

HOUSING CAPACITY WORK GROUP

MEETING PACKET #5



TO: Housing Capacity Work Group Members
FROM: Sean Edging, Housing Planner
SUBJECT: Housing Capacity Work Group Meeting Packet #5

Housing Capacity Work Group (HCWG) Members,

Thank you for a great discussion at the third HCWG meeting. The fourth meeting included an overview and facilitated discussion on options to streamline the UGB amendment process. Meeting notes and a summary of major discussion themes can be accessed [here](#). Our fifth HCWG meeting will include discussion focused on refinement of a set of [discussion draft recommendations](#).

The recommendations provided in this packet are not yet fully developed. The document summarizes these potential policy options at a high level for the purpose of facilitating discussion to inform policy refinement before DLCD submits the final version to the Legislature before the end of the year. The project team welcomes specific refinements, suggestions, and proposals to improve the recommendations and fulfill the direction prescribed by the Legislature.

Below, you will find a packet of materials to help you prepare for the HCWG meeting scheduled for **Wednesday, August 31, 2022 from 2 - 4pm**. Please note this meeting will be held virtually over Zoom.

Non-work group members can observe the meeting at the following link (work group members will receive a unique panelist link):

<https://us02web.zoom.us/j/89862273961?pwd=U2pPakh1d3UzbkttWmtRU2VEb2hTZz09>

Meeting ID: 898 6227 3961 | Passcode: 646147

Housing Capacity Work Group Meeting Materials List:

1. Meeting Agenda (pg 3)
2. Meeting 4 Summary Notes (pg 5)
3. Housing Capacity Discussion Draft Recommendations (pg 13)

Please remember that the [Project Website](#) has many related materials available. You can find packets, meeting summaries/notes, and presentation materials from previous meetings there.

Finally, if you have any questions on the materials in this packet or about the OHNA itself, please feel free to contact me via phone or email, my information is listed below. On behalf of DLCD and the Land Conservation and Development Commission, we continue to be grateful for your participation in this important initiative.

Thank you,

Sean Edging, Housing Planner

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Oregon

Governor Kate Brown

Department of Land Conservation and Development
Department of Housing and Community Services

Housing Capacity Work Group Meeting #5

August 31, 2022 | 2pm – 4pm

By [Zoom Web Conference](#)

(Observer link – Panelists will receive unique link)

Passcode: 646147

Project Purpose

This work is part of the broader body of work on statewide housing planning. The Oregon Legislature directed DLCD staff to facilitate discussions and develop recommendations on a defined and narrow set of Urban Growth Boundary (UGB) issues as they relate to the implementation to the Regional Housing Needs Analysis (RHNA). As the chair of the House Committee on Housing, Representative Fahey submitted [testimony](#) outlining the specific issues these discussions should address, including:

- How land within Urban Growth Boundaries (UGBs) can be better utilized to increase housing types and units, including the reduction of restrictive or outdated zoning regulations and the appropriate conversion of commercial and employment uses to residential use.
- How the process and level of data necessary to establish the need for UGB adjustments can be streamlined, while considering the protection of resource lands.
- How the regulatory review of UGB adjustments can be streamlined, while considering the protection of resource lands.
- How to fund additional capacity in cities below 10,000 to plan for and work to facilitate the development of housing in their communities.

Work Group Role - Refer to the [Housing Capacity Work Group Charter](#).

Meeting Goals

- Provide an update on the process, including a reminder of process parameter and scope
- Facilitate round-table discussion intended to solicit refinement of the discussion draft recommendations, considering the following discussion questions:
 - What refinements will make one recommendation or a combination of recommendations *implementable*, *effective*, and *politically viable*? Be specific.
 - What potential *unintended or undesirable consequences* may arise from a given recommendation? How should the recommendation be adjusted to ameliorate that consequence?
 - If a given recommendation should not be included in the final set of recommendations, *what is an alternative* that fulfills the prescribed direction provided by the Legislature? Be specific.

Housing Capacity Work Group Meeting #5 – Proposed Agenda

Time	Topic	Who
2:00-2:15p	Welcome and Agenda Overview <ul style="list-style-type: none"> Review agenda and recap purpose of meeting Structure of the discussion and rules of engagement 	Jamie Damon, Kearns & West (facilitator)
2:15-2:25p	Work Group Update <ul style="list-style-type: none"> Reminder on process parameters and scope Overview of previous meeting Future meetings including joint meeting with Housing Needs Work Group (October 20) <i>Materials: Housing Needs and Capacity Work Group Meeting Notes</i>	Sean Edging, DLCD
2:25-3:50p	Discussion Draft Recommendations <ul style="list-style-type: none"> Discussion (Round-table Discussion), focused on: <ol style="list-style-type: none"> Refinements to make recommendations <i>implementable</i>, <i>effective</i>, and <i>politically viable</i>. Ameliorating <i>unintended or undesirable consequences</i>. <i>Alternatives</i> that fulfill the prescribed direction provided by the Legislature <p>Recommendations by Category (see discussion draft):</p> <ul style="list-style-type: none"> Utilizing Land within the UGB <ul style="list-style-type: none"> Implement “efficiency measures” in HPS Adopt rules to support housing diversity and production Establishing Need for a UGB Amendment <ul style="list-style-type: none"> Replace local 20-year projection with OHNA Adjust BLI statute to reflect realistic capacity Adopt rules to refine BLI methodological tools Regulatory Review of a UGB Amendment <ul style="list-style-type: none"> Urban Reserves and Concept Planning UGB Land Swaps Small-scale streamlined UGB Amendment Amend “Simplified UGB Methodology” Building Capacity, Especially in Cities <10k population <ul style="list-style-type: none"> Fund Goal 14-related work, including public facilities planning Focus new agency staff to create Goal 14, public facilities, and development team <ul style="list-style-type: none"> Group report out <i>Materials: Housing Capacity Discussion Draft Recommendations</i>	Sean Edging Jamie Damon
3:50p-4:00p	Recap and next steps <ul style="list-style-type: none"> Recap key discussion points and any requests or questions that need follow up Reminder of next steps, upcoming Work Group meetings, and other opportunities for feedback 	Jamie Damon

Housing Capacity Working Group - Meeting 4

July 26, 2022 1pm – 4pm

Meeting Notes

(Published August 5, 2022)



