

A-Engrossed
House Bill 2633

Ordered by the House April 20
Including House Amendments dated April 20

Sponsored by Representatives LININGER, GOMBERG, Senator DEMBROW, Representative HELM; Representatives BOONE, GREENLICK, MCLAIN, TAYLOR, VEGA PEDERSON, WILLIAMSON (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Requires Land Conservation and Development Commission to adopt administrative rules to implement statewide land use planning goal related to natural hazards. Requires Department of Land Conservation and Development to establish program, or modify existing program, to provide guidance to local governments regarding adaptive planning to reduce risk to people and property due to development in hazard areas.]

Directs Department of Land Conservation and Development to develop program to provide guidance to local governments and special districts regarding planning for natural disasters. Directs Land Conservation and Development Commission to adopt rules to address risks associated with development in areas susceptible to natural disasters.

Appropriates money from General Fund to department for establishment of program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to development in natural hazard areas; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section, "natural hazard" means coastal or riverine**
5 **floods, landslides, earthquakes and related hazards, tsunamis, coastal erosion and wildfire.**

6 **(2) The Department of Land Conservation and Development, in coordination with the**
7 **Office of Emergency Management, shall establish a program to provide guidance to local**
8 **governments and special districts regarding:**

9 **(a) Accurate identification of potential natural hazard areas, including areas that have**
10 **been or may be developed within local communities; and**

11 **(b) Best planning practices to mitigate potential adverse impacts that may result from**
12 **development in natural hazard areas.**

13 **(3) The department shall consult with cities, counties, special districts and state and**
14 **federal agencies, including with the Federal Emergency Management Agency, the State De-**
15 **partment of Geology and Mineral Industries and the State Forestry Department, in the de-**
16 **velopment of the program described in subsection (2) of this section.**

17 **(4) A local government or special district is not required to follow the best planning**
18 **practices guidelines developed by the program in land use planning of the local government**
19 **or special district.**

20 **SECTION 2. (1) The Land Conservation and Development Commission shall adopt rules**
21 **in conjunction with existing statewide land use planning goals to address potential risks as-**
22 **sociated with current and future development in areas that are susceptible to coastal ero-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 sion, landslides and tsunamis.

2 (2) The rules adopted under this section must:

3 (a) Contain clear and objective standards for implementation;

4 (b) Permit a local government or special district to follow a course of action in land use
5 planning that ensures compliance with a planning process prescribed by rule in lieu of com-
6 pleting one or more specific elements of the prescribed planning process; and

7 (c) Exempt structures customarily utilized in conjunction with farm use, including farm
8 dwellings, from regulation.

9 (3) The commission shall consult with cities, counties, special districts and state and
10 federal agencies, including the Federal Emergency Management Agency, the Office of
11 Emergency Management and the State Department of Geology and Mineral Industries, in
12 adopting the rules under this section.

13 (4) The commission shall adopt rules under this section on or before two years after the
14 effective date of this 2015 Act.

15 **SECTION 3.** In addition to and not in lieu of any other appropriation, there is appropri-
16 ated to the Department of Land Conservation and Development, for the biennium beginning
17 July 1, 2015, out of the General Fund, the amount of \$50,000 for the purpose of carrying out
18 the provisions of section 1 of this 2015 Act.

19 **SECTION 4.** This 2015 Act being necessary for the immediate preservation of the public
20 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
21 on its passage.