

# OREGON

Department of  
Land Conservation  
& Development



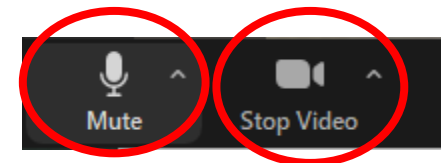
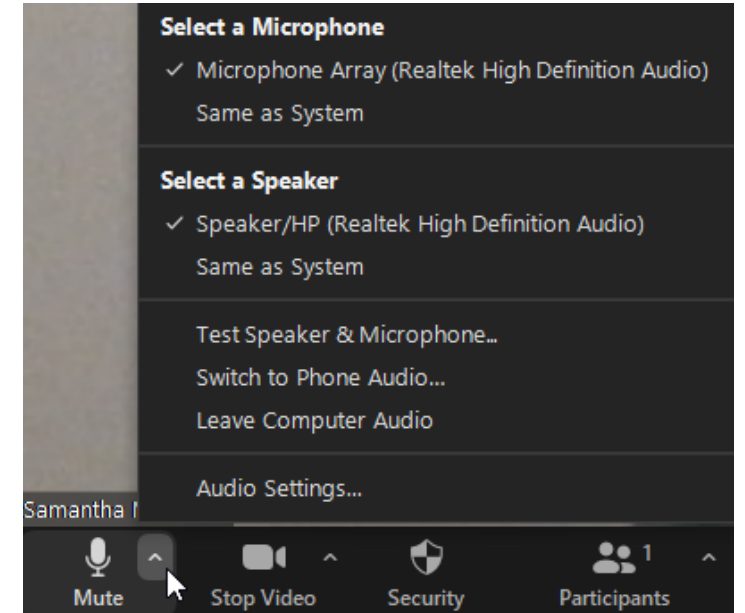
## Housing Capacity Work Group

