

An aerial photograph of a city, likely Los Angeles, showing a mix of urban development and construction. A semi-transparent blue rectangle is overlaid on the right side of the image. On the left side of the image, there is a white line-art map of a city grid, showing streets and building footprints. The text is in white, bold, sans-serif font.

Reforming Land Use Regulation to Encourage Housing Supply

October 1, 2024



DISCLAIMER

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Oregon, Land Use, and Housing

Challenges, Successes, and Housing

Mary Kyle McCurdy, 1000 Friends of Oregon



Statewide, Comprehensive, Long-Standing

- 1973: Oregon legislature adopts SB 100
- Established policy for statewide land use “Goals”
- Established state agency to oversee, interpret, enforce
- Land Conservation & Development Commission adopts 19 Goals
- Every city and county must adopt a land use plan & zoning code consistent with statewide “Goals”

Oregon's Statewide Planning Goals

Goal 1: Public Involvement (1974)

Goal 2: Land Use Planning (1974)

Goal 3: Agricultural Lands (1974)

Goal 4: Forest Lands (1974)

Goal 5: Natural Resources, Scenic and Historic Areas, and
Open Spaces (1974)

Goal 6: Air, Water, and Land Resources Quality (1974)

Goal 7: Areas Subject to Natural Hazards (1974)

Goal 8: Recreational Needs (1974)

Goal 9: Economic Development (1974)

Goal 10: **Housing** (1974)

Goal 11: Public Facilities and Services (1974)

Goal 12: Transportation (1974)

Goal 13: Energy Conservation (1974)

Goal 14: Urbanization (1974)

Goal 15: Willamette River Greenway (1975)

Goal 16: Estuarine Resources (1976)

Goal 17: Coastal Shorelands (1976)

Goal 18: Beaches and Dunes (1976)

Goal 19: Ocean Resources (1976)

Goal 10: Housing

“To provide for the housing needs of citizens of the state.”

“... [city] plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.”

How are we doing in meeting Housing Goal?

OREGON NEEDS

- **Almost a half-million** more homes need over the next 20 years
- At least half of those for **middle- and lower- income** households
- That means we need to build **28,500 new** housing units per year; pre-Covid we were building about 20,000 new units/year.
- Oregon population: 4.4 million
- Portland metro region population: 2.4 million
- Portland city population: 625,000



How did we get here?

- **Failure to fully implement Goal 10 locally and enforce at state level: local code and process barriers & political will**
- **Residential discrimination, segregation, redlining**
- **Stale, structural mismatch between family size, incomes, and housing options**
- **Decades-long lack of funding for housing-related infrastructure for lands within existing UGBs**

Key State Housing Legislation

Local government residential permit processes

- Cities must adopt and apply only clear and objective standards, conditions and procedures regulating housing development
- Time limit on local processing

Needed Housing Defined to Include

- Detached single-family housing, middle housing, multifamily housing, housing for ownership or rent
- Government assisted housing
- Mobile home or manufactured dwelling parks, manufactured homes on individual SF lots
- Housing for agricultural workers
- Housing for individuals with a variety of disabilities related to mobility or communications that require accessibility features
- Housing for older persons
- Housing for college or university students
- Single room occupancies

First:

ADUs

SB 1051 in 2017



Accessory Dwelling Units (2017)

Requires **every city over 2500** in population to allow:

- ADU: an interior, attached or detached residential structure ... used in connection with or ... accessory to a SF dwelling.
- the development of **at least one accessory dwelling unit** on every lot allowing detached SF dwelling
- subject to **reasonable local regulations relating to siting and design**
- Additional **off-street parking prohibited**
- One year for cities to revise zoning code to comply

Next:

Middle Housing

HB 2001 in 2019



Middle Housing Legislation (2019)

Middle housing is:

- Duplexes
- Triplexes
- 4-plexes
- Cottage clusters: 4 or more detached units/acre, footprint of at least 900 sq ft, includes a common courtyard
- Townhouses: row of 2 or more attached units, each on an individual lot, shares at least one common wall with adjacent unit

Middle Housing: Where, When, How

Cities over 2,500

- Duplexes allowed on all SF lots in residential zones

Cities over 25,000 and all Portland Metro cities

- Duplexes on all SF lots in residential zones
- All middle housing in residential areas where SF housing allowed

Two years to comply

Minimum standards & model codes adopted by LCDC

Model code automatically applies if city misses compliance date

Prohibits future Homeowners Associations (HOAs) and deed restrictions from prohibiting or unreasonably restricting ADUs and Middle Housing

Housing Legislation Coalition Partners



Other Recent Land Use & Housing Legislation

- **Affordable Housing as of Right:** Allows affordable housing on property without a zone change if:
 - Publicly owned, or
 - Owned by religious institution or nonprofit housing developer or agency, or
 - Zoned for commercial uses
- **Converting Commercial Buildings to Housing:** Cities over 10,000 must allow conversion of a building or building portion from commercial use to residential use without a zone change or conditional use permit, if the property is inside a UGB and meets certain other conditions.
- **Funding:** Provided infrastructure funding for housing; created Housing Production Accountability Office; established revolving loan fund for housing.



**What's Next to Implement Goal 10?
The Oregon Housing Needs Analysis Program**

OHNA

Key Elements

- Focused on actual housing production, equity, and affordability
- Establishes statewide, regional, and city housing needs for 20 years
- Total and by income levels
- Updated yearly
- Includes underproduction and those experiencing homelessness
- Cities over 10,000 must adopt Housing Needs Analysis and Housing Production Strategy, updated every 6-8 years
- Accountability and enforcement

Housing Need by Income 2024-2044

Region	Income Level					Total Need
	0-30%	30-60%	60-80%	80-120%	120%+	
Central	6,692	8,262	7,352	12,055	20,680	55,042
Metro	32,486	31,190	20,499	35,035	69,600	188,810
Northeast	3,878	2,836	2,103	4,768	7,031	20,616
Northern Coast	3,731	2,972	1,236	3,436	3,678	15,053
Southeast	2,489	1,994	1,106	2,210	3,737	11,536
Southwest	9,658	10,202	5,823	9,841	21,791	57,314
Willamette Valley	28,090	27,173	14,962	29,966	44,740	144,931
Oregon	87,024	84,629	53,081	97,310	171,258	493,301

Mary Kyle McCurdy, Associate Director and Senior Staff Attorney

1000 Friends of Oregon

mkm@friends.org