Staff and Working Group Members

Sean Edging, DLCD	Justin Peterson, Oregon	Ariel Nelson, League of
Ethan Stuckmayer, DLCD	Cascades West Council of	Oregon Cities
Mari Valencia-Aguilar, DLCD	Governments	Brock Nation, Oregon
Gordon Howard, DLCD	Chris Faulkner, Clean Water	Realtors
Emma Land, DLCD	Services	Samantha Bayer, Oregon
Ingrid Caudel, DLCD	Yiping Fang, Portland State	Homebuilders Associations
Matt Lawyer, Marion County	University	Allan Lazo, Fair Housing
Board of Commissioners	Ted Reid, Metro	Council
Peggy Lynch, League of	Brian Latta, City of Dallas	Brian McDowell, Business
Women Voters	Emily Reiman, DevNW	Oregon
Jeff Adams, City of Cannon	Bill Van Vliet, Network for	Mary Anne Cooper, Oregon
Beach	Oregon Affordable Housing	Farm Bureau
Brian Rankin, City of Bend	Al Johnson, Retired Land Use	Rian Hooff, Oregon
Mary Kyle McCurdy, 1000	Attorney	Department of Environmental
Friends of Oregon	Peter Gutowsky, Deschutes	Quality (ODEQ)
Heather O'Donnell, City of	County Community	Dave Hunnicut, Oregon
Eugene Planning Division	Development	Property Owners Association
Jean Dahlquist, Housing Land	Michael Burdick, Association	Lucia Ramirez, ODOT
Advocates (<i>subbing for Kathy</i>	of Oregon Counties	
<i>Wilde</i>)	Anneliese Koehler, Metro	

Key Insights Summary

The effectiveness of the policy options in streamlining UGB regulatory review varies by jurisdiction size and other localized factors - Each policy varies in its effectiveness in reducing regulatory review challenges depending on jurisdiction size, staffing capacity, and the likelihood that available land within the UGB and adjacent to the UGB will be developed. For example, increasing DLCD capacity in supporting Goal 14 analysis may be most beneficial for smaller jurisdictions where the ability to conduct internal analysis is limited due to budget and small staff numbers. Conversely, emphasizing urban reserve and concept planning may be more effective for mid-size or larger jurisdictions that have allocated suitable lands and can better connect infrastructure and necessary utilities. Generally, members agreed that providing a variety of tools and options for local jurisdictions is appropriate.

Incentivizing policies rather than requiring them may be more productive - Finding ways by which to strongly encourage and support jurisdictions in pursuing UGB streamlining measures may be more effective than requiring them, especially for smaller jurisdictions that would struggle to conduct many of

the additional analyses these require without additional funding or capacity support. Policy recommendations should provide additional tools and flexibility assist jurisdictions and should avoid layering additional requirements, even if they would have the effect of streamlining future expansions.

Look to leverage affordable/diverse housing production with streamlining - Creating targeted expansions that resulted in developed housing can be challenging but can be incentivized by leveraging streamlined processes in exchange for state housing affordability and diversity goals. It will be important that the resultant process balances streamlined processes with statewide land use planning goals, including protection of resource lands.

Meeting Notes

*Meeting Outcome – Facilitate break-out and round-table discussion intended to solicit feedback and proposals to address the **UGB adjustment process**, including evaluation of options intended to **streamline the regulatory review process**.*

Update and Context Reminder

DLCD directed to facilitate discussion on housing capacity (through a work group), with a focus on:

- How land within UGB's can be better utilized to increase housing type and unit, including reduction of restrictive and outdated zoning regulations
- How the process and level of data necessary to establish the need of UGB adjustments can be streamlined, considering protection of resource lands
- How regulatory review of UGB adjustments can be streamlined, while considering the protection of resource lands
- How to fund additional capacity in cities with populations below 10,000

Work Group Charter

- 1) Advise DLCDD staff on issues specific to housing capacity as implemented through Housing Capacity Analysis and related statute and administrative rule.
- 2) Provide diverse perspectives and share knowledge and experiences working with Housing Capacity Analyses and Goal 10, and constructively critique staff's direction and proposals.
- 3) Consider and integrate the diverse perspectives, knowledge and experiences from the Housing Needs Work Group and the stakeholder engagement process.

UGB Adjustment Regulatory Review

Goal 14 – Expansion Process Review

- Ensure that the expansion best addresses the need and protects resource lands from irreversible conversions
- Three steps of a UGB adjustment
 - Establishing a study area
 - Prioritizing lands – urban reserves, non-resource lands, resource lands
 - Analyzing four location factors – efficiency, infrastructure, ESE, compatibility

Establish a study area

- Start broad and exclude lands that are unsuitable

- Incorporate all urban reserve areas plus areas a minimum distance from UGB boundary.
Exclude:

- Impracticable to provide public services
- Land subject to natural hazards
- Lands with specific scenic, natural, cultural, or recreational resources
- Non-urban federal lands

- Resultant final study area must be at least twice as large as land need

Prioritize Lands

- When expansion occurs, it's important protect high resource lands, and use them last. Start with lands that are intended for urban development
- Start with
 - Urban reserves, rural "exception" lands, non-resource lands
 - Marginal lands (Lane and Washington Counties)
 - Farm and forest land that is not primarily high-value farmland
 - Farm and forest land that is primarily high-value farmland

Apply Location Factors

- Ensure expansion area is best suited to meet need
- Locational factors include
 - Efficient accommodation of identified lands
 - Orderly and economic provision of public facilities and services
 - Comparative environmental, energy, economic and social consequences
 - Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

Other Considerations

- Simplified UGB methodology – establishes alternative process, particularly beneficial for smaller cities.
- UGB land swaps – gives the option to remove lands and bring in other lands. If swaps is roughly equal, then no 20-year need analysis is required
- Urban Reserves – 30-to-50-year land supply; first priority in UGB adjustment

Goal 14 – Expansion Planning Challenges (and the UGB Survey)

- DLCD published survey in June
 - Sent to 31 jurisdictions that had pursued UGB expansions since 2016
 - 9 responses, 5 follow-up discussions
- Major Challenges Observed regarding UGB Adjustments
 - Analytically Complex – requires specialized expertise to complete
 - Legally risky – when one or more parties opposes the adjustment
 - Outcome Uncertain – and development may not occur as planned, if at all (Expansions don't guarantee development)
- Opportunities
 - Urban Reserve Planning –jurisdictions that have urban reserves have an easier time with UGB adjustments than those that do not
 - Small-scale expansions – reduce risk, time and costs associated with larger expansions
 - DLCD-lead analysis – Directly address analytical challenges and reducing costs
 - DLCD partnership – Helping cities create partnerships, "get to yes" via collaboration

