



HOUSE OF REPRESENTATIVES

To: Senate Committee on Housing and Development

Date: February 27, 2024

Subject: Support HB 4063

Good morning Chair Jama, Vice Chair Anderson and members of the committee,

I am Dr. Maxine Dexter and I am honored to be the State Representative for House District 33, which includes NW & Downtown Portland, Linnton, and Cathedral Park. HB 4063 is one of the House Committee on Housing and Homelessness's committee bills, which includes the culmination of months of work and input from the Urban Unincorporated Areas workgroup, cities, counties and a variety of community partners who gave input and offered solutions to technical planning issues that communities across the state have faced.

Last year, we passed HB 2001, which included the Oregon Housing Needs Analysis policy. This, in short, required cities over 10,000 in population to create Housing Production Strategies and plan for the necessary housing in their jurisdictions based on a housing needs allocation from the state. Urban unincorporated lands in the Metro region were left out of this policy with the intention to move forward with a workgroup during the 2023 interim to determine the appropriate way to include them in the requirements. In my capacity as Chair of the House Committee on Housing and Homelessness, I led this workgroup to develop an effective plan for unincorporated urban regions within Metro to be included in the Oregon Housing Needs Analysis, to ensure the housing production needs of these communities are taken into account in this statewide process. This workgroup was narrowly focused on policy recommendations to address this issue.

The Urban Unincorporated Areas workgroup met four times since the end of the 2023 session with the remarkable support of the Legislative Policy and Research Office to develop recommendations for legislation. HB 4063 encompasses this work, and does the following:

- Defines Metro urban unincorporated lands
- Clarifies that Metro counties are responsible for conducting housing capacity analyses and housing production strategies for these lands
- Directs the Department of Land Conservation and Development to request technical and financial support in their 2025-2027 agency budget to assist counties and local governments in planning for needed housing and infrastructure
- Aligns definitions for purposes of Oregon Housing Needs Analysis implementation
- Clarifies that DAS will allocate housing need for Metro urban unincorporated lands in the aggregate



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HB 4063 builds off of work that's been done over the past few sessions. Starting with HB 2003 (2019) which was a feasibility study of how to conduct a regional housing needs analysis in Oregon, leading to the OHNA policy in HB 2001 via HB 2889(2023), and today, HB 4063. This bill was designed to carefully address definitions and responsibilities for the incorporation of urban unincorporated areas into the OHNA work to come. This portion of today's bill has no fiscal as the OHNA rulemaking process is still ongoing and technical support and capacity-building staff will be appropriately requested in future biennia, when the rules have been completed and implementation is beginning. I spoke to this in the 2023 session when the rest of the policy was passed on the record and nothing has changed since that time.

HB 4063 also does the following:

- Allows an applicant of a current residential development project to opt-in to amended development standards without repeating specified elements of an application process (The "Goal Post Rule")
- Removes language put into statute by HB 2550 (2021) requiring a seller's agent to reject non-customary communications provided by a buyer
- Allow middle housing partitions to be further partitioned in the same calendar year, and clarifies that applicability of middle housing land division to townhouses
- Allows a city to administratively approve or terminate an eligible property tax exemption for single-unit housing
- Clarifies that cities within Metro may utilize needed housing allocations from the Department of Administrative Services and are not required to complete a separate, local projection of needed housing

Before you today are the -10 amendments, which removes sections 17 and 18 from the bill. Representative Fahey's office has been meeting with the Manufactured Housing Institute and their national and state members, regarding changes to the title conversion process for manufactured homes, to find a better and more collaborative way forward that will open up new lines of capital into communities without threatening the security risks of current lenders. To that end, they will have a workgroup in the interim and look forward to bringing recommendations to a future legislative session.

I am joined today by technical experts who are available to answer any questions regarding this bill and the -10 amendments.

Sincerely,

A handwritten signature in black ink, appearing to read "Maxine Dexter", written in a cursive style.

MAXINE E. DEXTER, MD
STATE REPRESENTATIVE
DISTRICT 33



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Representative Maxine Dexter, M.D.

House District 33 (Northwest and Downtown Portland, Linnton, and Cathedral Park)