

House Bill 3449

Sponsored by Representative HELT

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 **as introduced**.

Requires Land Conservation and Development Commission to ensure that land use planning of local government allows for appropriate dense, mixed-use housing on employment lands.

A BILL FOR AN ACT

1
2 Relating to housing density in areas zoned for commercial uses; creating new provisions; and
3 amending 197.712.

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

5 **SECTION 1.** ORS 197.712 is amended to read:

6 197.712. (1) In addition to the findings and policies set forth in ORS 197.005, 197.010 and 215.243,
7 the Legislative Assembly finds and declares that, in carrying out statewide comprehensive land use
8 planning, the provision of adequate opportunities for a variety of economic activities throughout the
9 state is vital to the health, welfare and prosperity of all the people of the state.

10 (2) By the adoption of new goals or rules, or the application, interpretation or amendment of
11 existing goals or rules, the Land Conservation and Development Commission shall [*implement all of*
12 *the following*] **ensure that:**

13 (a) Comprehensive plans [*shall*] include an analysis of the community's economic patterns,
14 potentialities, strengths and deficiencies as they relate to state and national trends.

15 (b) Comprehensive plans [*shall*] contain policies concerning the economic development opportu-
16 nities in the community.

17 (c) Comprehensive plans and land use regulations [*shall*] provide for at least an adequate supply
18 of sites of suitable sizes, types, locations and service levels for industrial and commercial uses con-
19 sistent with plan policies.

20 (d) Comprehensive plans and land use regulations [*shall*] provide for compatible uses on or near
21 sites zoned for specific industrial and commercial uses.

22 **(e) Comprehensive plans and land use regulations allow within lands zoned for commer-
23 cial uses, where appropriate, the development of housing supportive of commercial uses.**

24 [*e*] **(f)** [*A city or county shall*] **Cities and counties** develop and adopt [*a*] public facility [*plan*]
25 **plans** for areas within an urban growth boundary containing a population greater than 2,500
26 persons[. *The public facility plan shall*] **that must** include rough cost estimates for public projects
27 needed to provide sewer, water and transportation for the land uses contemplated in the compre-
28 hensive plan and land use regulations. Project timing and financing provisions of public facility
29 plans [*shall not be considered*] **are not** land use decisions.

30 [*f*] **(g)** In accordance with ORS 197.180, state agencies that provide funding for transportation,
31 water supply, sewage and solid waste facilities [*shall*] identify in their coordination programs how

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.

1 they will coordinate that funding with other state agencies and with the public facility plans of
2 cities and counties. In addition, state agencies that issue permits affecting land use shall identify in
3 their coordination programs how they will coordinate permit issuance with other state agencies and
4 cities and counties.

5 [(g)] (h) Local governments [shall] provide:

6 (A) Reasonable opportunities to satisfy local and rural needs for residential and industrial de-
7 velopment and other economic activities on appropriate lands outside urban growth boundaries, in
8 a manner consistent with conservation of the state's agricultural and forest land base; and

9 (B) Reasonable opportunities for urban residential, commercial and industrial needs over time
10 through changes to urban growth boundaries.

11 [(3) A comprehensive plan and land use regulations shall be in compliance with this section by the
12 first periodic review of that plan and regulations.]

13 **SECTION 2. A local government's comprehensive plan and land use regulations must be**
14 **in compliance with the amendments to ORS 197.712 by section 1 of this 2019 Act by the first**
15 **periodic review of the plan and regulations.**

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