- UGB land swap – Removing lands that have not and will not develop anytime soon

Overview of Policy Ideas

DLCD Capacity for Goal 14

- No current capacity within DLCD to do analysis for Goal 14
- Build staff capacity to complete or support Goal 14 analyses
- Leverage existing budget request (OHNA POP) to fund capacity

Emphasize Urban Reserve/Concept Planning

- Having urban reserves reduces time required for expansion planning
- Incentivize or require urban reserve and concept planning
- DLCD could support funding for this process
- Urban reserve/concept planning increases certainty and enhances development and infrastructure readiness
- Look for ways to ensure that cities have allocated urban reserves

UGB Land Swap

- Bring in lands that are more ready for development and remove those that are unused
- Incorporate into the HCA process
- Facilitate appropriate removal of lands unlikely to develop
- Strengthen with flexibility around priority analysis
- An option could be to consider swapping in marginal lands, priority analysis wouldn't be required to incentivize this path

Incentivize small-scale UGB adjustments

- Incentivize streamlined small-scale expansion in exchange for statewide housing policy goals
- Design to be viable option while protecting resource lands
- Example of Skyline Village in Redmond, prompted HB 4079

Disincentivize Appeal of UGB Adjustments

- Disincentives for appeals of adjustment (not high-value farmland)
- Intent to dissuade incentive for obstruction when need identified
- Must be crafted to avoid discouraging bona fide appeals
- Most challenging to implement, legally and technically

Discussion

Discussion Goal: How to increase clarity and certainty, better emphasize housing diversity and affordability, and address sequencing challenges.

Discussion Questions

1. What are your thoughts, concerns, and suggestions behind **the five policy concepts below**?
What will it take to ensure the concept is implementable, effective, and politically viable?
 1. DLCD Capacity to Complete/Support Goal 14 Analysis
 2. Emphasize Urban Reserve and Concept Planning
 3. Incorporate the UGB Land Swap Process into the Housing Capacity Analysis
 4. Incentivize Streamlined Small-Scale UGB Adjustments
 5. Disincentivize Appeal of UGB Adjustments

Discussion

DLCD Capacity for Goal 14

- Every step of land use system is under capacity, what would it take to fully staff our land use system, if we wanted to really function efficiently? We don't necessarily solve anything if we solely address discrete steps
 - The land use system is not properly funded. A 2-year DLCD funding cycle does not align with processes that take much longer
- For mid-size and larger jurisdictions, this would be the least effective as the Goal 14 is hyper-localized. However, this would be very helpful for a small city and rural cities with minimal capacity
- What can the State/DLCD deliver to get the land within city UGB boundaries developed, with infrastructure? Building infrastructure takes time, so focusing on land that already has necessary utilities and infrastructure is more efficient and effective
- UGB streamlining needs to occur before DLCD capacity can increase
- This is an important need, but something that could be considered later as there are other considerations and policy suggestions that need to be investigated first. There should be allocated funding set aside to go to smaller cities that need additional support for this process?
- Small cities need funding for paying consultants, build the ability to support local jurisdictions
 - The smaller the city gets, the more important it is to get assistance
- It could be helpful to have DLCD manage these types of consultant contracts for UGB data and support

Emphasize Urban Reserve/Concept Planning

- In the case of Eugene, it has taken more than four years to do urban reserve planning analysis. If it was required, funding would be even more of an issue
 - Would be cautious towards supporting a requirement on emphasizing urban reserve/concept planning
- The timing component in relation to UGB expansions would be something to consider further when looking at requiring urban reserve planning
- It should be incentivized, not required. If it was required, there should be mandated funding
- From a special services district perspective, incentivizing urban reserve planning could be beneficial in tying infrastructure to housing development
- Urban reserve planning is underutilized even though it is a great resource, could benefit from additional refinement
- Incentivizing urban reserve/concept planning would be compelling but may have some implications with Climate Friendly Equitable Communities (CFEC) and reducing VMT
 - Request that DLCD continue to have conversations with ODOT on the alignment of urban reserve planning with CFEC
- Urban reserves analysis focuses on land that would be best for future expansion and deprioritizes other land. When one looks at UGB criteria, urban reserves, marginal lands, and exception lands are what is looked at first for an expansion. If a jurisdiction then decides to conduct an urban reserve analysis, it has already studied exception lands. This duplication of

analyzing exception lands may not be beneficial. Instead, this could potentially be an area where one could re-incentivize urban reserves

- Sync up language between urban reserve and UGB analysis. Reconciling “developable” versus “buildable”
 - Clarity surrounding the urban reserve study area and noting the difference between the process of creating a UGB study area
 - Clarity around level of analysis required in urban reserve planning versus UGB analysis
 - Data regarding soils would be helpful
- Could garner additional support for urban reserve planning if it was accompanied with rural reserves
- Provide additional data on natural resources
- Could require every city that is currently going through the UGB process to include an urban reserve analysis for future convenience

UGB Land Swap

- How can we be sure that the land that is being brought in is actually meeting the housing needs we have?
- UGB Land Swaps are particularly beneficial and a helpful tool when dealing with older UGB boundaries that were created prior to regulations of deleting wetlands
- Some cities have UGBs that were set in the '80s and still haven't reached the population anticipated.
- Noting that despite a land swap being 1:1 there are intrinsic differences between two different lands
 - Using the term “1:1” for the land swap can be reductionist, particularly in the case of agricultural lands where the quality of the land is based not only on acreage alone, but irrigation rights, and additional factors that need to be identified and considered.
 - Concern about many 50 acres “bites” into ag lands; incompatible uses and reducing ag land viability
- This tool has been used on a case-by-case basis. Concern about “globalizing”
- Metro relies on jurisdictions on proposing expansions into urban reserves and show us concept plans. Excluding exchanges from the Goal 14 locational factor, focused on land that has been concept-planned by a city. Address the issue of land “readiness”
- When cities are doing a land swap, we make sure that the process isn't mired in bureaucracy that it becomes akin to a small UGB expansion
- Would like more clarity from the legislation
- UGB doesn't necessarily have to be tied to the HCA, could create additional problems for rural cities and small cities. May be useful for unique situations
- Measure 49 considerations
- Good idea to replace lands that cannot be developed – steep slopes, etc. Details are important. Need to identify guidelines. Need more detail to provide certainty
- Be sure to consider neighborhood features as part of this tool – parks, neighborhood scale commercial, etc.

