CoC). Future need from population growth and demographic change is based on the region’s current income breakdown, while demand for second and vacation homes is allocated to the higher income brackets.

Finally, this regional need is allocated to cities and UGBs. The allocation formula for regions other than Metro use the following weights described on page 14 of the methodology report linked above.

- Housing Underproduction
 - 50% from UGB’s share of its region’s current population
 - 50% from UGB’s share of its region’s current employment (derived from current Census Longitudinal Employer-Household Dynamics (LEHD) block-level counts of jobs within all geographies)
- Housing Units for People Experiencing Homelessness

-
- 50% from UGB's share of its region's current population
 - 50% from UGB's share of its region's current employment
 - Housing Units for Population Growth
 - 50% from UGB's share of its region's population growth
 - 50% from UGB's share of its region's current employment
 - Housing Units for Demographic Change
 - 50% from UGB's share of its region's current population
 - 50% from UGB's share of its region's current employment
 - Housing Units Lost to Second and Vacation Home Demand
 - 100% from UGB's share of its region's current second and vacation home stock (as determined by 2020 Decennial Census block-level counts of second and vacation homes spatially joined to UGB boundaries)

The allocation formula for Metro cities is similar, although more nuanced. Population, household, and employment projections come from Metro's coordinated forecasts, adopted as part of Metro's regional growth management decision process and documented in the Urban Growth Report (UGR) which is conducted every six years, rather than Portland State University's Population Research Center, which is on a 4-year cycle. The most distinct element is the inclusion of an "inverse weighting" factor, which operationalizes the direction in ORS 184.453(3)(c) to equitably distribute housing. The result is that cities and counties in Metro that have historically underproduced market rate or affordable units relative to other jurisdictions will receive allocations that reflect that gap. The Metro allocation weights are:

- Units Needed for Underproduction and for People Experiencing Homelessness:
 - **Production:** 50% from the city's rate of housing unit production relative to the UGB-wide average as calculated from the Regional Land Information System (RLIS) parcel-based housing layer, which provides unit counts and year built for parcels. Units built within the last five years of the model "run-year" (the year corresponding to the model's PUMS data inputs) are calculated as a share of total units within each jurisdiction and UUL (Inverse weight).
 - **Affordability:** 50% from the percentage of a city's housing units that are rental 0-50% AMI units, relative to the UGB-wide average, using the most recent vintage of the CHAS 5-year data (Inverse weight). Urban unincorporated lands within the UGB have their affordability level calculated using tract-level CHAS data for tracts with at least 30% of their area in the UUL. CHAS is more out-of-date compared to the ACS/PUMS

products, so the model corrects for this by applying the affordability rate from CHAS to the more recent unit counts calculated with RLIS's Housing Layer.

- Units Needed to Accommodate Population Growth:
 - **Residential capacity:** 33% from the city's share of jurisdictional residential capacity, as calculated using Metro's coordinated forecasts and capacity modeling documented in the UGR, wherein capacity in Metro's unincorporated urbanizable areas has been assigned to their future responsible jurisdictions
 - **Jobs access:** 33% from the city's share of UGB employed residents who live within areas with adequate transit or walking access to jobs, calculated using TriMet and SMART's most recent transit schedule data and OpenStreetMap street grid data
 - **Forecasted job growth:** 33% from the city's share of all forecasted jobs to be added between 2020 and 2050, based on Metro's coordinated employment forecasts documented in the UGR. This metric uses Metro's TAZ-level job forecasts, which are then assigned to cities using Metro's map of expected future jurisdictional responsibilities.
- Units needed to accommodate demographic change:
 - **Current population:** 33% from the city's share of current (baseline) population, as calculated with 2020 block-level Decennial Census data. The choice to use Decennial Census is driven by the need to allocate population to the complex UUL boundaries as well as cities, which can only be done with granular geographies like census blocks.
 - **Jobs access:** 33% from the city's share of UGB employed residents who live within areas with adequate transit or walking access to jobs, calculated using TriMet and SMART's most recent transit schedule data and OpenStreetMap street grid data.
 - **Residential capacity:** 33% from the city's share of jurisdictional residential capacity, as calculated using Metro's coordinated forecasts and capacity modeling documented in the UGR, with capacity in Metro's unincorporated urbanizable areas assigned to future responsible jurisdictions.
- Units lost to second and vacation homes:

- **Second and vacation homes:** 100% from the city's share of all current UGB second and vacation homes calculated using 2020 Decennial Census place-level counts.

Once the 20-year housing need has been determined, local governments are also assigned a 1-year housing production target. In order to encourage local governments to prioritize addressing their historic underproduction, the total Current Need is spread over 10 years, while Future Need is spread across the entire 20-year planning horizon. This results in high initial production targets which will likely decline over time.

GOOD TO KNOW

Determination of Peer Cities

The methodology also provides data to inform a comparison of each city's progress toward housing production targets alongside other local governments with similar housing market conditions—referred to as **peer cities**. DLCD uses these peer comparisons when determining whether to refer a local government to the Housing Acceleration Program, as described in the [Referral section](#) of this guidebook. To create peer groups, the state analyzes key characteristics that influence local housing markets. The following housing market attributes that indicate market similarity were used to group cities into peers:

- 1) Current population size (static)
- 2) Share of households with incomes >\$200,000 (static)
- 3) Share of housing used as second and vacation homes (static)
- 4) Share of housing that is single unit detached (static)
- 5) Share of housing that is owner-occupied (static)
- 6) Population growth between 2010 and 2020 (percent change)

Using these factors, each city is matched with a small set of the most similar cities in Oregon. This ensures comparisons are meaningful and based on shared conditions rather than statewide averages.

How Do Local Governments Use This Information?

Local governments can find their 20-year housing need allocation and 1-year production target in the OHNA Methodology Report in "*Appendix A. Local Results*". The reports are hosted on the [OEA website](#). As a new report is issued each year, it is important that local governments refer to the correct version when engaging in their housing planning processes. Per OAR 660-008-0045(7), this should be the allocation published in the year of the adoption of the Housing Capacity Analysis (HCA). However, OAR 660-008-0045(8) allows a local government to use the need allocation from the year prior to adoption of their HCA, provided they submit written notice to DLCD and OHCS by December 1 of the year prior to HCA adoption.

The 20-year housing need allocation and 1-year production targets serve different purposes in the OHNA process. The need allocation is what a local government compares its housing capacity to in the HCA. If the 20-year need is greater than the capacity, it may necessitate Land Use Efficiency Measures (LUEMs), a UGB amendment, or both.

Meanwhile, the 1-year production target is utilized in the Housing Production Strategy (HPS) development. Multiplying the production target by six or eight years (depending on the length of the HPS cycle) informs the magnitude of the needs which the HPS actions must individually and collectively address. The production targets are also used in the Development Ready Lands Inventory (DRLI) to ensure that local governments are making developable land available to meet their near-term housing needs.

GOOD TO KNOW

Goalpost rule for production targets during HPS cycle

While DAS adjusts the 1-year target on an annual basis, the six- or eight-year housing production target “locks in” at the beginning of a local government’s HPS cycle to ensure consistency for planning. The default year that a target locks in corresponds with the adoption of the HCA. The rule also allows a local government to select the target provided the year prior to their HCA adoption.

How Is Progress Tracked?

Each year, OHNA jurisdictions must respond to the Housing Production survey, which is administered by the Portland State University Population Research Center (PRC). The questionnaire collects data on housing units that have been permitted and those that have been produced in the previous year. “Permitted” units are dwellings for which a building permit has been issued, while “produced” units are dwellings which have received a certificate of occupancy. The survey thus tracks both units which are fully completed, as well as those in the development pipeline.

As required by statute, the survey includes questions related to construction typology, and unit type, affordability, and accessibility. The housing type categories for new units include:

- Detached single-unit dwelling,
- Accessory dwelling unit (ADU),
- Middle Housing broken out by:
 - Duplex,
 - Triplex,
 - Quadplex,

-
- Townhouse,
 - Cottage cluster,
 - Multi-unit dwelling,
 - Single room occupancy (SRO),
 - Manufactured dwelling park, and
 - Other

For each of the unit types above, local governments are also asked to identify the construction typologies, which include:

- Prefabricated structures as defined by ORS 455.010,
- Manufactured homes as defined by ORS 446.003, and
- Site-built units which are neither prefabricated nor manufactured homes

Local governments are also asked to report on the permitted and produced units as classified by characteristic, specifically whether they are built to a particular accessibility standard. These standards are:

- Fully accessible units (UFAS),
- Type A units (ANSI),
- Type B units (ANSI), and
- Type C units (ANSI)

Finally, the questionnaire collects data on regulated affordable units that are not otherwise reflected in [the Oregon Affordable Housing Inventory](#) which is stewarded by OHCS. These regulated affordable units may include projects that did not receive funding through OHCS, such as those funded through inclusionary zoning programs or non-governmental organizations.

Written guidance on completing the Housing Production Survey is updated annually and distributed by the PRC along with the survey. The PRC, OHCS, and DLCD offer individualized assistance for any local government by request.

The survey results are delivered to OHCS, which uploads them to the [OHNA Housing Production Dashboard](#). This allows for easy comparison between how many units are being built in a jurisdiction, the jurisdiction's allocation and production target, and how the jurisdiction compares to its peers and the region. The comparison informs Housing Acceleration program eligibility as described in [Chapter 8: Housing Acceleration](#).

Chapter 3: Contextualized Housing Need

Purpose and Outcomes

The Contextualized Housing Need (CHN) is a community's assessment of its housing needs. The CHN ground-truths its allocated 20-year housing need and 6- or 8-year production target through the lens of Affirmatively Furthering Fair Housing. In other words, it's more than just the count of how much housing a community needs to arrive at a deeply informed understanding of what kind of housing a community needs.

Oregon Administrative Rules (OAR) related to the Contextualized Housing Need can be found in OAR [660-008-0075](#).

Why do we need one?

A CHN helps a local government better understand the unique housing needs of the community, including housing types, features, costs, and locations. The CHN then helps set up a local government to design its actions to be sure it is truly planning for its community's housing needs, especially those needs which have gone chronically unmet. The conclusions in the CHN then inform both the Housing Capacity Analysis (HCA) by way of identifying the needed housing types and the Housing Production Strategy (HPS) by way of identifying the breadth of needed housing types, characteristics, and locations as well as potential fair housing issues that need to be mitigated or remedied.

Who completes a CHN?	When?
Portland Metro: Counties and cities with over 10,000 people	On a 6-year cycle
Outside Portland Metro: Cities with over 10,000 people Cities and unincorporated communities in Tillamook County	On an 8-year cycle
All other local governments	As desired*

Tasks of the Contextualized Housing Need

At minimum, the Contextualized Housing Need must include:

1. Equitable Engagement
2. An analysis of past discriminatory actions or practices related to land and housing access (Part A)

3. An affordability analysis
4. An analysis of fair housing choice
5. An urbanization analysis
6. An analysis of past discriminatory actions or practices related to land and housing access (Part B)
7. A determination of the types, characteristics, and locations of housing needed within a city boundary to inform its Housing Capacity Analysis and Housing Production Strategy

Additionally, at minimum the Contextualized Housing Need analysis above must be informed by the following:

- Review of the state-provided [Housing Production Dashboard](#)
- Review of the state provided [Equity Indicator Dashboard](#)
- DLCD's hosted repository of information

The following are additional datasets and resources that should be used as available, recent, and relevant. Anything listed in DLCD's repository of information is considered available.

RESOURCES

Tools

- Community Explorer [Dashboard](#) – Explore demographic trends
- Community Explorer [Web Map](#) - Create and print maps
- [Community Assets & Harms Mapping Tool](#)

User Guides & Tutorials

- [Community Explorer User Guide](#) - Step by step guide on how to use the dashboard.
- [Equity Mapping Guidebook](#) - How to apply mapping tools to show spatial concentrations of underserved populations for a major equity analysis.
- [Equity Mapping Tutorial Videos](#)
- [Community Assets & Harms Mapping Tool Memo](#)

METRO

County planning for urban unincorporated land

There are unique circumstances for the Metro counties that manage urban unincorporated lands and are therefore obligated to these expanded Goal 10: Housing planning obligations. For example, these lands can be non-contiguous and in completely different parts of a region. The data regarding these areas can also be challenging to parse out as distinct from incorporated areas of a county or other more common data boundaries and grouping systems. As a result, in some cases these counties will need to rely on broader county-wide data even though the planning efforts only apply to a narrower portion of the county. Other context-specific considerations and adaptations of available tools and resources will be necessary throughout this planning work.

NEED TO KNOW

Affirmatively Furthering Fair Housing and the Contextualized Housing Need

The Contextualized Housing Need is intended to help local governments identify some of the underlying rules and practices that contribute to creating disparate outcomes and segregated living patterns. It includes examining the history of segregation and past discriminatory actions and conducting an analysis of fair housing choice. The conclusions reached in the Contextualized Housing Need regarding needed housing types, characteristics and locations and fair housing issues to address help a city determine how much of what kinds of housing to plan for in which locations. The Housing Capacity Analysis (HCA) uses this vision to estimate capacity and determine where and how to accommodate growth. The Housing Production Strategy (HPS) identifies actions to help realize the vision. The CHN lays the groundwork for undoing past discriminatory actions, addressing the consequences, and moving toward a future of greater housing choice.

Focusing on the “Who:” Protected Classes & Focus Communities

The analyses must focus on four population groups: communities of color, low-income communities, individuals with disabilities, and Tribal communities. However, when relevant and when information is available, the analyses must also address federal, state, and local protected classes and communities named under provisions related to needed housing in ORS 197A.018, such as residents of subsidized housing, farmworker housing, manufactured dwellings in manufactured dwelling parks and on individual parcels, and other groups.

Task 1: Conduct Equitable Engagement

Purpose

Equitable engagement is a required and foundational component of the Contextualized Housing Need (CHN). It must be intentionally designed to prioritize and center communities of color, low-income communities, individuals with disabilities, and Tribal communities consistent with OAR 660-008-0075(5). These communities are not only key participants in engagement, they are central to the analytical purpose of the CHN because they are disproportionately impacted by barriers to fair housing choice.

Feedback from the equitable engagement must inform all the analyses outlined in the CHN and must be meaningfully incorporated into the determination of needed housing types, characteristics, and locations.

Equitable engagement ensures that the CHN reflects not only quantitative data, but also the lived experiences of communities most impacted by housing disparities.

Coordination with Tribal governments is a distinct and essential component of the equitable engagement requirements too. Local governments must conduct direct, government-to-government coordination and consultation with Tribal governments that have requested notice and the opportunity to coordinate regarding Goal 10: Housing work within the jurisdiction or applicable expansion areas. This work is critical to ensure that the CHN reflects Tribal perspectives and needs and respects Tribal sovereignty.

Key Steps

Engagement feedback will need to be synthesized and summarized into a summary that becomes included as a dedicated chapter or appendix item of the CHN report. At minimum as provided in OAR 660-008-0075(5), the Equitable Engagement summary should include:

- A list and description of interested parties and focused communities engaged
- Notice and subsequent documentation to tribal governments, as applicable
- Summary of how interested parties and focused communities were engaged and why, and the engagement methods used
- An evaluation of how to improve equitable engagement practices for future HPS cycles

Role of the department's Equitable Engagement Toolkit

The department's [Equitable Engagement Toolkit](#) provides a structured seven step framework designed to guide practitioners through the engagement process. This resource also includes essential guides and worksheets intended to help implement and document an equitable engagement process. The department recognizes this toolkit as best practice resource for implementing an equitable community engagement program.

As such, the following guidance describes how each step of that framework applies specifically to the Contextualized Housing Need analysis.

Step 1: Prepare

This step is about establishing the internal readiness and clarity needed to carry out equitable engagement in a meaningful way. This includes identifying the priority populations named in OAR 660-008-0075(5) that must be centered in the CHN, regardless of local variation or data availability, and defining how engagement with these communities will inform key components of the Contextualized Housing Need (CHN) analysis. Key considerations include:

- Identifying the priority populations that must be centered in engagement, as required by rule
- Defining how engagement will inform the CHN analyses, including the:
 - Analysis of past discriminatory actions or practices related to land and housing access (Part A);
 - Analysis of fair housing choice;
 - Affordability analysis;
 - Urbanization analysis;
 - Analysis of past discriminatory actions or practices related to land and housing access (Part B);
- Clarifying roles, decision-making authority, and how community feedback will influence CHN findings; and
- Assessing capacity, resources, and readiness to carry out equitable engagement.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 1 “Prepare” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

1 PREPARE	Sections	Essential Guides & Worksheets	Deeper Dive Guides & Worksheets
	1.1 Mindsets, Principles, Power & Decision Making 	1.1A Organization & Personal Self-Assessment Worksheet 	1.1B Self-reflection Worksheet
	1.2 Starting Considerations 		
	1.3 Foundational Practices	1.3A - Example Group Agreements  1.3B Practicing Across Difference 	1.3C - Power & Social Position 1.3D - Understanding & Mitigating Implicit Bias and Stereotyping 1.3E - Navigating Conflict 1.3F - Developing Your Empathic Communication 1.3G - Active Listening Exercises
	1.4 Essential Project Resources	1.4A - Budget Tracking Template 1.4B - 'Do You Need a Consultant?'	
	1.5 Set Engagement Goals	1.5A - Set Engagement Goals 1.5B Checklist of Report Worksheets	

Step 2: Understand Community

In this step, building on the priority populations identified in Step 1, develop a locally specific understanding of how those populations are represented within the community and how housing inequities are experienced. For applicability to the Contextualized Housing Need (CHN), this means:

- Identify the demographic diversity within the community, including how priority populations are geographically represented, using the department’s [Community Explorer Mapping Tool](#)
- Understand the historical and current spatial patterns of segregation, displacement, and exclusion
 - A historical understanding may in part be developed simultaneously through engagement and research that occurs during the work of the CHN, namely in the Analysis of Past Discriminatory Harms. A preliminary understanding for the purposes of informing an engagement plan should

reference other recent equity analyses or historical reviews of the community.

- A current understanding is also likely to be developed simultaneously through engagement and research that occurs during the work of the CHN, namely in the Analysis of Fair Housing Choice. A preliminary understanding for the purposes of informing an engagement plan should be sought by using the state's [Equity Indicator Dashboard](#) and Community Explorer Dashboard.
- Assessing community power dynamics and identifying trusted partners to support engagement.
- Inventory and assess existing engagement conducted in the last five years.

NUTS AND BOLTS

Equitable Engagement Rule Flexibility

The department recognizes that a range of levels of community engagement exists across the state and that engagement fatigue is an important consideration when conducting equitable engagement. As such, 660-008-0075(5)(a) provides an opportunity for a local government to assess its housing related community engagement feedback and decide whether that feedback can sufficiently inform the Contextualized Housing Need requirements and additional equitable engagement would not be appropriate. To make this determination, the following are required:

- Engagement feedback must reflect those from communities of color, low-income communities, and individuals with disabilities;
- Engagement feedback must have been gleaned no more than **five years** from when a local government embarks on developing its Contextualized Housing Need analysis; and
- Justify why additional equitable engagement would not align with the best practices outlined in the department's Equitable Engagement Toolkit.

If the local government determines that its existing housing-related engagement feedback is comprehensive enough based on the above, the local government may forego additional engagement and rely entirely on existing feedback. In this instance, a local government would reflect its justification for its determination in its CHN final report and not respond to the requirement outlined in OAR 660-008-0075(5)(b).

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 2 “Understand Community” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

2 Understand Community	Sections	Essential Guides & Worksheets	Deeper Dive Guides & Worksheets
	2.1 Identify Underserved Communities 		
	2.2 Evaluate Existing Conditions 	2.2A Past Actions Analysis Results 2.2B Using the Community Explorer 	2.2C Determining Historical & Current Harms Worksheet
	2.3 Community Power Analysis 	2.3A Community Power Analysis Guide  2.3B Identify Power Holders & Communities	

Step 3: Develop Strategy

After getting a good understanding of the community, developing an engagement strategy or approach that is responsive to community context and aligned with the purpose of the CHN is next. Engagement tactics should prioritize and center the communities identified in OAR 660-008-0075(5) and be structured so that feedback can meaningfully shape the various analysis of the CHN. This means:

- Develop an engagement plan that prioritizes communities identified in OAR 600-008-0075(5)
- Select culturally responsive and appropriate methods (e.g., focus groups, interviews, community led discussions)
- Align engagement methods with key CHN milestones so feedback can inform the various analysis
- Plan for accessibility, including language access and accommodations, and other supportive strategies to reduce barriers to participation

Additionally, a distinct engagement strategy should be developed for Tribal government coordination.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 3 “Develop Strategy” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

3 Develop Strategy	Sections	Essential Guides & Worksheets
	3.1 Review Engagement Goals & Central Questions 	
	3.2 Scheduling, Budgeting & Resource Allocation 	1.4A - Budget Tracking Template
	3.3 Communication Strategy 	3.3A Accessibility Plan  3.3B Creating English Language Learner Friendly Publications  3.3C Design & Layout Tips 
	3.4 Initiating Engagement 	3.4A Outreach Tracker 
	3.5 Outline Engagement Events & Key Project Milestones 	3.5A Engagement Event & Project Milestone Outline  3.5B In-Person Activities

Step 4: Implement Strategy

In this step, the equitable engagement plan is carried out in a way that ensures trust, reduces barriers, and centers priority populations. Engagement feedback at this stage should gather information that directly informs all elements of the Contextualized Housing Need. See [Appendix B: Sample Engagement Questions](#) that support qualitative data collection relevant to the CHN analyses. Review the department’s Equitable Engagement Toolkit to ensure engagement aligns with best practices such as providing supports like interpretation, childcare, transportation, stipends, or accessible formats, where needed and feasible, creating conditions for meaningful participation, conducting engagement with trusted communities and in culturally responsive approaches, and more!

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 4 “Implement Strategy” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

4 Implement Strategy	Sections	Essential Guides & Worksheets
	4.1 Event Planning 	4.1A Event Planning Checklist  4.1B Annotated Event Agenda Template 
	4.2 Planning for Accessibility 	3.3A Accessibility Plan
	4.3 Facilitation Design 	4.3A Facilitator Tips  4.3B Interview Guide 
	4.4 Engagement Materials 	
	4.5 Engagement Documentation 	4.5A Demographic Questionnaire  4.5B Engagement Documentation Matrix 
	4.6 Improving on Your Plan & Process	4.6A Event Debrief - Facilitator Guide

Step 5: Analyze Results

In this step, organize and synthesize feedback gathered through equitable engagement so that it can directly inform the CHN. This will entail:

- Identifying key themes and patterns from engagement feedback;
- Connecting qualitative findings to quantitative data and observed housing disparities;
- Highlighting differences in housing needs and experiences across communities; and

- Translating engagement results into findings that shape the CHN Analysis.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 5 “Analyze Results” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

5 Analyze Results	Sections	Essential Guides & Worksheets	Deeper Dive Guides & Worksheets
	5.1 Participation Data 		
	5.2 Community Engagement Results 		
	5.3 Developing Summaries 	5.3A Participation Data Worksheet  4.5B Engagement Documentation Matrix 	5.3B Data Analysis Considerations in Community Engagement 5.3C - Root Cause Analysis

Step 6: Apply Results

In this step, the feedback obtained and organized in the previous step is applied to the analyses and conclusions of the CHN and later operationalized through concrete actions in the HPS that are responsive to community-identified needs. In other words, applying the results of these engagement efforts occurs in the full scope of Goal 10: Housing planning and is not as discrete a step as some of the others. Results from the equitable engagement must be applied in the determination of needed housing types, characteristics, and locations. Later in the HPS development phase, the conclusions developed will inform the actions. Refer to [the HPS Chapter](#) for guidance on ensuring actions selected in the HPS are responsive to the CHN conclusions.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 6 “Apply Results” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

6 Apply Results	Sections	Essential Guides & Worksheets
	6.1 Applying Results for Equitable Decision-Making	
	6.2 Equity Analysis – Benefits & Burdens	6.2 Benefits & Burdens Worksheet
	6.3 Equity Analysis - Equity Performance Measures	6.3 Equity Performance Measures
	6.4 Operationalize Findings	6.4 Operationalize Findings Worksheet

Step 7: Develop Reports

In this step, engagement efforts should be documented and show how engagement feedback informed the CHN, consistent with OAR 660-008-0075(5)(c). This will require that a local government prepare an Engagement Summary as part of the CHN Report as either a chapter or appendix item that includes:

- A list and description of who was engaged with special attention to naming the priority populations (OAR 660-008-0075(5)(c)(A);
- Notice to all tribal governments that demonstrates government to government consultation and staff coordination (OAR 660-008-0075(5)(c)(B);
- A description of how and why communities engaged were engaged, the engagement methods used, and a list of each engagement activity (OAR 660-008-0075(5)(c)(C);
- A summary of the key themes and findings (OAR 660-008-0075(5)(c)(D); and
- A summary that outlines the local government’s reflection for how to improve equitable engagement practices for future CHN efforts.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 7 “Develop Reports” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

7 Develop Reports	Sections	Essential Guides & Worksheets
	7.1 Reporting 	
	7.2 State Required Reporting 	
	7.3 General Reporting Considerations 	7.3A Considerations for Reporting Back Results  1.5A Checklist of Report Worksheets 
	7.4 Evaluating Equitable Engagement Efforts 	7.4A Tools & Methodologies for Evaluation  7.4B Engagement Evaluation Worksheet 
	7.5 Developing a Case Study	7.5A Case Study Template
	7.6 Continuity of Engagement	7.6A Strategies for Maintaining Ongoing Community Engagement

Task 2: Past Discriminatory Actions and Practices Related to Land and Housing Access - Part A (OAR 660-008-0075(1)(b))

Purpose and Outcomes

An analysis of past discriminatory actions or practices related to land and housing access is intended to help local governments understand how historical policies and decisions have shaped current housing conditions. This analysis establishes a

foundation for identifying fair housing issues by connecting past actions to pre-sent day patterns of segregation, access to opportunity, and disparities in housing outcomes.

The purpose is not only to document history, but to inform present-day decision-making. By examining how and where discriminatory practices occurred (if any) and who was impacted, local governments can be better positioned to understand the structural drivers of current housing inequities.

Why do we need one?

Patterns of segregation, disparities in access to opportunity, and concentration of poverty and affluence are not random. These realities are shaped by past and ongoing decisions about land use and housing. Without examining these historical actions and practices, local governments may interpret current conditions as isolated or inevitable, rather than as the result of policy choices that can be changed.

This analysis is necessary to provide context for current housing equity indicators and to support a more accurate identification of fair housing issues. This work also supports compliance with the obligation to affirmatively further fair housing as required by Goal 10: Housing. Finally, this analysis also offers the opportunity to center community knowledge and lived experiences, particularly from communities that have been historically excluded from housing opportunity. This critical step ultimately helps inform equity driven actions for a local government's action plan.

Key Steps

At minimum this analysis should:

- Part A
 1. Identify and describe past discriminatory actions and practices.
 2. Map impacted geographies, where practicable.
 3. Acknowledge data limitations and conclude.
- Part B
 1. Compare past patterns to current conditions, including mapping of past discrimination and current conditions, where practicable.
 2. Acknowledge data limitations and conclude.

Part A | Step 1: Identify and describe past discriminatory actions and practices

Local governments should begin by identifying and describing the historical actions, policies, and practices, both public and private, that have shaped access to land and housing within the jurisdictional area. Past discriminatory practices may include policies and activities undertaken at different levels of government, within the private sector, or by landowners. OAR 660-008-0005(39) provides a definition of “past discriminatory actions or practices related to land and housing access” and accompanying examples intended to guide local governments in this step. Local governments should refer to this

definition to identify relevant categories or actions and practices, determine which examples may be applicable locally, and expand beyond the listed examples where local conditions or histories may be warranted.

Describing actions and practices

For each action or practice identified, local governments must provide a description that, to the extent practicable, addresses the following:

- What occurred (e.g., policy, program, or practice)
- When it occurred (approximate timeframe)
- Who was impacted, including specific communities or protected classes if known
- Where impacts were concentrated, including specific neighborhoods, corridors, or areas of the jurisdiction, if known (to support subsequent mapping)
- How the action or practice affected access to land and housing, including whether it contributed to exclusion, segregation, displacement, or inequitable access to opportunity

Data sources and information gathering

- Any and all existing fair housing work, including existing individual or state Analyses of Impediments to Fair Housing Choice, can be leveraged in completing the Contextualized Housing Need, including this element of the inventory and evaluation of local conditions
- Past zoning maps and zoning and development codes
- Historical information covering national and statewide laws and practices that affect access to land or housing across the state
- If available, any academic or historical information and maps including projects hosted by a local university, college, high school, museum, or historical society including culturally-specific and Tribal museums and archive project
- Community narratives, oral histories, and engagement with impacted communities

The local government's own records including those related to land use, platting and taxation, recorder's office and ownership, capital improvement plans, transportation system plans, or other similar records which may provide insights into both local government-wide practices and neighborhood-specific land uses and development patterns. For support on relevant engagement questions for this analysis, see [Appendix B: Sample Engagement Questions](#).

Part A | Step 2: Map impacted geographies (where practicable)

To the extent feasible, local governments should translate the information into spatial understanding by identifying and mapping impacted geographies. This may include:

-
- Areas subject to historic lending discrimination like redlining or other less codified practices
 - Neighborhoods impacted by urban renewal, displacement, institutional expansion, or infrastructure siting
 - Locations of exclusionary zoning or restricted access to housing opportunity
 - Tribal lands, reservations, or areas affected by land seizure and displacement

Mapping does not need to be precise or parcel -level. Approximate boundaries or illustrative geographies are acceptable where data is limited.

Data sources and methods for mapping

- Historical maps (e.g., redlining maps, annexation boundaries, zoning maps)
- Local and regional GIS data
- Planning documents and prior studies
- Community-identified geographies based on lived experience

Part A | Step 3: Conclusion & Acknowledgment of Data Limitations

This analysis concludes with as holistic an understanding as possible of the history of discriminatory actions or practices related to land or housing access in the area of the local government. Importantly, some forms of discrimination, whether intentionally or unintentionally, evade or destroy documentation. It is critical to note that the conclusions of this analysis will only be the result of best efforts and should not be construed as a complete historical review.

Findings

- A narrative chronology of past discriminatory actions
 - Narrative locational references or mapped identification of the geographies targeted or impacted by the discriminatory actions
 - The communities who were targeted or impacted by the discriminatory actions

Update As History Progresses

Because of the nature of historical documentation, Part A of this analysis does not need to be recreated every time a local government completes a new CHN. Instead, once a local government has completed its first CHN under these rules, it can focus only on any new historical information that has come to light since the past CHN or any new discriminatory actions that occurred in that time period which would now be in the past. It can also choose to go deeper into topics mentioned but not exhaustively analyzed in the first CHN. This new information and these new conclusions should be noted and folded into the narrative and locational understanding of past discriminatory actions and practices related to land and housing access.

The bulk of the remainder of the CHN will focus on understanding current conditions and potential equitable or inequitable outcomes. The penultimate step of the CHN before the conclusion will be to compare these past discriminatory actions and practices with the current outcomes analyzed and synthesized through the analyses below in order to reveal patterns and relationships between past and present.

Task 3: Affordability – OAR 660-008-0075(1)(a)

The affordability analysis considers the costs of existing rental and homeownership housing to describe the current housing market and assess how it impacts members of the community. It includes information about who is struggling to afford existing and newly built housing, with special attention to groups such as communities of color, low-income households, people with disabilities, Tribal communities, and protected classes within the community. It also describes barriers to producing needed housing. The affordability analysis answers the following questions:

- What kinds of housing is currently being provided by the private housing market?
- What kinds of housing is currently being provided through regulated affordable housing programs?
- Who is struggling with affordability today?
- What are the biggest barriers that impact development of needed housing?

Why do we need one?

By comparing what households can afford with what the market is currently providing, the analysis highlights gaps in the supply of needed housing. That comparison allows local governments to identify the conditions in the local market that limit fair housing choice, such as rising costs, limited production of affordable units, or barriers to building homes in neighborhoods with access to desired amenities. Understanding these issues helps local governments recognize the impediments to producing needed housing for all income levels.

Key Steps/Methodology

To complete this analysis, the following steps are needed:

1. Determine what kinds of housing is currently being provided by the private housing market
2. Determine what kinds of housing is currently being provided through regulated affordable housing programs
3. Determine who is struggling with housing affordability today
4. Determine the barriers to the development of needed housing

DEEP DIVE

Data Sources Considerations

For a deeper understanding of the data sources highlighted in this section and important relevant notes with using the data, refer to [Appendix E: The Affordability Analysis](#).

Step 1: Determine what kinds of housing is being provided by the private housing market

This step will help evaluate how the private market is currently addressing housing needs. It identifies which market rate housing types and characteristics are most likely to be affordable to households at different income levels based on current conditions, and how prevalent different housing types and characteristics that influence affordability are in the existing housing stock.

Refer to OAR 660-008-0005(8), (27), (30) for all the housing types, characteristics, and locations for consideration for this analysis.

To conduct this step, Rainbow City (a fictionalized example jurisdiction) would **begin** by compiling available data on current rental and ownership housing for the local government using the state provided [Equity Indicator dashboard](#) and using information in the “Housing Outcomes” indicator tab, and particularly the “Housing” subsection.

At minimum, data available on the Equity Indicator Dashboard will include:

- Overall median home value according to the American Community Survey (ACS) 5-year estimates for the local government, by region, and across other local governments with a population of 10,000 or more
- The number of homes built before 1970 for the local government, by region, and across other local governments with a population of 10,000 or more
- Whether a local government is considered rent burdened or severely rent burdened on its own and relative to other local governments.

Other Data Sources

Next, move to other data sources beyond the limited available data on the state provided Equity Indicator dashboard to continue to compile data on current rental and ownership housing for the local government. The following table provides an overview of the possible data sources for this housing information.

Housing Information	Possible Data Sources
Federal income limits and affordability standards	U.S. Department of Housing and Urban Development (HUD)
Rental housing costs	Census data from the American Community Survey, CoStar, Zillow
Housing values or sales prices	County or regional sales records (RLIS for Metro, RLID for Lane County, Others?), Multiple Listing Service (MLS) reports, Property Radar, Zillow, Redfin
Existing housing stock	Census data from the American Community Survey, County or regional parcel databases

Once the data is pulled, analyzing the information is next. The following are prompt questions to consider in this step.

Housing Information	Prompts
Rental Costs	General rental costs • What is the median gross rent in [relevant year] for [Rainbow City]? ○ How does the median gross rent in [Rainbow City] compare to surrounding/neighborhood communities? To the County? To the State? • How did the median gross rent in [Rainbow City] change over the last 5-10 years? (e.g., increased? Decreased?) • What is the average rent in [relevant year] for [Rainbow City]? ○ How does the average rent in [Rainbow City] compare to surrounding/neighborhood communities? To the County? To the State? • How did the average rent in [Rainbow City] change over the last 5-10 years? (e.g., increased? Decreased?) Rental costs by housing type • What is the average multi-unit asking rent per unit in [Rainbow City] in [relevant year]

	• What is the average middle housing asking rent per unit in [Rainbow City] in [relevant year] • What is the average single-unit detached asking rent per unit in [Rainbow City] in [relevant year] ○ How has the average asking rent for each of the above housing types changed over the last 5-10 years? • What is the average multi-unit rent by unit size in [relevant year] for [Rainbow City]? • What is the average middle housing rent by unit size in [relevant year] for [Rainbow City]? • What is the average single unit detached rent by unit size in [relevant year] for [Rainbow City]?
Housing Sale Prices	• What is the median home sales price in [relevant year] for [Rainbow City]? • How did the median price of a home in [Rainbow City] change over the last 5-10 years? (e.g., increased? Decreased?) ○ How did the median price of a home in [Rainbow City] compare to the surrounding/neighborhood communities? To the County? To the State? ○ What is the median sale price by housing type?
Affordability	• For each income bracket, what monthly rent level would be considered affordable (i.e., at or below 30% of gross household income)? • For each income bracket, what monthly mortgage payment would be considered affordable (i.e., at or below 30% gross household income)?
Housing Stock	• How many dwelling units exist in [Rainbow City] in [relevant year]? ○ Did that change over the last 5-10 years? (e.g., increased? Decreased?) • Of the existing available dwelling units, what is the more prevalent housing type (e.g., single detached? Middle housing? Multi-unit?) ○ How does the count of the most prevalent housing type compare to the counts of other housing types? ○ How is that housing type distributed throughout the city?

	○ Are those types concentrated in areas where other patterns are observed? (e.g., high asset areas, high harm areas, etc.) • How does the housing mix in [Rainbow City] compare to the County and the state in [relevant year]? ○ How does the housing mix in [Rainbow City] compare to the County and the state over the last 10 years? ○ Where are they located within the city? (e.g., high asset areas, high harm areas, etc.) • What is the inventory of manufactured home parks in [Rainbow City] in [relevant year]? ○ How has that changed over the last 5-10 years? ○ Where are they located within the city? (e.g., high asset areas, high harm areas, etc.) • How many units were built before and after 1970 in [Rainbow City]? ○ How does that compare to the region? Across other local governments?
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Analysis Best Practices

Affordability and Area Median Income

The fundamental framework for understanding housing affordability is based on the idea that every household needs housing that is affordable to them. Affordability is generally based on income, following the idea that a household should not spend more than 30% of its gross income on housing costs, otherwise the household is considered cost burdened. This is the standard for understanding affordability set by the U.S. Department of Housing and Urban Services (HUD). It does not take into account broader issues, such as accumulated wealth or existing debts (such as student loans or consumer debt) because there is not widely available information about these topics to form the basis for accounting for these issues. However, it does take household size into account.

