

Enrolled
House Bill 3450

Sponsored by Representative HELT; Representative ZIKA

CHAPTER

AN ACT

Relating to mixed-use housing within employment lands.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) A city with a population greater than 75,000 that is not within a metropolitan service district or within a transportation district may, in consultation with the Department of Transportation, adopt changes to its comprehensive plan and land use regulations to allow for high density or horizontal or vertical mixed-use housing within areas zoned under a statewide land use planning goal related to economic development for a mix of commercial, service, retail and other employment uses. Changes to a comprehensive plan and land use regulations authorized under this subsection are in addition to any other laws or administrative rules authorizing changes to a comprehensive plan or land use regulations.

(2) A city's adoption of changes to its comprehensive plan and land use regulations under subsection (1) of this section:

- (a) May not change the allowable use on more than 40 acres;
- (b) May not affect lands zoned for industrial uses; and
- (c) Must ensure an adequate supply of employment lands within the city's urban growth boundary.

(3) A city must submit the changes to its comprehensive plan and land use regulations adopted under subsection (1) of this section and to the Land Conservation and Development Commission for review. The submission must include information that identifies alternative means by which the adopted changes to the city's comprehensive plan and land use regulations comply with statewide land use planning goals related to housing, transportation, economic development and public facilities and services.

(4) Following the procedures set forth in ORS 197.659, the commission may approve changes to a comprehensive plan and land use regulations adopted by a city under subsection (1) of this section that do not fully comply with statewide land use planning goals related to housing, transportation, economic development and public facilities and services, without requiring an exception under ORS 197.732 for those goals, if the commission determines that the changes and regulations:

- (a) Conform, on the whole, with the purposes of those goals, and that any failure to meet individual goal requirements is technical or minor in nature;
 - (b) Are needed to achieve local housing and redevelopment and infill goals specified by the city;
 - (c) Are reasonably likely to achieve the city's housing and redevelopment and infill goals;
- and

(d) Comply with the requirements of this section.

(5) The commission has exclusive jurisdiction for review of changes to a comprehensive plan and land use regulations adopted by a city under subsection (1) of this section to implement the alternate means of compliance with the statewide land use planning goals related to housing, transportation, economic development and public facilities and services.

SECTION 2. Section 1 of this 2019 Act is repealed on January 2, 2024.

Passed by House June 20, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 29, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

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Bev Clarno, Secretary of State