Incentivize small-scale UGB adjustments

- Small-scale UGB expansions need to be specialized and targeted, needs to be used as a tool

- Cities can request proposals in housing development and select a proposal and then to prompt a small-scale UGB expansion
 - It's important to better achieve a fit between housing need and land supply
- The definition of “small-scale” has not been fleshed out because we don't know if this approach is what jurisdictions are interested in
- This approach is scaled to local need, the process of competition to increase affordable units can be a powerful tool
- 100 acres might be a feasible definition for small-scale to allow for the construction of complete communities, might be challenging to fit that into 50 acres
- Can be useful for small expansions. Like the idea of a “competitive approach” with guidelines to incentivize affordable unit development. 50 acres seems to small – 100 +/- seems about right to allow for a mix of development/reduce VMT
- Statewide database on what is being built could be helpful for tracking what is being built, what works and what doesn't, particularly for smaller communities
- Taking small parcels of land into a UGB adjustment may have significant agricultural land implications over time
- When looking at small-scale UGB adjustments, need to consider adjacent and necessary uses
- Extending services for a small expansion can be challenging

Disincentivize Appeal of UGB Adjustments

- The incentive to appeal diminishes the more that there is integrity of the analysis on the requirements needed to prompt a UGB expansions
 - Identify the need
 - Be aware of what lands are chosen – don't pit food needs against housing needs
- Housing need sometimes stay hidden until a jurisdiction pursues a UGB expansion
- Several UGB expansions have been unsuccessful in addressing housing need. The type of land brought into the UGB is important in looking at the success of development
- The State should incentivize rezoning underutilized or “surplus” existing commercial or industrial land within the UGB to support housing
- The idea of disincentivizing appeal of UGB adjustments is good, creating a process upon which do this would be challenging
- Create a hybrid model that allows for by-right UGB adjustments that wouldn't be challenged by appeal and cross potential barriers
- There's a difference between appeals within cities and appeals within UGBs
- Just because there haven't been a lot of appeals doesn't mean that there isn't an interest on appeals (particularly jurisdictions that cannot afford litigation charges)
- Some of the jurisdictions could provide us with detailed information on how much their appeals costed, staff time, and impacts internally from having to deal with the appeal. Maybe if they redo the survey they could request this information.
- Would like to see the data to show that “too many appeals” are a barrier
- Jurisdictions are concerned about litigation so they don't consider these tools.
- NIMBYism is getting in the way of achieving housing goals. Need to think bigger to address conditions that make development difficult

Recap and Next Steps

- Next meeting is Aug 31st from 2-4 PM
- Please share additional information and feedback from the session with Sean Edging, DLCD
- Reach out to Jamie (jdamon@kearnswest.com) or Arpana (anautiyal@kearnswest.com) if you would like to have a 1:1 with DLCD staff

Meeting Adjourned at 4:00pm.

Additional Comments

- Working intentionally on Goal 10 reduces gamesmanship on both sides. Have a UGB expansion process driven by cities
- DLCD could "borrow" expertise from other agencies and collaborate
- It could be helpful for DLCD to also review system plans and master plans to ensure they fit with the larger land use goals for a jurisdiction
- Part of the discussion is not just the review process, but after when a UGB expansion gets accepted. After a UGB is expanded, when does that land get used and are there any barriers to building on that land



Housing Capacity Discussion Draft Recommendations

Published August 24, 2022

The purpose of this document is to outline a series of recommendations intended to respond to legislative direction to streamline the state's housing planning process, particularly as it relates to growth management. These recommendations include a range of statutory and programmatic changes that would streamline the overall planning process including Buildable Lands Inventories (BLIs), Housing Capacity Analyses (HCAs) and Urban Growth Boundary (UGB) amendment processes. The recommendations are organized by the four primary issues the Legislature tasked DLCD to address (HB 5202, 2022):

1. *How land within Urban Growth Boundaries (UGBs) can be better utilized to increase housing types and units, including the reduction of restrictive or outdated zoning regulations and the appropriate conversion of commercial and employment uses to residential use.*
2. *How the process and level of data necessary to establish the need for UGB amendments can be streamlined, while considering the protection of resource lands.*
3. *How the regulatory review of UGB amendments can be streamlined, while considering the protection of resource lands.*
4. *How to fund additional capacity in cities below 10,000 to plan for and work to facilitate the development of housing in their communities.*

These recommendations are not yet fully developed. This document summarizes these potential policy options at a high level for the purpose of facilitating discussion among the Housing Capacity Work Group and the broader community to inform policy refinement before DLCD submits the final version to the Legislature before the end of the year. The project team welcomes specific refinements, suggestions, and proposals to improve the recommendations and fulfill the direction prescribed by the Legislature.

Current UGB Amendment Process

For UGB Amendments related to housing, this process begins with a Housing Capacity Analysis, which consists of two major components: a 20-year housing needs projection and a Buildable Lands Inventory. These two analyses answer a critical question: "Is there enough land within the UGB, zoned to sufficient capacity, to accommodate twenty years of projected growth?"

If there is a deficiency of land, a jurisdiction must adopt measures to accommodate needed housing. First, the jurisdiction must adopt "efficiency measures", which are policies that increase development within a UGB. Once these policies are exhausted, the jurisdiction must adopt a UGB amendment, in which they conduct a Goal 14 analysis to determine which area would best suit the identified need.



Fig 1. Diagram of the Housing Capacity Analysis Process



Recommendations Summary

The recommendations outlined in this document are intended to streamline the overall process by working towards the following outcomes:

Increase local capacity and reduce administrative burden

- Shift more of the analytical burden from local governments onto the state and provide more “off-the-shelf” analysis and tools for local jurisdictions, including the Oregon Housing Needs Analysis;
- Provide more local discretion to plan for housing types and characteristics in a manner that is more responsive to estimated housing need; and
- Build technical capacity to support local governments, especially smaller and more rural cities, through funding and consultant/direct planning support.

Build on existing tools and provide new tools to streamline the process while maintaining resource protections

- Facilitate and emphasize urban reserve and concept planning to streamline UGB amendments;
- Incorporate the existing UGB land swap process into the Housing Capacity Analysis to remove lands within the UGB that are unlikely to develop within a 20-year horizon while adding land that is more likely to develop;
- Merge “efficiency measures” with the Housing Production Strategy to improve housing capacity and diversity while also decreasing administrative delay in pursuing amendments; and
- Establish a streamlined, small-scale UGB amendment option that leverages the delivery of affordable and diverse housing choices in exchange for regulatory streamlining.

