

Legislation

DLCD has three legislative proposals:

1. **Standard of Review for Administrative Rules, SB 140**

This bill codifies the distinction between facial and as applied challenges to administrative rules, with reference to statewide planning goals – a matter that had been relatively well settled in the case law until recent Court of Appeals cases that blurred the distinction between such challenges. The bill would declare that a rule cannot be invalidated due to the mere possibility the rule could be applied in some manner that violates a statewide land use planning goal.

2. **Industrial Reserves, SB 186**

This bill encourages local governments to designate “industrial reserves” adjacent to urban areas in order to increase the supply of prime industrial sites statewide. The bill would conserve these sites for industrial development over the long term. The bill directs LCDC to revise statewide land use rules to expedite adding industrial reserve sites to urban growth boundaries, and to ensure that prime industrial land cannot be converted to other uses. The bill also specifies that land eligible for industrial reserves is limited to large sites suitable for industry, adjacent to a UGB and reasonably likely to obtain public facilities and transportation access in the near term.

3. **Sites Dedicated to Affordable Housing, SB 187**

This bill amends statutes and directs LCDC to amend statewide rules to encourage local governments to amend UGBs to include new sites dedicated to affordable housing. The bill relaxes current statutes that prevent local governments from regulating long-term price of affordable housing on such sites, and prevents rezoning of these sites for other uses. LCDC must define “affordable housing” to authorize a mix of affordable housing and market-rate housing on these sites, including sites intended for displaced residents of manufactured housing parks rezoned to other uses.