



# Oregon

Tina Kotek, Governor

## Department of Land Conservation and Development

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**To:** Oregon Housing Needs Analysis Rulemaking Advisory Committee (RAC)

**From:** Ethan Stuckmayer, AICP, Housing Services Division Manager

**Date:** November 20, 2023

**Subject:** Rulemaking Advisory Committee Meeting Packet #1



Oregon Housing Needs Analysis Rulemaking Committee Members,

Thank you again for your willingness and interest in helping to shape the future of Housing Planning in Oregon. The Legislature's passage of House Bill 2001 in March 2023 is the most consequential reform to the implementation of Statewide Planning Goal 10 – Housing since the goal was first created 50 years ago. Among other policies, HB 2001 fundamentally shifts Oregon's approach to housing planning in a way that empowers cities to take actions that meaningfully increase housing production, affordability, and choice. This represents an opportunity to ensure that we collectively implement these legislative initiatives and Goal 10 in a manner that results in fair and equitable housing outcomes for current and future Oregonians.

For those reasons, it is important that we convene this Rulemaking Advisory Committee (RAC). The RAC is comprised of a wide and varying group of stakeholders and is tasked with advising DLCD, the project team, and the Land Conservation and Development Commission (LCDC) on the adoption of Oregon Administrative Rules in three topic areas:

1. **Housing Needs and Production** – to redirect the implementation of Goal 10 from a narrow focus on housing and land capacity towards a more comprehensive framework that emphasizes local actions to achieve specific fair and equitable outcomes. Rules related to this topic area are required to be adopted by January 1, 2025.
2. **Housing Accountability** – to establish a framework by which DLCD evaluates local government progress towards housing production targets and outcomes. Rules related to this topic area are required to be adopted by January 1, 2025.
3. **Housing Capacity and Urbanization** – to provide greater clarity and certainty in the adoption and acknowledgement for both housing- and urbanization-related planning processes. Rules related to this topic area are required to be adopted by January 1, 2026.

In order to meet statutorily-established deadlines, the department, project team, and advisory committees will have to work quickly and collaboratively. In this process, the primary role of the

RAC is to focus on providing high-level policy direction on how to approach rules related to the three major topic areas above.

In July 2023, the Land Conservation and Development Commission formally initiated the rulemaking process by adopting the following Rulemaking Charge:

*Members of the Rules Advisory Committee (RAC) shall provide guidance to agency staff to analyze, draft, and recommend Oregon Administrative Rules (OARs) that faithfully implement the legislative intent and direction outlined in Sections 8 and 9 of House Bill 2001 (2023 Session). RAC members are charged to work with agency staff to recommend OARs for Land Conservation and Development Commission consideration that:*

- *Commit to safe, accessible, climate resilient, and affordable housing options that afford access to opportunity, including Community Assets and fair housing choice, for all Oregonians, especially historically and currently underserved and under resourced communities. Develop and provide local governments with the tools needed to achieve these goals through the implementation of local Housing Production Strategies.*
- *Provide clarity and greater certainty to local governments engaging in urbanization- and housing capacity-related planning processes both with regards to regulatory adherence and the desired development outcomes. This includes refinement of methodologies and approaches for the development and adoption of buildable land inventories, urban growth boundary amendments and exchanges, urban and rural reserves, and coordinated public facilities and concept plans.*
- *Establish a reasonable and consistent framework of accountability that measures progress towards a community's market rate and subsidized housing production targets and ensures state and local governments take policy and regulatory actions within their control that meaningfully and impactfully facilitate increased housing production, affordability, and choice.*

To help you prepare to engage in this process, several background materials are included in this packet for your review and reference. The materials and documents below will further describe the contextual background, purpose, operating principles, and timeline that will determine how the RAC will operate for the duration of the rulemaking process. Please review these documents prior to the first RAC meeting scheduled for **9am-12pm on November 29, 2023. The meeting will take place virtually via Zoom. The meeting link details have been provided to you in a separate email.** Please email Ingrid Caudel, [ingrid.caudel@dlcd.oregon.gov](mailto:ingrid.caudel@dlcd.oregon.gov), if you do not yet have the meeting details.

The second meeting of the RAC will take place **1-4pm on December 12, 2023**, also via Zoom. DLCD does not currently plan to send an additional packet of materials for the December 12 meeting outside of what is already provided below. Future meetings of the RAC will be scheduled based on the result of a poll that will be conducted after the second meeting.

DLCD will be utilizing a web-based meeting packet process for this rulemaking. All materials will be hosted online and hyperlinked in the materials list of this cover memo. This will reduce the size of packets and ensure easy access to the most important and relevant information for RAC members.

**RAC Meetings 1a and 1b Packet Materials List:****Item # Packet Item**

<b>1</b>	<a href="#"><u>Agenda</u></a>
<b>2</b>	<a href="#"><u>RAC Operating Principles - DRAFT*</u></a>
<b>3</b>	<a href="#"><u>RAC Roster</u></a>
<b>4a</b>	<a href="#"><u>Needs and Production Technical Advisory Committee Overview</u></a>
<b>4b</b>	<a href="#"><u>Housing Accountability Technical Advisory Committee Overview</u></a>
<b>4c</b>	<a href="#"><u>Capacity and Urbanization Technical Advisory Committee Overview</u></a>
<b>5</b>	<a href="#"><u>LCDC Framework for Equitable Decision-Making</u></a>
<b>6</b>	<a href="#"><u>OHNA Recommendations Report</u></a>
<b>7</b>	<a href="#"><u>HB 2001 Enrolled</u></a>
<b>8</b>	<a href="#"><u>HB 2889 Enrolled</u></a>
<b>9</b>	<a href="#"><u>HB 2001/2889 Plain Language Summary*</u></a>
<b>10</b>	<a href="#"><u>Rulemaking Outlook and Schedule - DRAFT</u></a>

*\* I strongly encourage you to carefully review the RAC Operating Principles document (Item #2) to more deeply understand your role as a RAC member and how that might differ from that of a member of a Technical Advisory Committee. We plan to talk about these roles and relationships in depth during the first meetings of the RAC. Also of high importance is the Plain Language Summary of HB 2001 and 2889 (Item #9). This document will describe the changes to the housing planning program that resulted from the passage of these bills and which bring us together in this process.*

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If you have any questions on the materials in this packet or about the process, please feel free to contact me via phone or email, my information is listed below along with the main points of contact for the various technical advisory committees.

I am grateful for your participation in this important initiative and look forward to working with you over the next several months.

Thank you,



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**Additional DLCD Points of Contacts for this Rulemaking Process:**

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