

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

Senate Committee on Human Services and Early Childhood

REVENUE: No revenue impact**FISCAL: No fiscal impact****SUBSEQUENT REFERRAL TO: None****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Cheyenne Ross, Administrator**Meeting Dates:** 5/14

WHAT THE MEASURE DOES: Requires Land Conservation and Development Commission to order a local government, state agency or special district to take action necessary to bring its comprehensive plan, land use regulations, limited land use decisions or other land use decisions into compliance if its standards, conditions and procedures are subjective, or discourage needed housing through unreasonable cost or delay.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:**

BACKGROUND: Land use planning in Oregon rests on Statewide Planning Goals. State law requires each city and county to adopt a comprehensive plan consistent with the Statewide Planning Goals, and to enact local zoning and ordinances needed to put comprehensive plans into effect. Comprehensive plans are reviewed by the Land Conservation and Development Commission (LCDC), and when officially approved, the comprehensive plan is said to be “acknowledged.” It then becomes the controlling document for land use in the area covered by that plan. Oregon’s planning laws apply not only to local governments but also to special districts and state agencies.

Currently, local governments may discourage needed housing development by imposing costs, delays, or certain restrictions, so long as it is consistent with the applicable comprehensive plan and land use regulations.

LCDC is required, under certain circumstances, to order a local government, state agency or special district to take action necessary to bring its comprehensive plan, land use regulation, limited land use decision or other land use decision into compliance with Statewide Planning Goals, acknowledged comprehensive plan provisions or land use regulations (ORS 197.320).

House Bill 3222 A would also require LCDC to order a local government to act, if its approval, special conditions on approval of specific development proposals, or approval procedures did not comply with ORS 197.307(4) (were based on subjective standards or had the effect of discouraging needed housing through unreasonable cost or delay).

*House Committee: 7 – 0 – 0**House Floor: 58 – 0 – 2*

5/11/2015 5:15:00 PM *

This summary has not been adopted or officially endorsed by action of the committee.