



# Oregon

Kate Brown, Governor

## Department of Land Conservation and Development

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**TO:** The Honorable Representative Brian Clem, Chair  
Members of the House Committee on Wildfire Recovery

**FROM:** Emma Land, Legislative Coordinator  
Palmer Mason, Senior Policy Advisor

**RE:** **HB 3219**



HB 3219 requires local governments to approve the reconstruction of a manufactured dwelling park that was destroyed by the 2020 wildfires or is in an area where these wildfires contributed to a housing shortage. The department is not taking a position on this bill, but we would like to suggest several ways this legislation could be improved.

The department would like to flag the provision allowing a park to be developed in any area. As we read the bill, the net effect of HB 3219 would be that a local government could approve the development of a park in any area, without consideration for issues such as the level of infrastructure, the risk of natural hazards, or the potential reduction in industrial lands. DLCD understands there are housing shortages in these communities and that these parks may not always be sited in residential areas. However, the language in HB 3219 is written so broadly and leaves room for potentially significant impacts to occur.

As drafted, HB 3219 compels local governments to approve applications for redevelopment without having to comply with any land use regulation, statewide planning goal, Land Conservation and Development Commission (LCDC) rule, or nonconforming standard. If these criteria are waived, DLCD recommends including provisions related to natural hazards. For example, if a park is approved in an area subject to natural hazards, that park ought to meet the standards applicable to the specific hazard(s). This condition would allow an area to be used for dwellings but provide an important level of protection for people and property.

Additionally, DLCD believes that the waiver of current building code standards could jeopardize a community's ability to qualify for federally subsidized flood insurance and FEMA disaster grants. DLCD would be interested in discussing this issue with the bill sponsor and Department of Consumer and Business Services.

Lastly, the department recognizes HB 3219 authorizes LCDC to adopt temporary rules to implement the process for local government approval. The department believes allowing LCDC to adopt permanent rules would be more effective.

Thank you for this opportunity to share this information. The department would like to reiterate our interest and willingness to work with the bill sponsor and committee to address these concerns and improve this legislation.