

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rural Communities, Land Use, and Water

MEASURE: HB 3222 A
CARRIER: Rep. Gilliam

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/21/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 03/26, 04/21

Vote:

Yeas: 7 - Clem, Gilliam, Gomberg, Helm, McLane, Post, Witt

Prepared By: Ian Davidson, Committee Administrator

WHAT THE MEASURE DOES:

Requires Land Conservation and Development Commission to issue order requiring local government, state agency or special district to take action necessary to bring its comprehensive plan, land use regulations, limited land use decisions or other land use decisions into compliance if local government's standards, conditions and procedures discourage needed housing through unreasonable cost or delay.

ISSUES DISCUSSED:

- Distinctions between introduced bill and -1 amendments
- Metrics used to determine buildable housing
- Expansion of urban growth boundaries

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

Current statute does not prohibit local governments from discouraging construction of needed housing through unreasonable cost or delay or restrict them from reducing the proposed density of a project if it is consistent with the comprehensive plan and applicable land use regulations.

ORS 197.320 requires the Land Conservation and Development Commission (LCDC) to issue an order under certain circumstances that requires a local government, state agency or special district to take action necessary to bring its comprehensive plan, land use regulation, limited land use decisions or other land use decisions into compliance with the goals, acknowledged comprehensive plan provisions or land use regulations.

House Bill 3222 A would also require LCDC to issue an order when a local government's approval standards, special conditions on approval of specific development proposals or approval procedures do not comply with ORS 197.307 (4). ORS 197.307 (4) states that a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of needed housing on buildable land and that standards, conditions and procedures may not have the effect, either themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.