

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed, and Be Placed on the Consent Calendar
Vote:	7 - 0 - 0
Yeas:	Boquist, Clem, Dingfelder, Macpherson, Maurer, Smith P., Roblan
Nays:	0
Exc.:	0
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	4/19, 4/24

WHAT THE MEASURE DOES: Modifies the definition of “land use decision” and “limited land use decision” to exclude decisions of local government to approve or withhold approval of a final subdivision of a partition plat or that determines whether a final subdivision or a partition plat substantially conforms to tentative subdivision or partition plan. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- *Hammer v. Clackamas County* Court of Appeals decision
- Historical practice

EFFECT OF COMMITTEE AMENDMENT: Adds emergency clause.

BACKGROUND: In *Hammer v. Clackamas County*, the Court of Appeals found that the county surveyor’s approval of a subdivision plat was a land use decision that could be appealed to the state Land Use Board of Appeals (LUBA). This decision ran counter to the standard practice for local governments to review subdivision and partition final plats using an administrative procedure that does not provide for notice, opportunity to comment and appeal to LUBA. HB 3025-A amends the definitions of “limited land use decision” and “land use decision” to specifically exclude subdivision and partition final plat reviews.