HUD sets income limits and rental affordability standards for each region or individual counties in Oregon.

Exhibit A and Exhibit B below provide an example of these limits for rental housing. For instance, a four person household earning 30% of AMI (\$27,500) could afford rent for a 3-bedroom unit at \$715 per month without being considered cost burdened.

Alternatively, a four person household earning 80% of AMI (\$73,730) could afford rent for a 3-bedroom unit at \$1,908 per month without being cost burdened.

Exhibit A. Example Area Median Income Limits

Household Size	1	2	3	4	5	6
30% AMI	26,100	28,800	33,550	37,250	40,250	43,250
50% AMI	43,450	49,650	55,850	62,050	67,050	72,000
80% AMI	69,550	79,450	89,400	99,300	107,250	115,200

Exhibit B. Example Rent Limits by Area Median Income

House Size	Studio	1-Bdrm	2-Bdrm	3-Bdrm	4-Bdrm
30% AMI	653	720	839	931	1,081
50% AMI	1,086	1,241	1,396	1,551	1,800
80% AMI	1,739	1,986	2,235	2,483	2,880

Establishing affordability of home prices is more challenging given variability in financing including downpayments, interest rates, and mortgage insurance and property insurance costs. In addition, downpayment costs can be an affordability challenge that is less linked to income and more linked to wealth and access to savings. Most affordability analysis makes simplified assumptions about financing to estimate the sales price that may be affordable to households at a given income level, unless there are existing city programs that establish eligibility and price limits for for-sale affordable housing. For example:

- Downpayment: an assumption between 3.5% and 20% could be appropriate. A larger assumed downpayment will translate to a higher affordable sale price. For lower-income households who may have little savings, a smaller downpayment may be more realistic.
- Interest rates: using current average published rates is reasonable when comparing to current or recent sales prices, though small changes in interest rates can make a substantial difference in affordable sale price.

-
- Taxes and insurance: because these costs tend to adjust with property value, estimating them before the sale price is known can be challenging. Using typical values can provide a rough estimate. For example, 0.65% of the average home price for homeowners insurance and 0.75% of the average home price for private mortgage insurance (if you are assuming a downpayment of less than 20%) and using a tax bill for an example property can provide a reasonable approximation.

In some cases it may be helpful to consider affordability in the context of AMI by household size. Smaller units tend to cost less, but smaller households also have lower adjusted AMI thresholds. Comparing price or rent by unit size (based on number of bedrooms) can provide a more accurate estimate of the income level that the housing is affordable for. Published rent limits typically assume the following household sizes for purposes of establishing maximum allowable rents by income level:

- Studio: 1 person per household
- One-bedroom: 1.5 persons per household
- Two-bedroom: 3 persons per household
- Three-bedroom: 4.5 persons per household
- Four-bedroom: 6 persons per household

Rental Housing Cost: Median Gross Rent

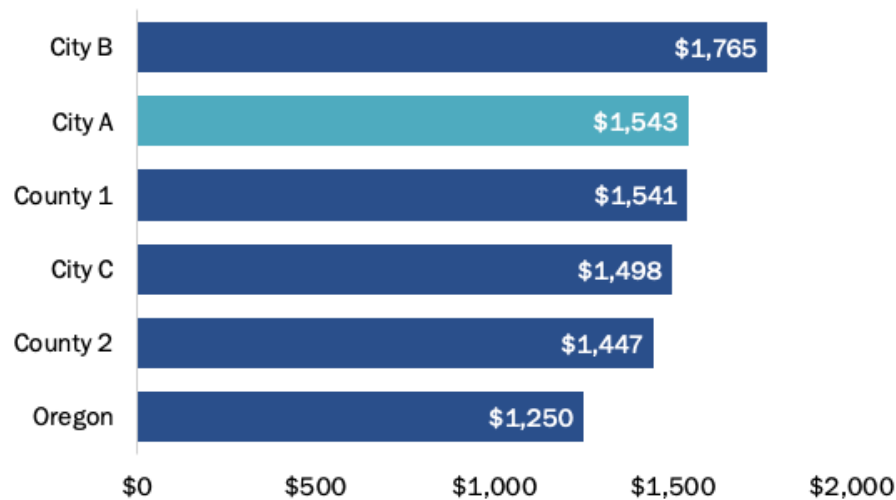
Gross rent is the total monthly cost of renting a home; it combines the base rent with the average monthly utility costs (electricity, gas, water, and other fuels like oil or wood), but only when those utilities are the renter's responsibility to pay. Some landlords include utilities in the rent; others don't. By bundling everything together, gross rent puts all rentals on equal footing regardless of how the payment is structured. Gross rent captures the comprehensive housing cost experienced by tenants and is the appropriate measure for affordability analysis, since utility costs can vary significantly by building age, heating fuel, climate, and unit efficiency.

Contract rent, however, only refers to the monthly base rent a tenant is obligated to pay under a lease agreement. Contract rent is more useful for understanding landlord pricing behavior, market positioning, and what the market is actually charging for the unit itself, net of variable operating costs that tenants bear. When studying market dynamics like rent growth trends, contract rent is generally preferred because it isolates how landlords are pricing housing within the local economic context.

While both ACS and CoStar provide estimates of contract rent, CoStar may be a preferred source for this kind of analysis over the ACS for several reasons: it reports contract rents at the property level drawn from lease transaction data and broker surveys, updated quarterly or more frequently, whereas the ACS reports only gross rent based on self-reported survey responses aggregated to census geographies on a one- or five-year cycle.

Exhibit C below shows Median Gross Rent based on 5-year ACS data for Rainbow City, comparable cities in the region, the county and the state. It allows for comparison of rents in Rainbow City with other cities and the region. Starting with rent data from the Census allows for wider comparisons within the region, to give a broad picture of whether rent in Rainbow City is higher or lower than other nearby places.

Exhibit C. Median Gross Rent, 2020-2024



Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25064.

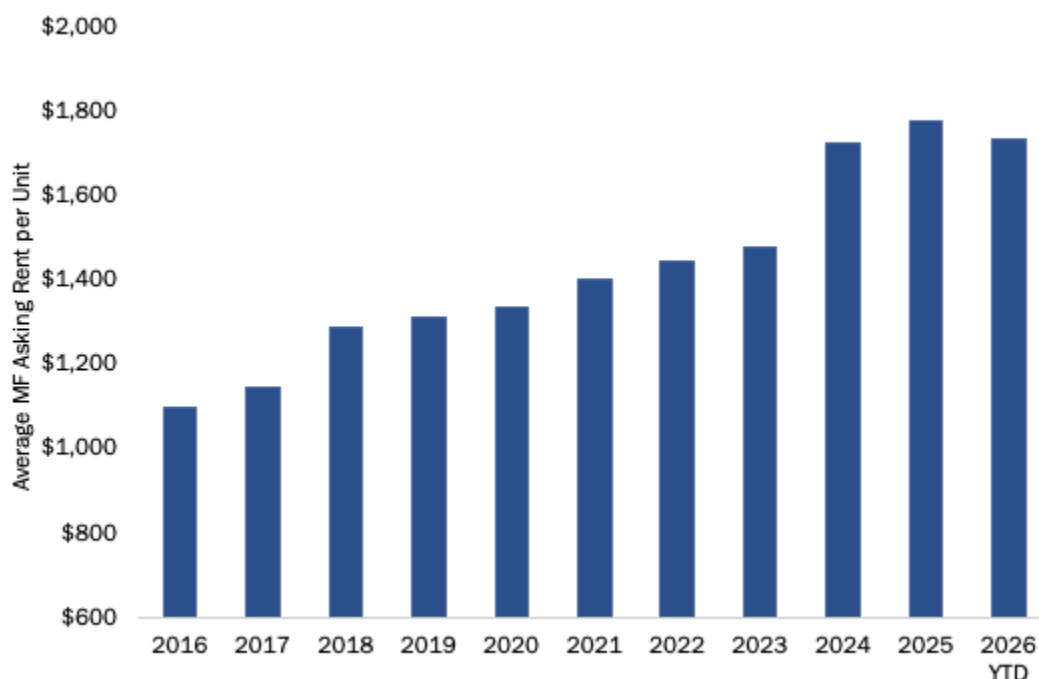
In larger jurisdictions, where CoStar has more data for the city, it may be possible to produce average asking rent for subareas of the city. This can provide information about how rental prices vary in different locations within the city.

Rental Housing Cost: Rent Change Over Time

Local governments can use these data to evaluate how rents are changing over time by calculating percent change in rental costs over an analysis period. This change can be compared to the percent change in incomes over the same period to assess the extent to which rent increases have outpaced income growth.

Exhibit D below shows average multiunit asking rent per unit for Rainbow City over the last decade, based on CoStar data. It allows for discussion of how rent costs have changed over time and can be compared with affordability in past and current years.

Exhibit D. Average Multiunit Asking Rent per Unit, Rainbow City, 2016-2026 YTD



Data Source: CoStar.

When looking at rent growth over time, it can be helpful to differentiate between rents for older housing and rents for newer housing because newer housing often has rents that are near the top of the market (or, in some cases, above all current market) rents for the community. When substantial new rental housing is added this can drive up the observed average even if rents in existing housing do not increase at all. For example, differentiating rents for buildings added since the last HPS cycle and those that are older may be appropriate. This type of differentiation is possible with data from CoStar, but not from most other sources.

It is also preferable to use a single unit size (e.g., 1 bedroom or 2 bedroom units) so that changes in the mix of unit sizes over time do not skew the average. Note that excluding senior housing and student housing from these trends is generally appropriate since the rents for these types of units can be quite different from other units as they may include other services or costs built in, units may be rented by the bedroom, etc.

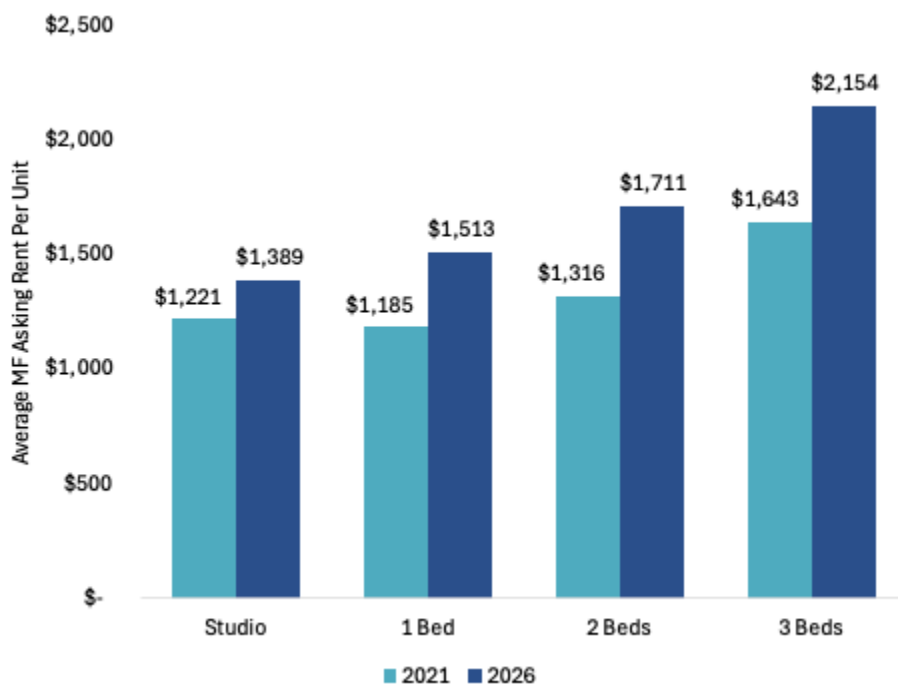
Rental Housing Cost: Rent Per Number of Bedrooms

This data can help local governments determine the affordability of rental housing by unit and household size as a percentage of AMI. Average rent data can be compared to AMI rent limits by bedroom (see Exhibit 11) to provide insight on how rent costs generally compare to income levels for the area. Using the maximum allowable rents by

unit size can provide a simple approach to estimating affordability of rental housing that is differentiated by unit size.

Exhibit E below shows average multiunit asking rent per by number of bedrooms for Rainbow City in 2021 and 2026, based on CoStar data. It shows the difference in rents based on the number of bedrooms per unit, and the change in affordability by number of bedrooms over time. Given the rent limits by income level shown in Exhibit 11 for two-bedroom units, the 2026 rents for these units would be affordable to households earning less than 80% of AMI (rent limit of \$2,235).

Exhibit E. Average Multiunit Asking Rent per Unit by Number of Bedrooms, Rainbow City, 2021 and 2026



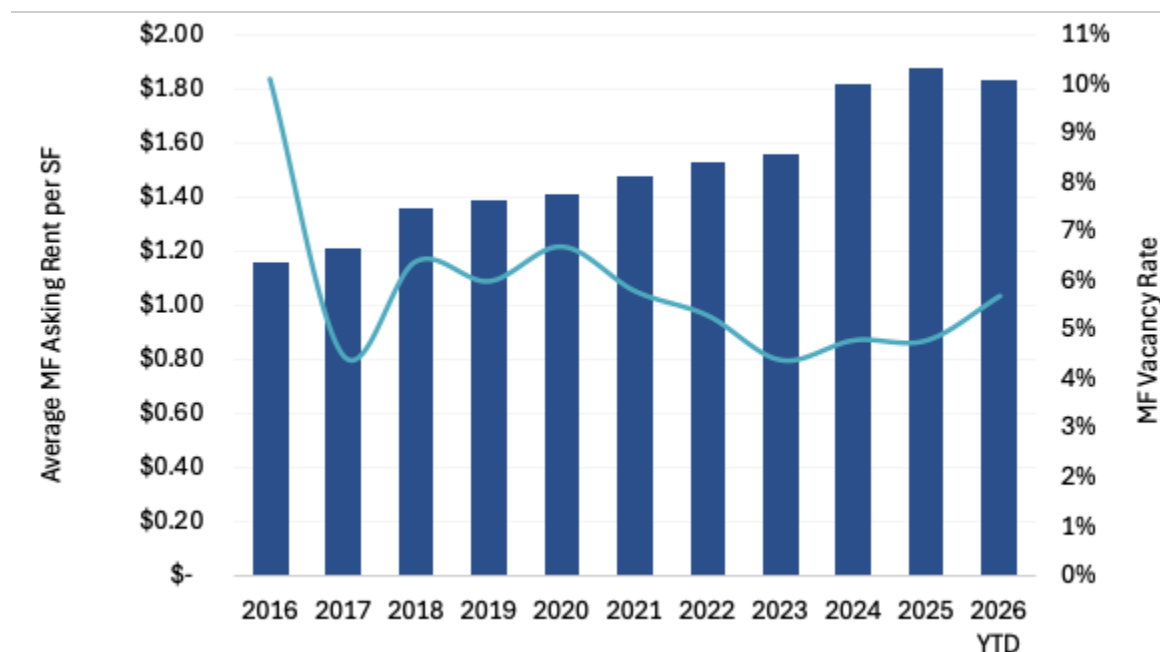
Data Source: CoStar.

Rental Housing Cost: Rent Per Square Foot

Rent per square foot is often used for market analysis because it is helpful for developers analyzing market feasibility, and does a better job of normalizing by unit size than using total rent by unit, which can make it helpful for comparing between developments. However, rent per square foot tends to be higher in smaller units than in larger units. It can also be harder for community members to understand, since it is less relatable to what they are paying.

Exhibit F below shows average multiunit asking rent per square foot, as well as vacancy rates in rental housing, from CoStar.

Exhibit F. Average Multiunit Asking Rent per SQFT and Vacancy Rates, Rainbow City, 2016-2026



Data Source: CoStar.

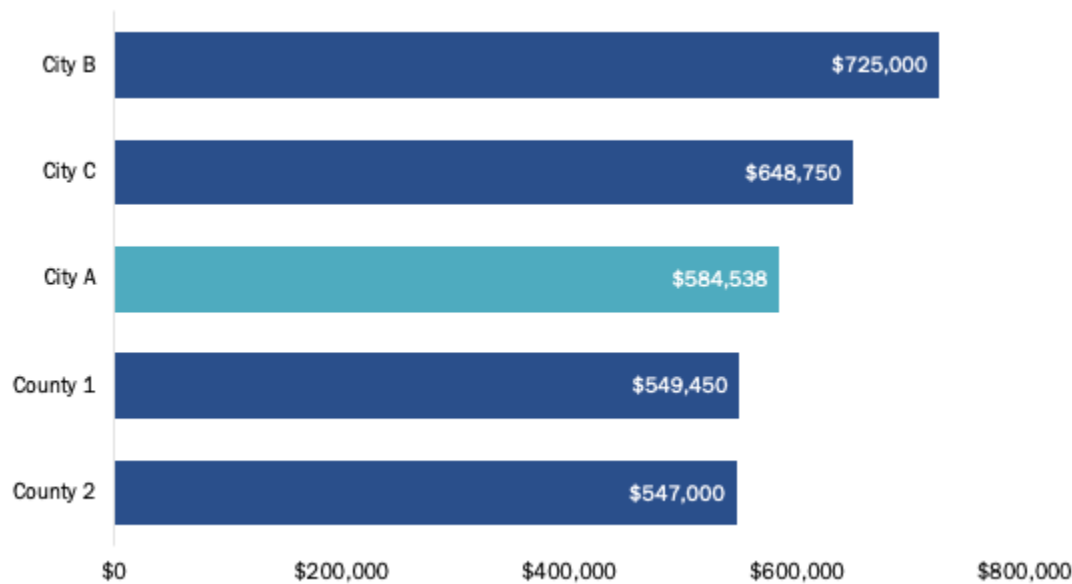
Rental Housing Cost: Vacancy Rent

While vacancy is not directly tied to affordability, a tight housing market with low vacancy can lead to faster escalation in rents as households compete for fewer available units. Vacancy rates for multiunit housing often rise with completion of new multiunit rental housing, as a large number of new units come onto the market and take some time to be absorbed by the rental market. Called a “lease-up” period, this elevated vacancy rate can take several years to return to equilibrium as tenants gradually move into newly constructed apartments. Local governments may want to compare vacancy rates with data on “deliveries” (new buildings) from CoStar or building permit data collected in the Housing Capacity Analysis, to understand how newly permitted multiunit buildings, once they are completed, impact the housing market.

Ownership Housing Cost: Home Sales Price

Exhibit G presents median home sales prices, using data from Redfin, for Rainbow City alongside comparable cities in the region, the county and the state. This figure provides a basis for comparing housing market conditions across jurisdictions and helps illustrate how median home prices in Rainbow City compare to those in surrounding areas.

Exhibit G. Median Home Sales Price, 2024



Data Source: Redfin

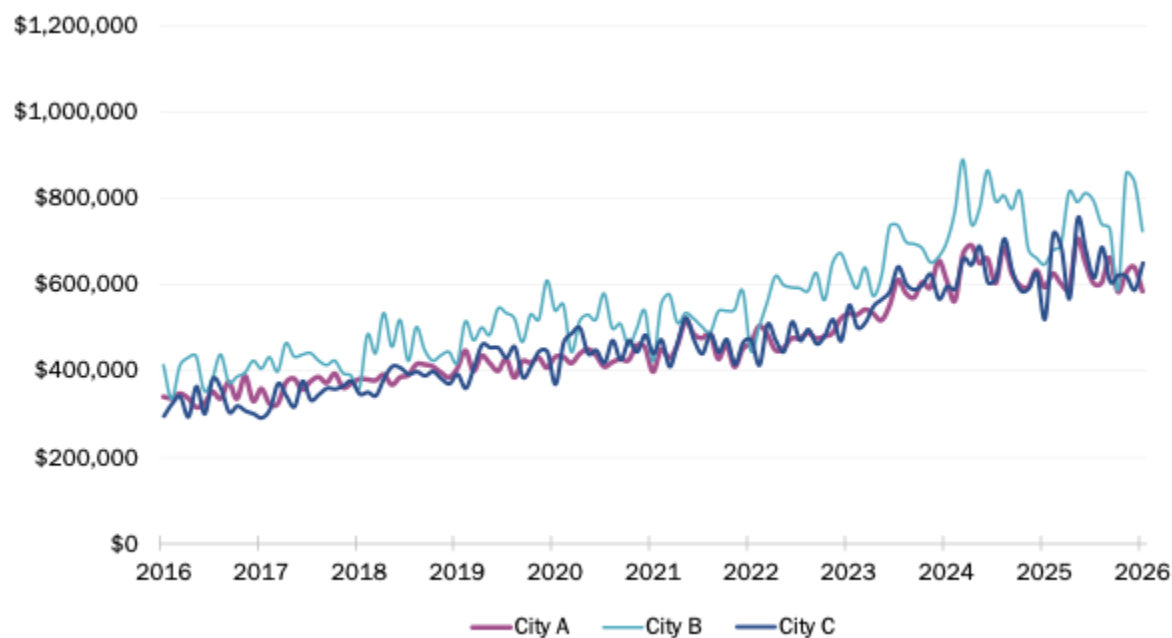
If the city purchased sales data from a source like Property Radar, and there is enough data about sales within the city, it may be possible to report median sales prices for subareas, such as neighborhoods, in the city. Typical statistical practice recommends no fewer than 30 for estimating a reliable median. In small towns, this may be difficult to achieve.

Ownership Housing Cost: Home Sales Price Over Time

Local governments can calculate percent change in sales prices over an analysis period to evaluate how home prices are changing over time. This change can be compared to the percent change in incomes over the same period to assess the extent to which sales prices have outpaced income growth.

Exhibit H displays median home sales price trends for Rainbow City and comparable cities based on Redfin data. This allows for discussion of how home sales prices have changed over time and at what rates.

Exhibit H. Median Home Sales Price Trend, 2014-2024



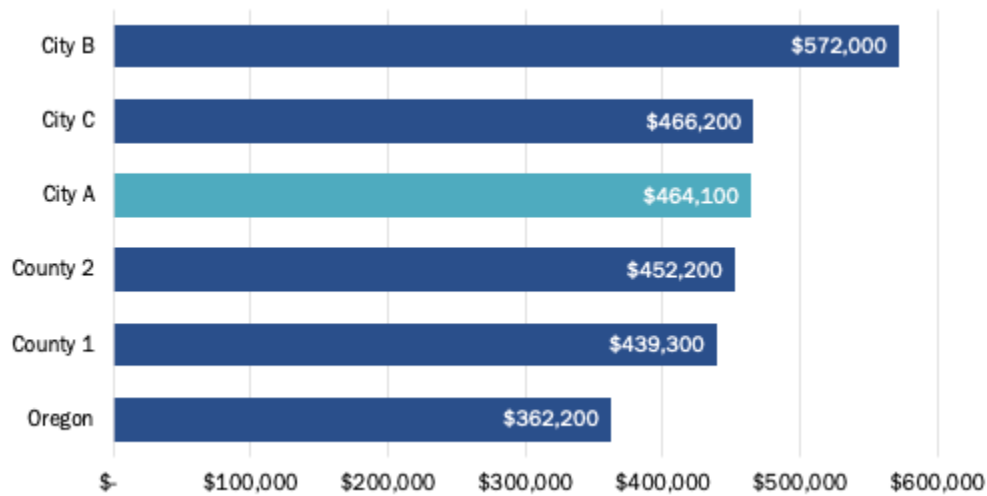
Data Source: Redfin

Ownership Housing Cost: Median Home Value

Unlike median home sales prices, which reflect the price of homes that have recently sold, median home value represents an estimate of what owner-occupied homes are worth, as reported by residents in the Census survey. As a result, home values tend to reflect longer-term perceptions of housing costs and may lag behind current market conditions. Comparing the two measures provides additional context: while Redfin sales data captures real-time market activity, ACS home values offer a self-reported view of housing values across communities.

Exhibit I shows median home value for Rainbow City, comparable cities, the county, and the state based on 5-year ACS data.

Exhibit I. Median Home Value, 2024

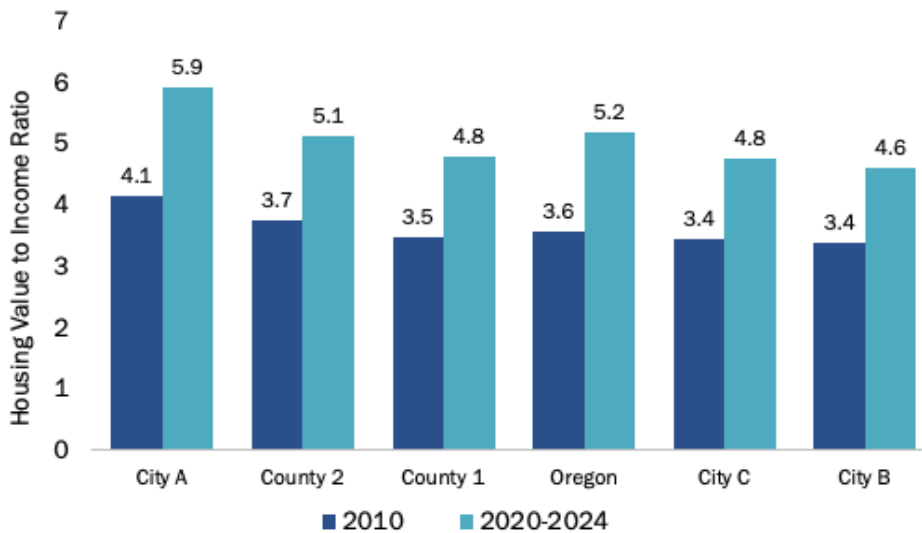


Data Source: US Census Bureau, 2020-2024 ACS Table B25077.

Housing value-to-income ratio measures the relationship between the median home value and the median household income, providing an indicator of housing affordability. Higher ratios suggest that home values are large relative to local incomes, indicating reduced affordability and greater barriers to homeownership. This measure is simpler than analyzing affordability of home prices directly based on lending assumptions, but does not provide a full picture of affordability given the impact of interest rates and lending standards.

Exhibit J shows the median housing value to income ratio from Rainbow City, comparable cities, the county, and the state based on 5-year ACS data and Decennial Census. This figure supports both comparisons across jurisdictions and changes over time.

Exhibit J. Median Housing Value to Income Ratio, 2010 and 2020-2024



Data Source: US Census Bureau, 2010 Decennial Census (Table HCT012, H085); 2020-2024 ACS (Table B19013, B25077).

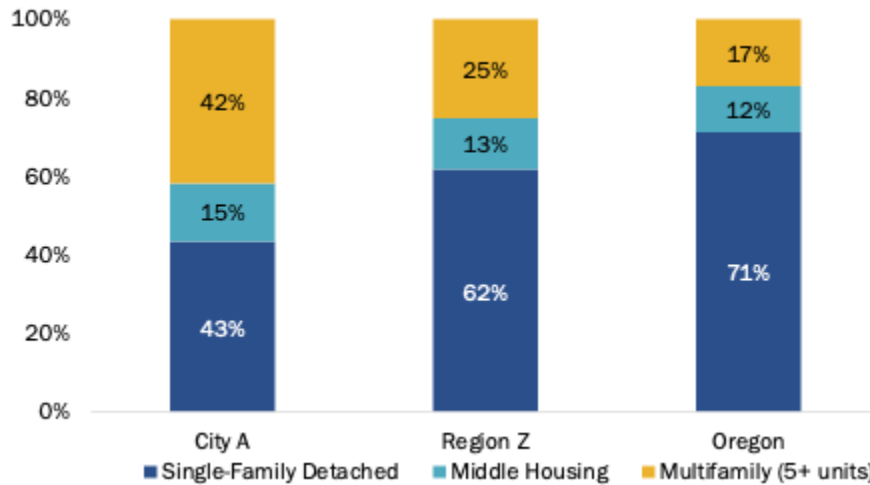
Existing Housing Stock

See the glossary for specific definitions of each of the three categories of housing types:

- Single-unit detached housing
- Middle housing
- Multi-unit housing

Exhibit K below shows Rainbow City's housing unit mix, using ACS 5-year data, for Rainbow City alongside the region, and state. This exhibit provides context for understanding how the City's housing stock differs from broader regional and statewide patterns. A more diverse housing unit profile can support a wider range of housing needs.

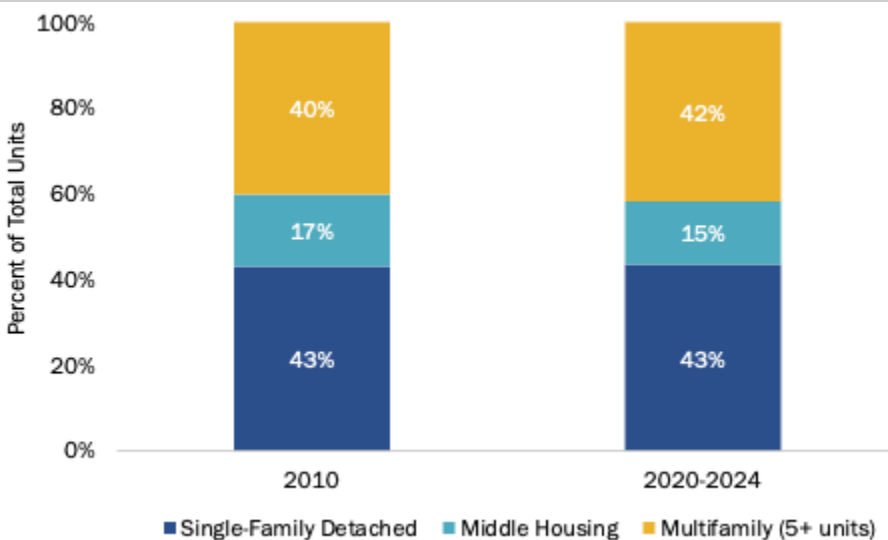
Exhibit K. Housing Mix, Rainbow City (City A), Region Z and Oregon, 2020-2024



Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25024

Exhibit L below presents Rainbow City 's housing stock in 2010 and 2024, providing a comparison that illustrates how the composition of housing units has evolved over time.

Exhibit L. Change in Housing Mix, Rainbow City, 2010 and 2020-2024



Data Source: US Census Bureau, 2010 Decennial Census, SF3 Table H030, and 2020-2024

Manufactured homes provide a source of affordable housing in Oregon's communities. They provide a form of homeownership that can be made available to low and moderate-income households. Manufactured housing can be located on individual lots

or in manufactured home parks. Exhibit M below provides an inventory of manufactured homes for Rainbow City (City A), providing information about the total number of spaces and vacant spaces.

When redevelopment of manufactured home parks occurs, it displaces existing occupants. It is difficult and often impossible to replace the housing displaced by redevelopment of manufactured home parks, given the generally lower cost of manufactured homes and relative affordability of manufactured housing in parks. Oregon Housing and Community Services maintains a database of manufactured home parks in Oregon cities.

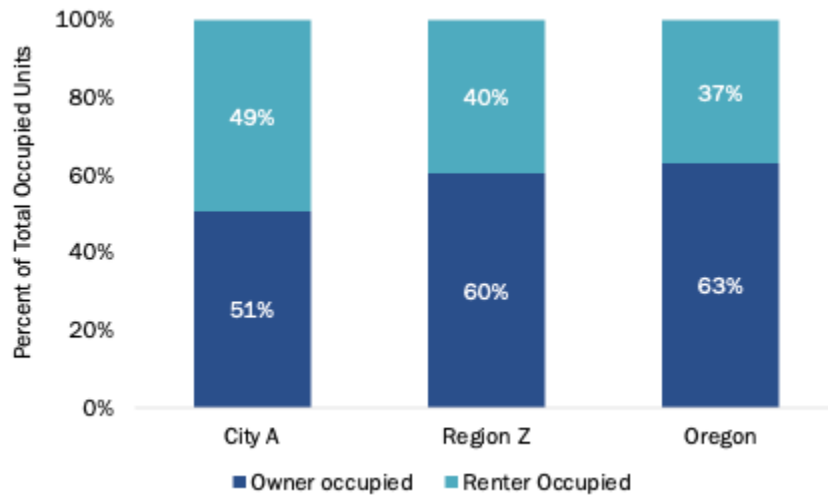
Exhibit M. Inventory of Mobile/Manufactured Home Parks, Rainbow City (City A), 2026

Name	Location	Type	Total Spaces	Vacant Spaces	Comprehensive Plan Designation
Park Y	100 City Rd	Family	63	0	Residential 10-12 DU/acre
Park Z	200 Main St	Family	57	0	Industrial
Total			120	-	

Data Source: Manufactured Home Parks,
<https://experience.arcgis.com/experience/3bd904d2a8d24870b01ead065030fac7>

Exhibit N below shows Rainbow City's housing tenure split using ACS 5-year data alongside the region and state. This exhibit provides context for understanding how the City's tenure patterns differ from broader regional and statewide patterns.

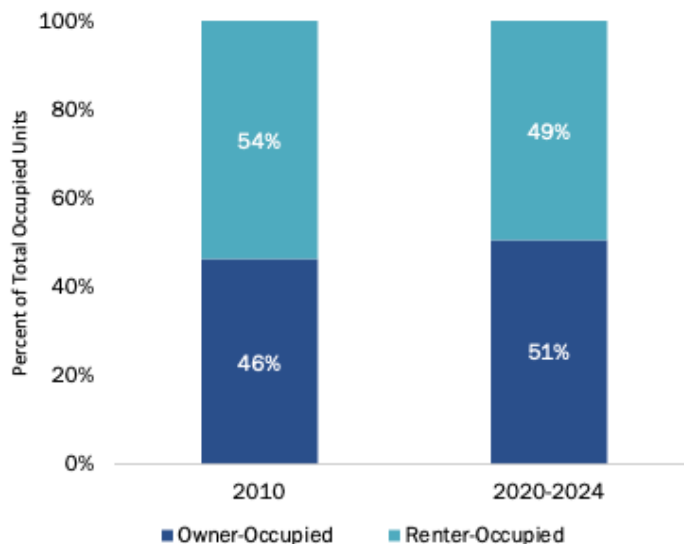
Exhibit N. Tenure, Occupied Units, Rainbow City (City A), Region Z, and Oregon, 2020-2024



Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25003.

Exhibit O below shows Rainbow City's housing tenure, using ACS 5-year data, in 2010 and 2020-2024. Changes in tenure can reflect broader trends in housing affordability, population growth, and the types of housing being developed in the city.

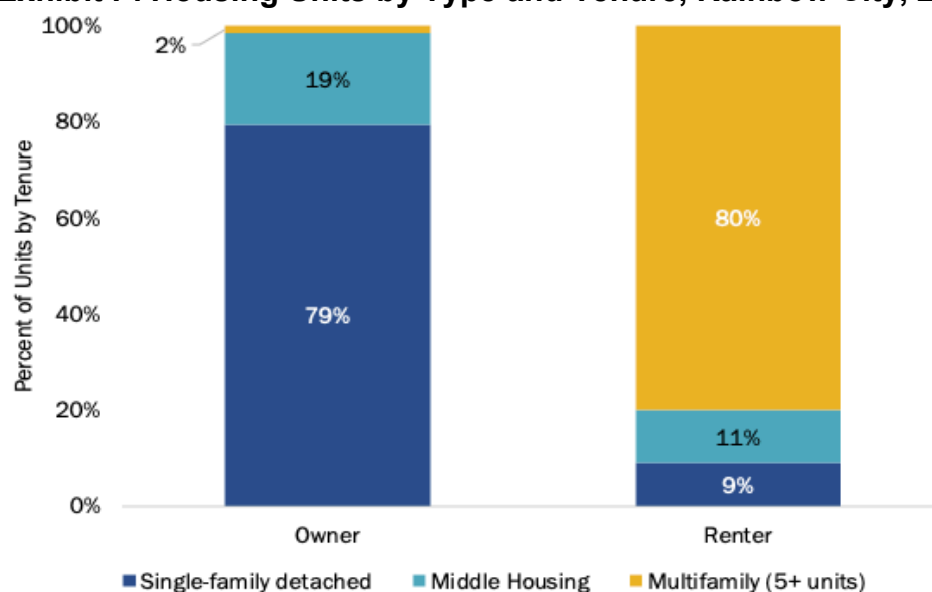
Exhibit O. Change in Tenure, Rainbow City, 2010 and 2020-2024



Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25003.

Exhibit P shows Rainbow City's housing units by type and tenure in 2020-2024, using ACS 5-year data. This figure shows how housing types differ between renters and owners.

Exhibit P. Housing Units by Type and Tenure, Rainbow City, 2020-2024



Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25032.

Step 2: Determine what kinds of housing is currently being provided through regulated affordable housing programs

This step will help evaluate what regulated affordable housing exists within a community. Assessing a city's existing regulated affordable housing stock is essential for understanding how much of this need is currently being met, where gaps remain, and where strategies for preserving existing regulated affordable housing are needed.

Regulated affordable housing is typically restricted to households earning 60% of Area Median Income or less.

To conduct this step, **begin** by compiling available data on current regulated affordable housing production for the local government using the state provided [Housing Production dashboard](#).

At minimum, data available on the Housing Production Dashboard will include:

- Housing Unit Production based on local government reporting

Important note: The Housing Production dashboard is informed by local government response to the department's annual housing production survey since it was established in 2018. This means the accuracy of what is reflected is based on the information that a local government provides to the department via the annual housing production survey.

