

## HB 2658 STAFF MEASURE SUMMARY

### House Committee On Emergency Management, General Government, and Veterans

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**Prepared By:** Beverly Anderson, LPRO Analyst

**Meeting Dates:** 4/3, 4/8

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#### **WHAT THE MEASURE DOES:**

The measure prohibits cities or counties with a population of 15,000 or greater from conditioning a permit or a zone change on the development of an improvement project that has already been financed, planned, or approved.

#### Detailed Summary

- Prohibits conditioning a permit or a zone change for a single lot or parcel on the applicant funding, implementing, creating, repairing, renovating or installing any project related to compliance criteria of the application, if the city or county has already appropriated, dedicated, or received funds; has approved plans by someone else other than the applicant; or has initiation procurement on the project or a project serving the same function at the same location.

Fiscal impact: Minimal impact

Revenue impact: No revenue impact

#### **ISSUES DISCUSSED:**

- Examples of projects that were impacted by conditioned permits
- Concerns about the impacts on small business owners
- Concerns about shifting public improvements to a permit applicant

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

Oregon Revised Statutes 215.416 and 227.175, allows counties and cities may condition an application for a housing development on a reduction in density or height only if the reduction is necessary to resolve a health, safety or habitability issue or to comply with a protective measure adopted pursuant to a statewide land use planning goal. Notwithstanding ORS 197.350, the county and city must adopt findings supported by substantial evidence demonstrating the necessity of the reduction.