Reduce the basis and incentive to appeal UGB amendments

- Provide more pathways and clarity in statute and administrative rule that give jurisdictions more certainty in pursuing UGB amendments minimizing the risk of appeal where land for housing supply is needed.

1. Utilizing Land within the UGB

Amend the “Efficiency Measures” statute (ORS 197.296 (6)(b), (7), (8), and (9)) and Housing Production Strategy statute (ORS 197.290) to specify that efficiency measures be implemented as part of the Housing Production Strategy. Clarify that efficiency measures do not need to be adopted concurrently with a UGB amendment, provided a local jurisdiction is in substantial compliance with an adopted Housing Production Strategy.

Currently, “efficiency measures” are the first step jurisdictions take when they identify a land capacity deficiency. While efficiency measures are an important tool to increase the production and diversity of housing and reduce impacts to resource land, current sequencing requires a jurisdiction to spend significant time and resources to develop and adopt these measures before they can adopt a UGB amendment.

However, as many Housing Capacity Work Group members have noted, the current statute has significant overlap with the Housing Production Strategy. Merging the efficiency measure requirement into the Housing Production Strategy eliminates this redundancy and achieves two outcomes concurrently:

1. This update would provide a systematic process of review and implementation of efficiency measures over a six- to eight-year horizon. This update would enable a more thorough and structured evaluation of the efficiency measures a city plans to adopt.



2. The update would eliminate a time- and resource-intensive step between a Housing Capacity Analysis finding of land capacity deficiency and a UGB amendment. Rather than implementing a suite of efficiency measures and an amendment to the UGB all at once, cities would instead be required to demonstrate that they have adopted an HPS that is responsive to the identified housing need and have made progress towards implementing the efficiency measures therein.

Critically, this change to statute decouples an Urban Growth Boundary amendment from adoption of efficiency measures. Historically, the UGB amendment was a de facto regulatory check to ensure compliance on efficiency measures. Adopting efficiency measures as part of the Housing Production Strategy means that there will need to be a clear accountability mechanism that ensures jurisdictions meaningfully follow through on the efficiency measures identified in the HPS.

This HPS accountability structure already exists; regulatory enforcement begins collaboratively and ramps up if a jurisdiction delays implementing policies to address housing need. This system can be readily modified to more clearly articulate a wider suite of efficiency measures that support equitable housing production, including rezoning of underutilized employment lands, public facilities & infrastructure planning, and reducing cost and delay to housing production, among other measures. Additionally, the existing HPS accountability system can be strengthened through the addition of enforcement tools that articulate clear actions, timelines, and consequences for non-compliance, such as the application of a statewide Model Code, as was utilized in the implementation of House Bill 2001.

*Direct the Land Conservation and Development Commission, in consultation with Oregon Housing and Community Services, Oregon Department of Transportation, Department of Environmental Quality, Oregon Health Authority, and Business Oregon, to adopt administrative rules and guidance to implement **Efficiency Measures via the Housing Production Strategy**. The resultant rules must provide clear parameters on the types and extent of efficiency measures needed for varying sized jurisdictions and emphasize the following considerations:*

- (a) Recognition of local action on housing in response to direction from the Legislature or Governor's Office as efficiency measures, including implementation of middle housing code amendments (ORS 197.758) and Climate-Friendly and Equitable Communities rules;*
- (b) Increasing housing diversity, efficiency, and affordability;*
- (c) Enhancing flexibility in housing choice and location;*
- (d) Reducing cost or delay and increasing procedural certainty for the production of housing; and*
- (e) Preparing land for development or redevelopment, including:*
 - (A) Public facilities planning and other investment strategies that increase the development-readiness of land for housing production;*
 - (B) Site preparation, financial incentives, or other incentive-based measures that increase the likelihood of development or redevelopment of land; and*
 - (C) The redevelopment of under-utilized commercial and employment lands for housing or a mix of housing and commercial uses.*

This recommendation will direct the Land Conservation and Development commission to adjust existing administrative rules to provide significant clarification surrounding "efficiency measures" and their implementation through the Housing Production Strategy. The parameters articulated in the recommendation will better recognize a broader range of actions cities can take to support



diverse housing production and land readiness. Implementation of this recommendation would also provide “credit” for jurisdictions that have implemented recent Legislative and Gubernatorial direction on housing.

2. Establishing Need

*Amend the “**Needed Housing**” statute (ORS 197.303) to require cities to plan for housing allocations provided in the Oregon Housing Needs Analysis and to provide more local discretion to plan for future housing types and characteristics in a manner that is responsive to need and market feasibility, rather than based on past development trends.*

Currently, cities conduct extensive analysis as part of the Housing Capacity Analysis to establish 20-year housing needs projections based on a population projection provided by the Portland State Population Research Center and local market data. Current statute requires local governments to appropriately characterize *how much* and *what types* of housing they will need through detailed analysis, based on future growth and past development trends.

The current framework places a heavy analytical burden on local governments, introduces risk of appeal of adopted needs projections, and binds jurisdictions to planning for housing characteristics and types that may not be responsive to the current needs or financial capabilities of both current and future households in their communities.

The implementation of the OHNA shifts that analytical burden to the state. This change would have the dual benefit of reducing the need for time and resource extensive local analysis and associated bases for appeal. Additionally, the estimates provided in the OHNA account for many factors not currently taken into consideration – including housing for people experiencing homelessness, second homes, and housing underproduction – all of which substantially increase housing needs projection numbers.

Clarifying a greater emphasis on planning for housing types and characteristics that are realistic, responsive to identified needs, and market feasible, rather than based primarily on past trends, enables jurisdictions to have much greater discretion to make important policy decisions about the planned future mix of housing in their communities.

However, it is important to distinguish that estimations of the zoned capacity of developable lands will continue to be based on past production trends to avoid artificially inflating the actual capacity of lands with “phantom” or “paper” capacity that is unlikely to be realized. As discussed below, these recommendations include several refinements to the Buildable Lands Inventory that provide local governments tools and assumptions that more accurately assess the capacity of lands within the UGB.

Finally, the Legislature could strengthen this option by directing DLCD to adopt safe harbors in administrative rule or publishing guidance on the development feasibility of various market-rate and affordable housing types and characteristics that local jurisdictions can plan for without risk of appeal.

*Adjust the “**Buildable Lands**” statute (ORS 197.296) to reflect a more realistic estimation of 20-year residential land supply and minimize inclusion of “phantom” capacity (i.e. identified capacity that is not likely development feasible) in buildable lands inventories.*

Current state law on buildable lands inventories (ORS 197.296) is already relatively optimized to reduce the inclusion of “phantom capacity” in local Buildable Lands Inventories (BLIs). However, there are several amendments and clarifications to the statute that can further reduce this “paper



supply". These amendments are also intended to simultaneously provide cities more flexibility to adopt policies that increase housing capacity and diversity.