Work Group Meeting 6

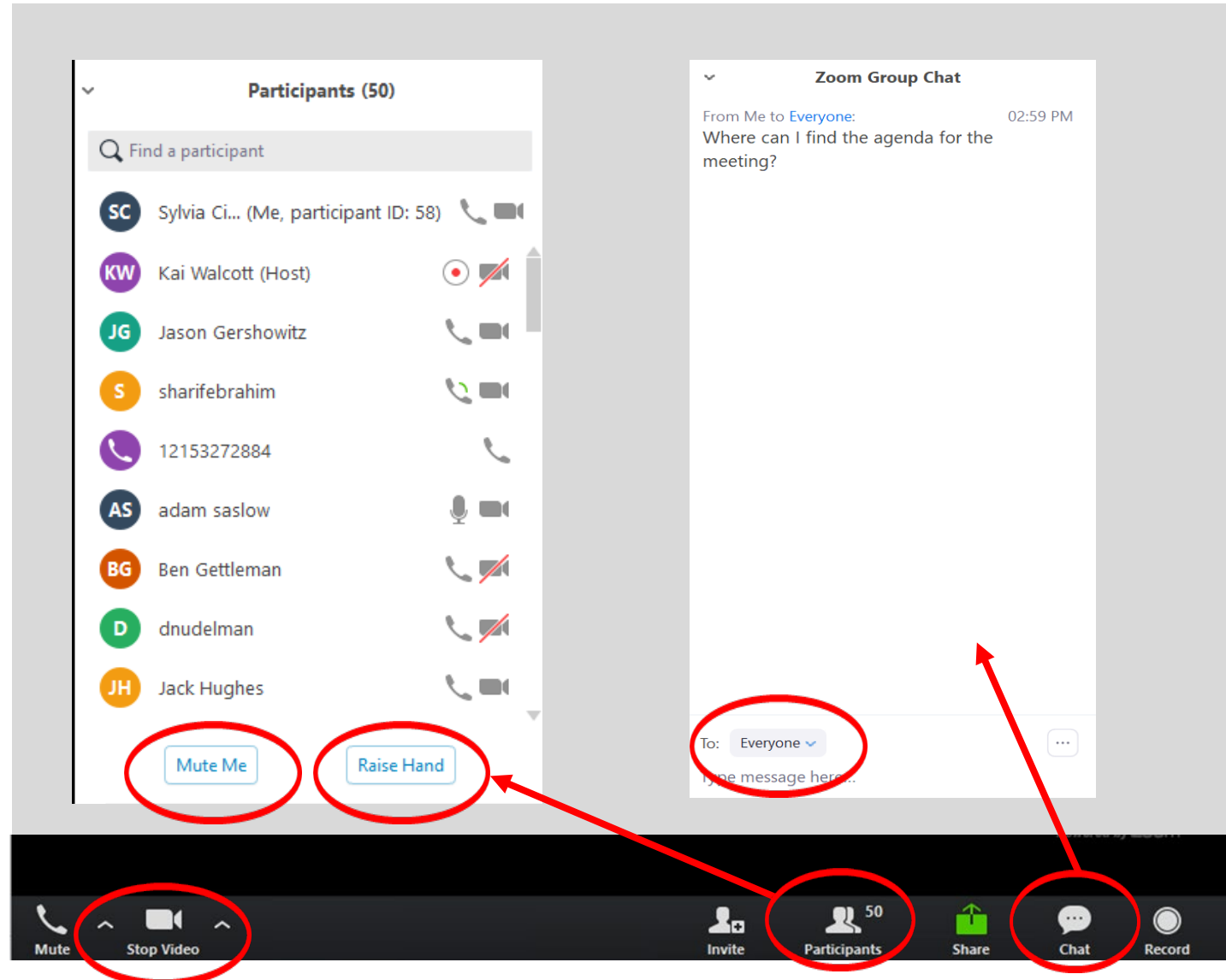
September 26, 2022

# Zoom Meeting Tips

- Please see below webinar instructions and tips below:
  - If you have not already **connected your audio**, click on the arrow next to the microphone icon, then click “Join Computer Audio” or “Switch to Phone Audio” to connect your computer speakers or to view the conference line information.
  - Please **keep yourself on mute** when not speaking. To mute and unmute, either select microphone icon, or use your personal phone.
  - **Use video** if possible, to promote face to face communication. Click the video icon to turn on your webinar camera.



# Zoom Meeting Tips



- To raise your hand by phone, press \*9.
- To unmute yourself by phone, press \*6.

# Agenda

- Welcome and Agenda Overview (*15 min*)
- Work Group Update (*10 min*)
- Discussion - Draft Recommendations (*85 min*)
  - *What is missing*
  - *Alternatives and refinements*
- Wrap-up and Next Steps (*5 min*)



# Working Group Members

Please set virtual “tent card”: Name - Organization

Name	Organization or Occupation
Brian McDowell	Business Oregon (ex-officio)
Lucia Ramirez	Oregon Department of Transportation (ex-officio)
Rian Hooff	Oregon Department of Environmental Quality (ex-officio)
Al Johnson	Retired Land Use Attorney
Allan Lazo	Fair Housing Council
Bill Van Vliet	Network of Oregon Affordable Housing
BreAnne Gale   Brian Rankin	City of Bend
Brian Latta	City of Dallas
Chris Faulkner	Clean Water Services
Dave Hunnicut	Oregon Property Owners Association
Emily Reiman	DevNW
Garet Prior	Wilsonville Alliance for Inclusive Community
Heather O'Donnell	City of Eugene
Jeffrey Adams	City of Cannon Beach
Brock Nation	Oregon REALTORS

Name	Organization or Occupation
Jim McCauley   Ariel Nelson	League of Oregon Cities
Jonathan Trutt	Home Forward
Justin Peterson	Oregon Cascades West Council of Governments
Kaarin Knudson	Eugene - Better Housing Together
Kathy Wilde	Oregon Housing Land Advocates
Mary Anne Cooper	Oregon Farm Bureau
Mary Kyle McCurdy	1000 Friends of Oregon
Matt Lawyer	Marion County Board of Commissioners
Michael Burdick	Association of Oregon Counties
Peggy Lynch	League of Women Voters of Oregon
Peter Gutowsky	Deschutes County Community Development
Samantha Bayer	Oregon Home Builders Association
Stacey Sanders	Housing Oregon
Ted Reid   Anneliese Kohler	Metro Regional Government
Yiping Fang	Portland State University

# Meeting Guidelines



Fully participate in  
Work Group meetings



Come prepared for  
meetings



Participate in an open  
and mutually  
respectful way



Balance of speaking  
time



Serve as a liaison to  
your larger community  
of interest



Act in good faith

# Meeting Outcome

*Solicit further refinement of the draft recommendations document, including additional proposals or refinements*

