Oregon
Tina Kotek, Governor

HPAC Work Group Recommendation Template

Last Update: July 6, 2023

Work Group

- ☐ Availability of land
- X Land development permit applications
- ☐ Codes and design
- ☐ Workforce shortages
- ☐ Financing

Recommendation

Expand the current Building Codes Division capacity for streamlining plan review and site inspections to accommodate increased levels of production at the local level.

a. Fund additional resources for plan reviewers/inspectors/support staff to increase "in-house" capacity at Building Codes (referred to finance group)
b. Increase the number of qualified independent contractors (third parties) who are licensed by the state to provide plan review and inspection services for cities where capacity is not available
c. Tailor program to provide new state plan review and inspections services to:
    1. Cities which meet or exceed production targets established by the state
    2. Affordable Housing projects in excess of 20 housing units
d. Expand and fast-track the state's role in mediating disputes between design professionals and cities specifically relating to building, planning and public works
e. Provide resources including education to maximize the potential for virtual inspections with a target of 24 hour inspection anywhere in the state.

Related Work Plan Topics

Create the ability for contractors to ask that BCD perform plan reviews or inspections to assist in moving specified housing projects (see ORS 455.466, may require designation of certain affordable housing projects as essential to the economic well-being of the state to qualify).

Provide planning department support to digitize in small areas, make the planning and building process less high touch for small planning departments so they can be more efficient, this will speed things up, this could include virtual meetings and inspections as well.

Authorize and publicize contract code review program (developers can pay building permit fee to private code review company in lieu of using local building jurisdiction).

Assess possible action to identify expansion areas as "essential" under ORS 455.466 to allow BCD to review plans and inspections in areas that cities are unable/unwilling to get housing built.

Adoption of Recommendation

Consensus

Co-chairs Guidance: Standards for Analysis

1. Clearly describe the housing production issue that the recommended action(s) will address.

Significant increases in production will be very challenging to staffing at the local level. Having increased capacity to review and inspect projects will be an essential component to achieving production goals. Secondarily, project affordability will be improved or compromised depending upon turnaround time of plan review and inspections.

2. Provide an overview of the housing production issue, including quantitative/qualitative context if available.

Very simply: doubling the amount of housing units produced in any one year will approximately double the workload associated with plan review and inspections. This proactive recommendation anticipates this pressure on existing staffing at the local level as production targets are achieved.

3. To assess the issue and potential action(s), include subject matter experts representing all sides of the issue in work group meetings, including major government, industry, and stakeholder associations.

Per our discussion with Building Codes (Warren Jackson), some form of this program is in place. We think an "expansion" of an existing program versus creating something new will be effective method to augment current capacity. (Mr. Jackson also discussed the shortage of qualified workforce to accommodate this proposal. See section 8 below.)

Building Codes (Alana Cox) did steer our recommendation away from third party plan review and inspections contracted at the local level due to constitutional concerns so our final recommendation is limited to an increase of capacity at the state level.

There may be justification for further state assistance to hire local officials (Financing Group).

4. Provide an overview of the expected outcome of the recommended action(s), including quantitative/qualitative context if available.

We believe this will:

1. Provide an important component for local jurisdictions to meet their targets for production
2. Be a cost effective and relatively easy program to a adopt because of current state programs.

5. Estimate of the time frame *(immediate, short, medium, long-term)*, feasibility *(low, medium, high)*, and cost *(low, medium, high)* for implementation of the recommended action(s).

Time Frame	**Feasibility**	**Cost**
_x_ Long-term	_x_ High	__ High
_x_ Medium-term	__ Medium	x__ Medium
_x_ Short-term	__ Low	__ Low
_x_ Immediate		

What fees currently are retained at the local level would to some degree need to be shared with the state to partially fund this service.

6. Provide a general overview of implementation, the who and how for the recommended action(s).

Unknown

7. Outline the data and information needed for reporting to track the impact and implementation of the recommended action(s).

Both cost and talent availability would need careful analysis.

8. Identify any major externalities, unknowns, tradeoffs, or potential unintended consequences.

Tradeoffs:

1. Current local plans examinations and inspections are often integrated with planning department site requirements (e.g. setbacks), public works concerns (e.g. backflows, sewer connections), and franchise utility requirement (ground separation of buried utilities). These non-state building code reviews and inspections would still need to be performed at the local level.
2. Loss of income to local governments
3. Inability to hire qualified plan reviewers/inspectors due to workforce shortage (Refer to Workforce Group)

Please include any relevant reports, data analyses, presentations, or other documents that would be informative and useful for the full HPAC as the recommendation is discussed and considered.