- Clarify that, upon remand of a Housing Capacity Analysis by the Land Use Board of Appeals, the 20-year planning horizon must restart to reflect a full 20-year period, rather than continue with the shortened horizon and associated diminished housing needs projection caused by appeal-related delay;
- Clarify that "partially vacant" parcels less than two acres in size may be considered "infill or redevelopment" sites under ORS 197.296(4)(a); and
- Enable the application of market factor amendments reflecting the reduced likelihood of development or redevelopment in light of regulatory or market constraints.

*Direct the Land Conservation and Development Commission, in consultation with Water Resources Department, Oregon Department of Transportation, the Oregon Health Authority, and the Department of Environmental Quality, to adopt administrative rules outlining revised methodological assumptions and safe harbors for estimating the **capacity of buildable lands** in consideration of analysis accuracy, replicability, cost, and ability to respond to local market conditions. This includes:*

- (a) Capacity estimates for areas that are partially vacant or available for infill and redevelopment;*
- (b) Capacity estimates for areas that are rezoned to allow greater housing variety;*
- (c) Appropriate omission of constrained and goal-protected lands from land capacity tabulations, consistent with best available mapping data; and*
- (d) Appropriate market factor amendments reflecting the reduced likelihood of development or redevelopment in light of regulatory and market constraints, including but not limited to:*
 - (A) Parcelization;*
 - (B) Infill and redevelopment;*
 - (C) Landowner-related inhibitions to housing production, including codes, covenants, and restrictions (CC&Rs); and*
 - (D) Regulatory constraints, including lands subject to state wetland regulations.*

The intent of this rule refinement is to provide local jurisdictions more sound methodological options to complete a Buildable Lands Inventory with greater certainty that the assumptions will not serve as the basis for appeal of the analysis or UGB amendment. This will have the effect of providing cities more options to remove "phantom capacity" from their inventories to reflect a more realistic inventory of capacity within UGBs.

3. Regulatory Review of UGB Amendments

*Adjust the Urban Reserve statute (ORS 195.145) and direct the Land Conservation and Development Commission to amend administrative rules specific to **urban reserves and concept planning** (OAR Chapter 660, Division 21) to increase flexibility and ease of implementation.*

In discussions with cities that have recently completed UGB amendments, a common theme is that cities that had analyzed and designated urban reserves to accommodate future UGB amendments were able to both expediently move through the amendment process and much more likely to realize development on that land. The difference in outcomes between cities was often significant, with many cities with urban reserves reporting substantially shorter process timelines with relatively minimal risk of additional cost and delay. City staff cited several reasons for this:



1. Urban reserve and concept planning increases certainty that a proposed UGB amendment will be successful, by mitigating potential legal controversy surrounding the priority scheme (ORS 197A.320, 197.298 for Metro). In ORS 197.A.320, Urban Reserve land is the first priority of land to be considered when expanding a UGB;
2. Urban reserve planning reduces analytical burden for cities seeking UGB amendment by front-loading many of the priority and locational factor considerations before a need for a UGB amendment is identified;
3. Urban reserve planning increases certainty in infrastructure planning and delivery by establishing a more clear and orderly transition of rural lands to urban uses over a longer time-horizon; and
4. Concept planning increases the development-readiness of lands by establishing the planned uses and public facilities for an expansion area even before it is brought into the UGB.

This suggests that emphasizing the urban reserve and concept planning process as part of regular work cities complete will facilitate more streamlined UGB amendments. While work group members pushed back against the prospect of *requiring* urban reserve planning for larger cities, members generally supported revisions to the statute and administrative rule to reduce local barriers in pursuing urban reserve planning. Work Group members also advocated for increased technical and capacity support from the state to assist jurisdictions seeking to establish urban reserves.

In particular, a regulatory amendment that would incentivize more local governments to pursue an urban reserve is simplifying the planning time horizon associated with an urban reserve. Currently, urban reserves plan for a 10- and 30-year supply of developable land beyond the 20-year urban growth boundary amendment (ORS 195.145(4) and OAR 660-021-0030). In practice, this requirement means that a city must complete urban reserve planning as part of or immediately subsequent to a UGB amendment, instead of being able to complete this analysis independently. Clarifying that this timeframe may simply be up to a 50-year supply of land and may be designated independently of an UGB amendment would provide significantly more flexibility in pursuing urban reserve planning.

Additionally, the Legislature could significantly strengthen this option through provision of planning assistance from DLCD staff or through direct funding or consultant support for urban reserve planning. As part of the expertise / technical capacity-building recommendations below, DLCD recommends dedicating existing funding and committing additional funding to support urban reserve and concept planning. Staff find that it is also important to fund other supporting work, such as public facilities and infrastructure planning, to ensure that new expansion areas are much more comprehensively planned and ready for development.

The combination of statutory and rule refinements along with additional funding and support for local governments to pursue urban reserves, concept planning, and public facilities planning will increase the ease and certainty of pursuing a UGB amendment. Efficiencies in the UGB amendment process have the secondary benefit of increasing the readiness of land to develop with housing. These improvements would likely increase the number of cities with urban reserves, thereby reducing administrative and legal constraints associated with future UGB amendments.

Direct the Land Conservation and Development Commission, in consultation with Water Resources Department, Oregon Department of Transportation, the Department of Environmental Quality, the Oregon Health Authority and the Department of Agriculture, to adjust administrative rules related to UGB Land Swaps (OAR 660-024-0070) to increase its flexibility and enable its utilization as part of a Housing Capacity Analysis.



As a consequence of UGB adoption and amendment decisions made in the past, many cities have large areas of land within UGBs that are unlikely to develop in the future, even with appropriate zoning and public facilities planning. Many of these areas have remained undeveloped for decades, and today, several cities have pursued an existing administrative pathway called a “UGB Land Swap” to remove highly constrained lands in exchange for lands that are more development ready, e.g., more easily served with infrastructure. Currently, this process occurs separately from the Housing Capacity Analysis.

It would be possible to promote the use of UGB Land Swaps to exchange land that is unlikely to develop within twenty years through strategic amendments to statute and administrative rule. Specifically, incorporating the existing UGB Land Swap process as part of the Goal 10 analyses that jurisdictions above 10,000 are currently required to complete. Rather than completing one-off UGB Land Swaps, cities would have the ability to regularly evaluate lands within the UGB that have not developed over a significant amount of time as part of a Housing Capacity Analysis.

