Summary of Amended HB 2225
For WG Discussion Feb 23rd

SECTION 1: No change

SECTION 2: Slight change in wording, no substantive change

SECTION 3: Definitions: do we need a definition of "market rate housing"? (since we allow some percentage of a site to include this). Otherwise, no change, but open to defining other terms.

SECTION 4: Requires rules for pilot project to be adopted by January 31. Rules must
(1) indicate how LCDC chooses up to five cities for pilots (except Metro)
(2) Requires that, under new rules, nominated cities must
- a. Identify a site less than 50 acres
- b. Submit a plan for the pilot, including proposed plan and zone amendments
- c. Submit an analysis demonstrating need for affordable housing (we need to add some more to this to specify how this is different than a regular need analysis)
- d. Demonstrate that the city has taken steps to encourage affordable housing already (I provide a list, we need to decide whether all or some of these).
- e. several other requirements for site that is nominated, including proximity to services, reasonably likely to provide affordable housing

(3) Requires LCDC rules for pilot program
- a. must define affordable housing (gives parameters for this definition)
- b. May authorize a mix of affordable/market rate housing on a site
- c. May include special expedited UGB process (see section), The rules must not change existing plan amendment requirements except as provided in Section , and must make sure affordable housing sites remain for such use for 50 years.
- d. Provides that the only way to change the zoning of a site added to a UGB under this pilot is to first remove it from the UGB and rezone it for farm, forest or other rural use consistent with current goals.
- d. Makes it clear that local government can voluntarily use inclusionary zoning to maintain site for affordable housing.
- e. Proposed amendments from Al Johnson indicating that the site selection process is a one-step process with appeal to LUBA.

SECTION 5: Provides side bars as to any new LCDC rules applicable to five pilot cities for purposes of their selection of a site less than 50 acres
- a. Indicates that the only requirements LCDC may waive in order to expedite are
  - (1) Need analysis (except for special need analysis under section 2 (c) above).
  - (2) Priorities under ORS 197.298 except that high value farmland off limits
  - (3) Should we allow waiver of any location factors?
- b. Clarifies that local government cannot convert other land already zoned for housing by declaring the need is met by the new pilot site.
- c. Placeholder for exchanging a new site for a site already in the UGB (we did not discuss parameters for this, and how it would work).

SECTION: Requires LCDC to make other amendments to Goal 10 rules (such as those under discussion by the workgroup) by December 1, 2010.

SECTION 7: would sunset the pilot program rules (this needs to be written carefully so that the UGB rules and other rules are phased out once five pilots are selected, but other rules, such as those requiring sites to remain as affordable housing, will not sunset.

SECTION 8: Emergency clause so we can begin working on this as soon as it is passed.