

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rural Communities, Land Use, and Water

MEASURE: HB 3223 A
CARRIER: Rep. Clem

Fiscal: No Fiscal Impact

Revenue: No Revenue Impact

Action Date: 04/14/15

Action: Do Pass As Amended And Be Printed Engrossed.

Meeting Dates: 03/26, 04/14

Vote:

Yeas: 7 - Clem, Gilliam, Gomberg, Helm, McLane, Post, Witt

Prepared By: Ian Davidson, Committee Administrator

WHAT THE MEASURE DOES:

Clarifies expedited land division definition. Restricts definition to include only land that is zoned for residential uses and is within urban growth boundary. Requires local government to send written notice to applicant, within 2 weeks of receipt of application for division of land, if application meets requirements for expedited land division or local government has insufficient information to determine where application meets requirements. Requires that written notice include description of requirements and procedure for applying for expedited land division.

ISSUES DISCUSSED:

- Goal 10 of Statewide Planning Goals
- High-density housing

EFFECT OF COMMITTEE AMENDMENT:

Further clarifies definition of expedited land division. Requires local government to send written notice to applicant, within 2 weeks of receipt of application for division of land, if application meets requirements for expedited land division or local government has insufficient information to determine where application meets requirements. Requires that written notice include description of requirements and procedure for applying for expedited land division.

BACKGROUND:

After extensive review and public input, the Land Conservation and Development Commission adopted 19 Statewide Planning Goals, the 10th of which deals with housing. Goal 10 reads "To provide for the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density." To implement Goal 10, under current law, all cities must plan for sufficient residential land, and zone it to ensure it provides all needed housing types including multi-family, single-family, duplexes, mixed-use, small lots, and attached housing.

Land development, whether for housing or otherwise, usually requires a permit or approval from the city or county to ensure that the projects complies with standards in the zoning code. While most planning decisions are routine some decisions require a detailed review by the planning director or planning commission. Local planning decisions fall into one of four categories: ministerial review, expedited or limited review, quasi-judicial, and legislative. Expedited land divisions are subject to standards that require very little judgement on the part of the city or county staff.

Current law allows for expedited land divisions, but there is no restriction to what types of zoned lands qualify.

House Bill 3223 A would restrict expedited land divisions to include only land that is zoned for residential uses and is within an urban growth boundary.