Additionally, this option could be strengthened by making amendments to statute that further increase flexibility, including enabling jurisdictions to swap lands within the UGB that have not developed in exchange for lands outside of the UGB that are substantially similar under the priority scheme. Such an update would require amendments to ORS 197.320(A) and OAR 660-024-0070. Several work group members noted that agricultural lands can often have value beyond their soil classification, such as its location or economic context. To mitigate the potential of removing valuable resource lands through a UGB swap, such a provision could be tailored more narrowly to either exclude high value resource lands or require some demonstration of equivalency as part of the local government’s UGB amendment findings if the swap includes high value resource lands generally.

Another amendment that would strengthen the UGB amendment process is clarifying that removing land from a UGB as part of a UGB Land Swap would not trigger a Measure 49-related claim. This clarification would require an amendment to Measure 49-implementing statutes, ORS 197.300 through 197.336. Current legal interpretation by DLCD and Department of Justice (DOJ) staff suggest that removing lands from a UGB where the applicable zone and land use regulations do not change does not implicate Measure 49. However, many practitioners perceive a risk of a potential Measure 49 claim associated with removing land from the UGB. Clarifying this in statute will increase legal certainty for jurisdictions that pursue a UGB Land Swap.

Adjust statute and direct the Land Conservation and Development Commission to amend rules to authorize utilization of the Affordable Housing Pilot Project (House Bill 4079 – 2016 Session; OAR Chapter 660, Division 39) as a streamlined UGB amendment process in exchange for delivering statewide housing policy goals, including the development of diverse or publicly-supported housing options.

Urban Growth Boundary amendments can be analytically intensive and contentious processes. As a result, the process incentivizes cities to pursue larger amendments than necessary to avoid multiple and more frequent UGB amendments. Consequently, many of these larger, less frequent amendments have a heightened profile, which often leads to greater risk of appeals and major delays, which, in turn, substantially increases time and cost. Additionally, the complexity of Goal 14 planning has discouraged many smaller cities from seeking UGB amendments altogether. Practitioners have suggested that if smaller, more regular amendments were simpler to accomplish, that could help reduce the dynamics that can lead to longer and more expensive UGB amendment processes.

One policy to incentivize small-scale amendments while leveraging better housing outcomes is to build on the implementation of the affordable housing pilot project implemented via [House Bill](#)



4079. This legislation enables cities to pursue a streamlined amendment should they develop a qualifying proposal. For such a policy to be effective, it would need to include:

1. Some legal mechanism that guarantees delivery of statewide housing policy goals, such as a UGB amendment “condition of approval” requiring the establishment of a deed restriction for the development of regulated affordable or diverse housing options. The policy would need to provide various alternatives to increase the pool of eligible projects. Below are a few examples of potential eligibility parameters for consideration:
 - a. At least 30 percent of the total housing units proposed and developed on an eligible site are housing units affordable to households who meet applicable maximum income limits, not to exceed 80 percent of the area median income; or
 - b. At least 30 percent of the total housing units proposed and developed on an eligible site are manufactured dwelling park spaces, with or without government assistance, by households who meet applicable maximum income limits, not to exceed 100 percent of the area median income;
 - c. At least 40 percent of the total housing units proposed and developed on an eligible site are housing units affordable to households who meet applicable maximum income limits, not to exceed 100 percent of the area median income; or
 - d. At least 50 percent of the total housing units proposed and developed on an eligible site are middle housing units as defined in ORS 197.758.

Examples a) and b) draw from existing HB 4079 affordable housing requirements, whereas examples c) and d) do not currently exist but represent housing outcomes that the Legislature has expressed interest in promoting – workforce and middle housing.

2. The streamlined pathway would need to mitigate potential long-term impacts to resource lands, such as a requirement that a qualifying proposal not include high value farmland or that an amendment may expire after a certain period of time if no development activity occurs.

Through discussion with work group members, there are two potential approaches the Legislature could consider in the establishment of such a program, a “clear and objective” approach or a competitive approach. Either approach would require statutory changes to enable and authorize rulemaking.

Option 1 – A “clear and objective” approach articulating specific numeric requirements required for the streamlined process that is approved by DLCD’s director (new statutory language)

Under a “clear and objective” approach, the Legislature could establish clear parameters for jurisdictions and projects that would be eligible for a streamlined UGB amendment. A jurisdiction could submit a qualifying project through the Post Acknowledgement Plan Amendment (PAPA) process and would be evaluated and acknowledged by DLCD’s director under a set of minimally discretionary standards. In other words, if a proposal meets the requirements of the statute, it would necessarily be approved.

The advantage of such an approach is that it would be a significantly more accessible option for jurisdictions to pursue without undergoing a relatively intense and potentially political evaluation process that a competitive approach would require. This could enable local jurisdictions to partner with local housing developers with certainty that a proposal would be accepted, provided it met the applicable program requirements. A potential disadvantage is that clear eligibility parameters could inhibit program flexibility, making the pathway less viable and adaptable in the face of varying local market conditions. Such a pathway would require careful considerations of incentives and feasibility to ensure it is implementable and achieves intended outcomes.



Option 2 – A competitive approach in which proposals are evaluated and awarded by LCDC (adaptation of HB 4079)

At the third Housing Capacity Work Group meeting, several members suggested that a competitive approach could be an appropriate way to structure a streamlined process. Under such an approach, the Legislature could establish broader goals that LCDC would apply to the evaluation of proposals. A jurisdiction could submit project proposals for consideration by LCDC, which would then evaluate and reward projects based on how well the proposal meets the broader goals articulated by the Legislature.

The advantage of such an approach is that much of the existing statute and administrative rules for the Affordable Housing Pilot Project could be adapted to suit a permanent program. Additionally, it could provide additional assurance that proposals would be reviewed via a relatively transparent and higher profile public process. A disadvantage of this approach is that it would require jurisdictions to undergo a significant and likely political public process to receive approval for a given project, raising uncertainty that a given project proposal would be worth the risk. Additionally, such an option would require significantly more Commission time and resources to regularly evaluate project proposals.

Amend the “Simplified UGB Methodology” (ORS Chapter 197A) and associated administrative rules (OAR Chapter 660, Division 38) to establish a more “clear and objective” pathway for a UGB amendment and reduces the basis and incentive for appeal.

