

House Bill 2558

Sponsored by Representative MEEK; Senator DEMBROW (Presession filed.)

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 local governments to allow certain residential development within one-eighth mile of fixed guideway corridor stops. Establishes deadlines to incorporate requirements into land use plans.

A BILL FOR AN ACT

Relating to development in fixed guideway corridors.

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

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 197.

SECTION 2. (1) As used in this section, "fixed guideway corridor" means any part of a fixed guideway public transportation system as that term is used in 49 U.S.C. 5301 to 5340.

(2) Within one-eighth of a mile of fixed guideway corridor stops, in areas within an urban growth boundary that are zoned to allow for residential or mixed residential use, for residential uses, local governments:

(a) May not establish or enforce parking minimums; and

(b)(A) Shall allow the development of residential multifamily buildings of no less than three floors that achieves an area density of no less than 45 residential units per acre; or

(B) Shall adopt amendments to the comprehensive plan, land use regulations and zoning maps that allow for the development of residential multifamily buildings of five floors or fewer and that will ensure an overall density of no less than would result under subparagraph (A) of this paragraph.

(3)(a) Local governments shall allow one additional floor above the allowances in subsection (2)(b) of this section for buildings if:

(A) At least 10 percent of the units are affordable to households with incomes of 60 percent of the area median income, as defined in ORS 456.270; or

(B) At least 20 percent of the units are affordable to households with incomes of 80 percent of the area median income.

(b) The affordability of the residential units under this subsection must be subject to an affordable housing covenant, as described in ORS 456.270 to 456.295, held by the local government or by the Housing and Community Services Department and with a duration of no less than 60 years.

(4) This section does not affect a requirement to comply with protective measures adopted pursuant to statewide land use planning goals related to natural disasters and hazards or to the conservation of natural resources or scenic vistas.

SECTION 3. Notwithstanding ORS 197.646, cities and counties or Metro with jurisdiction over the urban growth boundary of a city shall adopt appropriate land use regulations or

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 amend its comprehensive plan to implement section 2 of this 2021 Act by the earlier of:
- 2 (1) Periodic review by the Land Conservation and Development Commission of the city's
- 3 comprehensive plan and land use regulations under ORS 197.628 to 197.651;
- 4 (2) The submission of the city's buildable lands inventory to the commission under ORS
- 5 197.296 (2)(a);
- 6 (3) The submission of the city's transportation system plan to the commission under ORS
- 7 197.615; or
- 8 (4) The completion of the city's housing capacity analysis under ORS 197.296 or 197.299
- 9 (2).