

DRAFT

SUMMARY

Allows city to expand its urban growth boundary, or to require Metro to expand its urban growth boundary, in order to include land designated as urban reserve that supports workforce housing and commercial development supportive of workforce housing if certain conditions are met.

A BILL FOR AN ACT

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Relating to housing.

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

SECTION 1. Section 2 of this 2022 Act is added to and made a part of ORS 195.137 to 195.145.

SECTION 2. (1) As used in this section:

(a) “Workforce commercial” means commercial use, in buildings not larger than 2,000 square feet, that is of a type and scale supportive of nearby households in workforce housing.

(b) “Workforce housing” means housing that is affordable to households with incomes equal to the area median income as defined in ORS 456.270.

(2) As provided in this section, the governing body of a city may approve a petition by a landowner to include the landowner’s property within an urban growth boundary. If the petition is approved, the city shall:

(a) Amend the city’s urban growth boundary; or

(b) If the city is located within Metro, petition Metro to amend Metro’s urban growth boundary.

(3) A city may grant a petition under subsection (2) of this section

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 **only if:**

2 **(a) The land:**

3 **(A) Is designated as an urban reserve;**

4 **(B) Is a contiguous parcel not larger than 100 acres and adjacent**
5 **to the existing urban growth boundary of Metro or the city;**

6 **(C) Does not include areas designated for protection in an ac-**
7 **knowledged comprehensive plan pursuant to open spaces, scenic and**
8 **historic areas and natural resource goals unless the areas retain this**
9 **designation after inclusion within the urban growth boundary under**
10 **this section; and**

11 **(D) May be rezoned for workforce housing and workforce commer-**
12 **cial consistent with any land use planning goal relating to transpor-**
13 **tation planning; and**

14 **(b) The city has:**

15 **(A) Identified a need for additional workforce housing in the city's**
16 **comprehensive plan provisions under a statewide planning goal relat-**
17 **ing to housing;**

18 **(B) Not approved a petition under this section within the previous**
19 **five years; and**

20 **(C) Accepted public comment for a period of not less than 60 days.**

21 **(4) A city's approval of the petition and urban growth boundary**
22 **expansion under this section must be made contingent upon the city:**

23 **(a) Entering into a binding agreement with the property owner and**
24 **with any other necessary local government, a district as defined in**
25 **ORS 195.060 or a combination thereof to ensure that there exists a**
26 **commitment to provide the land with all necessary urban services, as**
27 **defined in ORS 195.065, in a specific location and by a specific date that**
28 **is within two years of the city's approval of the petition;**

29 **(b) Amending its comprehensive plan or land use regulations to al-**
30 **low the land to be solely used for workforce housing or both workforce**
31 **housing and workforce commercial; and**

1 (c) Serving as the covenant holder of an affordable housing
2 covenant as described in ORS 456.270 to 456.295 with a duration of no
3 less than 30 years and that allows the development and use of the land
4 only for:

5 (A) Workforce housing uses; and

6 (B) Workforce commercial uses.

7 (5) If Metro receives a petition from a city under subsection (2)(b)
8 of this section, Metro shall amend its urban growth boundary to in-
9 clude the land described in the petition within six months.

10 (6) The amendment of an urban growth boundary under subsection
11 (2)(a) or (5) of this section is allowed notwithstanding any other re-
12 quirement pertaining to the amendment of an urban growth boundary
13 under ORS 197.296, 197.298, 197.299, 197.302 or 197A.300 to 197A.325.

14 (7) A city amending its urban growth boundary under this section
15 to add land zoned for workforce housing and workforce commercial
16 may not thereafter rezone the land for any other use for a period of
17 30 years.

18 (8) This section does not prohibit a city from imposing additional
19 conditions on housing affordability on the land under ORS 197.309.

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