

House Bill 2558

Sponsored by Representative MEEK; Senator DEMBROW (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires local governments to allow certain residential development within one-eighth mile of fixed guideway corridor stops. Establishes deadlines to incorporate requirements into land use plans.

A BILL FOR AN ACT

1
2 Relating to development in fixed guideway corridors.

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

4 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 197.**

5 **SECTION 2. (1) As used in this section, "fixed guideway corridor" means any part of a**
6 **fixed guideway public transportation system as that term is used in 49 U.S.C. 5301 to 5340.**

7 **(2) Within one-eighth of a mile of fixed guideway corridor stops, in areas within an urban**
8 **growth boundary that are zoned to allow for residential or mixed residential use, for resi-**
9 **dential uses, local governments:**

10 **(a) May not establish or enforce parking minimums; and**

11 **(b)(A) Shall allow the development of residential multifamily buildings of no less than**
12 **three floors that achieves an area density of no less than 45 residential units per acre; or**

13 **(B) Shall adopt amendments to the comprehensive plan, land use regulations and zoning**
14 **maps that allow for the development of residential multifamily buildings of five floors or**
15 **fewer and that will ensure an overall density of no less than would result under subpara-**
16 **graph (A) of this paragraph.**

17 **(3)(a) Local governments shall allow one additional floor above the allowances in sub-**
18 **section (2)(b) of this section for buildings if:**

19 **(A) At least 10 percent of the units are affordable to households with incomes of 60 per-**
20 **cent of the area median income, as defined in ORS 456.270; or**

21 **(B) At least 20 percent of the units are affordable to households with incomes of 80 per-**
22 **cent of the area median income.**

23 **(b) The affordability of the residential units under this subsection must be subject to an**
24 **affordable housing covenant, as described in ORS 456.270 to 456.295, held by the local gov-**
25 **ernment or by the Housing and Community Services Department and with a duration of no**
26 **less than 60 years.**

27 **(4) This section does not affect a requirement to comply with protective measures**
28 **adopted pursuant to statewide land use planning goals related to natural disasters and haz-**
29 **ards or to the conservation of natural resources or scenic vistas.**

30 **SECTION 3. Notwithstanding ORS 197.646, cities and counties or Metro with jurisdiction**
31 **over the urban growth boundary of a city shall adopt appropriate land use regulations or**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 **amend its comprehensive plan to implement section 2 of this 2021 Act by the earlier of:**
2 **(1) Periodic review by the Land Conservation and Development Commission of the city's**
3 **comprehensive plan and land use regulations under ORS 197.628 to 197.651;**
4 **(2) The submission of the city's buildable lands inventory to the commission under ORS**
5 **197.296 (2)(a);**
6 **(3) The submission of the city's transportation system plan to the commission under ORS**
7 **197.615; or**
8 **(4) The completion of the city's housing capacity analysis under ORS 197.296 or 197.299**
9 **(2).**
10 _____