

Senate Bill 1136

Sponsored by Senator ANDERSON

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act makes LCDC adopt model rules for UGB amendments for small cities. (Flesch Readability Score: 69.9).

Requires the Land Conservation and Development Commission to adopt model ordinances by which a city outside of Metro with a population of less than 25,000 may add lands to its urban growth boundary.

Limits the bases for appeal of an ordinance adopted by a local government based on a model ordinance of the commission relating to housing or urbanization.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to land use planning model ordinances; creating new provisions; amending ORS 197A.025;
3 and prescribing an effective date.

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

5 **SECTION 1. On or before January 1, 2027, the Land Conservation and Development**
6 **Commission shall adopt one or more model ordinances under ORS 197A.025 by which a city**
7 **with a population of less than 25,000 may add lands to its urban growth boundary under ORS**
8 **197.626, 197A.280, 197A.310 or 197A.312 or a statewide land use planning goal related to**
9 **housing or urbanization.**

10 **SECTION 2.** ORS 197A.025, as amended by section 38, chapter 102, Oregon Laws 2024, is
11 amended to read:

12 197A.025. (1) In adopting rules under ORS chapter 197A and statewide planning goals relating
13 to housing or urbanization, or administering the rules or statutes, the Land Conservation and De-
14 velopment Commission and Department of Land Conservation and Development shall be guided by
15 the following principles:

16 (a) Housing that is safe, accessible and affordable in the community of their choice should be
17 available to every Oregonian.

18 (b) Building enough equitable housing must be a top priority.

19 (c) The development and implementation of the housing production strategy should be the focal
20 point by which the department collaborates with local governments to address and eliminate local
21 barriers to housing production.

22 (d) Expertise, technical assistance, model ordinances and other tools and resources to address
23 housing production should be provided to local governments, using cooperative planning tools em-
24 bodied in ORS 197A.103 and 197A.130, but not to the exclusion of the expedient use of enforcement
25 authority, including compliance orders under ORS 197.319 to 197.335.

26 (e) Housing production should support fair and equitable housing outcomes, environmental jus-
27 tice, climate resilience and access to opportunity.

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 (f) Housing production should not be undermined by litigation, regulatory uncertainty or repet-
2 itive or unnecessary procedures.

3 (g) Local governments, to the greatest extent possible, should take actions within their control
4 to facilitate the production of housing to meet housing production targets under ORS 184.455.

5 (2) Each public body, as defined in ORS 174.109, shall use its authority to remove barriers to,
6 and to create pathways for, the development of needed housing and shall collaborate with the de-
7 partment and local governments to identify and implement strategies to support housing production
8 where there is insufficient housing production and choice.

9 (3) In adopting rules implementing ORS chapter 197A and statewide land use goals relating to
10 housing and urbanization, the commission may approve a range of methodologies, policy options,
11 **model ordinances** or assumptions that a local government may adopt in determining:

12 (a) Needed housing;

13 (b) Housing production strategies or housing coordination strategies;

14 (c) Buildable lands or housing capacity;

15 (d) Amendments to urban growth boundaries, including under ORS 197A.215, 197A.270 (5)(a),
16 197A.285, 197A.300 to 197A.325, 197A.350 (6)(a) and 197A.362; or

17 (e) Adoption or amendments to urban reserves or rural reserves under ORS 197A.230 to
18 197A.250.

19 (4) **A land use regulation that substantially uses the language in a model ordinance that**
20 **was adopted by rule of the commission under this section may not be appealed on the basis**
21 **that it does not comply with a statute or statewide land use planning goal that it implements,**
22 **unless the rule that establishes the model ordinance is invalidated under ORS 183.400 or**
23 **substantially amended or repealed by the commission.**

24 **SECTION 3. This 2025 Act takes effect on the 91st day after the date on which the 2025**
25 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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