

HB 2258-1
(LC 1824)
3/13/25 (RLM/ps)

Requested by HOUSE COMMITTEE ON HOUSING AND HOMELESSNESS (at the request of Representative Pam Marsh).

**PROPOSED AMENDMENTS TO
HOUSE BILL 2258**

1 In line 2 of the printed bill, after “housing” insert “; and declaring an
2 emergency”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. Section 2 of this 2025 Act is added to and made a part
5 of ORS chapter 197A.**

6 **“SECTION 2. (1)(a) The definitions in ORS 197A.420 apply to this
7 section.**

8 **“(b) As used in this section:**

9 **“(A) ‘DBH’ has the meaning given that term in ORS 90.100.**

10 **“(B) ‘Minimum dwelling units per acre’ means a land use regulation
11 that establishes the minimum number of residential dwelling units
12 that must be developed on a site, calculated by dividing the total
13 number of dwelling units by the gross acreage of the development
14 parcel or parcels.**

15 **“(C) ‘Minimum floor area ratio’ means a land use regulation that
16 establishes a dwelling’s minimum amount of enclosed interior
17 habitable floor space, not including garages or unfinished basements,
18 as a ratio of the area of the lot or parcel on which the dwelling is lo-
19 cated.**

20 **“(2) The Land Conservation and Development Commission may
21 adopt rules requiring local governments to issue a land use decision,**

1 notwithstanding any comprehensive plan or land use regulations or
2 statewide land use planning goals, approving the development of
3 specified residential development types on certain lots or parcels under
4 specified conditions.

5 “(3) A rule issued under this section may only pertain to lots or
6 parcels that are:

7 “(a) Lawfully established units of land;

8 “(b) Within an urban growth boundary;

9 “(c) Zoned to allow residential use;

10 “(d) At least 1,500 square feet;

11 “(e) Not larger than 20,000 square feet;

12 “(f) Not covered by slopes averaging more than 15 percent;

13 “(g) Not within an area identified in an inventory or map that is
14 part of the local government’s comprehensive plan as:

15 “(A) Environmentally sensitive or containing significant natural
16 resources;

17 “(B) Open space or scenic areas; or

18 “(C) Natural hazard areas, including floodplains, river greenways,
19 landslide zones or wildfire risk areas; and

20 “(h) Vacant, including a lot or parcel:

21 “(A) Created by a division specifically to qualify for residential de-
22 velopment allowed this section.

23 “(B) On which is sited a nonresidential structure that is noncon-
24 forming or not suitable for any lawful use.

25 “(C) For which residential units were demolished more than five
26 years prior.

27 “(D) For which residential units were demolished within the previ-
28 ous five years, provided that the approved development would create
29 net additional units and would use a building construction plan ap-
30 proved under section 5 of this 2025 Act.

1 **“(4) The residential development types that may be approved under**
2 **this section may only include:**

3 **“(a) Attached or detached housing, including accessory dwelling**
4 **units or prefabricated or modular housing.**

5 **“(b) Types with a buildable area of an average, per-unit size of:**

6 **“(A) Not more than 2,200 square feet for a single-unit dwelling, ac-**
7 **cessory dwelling unit, duplex, triplex, quadplex or townhouse.**

8 **“(B) Not more than 1,400 square feet for cottage clusters or a**
9 **multiunit dwelling.**

10 **“(c) A multiunit dwelling with more than six and fewer than 12**
11 **units.**

12 **“(d)(A) A single-unit dwelling with a minimum floor area ratio of**
13 **0.35 or a minimum dwelling units per acre of 7.**

14 **“(B) A duplex or triplex with a minimum floor area ratio of 0.8 or**
15 **a minimum dwelling units per acre of 23.**

16 **“(C) A quadplex with a minimum floor area ratio of 1.5 or a mini-**
17 **imum dwelling units per acre of 33.**

18 **“(D) Townhouses with a minimum floor area ratio of 1.5 or a min-**
19 **imum dwelling units per acre of 40.**

20 **“(E) Cottage clusters with a minimum floor area ratio of 0.8 or a**
21 **minimum dwelling units per acre of 35.**

22 **“(F) A multiunit dwelling with a minimum floor area ratio of 2.0**
23 **or a minimum dwelling units per acre of 87.**

24 **“(5) The conditions that the commission may specify for the ap-**
25 **proved residential development types may include:**

26 **“(a) The land use permit costs.**

27 **“(b) The requirements for analysis of impact on public utilities or**
28 **transportation.**

29 **“(c) Design standards and the scope of design review, which may**
30 **include requiring the approval of the use of any material, design or**

1 method of construction that is approved under the applicable building
2 code.

3 “(d) Allowable variations or adjustments, or variation or adjust-
4 ment types, from the specific approval.

5 “(e) Limits on land use, including establishing appropriate mini-
6 mum or maximum setbacks, parking requirements, building lot cov-
7 erage, building heights or standards for tree removal, replacement or
8 planting. The standards for tree removal must include:

9 “(A) Prohibiting the removal of heritage trees or trees with a DBH
10 of 20 inches or more.

11 “(B) Requiring the replacement or replanting of every removed tree
12 that is:

13 “(i) Locally designated as a protected species;

14 “(ii) Healthy and with a DBH of 12 inches or more; and

15 “(iii) Within an area locally designated as an urban heat island.

16 “(6) In adopting rules under this section, the commission shall co-
17 ordinate with the review of building construction plans by the De-
18 partment of Consumer and Business Services under section 5 of this
19 2025 Act.

20 “SECTION 3. The Land Conservation and Development Commission
21 shall adopt initial rules implementing section 2 of this 2025 Act on or
22 before January 1, 2027.

23 “SECTION 4. Section 5 of this 2025 Act is added to and made a part
24 of ORS chapter 455.

25 “SECTION 5. (1) The Department of Consumer and Business Ser-
26 vices may designate a process by which an applicant for a building
27 permit for a residential structure of a type described in section 2 (4)(a)
28 to (c) of this 2025 Act may receive building construction plan approval
29 from the municipality, including through the use of:

30 “(a) Typical drawings and specifications created by the department

1 **under ORS 455.062.**

2 **“(b) Review of plans and specifications approved by the department**
3 **under ORS 455.685. Plans and specifications submitted under this par-**
4 **agraph will remain proprietary unless the submitter requests other-**
5 **wise.**

6 **“(2) In implementing this section the department may coordinate**
7 **with approvals of land use plans by the Land Conservation and De-**
8 **velopment Commission under section 2 of this 2025 Act.**

9 **“SECTION 6. This 2025 Act being necessary for the immediate**
10 **preservation of the public peace, health and safety, an emergency is**
11 **declared to exist, and this 2025 Act takes effect on its passage.”.**

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