

A-Engrossed
House Bill 2564

Ordered by the House April 10
Including House Amendments dated April 10

Sponsored by Representative WILLIAMSON; Representatives KENY-GUYER, VEGA PEDERSON (Presession 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.

[Repeals law that prevents] **Permits** local governments *[from imposing]* **to impose** conditions on approved permits that effectively establish sales price for **up to 30 percent of** residential development or limit purchase to class or group of purchasers **in exchange for one or more developer incentives.**

A BILL FOR AN ACT

1
2 Relating to affordable housing; amending ORS 197.309.

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

4 **SECTION 1.** ORS 197.309 is amended to read:

5 197.309. *[(1) Except as provided in subsection (2) of this section, a]* **A** city, county or metropolitan
6 service district may *[not]* adopt a land use regulation or functional plan provision, or impose as a
7 condition for approving a permit under ORS 215.427 or 227.178, a requirement that has the effect
8 of establishing the sales price for a housing unit or residential building lot or parcel, or that re-
9 quires a housing unit or residential building lot or parcel to be designated for sale to any particular
10 class or group of purchasers[.], **provided the condition:**

11 **(1) Does not require more than 30 percent of housing units within a residential develop-**
12 **ment to be sold at below-market rates; and**

13 **(2) Offers developers one or more of the following incentives:**

14 **(a) Density adjustments.**

15 **(b) Fee waivers or reductions.**

16 **(c) Waivers of system development charges or impact fees.**

17 **(d) Finance-based incentives.**

18 **(e) Preferential treatment for processing of permits.**

19 **(f) Expedited service for local approval processes.**

20 **(g) Modification of height, floor area or other site-specific requirements.**

21 *[(2) This section does not limit the authority of a city, county or metropolitan service district to:]*

22 *[(a) Adopt or enforce a land use regulation, functional plan provision or condition of approval*
23 *creating or implementing an incentive, contract commitment, density bonus or other voluntary regu-*
24 *lation, provision or condition designed to increase the supply of moderate or lower cost housing units;*
25 *or]*

26 *[(b) Enter into an affordable housing covenant as provided in ORS 456.270 to 456.295.]*
27

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.