On page 1 of the printed B-engrossed bill, line 4, after “2018” insert “, and section 3, chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39)”.

On page 9, after line 28, insert:

“SECTION 8a. If House Bill 2001 becomes law, section 8 of this 2019 Act (amending ORS 197.296) is repealed and ORS 197.296, as amended by section 5, chapter _______, Oregon Laws 2019 (Enrolled House Bill 2001), is amended to read:

“197.296. (1)(a) The provisions of subsections (2) to (9) of this section apply to metropolitan service district regional framework plans and local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

“(b) The Land Conservation and Development Commission may establish a set of factors under which additional cities are subject to the provisions of this section. In establishing the set of factors required under this paragraph, the commission shall consider the size of the city, the rate of population growth of the city or the proximity of the city to another city with a population of 25,000 or more or to a metropolitan service district.

“(2)(a) [At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use,] A local government shall demonstrate that its comprehensive plan or regional framework plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years:

“(A) At periodic review under ORS 197.628 to 197.651;

“(B) As scheduled by the commission:

“(i) At least once each eight years for local governments that are not within a metropolitan service district; or

“(ii) At least once each six years for a metropolitan service district; or

“(C) At any other legislative review of the comprehensive plan or regional framework plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use.

“(b) The 20-year period shall commence on the date initially scheduled for completion of the [periodic or legislative] review under paragraph (a) of this subsection.

“(3) In performing the duties under subsection (2) of this section, a local government shall:

“(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and
“(b) Conduct an analysis of existing and projected housing need by type and density range, in accordance with all factors under ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

“(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, ‘buildable lands’ includes:

(A) Vacant lands planned or zoned for residential use;
(B) Partially vacant lands planned or zoned for residential use;
(C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and
(D) Lands that may be used for residential infill or redevelopment.

“(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;
(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and
(C) The presence of a single family dwelling or other structure on a lot or parcel.

“(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

“(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity pursuant to subsection (3)(a) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last review or six years, whichever is greater) under subsection (2)(a)(B) of this section. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;
(B) Trends in density and average mix of housing types of urban residential development;
(C) Market factors that may substantially impact future urban residential development; and
(D) The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

“(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity. The shorter time period may not be less than three years.

“(c) A local government shall use data from a wider geographic area or use a time period longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

“(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or both of the following actions to accommodate the additional housing need:

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate
housing needs for the next 20 years. As part of this process, the local government shall consider the

effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include

sufficient land reasonably necessary to accommodate the siting of new public school facilities. The

need and inclusion of lands for new public school facilities shall be a coordinated process between

the affected public school districts and the local government that has the authority to approve the

urban growth boundary.

“(b) Amend its comprehensive plan, regional framework plan, functional plan or land use regu-
lations to include new measures that demonstrably increase the likelihood that residential develop-
ment will occur at densities sufficient to accommodate housing needs for the next 20 years without

expansion of the urban growth boundary. A local government or metropolitan service district that

takes this action shall adopt findings regarding the density expectations assumed to result from

measures adopted under this paragraph based upon the factors listed in ORS 197.303 (2) and data

in subsection (5)(a) of this section. The density expectations may not project an increase in resi-
dential capacity above achieved density by more than three percent without quantifiable validation

of such departures. For a local government located outside of a metropolitan service district, a

quantifiable validation must demonstrate that the assumed housing capacity has been achieved in

areas that are zoned to allow no greater than the same authorized density level within the local

jurisdiction or a jurisdiction in the same region. For a metropolitan service district, a quantifiable

validation must demonstrate that the assumed housing capacity has been achieved in areas that are

zoned to allow no greater than the same authorized density level within the metropolitan service
district.

“(c) As used in this subsection, ‘authorized density level’ has the meaning given that term in

ORS 227.175.

“(7) Using the housing need analysis conducted under subsection (3)(b) of this section, the local
government shall determine the overall average density and overall mix of housing types at which
residential development of needed housing types must occur in order to meet housing needs over the
next 20 years. If that density is greater than the actual density of development determined under
subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types
determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic
review, shall adopt measures that demonstrably increase the likelihood that residential development
will occur at the housing types and density and at the mix of housing types required to meet housing
needs over the next 20 years.

“(8)(a) A local government outside a metropolitan service district that takes any actions under
subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use
regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to
197.314.

“(b) A local government shall determine the density and mix of housing types anticipated as a
result of actions taken under subsections (6) and (7) of this section and monitor and record the ac-
tual density and mix of housing types achieved following the adoption of these actions. The local
government shall compare actual and anticipated density and mix. The local government shall sub-
mit its comparison to the commission at the next [periodic review or at the next legislative] review
of its urban growth boundary[, whichever comes first] under subsection (2)(a) of this section.

“(9) In establishing that actions and measures adopted under subsections (6) and (7) of this sec-
tion demonstrably increase the likelihood of higher density residential development, the local gov-
ernment shall at a minimum ensure that land zoned for needed housing is in locations appropriate
for the housing types identified under subsection (3) of this section, is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section and is in areas where sufficient urban services are planned to enable the higher density development to occur over the 20-year period. Actions or measures, or both, may include but are not limited to:

“(a) Increases in the permitted density on existing residential land;
“(b) Financial incentives for higher density housing;
“(c) Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer;
“(d) Removal or easing of approval standards or procedures;
“(e) Minimum density ranges;
“(f) Redevelopment and infill strategies;
“(g) Authorization of housing types not previously allowed by the plan or regulations;
“(h) Adoption of an average residential density standard; and
“(i) Rezoning or redesignation of nonresidential land.