Once the data is pulled, further contextualization of the existing regulated housing developments from the local government is needed. The following are prompt questions to consider in this step:

-
- Are all regulated housing units reflected on the housing production dashboard? If not, why (e.g., new developments since the last response to the department's annual production survey, reporting discrepancies, etc.)
 - How much of the regulated affordable housing units account for Rainbow City's total housing stock?
 - If there are multiple regulated affordable housing development projects in the community, what additional characteristics are known about each project or the characteristics of the units? How many units within the project are fully income restricted? Are there units that receive income assistance? Are any units accessible and to what degree? What size diversity is there among these units?
 - Where are these regulated affordable housing units located within the community? (e.g., high opportunity areas, high harm areas, etc.)

Analysis Best Practices

An inventory of a local government's affordable housing stock can consider affordability at different income levels, unit types and size, and tenure. A city may also want to assess expiration dates for Low Income Housing Tax Credit (LIHTC) funding or other funding sources for housing developments, in order to understand when existing affordable units may be at risk of conversion to market-rate housing and to identify priorities for preservation.

Data about regulated affordable housing inventories are available through the Oregon Affordable Housing Inventory, produced by Oregon Housing and Community Services (OHCS). The Oregon Affordable Housing Inventory (OAHI) is meant to be a comprehensive inventory of all affordable rental housing with income or rent restrictions in the state

Exhibit Q shows regulated affordable housing in Rainbow City. These are rental units that were constructed with federal and state funds, the majority of which are multifamily. The data below can be mapped by using address data that is included in the OHCS database linked to above.

Exhibit Q. Regulated Affordable Housing, Rainbow City, 2026

Property Name	Year Built	Special Populations served	LIHTC Expiration Year	Visitable Units	Total Units	Unit size					
						SRO	Efficiency Unit	1-bd	2-bd	3-bd	4-bd+
Property A	1995			-	84		7	64	13		
Property B	2005		2064	-	144			40	80	24	
Property C	2010	Yes	2042	-	84	-		44	-	-	
Property D	2000		2030	-	58			34	24	-	
Property E	2009		2071	-	52	-		15	-	-	
Property F			2043	-	84	-		16	34	-	
Property G	1978		1900		2					-	
Property H	2009	Yes	2069	-	30		29			-	
Property I				-	21	-		20	-	-	
Total					559		36	233	151	24	

Data Source: Oregon Housing and Community Services, [Affordable Housing Inventory](#).

Note: LIHTC stands for Low Income Housing Tax Credit and the expiration year is inclusive of both the 4% and 9% tax credits.

Step 3: Determine who is struggling with housing affordability today

This step will help evaluate housing affordability within the city, starting with households paying more than they can afford for housing (cost burden). It provides information, to the extent it is available, about affordability for owner and renter households, race and ethnicity, household size, and other groups.

To conduct this step, **begin** by compiling available data on household income, tenure, and cost burden for the local government using the state provided [Equity Indicator dashboard](#) and its Housing Outcomes indicator tab, including specifically the Housing subsection.

At minimum, data available on the Equity Indicator Dashboard will include:

- Overall household tenure (owners and renters) for the local government, by region, and across other local governments with a population of 10,000 or more
- Overall household tenure by age (owners and renters) for the local government, by region, and across other local governments with a population of 10,000 or more
- Overall household tenure by Black, Indigenous, People of Color (BIPOC) and white residents (owners and renters) for the local government, by region, and across other local governments with a population of 10,000 or more

Other Data Sources

Next, move to other data sources beyond the limited available data on the state provided Equity Indicator dashboard to continue to compile data on current household

income, tenure, and cost burden for the local government. The following table provides an overview of the possible data sources for this housing information

Housing Information	Possible Data Sources
Household income	Census data from the American Community Survey, Comprehensive Housing Affordability Strategy (CHAS)
Tenure	Census data from the American Community Survey
Cost burden	Census data from the American Community Survey (ACS), ACS Public Use Microdata Sample (PUMS)

Once the data is pulled, analyzing the information is next. The following are prompt questions to consider in this step.

Housing Information	Prompts
Household income	• What is the median household income in [relevant year] for ["Rainbow City"]? ○ How does the median household income in ["Rainbow City"] compare to nearby communities? To the County? To the State? ○ How did the median household income in ["Rainbow City"] change over the last 5-10 years? (e.g., increased? Decreased?) • What does the household income distribution for ["Rainbow City"] look like in [relevant year]? ○ How does the household income distribution in ["Rainbow City"] compare to surrounding/neighborhood communities? To the County? To the State? • What is the median household income by household size in [relevant year] for ["Rainbow City"]? ○ How does the median household income by household size compare to surrounding/neighborhood communities? To the County? To the State? • What is the median household income by age in [relevant year] for ["Rainbow City"]?

	○ How does the median household income by age compare to surrounding/neighborhood communities? To the County? To the State? • What is the household income distribution for householders aged 65 years and older in [relevant year] for ["Rainbow City"]? ○ How does the household income distribution for householders aged 65 and older compare to surrounding/neighborhood communities? To the County? To the State? • How does household income for people of color households compare to households overall? By income bracket?
Tenure	• How does tenure and household income for people of color compare to households overall? ○ How has it changed over the last 5-10 years? • What is the percent of households with income below the federal poverty line in [relevant year] for ["Rainbow City"]? ○ How has it changed over the last 5-10 years?
Cost burden	• How does the median gross rent compare to the median income in [Rainbow City]? • How does the average rent compare to the median income in [Rainbow City]? • How many households are cost burdened in [relevant year] for ["Rainbow City"]? ○ How does cost burden compare to surrounding/neighborhood communities? To the County? To the State? ○ How has cost burden changed over the last 5-10 years? What does that tell us about the condition of the housing market? • How many households are severely cost burdened in [relevant year] for ["Rainbow City"]? ○ How does cost burden compare to surrounding/neighborhood communities? To the County? To the State? ○ How has severe cost burden changed over the last 5-10 years? What does that tell us about the condition of the housing market? • How does cost burden compare among renters and homeowners? ○ Among people of color?

NEED-TO-KNOW

When quantitative data is scarce...

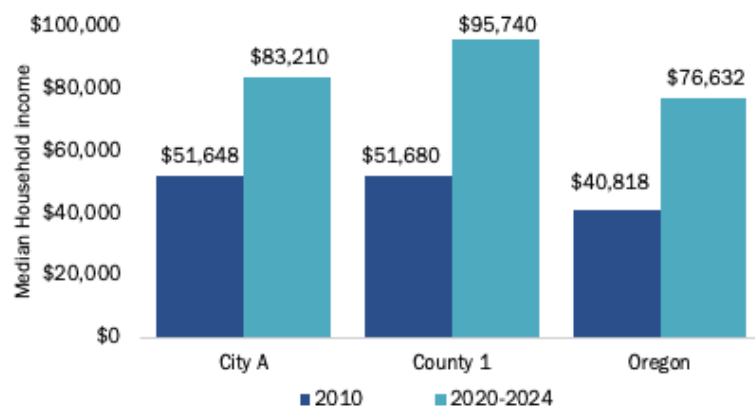
If the research questions above cannot be answered using available quantitative data (including information from the Equity Indicator dashboard), a local government may use other types of information. This may include community engagement findings or other qualitative sources to help form conclusions about local housing needs. If, even with qualitative information, the local government cannot obtain enough relevant evidence to address a particular research question, that question may be set aside.

Analysis Best Practices

Household Income

Exhibit R shows the change in median household income in Rainbow City, County 1 and Oregon between 2010 and 2020-2024. This figure compares median household income growth in City A, with that of surrounding areas.

Exhibit R. Change in Median Household Income, Rainbow City (City A), County 1, and Oregon, 2010 and 2020-2024



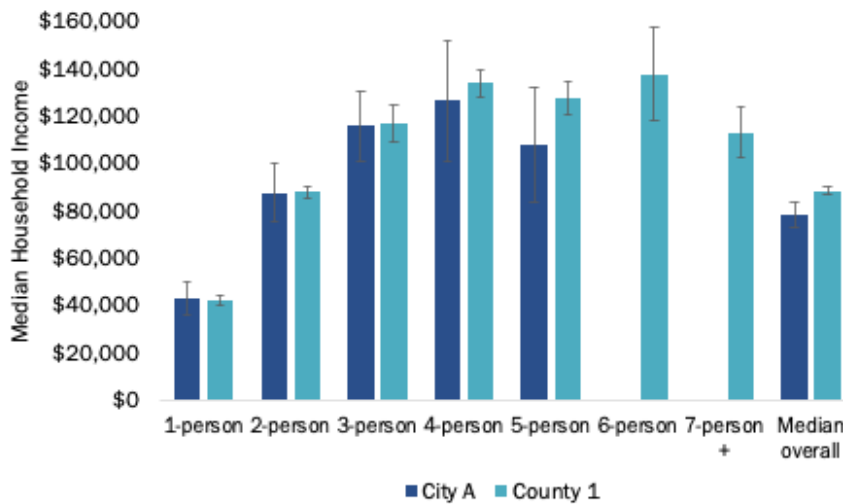
Data Source: US Census Bureau, 2010 Decennial Census, Table HCT012; 2020-2024 ACS 5-Year Estimate, Table B25119.

Note: This figure displays nominal median household income values, not adjusted for inflation.

Exhibit S below shows median household income for each household size in Rainbow City and County 1 in 2020-2024. It is expected that median income will increase depending on the number of earners in the household, which is correlated with household size. The black lines for each bar in this chart denote an estimate's margin of error. These are displayed because when parsing Census survey data for a cross-section of data, there is more statistical noise when computing estimates. The inclusion

of the bars indicates the range in which the true estimate likely lies (within a degree of statistical certainty).

Exhibit S. Median Household Income by Household Size, Rainbow City (City A) and County 1, 2020-2024

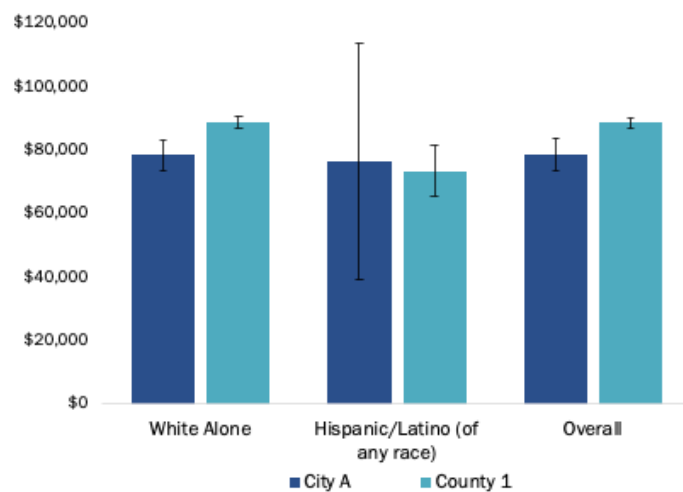


Data Source: US Census Bureau, 2020-2024 ACS 5-year estimate, Table B19019.

Note: Bars are left intentionally blank in instances where the MOEs are too high.

Exhibit T displays median household income by race and ethnicity in Rainbow City and County 1 in 2020-2024, using ACS 5-year data. When margins of error allow, include additional race/ethnicity groups.

Exhibit T. Median Household Income by Race and Ethnicity, Rainbow City (City A) and County 1, 2020-2024



Data Source: US Census Bureau, 2020-2024 ACS 5-year estimate, Table S1901.

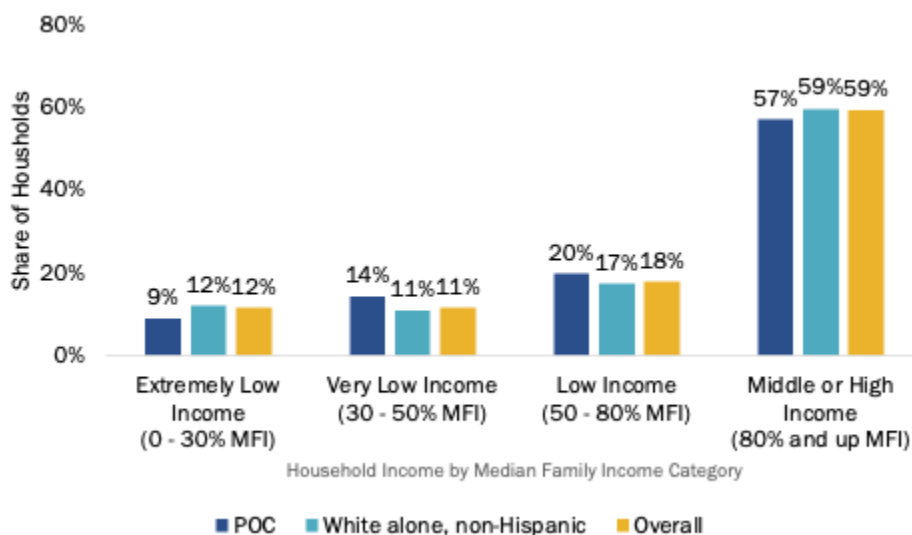
Note: Race and ethnicity designation is based on the head of household.

Exhibits U to W compare household income for POC households with White non-Hispanic households to show disparities by income levels. The income levels shown in these graphs are the same used throughout this report:

- Extremely Low Income: Less than 30% AMI
- Very-Low Income: 30% to 50% of AMI
- Low Income: 50% to 80% of AMI
- Middle Income: 80% to 120% of AMI
- High Income: 120% of AMI or more

Exhibit U displays income groupings for all households in Rainbow City, 2018-2022, using CHAS data. When margins of error allow, include additional race/ethnicity groups.

Exhibit U. Household Income by Income Grouping by Race and Ethnicity for All Households, Rainbow City, 2018-2022

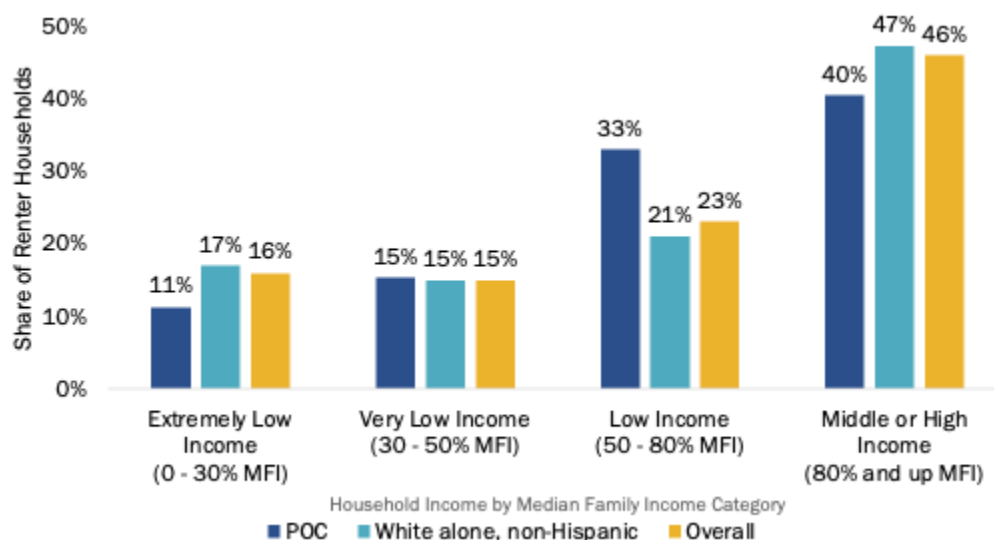


Data Source: HUD CHAS Table 2, 2018-2022.

Note: POC includes Hispanic/Latino.

Exhibit V below displays income groupings for renter households in Rainbow City, 2018-2022, using CHAS data. When margins of error allow, include additional race/ethnicity groups.

Exhibit V. Renter Income by Income Grouping by Race and Ethnicity, Rainbow City, 2018-2022

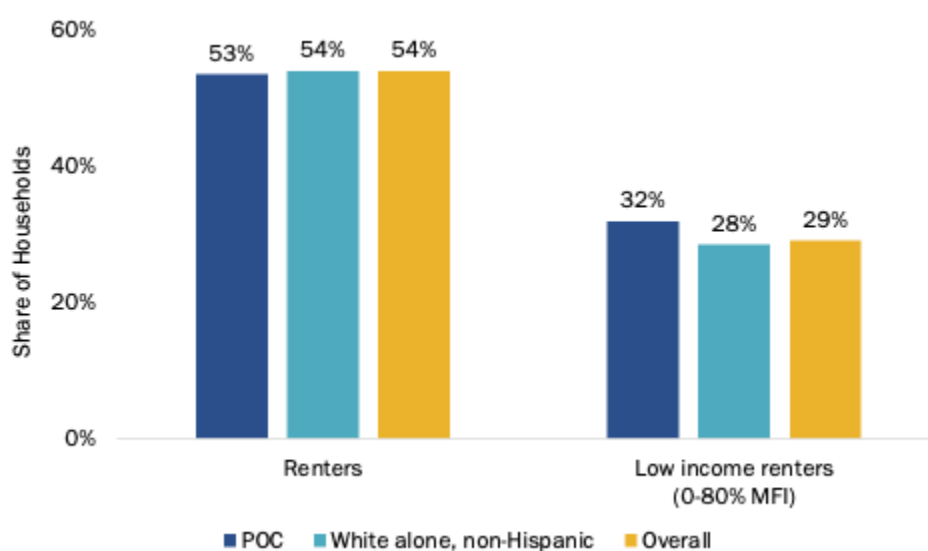


Data Source: HUD CHAS Table 2, 2018-2022.

Note: POC includes Hispanic/Latino.

Exhibit W below displays income groupings for renter households in Rainbow City, 2018-2022, using CHAS data. When margins of error allow, include additional race/ethnicity groups.

Exhibit W. Comparison by Tenure and Income by Race and Ethnicity, Rainbow City, 2018-2022



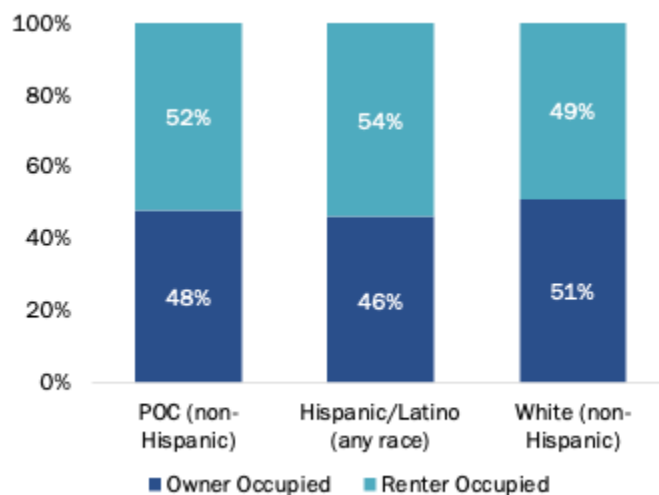
Data Source: HUD CHAS Table 2, 2018-2022.

Note: POC includes Hispanic/Latino.

Tenure

Exhibit X below displays tenure by race and ethnicity for Rainbow City in 2020-2024, from ACS 5-year data. This figure illustrates how rates of renting and homeownership vary across racial and ethnic groups. Depending on data reliability, as indicated by margins of error (MOE), results may be presented for more detailed race categories.

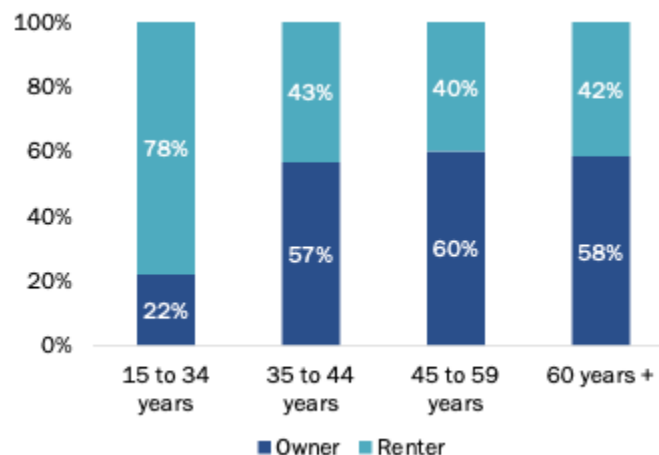
Exhibit X. Tenure by Race and Ethnicity, Rainbow City, 2020-2024



Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25003A-I.

Exhibit Y displays tenure by age of householder for Rainbow City in 2020-2024, from ACS 5-year data. The householder is defined as *the person in whose name the home is owned or rented*. This figure illustrates how rates of renting and homeownership vary across age groups.

Exhibit Y. Tenure by Age of the Head of the Household, Rainbow City, 2020-2024

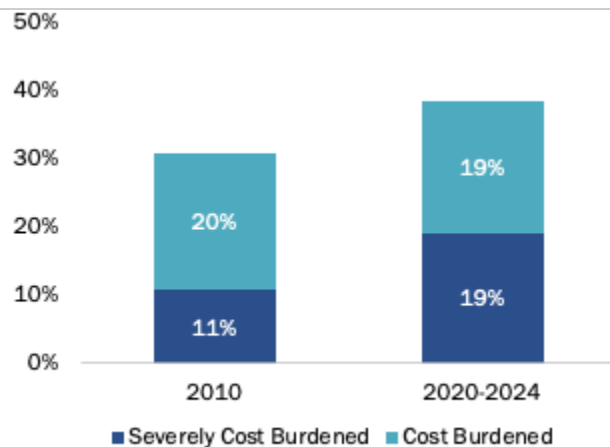


Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25007.

Cost Burden

Exhibit Z shows historical and present housing cost burden in Rainbow City using 5-year ACS data. Cost burden may increase overtime if income growth does not keep pace with housing cost escalation.

Exhibit Z. Change in Housing Cost Burden, Rainbow City, 2020-2024



Source: US Census Bureau, 2000 Decennial Census, Tables H069 and H094 and 2018-2022 ACS Tables B25091 and B25070.

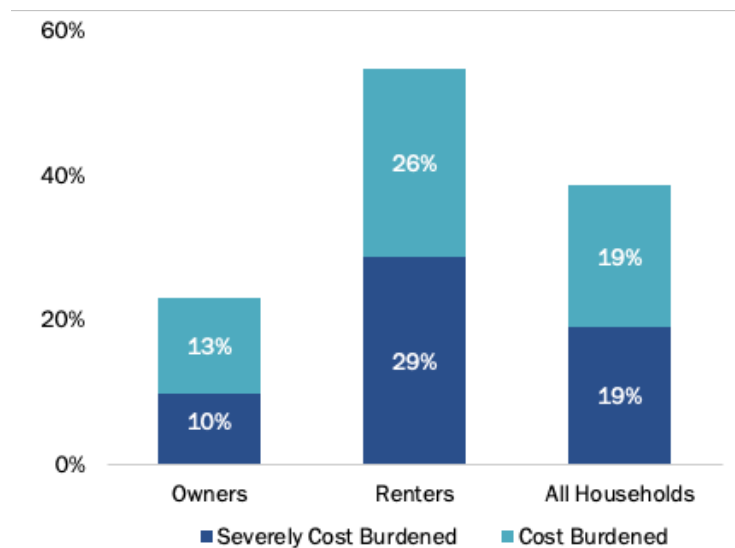
Note: **Severely Cost Burdened** is defined as 50% or more of a household's income going towards rent or mortgage payments for renters and owners respectively. **Cost Burdened** is defined as 30% to 49.9% of a household's income going towards rent or mortgage payments.

Exhibit AA shows the differential in cost burden by tenure for Rainbow City using 5-year ACS data. The figure compares renter and owner households, highlighting how housing affordability varies by tenure type. Generally, renter households are more likely to experience cost burden, reflecting greater financial pressure relative to income compared to homeowners.

Available housing at the low-income cost range is rare, so most households in this income range have to pay more than 30% of their income for their housing. Low-income households who are severely cost burdened are at high risk of homelessness if a household crisis emerges.

Cost burdening for owner-occupied households is not as common because mortgage lenders typically ensure that a household can pay its debt obligations before signing off on a loan. However, cost burdening can occur when a household secures a mortgage and then sees its income decline. In addition, retired persons subsisting on a fixed income can experience cost burden associated with increased property taxes rising above their financial limitations.

Exhibit AA. Housing Cost Burden by Tenure, Rainbow City, 2020-2024

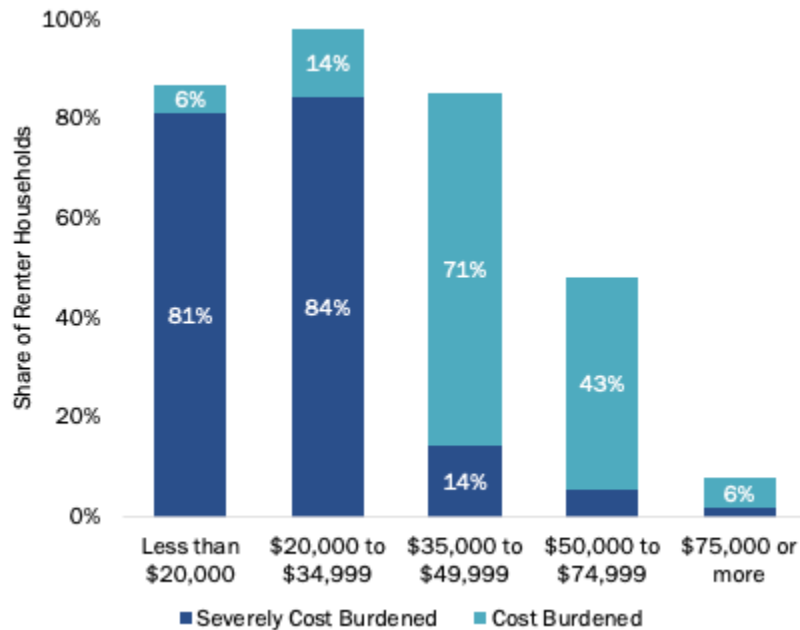


Data Source: US Census Bureau, 2020-2024 ACS Tables B25091 and B25070.

Housing cost burden is largely influenced by income. Exhibit BB shows rental cost burden by income for Rainbow City, using 5-year ACS data. The figure compares the share of renter households experiencing in different income groups. Renter households in the lower income categories, earning less than \$35,000 annually, are much more likely to be severely cost burdened.

Households with higher incomes are less likely to be cost burdened. When they are, they are generally less negatively affected by the cost burden since their larger income, minus housing costs, will go farther to cover non-housing expenses such as transportation, childcare, and food.

Exhibit BB. Cost-Burdened Renter Households, by Household Income, Rainbow City, 2020-2024

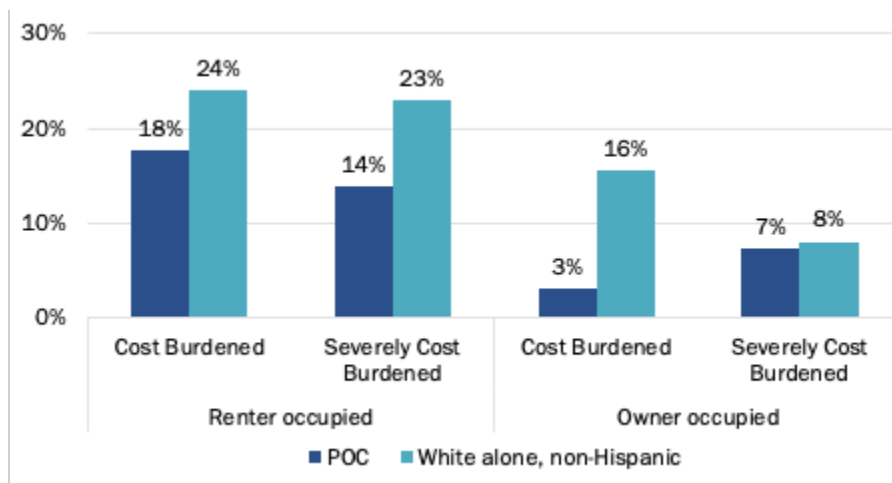


Data Source: US Census Bureau, 2020-2024 ACS 5-year Estimates Table B25074.

Examining cost burden across tenure and racial and ethnic groups helps identify disparities in housing access and affordability. To better understand how cost burden varies across demographic groups, the ACS 5-year estimates provide data by age for both renters (Table B25072) and homeowners (Table B25093).

Exhibit CC below shows cost burden by race and ethnicity by tenure for Rainbow City in 2018-2022.

Exhibit CC. Cost Burden by Race and Ethnicity and Tenure, Rainbow City, 2018-2022



Data Source: HUD CHAS Table 9, 2018-2022.

Note: POC includes Hispanic/Latino.

Additional cross tabulations, such as cost burden by disability, household size or household type, can be explored using the ACS Public Use Microdata Sample (PUMS). However, PUMS data are reported at the level of Public Use Microdata Areas (PUMAs), which do not align precisely with city boundaries, so PUMS trades spatial precision for analytical flexibility. Using PUMS is best suited for understanding detailed aspects of cost burden in Rainbow City and its surrounding areas.

A key benefit of using PUMS is that, since each household's income is recorded in nominal dollars, they can be converted to %-of-AMI values for greater alignment with OHNA methodology and targets. That being said, PUMS files are at the individual and household level, so each PUMS data record carries a survey weight that must be applied to produce population-representative estimates. Analysts should use replicate weights to compute proper standard errors, especially when working with small subpopulations.

Step 4: Determine the barriers to the development of needed housing

This step will help evaluate barriers that limit the development of housing needed to meet current and future housing demand. Unlike the previous steps that utilized quantitative analysis, this step will require qualitative analysis. Specifically, engaging

local housing developers and other producers of housing familiar with the community is necessary to inform an understanding of the barriers impacting housing development.

This step should be outlined as part of the equitable engagement plan produced for the Contextualized Housing Need analysis writ large.

The following are sample non-exhaustive engagement questions for this audience that could yield information on primary barriers to developing needed housing. It will be important to tailor these questions to reflect local conditions based on the affordability analysis.

Topic	Engagement Questions
Understanding Feasibility	• What types of housing are you currently producing or actively pursuing in this community? (e.g., single unit detached, multi-unit, middle housing, regulated affordable housing) • At what price points or rent levels do your projects typically need to be delivered in order to be financially feasible? • Are there housing types you would like to produce in this community but are not currently pursuing? If so, why?
Financial and market barriers	• What are the most significant cost drivers for development in this community? (e.g., land, construction, labor, financing) • How do current land costs affect the feasibility of housing you can produce? • Have recent changes in interest rates, construction costs, or insurance affected project feasibility? • What types of housing are most difficult to finance in this market?
Regulatory and local policy	• How do zoning regulations affect the types of housing you are able to produce? • Are there specific development standards that constraint feasibility? • What specific parts of the permitting and approval process affect project timelines, costs, or risk? Are they as efficient and predictable as they can be? • What regulatory changes would most improve your ability to deliver needed housing?

Infrastructure and site constraints	• Are there areas where you would consider developing housing but are limited by infrastructure challenges? If so, what types of challenges? • How do infrastructure costs or requirements affect your ability to develop certain sites?
Additional general questions	• If you could change three things at the local level to make it easier to produce the housing, what would they be? • Are there others risks or trends that may further constrain housing production? • Other thoughts to share on barriers to housing production that you face that you'd like to share?

Step 5: Synthesize and Summarize Findings

After completing the previous steps, the final step will be to bring together the findings and develop a summary that becomes a chapter or appendix of final Contextualized Housing Need (CHN) report that clearly articulates:

- What kinds of housing is currently being provided by the private housing market?
- What kinds of housing is currently being provided through regulated affordable housing programs?
- Which populations are most affected by affordability challenges
- Which barriers are impacting the development of needed housing

Task 4: Fair Housing Choice – OAR 660-0080075(1)(c)

Overview of Fair Housing Choice and the Analysis

Fair housing choice means all people can find, access, and make informed decisions about housing without discrimination.

An Analysis of Fair Housing Choice examines how protected classes experience access to housing and whether they face unequal conditions or outcomes. Housing access and outcomes for all protected classes—federal, state, or local—must be assessed whenever information is available. Under the Fair Housing Act, federal regulations recognize these groups as protected classes:

- Race
- Color
- Religion
- National origin
- Sex (interpreted to include sexual orientation and gender identity)

-
- Familial status (families with children under 18)
 - Disability

Oregon's Fair Housing Act (ORS 659A.421) adds the following classes to that list:

- Marital status
- Source of income (e.g., housing vouchers, public assistance)
- Age (for persons 18 and over)
- Domestic violence survivor status

In addition, state statute ([ORS 197A.018](#)) requires that this Goal 10: Housing planning program prioritize the housing needs of:

- Agricultural workers
- Individuals with disabilities, including a variety of disabilities like mobility or communication related
- Older persons
- College or university students, as locally or regionally relevant

The State of Oregon's interest in truly serving the housing needs of all community members, and especially those whose needs have gone chronically unmet, is evident in the broad coverage of these protected classes and populations. Understanding housing needs and outcomes for all of these people is important and at times ambitious. Data availability and quality differ greatly among these populations. While analysis and use of any available data regarding these various population groups is required, Oregon Administrative Rules identified four populations that often face greater housing barriers that local governments can focus their efforts on analyzing and understanding, particularly in the event of limited capacity to conduct this analysis. These four focus populations are:

- Communities of color
- Low-income communities
- Individuals with disabilities
- Tribal communities

Every local government must complete an analysis of six required fair housing issue areas, listed below, as they relate to the four focus populations listed above. Some cities have additional requirements, such as those with designated [Climate Friendly Areas](#). In addition to the required elements, cities must also analyze any other issues where evidence shows disparities in housing outcomes or other indication of potential fair housing issues.

GOOD TO KNOW

“Any other issues”

This requirement ensures that where other fair housing issues are evident, the local government will investigate those circumstances and later take actions to mitigate or remedy those issues. While the fair housing issue areas included in rule are commonly present in local governments when not remedied or mitigated, the six issue areas are not exhaustive. Across the state and over time, other important needs and trends may emerge and be evident when reviewing dashboard data or when engaging with community.

The goal of the analysis is to identify fair housing issues within the community, understand who is affected, and describe conditions contributing to inequitable outcomes. Meaningful, equitable engagement with affected communities, as described in Task 1, is an important part of this process and should be designed to reach and involve the people most impacted by fair housing issues.

OAR 660-008-0075(1)(c)(A)

Issue Area 1: Housing Tenure and Wealth-Building Opportunities

Housing “tenure” describes the legal arrangements under which an individual or family occupies an accommodation, such as renting, owning with a mortgage, owning outright, owning only the home and not the land in a community land trust, and membership in a cooperative entity, among potentially other statuses and variations. Fee simple or market-based homeownership has historically served as one of the primary paths, if not the primary path, to intergenerational wealth-building in the United States. Such accumulation of land compounds generationally and increases the wealth gap over time. Systemic and institutional conditions, pressures, and policies have favored cisgendered able-bodied heterosexual white men since the imposition of the commodity land market on this continent.

In addition to potential wealth-building opportunities associated with some tenure types, community members should also have fair housing choice for a housing tenure regardless of wealth-building opportunity. This means that at any income bracket a community member can determine for themselves what tenure type is right for them. Some households prefer to be long-time renters, or it may be unsure whether they will need to relocate in the near future, while others are interested in the stewardship and maintenance relationship of tenure types that include those direct responsibilities.

Issue Area 1 prompts a local government to assess tenure and wealth-building opportunities in their community to identify if current local policies and practices

sufficiently support equitable outcomes such that community members have access to housing with the tenure type and wealth-building opportunity of their choosing.

Step 1: Identify required data and potential additional relevant information about housing tenure and wealth-building opportunities

Quantitative Data	Qualitative Data
<i>Relevant Required Data</i> ☐ Housing Equity Indicator dashboard ☐ Housing Outcomes section: Housing subsection <i>Additional relevant data may be available in DLCD's repository like:</i> ☐ Rental and ownership vacancy rates ☐ Change in gross or net property values or rent over time	☐ Previous local housing-related engagement ☐ CHN-specific local engagement ☐ Regional or state qualitative data like surveys or needs assessments that may be applicable, if any

For support on relevant engagement questions for this analysis, see [Appendix B: Sample Engagement Questions](#).

Step 2: Analyze the data, both quantitative and qualitative, for disparities in housing outcomes

Research Question:

- Are there disparities across the focus communities and broader set of communities and protected classes regarding rates of homeownership versus rental tenure status (or other tenure statuses if data is available)?

NEED TO KNOW

Tenure: “Homeownership versus rental”

While cooperative ownership of housing and land, and in the case of Indigenous populations “stewardship,” is not new, settler colonial government policies and practices over the course of the last few centuries have consistently developed and reinforced a binary of full-market homeownership wherein the owner may trade the land or housing as a commodity with no limits and has full responsibility for maintenance, as distinct from rental tenure which has zero equity interest and generally little to no maintenance responsibility and little to no decision making power. This structural binary has been one factor in reinforcing and widening the

disparities in housing outcomes for households across Oregon and across this country. We know there are many variations of tenure which, when supported to thrive, help promote fair housing choice and reduce disparities in housing outcomes. However, many surveys and quantitative data collection process still utilize research questions that reinforce the tenure binary. Knowing this, some of the binary language will still appear in this guidebook where the known data sources are framed around it.

Rainbow City Disparate Outcomes Analysis Issue Area #1 – Sample Results

Who?	Are we seeing disparate housing outcomes in tenure and wealth-building opportunity?
Focus communities:	
Communities of color (commonly covers the protected classes of race and color, sometimes national origin)	Yes
Low-income communities	Yes
Individuals with disabilities (commonly covers the protected class of disability)	Yes
Tribal communities	Yes
Additional communities:	
Older persons (commonly covers the protected class of age)	No
Agricultural workers	No data available (or, “Yes based on qualitative data”)
College or university students, if applicable to the local government or region	Yes

Protected classes (not including any locally protected classes):	
Race	(see focus communities)
Color	(see focus communities)
Religion	No data available
National origin	No data available (see focus communities)
Sex (interpreted to include sexual orientation and gender identity)	No data available
Familial status (families with children under 18)	No data available
Disability	(see focus communities)
Marital status	Yes
Source of income (e.g., housing vouchers, public assistance)	Tenure self-evident
Age (for persons 18 and over)	(see additional communities)
Domestic violence survivor status	No data available

Step 3: Evaluate whether the disparities in housing outcomes constitute potential fair housing issues

If the answer to Step 2 is “yes” for any community, that indicates there is likely, though not certainly, a fair housing issue.

