

HB 3197 A STAFF MEASURE SUMMARY

Senate Committee On Rules

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Meeting Dates: 6/16

WHAT THE MEASURE DOES:

Limits clear and objective standards, conditions, and procedures regulating the development of housing to land within an urban growth boundary. Extends these provisions, effective July 1, 2025, to unincorporated communities designated in county comprehensive plans adopted after December 5, 1994; nonresource lands; and certain areas zoned for rural residential use. Removes limitation that an alternative process for approving housing development include criteria regulating appearance or aesthetics. Limits, effective July 1, 2025, county land use regulations from establishing additional standards, beyond those in statute and Land Conservation and Development administrative rules, for accessory farmworker housing unless the standards are clear and objective. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Local governments may deny or condition the approval of applications for housing development based on a variety of factors, including whether the application proposes to develop on land zoned for residential uses and the nature of the property ownership.

In 2017, the Legislative Assembly enacted Senate Bill 1051, which clarified that jurisdictions must approve an application for all housing development within an urban growth boundary if it meets the clear and objective standards outlined within the city or county comprehensive plan or zoning ordinances. According to the Department of Land Conservation and Development, these requirements have posed challenges for local governments with subjective code provisions. A 2021 decision by the Land Use Board of Appeals (LUBA) ruled that the clear and objective standards provisions adopted in 2017 apply to all housing development, regardless of location. Some local governments have reported that the ruling created confusion about the intent of current statute.

House Bill 3197 A clarifies that clear and objective standards, conditions, and procedures regulating housing development apply to land within an urban growth boundary. Beginning July 1, 2025, the measure extends these provisions to designated unincorporated communities, nonresource lands, and areas zoned for rural residential use. Also effective July 1, 2025, county regulations governing farmworker housing that exceed statutory or commission rules must meet clear and objective standards. The measure removes the limitation that an alternative approval process for housing be based on a project's "appearance or aesthetics."