

HB 4113 -1 STAFF MEASURE SUMMARY

House Committee On Housing and Homelessness

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Meeting Dates: 2/10, 2/12

WHAT THE MEASURE DOES:

The measure requires the Department of Land Conservation and Development to study housing development opportunities conditioned upon land conservation and report to the legislature by September 15, 2027. The provisions of the measure sunset on January 2, 2028.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

- Legislative history of Metolius River Basin conservation and development
- Transfer of development opportunities (TDOs) extensions

EFFECT OF AMENDMENT:

-1 The amendment replaces the measure. The amendment replaces statutory references to a “small-scale recreation community” with a new development concept termed a “conservation-offset housing opportunity” and revises the conditions under which such a development may be approved in connection with a Metolius resort site. It also extends the deadline for a Metolius resort site owner to apply to a county for approval of a conservation-offset housing opportunity to January 1, 2037. The amendment revises development standards by increasing the allowable number of residential units, imposing minimum density requirements, and requiring a mix of housing type. It requires that at least one-half of residential units be subject to long-term affordability restrictions for households with incomes at or below 130 percent of area median income. The amendment establishes standards governing commercial uses, infrastructure, water and sewer service, water conservation, impervious surface limits, stormwater management, and preservation of natural resource functions. It modifies application and review procedures and specifies timelines and standards for Department of Land Conservation and Development review and provides for judicial review of department orders.

BACKGROUND:

The Metolius River Basin is located primarily in Jefferson County, with a small portion in Deschutes County, and is recognized for its high ecological, fish, and wildlife values. In 2009, the Legislative Assembly adopted multiple measures addressing development pressures in the basin. One measure designated a portion of the basin as an area of critical state concern and prohibited the siting of a destination resort in that area, while allowing for the potential establishment of a small-scale recreational community subject to plan amendments and requirements intended to avoid adverse impacts to the Metolius River and associated natural resources (HB 3298, 2009).

Related legislation authorized the establishment of one or two small-scale recreational communities in conjunction with a transfer of development opportunities from a Metolius resort site (HB 2228, 2009).

Additional legislation established deadlines for a Metolius resort site owner to notify the Department of Land Conservation and Development of an election to pursue approval of a small-scale recreational community and to apply to a county for approval of such development (HB 3313, 2009). Those time limits were subsequently extended by the Legislative Assembly in 2011, 2015, and 2017 (HB 2031). The 2017 legislation extended the period for seeking county approval to within three years of the effective date of the Act for eligible site owners who had previously notified the department, modified statutory provisions governing where small-scale recreational communities may be established, and updated enforcement procedures related to noxious weed

control to reflect current practices.

PRELIMINARY