

**HB 3197 STAFF MEASURE SUMMARY**  
**House Committee On Housing and Homelessness**

**Carrier:** Rep. McLain

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**Action Date:** 04/04/23  
**Action:** Do Pass.  
**Vote:** 6-4-1-0  
**Yeas:** 6 - Dexter, Fahey, Gamba, Hartman, Helm, Levy E  
**Nays:** 4 - Cate, Helfrich, Javadi, Wright  
**Exc:** 1 - Boice  
**Fiscal:** Has minimal fiscal impact  
**Revenue:** No revenue impact  
**Prepared By:** Claire Adamsick, LPRO Analyst  
**Meeting Dates:** 3/28, 4/4

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**WHAT THE MEASURE DOES:**

Clarifies a local government may adopt and apply only clear and objective standards, conditions, and procedures regulating housing and needed housing development on land within an urban growth boundary. Removes language limiting local approval criteria to be based only on “appearance or aesthetics” of residential development projects.

**ISSUES DISCUSSED:**

- Challenges of changing standards to “clear and objective” outside urban areas
- Legislative intent of Senate Bill 1051 (2017) and current interpretation of statute
- Potential impacts on housing, including farmworker housing, outside of urban growth boundary
- Feasibility of excluding rural residential or unincorporated communities subject to ORS 197.307
- Balancing housing goals with other economic development or planning goals

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Local governments may deny or condition the approval of applications for housing development based on a variety of factors, including whether the application proposes to develop on land zoned for residential uses and the nature of the property ownership.

Senate Bill 1051 (2017) clarified that jurisdictions must approve an application for all housing development within an urban growth boundary if it meets the clear and objective standards outlined within the city or county comprehensive plan or zoning ordinances. According to the Department of Land Conservation and Development, these requirements have posed some challenges for local governments with subjective code provisions.

House Bill 3197 clarifies a local government may adopt and apply only clear and objective standards, conditions, and procedures regulating housing development on land within an urban growth boundary.