DEEP DIVE

Why “likely”?

A disparity does not always mean there is a fair housing issue. For example, a disparity in housing tenure with disproportionate renter status for a student population when compared to the general population may not be a fair housing issue in that the student population is by nature more likely to seek mid-term housing options that are more likely to be rental-oriented tenures. While disparities in housing outcomes typically illustrate a fair housing issue, there are some circumstances where they do not. Best practice is to confirm these ideas with qualitative input from the community members themselves that indeed students prefer to live in rental housing.

The purpose of this step of analysis is to more deeply understand the disparate housing outcome including why it may be occurring.

Research Questions:

- What are the potential causes or circumstances creating the disparate outcomes?
 - Consider local, regional, state, federal, market, or other conditions like financial, informational, or structural barriers (such as mortgage denials, limited access to assistance, or high housing costs)
 - Consider local programs and policies like limitations caused by zoning, permitting, or other local rules
- Are there more or less pronounced local disparities when comparing to regional housing outcomes?

Are tenure types concentrated in certain neighborhoods and parts of town or distributed equitably across neighborhoods?

Rainbow City Fair Housing Issue Area #1 Analysis – Sample Results

Include a narrative explaining hard data findings or qualitative insights that supports the below table summary.

Focus Communities	Disparate Outcome?	Potential Causes	Fair Housing Issue?
Communities of color (commonly covers the protected classes of race and color, sometimes national origin)	Yes, disproportionately renters	Discrimination in lending Lack of affordability, especially of housing with intergenerational layouts	Yes
Low-income communities	Yes, disproportionately renters	Penalties for financial instability in lending Lack of affordability	Yes
Individuals with disabilities (commonly covers the protected class of disability)	Yes, disproportionately renters	Lack of affordability + increased financial burden of disability Attainable ownership-oriented tenures are not available in locations with accessible transportation networks	Yes
Tribal communities	Yes, disproportionately renters	Lack of culturally responsive options Lack of affordability	Yes
Additional communities:			
College or university students, if applicable to the local government or region	Yes, disproportionately renters	Nature of college and university student population	No
Protected classes (not including any locally protected classes):			
Marital status	Yes, single people disproportionately renters	Lack of affordability on single income	No, discrimination is not occurring on the basis of protected class

Step 4: Conclusions

Synthesis Questions:

- Do all community members have fair housing choice in tenure type and wealth-building opportunities?
- If not, **what** are the fair housing issues, **who** is experiencing them, and **why** is this issue occurring?
 - Which communities face barriers to housing with wealth-building opportunities, whether via the common market-rate homeownership or limited-equity tenure types including resident-owned cooperatives and community land trusts?
 - Which communities face barriers to housing with rental-based tenure types when that is the tenure that best suits their needs?
- If so, provide a detailed explanation demonstrating fair housing choice:
 - Summarize the above analysis and its demonstration of the absence of disparate housing needs or barriers in the issue area and the presence of fair housing choice and stability for all community members
 - A plan for ongoing monitoring to ensure that fair housing issues do not emerge in the future
 - Frequency, method, and data sources for monitoring
 - Commitment to re-evaluate the issue area in subsequent contextualized housing need analyses and housing production strategy adoptions

Like all of the fair housing issue areas, it will not be uncommon, especially in the early years of the program, for the answers to this fundamental synthesis question to be “no,” describing that there *is* a fair housing issue or issues in this area. The task of the conclusion is to illustrate a clear understanding of how tenure patterns and wealth-building opportunities differ across demographic groups and neighborhoods.

Rainbow City Analysis of Fair Housing Choice Issue Area #1 – Sample Conclusions

Rainbow City is experiencing the following fair housing issues and lack of fair housing regarding housing tenure and wealth-building opportunities and by the following communities:

1. Lack of affordable options
 - a. Communities of color
 - b. Low-income communities
 - c. Individuals with disabilities
 - d. Tribal communities
2. Discrimination in lending
 - a. Communities of color
3. Penalties in lending
 - a. Low-income communities

-
4. Lack of options that meet specific needs
 - a. Communities of color – intergenerational layouts
 - b. Tribal communities – culturally-responsive design
 5. Lack of options in appropriate locations
 - a. Individuals with disabilities – locations with accessible transportation networks
 6. Historical discrimination that has led to a lack of intergenerational wealth-building
 - a. Communities of color

OAR 660-008-0075(1)(c)(B)

Issue Area 2: Permanent Housing to Resolve Homelessness

To address homelessness, local governments must assess the condition of permanent housing available to those currently homeless as well as those in the very- and extremely- low income brackets.

GOOD TO KNOW

“Permanent Housing”

The Oregon Housing Needs Analysis, and the Goal 10: Housing planning framework more generally, focuses on providing enough permanent housing of the right kinds to meet all Oregonians’ housing needs. On this premise, things like homeless shelters and transitional housing are not the focus. While these efforts are by no means dismissed or discouraged, this particular planning scope focuses what kinds of *permanent housing* are needed, rather than identifying temporary needs.

Issue Area 2 prompts a local government to assess the status of permanent housing aimed at resolving homelessness to identify if current local policies and practices sufficiently support equitable outcomes such that community members who need it have access to permanent housing that meets their needs.

Because homelessness-related data is often collected at geographic levels larger than individual jurisdictions, such as counties or Continuums of Care (CoCs), local governments should work with the stewards of these datasets to understand what information is available and, where possible, obtain more granular data.

Step 1: Identify required data and potential additional relevant information about homelessness and permanent housing needed to resolve homelessness

Quantitative Data	Qualitative Data
<i>Relevant data may be available in DLCD's repository like:</i> ☐ An estimate of quantified housing need by the state, regional, local, or tribal government for individuals experiencing homelessness, protected classes, named communities in needed housing as provided in ORS 197A.018, and Tribal communities ☐ The HUD Annual Homelessness Assessment Report ☐ The applicable HUD Point-in-Time count conducted by the Continuum of Care that the city is located within ☐ The optional By-Name list maintained by the Continuum of Care that the city is located within ☐ The applicable McKinney-Vento Homeless Student Data for all school districts that overlap with the city boundary ☐ Data collected by local coordinated care organizations ☐ (Data collected by the Community Action Partnership of Oregon and its community action agencies ☐ Data collected by the Continuum of Care that the city is located within	☐ Previous local housing-related engagement ☐ CHN-specific local engagement ☐ Regional or state qualitative data like surveys or needs assessments that may be applicable, if any

GOOD TO KNOW

Substantial existing data

Homelessness is one housing topic for which substantial regional, statewide, and even federal data are available. It is commonly reported on and analyzed. Like all the analyses in the CHN, it is not expected that a local government duplicate data that already exists. While there may be reason to ground-truth higher level data sets with local qualitative information, particularly if a gap in the reality of the circumstances is evident, local governments should always make use of available data.

For support on relevant engagement questions for this analysis, see [Appendix B: Sample Engagement Questions](#).

Step 2: Analyze the data, both quantitative and qualitative, for discrepancies in housing outcomes

Research Question:

- Are there disparities across the focus communities and broader set of communities and protected classes regarding rates of homelessness, duration of homelessness, or access to permanent supports like permanent supportive housing, rapid rehousing, or housing vouchers?

In order to track the notes of your analysis as you review the available quantitative and qualitative data, please see the sample table shown in [Issue Area 1, Housing Tenure and Wealth-Building Opportunities](#).

Step 3: Evaluate whether the disparities in housing outcomes constitute potential fair housing issues

If the answer to Step 2 is “yes” for any community, that indicates there is likely, though not certainly, a fair housing issue. See page 73 for more nuance on why not all disparities in housing outcomes are necessarily fair housing issues, even though many are.

The purpose of this step of analysis is to more deeply understand the disparate housing outcome including why it may be occurring.

Research Questions:

- What are the potential causes or circumstances creating the disparate outcomes?
 - Consider local, regional, state, federal, market, or other conditions like supply and structural barriers

-
- Supply, such as lack of sufficient affordable housing for low-income households, accessible housing for households with disabilities, culturally-responsive housing for communities of color who may rely on intergenerational housing or other particular housing needs, or co-located supportive services
 - Structural, such as discriminatory leasing or sales practices, culturally non-responsive or exclusionary placement practices, linguistically inaccessible leasing or sales materials
 - Consider local or regional programs and policies and their effectiveness and challenges in matching different people and households experiencing homelessness with permanent housing that meets their needs
 - Are local disparities in accessing permanent housing more pronounced than regional housing outcomes?
 - Are homeless households concentrated in certain neighborhoods and parts of town or are they distributed equitably across neighborhoods?

Step 4: Conclusions

Synthesis Questions:

- Do all community members have fair housing choice in accessing permanent housing to resolve homelessness?
- If not, **what** are the fair housing issues, **who** is experiencing them, and **why** is this issue occurring?
 - Which communities face barriers to permanent housing that meets their needs to resolve homelessness?
 - What are those barriers?
- Is there sufficient permanent housing to end homelessness?
 - If not, how much and of what kinds of housing (what types, at what prices, in what areas, with what characteristics, etc.) are needed?
- If all community members have fair housing choice in accessing permanent housing to resolve homelessness, provide a detailed explanation:
 - Summarize the above analysis and how it demonstrates the absence of disparate housing needs or barriers in the issue area and the presence of fair housing choice and stability for all community members
 - A plan for ongoing monitoring to ensure that fair housing issues do not emerge in the future
 - Frequency, method, and data sources for monitoring
 - Commitment to re-evaluate the issue area in subsequent contextualized housing need analyses and housing production strategy adoptions

Like all the fair housing issue areas, it will not be uncommon, especially in the early years of the program, for the answers to these analytical questions to be “no,” describing that there *is* a fair housing issue or issues in this area. The task of the

conclusion is to synthesize a clear understanding of which communities face barriers to permanent housing to resolve homelessness that meets their needs and what those barriers to permanent housing are.

OAR 660-008-0075(1)(c)(C)

Issue Area 3: Accessible and Adaptable Housing

This analysis must examine barriers to housing with accessible and adaptable design, such as a lack of enough units built to these standards at needed affordability levels, transportation isolation, or mismatches between accessible units and whether their occupants actually need those accessibility features. This section identifies the causes of these barriers, such as a lack of sufficient zoning or regulatory incentives, the absence of leasing priority, or unit inventory and potential matching programs.

Issue Area 3 prompts a local government to assess the status of accessible and adaptable housing to identify if current local policies and practices sufficiently support equitable outcomes such that community members who need it have access to housing that meets their current and future needs.

GOOD TO KNOW

“Current and Future Needs”

While all of Goal 10: Housing planning is oriented to both the current and future housing needs of a community, accessible and adaptable housing is an issue area that particularly highlights the consideration of not only the housing needs of today but also of tomorrow. Ability and disability status can change over time or even in an instant. Additionally, it only takes one member in a household to have accessible housing needs to impact the housing options that may work for the whole household. In other words, one community member’s accessible housing needs may actually be multiple members’ needs.

Step 1: Identify required data and potential additional relevant information about accessible and adaptable housing

Quantitative Data	Qualitative Data
<i>Required Data</i> ☐ Housing Equity Indicator dashboard ○ Housing Outcomes ○ Housing Type <i>This data regarding the accessible and adaptable housing that has been produced in a local government is self-reported via the annual Housing Production Survey, meaning that the local government will already have this information in their files. Nonetheless, the state hosts the data for all local governments to standardize viewability of this data across all local governments who are required to report.</i> Relevant data may be available in DLCD's repository like: ☐ Community Explorer Mapping Tool ☐ Data from organizations that advocate on behalf of people with disabilities A local government may find background information regarding the accessibility categories via the American National Standards Institute (ANSI) regulations and Uniform Federal Accessibility Standards (UFAS).	☐ Previous local housing-related engagement ☐ CHN-specific local engagement ☐ Regional or state qualitative data like surveys or needs assessments that may be applicable, if any

For support on relevant engagement questions for this analysis, see [Appendix B: Sample Engagement Questions](#).

Step 2: Analyze the data, both quantitative and qualitative, to determine how much and what kinds of accessible and adaptable housing are needed to meet current and future needs.

Research Questions:

- How much accessible housing is needed to meet current and future demand?
- What types, characteristics (including accessibility features), and locations for accessible housing are needed now and in the future?
- How much adaptable housing is needed now and in the future?
- What types, characteristics, and locations for adaptable housing are needed?

Step 3: Identify potential causes for the insufficient supply of accessible and adaptable housing.

Research Questions:

- What are the potential causes or circumstances resulting in shortages of accessible and adaptable homes?
 - Consider local, regional, state, federal, market, or other conditions like supply and structural barriers
 - Supply, such as lack of sufficient affordable accessible housing for low-income households, adaptable or accessible housing for households with disabilities, culturally-responsive adaptable and accessible housing for communities of color who may rely on intergenerational housing or other particular housing needs, or co-located supportive services for varying disabilities which are not all directly supported by accessible housing standards
 - Structural, such as a lack of knowledge or tracking on where accessible or adaptable housing is in the city, units noted as accessible or adaptable but which are not actually truly built to those standards, households with individuals with disabilities needing deeper levels of affordability given healthcare costs, people who don't need or want accessibility features living in housing with such features simply because it was the only housing available when they needed it, or any other lack of fair housing choice like a concentration of accessible units in one area or segregation and exclusion with no accessible housing in another area
 - Consider existing local, regional, or state programs and policies and their effectiveness and challenges in getting adaptable and accessible housing built of various housing types and locations and at varying prices
 - Includes local development codes and fee structures
 - Consider existing local, regional, or state programs and policies and their effectiveness and challenges in ensuring the households who need accessible housing in particular are able to access it
 - Include incentives and disincentives built into landlord tenant law that discourage matching rental housing applicants who need accessibility features with accessible units when they become available
- Are the needs for accessible and adaptable housing for the local jurisdiction substantially greater than those for the region?

DEEP DIVE

“Visitability”

“Visitability” is a term often used to describe the design of a home such that people with disabilities are able to *visit* the home even if it would not be suitable for them to *live* in. Generally, this means that people with disabilities are able to enter the home, maneuver in the gathering areas, and utilize basic functions like a toilet and light switch. Oregon Housing & Community Services is required to ensure all housing built with funding from the department is visitable, and in that requirement the state does have a definition of what visitability means: see [ORS 456.510](#). Visitability standards do not typically include many other design features like accessible bathing, accessible bedroom sizing and layout, accessible counters and appliances, or other similar needs for day-to-day living. While the level of visitability in a community directly affects the quality of life for people with disabilities as it dictates how easily they are able to commune and spend time in community members’ homes, homes built to visitability standards do not meet the fundamental need for permanent housing for people with disabilities. Because of this, while visitability is important and efforts to increase visitability are highly encouraged, this planning scope focuses on housing that can directly house all of our community members, including those with disabilities, and therefore does not focus on visitable housing.

Step 4: Conclusions

Synthesis Questions:

- How much accessible and adaptable housing do we **have**? And at what affordability levels and with what other key characteristics (e.g. tenure and size), of what types, and in what areas? If unknown, what data collection efforts could be made to better identify and track accessible and adaptable housing inventory?
- How much accessible and adaptable housing do we **need**? And at what affordability levels and other key characteristics, and in what areas?
- If all community members who need accessible or adaptable housing currently have access to it, then provide a detailed explanation of how this conclusion was reached and include a plan for ongoing monitoring to ensure that fair housing issues do not emerge in the future, including:
 - Frequency, method, and data sources for monitoring
 - Commitment to re-evaluate the issue area in subsequent contextualized housing need analyses and housing production strategy adoptions

The task of the conclusion is to synthesize a clear understanding of the landscape of the issue area, to better understand the scale of current and future need, and to describe the underlying causes of the current undersupply.

OAR 660-008-0075(1)(c)(D)

Issue Area 4: Access to Community Assets and Mitigation of Exposure to Harms

This analysis examines the locations of community assets (things that add to the health, safety, convenience, or quality of life for residents) and community harms (things that can pose threats to health, safety, or quality of life for residents) are located relative to where specified populations live. The underlying issue is whether some populations are systematically and disproportionately exposed to harms and distanced from assets. This geographic analysis provides information that the local government can use to develop policies, identify investment possibilities, or critical mitigation needs.

Step 1: Identify required data and potential additional relevant information about community assets and harms

RESOURCE

DLCD's Community Assets & Harms Mapping Tool

The Community Assets & Harms Mapping Tool provides preliminary insights into how different neighborhoods experience access to community assets and exposure to harms. The department developed this tool to support fair housing efforts statewide and to help local governments meet Housing Production Strategy requirements. This resource is part of the State of Oregon's broader effort to operationalize Affirmatively Furthering Fair Housing and support fair housing choice for all Oregonians. Importantly, this tool is intended to be a starting place from which local governments can add further insights regarding relevant community assets and harms to conclude this analysis with identified locational trends and potential discrepancies in equitable outcomes.

Quantitative Data	Qualitative Data
<i>Relevant data may be available in DLCD's repository like:</i> ☐ Community Assets & Harms mapping tool Background Memo ☐ Oregon Community Explorer User Guide	☐ Previous local housing-related engagement ☐ CHN-specific local engagement ☐ Regional or state qualitative data like surveys or needs assessments that may be applicable, if any ☐ Local mapping and knowledge of assets and harms that are specific to the community or not available in a statewide dataset and therefore not mapped in the tool

RESOURCE

Other Mapping Tools

This issue area is of high interest not only to DLCD and the state's Goal 10: Housing planning program but also to other land use planning goals and even other agencies and areas of government and community planning. While the department did explore deferring to an existing tool or tools to serve this planning work, none were found to offer the insights of both assets and harms at a relatively granular geographic scale. Here are some of the other tools that are or may be available for consideration:

- Goal 7 – Areas Subject to Natural Hazards has an even deeper interest in understanding and planning for natural hazards which constitute only some of the harms listed and mapped in Community Assets & Harms tool. In fact, the department has a sibling tool, the Centralized Hazard Risk Index System (CHRIS), which layers only hazard risks with demographic populations.
- Our department-wide [Community Explorer](#) tool, introduced on page 25, uses the same geographic approach as the Community Assets & Harms tool but focuses on demographic information, focusing on the “who” is in any given neighborhood in a local government.
- The Environmental Justice Council was tasked with developing an Environmental Justice Mapping Tool and work is well underway in close collaboration with Oregon's Department of Environmental Quality. This tool will provide insights at the census tract level and is not yet available as of the 2026 publication of this guidebook.

For support on relevant engagement questions for this analysis, see [Appendix B: Sample Engagement Questions](#).

Step 2: Analyze the data, both quantitative and qualitative, to identify whether any experience disproportionate distance from assets

Research Question:

- Are there disparities across the focus communities and broader set of communities and protected classes regarding access to community assets and exposure to harms?
 - Which neighborhoods and areas have, comparatively,
 - Higher assets and lower harms?
 - Higher assets and higher harms?
 - Lower assets and lower harms?
 - Lower assets and higher harms?

- How do those locational trends of harms and assets compare to common preferences or colloquial understandings of desirable neighborhoods?
 - How do those locational trends of harms and assets compare to locational trends of where various populations are living in the community?
 - Do certain populations predominantly live in areas with a concentration of assets or a concentration of harms?
 - If so, which?
- Are there assets or harms that have a greater impact than their counterparts and are worth analyzing further?
 - If so, what are those?
 - When those locational patterns are layered with the demographic patterns in your community, do disparities in housing outcomes emerge?

NUTS & BOLTS

Layering the “who”

The department currently hosts two separate tools – the Community Assets & Harms Mapping Tool and the Community Explorer tool – which aim to understand locational trends and information about a community at a relatively granular level (much more granular than census tracts). The department plans to develop more user-friendly functionality in the tools to enable a user to see both the Community Explorer information about a given hex or area, demographic information, simultaneously with the Community Assets & Harms information, environmental and conditions information. As of the publication of this guidance, users currently need to view both in side by side web browsers or otherwise conduct a manual comparison.

In order to track the notes of your analysis as you review the available quantitative and qualitative data, please see the sample table shown in [Issue Area 1, Housing Tenure and Wealth-Building Opportunities](#).

Step 3: Evaluate any disparities in housing outcomes as potential fair housing issues

Research Questions:

- What are the potential causes or circumstances creating the disparate outcomes?
 - Consider local, regional, state, federal, market, or other conditions like supply and structural barriers
 - Supply, such as lack of appropriate and affordable housing in areas with higher access to amenities and lower exposure to harms
 - Structural, such as a lack of mitigation for certain harms that are mitigatable, lack of neighborhood-serving commercial assets throughout a community
 - Consider existing local, regional, or state programs and policies and their effectiveness and challenges in getting housing built of various housing types and prices in areas with high assets and low harms or even low assets and low harms, as well as mitigation efforts for existing housing and any housing built in areas with higher exposure to harms or potential alternate planning decisions to avoid further development where harms are severe or cannot be mitigated
 - Includes local development codes and fee structures
 - Consider existing local, regional, or state programs and policies and their effectiveness and challenges in ensuring that households have locational fair housing choice to live where best meets their needs

Step 4: Conclusions

Synthesis Questions:

- Do all community members have fair housing choice and equitable access to assets and mitigated exposure to harms?
 - If not, which communities have less access to assets and/or more exposure to which harms?
 - Are the harms mitigatable, and if so, have they been mitigated?
 - What are the barriers to fair housing choice for these communities and what are the causes of those barriers?
- Are there areas that need:
 - More access to assets (which assets and where)?
 - More mitigation or reduction of harms (which harms and where)?
 - More diverse housing options to open up fair housing choice (what kinds of housing and where)?
- If all community members have fair housing choice and equitable access to assets and mitigated exposure to harms, provide a detailed explanation:
 - Summarize the above analysis and its demonstration of the absence of disparate housing needs or barriers in the issue area and the presence of fair housing choice and stability for all community members

-
- A plan for ongoing monitoring to ensure that fair housing issues do not emerge in the future
 - Frequency, method, and data sources for monitoring
 - Commitment to re-evaluate the issue area in subsequent contextualized housing need analyses and housing production strategy adoptions

Like all the fair housing issue areas, it will not be uncommon, especially in the early years of the program, for the answer to the first question to be “no,” describing that there *is* a fair housing issue or issues in this area. The task of the conclusion is to synthesize a clear understanding of the landscape of the issue area, which communities face barriers to accessing community assets and protections from environmental harms, and what those barriers are.

OAR 660-008-0075(1)(c)(E)

Issue Area 5: Housing Stability, Anti-Displacement, and Displacement Mitigation

This issue area evaluates housing stability, anti-displacement needs in the face of housing precarity, and displacement mitigation as factors influencing residents’ ability to remain in their homes and neighborhoods, a fundamental element of housing need.

Definitions and terms

- **Housing stability**
Describes people’s ability to maintain their housing over time without facing involuntary displacement. Stable housing conditions include factors such as affordability, renter protections, security of tenure, access to supportive services, housing quality. Housing stability emphasizes long-term, predictable, and secure living situations.
- **Anti-displacement**
Refers to strategies and conditions aimed at *preventing* the forced relocation of people due to external pressures such as gentrification, redevelopment pressures, market escalation, infrastructure investments, or policy and regulatory changes. Anti-displacement approaches focus on reducing or eliminating the drivers of involuntary displacement before they occur.
- **Displacement mitigation**
Refers to actions taken to *reduce or address the negative consequences* of displacement after it has already occurred or is underway. Mitigation strategies may include relocation assistance, replacement housing requirements, access to services, or other supports that lessen the harm experienced by displaced households.

Understanding these processes guides planners in evaluating existing conditions, anticipating future risks, and developing policies that strengthen housing security,

prevent displacement pressures, and support residents who are impacted when displacement cannot be avoided.

Step 1: Identify required data and potential additional relevant information about housing stability and displacement

Quantitative Data	Qualitative Data
<i>Required Data</i> • Housing Equity Indicator Dashboard ◦ Gentrification tab • Affordability Analysis findings (above)	☐ Previous local housing-related engagement ☐ CHN-specific local engagement ☐ Regional or state qualitative data like surveys or needs assessments that may be applicable, if any

For support on relevant engagement questions for this analysis, see [Appendix B: Sample Engagement Questions](#).

Step 2: Analyze the data, both quantitative and qualitative, for disparate housing outcomes

Research Question:

- Are there disparities across the focus communities and broader set of communities and protected classes regarding access to housing stability?
 - Consider neighborhoods with high rates of cost burden, eviction filings, rent increases, or frequent moves, and assess whether particular communities are disproportionately affected
 - Analyze areas experiencing rapid changes in home prices, redevelopment activity/loss of naturally occurring affordable housing, climate-related hazards, changing transportation access, infrastructure investments, or land use changes that may increase displacement risk and assess whether particular communities are disproportionately affected

Step 3: Evaluate any disparities in housing outcomes as potential fair housing issues

If the answer to Step 2 is “yes” for any community, that indicates there is likely, though not certainly, a fair housing issue. See page 98 for more nuance on why not all disparities in housing outcomes are necessarily fair housing issues, even though many are.

Research Questions:

- What are the potential causes or circumstances creating the disparate outcomes?
 - Examine past and current policy choices to determine whether they may play a role in causing displacement or other kinds of housing instability
 - Consider the impact of the housing market in gentrification and housing instability in the past and future
 - Consider existing local, regional, or state programs and policies and their effectiveness and challenges in providing housing stability to all community members and especially those disproportionately subject to displacement pressures
 - Consider existing local, regional, or state programs and policies and their effectiveness and challenges in ensuring that households have appropriate support in the event of displacement, including potentially the right to return to their neighborhood
- What housing types or tenure forms support greater stability? What are the barriers to those types and tenures being available to the communities most affected by displacement pressures?
- What existing protections or supports help mitigate displacement? What are the barriers to making them sufficiently available to and effective for the community members who need them?
- Where are current programs not fully addressing displacement pressures facing focus communities? What are the barriers to adjusting or adding to that programming?

Step 4: Conclusions

Synthesis Questions:

- Do all community members have fair housing choice in housing stability?
 - If not, which communities disproportionately experience housing instability?
 - What are the barriers to housing stability for these communities and what are the causes of those barriers?
- If all community members have fair housing choice in housing stability, provide a detailed explanation:
 - Summarize the above analysis and its demonstration of the absence of disparate housing needs or barriers in the issue area and the presence of fair housing choice and stability for all community members
 - A plan for ongoing monitoring to ensure that fair housing issues do not emerge in the future
 - Frequency, method, and data sources for monitoring

- Commitment to re-evaluate the issue area in subsequent contextualized housing need analyses and housing production strategy adoptions

The conclusion of this analysis should bring together findings on housing stability, displacement risk, and presence or sufficiency of mitigation strategies to form a comprehensive understanding of how involuntary housing loss affects communities within the city's planning boundary.

OAR 660-008-0075(1)(c)(F)

Issue Area 6: Disrupting and Addressing Patterns of Segregation and their Correlation with Concentrated Areas of Affluence and Poverty

This issue area analyzes patterns of integration and segregation, especially as they relate to fair housing choice and access to areas of affluence within the local government's planning boundary. This analysis examines whether patterns of segregation co-occur with concentrated areas of affluence or poverty, indicating spatial inequities and potential fair housing issues.

Step 1: Identify required data and potential additional relevant information about regarding income, race, ethnicity, national origin, and disability as it pertains to where people live.

Quantitative Data	Qualitative Data
<i>Required Data as available</i> ☐ Housing Equity Indicator Dashboard ☐ Segregation tab <i>Additional relevant data that may be available</i> ☐ Community Explorer mapping tool ☐ State of Oregon Fair Housing Plan	☐ Previous local housing-related engagement ☐ CHN-specific local engagement ☐ Regional or state qualitative data like surveys or needs assessments that may be applicable, if any ☐ Local knowledge of patterns of segregation and their correlation with concentrations of affluence and poverty, particularly information about particular communities that may be aggregated due to statewide data quality

For support on relevant engagement questions for this analysis, see [Appendix B: Sample Engagement Questions](#).

Step 2: Analyze the data, both quantitative and qualitative, for discrepancies in housing outcomes

Research Questions: Mapping (geospatial analysis) is required to answer the following questions

- Geographically, how integrated/segregated is the local community by race, ethnicity, national origin, and income?
- How does this compare with the region as a whole?
 - Is the local jurisdiction more racially, ethnically, or economically concentrated than the remainder of the region (e.g., “whiter and more affluent”)?
 - Is the local jurisdiction significantly more segregated than the region?
- Within the local jurisdiction, what are the relationships between areas of affluence and areas of racial, ethnic, or national origin concentration?
- Within the local jurisdiction, what are the relationships between areas of poverty and areas of racial, ethnic, or national origin concentration?
- Are people with disabilities disproportionately concentrated in some areas of the local jurisdiction? If so, how do those areas correlate with areas of poverty and affluence?
- Do any R/ECAPS exist in the local jurisdiction?
- Do any R/ECAPS exist in the region?

Step 3: Evaluate any disparities in housing outcomes as potential fair housing issues

If the answer to Step 2 is “yes” for any community, that indicates there is likely a fair housing issue.

Research Questions:

- What are the potential causes or circumstances creating the segregation and co-occurrence of concentrations of affluence or poverty?
 - Consider local, regional, state, federal, market, or other conditions like market and legal barriers
 - Consider existing local, regional, or state programs and policies and their effectiveness and challenges in challenging and disrupting patterns of segregation that are correlated with concentrations of affluence or poverty
- What about the barriers or limitations to opportunities for integration?
 - Consider whether land use policies, zoning, development costs, displacement pressures, or other programs and policies restrict the ability of protected groups to move freely in the community and choose where they live

-
- What is the local jurisdiction's place within the observed regional patterns
 - What local policies and practices might be driving these patterns?

GOOD TO KNOW

“Segregation as correlated with concentrations of affluence and poverty”

While segregation by exclusion is explicitly rejected by the State of Oregon's laws and rules, the premise of fair housing choice is important to retain in the course of understanding segregation and integration. While not all that common, there are cases where concentration or segregation of particular communities occurs by full enabled choice and as a factor of community building or other needs. The Goal 10: Housing planning program does not intend to disallow fair housing choice and attempt to create artificially and perfectly equally distributed communities. Instead, the program aims to understand where those patterns may not be the result of full, enabled fair housing choice. One way to do this is to evaluate the co-occurring concentrations of affluence and poverty. Typically, when there are both concentrations of a protected class identity and concentrations of affluence or poverty, those patterns may not be the result of fair housing choice but rather an effect of segregation by way of affordability. For these reasons, this issue area requires not only looking at patterns of segregation but also digging deeper to understand co-occurrence of protected class concentration and income.

Step 4: Conclusions

Synthesis Questions:

- Do all community members have fair housing choice to enable integration and prevent pressures of segregation?
 - If not, which communities appear to be segregated by protected class status and income into which areas?
 - What are the barriers to fair housing choice preventing those communities from living in any neighborhood in the area of their choosing?
- Do all community members in the region have fair housing choice to enable them to live where they want to live in the region?
 - If not, and some are excluded from living in the local jurisdiction, what are the barriers preventing economic, racial/ethnic integration?
- If all community members have fair housing choice with no segregation by protected class or named community and concentration of affluence or poverty, provide a detailed explanation:

-
- Summarize the above analysis and its demonstration of the absence of disparate housing needs or barriers in the issue area and the presence of fair housing choice and stability for all community members
 - A plan for ongoing monitoring to ensure that fair housing issues do not emerge in the future
 - Frequency, method, and data sources for monitoring
 - Commitment to re-evaluate the issue area in subsequent contextualized housing need analyses and housing production strategy adoptions

The conclusion of this analysis should describe if, where, and best thinking on why patterns of segregation co-occur with concentrations of affluence or poverty, including segregation of which communities and by which protected class identity.

OAR 660-008-0075(1)(c)(G) *Other Issue Areas as Required*

When conducting a CHN, a local government must consider and address all the issue areas that it is already required to consider under *other laws or regulations*. This specifically includes:

- If the city is subject to OAR 660-012-0315(1) (Transportation Planning Rule for "climate-friendly areas"), it must consider how housing within designated climate-friendly areas interacts with transit, walking/biking infrastructure, highway impacts, and multimodal transportation gaps. Are sufficient housing units being constructed in these areas to meet the needs of people with disabilities and people without the means or without the desire to rely on automobile transportation to meet most of their daily needs? Does the transportation infrastructure in these areas accommodate walking, rolling, cycling, and transit users consistent with the Americans with Disabilities Act and in a manner that protects them from conflicts with automotive traffic?
- If the city or county is in Metro and has Region 2040 Centers (OAR 660-012-0005(24)), it must evaluate housing needs and fair housing issues in those centers. Region 2040 Centers function as the Metro equivalent of climate-friendly areas, so Metro cities and counties must consider transit access, land use patterns, and multimodal mobility in these areas. Are sufficient housing units being constructed in these areas to meet the needs of people with disabilities and people without the means or without the desire to rely on automobile transportation to meet most of their daily needs? Does the transportation infrastructure in these areas accommodate walking, rolling, cycling, and transit users consistent with the Americans with Disabilities Act and in a manner that protects them from conflicts with automotive traffic?

OAR 660-008-0075(1)(c)(H)

Other Issue Areas as Apparent

To ensure that no important insights or indications of fair housing issues go overlooked, a local government must assess any other disparate housing outcomes that are apparent in the course of its analysis. In other words, this is not an obligation for local governments to analyze far flung quantitative data in every possible permutation. Instead, this requirement ensures that where a disparate housing outcome is evident, it cannot be overlooked simply on account of it not being explicitly named in the fair housing issue areas outlined above.

To look at a historical example, there was a time where the disparate availability of broadband internet in the home could have been portrayed as a fair housing issue in a community. Today, internet access is incredibly widespread and this item is not prioritized as an asset in issue area 4 nor as a fair housing issue area of its own. There may be other similar circumstances now or in the future that, when a local government becomes aware of them, it will need to explore and evaluate.

With both a broad and deep understanding of the status of fair housing choice in a community, a final analysis remains to complete the picture of understanding current housing outcomes within a local government's planning boundary. This step is the Urbanization analysis which focuses on the housing outcomes in areas that were recently incorporated into the planning boundary and therefore have a unique relationship to urban housing planning.

Task 5: Urbanization analysis

Purpose and Outcomes

This analysis in OAR 660-008-0075(1)(e) requires local governments to evaluate whether lands added to the Urban Growth Boundary (UGB) over the last three Housing Capacity Analysis (HCA) cycles (or the equivalent time period if a local government has not yet completed three HCA cycles) have been annexed and zoned to support the housing development a community needs. This evaluation is intended to assess whether prior expansion decisions have translated into actual housing outcomes to inform future actions in a local government's Housing Production Strategy.

Key steps:

1. Identify applicable areas
2. Identify whether land has been annexed and zoned for housing
3. Evaluate results

Information needed

To the best of your ability, compile the following information. Reach out to DLCD for assistance if needed:

- Post-acknowledgement comprehensive plan map designation changes and additions responding to identified residential land needs for the applicable areas in the applicable time period
- Urban zoning applied to the applicable areas

Step 1: Identify applicable areas

In this step, identify all areas added to the UGB in response to a residential land need that were acknowledged during the last three HCA cycles, or the equivalent time period (18 years for local governments within Metro, and 24 years for local governments outside Metro). For local governments with a shared UGB, this is limited to land added to the local government's planning boundary. This establishes the geographic scope for urbanization analysis and ensures that the evaluation reflects a sufficiently long period to understand whether expansion areas have been planned for urban residential use.

Once UGB expansion areas are identified, clearly document when each area was added to the UGB, its size, and the residential land needs intended to serve. Where available, describe any assumptions about timing, phasing, or the types of housing the area was expected to accommodate.

Step 2: Identify whether land has been annexed and zoned for housing

Document whether land in the pertinent UGB expansion area(s) has been annexed and zoned for residential urban development since its acknowledgement. This involves overlaying the map of UGB expansion areas over the zoning map. Land that has been zoned is assumed to be annexed.

Document which area(s) were annexed and zoned for residential use since it was added to the UGB.

Step 3: Evaluate results

Based on the information above, document whether there is land in the applicable UGB expansion areas that is intended to serve a residential need that has not been annexed or zoned for residential urban development. Ensure those lands are carried into the needed housing locations conclusion of the Contextualized Housing Need.

For example: Area B was added to the UGB in 2014 with a Low Density Residential Comprehensive Plan designation. This area has not been annexed or zoned. This is included under needed housing locations.

At the Housing Production Strategy phase, the local government should consider actions to promote annexation and development in these area(s).

Task 6: Analysis of Past Discriminatory Actions and Practices Related to Land and Housing Access (OAR 660-008-0075(1)(b) – Part B

Part B | Step 1: Compare past patterns to current conditions

The goal in this step is to draw a clear connection between historical patterns and current conditions. Local governments should use the geographies identified or mapped in Part A as a starting point and compare them to current data on housing trends and equity conditions as analyzed and synthesized in the above analyses. In particular, the urbanization analysis and the following two fair housing issue areas should have substantial locational trend data and conclusions to draw on: Access to Community Assets and Exposure to Harms; Segregation as Correlated with Concentrations of Affluence and Poverty. If helpful local governments may revisit the data sources and mapping tools to make any other comparisons not immediately possible by using the conclusions from the previous analyses alone. In this case, the [Oregon Housing Needs Analysis Equity Indicators](#), the [DLCD Community Assets and Harms mapping tool](#), and the [Community Explorer mapping tool](#) will all yield helpful information. This comparison should be place-based and focused on identifying relationships, not proving causation.

