



February 11, 2026

House Committee On Housing and Homelessness  
900 Court St., NE  
Salem, Oregon 97301

Chair Marsh, Vice Chairs Andersen and Breese-Iverson, and Members of the Committee:

As Mayor of the City of Tigard, I respectfully submit the following testimony on HB 4037 and the -10 amendment.

Tigard has long been a housing leader in Oregon. We were the first city in the state to legalize middle housing in all zones, the first to adopt an Affordable Housing Plan as a precursor to the required Housing Production Strategy, and we have produced more Metro Affordable Bond-supported units per capita than any other city in Washington County. We are also moving forward with plans to urbanize a 500-acre UGB addition at a target density of 18 units per acre, with an emphasis on middle housing. Tigard stands ready to partner with the Legislature to continue addressing Oregon's housing shortage.

Tigard is not opposed to housing reform. We support policies that help cities deliver more housing. At the same time, we ask for partnership and flexibility for cities that are already meeting production goals, rather than additional preemptions that may limit local tools without meaningfully improving affordability or access.

With regard to HB 4037 -10, we support many provisions in the bill, including investments in affordable housing and Sections 1 through 12. Our comments on the remaining sections are below.

#### **Section 14**

We support removal of this section as shown in the -10 amendment. The Housing Accountability and Production Office can be a valuable resource to both cities and developers. Its focus should be on providing resources, statutory interpretation, and mediation between parties, not administrative penalties or direct application of the model code without due process.

#### **Section 16**

We recommend removing this section to reduce risk to cities, developers, and home buyers. Broadening the statutory exemption from plan review beyond conventional light frame construction creates legal risk for the city where the construction is built and inspected, as well as safety risks for buyers, since an independent third party has not reviewed the construction plans. In addition, since the electrical, plumbing, and

mechanical codes are written around conventional construction techniques, issues may not surface until inspection, creating delays and added costs that could have been identified earlier through standard plan review.

### **Section 17**

We support the -10 amendment language that removes the proposal preventing any land use process for a needed housing application. Given the broad interpretation of a needed housing application, this could have unintended consequences, including removing land divisions and planned developments from review under statewide planning goals.

We oppose the proposed additions of (5) and (6) to ORS 197A.400. While we generally support reduced noticing requirements for simple housing applications, we cannot support reduced notice for land divisions and planned developments.

Further, we do not support the language in (5) that removes the ability for a city to require a public hearing related to a planned development. The planned development process is fundamentally a Comprehensive Planning process. Because planned developments are initiated at the developer's discretion and may allow development that would otherwise not be permitted under locally adopted codes, public review and engagement are essential.

Such significant deviations from publicly adopted local Comprehensive Plans and codes should not occur without public comment. This approach is not consistent with the tenets of Senate Bill 100 guiding land use planning in the state. We therefore request reconsideration of this language.

Likewise, we cannot support the language in (6) that removes the ability to appeal these types of decisions. The requirements that an unsuccessful appellant pay the respondent's attorney fees, adopted in previous sessions, already serves as a meaningful deterrent to frivolous appeals. Eliminating all appeal rights would raise concerns related to Goal 1 and due process protections.

Thank you for your consideration and for your continued partnership with cities working to increase housing supply while preserving the thoughtful planning principles that have long defined Oregon communities. We welcome continued dialogue on how we can move this work forward together.

Sincerely,



Yi-Kang Hu, Mayor  
City of Tigard