The most substantial factor that increases the time and cost associated with an Urban Growth Boundary amendment is the underlying risk of appeal. In almost every circumstance where a UGB amendment required significant time and expense, it was due to an appeal or several appeals of proposed UGB amendments. Of course, it is worth emphasizing that many of these appeals were well-founded, as demonstrated through the remand of the proposed amendment. However, these scenarios could be avoided altogether through greater clarity and certainty articulated in state policy and regulations.

In aggregate, the recommendations *significantly reduce the basis for appeal* by reducing or eliminating two contentions that typically drive appeals: 1) inaccurate/inappropriate 20-year housing needs projections and 2) amendments onto resource lands in non-compliance with the “priority scheme” (ORS 197A.320, 197.298 for Metro). The implementation of an OHNA virtually eliminates the potential for appeal of a 20-year housing needs projection – OHNA projections would be structured to function similarly to population projects conducted by the Portland State University Population Research Center in that the projections would not be subject to appeal. The OHNA projections also significantly increase the amount of housing that cities must plan for by accounting for factors that would be impracticable to calculate at the local level such as unit underproduction and housing for people experiencing homelessness. Additionally, several recommendations minimize the risk of appeal in relationship to the priority scheme in ORS 197.298, including urban reserve & concept planning, UGB land swaps, and – maybe most importantly – increased Goal 14-related funding, expertise, and technical capacity to assist local jurisdictions in the process.

However, there is still some degree of appeal risk, even with the implementation of the proposed recommendations. [House Bill 2254](#) (2013 Legislative Session) sought to address this by providing a “simplified” methodology for smaller jurisdictions, but the resultant methodology has been largely un-utilized due to various provisions in statute and administrative rule that make the pathway less desirable than a standard UGB amendment. There are many specific details cited



by cities that have pursued the pathway¹, but in short, the pathway did not provide 1) **simplicity** of analysis that reduced time and expense, 2) **flexibility** to account for varying local conditions, and 3) **certainty** that the resultant decision would not be appealed.

While the statute and rule, in its current form, is not utilized by jurisdictions seeking a UGB amendment, there are strategic amendments that could be made to both statute and administrative rule that make the pathway more viable. Examples of these amendments include:

- Changing the 14-year planning period to 20-years, consistent with standard Urban Growth Boundary amendments;
- Simplifying priority and serviceability-related analysis and providing greater certainty against appeal; and
- Simplifying and increasing flexibility for buildable lands inventories, consistent with the BLI refinement recommendations outlined earlier in this document.

4. Building Expertise / Technical Capacity

Direct more funding, capacity, and technical support for Goal 14-related work, including UGB amendments, UGB land swaps, public facilities planning for housing, and urban reserve and concept planning.

DLCD has submitted an Agency Request Budget to establish a biennial budget of \$2.5 million for direct planning assistance to local jurisdictions in order to complete housing planning requirements, including Housing Capacity Analyses and Housing Production Strategies. In the previous biennium alone, a historic investment from the Legislature in housing planning totaling \$4.5 million supported 92 projects in 75 jurisdictions. While much of this work will support jurisdictions in pursuing UGB amendments, DLCD has neither the authorization nor direction from the Legislature to use housing-related funding for planning work related to Goal 14 planning.

By investing funding and directing DLCD to utilize this funding to support Goal 14 planning-related work, including UGB amendments, urban reserves, UGB swaps, and public facilities planning, local jurisdictions will have the support and resources needed to pursue UGB amendments. And more importantly, land added to the UGB will be much more likely to actually develop with housing, especially if they are coordinated with public facilities plans.

A critical operational amendment DLCD will be implementing in the next biennium is a pathway for small, resource-constrained local jurisdictions to access housing-related capacity assistance without needing to submit a grant application. This could be achieved through a lump sum contract or series of contracts with local Councils of Government and similar organizations to perform housing-related work on behalf of smaller jurisdictions.

It is important to emphasize that while the \$2.5 million request represents a significant commitment from the state to support housing planning, expanding that scope to Goal 14 planning will significantly increase the pressure on this funding source. Many plans related to Goal 14, especially public facilities plans, are more time and cost intensive than Housing Capacity Analyses and Housing Production Strategies. Therefore, additional funding will be critical in supporting jurisdictions seeking to pursue Goal 14-related work, including UGB amendments. Additionally, while DLCD will be dedicating a portion of funding to support smaller jurisdictions, any additional funding for housing planning assistance will support even more jurisdictions in

¹ ECONorthwest. City of Newberg. Commentary on the Division 38 Process. Accessed via: https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/5842/051319_tac_newberg_2030_packet.pdf (page 9-14)



completing necessary housing and Goal 14-related work, especially simpler, less expensive tasks such as annexation/zone changes, land use entitlement, and permitting.

Direct the Department of Land Conservation and Development to focus new housing staff included in the Agency Request Budget, on Goal 14 and public facilities planning and support for local jurisdictions. The role of this staff will be to provide Goal 14-related technical feedback and support to larger communities and to complete Goal 14-related analysis for smaller communities that are ready for adoption.

Planning for UGB amendments under Goal 14 requires specialized, in-depth technical knowledge in order to successfully develop a Goal 14 analysis that can withstand potential legal scrutiny. For larger cities, this often means staff weigh whether to expand into land that is legally and technically easier to justify over land that is more suitable for development. For smaller cities, this often means that they are wholly unable to expand solely due to the time and cost of hiring a private consultant to complete the analysis. DLCD currently has one full-time staff person with an explicit role in providing support and guidance to jurisdictions seeking UGB amendments, and this position also has other duties in addition to UGB technical assistance.

DLCD's agency request budget includes a request for three new planning positions for the implementation of the Oregon Housing Needs Analysis (OHNA). This recommendation would re-focus this team to explicitly support Goal 14-related work and provide technical guidance and direct support to communities seeking UGB amendments. For larger cities, the team would provide technical support and guidance on relevant statute and administrative rule. For smaller cities, the team could perform Goal 14 analyses identifying one or more potential expansion areas into which cities can expand without needing to complete an analysis in-house.

Additionally, a clear theme that Housing Capacity Work Group members have highlighted is the need for more coordinated public facilities and infrastructure planning to ensure land is development ready. To meet the scope of supporting housing production more fully throughout the state, the addition of one full-time position specializing in public facilities planning would significantly aid both Goal 14 planning and ensuring land is development ready. The addition of such expertise to DLCD could significantly support the core OHNA recommendation for the establishment of a Housing Production Team providing specialized expertise to diagnose and overcome barriers and to align policies and funding in manner that supports housing production in partnership with local jurisdictions.