At a minimum, local governments should assess how these geographies relate to:

- Patterns of segregation and integration, including the distribution of different racial and ethnic groups and people with disabilities
- Access to opportunity and community assets, such as jobs, schools, grocery stores, transportation, etc.
- Exposure to harms, such as natural hazards and toxic or hazardous environmental conditions
- Concentrations of poverty and affluence, including income distribution and economic disparities

Use of Tools

Using the state-provided tools supports a consistent framework for evaluating current conditions that local governments can use to identify whether historically impacted areas align with present-day disparities, highlight the areas where disparities persist, have worsened, or have improved, and support conclusions about how past patterns may continue to influence current outcomes. Additionally, over time the housing equity indicator dashboard “vintages,” or previous years’ versions, will be archived. In this way, over time, a large, longitudinal database of locational information is being developed at

the state level to reduce local analytical burden and support achieving more and more equitable outcomes over time.

Part B | Step 1 Conclusion & Acknowledgment of Data Limitations

This Part B analysis concludes with an inventory of the past discriminatory actions and practices outlined in Part A, an inventory of the current housing outcomes including locational trends, and an evaluation of the relationship between the two. This evaluation makes educated assessments about whether current conditions appear to echo past trends or where more equitable outcomes are being achieved. It is important for local governments to document any limitations in data available, geographic alignment, or analytical capacity. Where precise comparisons are not possible, local governments should still provide a reasoned, qualitative assessment based on available information.

Task 7: CHN Conclusion: Supporting the Development of Needed Housing

Building on the previous analyses, Task 7 is the final task of the Contextualized Housing Need (CHN). It synthesizes the findings into a conclusion that identifies key housing needs by type, characteristics, and locations, and additional housing needs related to fair and equitable housing within a community.

In some cases, particularly when considering locational housing needs, identified needs may be at the nexus of multiple factors. For example, a local government may know they need affordable housing in an area that is dominated by more expensive housing in order to bring fair housing choice to lower income households. This example bridges a characteristic of housing that is needed – affordability – with the location in which that housing is needed – the expensive neighborhoods. There are many examples of these overlaps, particularly when the local government is synthesizing the fair housing issues and naming the housing that is needed to mitigate or resolve those issues.

Consider whether, and to what degree, the following housing types, characteristics, and locations are needed to meet the local government's allocated housing need and housing production target and to mitigate or remedy any fair housing issues identified. Additionally, should the analyses above bring forward any needed housing types, characteristics, or locations not well captured by the list below, include those conclusions and needs as well.

Housing types that may be needed as provided in OAR 660-008-0005(27):

- Middle housing and its component subtypes of housing
 - Duplexes
 - Triplexes

-
- Quadplexes
 - Townhouses
 - Cottage clusters
 - Multi-unit housing and its component subtypes of housing
 - Buildings with five or more units on an individual lot or parcel
 - Single room occupancy housing
 - Manufactured dwelling parks

Housing characteristics that may be needed as provided in OAR 660-008-0005(8):

- Interior and exterior features to meet accessibility needs for all ages and disabilities including mobility, auditory, visual, mental and behavioral, and other disabilities and age-related needs like caregiving with emphasis on the needs of older adults
- Number of bedrooms and bathrooms in a unit
- Livability of layouts including eating, sleeping, bathing, and cleaning on one level with a zero-step entrance
- Number of complete living spaces within the unit or with adjacent units to support multi-generational living or other household formations
- Construction type, including site-framed and prefabricated
- Culturally relevant features, like multiple kitchens and interior and exterior layouts with accommodating gathering spaces
- Affordability, including but not limited to government assisted housing
- Tenure type, including but not limited to rental; market-, shared-, limited-, and zero-equity structures as applied to various ownership models like community land trusts and resident-owned cooperatives; condominium ownership; and fee simple ownership
- Climate adaptation and mitigation features, including energy efficiency building science, water conservation in appliances and site design, stormwater management, and ventilation and indoor air quality
- Trauma-informed features and design, including the built environment and operational plans and practices
- Co-located services with housing, including but not limited to permanent supportive housing (PSH), assisted living housing, skilled nursing housing, and adult foster homes

Locations where housing may be needed or where mitigation or other interventions may be needed as provided in OAR 660-008-0005(30):

- Community assets, including but not limited to:
 - Climate-friendly areas
 - Pedestrian-oriented commercial areas outside of climate-friendly areas

- Multimodal connectivity infrastructure, including the availability of road networks, public transit and paratransit options, bike lanes, and pedestrian pathways
- Retail and service establishments, including grocery stores and farmers' markets
- Child care facilities, schools, and colleges
- Parks, recreation centers, paths, trails, and open spaces
- Libraries, government offices, community centers, arts facilities, post offices, social service centers, and other civic destinations
- Medical or dental clinics and hospitals
- Major employers
- Gyms and health clubs
- Major sports or performance venues
- Other community based supportive services
- Harms, including but not limited to:
 - Environmental conditions that may lead to harm such as areas prone to natural hazards, industrial uses, and highways and freeways
 - Areas that are segregated by race and income

Additionally, not all fair housing issues are resolved well by housing production. Some fair housing issues require improvements in housing access or preservation of already affordable homes. Those conclusions must also be noted.

DEEP DIVE

How do these housing types, characteristics, and locations square with the definition of “needed housing types” in ORS 197A.018?

ORS 197A.018(1) defines “needed housing” to mean “housing by affordability level, as described in ORS 184.453 (4), type, characteristics and location that is necessary to accommodate the city’s allocated housing need over the 20-year planning period in effect when the city’s housing capacity is determined.” It also outlines a number of housing needs that it calls “housing types.” The reuse of the word “types” to both differentiate from characteristics and locations and also to describe a list of needs that include characteristics introduced an opportunity in Oregon Administrative Rules to understand the list of necessarily considered housing needs in statute as either housing types, housing characteristics, locations of housing, and even focus community members of housing. See the below crosswalk for further explanation:

	What		Where	Who
Statutory item	Type	Characteristic	Location	Community Need
Detached single-unit housing	X			
Middle housing	X			
Multiunit housing	X			
Housing that is owned or rented		X Tenure		
Government assisted housing		X		
Manufactured dwelling parks	X			
Manufactured homes on individual lots		X Construction method		
Agricultural workers*		X	X	X
Individuals with a variety of disabilities		X		X
Older persons		X		X
College or university students		X		X
Single room occupancies	X			

*A note on housing for agricultural workers – on-farm housing is governed by state laws that are distinct from typical housing laws

Safe Harbors to Identify Specific Key Needs

Local governments have the option to utilize pre-established conclusions for some key housing needs in the CHN – these are called safe harbors. By opting to use the safe harbor in identifying these particular needs, a local government is assured that the department will find those needs to be compliant with the CHN requirements. If a local government chooses to come to their own unique identifications of housing needs which have optional safe harbors available, the department will review those needs determinations in the same manner of review as all other needs determinations – by ensuring the analysis and conclusions are critically sound and consistent with the statutes and rules.

The CHN offers safe harbors in quantifying the housing needs described below:

- Multi-unit housing
- Middle housing
- Adaptable housing
- Accessible housing
- Homeownership and affordable homeownership
- Large household housing

Important: Using the safe harbors for the above kinds of housing ensures that those specific conclusions will be compliant but **does not satisfy** the requirement to identify *all* housing needs. Notably, there are no safe harbors related to identifying locational housing need. There are also other characteristics of housing beyond those listed above that are likely to be needed in a community. All such housing needs must still be identified even if a local government utilizes all six available safe harbors.

AT-A-GLANCE

Safe harbors in the HPS

Key Need	Safe Harbor
Multi-Unit Housing	To identify minimum need use 40% of the local government's housing production target and allocated housing need
Middle Housing	To identify minimum need use 20% of the local government's housing production target and allocated housing need
Accessible Housing	To identify minimum need use Equity Indicators to determine whichever of the following is greater: (A) the percentage of households in the city with ambulatory difficulty multiplied by 1.2 applied as a percentage of the local government's total housing production target, or (B) the percentage of households in region with ambulatory difficulty multiplied by 1.2 applied as a percentage of the local government's total housing production target.
Adaptable Housing	To identify minimum need use Equity Indicators to determine whichever of the following is greater: (A) The elderly dependency ratio in the city applied as a percentage of the local government's total housing production target, or (B) The elderly dependency ratio in the region applied as a percentage of the local government's total housing production target.
Larger Household Housing	To identify minimum need use Equity Indicators to determine whichever of the following is greater: (A) The percentage of households in the local government which are family households applied as a percentage of the local government's total housing production target, or (B) The percentage of households in the region which are family households applied as a percentage of the local government's total housing production target.
Homeownership Housing	To identify minimum need use the relevant percentage provided under HB 2698 (2025) and apply it to both of the

following income brackets of the local government's housing production target:
 (A) Households making 0-80 percent of median family income as provided in ORS 184.453(4)(a) to (c);
 (B) Households making 81 percent of median family income and greater as provided in ORS 184.453(4)(d) and (e).

Rainbow City Contextualized Housing Need Conclusions – Sample,

Do-it-Yourself (DIY) conclusions and *Safe Harbor conclusions* both displayed, where applicable. Where no safe harbor conclusions are available, conclusions displayed are DIY.

Needed Housing determined by the 2027 methodology, the year of HCA adoption:

Needed Housing Allocation (20-year need)

Total	0-30% AMI	31-60% AMI	61-80% AMI	81-120% AMI	120+% AMI
7,797	1,981	1,506	840	1,292	2,179

Housing Production Target (8-year need)

Total	0-30% AMI	31-60% AMI	61-80% AMI	81-120% AMI	120+% AMI
3,928	1,256	808	408	560	888

Needed Housing (types, characteristics, and locations of housing needed to meet production, access, and/or preservation needs)	Fair Housing Issue Area with an issue that would be remedied or mitigated								% AMI segment of Housing Production Target served				
	1	2	3	4	5	6	7	+	0- 30	31- 60	61- 80	81- 120	121+
Type – Multi-unit housing DIY: 35% of need - Housing production target: 1,375 units - Allocated housing need: 2,729 units <i>Safe harbor: 40% (or more) of need</i> <i>Housing production target: 1,571 units</i> <i>Allocated housing need: 3,119 units</i>	X								X	X	X	X	X
Type – Middle housing DIY: 15% of need - Housing production target: 590 units - Allocated housing need: 1,170 units <i>Safe harbor: 20% (or more) of need</i> <i>Housing production target: 786 units</i> <i>Allocated housing need: 1,560 units</i>	X								X	X	X	X	X
Characteristic – Accessible housing DIY: High magnitude of need <i>Safe harbor: 12% of need</i> <i>Housing production target: 471 units</i>		X	X						X	X	X	X	X

Characteristic – Adaptable housing DIY: High magnitude of need <i>Safe harbor: 34% of need</i> <i>Housing production target: 1,336</i>			X		X				X	X	X	X	X
Characteristic – Intergenerational housing Moderate magnitude of need		X			X								
Characteristics – Affordable homeownership DIY: Moderate magnitude of need across all income brackets <i>Safe harbor: 65% of need, each, for households making 0-80% of AMI and for households making 81+% AMI</i> <i>Housing production target: 1,607 units for 0-80% AMI & 941 units for 81+% AMI</i>	X	X							X			X	
Characteristic – Larger household housing DIY: Moderate magnitude of need <i>Safe harbor: 60% of need</i> <i>Housing production target: 2,357 units</i>					X				X				
Location & Characteristic – Affordable housing in High Asset, Low Harm areas This includes the west side of downtown				X					X	X	X		

Location & Characteristics – Affordable and multi-culturally responsive housing in Low Asset, Low Harm areas which correspond with racially segregated areas of affluence These areas roughly match the Cobalt and Magenta neighborhoods				X		X			X	X	X		
Location & Characteristic – Accessible housing near multi-modal transit lines This includes the downtown express and the 23, 45, and 67 bus lines							X		X				
Preservation – Affordable housing in racially segregated areas of poverty These include the east side of downtown and the Chartreuse neighborhood					X				X	X	X		
Access – Affordable and accessible housing units made affirmatively available to households with disabilities			X		X				X	X	X		

GOOD TO KNOW

How many units?

Not all housing needs in the sample conclusions of need above are quantified into a number of units needed. Various ways of representing housing need include quantified numbers of units, naming the magnitude of need using a scale like Low/Medium/High, and simply naming and explaining the need in a narrative form.

Housing type needs are the only needs that must be quantified. All other needs may be represented using other methods with interest in representing the need as accurately as possible. All safe harbors are intentionally offered as quantitative needs to support local governments identifying those key needs more specifically.

Alignment with “Climate-Friendly Areas”

Some local governments have formal “climate-friendly areas” and associated plans based on Goal 12 – Transportation planning requirements (OAR 660-012-0310). Because some of these requirements aim to align transportation and housing planning, there is reason to integrate conclusion and deliverables across these goals.

For local governments with climate-friendly areas, the CHN also concludes with identification of the number of housing units needed for the local government to make proportionate progress towards accommodating 30 percent of all housing in climate-friendly areas in pursuit of the greenhouse gas emissions reduction targets as provided in OAR 660-044-0020 and OAR 660-044-0025, including affordable and accessible units (see OAR 660-008-0075(1)(c)(G) for more detail). Local governments with additional residential mixed-use zones may also report on housing development in those areas, and may evaluate the relative success of measures supporting housing development in both areas.

In essence, for these local governments the CHN serves a dual purpose to check in on progress toward the transportation planning requirements and also re-establish the number of housing units still needed in climate-friendly areas in particular.

Review Process

- Options for the adoption, review, and approval process per OAR [660-008-0080](#).
 - Standard path: the Contextualized Housing Need is reviewed as part of the Housing Capacity Analysis adoption and therefore part of the Post-Acknowledgment Plan Amendment (PAPA) process and subject to appeal.

- Optional path: a segmented Housing Production Strategy review can be pursued such that DLCD reviews the Contextualized Housing Need prior to Housing Capacity Analysis and Housing Production Strategy completion. As part of the Housing Production Strategy review, the Contextualized Housing Need would not be subject to appeal, but is subject to DLCD staff review and approval, approval with conditions, or remand.
- Optional path, as applicable: as a work task in a formal work program and reviewed as part of a sequential review of Urban Growth Boundary Amendment components

Deliverable	Completion Method	Does this require a land use decision?
Contextualized Housing Need	Standard: Submitted to DLCD with the Housing Capacity Analysis as a Post-Acknowledgement Plan Amendment (PAPA)	Yes
	Alternate: Submitted to DLCD under segmented review of the Housing Production Strategy	No
	Circumstantial: Identified and submitted to DLCD as a work task in a Sequential UGB Amendment process	Yes

Chapter 4: Housing Capacity Analysis – OAR 660-008-0100

Purpose

A Housing Capacity Analysis (HCA), formerly called a Housing Needs Analysis (HNA), determines whether a community has enough buildable residential land to support its housing needs over the next 20 years. A Housing Capacity Analysis shows whether existing buildable land can meet housing needs. It can help a local government understand how prepared it is to accommodate its community's growing housing needs in the long term so that it can respond accordingly.

Rules related to Housing Capacity Analyses can be found in [OAR 660-008-0100](#).

Who completes an HCA?	When?
Portland Metro: Counties* and cities with over 10,000 people	On a 6-year cycle
Outside Portland Metro: Cities with over 10,000 people Cities and unincorporated communities in Tillamook County	On an 8-year cycle
All other jurisdictions	As desired**

Notes:

*Multnomah County's obligations are not in effect.

**All cities must have an acknowledged Comprehensive Plan with an HCA/HNA, but not all jurisdictions are required to update it on a regular schedule. Cities outside the Portland Metro area must adopt an updated HCA before expanding their Urban Growth Boundary.

METRO

Requirements for Metro

Metro, as the regional government for the Portland metropolitan area, has distinct responsibilities under Goal 10:

- **Coordinated Assumptions (ORS 197A.335):** Metro must provide coordinated forecasts, density assumptions, and capacity methodologies that Metro uses in its growth management decision. Metro's responsibilities are separate from, and in addition to, the HCA and HPS requirements for Metro cities and counties.
- **Regional Housing Capacity Analysis (ORS 197A.350):** Metro must prepare a regional HCA that evaluates housing capacity across the entire Metro region using coordinated population and employment forecasts. If the regional HCA identifies a regional land capacity deficit, Metro is required to adopt a growth management decision to address and resolve that deficit.

Elements of the Housing Capacity Analysis

At a minimum, the Housing Capacity Analysis (HCA) includes:

1. Buildable Lands Inventory and determination of housing capacity
2. Residential Land Needs Analysis
3. Comparison of residential land need and housing capacity

Additional requirements include:

- Potentially responding to a deficit of capacity, as applicable, and consistent with OAR [660-008-0150](#) Land Use Efficiency Measures.
- Community engagement, including findings, consistent with Goal 1.

Task 1: Buildable Lands Inventory

The Buildable Land Inventory (BLI) estimates how much land is available for additional housing, including vacant land and redevelopment opportunities. It also identifies land that should not be included, such as areas constrained by natural resources and hazards.

The purpose of a buildable lands inventory (BLI) is to inventory all land within the local government that is designated for residential development in zones. The BLI should categorize all lands where residential development is allowed into mutually exclusive categories based on development status and other considerations like public ownership.

Key Steps/Methodology

To complete a BLI, the following steps are needed:

- Establish the geographic area
- Classify land
- Identify development constraints
- Assign development status
- Estimate housing capacity

These steps don't necessarily have to be done in this order or in a linear path.

NUTS & BOLTS

Data Needed

- County Assessor's data
- Building permit data
- Development constraints
 - Adopted hazards and protected natural resources overlay zones
 - Helpful resources may be found [Appendix F: Constraint Data](#)
- Other helpful data: Roads, bodies of water, etc.

Step 1: Establish the geographic area

The area that a BLI assesses is defined in OAR 600-008-0005(40) [Planning boundary](#).

- For most cities, this includes all land inside their UGB. In cases where there is a shared UGB, this will include city limits plus any additional land that the city is assigned responsibility for planning for within the UGB.
- For counties within the Portland Metro boundary, this geography is limited to [urban unincorporated lands](#) within the Metro UGB, except those for which a city has been assigned responsibility for urbanization.
- For the communities of Barview/Twin Rocks/Watseco, Cloverdale, Hebo, Neahkahnie, Neskowin, Netarts, Oceanside and Pacific City/Woods, this consists of land in their unincorporated community boundaries.

Step 2: Classify land

Another key step is to categorize land in the planning boundary by identifying the areas with land use designations where residential development is allowed-

Land designated or zoned to allow residential uses

Buildable land is limited only to land for residential development. Starting with the geography established in Step 1, map only the areas designated or zoned to allow

residential uses. This would include land zoned exclusively for residential, as well as other zones where residential is allowed, but not required such as mixed-use zones.

DEEP DIVE

Covenants, conditions, and restrictions (CC&Rs)

CC&Rs are private agreements that may include restrictions on the types of housing that can be built on a particular property or in planned communities. CC&Rs can provide barriers to housing development and choice, but they can be hard to track and may be outdated or inconsistently enforced. Without sufficient data, including these as a constraint in the BLI may perpetuate fair housing choice issues into the future. Constraints that are temporal in nature create a lot of uncertainty, and it is not recommended that local governments make decisions based on private agreements that may be annulled in the future.

Public land

Publicly owned land includes lands in federal, state, county, city, or other public ownership. This category could include other lands that are otherwise committed, such as a cemetery or properties with conservation easements. Land in public ownership is generally considered unavailable for residential development. However, there may be some cases where some publicly owned land is available for housing. Local governments must coordinate with public entities that own land within the planning boundary to accurately identify whether these areas are available for residential development.

- Per OAR 660-008-0100(3), public entities include school districts, colleges, universities, and transit districts. Local governments may also choose to coordinate with other entities beyond this list such as federal or state agencies.
- Coordination could include a notification of the BLI update, opportunity to comment on properties they own, including any known plans to develop, and incorporation of feedback.

DEEP DIVE

Non-residential uses in residential areas

In some cases, there may be non-publicly owned, non-residential uses on land zoned for residential use. Committed uses, such as a golf course, are typically considered not available for residential development unless a local government has quantitative or qualitative information demonstrating otherwise. That could include an active land use permit, building permit, or discussions with property owners on whether the area is likely to develop in the planning period.

Religious institutions, including churches, however, are often on lots or parcels where the land could be further developed to support needed housing. This use type would instead be considered under partially vacant land, as inventoried under Step 4, unless the local government is able to show that the land is not available for residential development (e.g., the lot is fully developed and cannot be developed further). Keep in mind that the capacity of partially vacant parcels may be discounted through use of a land market supply factor per OAR 660-008-0100(4).

Step 3: Identify development constraints

There are a multitude of environmental factors that can impact development, such as steep slopes, areas prone to flooding or other hazards, and in some cases, wetlands. By mapping these areas, a local government can better estimate what land can be relied on to provide housing. Constraints are listed under the definition of Buildable Land in OAR 660-008-0005(7) which include:

- Land severely constrained by natural hazards as determined under Statewide Planning Goal 7¹
- Land subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18
- Land with slopes of 25 percent or greater
- Land within the 100-year flood plain or floodway. This is also known as the Special Flood Hazard Area (SFHA).
- Land that cannot be provided with public facilities

After estimating the area(s) subject to these constraints, the local government will determine whether it's reasonable to assume some development capacity on constrained or partially constrained land (using past development trends, for instance), or whether they should estimate no capacity. For lands protected under Goals 5, 6, 7, 15, 16, 17, or 18 this will depend on the level of protection the local government applies

¹ Goal 7 text states, "Natural hazards for purposes of this goal are: floods (coastal and riverine), landslides, earthquakes and related hazards, tsunamis, coastal erosion, and wildfires. Local governments may identify and plan for other natural hazards."

to properties with these constraints, which can vary from partial to full protection from development.

DEEP DIVE

Considerations for specific constraint types

- **Slopes:** Slopes that are at least 25 percent may be assumed to have no capacity and excluded from the BLI. However, a local government may still include land with steep slopes in their BLI if they can demonstrate that development is still feasible.
 - Slopes between 10-25 percent may still be considered buildable but less likely to develop to full capacity. In these cases, a local government should still include the land in their BLI but could assume a reduced capacity. Local governments should refer to local development trends to make that determination.
- **Wetlands:** Locally protected wetlands should be considered fully constrained from development. Non-locally protected wetlands would be considered unconstrained but may be discounted based on analysis of the extent to which recent development has actually occurred in non-locally protected wetland areas. Refer to local development trends to make that determination.
- **Bonneville Power Administration (BPA) Easements:** For communities with BPA lines, there are likely areas with easements that are not buildable. Similarly, conservation easements may include areas that are not buildable. Utility easements other than BPA may be easier to build around, but that may depend on the local context.
- **“Islands” of buildable land surrounded by constraints:** In some places, a lot or parcel may be unconstrained but partially or predominantly surrounded by natural resource or hazard constraints, impacting its likelihood of developing. If land is constrained by the location of natural resources and/or hazard areas, preventing the area from being able to be served with public facilities, the local government may be able to demonstrate that the land is not buildable or assumed to have a reduced capacity.
- **Public facilities considerations:** The scenarios described above, along with other types of constraints, can create significant barriers to providing land with public facilities, which may be good reasons to reduce the planned capacity of these areas. There may be places, however, where the land is not currently served with public facilities, but the local government can take action to make the land ready for development. These actions and this land should be considered in the [Development-Ready Land Inventory](#) to remedy a deficiency of near-term capacity. Alternatively, a city might consider using the UGB exchange process if a significant amount of land within a UGB is extremely difficult to serve with public facilities.

Step 4: Assign development status

After classifying the land, define all land where residential development is allowed into mutually exclusive categories: vacant, partially vacant, and developed. Local governments should also factor in the potential for redevelopment of developed areas per the methodology described below.

DEEP DIVE

Infill lots

Infill is a type of development that occurs on small parcels surrounded by other development and is sometimes used interchangeably to mean: (1) further development of a parcel with existing development, or (2) development of a small parcel (without existing development) in an area with other surrounding development. The first definition is a variation of partially vacant land. The second is development of a vacant parcel. Infill is **not** a term that should be used in a BLI to assign development status.

Vacant land

Vacant land is developable land with no permanent residential structures on it or the real market improvement value of structures is less than \$10,000.

DEEP DIVE

Projects in the pipeline

At the time a local government is updating their BLI, there may be housing projects currently in the development process. Best practice for accounting for these in-process housing units is to assume the land is vacant until the development is complete with final occupancy. Approved land use applications can be used to more accurately estimate the capacity of the land based on the housing type and number of units included in the application.

Partially vacant land

Partially vacant² land has existing development on it but can be further developed within existing development regulations. Examples of partially vacant development include: (1)

² OAR 660-008-0005(38) "Partially vacant land" refers to buildable land with existing development on it where the remaining, unconstrained land area can be further developed within the applicable development regulations.

partition of a lot into two or more lots, where the existing dwelling is on one lot and one or more new vacant lots are created or (2) development of an additional dwelling on a common lot, such as a detached duplex. The process of inventorying partially vacant land is not focused on the capacity for developing accessory dwelling units (ADUs), which may be estimated with analysis of current rates of ADU development by zone.

Methodology considerations:

- **Incorporating market realities:** Instead of doing a parcel-by-parcel analysis, local governments may assume that a percentage of all partially vacant land is unlikely to develop over the 20-year planning period. This is referred to as a **land market supply factor**.
 - To use a land market supply factor, quantifiable validation and documentation of methodology is needed. For example:
 - The general availability and costs for necessary infrastructure to support urban-intensity uses,
 - Private development cost factors on market availability,
 - Extended timelines to permit and develop master-planned communities,
 - Property owner unwillingness to sell for higher intensity uses,
 - Inconsistencies between planned capacity and market feasibility to achieve varying densities, and
 - Market availability of land among large portions of partially vacant land within the UGB.
 - Local governments can utilize a variety of approaches and calculations of market supply factor based on current and historical data. For example:
 - a calculation of existing improvement values as a share of total property values for a representative set of partially vacant parcels,
 - a calculation of the percentage of total properties with no previous record of transactions to sell or convert,
 - a calculation of non-conversion rate through the analysis of properties that have converted over a defined period of time.
 - As a **safe harbor** when utilizing the land market supply factor, and in lieu of the approaches and calculations described above, a local government may reduce the total estimated residential capacity for partially vacant land by ten percent.
- **Small parcels:** Development of smaller partially vacant parcels can be more difficult (and comparatively expensive) because of the limited number of dwellings that can be developed on the partially vacant land. Assembling multiple parcels of partially vacant land into one larger development parcel would be extremely complicated, with multiple landowners and different conditions (i.e., location of the existing dwelling) on each parcel.
 - **Safe harbors** for small parcels assumed to be developed:

-
- Cities less than 25,000 may assume that existing lots of less than one-half acre with an existing dwelling are fully developed.
 - Cities greater than 25,000 may assume that existing lots of less than one-quarter acre, in the lowest-density comprehensive plan designation, with an existing dwelling are fully developed.
 - Infill potential **safe harbors**:
 - For cities less than 25,000, lots or parcels of one-half acre or more infill potential may be determined by subtracting one-quarter acre (10,890 square feet) from the unconstrained acreage for the existing dwelling and assuming that the remainder is buildable land
 - For cities greater than 25,000, lots or parcels of smaller than one-half acre in the lowest-density residential comprehensive plan designation may be determined by subtracting one-quarter acre (10,890 square feet) from the unconstrained acreage for the existing dwelling

Developed land

Lands not classified as vacant or partially vacant are considered developed. Developed land includes lots with redevelopment capacity, which are also included in BLI.

Redevelopable land

While BLIs focus on identifying unconstrained vacant and partially vacant land (and showing this land on a map), they also consider redevelopment potential. In the context of a BLI, redevelopment occurs when existing development is replaced (demolished) by new development that adds residential units. For instance, replacement of a single-unit detached dwelling with a duplex, a cottage cluster, or multi-unit housing are all examples of redevelopment. Replacement of a single-unit detached dwelling with another single-unit dwelling where no housing capacity is added is not considered redevelopment for the purpose of a BLI.

Redevelopable land is a sub-set of developed land. Any land with existing development on it could redevelop. The relevant question is how likely is land to redevelop over the housing capacity analysis planning period of 20 years or within the housing production strategy period of eight years? Land with newly built housing is less likely to redevelop in the next 20-years than land with older or low-value development on it, such as a surface parking lot or an older house on a parcel where middle housing or multi-unit housing could develop.

There are multiple approaches to estimating redevelopment, such as:

- **Qualitative assessment** of redevelopment potential based on a planner's knowledge of discussions for redevelopment within the city. This involves identifying specific parcels where redevelopment is or has recently been under discussion.

-
- **Quantitative analysis** of comparison of improvement (building) values with land value analysis considers the ratio of improvement and land values. Where the land value is equal to or higher than the improvement value, redevelopment may be more likely.
 - **Residual land value assessment** is an evaluation of development feasibility based on the difference of the value of a development project (based on either its sales price or rent), less the costs (including purchasing property) to produce that unit. A residual land value approach to feasibility determines how much a developer would be willing to pay for a property after all other costs to construct the project, including the developer's profit, are accounted for in the feasibility calculation. This cost, less the land, is then compared to the assumed total value of the development when complete. The value of a project is based on how much income (either the assumed sales price for a house or rental revenue for apartments) the project would realize and accounts for the assumed rate of return for the developer when the project is sold.
 - **Strike price method** determines potential for redevelopment based on a ratio of total real market value (land and improvements) divided by area of the tax lot (square feet). If the real market value per square foot is less than the threshold price, redevelopment may be more likely.

The caveat to these approaches is that redevelopment is highly uncertain. Redevelopment is complex, requiring the coordination of landowners (often multiple landowners), access to finance, and market conditions that support redevelopment. Landowner preferences figure strongly into whether a parcel will redevelop, regardless of the economic incentives to redevelop. The quantitative approaches to estimating redevelopment potential are highly dependent on assumptions about housing and land market conditions, which can change rapidly.

NEED TO KNOW

Consequences of Mapping redevelopment

Redevelopment is not typically mapped to avoid identifying and publicizing specific existing homes or businesses that could potentially be demolished and redeveloped for higher intensity uses. The mapping of such parcels could disproportionately impact lower-income households negatively and invite real estate speculation.

Step 5: Estimate housing capacity

Analysis of Recent Housing Development Trends

Analyze the types, densities, and locations of development that occurred in the city since the last adopted HCA/HNA. If the city hasn't adopted an HCA/HNA in 10+ years, it is recommended to assess on a shorter timeframe if that would provide a more accurate estimate so long as it's no less than 3 years.

Right-of-way considerations

To more accurately estimate housing capacity, subtract a percentage of land needed for public facilities.

In regard to land added to the UGB, Division 24 includes the following safe harbor (OAR 660-0040) Keep in mind that this safe harbor includes land for parks and school facilities:

(9) As a safe harbor during periodic review or other legislative review of the UGB, a local government may estimate that the 20-year land needs for streets and roads, parks and school facilities will together require an additional amount of land equal to 25 percent of the net buildable acres determined for residential land needs under section (4) of this rule, and in conformance with the definition of "Net Buildable Acre" as defined in OAR 660-024-0010(9).

Alternatively, a local government could assess right-of-way (ROW) in comparison to tax lots, taking a sample for each plan designation. This will provide an estimate of how much land is used for ROW.

Statutory References for Jurisdictions

Local governments required to adopt a Housing Capacity Analysis on a schedule per OAR 660-008-0045 must follow **ORS 197A.270**, regardless of city size.

Note: While statute specifies that ORS 197A.270 applies to cities with a population of 25,000 or greater outside Metro, it also applies to [cities](#) that meet factors established by the Land Conservation and Development Commission (LCDC) in consideration of the city's size, rate of population growth or proximity to another city with a population of 25,000 or greater or to Metro per ORS 197A.270(1)(b). This would include all local governments that must complete an HCA as scheduled by LCDC at least every 8 years, including all cities with populations of 10,000 or more, cities and unincorporated communities in Tillamook County, and counties in the Portland Metro region. ORS 197A.270 provides the governing requirements for preparing a Housing Capacity Analysis for all such cities and counties.

Smaller cities, under 10,000 in population who are not subject to the schedule provided through the OHNA program, may continue to reference **ORS 197A.280**, with the

understanding that they may draw best practices and elective elements from requirements of larger cities.

Local governments in the Portland Metro boundary must follow **ORS 197A.335** for determining housing capacity. In addition, Metro, as the regional government, must follow **ORS 197A.350** to prepare the regional Housing Capacity Analysis for the entire Metro region.

Considering Market Factors

In an effort to support accurate and reliable housing capacity estimates, Oregon Revised Statutes provide local governments with a series of data considerations for estimating residential land capacity since the jurisdiction's last capacity analysis; This includes, but is not limited to, considering market factors.³ Local governments take policy steps to incentivize the residential development market through the reduction of tax obligation to owners and developers of certain types of housing, such as multi-unit development, through programs like Multi-Unit Property Tax Exemption (MUPTE).

A jurisdiction may reasonably consider financial incentives like MUPTE and others to have a demonstrable impact on housing production over the HCA/HPS cycle to particular areas of a community. A market study may be an appropriate way for a jurisdiction to show that a particular financial incentive will result in a higher redevelopment potential of applicable geographies within their community, leading to a greater estimate of that land's capacity in the HCA.

Ultimately, as facilitated by local incentives, with the assumption of higher likelihood of housing production at certain densities, a community may conclude that they have a smaller residential land need than would have otherwise been concluded without these market factors.

Development-ready land that hasn't developed

OAR 660-008-0100(8) and (9) provide a couple options for local governments above 10,000 in population to discount the capacity of land inventoried as development-ready but have not developed in subsequent HCA cycles. Use of either of these discounts requires a local government to have previously adopted a Development-Ready Land Inventory and have a list of development-ready tax lots from prior HCA cycles and to compare development on those lands across HCA cycles. ([See Chapter 5. Development-Ready Land Inventory](#) for reference).

³ ORS 197A.270(4) (a)(C) "Market factors that may substantially impact future urban residential development"

GOOD TO KNOW

The density assumption may vary from one cycle to the next as changes to average achieved density occur over time.

Using the safe harbor in OAR 660-008-0100(8)

This safe harbor allows a local government to “...progressively discount the estimated residential capacity by one-third each HCA cycle for individual lots or parcels that have been inventoried as development-ready but have not yet developed or experienced infill.” As an example, if the local government has a 10-acre tax lot that is unconstrained buildable and development-ready in HCA cycle 1 and it has not developed in subsequent HCA cycles, the local government could use this safe harbor to discount the amount of development-ready land as follows. This example assumes that the zone for the tax lot remains constant over the four HCA cycles and that the density assumptions do not vary based on the historical analysis in the relevant HCA.

- HCA cycle 1: The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 1.
- HCA cycle 2: The local government would discount the residential development capacity by one-third. The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 2, which would decrease to 33 dwelling units (a 1/3rd decrease in capacity).
- HCA cycle 3: The local government would discount the residential development capacity by two-thirds. The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 3, which would decrease to 16 dwelling units (a 2/3rd decrease in capacity).
- HCA cycle 4: The local government would discount the residential development capacity completely. The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 4, which would decrease to zero dwelling units (a 100% decrease in capacity).

Using the alternative in OAR 660-008-0100(9)

If not using the safe harbor above, it is required to discount the capacity according to OAR 660-008-0100(9) by:

- (a) Fifty percent for individual lots or parcels that did not develop or experience infill and were inventoried as development-ready land in two consecutive HCA cycles; and
- (b) One hundred percent for individual lots or parcels that did not develop or experience infill and were inventoried as development-ready land in three consecutive HCA cycles.

Using the same example above, the capacity of this tax lot would be as follows:

- HCA cycle 1: The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 1.
- HCA cycle 2: The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 1.
- HCA cycle 3: The local government would discount the residential development capacity by one-half. The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 2, which would decrease to 25 dwelling units (a 50% decrease in capacity).
- HCA cycle 4: The local government would discount the residential development capacity completely. The 10-acre tax lot is determined to have capacity of 50 dwelling units at 5.0 dwelling units per acre in the HCA in cycle 4, which would decrease to zero dwelling units (a 100% decrease in capacity).

Task 2: Residential Land Needs Analysis

This step involves determining how much and what kind of land a community requires to support the development of housing that meets local needs. This relies upon a local government's determination of needed housing based on the OHNA allocation.

Step 0: Determine Housing Need

This analysis relies upon the OHNA allocation as outlined in [Chapter 2](#). Additional steps are needed to get to needed housing types:

- For local governments required to complete an HCA on a schedule: Needed housing, including types, is determined through the Contextualized Housing Need ([see Chapter 3](#)).
- For cities below 10,000: Less extensive analysis and engagement is needed to determine needed housing types based on the allocation. (See Step 1: Getting to Housing Need by Plan Designation)

Step 1: Getting to Housing Need by Plan Designation

Once you have needed housing types and quantities, determine the needed density within each plan designation that will allow for these housing types. The average achieved density for a given residential plan designation is utilized from Step 5 in Task 1. Assess which housing types are allowed within each plan designation and if any housing types are excluded. Then allocate the identified needed housing types across the respective plan designations. Note that there is frequently an overlap of the different housing types allowed in any given plan designation.

