

# Recommended Guiding Principles for Effective Rules about Housing Production

**Core Objective:** Our foundational aim is to ensure the rulemaking process results in clear and effective requirements and guidance for key stakeholders and implementers. This means prioritizing equitable access to a diverse range of housing options statewide, with a steadfast commitment to a "people-first" approach over a mere focus on unit count and, in doing so, leading to better outcomes for everyone in our communities.

- A. Promote Equity in Housing Access:** Ensure that all housing policies and initiatives prioritize equity, addressing historical disparities and systemic barriers to housing access for marginalized and vulnerable communities. This includes:
- ▶ At a minimum, rules and guidelines complementing and reinforcing fair housing guidelines and laws such as Affirmatively Furthering Fair Housing, with an eye on removing the negative impacts of racial segregation and intersectional inequities;
  - ▶ Addressing widespread non-compliance with existing physical accessibility requirements, compounded by persistent underproduction of accessible units, and the lack of data related to the number of those units, resulting in shortages of these unit types across the housing continuum and at various income levels;
  - ▶ Measures to combat social and economic residential segregation, increase economic opportunities, and mitigate the impacts of gentrification and displacement on disadvantaged populations;
  - ▶ The State must be nimble at identifying and quickly addressing loopholes that undermine intended outcomes of the OHNA and local Housing Production Strategies, such as those that have led Oregon to disproportionately rely on under resourced jurisdictions to respond to regional housing need; and,
  - ▶ Ensuring required engagement processes are truly intentional, inclusive, and responsive to the real disparities in housing access and stability that exist; processes should be trauma-informed, respectful, and build on existing and past efforts rather than repetitive and procedural in nature.
- B. Ensure Housing for Vulnerable and Marginalized Populations is a Priority:** Patterns of underproduction, exclusion, displacement and gentrification reflect a history of neglect and inequitable state and local policies for low-income and vulnerable populations. Oregon's new housing system must systematically seek out, mitigate, and prevent instances when these populations will again become the last housing and land use priority by affirmatively addressing the needs of these communities, supported by empirical analysis, qualitative data, and lived experiences.
- C. Ensure Housing Choice Across the Entire Housing Continuum:** Recognize that diverse housing needs and preferences cannot be met by a one-size-fits-all approach. Embrace a range of options spanning from temporary to permanent, rental to homeownership, independent to collective, and affordable to market rate; and, ensure this exists across the many shapes and sizes that housing can come in, and in all neighborhoods. This empowers individuals to choose what best suits their lifestyle, culture, and circumstances, and honors the importance of personal choice, ensuring that living preferences and needs are not dictated but rather supported.
- D. Clear and Objective Paths to Success:** A jurisdiction must have paths to success that are clear, objective, and within its control, with appropriate and clearly communicated accountability. This not only empowers local jurisdictions to meet state standards in ways that reflect unique local situations, but also supports good faith conversations and community engagement.
- E. Recognize and Celebrate Innovative Solutions:** Jurisdictions should be recognized for innovative solutions that demonstrate progress toward empirical targets, allowing flexibility in implementation. This should also include cataloging and sharing existing, successful solutions to further reduce barriers and increase excitement around providing a variety of housing types and characteristics across the state.
- F. Separate Tests for Different Goals:** Acknowledge the multifaceted nature of housing goals and apply separate tests for different objectives, ensuring appropriate accountability and tailored responses.

- G. **Public Investment is Essential:** Acknowledge that many housing goals will not be achievable without public investment and incentives, especially in relation to meeting the needs of our most marginalized and vulnerable populations. This includes both local and state solutions. Local jurisdictions should actively pursue and utilize available State, Federal, and regional resources for housing investment and associated infrastructure, proportionate to the growing need identified in their Housing Needs Analysis. Similarly, the State should proactively seek to expand available resources, ensuring alignment with statewide needs, and removing barriers for local jurisdictions and developers in accessing them. Local jurisdictions will often need to complement direct funding efforts with indirect financial incentives to further promote and remove barriers to developing housing that will serve these populations.
- H. **Emergency Action is Not a Substitute for Systemic Change:** Distinguish between systemic change and emergency action, ensuring that systemic principles do not replace the need for immediate solutions to acute housing challenges, and vice versa.
- I. **Environmental Justice and Health Considerations:** Recognize the intersectionality of environmental justice and health considerations in housing development and furthering fair housing, particularly for marginalized and vulnerable populations. When we build healthy, just, affordable housing that very often means realizing benefits of more affordable living and reducing climate pollution. Ensure that housing policies and practices prioritize equitable access to safe and healthy living environments, addressing historical inequities in exposure to environmental hazards and pollutants, and supporting community resiliency. This includes implementing sustainable practices such as energy efficiency and green building design, and promoting initiatives that enhance indoor air quality, reduce exposure to toxics, provide climate-resilient tree canopy, and provide equitable access to essential services.
- J. **Incorporate Location In Addition to Quantity:** “Success” needs to go beyond just unit count, and must ensure equitable access to high-opportunity areas for all housing and household types while reducing residential segregation and acknowledging social-economic factors. This involves incorporating social determinants of health, access to key amenities, physical accessibility, and limiting exposure to unhealthy environmental factors. Additionally, it requires acknowledging familial and cultural ties that provide social and economic support for households, older adults, those living with disabilities; and, learning from historical and ongoing patterns that tend to displace and disperse interdependent and familial or culturally connected communities. Well-located housing should also support more affordable living with consideration for access to and cost of transportation options.
- K. **State Policy Change + Oversight:** Analyze housing barriers to identify necessary state policy changes, as well as local ones, to address systemic issues effectively. This should include a process for future change to the OHNA process itself.

The above Guiding Principles are collectively supported by the following organizations:

