

HB 2558 -2 STAFF MEASURE SUMMARY

House Committee On Housing

Prepared By: Claire Adamsick, LPRO Analyst

Meeting Dates: 2/25, 4/8

WHAT THE MEASURE DOES:

Requires local governments to allow certain residential development within one-eighth mile of fixed guideway corridor stops. Defines, for purposes of this Act, “fixed guideway corridor” as any part of a fixed guideway public transportation system as defined by Title 49, Chapter 53 of the U.S. Code. Requires local governments to allow the development of residential multifamily buildings of no less than three floors and no fewer than 45 units per acre; or to amend local comprehensive plan, land use regulations and zoning maps to allow for the development of residential multifamily buildings of five floors or fewer to achieve a density of no less than 45 units per acre. Prohibits local governments from establishing parking minimums for development projects allowed by this Act. Requires local governments to provide density bonus of one floor above allowances of this Act for a development in which at least ten percent of units are affordable to households earning 60 percent of area median income; or at least 20 percent of units are affordable to households earning 80 percent of area median income. Clarifies that affordable units must be subject to a covenant guaranteeing affordability for no less than 60 years. Clarifies that provisions of this Act do not supersede existing statewide land use planning goals related to natural disasters and hazards, the conservation of natural resources or the protection of scenic vistas. Requires jurisdictional authority over urban growth boundary to adopt appropriate land use regulations or amend comprehensive plan as necessary to implement the provisions of this Act, in alignment with specific planning and land use review timelines.

ISSUES DISCUSSED:

- Potential cost savings and positive climate impacts of locating housing near frequent-service transit
- Transit access for lower- and middle-income individuals and families
- Impact of legislation relative to existing high-density zoning in certain cities
- Impact of upzoning allowances on future bus rapid transit planning and development

EFFECT OF AMENDMENT:

-2 Establishes time frame in which a local government with jurisdiction over a fixed guideway corridor must adopt appropriate land use regulations or amend its comprehensive plan, by the earliest of: initiation of periodic review; adoption of a buildable lands inventory and housing capacity analysis; or submission of transportation systems plan to the director of the Department of Land Conservation and Development.

BACKGROUND:

Oregon’s Statewide Planning Goals provide guidelines to local governments in adopting comprehensive plans, zoning maps, and land use regulations to meet the development needs of a community. Goal 10, Housing, suggests that local governments should adopt rules and incentives to increase population densities in urban areas while taking into consideration the existence of key facilities, as well as the the economic, environmental, social, and energy consequences of proposed densities. Goal 12, Transportation, recommends that high-density developments should be designed and principally served by mass transit.

Federal transportation code (Title 49, Chapter 53) defines a “fixed guideway” as “a public transportation facility using and occupying a separate right-of-way for the exclusive use of public transportation; using rail; a fixed

HB 2558 -2 STAFF MEASURE SUMMARY

catenary (streetcar or light rail) system; for a passenger ferry system; or for a bus rapid transit system."

House Bill 2558 requires local governments to allow the development of residential multifamily buildings located within one-eighth of a mile of a fixed guideway corridor stop, subject to certain conditions. It prohibits the establishment of parking minimums for development projects allowed by this Act. It requires local governments to provide a density bonus of one additional floor for a development in which at least ten percent of units are affordable to households earning 60 percent of area median income, or for a development in which at least 20 percent of units are affordable to households earning 80 percent of area median income.