

Requested by Representative MARSH

**PROPOSED AMENDMENTS TO
HOUSE BILL 3261**

1 On page 1 of the printed bill, delete lines 5 through 31.

2 On page 2, delete line 1 and insert:

3 **“SECTION 2. (1) Except as provided in this section and notwith-**
4 **standing any statewide land use planning goals or land use regu-**
5 **lations, a local government shall unconditionally allow the conversion**
6 **of the lawful use of a property:**

7 **“(a) From use as a hotel or motel, to use as an emergency shelter.**

8 **“(b) From use as a hotel or motel, or a hotel or motel that was**
9 **converted to an emergency shelter under paragraph (a) of this sub-**
10 **section, to use as affordable housing.**

11 **“(2) This section applies only to areas:**

12 **“(a) Within an urban growth boundary;**

13 **“(b) Not designated by the local government as specifically for**
14 **heavy industrial uses;**

15 **“(c) With adequate transportation access to commercial and med-**
16 **ical services; and**

17 **“(d) Not within an area designated for a statewide land use planning**
18 **goal relating to natural disasters or hazards, including flood plains or**
19 **mapped environmental health hazards, unless the converted use com-**
20 **plies with regulations directly related to the disasters or hazards.**

21 **“(3) A local government may require a converted use under this**

1 section to comply with:

2 “(a) Applicable building codes;

3 “(b) Occupancy limits; or

4 “(c) For uses under subsection (1)(b) of this section, reasonable
5 standards relating to siting or design, if the standards do not, indi-
6 vidually or cumulatively, prohibit the conversion through unreason-
7 able costs or delay.

8 “(4) A conversion under this section is not a land use decision as
9 defined in ORS 197.015.

10 “(5) A local government is not required to consider whether the
11 conversion significantly affects an existing or planned transportation
12 facility for the purposes of implementing a statewide land use planning
13 goal relating to transportation.

14 “(6) As used in this section:

15 “(a) ‘Affordable housing’ means housing in which all units are af-
16 fordable to households with incomes equal to or less than 60 percent
17 of the area median income as defined in ORS 458.610 and whose
18 affordability is enforceable by an affordable housing covenant, as de-
19 scribed in ORS 456.270 to 456.295, for a duration of no less than 30
20 years.

21 “(b) ‘Conversion’ includes an alteration to a building that changes
22 the number of units but does not expand the building footprint.

23 “(c) ‘Emergency shelter’ means a building that provides shelter on
24 a temporary basis for individuals and families who lack permanent
25 housing.

26 “(d) ‘Lawful use’ includes a nonconforming use as described in ORS
27 215.130 (6) or any other local land use regulation allowing for the con-
28 tinuation of a use that was lawful when first enacted.”.

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