“(10)(a) The provisions of this subsection apply to local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of less than 25,000.
“(b) [At periodic review pursuant to ORS 197.628 to 197.651 or at any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use,] As required under paragraph (c) of this subsection, a city shall, according to rules of the commission:
“(A) Determine the estimated housing needs within the jurisdiction for the next 20 years;
“(B) Inventory the supply of buildable lands available within the urban growth boundary to accommodate the estimated housing needs determined under this subsection; and
“(C) Adopt measures necessary to accommodate the estimated housing needs determined under this subsection.

“(e) The actions required under paragraph (b) of this subsection shall be undertaken:
“(A) At periodic review pursuant to ORS 197.628 to 197.651;
“(B) On a schedule established by the commission for cities with a population greater than 10,000, not to exceed once each eight years; or
“(C) At any other legislative review of the comprehensive plan that requires the application of a statewide planning goal relating to buildable lands for residential use.

“[(c)] (d) For the purpose of the inventory described in this subsection, ‘buildable lands’ includes those lands described in subsection (4)(a) of this section.”.

On page 11, after line 29, insert:

“SECTION 10a. If House Bill 2001 becomes law, section 10 of this 2019 Act (amending ORS 197.303) is repealed and ORS 197.303, as amended by section 6, chapter ______., Oregon Laws 2019 (Enrolled House Bill 2001), is amended to read:

“197.303. (1) As used in ORS 197.295 to 197.314, ‘needed housing’ means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. ‘Needed housing’ includes the following housing types:
“(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

“(b) Government assisted housing;

“(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

“(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

“(e) Housing for farmworkers.

“(2) For the purpose of estimating housing needs, as described in ORS 197.296 (3)(b), a local government shall use the population projections prescribed by ORS 195.033 or 195.036 and shall consider and adopt findings related to changes in each of the following factors since the last [periodic or legislative review or six years, whichever is greater,] review under ORS 197.296 (2)(a)(B) and the projected future changes in these factors over a 20-year planning period:

“(a) Household sizes;

“(b) Household demographics [in terms of age, gender, race or other established demographic category];

“(c) Household incomes;

“(d) Vacancy rates; and

“(e) Housing costs.

“(3) A local government shall make the estimate described in subsection (2) of this section using a shorter time period than since the last [periodic or legislative review or six years, whichever is greater,] review under ORS 197.296 (2)(a)(B) if the local government finds that the shorter time period will provide more accurate and reliable data related to housing need. The shorter time period may not be less than three years.

“(4) A local government shall use data from a wider geographic area or use a time period longer than the time period described in subsection (2) of this section if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to subsection (2) of this section. The local government must clearly describe the geographic area, time frame and source of data used in an estimate performed under this subsection.

“(5) Subsection (1)(a) and (d) of this section does not apply to:

“(a) A city with a population of less than 2,500.

“(b) A county with a population of less than 15,000.

“(6) A local government may take an exception under ORS 197.732 to the definition of ‘needed housing’ in subsection (1) of this section in the same manner that an exception may be taken under the goals.”.

On page 23, after line 9, insert:

“SECTION 21a. If Senate Bill 39 becomes law, ORS 455.062, as amended by section 2, chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39), and section 21 of this 2019 Act, is amended to read:

“455.062. (1) A Department of Consumer and Business Services employee acting within the scope of that employment may provide typical drawings and specifications:

“(a) For structures of a type for which the provision of drawings or specifications is exempted under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted under ORS 672.002 to 672.325; and

“(b) Notwithstanding ORS 671.010 to 671.220 and ORS 672.002 to 672.325, for structures that are metal or wood frame Use and Occupancy Classification Group U structures under the structural
specialty code.

“(2) A Department of Consumer and Business Services employee, who is licensed or registered under ORS 671.010 to 671.220 or 672.002 to 672.325, who is acting within the scope of that employment and who is providing typical [plans] drawings and specifications under subsection (1) of this section, is not required to seal or sign the typical [plans] drawings and specifications and is not subject to disciplinary action under ORS 671.010 to 671.220 or 672.002 to 672.325 based on providing those typical [plans] drawings and specifications.

“(3) A building official or inspector, as those terms are defined in ORS 455.715, when acting within the scope of direct employment by a municipality, may provide typical drawings or specifications for structures of a type for which the provision of drawings or specifications is exempted under ORS 671.030 from the application of ORS 671.010 to 671.220 and exempted under ORS 672.060 from the registration requirements of ORS 672.002 to 672.325. This subsection does not alter any applicable requirement under ORS 671.010 to 671.220 or 672.002 to 672.325 regarding stamps and seals for a set of plans for a structure.

“SECTION 21b. If Senate Bill 39 becomes law, section 3, chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39), is amended to read:

“Sec. 3. The amendments to ORS 455.062 and 672.060 by sections 1 and 2 [of this 2019 Act], chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39), and section 21a of this 2019 Act apply to work performed, and offers made, on or after the effective date of [this 2019 Act] chapter 97, Oregon Laws 2019 (Enrolled Senate Bill 39).”.