

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2564**

1 Delete lines 4 through 26 of the printed A-engrossed bill and insert:

2 **“SECTION 1.** ORS 197.309 is amended to read:

3 “197.309. [(1) *Except as provided in subsection (2) of this section,*] **Not-**  
4 **withstanding ORS 91.225,** a city, county or metropolitan service district  
5 may [*not*] adopt a land use regulation or functional plan provision, or impose  
6 as a condition for approving a permit under ORS 215.427 or 227.178, a re-  
7 quirement that has the effect of establishing the sales **or rental** price for a  
8 **new** housing unit or residential building lot or parcel, or that requires a  
9 **new** housing unit or residential building lot or parcel to be designated for  
10 sale **or rent** to any particular class or group of purchasers **or renters based**  
11 **on income, provided the condition:**

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

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

15 **“(a) Density adjustments.**

16 **“(b) Fee waivers or reductions.**

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

18 **“(d) Finance-based incentives.**

19 **“(e) Preferential treatment for processing of permits.**

20 **“(f) Expedited service for local approval processes.**

21 **“(g) Modification of height, floor area or other site-specific re-**  
22 **quirements.**

1       “(2) *This section does not limit the authority of a city, county or metro-*  
2 *politan service district to:*]

3       “*[(a) Adopt or enforce a land use regulation, functional plan provision or*  
4 *condition of approval creating or implementing an incentive, contract commit-*  
5 *ment, density bonus or other voluntary regulation, provision or condition de-*  
6 *signed to increase the supply of moderate or lower cost housing units; or]*

7       “*[(b) Enter into an affordable housing covenant as provided in ORS 456.270*  
8 *to 456.295.]”*.

9

---