

A-Engrossed
House Bill 2127

Ordered by the House April 4
Including House Amendments dated April 4

Sponsored by Representatives MANNIX, LEVY B (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.

[Requires Department of Land Conservation and Development to study changes to Land Conservation and Development Commission and abolishment of Land Use Board of Appeals. Directs department to submit findings to interim committees of Legislative Assembly related to land use no later than September 15, 2024.]

Removes deadline by which City of Pendleton must apply to Land Conservation and Development Commission to become part of affordable housing pilot program.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to land use; amending section 4, chapter 52, Oregon Laws 2016, and section 2, chapter 112,
3 Oregon Laws 2021; and declaring an emergency.

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

5 **SECTION 1.** Section 4, chapter 52, Oregon Laws 2016, as amended by section 1, chapter 32,
6 Oregon Laws 2019, and section 1, chapter 112, Oregon Laws 2021, is amended to read:

7 **Sec. 4.** (1) Under the rules adopted under section 3, chapter 52, Oregon Laws 2016, the Land
8 Conservation and Development Commission shall establish a site selection process by which the
9 commission shall select two pilot projects, one from a city with a population of 25,000 or less and
10 one from a city with a population greater than 25,000, from among nominations made by local gov-
11 ernments. However, if the commission has not received any qualifying nominations from a city with
12 a population of 25,000 or less on or before January 1, 2020, the commission may select any two pilot
13 projects eligible for selection on or before August 17, 2018.

14 (2) A local government may nominate a pilot project that provides a site dedicated to affordable
15 housing within the jurisdiction of the local government.

16 (3) When nominating a pilot project for the site selection process, a local government shall:

17 (a) Submit a concept plan for the pilot project, including any proposed amendments to the com-
18 prehensive plan and land use regulations required to implement the pilot project; and

19 (b) Demonstrate that the landowner of the site has agreed to designation of the landowner's
20 property as a pilot project for the purposes of sections 2 to 9, chapter 52, Oregon Laws 2016.

21 (4) The commission shall select pilot projects that are:

22 (a) Reasonably likely to provide a site for affordable housing that would not otherwise be pro-
23 vided without the special provisions of the pilot program;

24 (b) Reasonably likely to serve identified populations in the area that require affordable housing;

25 (c) Adjacent to the city's existing urban growth boundary;

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 (d) Near public facilities and services, including roadways and an identified transit corridor to
2 serve the area, or for which public facilities and services are planned and reasonably likely to be
3 provided at a reasonable cost in the near future;

4 (e) Located, planned and zoned to avoid or minimize adverse effects on natural resources and
5 nearby farm and forest uses if the pilot project would require amending an urban growth boundary
6 to include the pilot project site; and

7 (f) Nominated by a local government that demonstrates efforts by the local government to ac-
8 commodate and encourage the development of needed housing within its existing urban growth
9 boundary.

10 (5) The following local governments are not eligible for nomination or selection under the pilot
11 program:

12 (a) Clackamas, Marion, Multnomah, Polk and Washington Counties and cities within Clackamas,
13 Marion, Multnomah, Polk and Washington Counties;

14 (b) Metro and cities and counties included in the Metro urban growth boundary; and

15 (c) Local governments within Jefferson County that are served by the North Unit Irrigation
16 District.

17 (6) In addition to the pilot projects selected by the commission under subsection (1) of this sec-
18 tion, the commission may select a nominated pilot project that:

19 (a) Is submitted by the City of Pendleton; **and**

20 (b) Complies with the requirements of subsections (3) and (4) of this section[; *and*].

21 *[(c) Is submitted to, and approved by, the commission on or before June 30, 2023.]*

22 **SECTION 2.** Section 2, chapter 112, Oregon Laws 2021, is amended to read:

23 **Sec. 2.** (1) Sections 2, 3, 5, 6, 7, 8 and 9, chapter 52, Oregon Laws 2016, are repealed on January
24 2, 2028.

25 (2) Section 4, chapter 52, Oregon Laws 2016, as amended by section 1, chapter 32, Oregon Laws
26 2019, [*and section 1 of this 2021 Act*] **section 1, chapter 112, Oregon Laws 2021, and section 1**
27 **of this 2023 Act**, is repealed on January 2, 2028.

28 **SECTION 3. This 2023 Act being necessary for the immediate preservation of the public**
29 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
30 **on its passage.**

31