*Assess alternatives and refinements identified in response to feedback from the previous Work Group meeting.*

# Update and Context Reminder



# Housing Capacity Work Group Role

[Work Group Charter](#) available on DLCD HB 2003 webpage

1. **Advise DLCD staff** on issues specific to housing capacity as implemented through the Housing Capacity Analysis (HCA) 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 (it is *not intended to seek consensus*);
3. Consider and, to the greatest extent practical, **integrate the diverse perspectives, knowledge, and experiences from the Housing Needs Work Group** and stakeholder engagement process.

# Reminder on Legislative Direction (HB 5202)

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

- 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.

# Discussion Question #1

*(30 minutes)*

*What additional ideas or refinements are missing from the draft recommendations document?*

# Summary of Recommendations

## Utilizing Land within the UGB

- Implement “efficiency measures” in HPS
- Adopt rules to support housing diversity and production

## Establishing Need for a UGB Amendment

- 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

- Emphasize Urban Reserves and Concept Planning
- Facilitate UGB Land Swaps
- Small-scale streamlined UGB Amendment
- Amend “Simplified UGB Methodology”

## Building Capacity, Especially in Cities <10k

- Fund Goal 14-related work, including public facilities planning
- Focus new agency staff to create Goal 14, public facilities, and development team

# Discussion Question #2

*(55 minutes)*

*What would improve the implementation, effectiveness, or political viability of alternatives and refinements identified in response to feedback from the previous Work Group meeting?"*

# Major Refinements

- Non-substantive refinements for clarification (e.g. “efficiency measures”)
- Adjustments to the Buildable Lands Inventory to reduce analytical burden and increase accuracy
- Refinements to the UGB land swap and Urban Reserve processes to incentivize their use
- Small-scale UGB amendment to provide alternatives that incorporate streamlined Goal 10 & 14 analyses



# Buildable Lands Inventory

- Clarification on “Market Factors” to minimize burdensome analytical requirements

*Note: “Market factors” already are required consideration of ORS  
197.296(5)(a)(C)*

- Refinement of CC&Rs and land-owner related constraints recognizing impact on 20-year developability while acknowledging analytical/public policy challenges

# Urban Reserves and UGB Exchange

- Urban Reserves: Multiple statutory and operational refinements to incentivize use:
  - Priority scheme for non-Metro cities (ORS 197A.320)
  - Rural reserves for non-Metro cities
  - Data, guidance, and staff support from DLCD to support Goal 14 planning
- UGB Exchange: Measure 49 clarification
  - Providing legal guidance from DOJ in lieu of statutory change

# Small-scale UGB Amendment

Significant feedback and concern expressed over a small-scale UGB Amendment option based on HB 4079

- Clarified limiting factors of option: population, frequency, eligibility, and site applicability, siting, and size.

Staff identified alternatives incorporating Goal 10/14:

- Option 1 – Original option: “analysis waiver” approach based on HB 4079
- Option 2 – “Shifted burden” approach: DLCD conducts limited Goal 10/14 analysis to accommodate proposal within specified timeframe
- Option 3 – “Limited analysis” approach: Subset of jurisdictions conduct a focused, site-specific analysis to accommodate proposal w/ DLCD support

# Discussion Debrief & Questions

# Wrap-up and Future Meetings

Meeting	Topic	Date	Time
Meeting 1	Introduction, Context, and Roles	Thursday, May 5	1-3 pm
Meeting 2	Housing Mix and Buildable Lands	Monday, May 23	9am - 12pm
Meeting 3	Efficiency Measures and UGB Need	Thursday, Jun 30	1-4 pm
Meeting 4	Process Streamlining and Capacity	Tuesday, Jul 26	1-4 pm
Meeting 5	Review Draft Recommendations	Wednesday, Aug 31	2-4 pm
Meeting 6	Refine Recommendations	Monday, Sep 26	9-11 am
Joint Meeting with RHNA Work Group	Wrap-up, Next Steps, and Legislative Transition	Thursday, Oct 20	1-4 pm*

\*Joint meeting will be extended by one hour to include focused discussion of HCWG-specific statutory changes



Work Group Meeting 6

September 26, 2022

Next Steps