



Oregon

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TO: Representative Pam Marsh, Chair
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Representative Tom Andersen, Vice-Chair
House Committee on Housing and Homelessness

FROM: Aurora Dziadul, Legislative and Policy Analyst,
Department of Land Conservation and Development

DATE: February 5, 2025

SUBJECT: Support for HB 2347-1



The Department of Land Conservation and Development (DLCD) is the state's land use planning agency. Established in 1973 by the passage of Senate Bill 100, we have been working for over 50 years with local partners and Tribal governments to steward the state's lands through economic development and natural resource conservation.

Every Oregon community is faced with the real struggle of housing affordability and houselessness. Over the past five years, our agency has been tasked with implementing new state land use policies aimed at reducing regulatory barriers to housing development, as well as reframing housing planning to focus on housing production, affordability, and choice.

HB 2347 is a collection of minor technical fixes to recent housing legislation, which have been identified by both department staff and our housing, development, and local government partners. DLCD has held a robust engagement process to develop this bill and amendment. We began meeting with city and county governments, as well as housing and environmental advocates, in March of 2024. We held discussions to reach a consensus on technical fixes with the group. The -1 amendment addresses comments from local government partners aimed at streamlining implementation. We want to thank everyone who engaged with us on these conversations.

These changes cover HB 4064 (2022), HB 2889 and 2021 (2023), HB 4064 (2024), SB 1537 (2024), and ORS 197, 197A, 215, 227, 329A, and 418.

HB 4064, which passed in the 2022 Legislative Session, preempted local governments from applying siting and design standards to manufactured and prefabricated homes that they would not otherwise apply to site-built houses. HB 2347 further clarifies the bill's applicability to prefabricated middle housing types – duplexes, triplexes, quadplexes, townhouses, and cottage clusters – specifying that these types of housing may only be subject to siting and design standards of a site-built house of the same type.

HB 2001 and 2889, both passed in the 2023 Legislative Session, along with HB 4063 from the 2024 Legislative Session, established the Oregon Housing Needs Analysis (OHNA) program in statute. HB 2347 makes a few technical amendments to that series of legislation:

- Clarifies that DLCD may provide housing planning grants to Tribal governments. This was part of the original recommendations submitted by the department to the Legislature per

the direction of HB 5006 (2021). It does not make any changes to the program or in any way expand its requirements to Tribes, but merely provides authority to the department to allocate funds.

- Clarifies that Metro counties may opt into intergovernmental agreements for purposes of managing both urban and urbanizable lands.
- Allows DLCD to determine the deadline for cities to submit permitting information, rather than having a fixed deadline (this is for purposes of aligning with other PSU studies).
- Corrects a scrivener's error referencing a report that cities must submit with their housing production strategies.

SB 1537, which passed in the 2024 Legislative Session, provided a variety of changes to streamline land use processes for housing. One of those was the "goal post rule," or ability for a developer who has submitted a complete housing development application to opt into new standards that have been adopted by the local government since the original submission. We clarify the definition of "completeness" in this bill for purposes of administering that policy.

ORS 197.522 defines responsibilities for local governments to approve needed housing applications. Most of the related statutes have been moved into ORS 197A, and we are proposing to move this statute into chapter 197A to streamline implementation for local partners.

Finally, the department proposes to change all references to "single-family" and "multifamily" dwellings to "single-unit" and "multiunit" dwellings in land use statutes (ORS 92, 197, 197A, 215, 227, 329A, and 418). The term "family" does not reflect people's experiences with housing, where people may live with multiple generations, friends, domestic partners, and more. We aim to take a step toward more inclusive and representative language with this change. Local governments are not required to update their codes to reflect this language, but a mechanism has been provided in the -1 amendment to provide an administrative pathway for cities and counties to update their code if they desire. We intend for the meaning ascribed to single-family and multifamily homes in other areas of statute to align with the single-unit and multiunit language in this bill.

In conclusion, these are all technical fixes aimed at clarifying implementation in alignment with the legislative intent of these statutes. Thank you for the opportunity to offer testimony to this committee.