Example: Housing Need allocation 730 units

Number of Units	Income Level
146	0-30% AMI
137	31-60% AMI
80	61-80% AMI
137	81-120% AMI
233	>120% AMI

Safe harbor assumptions, OAR 660-008-075(6):

- At least 40% multi-unit housing
- At least 20% middle housing

Plan Designation - Average Achieved Density

Housing Type	Needed Units	Low Density 7 u/ac	Medium Density 12 u/ac	High Density 20/ u/ac
Multi-unit Housing	292		20	272
Middle Housing	147	20	127	
Detached	291	271	20	
Total	730	291	167	272

Step 2: Getting to buildable acres

Compare the needed housing types and the quantities needed with the capacity in each residential plan designations and the allowable housing types. Calculate the difference between the amount of land needed based on actual densities with the amount of buildable land available for each plan designation. Assess whether there are surpluses or deficits of buildable land in any of the plan designations.

Example

Plan Designation	Net Buildable Acres	Average Achieved Density	Residential Capacity	Units Needed	Acres Needed	Is there enough capacity?
Low Density	76.3	7 u/ac	534 units	291	41.6	Yes
Medium Density	33.2	12 u/ac	398 units	167	13.9	Yes
High Density	24.4	20/ u/ac	488 units	272	13.6	Yes

Task 3: Comparison of residential land need and capacity (Land sufficiency)

This task involves comparing the BLI to the Residential Land Needs Analysis to determine whether there is sufficient land capacity to meet the need.

Step 1: Calculate difference between capacity and need

Subtract the acreage and units needed in Task 2 by the capacity in Task 1.

Step 2: Determine next steps

- If insufficient, move on to Task 4, Response to a deficit of Housing Capacity.
- If sufficient, no further action is needed to increase capacity of land or add land to the UGB (except for actions to meet other needs based on the Contextualized Housing Need). Skip Task 4 and move on to Task 5, Review and Adoption Process.

Task 4: Response to a deficit of housing capacity (if needed) – OAR 660-008-0150

If Task 3 results in a deficit of capacity to accommodate needed housing over the next 20 years, then [you/the local government] must respond in the following ways:

Cities and counties outside the Portland Metro boundary

1. Adopt land use efficiency measures (LUEMs) to increase the housing capacity and/or reduce the residential land need,
2. Amend the UGB, or
3. A combination of both 1 and 2.

According to [OAR 660-008-0150](#), local governments outside Metro must evaluate the impacts of LUEMs before expanding their UGB.

Cities and counties inside the Portland Metro boundary

Cities and counties in Metro are not required to resolve a 20-year housing capacity deficit and do not amend the UGB. Instead, they must adopt land use efficiency measures needed to support the Housing Production Strategy actions that will enable the city or county to meet its 6-year housing production target.

Step 1: Land use efficiency measures

Land use efficiency measures (LUEMs) refer to actions that quantifiably increase the housing capacity or reduce the residential land need, or both, via an adopted comprehensive plan or land use regulation change. These actions “change the math” by increasing the number of buildable acres and/or number of housing units that can be accommodated within the current UGB.

When evaluating impacts of selected LUEMs on capacity of buildable land, the future housing density for a LUEM cannot be estimated to be more than 3% higher than the average achieved density without quantifiable validation for such departures. Findings must show that the assumed residential capacity has been achieved in areas zoned to allow the same maximum density and housing types — either within the jurisdiction or a comparable jurisdiction within the same region. This applies to middle housing allowances in low density zones.

Here’s an example of an expected change in density:

- Upzoning some surplus low density residential land with an average achieved density of 6.1 dwelling units per net acre to medium density residential with an average achieved density of 15.1 dwelling units per acre would increase the assumed density in these areas by 9 dwelling units per acre.
- This is quantifiably validated by the historical average achieved density in existing medium density residential designations. Changes in minimum lot sizes and minimum densities also provide quantifiable increases in residential capacity.

It's important to note that land use efficiency measures do not include financial incentives, such as Multi-Unit Property Tax Exemption (MUPTe), which can be helpful for encouraging a particular housing type, characteristic, or location, but they do not change the underlying zoning or development allowances. However, financial incentives

can be factored into the initial assessment of capacity that goes into a Housing Capacity Analysis per ORS 197A.270(4)(a) as described in Task 1 of this chapter under [Step 5: Estimate housing capacity](#).

NUTS & BOLTS

Land Use Efficiency Measure (LUEM) examples

Check out the HPS menu of actions in [Appendix A](#), and use the filter function to find common examples of LUEMs

Demonstrating compliance

Cities Outside the Portland Metro boundary

Goal 14 requires that prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.

Below are possible conclusions that could be made through the evaluation and adoption of LUEMs:

- The need can be fully accommodated within the UGB through LUEMs.
- The need can be partially accommodated through LUEMs, but the remaining deficit cannot be reasonably accommodated within the UGB. See safe harbor in OAR 660-008-0150.
- The need cannot be reasonably accommodated within the UGB at all.

One way to demonstrate you've done "enough" to consider LUEMs for the purposes of a Goal 14 decision is by using the safe harbor in OAR 660-008-0150 which allows a city to demonstrate that proposed land use efficiency measures, once adopted, are estimated to result in at least a 20 percent increase in the average achieved density that are expected to be achieved over the next 20 years.

This analysis should start with average achieved density since the last adopted HCA. A different time period may be used if this provides more accurate information. The local government must clearly explain the data sources and the time period used.

A local government that chooses not to use the safe harbor option must analyze which LUEMs it can apply and where those measures can be implemented inside the UGB. The local government must show, through its findings, either that no additional efficiency measures are available to address the residential capacity deficit or that the selected measures are sufficient to satisfy the shortfall.

Cities and Counties inside the Portland Metro boundary

For Metro cities and counties, LUEMs are not used to resolve a 20-year deficit. Instead, LUEMs should be adopted as needed to support the actions in a Housing Production Strategy that are intended to meet the 6-year housing production target.

Adopting land use efficiency measures

Applicability	When and how are LUEMs adopted?
Cities with a population below 10,000 (outside Tillamook County)	Adopt LUEMs concurrently with the HCA. This must be completed before or concurrent with a UGB decision.
Outside Portland Metro: Cities with a population 10,000 or more & Tillamook County cities/unincorporated communities	Adopt LUEMs in one of 3 ways: • Adopt concurrently with the HCA • Adopt concurrently with the HPS • Adopt by the mid-point (within the first 4 years) of the HPS cycle This must be completed before or concurrent with a UGB decision.
Within Portland Metro: Cities and counties	Adopt LUEMs by the mid-point (within the first 3 years) of the HPS cycle to support the 6-year housing production target.

Step 2: Urban Growth Boundary amendment, if applicable

If, after evaluating the impacts of any land use efficiency measures and determining the need cannot be reasonably accommodated within the boundary and there remains a deficit of residential land, the next step is to amend the UGB in compliance with ORS 197A.270(5) and Goal 10. Only Metro, the regional government, may amend the Metro UGB. Cities and counties within the Portland Metro boundary do not initiate or adopt UGB amendments.

Because cities of 10,000 or more are no longer required to adopt efficiency measures or a UGB amendment concurrent with their Housing Capacity Analysis (HCA), there is now flexibility for when a city must take action to satisfy an identified residential land need. While the timeline is flexible, the local government (except cities and counties within the Portland Metro boundary) must address the land deficit to comply with Goal 10, Housing. For Metro regional government, a UGB amendment to satisfy an identified need must be complete by the deadlines in ORS 197A.362.

Task 5: Review and Adoption Process

Adopting the Housing Capacity Analysis is a land use decision, and local governments adopt the HCA by ordinance into their Comprehensive Plan. The HCA may be submitted to DLCD in the following ways:

- Submitted as a Post Acknowledgement Plan Amendment (PAPA), or
- Completed as a work task as part of the sequential UGB process. DLCD will consider it in the manner of periodic review.

If the HCA results in insufficient buildable land necessary to meet the 20-year housing need, **cities outside the Portland Metro boundary** must remedy the deficit through:

- Measures to increase efficiency of lands (LUEMs) inside the boundary,
- UGB amendment, or
- Both.

Cities under 10,000 in population cannot adopt their HCA until they have addressed 100 percent of their identified housing needs.

Local governments inside the Portland Metro boundary are not required to resolve a 20-year deficit; instead, they must consider land use efficiency measures to meet their 6-year housing production target.

Chapter 5: Development-Ready Land Inventory

In response to concerns that long-range planning for housing does not address near-term needs, local governments perform a **Development-Ready Land Inventory (DRLI)** to assess readiness conditions and decide where and how to better prepare land for needed housing production. The DRLI ensures that enough land is development-ready in the near-term (i.e. 6- or 8-years) for local governments to meet their housing production targets.

Rules related to a Development-Ready Land Inventory can be found in [OAR 660-008-0180](#) and [008-0185](#).

Who completes a DRLI?	When?
Portland Metro: Counties and cities with over 10,000 people	On a 6-year cycle
Outside Portland Metro: Cities with over 10,000 people Cities and unincorporated communities in Tillamook County	On an 8-year cycle
All other jurisdictions	As desired

Purpose and Outcomes

A Development-Ready Land Inventory assesses how much of a local government's buildable residential land is ready for housing construction, with utilities available, in the near-term to support near-term housing development.

DRLI results describe:

- Near-term availability of land and its available capacity for housing production
- Infrastructure availability and/or limitations
- Provide data that helps cities coordinate HPS actions, including but not limited to infrastructure investments, to facilitate properties being readily-served to produce needed housing.

The integration of land use and public facility maps offers a local jurisdiction a meaningful opportunity to address major barriers to housing production. Limitations and deficits of utility availability and/or capacity can indicate where development may encounter costly challenges, as well as provide local jurisdictions with better information from which to make investment decisions. The results of a Development-Ready Land Inventory inform a local jurisdiction's Housing Production Strategy, honing in on those key actions that will equitably remove barriers and incentivize production of needed housing in the near-term.

*Please note, the BLI and capacity of land in the HCA serves **both** the HPS and a potential UGB amendment (response to a land need), while the DRLI serves **only** the HPS and does not inform a UGB amendment.*

Key Terms

- **Public Facilities** means water, wastewater, stormwater, and transportation facilities that serve a jurisdiction.⁴
- **Near-term** refers to a time period of two years less than a city's Housing Production Strategy cycle (OAR 660-008-0200), either 4 years in Metro or 6 years outside of Metro.⁵
- **Readily-served** means required public facility improvements are abutting a single parcel or group of contiguous parcels under common ownership, such that no oversized facilities or facility extensions greater than 300 feet are required to serve development.⁶
- **Financially committed** projects include those included in a local jurisdiction's adopted capital improvement plan used for budgeting purposes, or a share of projects identified in a public facility master plan, to be delivered within a city's HPS Cycle.⁷

Elements of the Development-Ready Land Inventory

The Development-Ready Land Inventory consists of two elements: the Development-Ready Land Inventory Map and a set of calculations to determine sufficiency of that land to meet a local jurisdiction's housing target within the Housing Production Strategy planning period.

- The Development-Ready Land Inventory map relies on:
 - Buildable land, as inventoried by a local jurisdiction's HCA
 - Public facilities mapping, buffered
 - Areas of capacity constraint
 - Near-term capital projects, mapped
- The Development-Ready Land sufficiency calculation relies on:
 - Comprehensive Plan Designation densities [\(from HCA\)](#)
 - The OHNA Housing Target

⁴ OAR 660-008-0005(44)

⁵ OAR 660-008-0005(35)

⁶ OAR 660-008-0005(45)

⁷ OAR 660-008-0180(1)(B)

NEED TO KNOW

Data Needed

- Buildable land, as determined by [BLI](#)
- Utility maps (water, sewer, streets, stormwater)
- Capital Improvement Plan projects
- Utility capacity constraints
- Natural constraints that may limit capacity of available land
- Capacity assumptions by Comprehensive Plan Designation in the [HCA](#)

Methodology

To complete a Development-Ready Land Inventory (DRLI), the following steps are needed:

Part 1:

1. Begin with Buildable Land as determined in [Chapter 4](#), selecting only buildable land within city limits
2. Overlay public works facility data (water, sanitary sewer, stormwater, streets)
3. Map and overlay capital improvement projects to be completed in the near-term
4. Map and overlay areas with capacity and other constraints
5. Map immediately available Development-Ready Land, as well as land that will be Development-Ready pending infrastructure completion

Part 2:

1. Estimate housing capacity of development-ready land
2. Determine land sufficiency to meet Housing Target
3. Identify strategies to ensure sufficient development-ready land

Part 1: Mapping Development-Ready Land

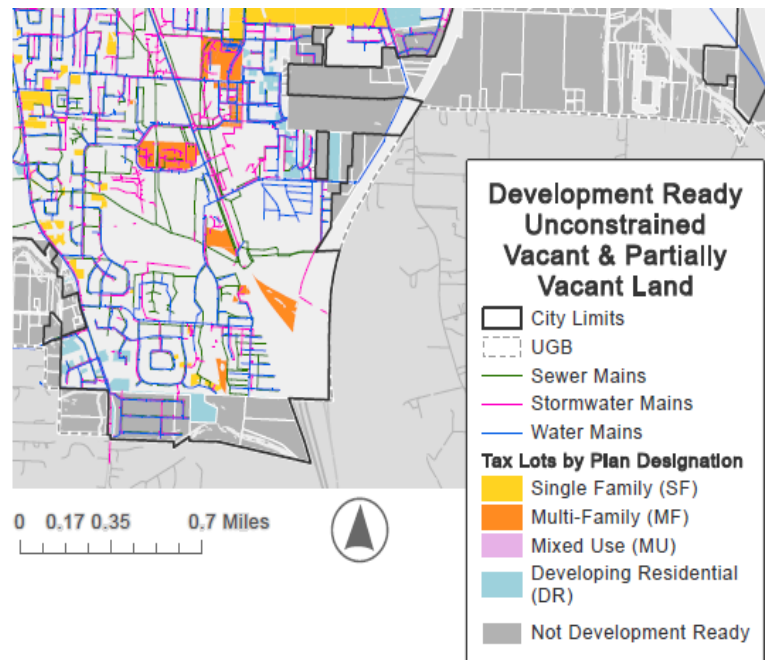
Step 1: Identify Buildable Land within City Limits

Development-readiness categorically is limited to those parcels **within incorporated city limits that are zoned for residential development**.

Start with the results of the Buildable Land Inventory (BLI), which will include capacity on land that is vacant or partially-vacant, zoned for residential use.

Note: The BLI process should have removed much of the land area in a city that is impacted by natural hazards (and therefore considered unavailable for building in the planning period). There will be, however, those parcels partially constrained by limitations or protections for wetlands, riparian areas, and other resources that may limit their availability and/or capacity.

Capacity assumed on land in the Development-Ready Land Inventory maintains consistency with the assumed density of the land's average achieved density, consistent with assumptions from the BLI, by comprehensive plan designation. See below in **Part 2** for more consideration of capacity.



Step 2: Overlay Utility Mapping with Buffer

Overlaying water, sanitary sewer, stormwater, and street maps provide a more accurate picture of “readily-served” land within a jurisdiction that is eligible to be identified as development-ready. As noted [earlier](#), readily-served property is defined as property with utility service within 300 feet. Mapping utilities with a 300-foot buffer provides a rough approximation of service, which then may require some review of unique considerations (such as easements, deferral agreements, and the like) to ensure land is accurately represented.

Step 3: Financially-committed Public Improvements

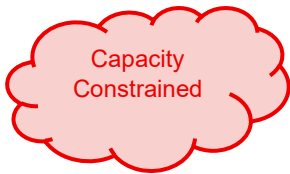
Beyond those properties that are readily-served, an additional layer of financially-committed capital improvements within the near-term provides an opportunity to show land that will be development-ready within the planning period. Projects to be delivered within the near-term (see key terms) will allow additional land to qualify as development-

ready, and/or may enhance ready land's ability to accommodate more development capacity.

Note: Both land that is immediately ready and land that will be ready within the near-term are considered Development-Ready for the purpose of meeting a local jurisdiction's Housing Target. It is required, however, that these two categories of readiness be differentiated on a local jurisdiction's map using colors or other means of notation.

Step 4: Capacity Constrained Areas

There may be areas of the community where service is available, but that service does not provide enough capacity to realize the average achieved density of the comprehensive plan designation for that land. Consider instances where a neighborhood built at lower residential densities is served by an undersized water line. As properties redevelop and achieve higher densities, eventually development will be limited by the undersized service, leading to a misalignment of zoned capacity with actual developable capacity.



Capacity constrained areas must be called out using shading or typical engineering notation to denote the limitation the area experiences. In calculating the development-ready capacity of land in City Limits, a community must discount capacity constrained areas proportionately to the estimated limitation the utility poses. This is further described in the next section.

Part 2: Estimating Capacity and Determining Sufficiency

Step 1: Capacity Estimates

Calculate the acres of Development-Ready land by Comprehensive Plan Designation. Capacity estimates are based on Comprehensive Plan Designation average achieved densities. Provide quantifiable validation if more than 20 percent of the housing production target is assumed to be satisfied by redevelopment.⁸ Capacity is achieved by multiplying the average achieved density by the acreage determined to be development-ready.

Proportionate capacity. Utility sizing can limit the development potential of land, regardless of its allowed density as determined by land use zoning. If an area is zoned to higher density but is constrained by the sizing of a pipe, road, or other public facility, the area must be represented by proportionate (reduced) capacity to represent its actual likelihood of achieving the density assigned in the BLI.

⁸ OAR 660-008-0185(1)(d)

Capacity ought to be itemized by category, such as “immediately available” and “contingent upon infrastructure investment,” consistent with mapping in Part 1.

Step 2: Determination of Sufficiency

Compare overall capacity of land inventoried as development-ready to a local government’s housing production target and subsequent Contextualized Housing Need for the community’s respective cycle length.

This will require calculations of the following:



If the result is greater than 0 = **surplus** of Development-Ready Land

If the result is less than 0 = **deficit** of Development-ready land

Step 3: Strategies to Ensure Sufficient Development-Ready Land

Local governments that identify a deficit of Development-Ready land must remedy their deficiency by taking actions within their [Housing Production Strategy](#). Actions pursued may either:

- Increase the amount of development-ready land, or
- Increase the capacity of existing development-ready land.

A local government may do a combination of both to achieve sufficient Development-Ready land over the Housing Production Strategy (HPS) cycle.

Tracking development-ready parcels in the BLI

Development-ready land is required by rule to be tracked over time. Development-ready land that does not develop within a specific number of Housing Capacity Analysis (HCA) cycles is afforded a safe harbor residential capacity discount, as described in [Chapter 4](#).

Review and adoption process

The Development-Ready Land Inventory (DRLI) is a component of a local government’s Housing Production Strategy and is not a land use decision. DLCD Staff will review a local government’s DRLI and determination of sufficiency as part of the review of that local government’s HPS. Actions taken to respond to a deficit of development-ready

land must demonstrate how those actions will amount to sufficient ⁹near-term OAR 660-008-0005(35) (two years less than the local government's HPS cycle) to reach their housing production target.

⁹ See definition of near-term OAR 660-008-0005(35)

Chapter 6: Housing Production Strategy

Purpose and outcomes

A Housing Production Strategy (HPS) is a local government-wide action plan that must include a list of specific actions that will address the housing needs identified in the Contextualized Housing Need (CHN) analysis. The actions collectively must work towards meeting the local government's allocated housing production target, by affordability bracket, and in a manner which advances fair housing choice.

Oregon Administrative Rules (OAR) related to the Housing Production Strategy can be found in OAR [660-008-0200](#).

Why do we need one?

The HPS creates a clear action plan that allows local governments to ensure that housing needs do not inadvertently go unmet. The HPS helps a local government clarify a vision and policy measures that directly respond to community needs, outlining a practical plan to create meaningful change and achieve the outcomes the community needs.

NUTS & BOLTS

Who is required to complete & when

Local governments update the HPS on a regular cycle:

- Every six years for local governments within Metro
- Every eight years for local governments outside Metro.

Who completes an HPS?	When?
Portland Metro: Counties and cities with over 10,000 people	On a 6-year cycle
Portland Metro: Cities with over 10,000 people Cities and unincorporated communities in Tillamook County requirements	On an 8-year cycle
All other local governments	As desired*

Tasks of the Housing Production Strategy

At minimum, the HPS includes:

- Equitable Engagement, including Tribal Coordination and staff consultation
- Review of past actions
- Actions to meet current and future need
 - New Actions
 - Alternate Actions
 - Delinquent Actions
- Development Ready Lands Inventory

Additional requirements include:

- Safe Harbors (optional actions)
- Minimum standard (required action)

Task 1: Equitable Engagement

Equitable engagement focused on the selection of actions is a required step in the development of a local government's HPS Report. This equitable engagement process is both inclusive of the equitable engagement results that informed the development of the [Contextualized Housing Need](#) as well as feedback from producers of housing.

Producers of needed housing include people and organizations that produce housing, with a particular focus on those that produce housing for people who represent or serve communities of color, low-income communities, individuals with disabilities, and tribal communities including any federally recognized Tribal governments in Oregon. A local government must ensure that these perspectives are meaningfully reflected in the actions in the HPS Report as provided in OAR 660-008-0200(1).

Feedback from the equitable engagement must inform the selection of actions and must be meaningfully incorporated into the final action plan. Equitable engagement ensures that the HPS reflects not only quantitative data, but also the lived experiences of communities most impacted by housing disparities.

As outlined in chapter 3 (Contextualized Housing Need), Coordination with Tribal governments is a distinct and essential component of the equitable engagement requirements too. Local governments must conduct direct, government-to-government coordination and consultation with Tribal governments that have requested notice and the opportunity to coordinate regarding Goal 10: Housing work within the jurisdiction or applicable expansion areas. This work is critical to ensure that the HPS reflects Tribal perspectives and needs and respects Tribal sovereignty. Refer to Appendix 1a and 1b for instructions for how to conduct Tribal Coordination and Consultation.

Role of the department's Equitable Engagement Toolkit

The department's [Equitable Engagement Toolkit](#) provides a structured seven step framework designed to guide practitioners through the engagement process. This resource also includes essential guides and worksheets intended to help implement and document an equitable engagement process. The department recognizes this toolkit as best practice resource for implementing an equitable community engagement program. As such, the following guidance describes how each step of that framework applies specifically to the Housing Production Strategy.

The Equitable Engagement Framework: A Seven-Step Approach

The Equitable Engagement Toolkit is structured around a comprehensive, seven-step framework designed to guide practitioners through the entire engagement process.



Step 1: Prepare

This step is about establishing the internal readiness and clarity needed to carry out equitable engagement in a meaningful way. This includes identifying the priority populations named in OAR 660-008-0200(1) that must be centered in the HPS, regardless of local variation or data availability, and defining how engagement with these communities will inform the actions in the local government's HPS action plan. Key considerations include:

- Identifying the priority populations that must be centered in engagement, as required by rule

- Defining how engagement will inform the HPS actions
- Clarifying roles, decision-making authority, and how community feedback will influence HPS actions; and
- Assessing capacity, resources, and readiness to carry out equitable engagement.

Note: This step is similar to step 1 of the equitable engagement section of Chapter 3 (Contextualized Housing Need) of this guidebook.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 1 “Prepare” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

1 PREPARE	Sections	Essential Guides & Worksheets	Deeper Dive Guides & Worksheets
	1.1 Mindsets, Principles, Power & Decision Making 	1.1A Organization & Personal Self-Assessment Worksheet 	1.1B Self-reflection Worksheet
	1.2 Starting Considerations 		
	1.3 Foundational Practices	1.3A - Example Group Agreements  1.3B Practicing Across Difference 	1.3C - Power & Social Position 1.3D - Understanding & Mitigating Implicit Bias and Stereotyping 1.3E - Navigating Conflict 1.3F - Developing Your Empathic Communication 1.3G - Active Listening Exercises
	1.4 Essential Project Resources	1.4A - Budget Tracking Template 1.4B - 'Do You Need a Consultant?'	
	1.5 Set Engagement Goals	1.5A - Set Engagement Goals 1.5B Checklist of Report Worksheets	

Step 2: Understand Community

In this step, building on the priority populations identified in Step 1, develop a locally specific understanding of how those populations are represented within the community and how housing inequities are experienced. For applicability to the development of the Housing Production Strategy, this means:

-
- Review the demographic diversity findings and the historical and current spatial patterns of segregation, displacement, and exclusion undertaken in step 2 of the equitable engagement section of the Contextualized Housing need
 - Assess the community power dynamics and identify trusted partners to support equitable engagement for the selection of actions
 - Inventory and assess existing equitable engagement to understand if it can be folded into the equitable engagement program for the selection of actions

NUTS & BOLTS

Equitable Engagement Rule Flexibility

The department recognizes that a range of levels of community engagement exists across the state and that engagement fatigue is an important consideration when conducting equitable engagement. As such, 660-008-0075(5)(a) provides an opportunity for a local government to assess its housing related community engagement feedback and decide whether that feedback can sufficiently inform the Contextualized Housing Need requirements and additional equitable engagement would not be appropriate. To make this determination, the following are required:

- Engagement feedback must reflect those from communities of color, low-income communities, and individuals with disabilities;
- Engagement feedback must have been gleaned no more than five years from when a local government embarks on developing its Contextualized Housing Need analysis; and
- Justify why additional equitable engagement would not align with the best practices outlined in the department's Equitable Engagement Toolkit.

If the local government determines that its existing housing-related engagement feedback is comprehensive enough based on the above, the local government may forego additional engagement and rely entirely on existing feedback. In this instance, a local government would reflect its justification for its determination in its CHN final report and not respond to the requirement outlined in OAR 660-008-0075(5)(b).

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 2 “Understand Community” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

2 Understand Community	Sections	Essential Guides & Worksheets	Deeper Dive Guides & Worksheets
	2.1 Identify Underserved Communities 		
	2.2 Evaluate Existing Conditions 	2.2A Past Actions Analysis Results 2.2B Using the Community Explorer 	2.2C Determining Historical & Current Harms Worksheet
	2.3 Community Power Analysis 	2.3A Community Power Analysis Guide  2.3B Identify Power Holders & Communities	

Step 3: Develop Strategy

After getting a good understanding of the community, developing an engagement strategy or approach that is responsive to community context and aligned with the purpose of the HPS is next. Engagement tactics should prioritize and center the communities identified in OAR 660-008-0200(1) and be structured so that feedback can meaningfully shape the selection of actions in the HPS. This means:

- Develop an engagement plan that prioritizes communities identified in OAR 600-008-0200(1)
- Select culturally responsive and appropriate methods (e.g., focus groups, interviews, community led discussions)
- Align engagement methods with key HPS milestones so feedback can inform the selection of actions
- Plan for accessibility, including language access and accommodations, and other supportive strategies to reduce barriers to participation

Additionally, a distinct outreach strategy should be developed for Tribal government coordination. Refer to Appendix 1a and 1b for instructions for how to conduct Tribal Coordination and Consultation.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 3 “Develop Strategy” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

3 Develop Strategy	Sections	Essential Guides & Worksheets
	3.1 Review Engagement Goals & Central Questions 	
	3.2 Scheduling, Budgeting & Resource Allocation 	1.4A - Budget Tracking Template
	3.3 Communication Strategy 	3.3A Accessibility Plan  3.3B Creating English Language Learner Friendly Publications  3.3C Design & Layout Tips 
	3.4 Initiating Engagement 	3.4A Outreach Tracker 
	3.5 Outline Engagement Events & Key Project Milestones 	3.5A Engagement Event & Project Milestone Outline  3.5B In-Person Activities

Step 4: Implement Strategy

In this step, the equitable engagement plan is carried out. Engagement feedback at this stage should gather information that directly informs the selection of actions for the HPS action plan. See [Appendix B: Sample Engagement Questions](#) that support qualitative data collection relevant to the selection of actions as part of the development of the HPS action plan. Review the department’s Equitable Engagement Toolkit to ensure engagement aligns with best practices such as providing supports like interpretation, childcare, transportation, stipends, or accessible formats, where needed and feasible, creating conditions for meaningful participation, conducting engagement with trusted communities and in culturally responsive approaches, and more!

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 4 “Implement Strategy” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

4 Implement Strategy	Sections	Essential Guides & Worksheets
	4.1 Event Planning 	4.1A Event Planning Checklist  4.1B Annotated Event Agenda Template 
	4.2 Planning for Accessibility 	3.3A Accessibility Plan
	4.3 Facilitation Design 	4.3A Facilitator Tips  4.3B Interview Guide 
	4.4 Engagement Materials 	
	4.5 Engagement Documentation 	4.5A Demographic Questionnaire  4.5B Engagement Documentation Matrix 
	4.6 Improving on Your Plan & Process	4.6A Event Debrief - Facilitator Guide

Step 5: Analyze Results

In this step, organize and synthesize feedback gathered through equitable engagement so that it can directly inform the selection of actions. This will entail:

- Identifying key themes and patterns from engagement feedback;
- Connecting qualitative findings to quantitative data and observed housing disparities;
- Highlighting differences in housing needs and experiences across communities; and
- Translating engagement results into findings that shape the selection of actions.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 5 “Analyze Results” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

5 Analyze Results	Sections	Essential Guides & Worksheets	Deeper Dive Guides & Worksheets
	5.1 Participation Data 		
	5.2 Community Engagement Results 		
	5.3 Developing Summaries 	5.3A Participation Data Worksheet  4.5B Engagement Documentation Matrix 	5.3B Data Analysis Considerations in Community Engagement 5.3C - Root Cause Analysis

Step 6: Apply Results

In this step, the feedback obtained and organized in the previous step is applied to concrete actions in the HPS action plan that are responsive to community-identified needs.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 6 “Apply Results” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

6 Apply Results	Sections	Essential Guides & Worksheets
	6.1 Applying Results for Equitable Decision-Making	
	6.2 Equity Analysis – Benefits & Burdens	6.2 Benefits & Burdens Worksheet
	6.3 Equity Analysis - Equity Performance Measures	6.3 Equity Performance Measures
	6.4 Operationalize Findings	6.4 Operationalize Findings Worksheet

Step 7: Develop Reports

In this step, engagement efforts should be documented and show how engagement feedback informed the selection of actions in the HPS action plan, consistent with OAR 660-008-0200(1). This will require that a local government prepare an Engagement Summary as part of the HPS Report as either a chapter or appendix item that includes:

- A list and description of who was engaged with special attention to naming the producers of needed housing, and particularly those who represent or serve priority populations including communities of color, low-income communities, individuals with disabilities, and tribal communities including tribal governments (OAR 660-008-0200(1)(c)(A);
- Notice to all tribal governments that demonstrate government to government consultation and staff coordination and any follow up communication, consultation, and coordination as requested by the Tribal government (OAR 660-008-0200(1)(c)(B);

- A description of how and why interested parties were engaged, the engagement methods used, and a list of each engagement activity (OAR 660-008-0200(1)(c)(C);
- A summary of the key themes and findings (OAR 660-008-0200(1)(c)(D); and
- A summary that outlines the local government’s reflection on how to improve equitable engagement practices for future HPS efforts.

DEEP DIVE

Equitable Engagement Toolkit Highlights

Chapter 7 “Develop Reports” of the Equitable Engagement Toolkit contains a breadth of guidance and resources to support this step. Don’t forget to check out the guides and worksheets!

7 Develop Reports	Sections	Essential Guides & Worksheets
	7.1 Reporting 	
	7.2 State Required Reporting 	
	7.3 General Reporting Considerations 	7.3A Considerations for Reporting Back Results  1.5A Checklist of Report Worksheets 
	7.4 Evaluating Equitable Engagement Efforts 	7.4A Tools & Methodologies for Evaluation  7.4B Engagement Evaluation Worksheet 
	7.5 Developing a Case Study	7.5A Case Study Template
	7.6 Continuity of Engagement	7.6A Strategies for Maintaining Ongoing Community Engagement

Task 2: Review of Past Actions: Pre-HPS Survey

This task involves reviewing and inventorying all actions, including actions taken to comply with state housing law, a local government has already implemented to address housing needs and remedy or mitigate fair housing issue(s). This is intended to help a local government understand the housing planning work to date, assess whether

existing actions are addressing housing needs or should be modified, and identify the gaps that could inform action work in the final action plan included in the HPS Report.

If the HPS Report is the first produced, a local government will begin by reviewing its mostly recently completed and submitted Pre-HPS Survey. For the first and all subsequent cycles, a local government must reflect on how well each action is helping to create new housing units with the right characteristics and in the locations as needed and determined in the Contextualized Housing Need. A local government will need to refer to the state's [housing production dashboard](#) and the [housing equity indicator dashboard](#), using that data to support its response regarding whether – and how – the action is contributing to housing production, affordability, and choice.

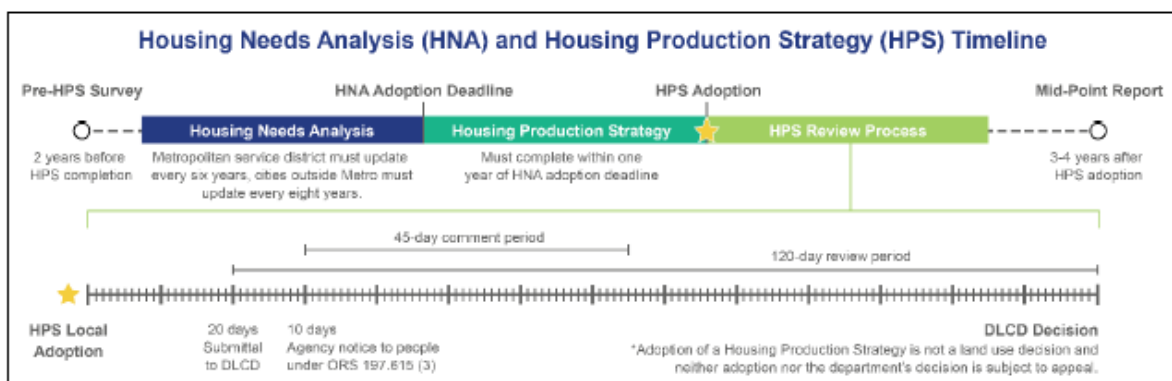
A local government will then need to include a summary of this review and reflection as a chapter or as an appendix element in the final HPS Report. Any highlighted lessons or barriers that inform possible new actions should be captured to support the next step of building a list of candidate actions.

NEED TO KNOW

Pre-HPS Survey

What is a Pre-HPS Survey? It is a running list of housing actions the local government is taking or has already taken to facilitate housing production, affordability, and choice, ahead of formally developing and adopting its Housing Production Strategy Report.

What is the timeline for completing the Pre-HPS Survey? Oregon Revised Statute 197A.115 requires a local government to complete and submit the Pre-HPS Survey to the department 24 months (or 2 years) prior to finalizing the HPS report.



What is the completion method? A local government completes the Pre-HPS Survey through the department's Housing Portal. For step-by-step instructions for how to complete and submit a Pre-HPS Survey, contact the department.

Task 3: Build a List of Candidate Actions and Refine

This task involves creating a preliminary list of candidate actions building from step 2 (review of past actions) that address each of the local government's needed housing types, characteristics, and locations and to mitigate the fair housing issues that were identified in the Contextualized Housing Need. The list must include a responsive action for each housing need identified in the CHN, for example if accessible housing is needed in the community, the action list should include at least on action that will support the development of accessible housing. If a local government has determined that land use efficiency measures (LUEMs) are required, they must also be recorded in the HPS action list. Any delinquent action from the previous HPS cycle must also be recorded on the list.

To support this task, local governments can start by using the department's HPS Menu of Actions 2.0. Using the filtering functionality built into the HPS Menu 2.0, a local government will be able to refine the list of actions outlined in the HPS Menu of Actions 2.0 based each identified housing need and on how well they can support fair housing choice.

RESOURCE

HPS Menu of Actions 2.0

What is the department's HPS Menu of Actions 2.0? This resource is a list of promising actions that are sortable by category, mechanism, and relationship to needed housing types, characteristics, and locations.

Other HPS Menu 2.0 highlights:

- HPS Menu 2.0 How to Guide
- Adoption Ready Action Sheets

Once the local government has a narrowed preliminary list of candidate actions (informed by the review of past actions and HPS Menu of Actions 2.0) it can begin to obtain feedback from interested parties identified in the equitable engagement plan. To that end, it could be beneficial for the local government to consider co-developing a screening rubric with interested parties that score actions. An example rubric using a points system is:

- Impact on addressing production of needed housing types as outlined in the Contextualized Housing Need analysis [insert housing type(s)] (low =2 / medium = 4 / high = 6)
- Impact on addressing needed housing characteristic as outlined in the Contextualized Housing Need analysis (low =2 / medium = 4 / high = 6)
- Impact on addressing needed housing locations as outlined in the Contextualized Housing Need analysis (low =2 / medium = 4 / high = 6)

- Impact on addressing fair housing issues as outlined in the Contextualized Housing Need analysis [insert fair housing issue area(s)] (low =2 / medium = 4 / high = 6)
- Feasibility (staffing, budget, political viability)
- Co-benefits (climate, transportation, etc.)
- Equity Impact (maximizes benefits and minimizes burdens to communities of color, low-income communities, individuals with disabilities, and tribal communities)

Local government staff can engage with interested parties in discussions based on the scoring results as a means of refining the preliminary list of candidate actions and co-shaping the selection of actions for the local government's final HPS action plan. Refer to step 1 for prompt questions that could be considered as part of the equitable engagement process for the action selection phase of the development of HPS Report.

