

A-Engrossed
House Bill 3222

Ordered by the House April 23
Including House Amendments dated April 23

Sponsored by COMMITTEE ON RURAL COMMUNITIES, LAND USE, AND WATER

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.

Modifies provisions related to [*inclusion of needed housing within urban growth boundaries*] **Land Conservation and Development Commission requirement that local government, state agency or special district bring comprehensive plan, land use regulations and limited land use decisions or other land use decisions into compliance with acknowledged plan or regulations upon good cause belief by commission of existence of particular circumstances.**

A BILL FOR AN ACT

1
2 Relating to needed housing in urbanizable areas; amending ORS 197.320.

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

4 **SECTION 1.** ORS 197.320 is amended to read:

5 197.320. The Land Conservation and Development Commission shall issue an order requiring a
6 local government, state agency or special district to take action necessary to bring its comprehen-
7 sive plan, land use regulation, limited land use decisions or other land use decisions into compliance
8 with the goals, acknowledged comprehensive plan provisions or land use regulations if the commis-
9 sion has good cause to believe:

10 (1) A comprehensive plan or land use regulation adopted by a local government not on a com-
11 pliance schedule is not in compliance with the goals by the date set in ORS 197.245 or 197.250 for
12 such compliance;

13 (2) A plan, program, rule or regulation affecting land use adopted by a state agency or special
14 district is not in compliance with the goals by the date set in ORS 197.245 or 197.250 for such
15 compliance;

16 (3) A local government is not making satisfactory progress toward performance of its compliance
17 schedule;

18 (4) A state agency is not making satisfactory progress in carrying out its coordination agree-
19 ment or the requirements of ORS 197.180;

20 (5) A local government has no comprehensive plan or land use regulation and is not on a com-
21 pliance schedule directed to developing the plan or regulation;

22 (6) A local government has engaged in a pattern or practice of decision making that violates
23 an acknowledged comprehensive plan or land use regulation. In making its determination under this
24 subsection, the commission shall determine whether there is evidence in the record to support the
25 decisions made. The commission shall not judge the issue solely upon adequacy of the findings in
26 support of the decisions;

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 (7) A local government has failed to comply with a commission order entered under ORS 197.644;

2 (8) A special district has engaged in a pattern or practice of decision-making that violates an
3 acknowledged comprehensive plan or cooperative agreement adopted pursuant to ORS 197.020;

4 (9) A special district is not making satisfactory progress toward performance of its obligations
5 under ORS chapters 195 and 197;

6 (10) A local [*government*] **government's** [*is applying*] approval standards, special conditions on
7 approval of specific development proposals or procedures for approval [*that*] do not comply with ORS
8 197.307 (4) or (6);

9 (11) A local government is not making satisfactory progress toward meeting its obligations un-
10 der ORS 195.065; or

11 (12) A local government within the jurisdiction of a metropolitan service district has failed to
12 make changes to the comprehensive plan or land use regulations to comply with the regional
13 framework plan of the district or has engaged in a pattern or practice of decision-making that vio-
14 lates a requirement of the regional framework plan.

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