

**PROPOSED AMENDMENTS TO
SENATE BILL 708**

1 On page 1 of the printed bill, line 2, after “1982” delete the rest of the line
2 and line 3 and insert a period.

3 Delete lines 5 through 30 and delete page 2 and insert:

4 **“SECTION 1. Section 2 of this 2013 Act is added to and made a part**
5 **of ORS chapter 197.**

6 **“SECTION 2. (1) Notwithstanding ORS 197.175 (2)(c) to (e), when a**
7 **city incorporated after January 1, 1982, has not caused the compre-**
8 **hensive plan and land use regulations of the city to be acknowledged**
9 **before the effective date of this 2013 Act and at least four years have**
10 **passed since the date of incorporation of the city, the county within**
11 **which the city is located:**

12 **“(a) Shall make land use decisions and limited land use decisions**
13 **as required by ORS 197.175 (2)(c) to (e) for land use applications related**
14 **to land that, on January 1, 2013, is within the boundaries of the city**
15 **and the acknowledged urban growth boundary of Metro.**

16 **“(b) May, when making land use decisions and limited land use de-**
17 **cisions described in paragraph (a) of this subsection:**

18 **“(A) Approve urban planning and zoning designations and uses, in-**
19 **cluding residential, commercial and industrial zones and uses, at ur-**
20 **ban densities and lot sizes; and**

21 **“(B) Designate industrial or employment zones for land that is lo-**
22 **cated in an employment or industrial area designated in the frame-**

1 **work plan of Metro.**

2 **“(c) May issue building permits, implementation measures and**
3 **other approvals necessary to allow construction of a use approved by**
4 **the county.**

5 **“(d) Has land use planning jurisdiction to receive and review appli-**
6 **cations for land use approvals as provided in this section and retains**
7 **the jurisdiction until:**

8 **“(A) The county has made final decisions on the application, im-**
9 **plementation measures and building permits;**

10 **“(B) Any appeals have been exhausted or all appeal periods have**
11 **expired; and**

12 **“(C) Any construction required to implement an approved land use**
13 **has been completed.**

14 **“(2) To process an application submitted to the county under this**
15 **section, the county may charge the applicant the standard fee set**
16 **forth in the acknowledged comprehensive plan or in the land use reg-**
17 **ulations of the county or an amount up to the actual cost of the**
18 **planning for the application on a time and materials basis, whichever**
19 **is greater.**

20 **“(3) An approval made by a county under this section is valid.**

21 **“(4) If the city described in subsection (1) of this section causes the**
22 **comprehensive plan and land use regulations of the city to be ac-**
23 **knowledged, the city shall:**

24 **“(a) Adopt any changes to the comprehensive plan and land use**
25 **regulations that are necessary to:**

26 **“(A) Plan and zone land consistent with the plans, zones and uses**
27 **approved by the county under this section; and**

28 **“(B) Allow uses approved under this section to continue as outright**
29 **permitted uses.**

30 **“(b) Exercise the city’s planning and zoning responsibilities required**

1 by ORS 197.175 (2)(c) to (e), subject to the limitations provided by
2 subsection (1)(c) of this section.

3 “(5) If the city described in subsection (1) of this section ceases to
4 exist, the county shall exercise planning and zoning responsibilities
5 within the territory of the former city as required by ORS 197.175 ex-
6 cept that an application submitted to the county under this section
7 must be reviewed as required by subsections (1) and (2) of this section.

8 “(6) The land use planning jurisdiction of the county under this
9 section:

10 “(a) Is limited to quasi-judicial applications initiated by owners of
11 land.

12 “(b) Does not, except as provided in subsection (4) of this section,
13 authorize the county to approve development of land that, on January
14 1, 2013, is not within the boundaries of the city described in subsection
15 (1) of this section and the acknowledged urban growth boundary of
16 Metro.”.

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