NEED TO KNOW

Actions vs Exploratory Work

As a local government builds out a draft list of actions to bring forward to interested parties, it is important to understand the rule criteria that the department must apply to each action when the HPS is under review. Guidelines and key details for fully developing action sheets may be found in [Task 4](#). When drafting and discussing the preliminary action list the local government and interested parties should understand what constitutes exploratory work and what rises to the level of an action under OAR.

OAR 660-008-0005(2) provides the following definition for an action:

*“Action” means a specific policy, code, program, investment, administrative measure, advocacy effort, or other tool, in alignment with ORS 197A.100(3) and (4), including land use efficiency measures, **by which a city commits to adoption and implementation.** Actions in a housing production strategy may include:*

- (a) Exploratory work as an initial critical step in order to refine, adopt and implement an action; or*
- (b) Substantial expansion of existing programming that has proven to meet the city's needed housing types, characteristics, or locations; or remedy or mitigate fair housing issues.*

What does this mean? Ultimately, it means that all actions must be committal in nature and not simply exploratory.

Exploratory work is defined in OAR 660-008-0005(18) as follows:

“Exploratory work” means studies, research, and other planning analyses intended to inform a city’s housing production strategy planning work, but which are noncommittal in nature and do not on their own meet the definition of an action. Exploratory work may be a subtask of an action to further refine an action. Exploratory work may be included in an HPS and planned independently of a specific action, such as to inform future HPSs, however, the department will not consider that work to function as an action that meets housing need in the current HPS cycle.

Exploratory work is often critical in the development of an action, but activities such as studies, program evaluations, and feasibility tests do not – on their own – satisfy the criteria. As the draft actions are developed, all parties should be clear that each must include a commitment to *action* - not simply to evaluation. Terminology such as “may”, “consider”, “evaluate” or other non-committal language is unacceptable.

Note: In acknowledgement of dynamic local conditions, the midpoint report provides an opportunity for reflection on the implementation of actions in an HPS. It also offers the opportunity to request a replacement action where a planned action is proving infeasible. Exploratory work can, in some cases, serve as the basis for the selection of a replacement action. For details refer to the [midpoint report](#).

Benefits and Burdens Analysis to support action selection

Oregon Administrative Rule (OAR) [660-008-0200\(2\)\(b\)\(L\)](#) requires local governments to conduct a Benefits and Burdens Analysis as part of the action selection process. This analysis is intended to help jurisdictions understand how each potential action may positively or negatively affect key population groups, and to guide refinements that maximize benefits and minimize potential harms. The rule identifies the following priority groups for consideration:

- Low-income communities,
- Communities of color,
- Individuals with disabilities, and
- Tribal communities.

The rule does not preclude a local government from considering the impacts to other communities as relevant to the local context.

The Benefits and Burdens Analysis provides a structured way to evaluate both the positive outcomes (benefits) and the potential unintended consequences (burdens) associated with each action under consideration. This review may be qualitative and can be documented through narrative descriptions, drawing from equitable engagement activities, staff expertise, and community-identified priorities or concerns. The goal is to

ensure that selected actions advance equitable housing outcomes and do not create disproportionate impacts on communities already experiencing barriers to housing access, affordability, or stability.

RESOURCE

Benefits and Burdens Analysis: Guiding Questions

Local governments may use the following guiding questions as part of engagement activities, workshops, interviews, and internal evaluations during the action selection phase. These questions help illuminate how different groups may experience an action and support thoughtful refinements to improve equity outcomes.

- Who is most likely to **benefit** from this action, generally?
 - Are there companion actions that can be paired with the action to maximize the positive impact, particularly for communities of color, low-income communities, individuals with disabilities, or tribal communities?
- Who is most likely to experience **burdens or negative impacts** from this action, generally?
 - Do any identified burdens fall on **communities of color, low-income communities, individuals with disabilities, or tribal communities**?
 - What are the differences or nuances in how these groups may experience these burdens?
 - How could these burdens be **prevented, reduced, or mitigated**?
 - Are there companion actions that can be paired with the action to mitigate the negative impact?
- Do the **benefits** of the action reach the priority population groups listed above?
 - If not, how could benefits be **expanded, strengthened, or more equitably distributed**?
- What **unintended consequences** could arise from this action?
 - How will the local government identify, monitor, and address these consequences if they emerge during implementation?

Optional Safe Harbors to Implement Specific Land Use Efficiency Measure Actions

Oregon Administrative Rule (OAR) [660-008-0200](#)(3) provides a set of safe harbors that a local government may select to implement land use efficiency measure actions that address specific housing needs when selecting actions for its HPS action plan.

OAR [660-008-0005](#)(47) defines a safe harbor to mean an optional course of action that a local government may use to satisfy a requirement of Goal 10. Use of a safe harbor prescribed in this division will satisfy the requirement for which it is prescribed. A safe

harbor is not the only way or necessarily the preferred way to comply with a requirement and it is not intended to interpret the requirement for any purpose other than applying a safe harbor within this division.

The land use efficiency measure action safe harbors are optional pathways for meeting the following housing needs:

- Housing Unit Type: Middle housing need
- Housing Unit Type: Multi-unit housing need
- Accessible Housing
- Adaptable Housing
- Affordable Housing

To utilize this option, the local government will identify in the HPS the specific safe harbor that it intends to use. This will be recorded in the action description template, adopted at the local level, and submitted to DLCD along with the full HPS report. Like all other actions, the selected safe harbor will be reviewed at the midpoint.

AT-A-GLANCE

Safe Harbors in the HPS

Need	Size of Jurisdiction	Action
Middle Housing Need	10,000 to 24,999	Include an action to adopt the middle housing model ordinances for medium cities or comparable development on all buildable residential land in zones subject to middle housing requirements.
	25,000 or greater	Include an action to adopt the middle housing model ordinances for large cities or comparable land use regulations. Those model ordinances must be applied to both the following in zones subject to middle housing requirements: (i) At least 50 percent of buildable residential land

		AND (ii) 100 percent of development-ready land <i>To use this safe harbor, a local government must include the locational analyses outlined in OAR.</i>
Multi-Unit Need	10,000 or greater	Include an action to adopt the multi-unit model ordinance appropriate for the city size, or development standards that are not more restrictive on: (i) At least 50 percent of buildable residential land; and (ii) 100 percent of development-ready land. <i>To use this safe harbor, a local government must include the locational analyses outlined in OAR.</i>
Affordable Housing Need	10,000 or greater	Include an action to adopt the model ordinances for multi-unit and middle housing types to incentivize affordable housing.
Accessible Housing Need	10,000 or greater	Include an action to adopt the model ordinances for all housing types to incentivize accessible housing.
Adaptable Housing Need		Include an action to adopt the model ordinances for all housing types to incentivize adaptable housing.

Land use efficiency measure actions to meet middle housing need

Allowing and promoting middle housing is a demonstrably high-impact policy intervention to produce more and a greater diversity of housing units at different price points.

A local government can choose to take the following safe harbors, depending on population size, to satisfy its middle housing type needs identified in its Contextualized Housing Need:

- For medium sized local governments with populations of 10,000 to 24,999, the safe harbor would be to include an action in the local government's HPS Report that commits to adopting the department's medium city model code ordinance for middle housing development types or comparable development standards as provided in OAR 660-008-0425 on all residentially designated land zoned for middle housing as provided in OAR 660-046-0105.
- For large sized local governments with population of 25,000 or greater, the safe harbor would be to include an action in the local government's HPS Report that commits to adopting the department's large city model code ordinances for middle housing development types or comparable development standards as provided in OAR 660-008-0425. At minimum, the middle housing model code must be applied to residentially designated land zoned for middle housing as follows:
 - At least 50% of buildable residential land with residential zones subject to middle housing requirements and;
 - At least 100% of development-ready land with residential zones subject to middle housing requirements.

Land use efficiency measure actions to meet multi-unit housing need

Multi-unit housing is critical to meeting Oregon's significant housing needs. Not only does it allow efficient development and relative natural affordability, but this housing type also unlocks key funding mechanisms which are necessary to meet housing need at the lower end of AMI which the market will not produce.

A local government can choose to take the following safe harbors, depending on population size, to satisfy its multi-unit housing type needs identified in its Contextualized Housing Need:

- For local governments with populations of less than 2,500, the safe harbor would be to include an action in the local government's HPS report that commits to adopting the department's small city multi-unit code or development standards that are demonstrably comparable or no more restrictive than the department's multi-unit code.
 - Refer to Chapter 6 beginning on page 38.
- For local governments with populations of 2,500 to 24,999, the safe harbor would be to include an action in the local government's HPS report that commits to adopting the department's medium city multi-unit code or development standards that are demonstrably comparable or no more restrictive than the department's multi-unit code.
 - Refer to Chapter 6 beginning on page 41.

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- For local governments with population of 25,000 or greater, the safe harbor would be to include an action in the local government's HPS report that commits to adopting the department's large city multi-unit code or development standards that are demonstrably comparable or no more restrictive than the department's multi-unit code.
 - Refer to Chapter 6 beginning on page 41.

NEED TO KNOW

Safe harbors: Land use efficiency measure actions to meet middle housing and multi-unit housing needs

- While a local government might elect to take some or all of the land use efficiency measure action safe harbors to achieve compliance with required land use efficiency measure actions, local governments remain obligated to select and implement other kinds of actions that respond to the entirety of housing needs identified in the Contextualized Housing Need analysis.
- OAR 660-008-0200(3)(b) and (c) require that a local government use the fair housing issue area analysis and locational need conclusions from their Contextualized Housing Need to determine which lands to include or exclude when applying these codes and standards. A local government must clearly describe how the locational choices in applying this rule affirmatively further fair housing and do not exacerbate or create new fair housing issues.

This means that if the local government elects these safe harbors, the respective action descriptions must provide justification for included and excluded lands from the areas where the standards are applied.

Land use efficiency measure actions to meet affordable and accessible housing needs

Production of affordable and accessible housing faces significant barriers, and the result is a dire shortage of these housing characteristics in most, if not all, communities across the state.

A local government can choose to take the following safe harbors, depending on population size, to satisfy its obligation to take land use efficiency measures to meet affordable and accessible housing characteristic needs identified in its Contextualized Housing Need:

- Include an action in the local government's HPS report that commits to adopting the department's multi-unit and middle housing types model code ordinances to incentivize affordable housing relevant to its population size.

-
- Include an action in the local government's HPS report that commits to adopting the department's model code ordinances for all housing types to incentive accessible housing relevant to population size.
 - Include an action in the local government's HPS report that commits to adopting the department's model code ordinances for all housing types to incentives adaptable housing relevant to population size.

Note: Taking these safe harbors ensures the local government will satisfy its obligation to take land use efficiency measures to meet these housing needs, but the obligation of the Housing Production Strategy is to take housing actions that are both land use efficiency measures and non-land use efficiency measures. A local government will likely need to take non-land use efficiency measure actions in addition to the above land use efficiency measure actions to meet its community's accessible, adaptable, and affordable housing needs.

NEED TO KNOW

Required Action for Local Governments with Minimum Density Standards: Update Development Code to Allow Bedroom-Based Minimum Density Calculation for Affordable Housing

OAR 660-008-0200(4) requires that any local government with minimum density standards (and that must develop an HPS) allow housing developments serving households at 0-30%, 31-60%, or 61-80% AMI to satisfy minimum density by bedroom count rather than by unit count. This development code update satisfies compliance with the requirement to take land use efficiency measure action to respond to the need for a density of unit sizes under this administrative rule.

How can it be implemented? Revise the development code to allow bedroom-based density calculations specifically for projects with units reserved at 0-30%, 31-60%, and 61-80% AMI. Local governments will need to:

- Add a definition: "unit equivalent = number of bedrooms"
- In the density section add: "For qualifying projects, lot density can be calculated by dividing total bedrooms by minimum density standard." The following is an example scenario of bedroom-based minimum density calculation for Affordable Housing
 - Minimum density: 24 units per acre
 - Parcel size: 0.25 acres

	General development	Development serving 0-30%, 31-60%, or 61-80% AMI
Minimum density	6 units	6 units or 6 bedrooms
Number of units in development	8 units	2 units
Number of bedrooms in development	Unknown, could be: 1 bedroom per unit Total: 8 bedrooms	Unit A: 3 bedrooms Unit B: 4 bedrooms Total: 7 bedrooms
Compliance summary	8 units is greater than the 6-unit minimum	7 bedrooms is greater than the 6-bedroom minimum

The requirement for a bedroom-based minimum density calculation will apply only:

- To affordable housing developments,
- Where minimum density (not maximum density) is applied,
- When density is measured in dwelling units per acre (not floor area ratio), and
- As an option to the applicant, not a requirement.

Eligibility for Mixed Income Developments

To calculate density in mixed-income development, local governments may apply the selected equivalency to qualifying units within the building. It is important to note that, in this circumstance, only units affordable to households with 0-30%, 31-60%, or 61-80% of the area median income may use the bedroom equivalency, while other units are counted as one dwelling unit regardless of size.

Implementation considerations for this action:

- Update application forms to include the bedroom-based minimum density calculation option for affordable housing projects.
- Train staff to recognize eligible affordable housing projects.
- Track the number of qualifying projects using bedroom-based calculations for monitoring purposes.

RESOURCE

State Resources and Tools

Does the state have other resources and tools available to support the selection of actions? Yes! The state enterprise has developed and will continue to develop resources and tools aimed to support local government efforts towards increased housing production, affordability, and choice. The following

- [The Department of Land Conservation and Development's Housing Model Development Code for Small Cities](#)
- [The Department of Land Conservation and Development's Housing Model Development Code for Medium Cities](#)
- [The Department of Land Conservation and Development's Housing Model Development Code for Large Cities](#)
- [The Department of Consumer and Business Service's Building Codes Division Permit Ready Plans](#)

Task 4: Draft HPS Action Plan

Once a local government has refined its list of selected actions for its HPS that are responsive to the collective housing needs and identified fair housing issues from its Contextualized Housing Need analysis, the next step is to convert those ideas into Action Sheets. Action Sheets serve as the backbone of an HPS Action: they translate policy concepts into clear, implementable, accountable work programs.

It will be important for local governments to refer to OAR 660-008-0200(2) to ensure all required elements outlined in this administrative rule are included on all Action Sheets. All Required and optional elements, including a short description and important notes, are highlighted in the following table:

Required Elements for Action Sheets	Description / Notes
Action title and description	OAR 660-008-0005(2) provides the following definition for an action: <i>“Action” means a specific policy, code, program, investment, administrative measure, advocacy effort, or other tool, in alignment with ORS 197A.100(3) and (4), including land use efficiency measures, by which a city commits to adoption and implementation. Actions in a housing production strategy may include:</i> <i>(a) Exploratory work as an initial critical step in order to refine, adopt and implement an action; or</i> <i>(b) Substantial expansion of existing programming that has proven to meet the city’s needed housing types, characteristics, or locations; or remedy or mitigate fair housing issues.</i> While the action title and description do not have to be reflected as listed on the HPS Menu of Actions, language used must reflect a specific policy, code, program, investment, administrative measure, etc., and be committal in nature. Please find information about exploratory work on page 160.
Action adoption or completion timeline	Some actions require formal adoption because they involve a policy or legislative change that must go through a land use process (e.g., ordinances, regulations, code amendments, etc.), while others are administrative or programmatic (partnerships, financial incentives, etc.) and therefore proceed directly to implementation. Accordingly, each action must include either an adoption deadline or a completion deadline, as applicable.

	The adoption or completion timeline can be reflected as a year, and it must be within the local government's 6- or 8-year cycle for the HPS Report. See page 159 for an example timeline.
Action implementation timeline	The action implementation timeline is distinct from the action adoption/completion timeline because it is referring to the period following adoption/completion. More specifically, it is the timeline for when the action is available to be carried out and operationalized. The implementation timeline can be reflected as a year, and it must be within the local government's 6- or 8-year cycle for the HPS report. Local governments must additionally consider how the sequencing of the actions in the HPS impact the efficacy of the actions, and particularly how they may be arranged to maximize benefits and minimize burdens for communities of color, low-income communities, individuals with disabilities, and tribal communities.
Time frame for when the selected action will begin to meet the housing needs it is intended to address	This estimated time frame identifies when the action is expected to produce measurable progress or tangible impacts toward addressing housing needs, such as increasing housing production supply, improving affordability, or reducing disparities. This time frame is distinct from the action adoption/completion and implementation timelines although it may overlap or align with the implementation timeline depending on the action type.

	This time frame can be reflected as “timeline of impact” and multiple years within the local government’s 6- or 8-year cycle for the HPS report.
Critical implementation steps, including identification of relevant staff, departments, or other interested parties and partners needed to implement the action	Implementation steps must clearly describe how the action will be executed in practice, what key tasks will be undertaken, identify the sequence of activities, responsible parties, and any critical milestones needed to move the action from adoption or initiation through execution.
The action’s magnitude of impact	Each action must include an estimate of its anticipated magnitude of impact on the development of needed housing over the six- or eight-year housing production target horizon. Local governments can use a qualitative scale (low, medium, high). A quantitative scale that considers the number of housing units produced should be included whenever possible.
Identification of the housing need the action is responding to in terms of the needed housing types as identified by the contextualized housing need conclusion	Each action must respond to a housing need or needs identified in the local government’s Contextualized Housing Need analysis.
Identification of the housing need the action is responding to in terms of the needed housing characteristics as identified by the contextualized housing need conclusion	It is possible that a single action can address multiple housing needs if tailored accordingly.
Identification of the housing need the action is responding to in terms of the needed housing locations as identified by the contextualized housing need conclusion	It is important to reflect the tenure and affordability bracket the action is responding to very specifically. For example, for tenure that would mean rental and ownership types and for affordability bracket it would mean 0-30% AMI, 31-60% AMI, 61-80%AMI, and 80%+ AMI.

Identification of the fair housing issues the action is responding to in terms of the needed housing locations as identified by the contextualized housing need conclusion	
Identification number from the department's HPS Menu of Actions	A local government must select actions from the department's HPS Menu of Actions. However, local governments are not precluded from including actions not listed on the HPS Menu of Actions. For any action not listed in the HPS Menu of Actions that a local government wishes to include in its HPS action plan, the local government must provide an explanation as to how the action will address the identified housing needs and fair housing issues as effectively as or more effectively than relevant actions from the HPS Menu of Actions.
Land use efficiency measure identification, if applicable	If a local government's housing capacity analysis finds a residential land deficiency, it must respond to that deficiency through an action or actions in its HPS Report. In this case, the local government should identify if any of the actions in the HPS are included to address this land deficiency need.
Development ready land inventory identification, if applicable	If a local government's development ready land inventory finds a development ready land deficiency, it must respond to that deficiency through an action or actions in its HPS Report. In this case, the local government should identify if any of the selected actions in the HPS are included to address this development ready land deficiency need.
Major engagement feedback theme the action is responding to	The Contextualized Housing Need requires equitable engagement to ground-truth the 20-year-period needed housing

	and 6- or 8-year production targets. All major feedback from the equitable engagement should inform actions in an HPS. Accordingly, actions should describe how they are responsive to engagement feedback.
Description of how this action will strengthen benefits and reduce burdens for the key population groups: low-income communities, communities of color, individuals with disabilities, and tribal communities	The action sheet should clearly articulate how the action strengthens benefits to each key population group, including articulating nuances, if any. Additionally, the action sheet should clearly articulate if the action will or could create or perpetuate burdens for each of the key population groups, including articulating nuances, if any. It is possible that if actions that are tailored to ensure benefits are maximized to the key population groups, it might not result in burdens for these population groups. Articulating this on the action sheet is critical. It is also possible that there will be actions that do not have anticipated burdens for these key population groups, and this should also be clearly articulated in the action sheet.
Identification of any other action(s) in the HPS that is intended to complement the action in an effort to strengthen benefits or mitigate burdens for key population groups: low-income communities, communities of color, individuals with disabilities, and tribal communities	It is possible that certain actions could be mitigating measures for identified burdens from the benefits and burdens analysis. It is also possible that certain actions could be included to further strengthen benefits of actions for key population groups. In either case, the local government should ensure this is well articulated in relevant action sheets.
A description of how the city will assess and track the results of the action	A concise description or a list of measurable indicators (e.g., units permitted, timelines, budgets spent, etc.) should be included in an action sheet.

Safe harbor identification	If a local government selects safe harbor land use efficiency measure actions to include in their HPS report to satisfy relevant housing needs, it must identify that in the action plan.
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NEED TO KNOW

Delinquent Actions

Delinquent actions are those that were not completed in the previous cycle as outlined in the prior HPS Report and were not eligible for replacement actions or timeline extensions from the department at the midpoint.

Delinquent actions must be included in the current HPS and must include an action sheet that reflects all the required elements as noted above.

Important note: The adoption and implementation year for delinquent actions must be prior to the local government's midpoint report due date.

RESOURCE

Action Description Templates

The department has developed template action descriptions for local governments to consider for this step. See the action description templates in Appendix A.3.

Optional Elements for Action Sheets	Description / Notes
Alternate Action title and description	A local government may choose to include “alternate actions” to primary actions in their HPS report. These alternate actions are secondary to the relevant primary actions included in the HPS report. Including these alternate actions enables a local government to switch to implementing the secondary action should the local government find that the primary action will not be feasible during implementation and eliminates the need to submit a request to replace the primary action at the midpoint report period. If a local government chooses to include an alternate action, the local government should ensure the action sheets reflect the required elements it includes for the primary action. Those elements include: • Action title and clear description • Clear identification of the action category and numbering from the departments HPS Menu of Actions • Clear description of how the action will be executed in practice, what key tasks will be undertaken, identify the sequence of activities, responsible parties, and any critical milestones needed to move the action from adoption or initiation through execution. • Reflect the same adoption/completion and implementation timelines listed for the primary action • A concise description or a list of measurable indicators (e.g., units permitted, timelines reduced, budgets spent, etc.) should be included in an action sheet. • A description of how the alternate action is commensurate in addressing the identified housing needs as the primary action.
Identification number from the department’s HPS Menu of Actions	
Critical implementation steps, including identification of relevant staff, departments, or other interested parties and partners needed to implement the action	
A description of how the city will assess and track the results of the action	
Description of how the alternate action is commensurate with the primary action	

Task 5: HPS Adoption, Submission, and Review Process

Once a local government has developed a final adoption ready HPS Report, the local government is required to adopt it at the local level.

As provided in [OAR 660-008-0215](#), the local government must submit the locally adopted HPS Report to the department no later than 20 business days after the local adoption hearing. Submission to the department is through the HPS Submission Form.

RESOURCE

Review DLCD's HPS Report Submission Instruction Sheet!

The department is developing a resource that provides step by step instructions for how a local government can submit their locally adopted HPS Report into the department.

Important Flags:

- The local government must upload its locally adopted Contextualized Housing Need, Housing Capacity Analysis, and HPS Report
- The local government must upload proof of local adoption. This can be met by uploading the signed resolution that confirms local adoption and relevant date.

On the same day the local government submits its locally adopted HPS Report to the department, the local government must provide notification of their submission to all persons and interested parties that participated in the engagement activities leading up to local adoption, including at the local adoption decision meeting. This requirement is outlined in OAR 660-008-0215(2).

DLCD's Review Process

Upon receipt of the local government's locally adopted HPS Report through the HPS Submission Form, the department kicks off a process as outlined in the following table.

Timeframe	Actions
Within 10 days of receiving the local government's locally adopted HPS Report	• The department publishes a Public Notice through its GovDelivery System to raise awareness of the department's receipt of the local HPS Report submission. • The public notice initiates two important processes including a 45-day public comment period on the submitted HPS Report and the department's 120-day review and decision period. The exact timelines are outlined in the public notice. • The department will share the public notice and timelines with the local government.
Following the 45-day public comment period	• Soon after the close of the public comment period, usually the day after, the department will notify the local government that the public comment period was closed and provide any comments received to local government staff. • At this time, the department will continue to make progress on its review.
By the 120-day department decision deadline	• By the 120-day decision timeline outlined in the public notice, the department will issue a decision on the local government's submitted HPS Report. • The final decision on an HPS Report is held with the department. It is not a land use decision and not eligible for public appeal. The department has three decision options: 1) approve the HPS Report, 2) approve the HPS Report with conditions of approval, or 3) Remand the HPS Report for further modifications as identified by the department.

HPS Midpoint Report

The critical check-in point for HPS implementation is known as the midpoint report. As established by OAR 660-008-0230, this report is submitted to DLCD by December 31st, **three years** after the adoption of an HPS by a local government within Metro or **four years** after the adoption of an HPS by a local government outside of Metro.

The midpoint report must summarize the HPS actions implemented by the local government since the last midpoint report. This means it will include actions from both the second half of the previous HPS cycle as well as the first half of the current HPS. This summary should include the name of the action as listed in the HPS, the scheduled completion date, the actual completion date, and any supporting documentation of completion, such as a signed resolution or a PAPA number.

If no fair housing issues were identified in the most recent contextualized housing need, the midpoint report must also include a description of the ongoing monitoring of any fair housing issues. The description must include a thorough analysis of each fair housing issue area as described in the [Chapter 3](#), as well as a detailed plan for continued scrutiny in coming HPS cycles.

The midpoint report is also an important opportunity to report on any actions which have not been completed as scheduled. The local government may describe any barriers to implementation of the actions, including information about the conditions, circumstances, or factors that affected the planned process or otherwise impeded action completion. The midpoint report under OAR 660-008-0230(4) provides an opportunity for a local government to request one of two adjustments for any or all late actions.

- Request an extension for good cause of any late action that includes a new implementation date within the second half of the current HPS cycle
- Request a **replacement action**. The replacement must have an implementation date within the second half of the HPS cycle, and include:
 - a demonstration that the replacement action will address the same identified housing need as the original action,
 - a demonstration that the replacement action will have an equivalent or greater impact as the original action,
 - a resolution of support from the local government, and
 - a notice to all parties who participated in the development and adoption of the HPS

This guidebook appends a midpoint report template which a local government may use to provide the required information to the department. A local government will submit the HPS Midpoint Report form via the Housing Portal. This will allow for consistent tracking and simplify the comparison between the original HPS actions which were intended to be completed and what was actually completed.

Upon submission of the midpoint report, the department will provide notice to anyone who requested notice through the GovDelivery system. The department will review the report for consistency with the adopted HPS, as well as evaluate any requests for timeline extensions and replacement actions.

By May 1 of the year following the midpoint report deadline, the department will issue a midpoint review letter. If the department finds that the report is insufficient or rejects the request for a timeline extension or replacement action, then the department may refer the local government to the Housing Acceleration program, per OAR 660-008-0315 (see [Chapter 8](#)).

Chapter 7: Housing Coordination Strategy (Metro Only)

Purpose and outcomes

A Housing Coordination Strategy (HCS) is a state-required regional action plan that Metro must develop and adopt under Oregon Revised Statute (ORS) 197A.365. It is similar in structure to a local Housing Production Strategy (HPS) but focuses on regional actions that Metro can take to support and coordinate local housing efforts. The HCS must list actions -- including policies, programs, or coordinated efforts -- that Metro will undertake to promote housing production, affordability, and choice across the communities in the Metro region.

Why do we need one?

The Oregon Housing Needs Analysis (OHNA) policy recognizes that housing production, affordability, and choice cannot be addressed comprehensively by individual cities acting alone – it requires responsibility at all levels of government. Regional coordination is essential to increase housing supply, overcome shared constraints, and meaningfully address barriers that affect multiple local governments within the region. The HCS provides a framework for Metro to:

- Identify and mobilize regional resources, such as funding, staff capacity, and technical support, that can help local governments produce needed housing.
- Identify financial, regulatory, market, and capacity-related impediments that hinder housing development across the region.
- Coordinate regional actions and support interjurisdictional collaboration, ensuring that Metro's policies, investments, and technical tools and actions align with and reinforce local Housing Production Strategy reports.
- Provide local governments with regionally informed actions they may consider including in their own HPS plans.
- Advance actions that support fair housing choice across the entire metropolitan region.

NUTS & BOLTS

Who is required to complete & when

Importantly, ORS 197A.365 also allows other regional entities like counties or intergovernmental bodies to voluntarily adopt an HCS if they choose to coordinate housing actions at the regional level. This flexibility recognizes that housing markets and barriers do not stop at jurisdictional urban growth boundaries, and that different communities across Oregon may benefit from regional approaches beyond Metro.

Who completes an HCS?	When?
Portland Metro Regional Government	On a 6-year cycle
Other regional governments including counties or intergovernmental entities as described under ORS 190.003 – 190.130	As desired*

Elements of the Housing Coordination Strategy

Because there are no administrative rules governing Housing Coordination Strategies, Metro- and those regional governments that opt into developing an HCS- must follow the requirements outlined directly in ORS 197A.365 for meeting its HCS requirement. At a minimum, an HCS must include the following components:

- A review of socioeconomic and demographic characteristics of households living in needed housing.
- An analysis of market conditions affecting the provision of needed housing.
- A summary of measures already implemented by the regional entity to promote housing production, affordability, and choice.
- Action sheets for each action that outline the schedule for adoption or completion, implementation, magnitude of impact on needed housing, and timeframe over which the action will impact needed housing.

Review process

Upon receipt of Metro or other regional government's adopted HCS Report through the HCS Submission Form, the department kicks off a review process as outlined in the following table.

Timeframe	Actions
Within 10 days of receiving Metro or another regional government's adopted HCS Report	• The department publishes a Public Notice through its GovDelivery System to raise awareness of the department's receipt of the HCS Report submission. • The public notice initiates: ○ a 45-day public comment period on the submitted HCS Report ○ the department's 120-day review and decision period. • The exact timelines are outlined in the public notice. • The department will share the public notice and timelines with Metro or regional government as applicable.
Following the 45-day public comment period	• At the close of the public comment period the department will notify Metro or regional government as applicable and provide any comments received to staff. • With consideration of the public comment received, the department will continue its review.
By the 120-day department decision deadline	• By the 120-day decision timeline outlined in the public notice , the department will issue a decision on Metro or regional government's (as applicable) submitted HCS Report. • Approval of an HCS Report is by department discretion, meaning it is not a land use decision and therefore not eligible for public appeal. The department has three decision options: 1) approve the HCS Report, 2) approve the HCS Report with conditions of approval, or 3) Remand the HCS Report for further modifications as identified by the department.

Implementation and Monitoring

It is important to note that, unlike an HPS, the HCS does not have a formal rule requirement to complete a midpoint report, nor is Metro (or any other regional entities which opts into an HCS program) eligible for the Housing Acceleration program. However, a midpoint check-in may be conditioned as part of department approval. Such a check-in may also be requested by Metro or other regional entity.

Chapter 8: Housing Acceleration

The Housing Acceleration program tracks housing production, supports state and local collaboration, and ensures follow-through on a local government's Goal 10: Housing planning requirements including the Housing Production Strategy. It is designed to identify barriers to market rate and affordable housing production and to address those barriers by taking responsive actions. The Housing Acceleration program gives local governments greater opportunities to receive state assistance in reaching local housing goals.

Why do we need this?

Some communities may have more difficulty than others in making progress toward their housing production targets and meeting their housing needs. Certain barriers can persist despite focused efforts from a local government. When that is the case, the state can lend expertise and resources to get back on track, intervening to address problems that may otherwise go unresolved. The Housing Acceleration program gives those issues dedicated attention and problem-solving support. Additionally, if there are local governments who are not following through on the Goal 10: Housing planning requirements, the program also serves to ensure those local governments get back on track.

Which local governments are eligible for the Housing Acceleration program?	When?
Portland Metro: Counties and cities with over 10,000 people	On a 6-year cycle, at the midpoint of their HPS
Outside Portland Metro: Cities with over 10,000 people Cities and unincorporated communities in Tillamook County	On an 8-year cycle, at the midpoint of their HPS
All other jurisdictions	May opt-in

METRO

Which Portland Metro Counties?

All three counties in the Portland Metro area – Clackamas, Multnomah, and Washington – are obligated to plan for the housing needs in their unincorporated areas. However, in application, Multnomah County’s unincorporated areas are subject to management agreements with other local governments. As a result, and unless those agreements were to change, Multnomah County does not in practice have any areas to plan for. Clackamas and Washington counties both have substantial unincorporated areas to plan for and are active participants in this Goal 10: Housing planning work.

Elements of the Housing Acceleration Program

Three universal steps of the Housing Acceleration program, plus follow-up as needed:

1. Referral into the program
2. Audit of barriers to housing production, affordability, and choice
3. Agreement between state and local government to address the identified barriers in the audit
4. *If needed, enforcement action*

NEED TO KNOW

Good faith efforts

Steps 1 through 3 of this program are intended to result in a successful state-local collaboration to reduce persistent barriers to meeting a community’s housing needs. While state enforcement authority is authorized by statute, the program aims to reduce housing barriers and implement solutions through good faith collaboration and fulfillment of statutory requirements in order to strengthen local communities and, by doing so, the state as a whole.

State & Local Collaboration

All elements of the statewide land use system represent state and local collaboration to steward an Oregon that meets holistic community needs.

Local	State
After the state determines housing needs statewide, local governments take the lead position in completing the major Goal 10: Housing work: Contextualized Housing Need, Housing Capacity Analysis, Housing Production Strategy, and undertaking all of the actions outlined in a Housing Production Strategy. The state supports local governments with guidance, technical assistance, and review.	The Housing Acceleration program marks a moment in Goal 10 where the state takes a lead role, in collaboration with local governments, in research, analysis, and conclusions. As a result, most of the steps listed below are conducted by the state, and local government obligations are noted. The local government supports with providing information and insights into local conditions and later collaborating on selecting solutions to barriers the state has identified.

Step 1: Referral into the Housing Acceleration Program

Relevant statutes and rules

ORS 197A.130, OAR 660-008-0310 to -0320

Which local governments need additional support?

The first step in the Housing Acceleration Program is for the state to determine which local governments are eligible for referral into the program.

Eligibility Paths

A local government is eligible for the Housing Acceleration program if it meets any of the following conditions:

1. Has not adopted their Housing Production Strategy (HPS), the cornerstone to Goal 10: Housing planning, by its deadline, or
2. Has missed one or more housing action deadlines as outlined in the HPS
3. Is falling behind in meeting its needed housing production target as compared to nearby local governments and local governments of similar size and characteristics
4. Is the subject of an enforcement order petition filed by the department under ORS 197A.130

Referral Path 1: Non-adoption of a Housing Production Strategy

Referrals under this path are due to a local government's failure to adopt a Housing Production Strategy by its deadline.

When can this referral happen?

Referral for non-adoption of an HPS can happen only after the HPS deadline has been missed. Deadlines typically occur once every six or eight years depending on the location of the local government. See Chapter 1, [Goal 10 Process At a Glance](#) for more detail.

The deadlines for HPS adoption are anchored one year after the deadlines for HCA adoption and are always viewable on the department's website. These deadlines are collectively called the "HCA/HPS Schedule" and are [Attachment A to OAR 660-008-0045](#). Because this schedule is part of Oregon Administrative Rules, the Land Conservation and Development Commission (LCDC) must re-adopt it in order to update it. As a result, the department brings the updated schedule to the Commission annually for adoption. Each year the deadlines which have passed are removed from the schedule and any adjustments to deadlines are reflected. Pursuant to OAR, adjustments to the schedule can be made when local governments request it and the department grants such adjustments.

How is eligibility evaluated for referral based on HPS non-adoption?

In the case of referral for non-adoption of an HPS by the deadline, the department will evaluate a local government's eligibility based on whether the department has received an adopted HPS from the local government by their deadline. If a local government requests an HPS deadline extension per the process outlined on page 180 and the department approves such a request, the approved, extended deadline becomes the deadline against which the local government's HPS adoption requirement will be evaluated. Details on the protocol for successful submission of an adopted HPS can be found on page 177.

Is there department discretion for referrals for HPS non-adoption?

No. In the case of HPS non-adoption by the deadline, meaning no deadline adjustment has been approved per the process referenced above, the department must refer a local government into the housing acceleration program.

Referral Path 2: Non-implementation of actions in a Housing Production Strategy

Referrals under this path are due to a lack of implementation of any one or more housing actions in the local government's HPS by their respective deadlines. See

actions that a local government can take to request timeline adjustments at the time of the [HPS Midpoint Review](#).

When can this referral happen?

Referral for non-completion of housing actions in an HPS happens at the midpoint review of a local government's six- or eight-year Housing Capacity & Production cycle. Refer to the HPS chapter for more information about [the midpoint report and review](#).

How is eligibility evaluated for referral based on action non-completion?

In the case of referral for non-completion of an HPS action by its deadline, the department determines eligibility by reviewing the midpoint report and supporting evidence that demonstrates whether or not an action that was due for completion has in fact been completed.

As part of the midpoint report, local governments may request replacement actions or deadline extensions as appropriate. If the department grants these requests, approval would mean that an adjusted deadline or replacement action is in place. Such an action would not be considered incomplete for the purposes of referral. A deadline extension request includes an explanation of the reason for the delay and a proposed alternative deadline. Additionally, if a local government pursues alternate actions that were pre-approved as part of the HPS adoption, it need only name the alteration and does not constitute action non-completion for the purposes of referral to the Housing Acceleration program. Details on the protocol for these requests during midpoint report submission can be found on page 180. A midpoint report template, which includes fields and prompts for deadline extension requests, replacement action requests, and alternate actions is provided in [Appendix C](#).

All actions scheduled for the second half of the previous cycle will be evaluated at the subsequent midpoint. Therefore, in considering action scheduling, a local government should consider whether it may need to request flexibility for the action adjustment.

