

# House Bill 3191

Sponsored by Representative MORGAN, Senator MEEK, Representative HELFRICH (at the request of former Representative Jack Zika)

## 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**.

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

1  
2 Relating to housing.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 195.137 to**  
5 **195.145.**

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

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

9 (b) **“Workforce housing” means housing that is affordable to households with incomes**  
10 **of 120 percent of the area median income as defined in ORS 456.270.**

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

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

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

17 (3) **A city may grant a petition under subsection (2) of this section only if:**

18 (a) **The land:**

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

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

22 (C) **Does not include areas designated for protection in an acknowledged comprehensive**  
23 **plan pursuant to open spaces, scenic and historic areas and natural resource goals unless the**  
24 **areas retain this designation after inclusion within the urban growth boundary under this**  
25 **section; and**

26 (D) **May be rezoned for workforce housing and workforce commercial consistent with any**  
27 **land use planning goal relating to transportation planning; and**

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

29 (A) **Identified a need for additional workforce housing in the city’s comprehensive plan**  
30 **provisions under a statewide planning goal relating to housing;**

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

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

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

5 (a) Entering into a binding agreement with the landowner and with any other necessary  
6 local government, a district as defined in ORS 195.060 or a combination thereof to ensure  
7 that there exists a commitment to provide the land with all necessary urban services, as  
8 defined in ORS 195.065, in a specific location and by a specific date that is within two years  
9 of the city's approval of the petition;

10 (b) Amending its comprehensive plan or land use regulations to set aside no less than 50  
11 percent of the land to be used solely for workforce housing or both workforce housing and  
12 workforce commercial; and

13 (c) Serving as the covenant holder of an affordable housing covenant as described in ORS  
14 456.270 to 456.295 with a duration of no less than 30 years and that allows the development  
15 and use of the land set aside in paragraph (b) of this subsection only for:

16 (A) Workforce housing uses; and

17 (B) Workforce commercial uses.

18 (5) If Metro receives a petition from a city under subsection (2)(b) of this section, Metro  
19 shall amend its urban growth boundary to include the land described in the petition within  
20 six months.

21 (6) The amendment of an urban growth boundary under subsection (2)(a) or (5) of this  
22 section is allowed notwithstanding any other requirement pertaining to the amendment of  
23 an urban growth boundary under ORS 197.296, 197.298, 197.299, 197.302 or 197A.300 to  
24 197A.325.

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

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

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