

## SENATE AMENDMENTS TO SENATE BILL 806

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

April 15

1 Delete lines 4 through 17 of the printed bill and insert:

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

3 **“(a) ‘Commercial or industrial property’ means property that is not used primarily for**  
4 **residential occupancy or for local government purposes.**

5 **“(b) ‘Local government’ has the meaning given that term in ORS 174.116.**

6 **“(c) ‘Xeriscaping’ means the selection of drought tolerant plants, the minimization of**  
7 **evaporation and runoff and the use of other landscape design features that minimize the**  
8 **need of the landscape for supplemental water from irrigation.**

9 **“(2) Except as provided in subsection (3) of this section, an owner or occupant of a**  
10 **commercial or industrial property may install xeriscaping on landscaped portions of the**  
11 **property that are not otherwise set aside, dedicated or used to comply with a local govern-**  
12 **ment ordinance, rule or regulation regarding:**

13 **“(a) Stormwater management;**

14 **“(b) The preservation of natural habitat and tree canopy; or**

15 **“(c) The control of invasive plant species.**

16 **“(3) Subsection (2) of this section does not prohibit a local government from enforcing**  
17 **any contractual right of the local government with regard to the installation and mainte-**  
18 **nance of landscaping for a commercial or industrial structure developed in whole or in part**  
19 **with funding provided by the local government.”.**

20