Is there department discretion for this referral based on action non-completion?

No. In the case of action non-adoption by the deadline, without any approved departmental extensions or replacement actions, the department must refer a local government into the housing acceleration program.

Referral Path 3: Falling most behind in housing production

Referrals under this path are due to relatively low housing production performance toward a local government's housing production target as compared to other local governments.

When can this referral happen?

Referral for relatively low housing production performance can only happen at the midpoint review of a local government's six- or eight-year Housing Capacity & Production cycle. For more information, see the [midpoint report](#).

How is eligibility evaluated for referral based on housing production underperformance?

In the case of referral for relative underperformance in making progress toward a local government's housing production target, eligibility is determined by four different quantitative comparisons:

	Market Peers (A)	Region (B)
Total housing production target (1)	1A	1B
"Affordable" portion of housing production target (2) (housing needed for households with 80% of the Area Median Income or less)	2A	2B

1A. A local government's progress toward its **total** housing production target as compared to the progress of local governments of similar size and characteristics, or their **market peers**

1B. A local government's progress toward its **total** housing production target as compared to the progress of **other cities in the region**

2A. A local government's progress toward **the affordable segment** of its housing production target as compared to the progress of local governments of similar size and characteristics, or their **market peers**

2B. A local government's progress toward **the affordable segment** of its housing production target as compared to the progress of **other cities in the region**

GOOD TO KNOW

How are peers and regions determined?

- The peer groups and regional groups are established earlier in the Goal 10: Housing process in the [OHNA Methodology](#). In the course of administering the methodology, the Department of Administrative Services' (DAS) Office of Economic Analysis stewards the regional and peer groupings.
- Over time, if significant changes occur that warrant reconsideration of the regions or peer groupings, those circumstances can be addressed when DAS revisits the methodology.
- Not every local government can be readily paired with market peers utilizing this methodology. When a local government does not have market peers, it is evaluated only on its comparison to its region.
- See Chapter 2 for more information about the [OHNA methodology](#).

A local government is eligible for the Housing Acceleration program if, under **any** of these four comparisons, it:

- a) is not meeting its housing production target,
- b) is below the 50th percentile of progress toward that housing production target, and
- c) was not referred to the Housing Acceleration program at its previous midpoint.

All comparisons are relative, meaning that progress toward a housing production target is calculated based on each local government's specific housing production data and its specific housing production target.

GOOD TO KNOW

Where does this data come from?

- Local governments themselves! All local governments with these expanded Goal 10: Housing obligations must annually report both the housing that received a permit and the housing that was completed (measured as receiving a Certificate of Occupancy) for the previous year.
- See [Chapter 2](#) for more information on this annual Housing Production Survey requirement.

*Is there department **discretion** for these referrals based on housing production underperformance?*

In a sense: The department has discretion to assess its own capacity in determining the quantity and scale of referrals into the Housing Acceleration program. The department may triage the number of local governments who are referred into the program based on available staff capacity and financial resources required to support Housing Acceleration audits and agreements. If the state has less capacity than local government eligibility, the department must exercise discretion in identifying which of the eligible underperforming local governments might most benefit from additional state support. In the event of insufficient capacity to refer all eligible local governments, the following priority considerations guide the department's referrals:

- The severity of underproduction toward the total housing production target
- The severity of underproduction toward the affordable portion of the housing production target, including underproduction by income bracket
 - 0-30% Area Median Income
 - 31-60% Area Median Income
 - 61-80% Area Median Income
- Housing Equity Indicators dashboard information as it relates to fair housing issue areas
- If helpful or applicable, insights from Oregon's Department of Housing & Community Services (OHCS) such as specific information that department tracks about development successes or challenges

GOOD TO KNOW

What is a "fair housing issue area?"

Earlier in Goal 10: Housing planning work a local government completes their Contextualized Housing Need (CHN) to understand the specifics and nuances of the kinds of housing and housing support that is needed in their community. One of the elements of the CHN is the fair housing issue area analysis which names various housing considerations or circumstances that require focused attention and analysis to understand and plan for. See [Chapter 3](#) for more information on fair housing issue areas.

RESOURCE

How can we see this production information throughout the years?

Production data for all local governments with expanded Goal 10: Housing obligations is available on the [Housing Production dashboard](#). The dashboard shows how far along in a local government's six- or eight-year cycle they are, as well as what region they are in.

Since the data originates from each local government, staff from any given local government would also have access to the same data internally, however the dashboards are available for consolidated viewing and ease of comparison to targets.

Referral Path 4: Alternative to and dismissal of enforcement order petition

Under ORS 197.319 (4) the department may, in lieu of pursuing an enforcement order petition through to a final order, choose to revoke the petition and work directly with a local government through the Housing Acceleration program to bring it under compliance. For more information on department petitions to the Land Conservation & Development Commission (LCDC) for an enforcement order, see the [Enforcement section](#) of this chapter.

When can this type of referral happen?

There is no timeline or cadence for a referral under this path. The only criteria are that the local government be currently subject to an enforcement order petition by the department and that LCDC has not yet issued a final order under that petition. As a result, these referrals will be uncommon and, if local government participation in Goal 10: Housing planning is successful, may never occur.

Is there department discretion for these referrals out of an enforcement order proceeding?

Yes. Such a referral would end the enforcement order petition and is entirely up to the department's discretion.

Notices of Referral

When a local government is referred into the Housing Acceleration program, regardless of which path resulted in the referral, the department must provide notice to:

- All parties that participated in the development of and requested written notice regarding the HPS

- All Tribal governments that requested the opportunity for government-to-government consultation or staff coordination in the event of Housing Acceleration referral of the local government
- All affected public bodies

All notices from the department to local governments will include the following information:

- Findings documenting the basis for the referral into the Housing Acceleration Program, including which referral pathway/s is/are applicable
- Determination of whether the referral is for a standard audit or a comprehensive audit
 - DLCD will prioritize comprehensive audits when substantial affordability or equity-related issues are apparent or other circumstances that may warrant deeper contextual considerations and inter-agency coordination. However, nothing in the standard audit limits the department from a deeper audit process should that be indicated in the course of conducting a standard audit. For more info, see Step 2 of the Housing Acceleration program, [the Audit](#).
- A description of the Housing Acceleration program and procedures including what actions are required of the local government
- Notice opening the opportunity for public comments

The department will post these notices publicly, alert all notice recipients identified in the list above, and submit the notice directly to the appropriate city planning official of the local government via email. However, the department will also initiate direct contact by way of phone calls, virtual meetings, and in-person meetings to answer any questions and begin the project. The next step after this referral is complete is the audit.

NEED TO KNOW

When will these referrals occur?

Referral Path 1	Referral Path 2	Referral Path 3	Referral Path 4
When a local government has missed its HPS deadline	By July 1 of the year following a local government's midpoint report		Circumstantial, any time

Step 2: Housing Acceleration Audit

What are the persistent issues preventing more needed housing from getting built?

Once in the Housing Acceleration program, DLCD performs an audit to identify persistent issues, or “barriers,” that may be creating a challenge to completing planning requirements or leading to low production of different kinds of housing, especially to meet the needs of households whose needs have often gone unmet.

- In a standard audit, DLCD evaluates city policies, procedures, available resources, and outside barriers that affect housing production, affordability, and choice.
- DLCD conducts comprehensive audits with a more detailed level of review and inquiry as needed.

GOOD TO KNOW

Audit Types

Standard audit

The standard audits will commonly be applied to referrals for action non-completion or HPS non-adoption and may be applied to referrals for underperformance or at dismissal of an enforcement order. A standard audit provides a description of each identified barrier related to the city’s basis for referral, and includes an analysis of the market, local, regional, and state factors contributing to each barrier, incorporating any relevant state actions, investments, policies, or programs related to the barrier.

Comprehensive audit

A city may be flagged for a comprehensive audit if the department identifies severe or persistent housing issues, potential persistent or nuanced fair housing issues, or a complex local circumstance that will require additional dedicated interagency or intergovernmental collaboration. The department will conduct targeted engagement and coordination with specific parties. Engagement can include a variety of groups such as city staff, public officials, housing developers, community based organizations, tribal governments, state and federal protected classes, and other priority population community members. DLCD also coordinates with public bodies such as regional governments, special districts, utilities, and other state agencies to address barriers. This includes concurrent review by OHCS for audits related to affordable housing.

Importantly, nothing about this distinction precludes the department from pursuing additional or more in-depth audit activities if in the course of a standard audit there is reason to suggest more dedicated attention on a particular issue is indicated. After

completing an audit of any kind, whether standard or comprehensive, DLCD publishes a report outlining all identified barriers.

Audit Process

The process of the Housing Acceleration Audit follows a series of time-constrained milestones which all build from the date of the notice of referral to the program. While the referrals for housing production underperformance or action non-completion are likely to occur on or soon before July 1 in a given calendar year, other referrals occur as the circumstances arise. Accordingly, in the process timeline and steps below you will see reference to the July 1 audit initiation and potential January 1 audit completion dates while the bulk of the timeline remains referential to the date of notice of referral.

While the first half of the audit requires standard timelines for document retrieval and public comment, the second half of the audit allows the state to complete the audit any time after the close of public comment but not later than six months after initial referral. The department anticipates generally utilizing the time available and many audit reports will be published a full six months after the notice of referral. However, in some cases, and especially when the basis of referral is particularly narrow, the department may conclude the audit sooner than the six-month deadline to support getting to the next step of a Housing Acceleration Agreement as swiftly as possible.

Timeframe	Action
As needed, commonly by July 1	State: Notice of Referral
Fact finding	
Next 45 days	Local: - Notice to Governing Body - Document Collection and Delivery
Within 10 days	State: - Publication of local government material - Open of public comment
Next 45 days	State: - Host public comment period - Solicit additional input as needed
Processing and conclusions	
Within 6 months of referral, commonly January 1	State: - Completion of audit - Publication of audit report

Step / Obligation	Responsible Party	Deadline	Description
Issue public notice of referral	State (DLCD)	As needed, commonly by July 1	DLCD issues required public notice, including basis for referral, program description, required city actions, comment details, and tribal outreach.
City submission of required materials	Local Government (City)	Within 45 days	City submits HCA/HPS/midpoint report, engagement summaries, staff/budget capacity, market data, code/process information, and requested barriers.
Compile materials and open public comment period	State (DLCD)	Within 10 days of city submission	DLCD posts materials publicly and announces a 45-day public comment period.
Public comment window	State (DLCD)	45 days	DLCD receives and later appends comments to the audit.
Publish the housing barrier audit	State (DLCD)	Within 6 months of public notice	DLCD publishes audit including barrier analysis, evaluations, program context, and alternative actions.
Provide published audit to city governing body	Local Government (City)	After publication	City forwards published audit to its governing body.
Notify all parties of audit publication	State (DLCD)	After publication	DLCD notifies all recipients listed in (1)–(4).

Note: The department may grant limited extensions to any of the deadlines of this rule for emergencies, good cause, or other factors outside of the city’s control. Upon a request for a timeline extension, the department must provide a written decision within 30 days of the request, including the rationale for the extension and a revised timeline in the event the extension is granted.

Fact Finding

Local Government

At the outset of the audit a local government has about 6 weeks to send relevant documents to DLCD for review. As relevant and available, these documents include:

- **Reports & Summaries**
 - Goal 10 Deliverables
 - Adopted Housing Capacity Analysis
 - Adopted Housing Production Strategy
 - Draft next Housing Production Strategy, if applicable
 - Adoption record regarding the HCA and HPS including all public testimony
 - Midpoint report, if not already submitted
 - Information related to actions and inactions that impact local fair and equitable housing outcomes, environmental justice, climate resilience and location choice that is not otherwise captured in the housing production strategy
 - Any summary materials related to engagement conducted by the city that are not otherwise captured in the housing production strategy
 - Any localized information or studies related to housing market dynamics such as localized market pricing and rents, local housing development dynamics, or other market-related factors that are not otherwise captured by state data sources, if available
 - Information related to the local development of housing development at or below 80 percent of average median income, including local development contacts, local funding programs/investments, or recent development projects, if available
 - For audits that include referral based on underproduction of affordable housing
 - Any contextual information related to affordability not reflected in statewide housing data, including but not limited to naturally occurring affordable housing at 0-30 percent, 31-60 percent, and 61-80 percent median family income tenant assistance or vouchers, or homeownership programs
 - Information related to subsidized affordable housing development proposals and inquiries, including any contact information,

permitting information, and public record information relating to development application approvals or denials

- For cities within Metro, the previous six calendar years
- For cities outside of Metro, the previous eight calendar years

- **Local Circumstances**

- Information related to current funding and staff capacity of the city, including publicly available departmental budget and staffing information
- Information related to the local development of housing, including
 - Land use planning regulations, including zoning and development code
 - Permitting and approval processes relating to development of housing and infrastructure supporting housing
 - Required fees, exactions, and improvements
 - Any public facilities plans, capital improvement plans, or actions or investments to prepare land for residential development
- Any potential barriers or issues that the city requests consideration by the department in the audit, including but not limited to:
 - Local resource deficiencies, including staffing, public facilities, capital improvements to infrastructure, availability of buildable lands, and actions or investments to prepare land for development
 - Specific additional state resources that could support housing production
 - Any state laws or rules or the regulations, policies, actions or inactions of any public body that could impact housing production
 - Other factors limiting housing that are not within the city's control

Note: Where a city does not have access to or fails to provide suitable information under this section, the department may utilize best available information to support the findings of an audit.

NUTS & BOLTS

Audit documentation provision

The department hosts an online form through which the local government can upload documentation. Uploads can occur in batches or all at once, however is best for the local government's staff process. The department will have outlined the timeline for this step in the notice of referral, but department staff will remain available to support and answer any questions that may arise.

Public Comment & Additional Invited Feedback

After receiving the local government's documents, the department opens the public comment period. In some audits and in comprehensive audits in particular, the department will also begin pursuing additional conversations and input from interested parties who may have insights into the housing circumstances in the local government.

NUTS & BOLTS

Timing: formal public comment vs. additional invited feedback

The public comment period will be open for 45 days, approximately 6 weeks. Upon closure of the public comment period the department may pursue follow up conversations and coordination as needed and at the department's discretion.

- **Public Comment**

- Notice will be made publicly available and provided to:
 - All parties that participated in the development of and requested written notice regarding the HPS
 - All Tribal governments that requested the opportunity for government-to-government consultation or staff coordination in the event of Housing Acceleration referral of the local government
 - NOTE: State government-to-government obligations with Tribal governments and the invitation to consult on the Housing Acceleration Audit will have previously initiated at the time of referral. Additional communication, consultation, and coordination will continue into the audit.
 - All affected public bodies

- **Invited feedback**

- City staff and public officials
- Local or regional market-rate housing developers
- Local or regional subsidized affordable housing developers serving households with 0-30 percent, 31-60 percent, and 61-80 percent median family income
- Local or regional community-based and non-governmental organizations
- Community members, including those described under OAR 660-008-0200(1) and (2)(b)
- Other relevant public bodies that affect housing production within the city;
- Tribal governments who have requested notice of a Housing Acceleration Audit for the local government and the opportunity to engage with the department regarding the audit, if any (for more information on which

-
- Tribal governments this would be for your community, please contact the department)
 - Other relevant market or affordable housing-related actors that affect housing production within the city, including lenders, laborers, and occupants
 - Others, as needed
 - **Coordination with other public bodies regarding barriers that extend beyond a city's control**
 - County or regional governments as it relates to urbanization and regional programs and resources, including Metro for cities within Metro
 - Special district and utility entities as it relates to the provision of public facilities to support housing production
 - State agencies as it relates to policies and programs that affect housing production within a city
 - OHCS in particular for audits that include focus on affordable housing underproduction

Processing & Conclusions

DLCD

After the close of the public comment period, the department has approximately three more months to analyze, synthesize, and conclude the audit. The department may use some of this time to complete follow-up conversations, including coordination among other public bodies. In this phase of the audit, the department will focus on processing all input received to identify barriers to housing production, affordability, and choice. Results of this process include staff determination of which barriers are fully or partially within the local government's control, which are in the purview of other entities, and which are consequences of other circumstances like market forces. This process allows the department to identify actions that can mitigate or remedy the barriers to set the next step in this program up for success: Step 3: The Housing Acceleration Agreement.

GOOD TO KNOW

The “basis for referral”

This analysis will focus only on the topics that were the local government’s “basis for referral” into the Housing Acceleration program.

EXAMPLE: Rainbow City was not falling far behind in *total* housing production but was in *affordable* housing production. Based on that affordable housing underproduction eligibility, the department referred Rainbow City into the Housing Acceleration program. Accordingly, the Housing Acceleration Audit and its findings would not identify barriers to housing production of housing that serves households who make 80+% of the area median income. Instead, the audit would focus solely on understanding and mitigating or resolving the barriers to producing housing for households who make less than 80% of the area median income.

This is a lot of material – what will the department be focusing on?

While an audit can pursue anything related to the basis of referral, the department does have some priorities or “low hanging fruit” to evaluate and, where appropriate, direct resources and support to:

- Existing and expected barriers to fair housing choice, including barriers contributing to fair housing issues identified in the Contextualized Housing Need (CHN) portion of the HPS (see Chapter 3 for more information about [fair housing issues](#))
- Barriers to adoption or implementation of actions that are optional safe harbors at the time of developing an HPS (see the [HPS chapter](#) to review these actions)
- Barriers to adoption or implementation of relevant adoption-ready actions (see [Appendix A: HPS Menu of Actions](#) and embedded adoption-ready actions)
- Barriers to housing production in climate-friendly areas under OAR 660-012-0310
- Known barriers identified by the local government in their CHN

Another consideration that the department will take into account in the audit is whether the local government has recently accelerated housing production. The department will review acceleration of total housing production as well as housing production affordable to households earning at or below 80% of area median income, compared to the city’s previous housing production strategy cycle and relative to the region and market peers, even if the amount of production progress toward the housing production target is falling behind.

DEEP DIVE

Why? Considering recent acceleration

1. The work of local governments both in direct land use decisions and in broader policies and programs often takes months or years to truly take effect. This may mean that relatively recent policy changes are quickly having positive effects as they pick up steam and begin to impact the housing conditions in a community. Yet these important actions may not have had the chance to realize their full potential. This can be a key piece of context to inform which actions may still be needed in that local government.
2. If a local government has *accelerated* housing production at a faster rate than its region or market peers, this may indicate that the local government is making significant progress toward its housing production target despite the fact that it is not immediately represented by comparisons of objective progress by unit count.

What exactly will be in the audit?

Generally, the audit will include an **analysis** of the conditions that are relevant to housing production, affordability, and choice and that are relevant to any fair housing issues identified in the CHN. It will also include a description of **identified barriers** to housing production, affordability, and choice and responsive actions that may remedy or mitigate the identified barriers.

The analysis includes:

- The existing housing production strategy and the documents and record supporting the strategy
- Public written comments and invited stakeholder feedback received by a date specified by the department
- Land use planning regulations, including zoning and development code
- Permitting and approval processes relating to development of housing and infrastructure supporting housing
- Required fees, exactions and improvements
- Actions and inactions that can impact fair and equitable housing outcomes, environmental justice, climate resilience and location choice
- Local resource deficiencies, including staffing, public facilities, capital improvements to infrastructure, availability of buildable lands and actions or investments to prepare land for development
- Specific additional state resources that could support housing production

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- Changes to state laws or rules or the regulations, policies, actions or inactions of any public body, as defined in ORS 174.109, as that could impact housing production
 - Other factors limiting housing that are not within the city's control

The identified barriers are accompanied by responsive actions the local government can take to mitigate or remedy the barrier, if any. If the barrier is not at all within the local government's control, the audit will note the jurisdiction of the barrier and potential for a different entity to take action if relevant. The table below shows the elements that would be outlined for a single barrier that is found to be, in whole or in part, within the local government's control

Understanding the Barrier	Establishing Responsive Action/s
Barrier • Description of the barrier • Explanation of how the barrier relates to the basis for referral • Identification of the barrier as development or zoning code that does not meet the safe harbor and minimum requirements standards from the HPS program	Relevant Existing Conditions • Regional, state, and federal orders, agreements, actions, programs, or investments that could support or hinder local action to address the identified barriers, if any are known • Existing relevant local actions proposed in the existing HPS and evaluation of the efficacy of the action or actions to address the barrier
Context • An evaluation of factors that may affect or relate to an identified barrier ○ Market conditions ○ Local context, including existing actions, investments, policies, or programs related to the barrier and an evaluation of local government funding and staff capacity to undertake additional action ○ Regional and statewide context, including actions, investments, policies, or programs of relevant local, regional, or statewide public bodies that affect the barrier, if applicable	New responsive local action/s that can partially or wholly address the barrier that is in the local government's control • Description of the action, including any relevant case studies, resources, or adoption-ready policies • Evaluation of the approximate funding and staff capacity needed • Evaluation of the local government's proportionate financial resources and staff capacity to undertake the action • If the action requires multiple public bodies for implementation, a description of the public bodies and concurrent actions necessary for local implementation • Evaluation of the approximate magnitude of impact that the action will likely have on the barrier

How will the department determine what is within the local government's control?

There are three criteria for establishing that a responsive action to an identified barrier included in the audit is within a local government's control:

1. It is within the jurisdictional control of the city;

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2. It can reasonably be implemented with available city resources and staff capacity, supported by technical and financial assistance provided by the department; and
 3. The department can sufficiently provide technical and financial assistance necessary to support city implementation.

In the event that a city lacks reasonable existing resources and staff capacity to implement actions to address an identified barrier, the audit will include and prioritize actions that build city capacity. In identifying these resource- and capacity-building actions the department will consider:

- Any identified state or federal programs or investments that can increase local capacity
- Existing and projected city revenue that can increase local capacity, including actions that increase or stabilize local revenue or dedicate funds for increased local capacity

Next Steps

After the audit has been finalized **the department will:**

- Provide the audit to local government staff
- Publish the audit publicly
- Notify all parties receiving notice (see referral notice parties)
- Include audit findings in an annual summary report to the Land Conservation and Development Commission (LCDC), including not only a review of local government circumstances identified in the audits but also state policies or programs identified in the audits

Local government staff must provide the published audit to its governing body, like a City Council or County Commission.

After the conclusion of the audit the local government and the department then focus on developing the Housing Acceleration Agreement, outlined below as Step 3 in the Housing Acceleration program.

Opting In for State Support

This audit seems like it could really help – what if our local government has not been referred to the Housing Acceleration program but we would like this kind of support?

Any local government, at any time, may request a Housing Acceleration Audit to receive help in identifying local, regional, or state barriers to housing production, affordability, and choice; focused recommendations for actions that may remedy or mitigate those barriers; and state resources to support taking local actions as resources are available. Any voluntary audits are non-binding on the department and local government and the

audit will not invoke the requirement to enter into a Housing Acceleration Agreement with the state.

Note: only local governments may request an audit. If other interested parties have interest in a voluntary audit they may work with the local government to garner government interest in a voluntary audit. Alternatively, if interested parties are aware of local barriers to housing production that they believe are in violation of state housing laws, instead of a broader housing acceleration audit they may submit their specific concern to the [Housing Acceleration and Production Office](#) for processing.

When capacity for audits is limited, the department will prioritize capacity for audits from mandatory referrals; audits that would support an existing or future HPS; audits that are focused in such a way to address substantial issues and barriers inhibiting housing production, affordability, and choice; and audits for issues or barriers whose remedies may be particularly suited for resolution with the department's support. In lieu of the capacity to accept a voluntary audit request, the department will aim to identify any relevant resources which may support the local government including department-provided materials or direct technical or financial support, as available.

NUTS & BOLTS

Requesting a housing acceleration audit

Please send an email to housing.dlcd@dlcd.oregon.gov and include the following information:

- The scope of issues or barriers the audit is intended to address
- The preferred timeframe for an audit to occur
- Any relevant local or regional governments or state agencies that relate to the identified issue or issues
- How the request relates to current or future work the local government or city will complete, including an adopted or future HPS

Step 3: Housing Acceleration Agreement

What are we going to do to mitigate or remedy the persistent issues preventing more needed housing from getting built?

Once the Housing Acceleration Audit is complete, it is time for the local government and the department to land on a set of actions that the local government and DLCD will take to respond to the barriers to housing production, affordability, and choice identified in the audit, including implementation timelines.

GOOD TO KNOW

Coordination with other public entities and collaborators

When the department identifies a barrier that is related to or under the jurisdiction of another state agency or other public entity, DLCD may take a coordinating role to bring the parties together and determine a path forward. Where another state agency or public entity is also prepared to take complementary action, they may also be party to the Housing Acceleration Agreement – this element is on a case-by-case basis. A local government's obligation to take action within its control is not contingent upon whether any other state agency or public entity is also taking related action at the same time. Coordination with other entities may also occur less formally than as contractual parties, rather through voluntary coordination, mediation, a Memorandum of Understanding (MoU), or any other effective means of collaboration and coordination.

Agreement Process

Similar to the Housing Acceleration Audit, the process of the Housing Acceleration Agreement follows a short series of time-constrained milestones that, in this case, all build from the date of completion of the audit. While there is a deadline for the execution of the Housing Acceleration Agreement, there is no required waiting period. In some cases, the department and local government may choose to proceed more quickly to agreement finalization, for example when the scope of the audit is narrow or when the local government is ready to move forward swiftly.

Timeline	Process
-	State: Publication of Audit
First half: discussion & draft development	
Promptly	State & Local government: - Discuss audit findings including responsive actions outlined in the audit
No later than 90 days prior to execution deadline	State: - Deliver draft Housing Acceleration Agreement to the local government for review
Second half: finalization & execution	
Within 6 months of audit publication	State & Local government: - Final discussions, if needed - Execution, or signatures, on the Housing Acceleration Agreement

Note: The department may grant a time extension for execution of the Housing Acceleration Agreement if the department fails to provide the draft Housing Acceleration Agreement to the local government with at least 90 days prior to the 6-month deadline. The extension would be as long as needed to ensure the 90-day local government review period is provided.

Agreement Contents

The Housing Acceleration Audit findings are specifically designed to support Housing Acceleration Agreement development and execution – because the audit will identify both the barriers to housing production, affordability, and choice and the recommended action/s needed to remedy or mitigate the barriers, the Housing Acceleration Agreement phase is straightforward in implementing those findings, making some decisions where multiple, alternative responsive actions were identified for a local government to select from, and/or layering in options proposed by the local government.

The **local government and DLCD** will agree to the following:

Local government actions that respond to the barriers identified in the audit, where the barriers are within the local government’s control, in whole or in part, such as:

- Adopting land use actions and reforms.
- Allocating funds to boost local capacity for housing production.
- Reserving funds for public facilities and infrastructure supporting housing.

-
- Increasing supply of development-ready land.
 - Amending development code or approval criteria and processes to reduce cost/delay.
 - Implementing emergency temporary measures to accelerate housing production.
 - Completing all existing actions that have not been completed on schedule, or replacement actions that meet the same need and have commensurate or greater magnitude of impact; and
 - Implementing actions elevated by the program and department including safe harbor actions under OAR 660-008-0200(3), relevant adoption-ready actions, actions in the Housing Production Strategy Guidance for Cities, and from other department resources.

If a local government proposes actions that are not included in the categories above under section 0330 (3), those actions must be documented in the next housing production strategy. Documentation must include findings that demonstrate precisely how those actions address the barriers as listed in the audit. By request, a local government may request that DLCD serve a coordination role if an action requires the involvement of another state agency or other public body.

DLCD actions that respond to the barriers identified in the audit including assistance to the local government in completing their actions, such as:

- Technical assistance and regulatory or compliance support
- Funding for action completion
- Identification of additional non-DLCD resources that may be available to the local government and support in procuring the funding

Actions in the Agreement must include:

- Parameters for those actions including specific housing needs to be prioritized, comparative minimum standards like model code, specific funding amounts available, and other relevant parameters
- Timelines for action adoption and/or implementation of no less than one year, as applicable
- For each action that requires coordination with other public bodies,
 - The other public bodies involved
 - How DLCD or others will facilitate coordination/mediation in implementation
 - Local government participation

GOOD TO KNOW

“Based on and proportionate to” the basis for referral

As noted in the [Housing Acceleration Audit](#) section, the audit’s scope is limited to the basis for referral into the Housing Acceleration program. This analysis will focus only on the topics that were the “basis for referral” into the Housing Acceleration program. Relatedly, the actions in the Housing Acceleration Agreement must also be based on *and proportionate to* the basis for referral. This means that where a milder barrier was identified, a less intensive responsive action may be warranted. Conversely, where a significant barrier is identified, a more intensive responsive action or actions may be warranted.

Example: Rainbow City was not falling far behind in total housing production but was falling far behind in affordable housing production. In fact, not only was Rainbow City the furthest behind in affordable housing production compared to both its region and market peers, zero regulated affordable housing units have been built in Rainbow City over the last six or eight years. Given the severity of this underproduction, the actions outlined in the Housing Acceleration Agreement to remedy or mitigate the barriers associated with this issue would need to have a significant magnitude of impact. Such actions may require substantial resource investment at both the local and state level.

The department will provide a draft Housing Acceleration Agreement to the local government. To ensure an expedient process, the local government should review and provide any questions or comments on the agreement as quickly as possible. If there is sufficient time, DLCD can respond and discuss in order to take the local government’s needs into account in the agreement and execute the agreement within the required timelines. Receiving notes from a local government late in the process may not afford enough time to consider those requests and make potential adjustments to the agreement prior to execution without running up against the deadline and risking an enforcement order process.

NUTS & BOLTS

Agreement execution

Signatories

To formalize the Acceleration Agreement, the document must be signed by designated signatories from each party.

- DLCD: Director of the department
- Local government: Governing body or signer authorized by the governing body

Next Steps

After the Housing Acceleration Agreement has been signed the **local government** has up to two obligations for next steps. These steps may also be completed simultaneously with the execution of the agreement:

- Regardless of the contents of the agreement, the local government must adopt the agreement as a supplemental document to HPS
- In the event that the agreement includes local government actions, the local government must amend its HPS within 6 months of signing the Housing Acceleration Agreement and implement the actions within the subsequent year

GOOD TO KNOW

Formalities: Housing Acceleration Agreements are not land use actions

Housing Acceleration Agreements are contractual action plan commitments and are not land use actions. With that, Housing Acceleration Agreements are not appealable under the land use decision comprehensive plan or post-acknowledgment comprehensive plan amendment processes, nor are they appealable via any other process. A Housing Acceleration Agreement is binding upon all parties to the contract and is final.

Enforcement

How can we be sure that an agreement will indeed be executed and remedial actions will be taken?

The Housing Acceleration program has the obligation to pursue an enforcement order if a local government does not participate in the program and meet program requirements. Pursuit of an LCDC enforcement order does include multiple opportunities for the local government to resolve the non-compliance before the department must initiate and seek an enforcement order from LCDC. With full local government participation, this portion of the program will never need to be activated. However, if needed, this portion of the program serves to safeguard Oregonians' interest in local government action to meet its community's housing needs and ensure this mission is not undermined by non-participation or non-compliance.

Enforcement Process

Similar to the other elements of the Housing Acceleration program, the process of the Housing Acceleration Enforcement Order follows a short series of time-constrained milestones that, in this case, all build from the date of delinquency of Housing Acceleration Agreement execution or delinquency of action completion of an action outlined in an executed Housing Acceleration Agreement. The intention is to provide an opportunity for the local government to course-correct before any enforcement actions are taken.

GOOD TO KNOW

What about the state?

DLCD is also responsible for holding up its end of the bargain. Department-specific obligations are described in rule.

- If the department does not give the city a draft Housing Acceleration Agreement at least 90 days before the six-month execution deadline, the local government cannot be considered delinquent when the six-month period expires. In this situation, the department must extend the deadline so the city still receives the full 90-day review period.
- If the Housing Acceleration Agreement includes local government actions that depend on DLCD actions also in the agreement (such as funding, technical assistance, or other commitments) and the department does not provide the support it agreed to, then the local government also cannot be considered delinquent if the timeline for that action expires without completion.

Timeline	Process
-	Local government: Becomes delinquent
Opportunity to Resolve	
Within 30 days of delinquency	State: - Issue written notice of delinquency within 30 days
Within 30 days of notice of delinquency	Local government (optional): - May request formal mediation with the department to remedy the delinquency
Enforcement	
No later than 90 days after notice of delinquency, if no action taken:	State: - Initiate an enforcement order under ORS 197.320(13) with LCDC, - The Department must first send a letter to the local government notifying them of the intent to file an enforcement petition.
No more than 60 days after receipt of the Intent to File petition:	Local Government: - Respond to the petition, come into compliance, or initiate mediation - If the local government fails to act appropriately, a formal petition is filed with the LCDC.
Completeness Review:	State - The Department reviews the petition to ensure it meets requirements.
LCDC Hearing:	- If accepted, a contested-case hearing is held (often overseen by an administrative law judge) to determine if a violation exists and what action is necessary

Note: The department may grant limited time extensions for the deadlines associated with requesting formal mediation with the state and taking action to remedy the delinquency for emergencies, good cause, or other factors outside of the local government's control. Upon receipt of a local government's request for a timeline extension for either of these deadlines, the department will provide a response and

decision regarding the request within 30 days including the rationale for the decision and a revised timeline if applicable.

Opportunity to Resolve

The notice of delinquency is intended to provide the local government with a clear opportunity to come into compliance before the department initiates enforcement proceedings. This notice includes:

- The date of the notice, in order to provide a clear start date for the timelines outlined above
- The specific actions and associated deadlines that are delinquent
- A description of the action or actions the city can take to remedy the delinquency, particularly if adjusted from the actions as outlined in the previous bullet
 - Timelines by which the action or actions must be taken to avoid enforcement order initiation
- An offer from the department to enter formal mediation with the local government
- A description of the enforcement actions that the department will take if the local government does not take action to resolve the delinquency within 90 days, including the initiation of an enforcement order under ORS 197.320(13)
- A description of the potential enforcement tools provided in ORS 197.335(6) that could be applied in an enforcement order (see the list of other enforcement provisions in the [Enforcement subsection](#) below)

GOOD TO KNOW

“Formal mediation”

If a local government requests formal mediation, the department will participate in efforts to support the local government in remedying the identified delinquency. Formal mediation differs from regular local government-to-state communications in that a third party is brought in to attempt to resolve differences. The third party may suggest alternatives or illustrate the circumstances and constraints from an outside perspective. Formal mediation is commonly available as a final resource in order to prevent initiating legal action like an enforcement order.

If mediation to resolve a delinquency of action non-completion in an existing Housing Acceleration Agreement is successful and the local government is prepared to execute the delinquent action, the department may grant a limited extension to the existing deadline per the mediated conclusion.

Enforcement Orders

If a local government has not taken action to remedy the delinquency and has not entered formal mediation with the department, the department will initiate an enforcement order with LCDC under [ORS 197.320\(13\)](#) and as authorized under [ORS 197.335\(6\)](#). A petition for enforcement order includes:

- The specific action or actions necessary to remedy the identified delinquency
- Required application of model ordinances and procedures developed by the department to all residential development within the city until the specific action or actions identified in the order are undertaken
- Other enforcement provisions under ORS 197.335(6) that are relevant and necessary to remedy the identified delinquency
 - Comply with the housing acceleration agreement under [ORS 197A.130 \(6\)](#)
 - Take specific actions that are part of the local government's HPS under [ORS 197A.100](#)
 - Receive imposition of appropriate department-developed model ordinances, procedures, actions, or anti-displacement measures
 - Reduce maximum timelines for review of needed housing or specific types of housing or affordability levels, through ministerial approval or any other expedited existing approval process
 - Take specific actions to waive or amend local ordinances
 - Forfeit grant funds

NUTS & BOLTS

LCDC Enforcement Order proceedings

After a petition for an LCDC enforcement order is received, LCDC must determine whether there is good cause to proceed. (ORS 197.324)

- If the commission determines there is not good cause, it will issue a final order explaining its determination and dismissing the petition.
- If the commission determines there is good cause, the local government must include notice of a pending enforcement order in its notices of a land use decision that could be affected by the enforcement order.

Next, the commission will either conduct the proceedings itself or appoint a hearings officer. Either way, a hearing will be held. Once a proposed order is developed, no additional evidence is accepted, however arguments may be made in response to the proposed order. The commission will adopt a final order within 120 days of the petition being filed (ORS 197.328).

Housing Acceleration Program, in review

In totality, the Housing Acceleration program is designed to ensure the housing outcomes that Oregonians need are coming to fruition in local governments across the state. The earlier elements of Goal 10: Housing focus on accurately identifying those needs and taking action to meet those needs. This element is about making sure those actions go as planned and about providing additional structure and support wherever we are struggling the most to make good on the state's land use planning Goal 10's promise.

Appendices

Appendix A: Housing Production Strategy Menu of Actions

- [HPS Menu of Actions 2.0](#)

Appendix B: Sample Engagement Questions

- [Sample Engagement Questions](#)

Appendix C: Midpoint Report Template

- [Midpoint Report Template](#)

Appendix D: Action Description Template

- [Housing Production Strategy Action Template](#)

Appendix E: Affordability Analysis

- [Affordability Analysis](#)

Appendix F: Constraint Data

- [Constraint Data](#)

Appendix G: Oregon's Statewide Planning Goals

- [A Summary of Oregon's Statewide Planning Goals](#)

Appendix H: Legislative History

- [“How Has Oregon's Housing Planning Process Shifted Over time” graphic](#)

Appendix I: Glossary

- [List of relevant definitions that appear in administrative rules or statute](#)