

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3401

79th Oregon Legislative Assembly – 2017 Regular Session
Legislative Fiscal Office

***Only Impacts on Original or Engrossed
Versions are Considered Official***

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Measure Description:

Prohibits local government from applying standards, conditions or procedures regulating development of needed housing on buildable land that have effect of reducing development density below maximum density level authorized in comprehensive plan designation.

Government Unit(s) Affected:

Counties, Cities, Department of Land Conservation and Development, Land Use Board of Appeals (LUBA)

Summary of Expenditure Impact: See Analysis

Summary of Revenue Impact: See Analysis

Analysis:

HB 3401 amends the definition of needed housing to include all housing on land zoned for residential use or mixed residential use at particular price ranges and rent levels. The measure prohibits local government from adopting and applying standards, conditions, and procedures that would have the effect of reducing development density to a level that is below the maximum density level authorized in local government’s comprehensive plan for needed housing. Additionally, the bill prohibits a city or county from denying the building of a single-family dwelling on any legal lot zoned for single-family dwelling within the urban growth boundary.

The fiscal impact to Cities is indeterminate, as the bill may require impacted cities to re-examine comprehensive plans. Cities may be impacted by potential future litigation costs related to the filing of writs of mandamus.

There is anticipated to be a minimal fiscal impact to Counties, the Department of Land Conservation and Development, and the Land Use Board of Appeals.