

HOUSE AMENDMENTS TO HOUSE BILL 3222

By COMMITTEE ON RURAL COMMUNITIES, LAND USE, AND WATER

April 23

- 1 On page 1 of the printed bill, line 2, delete “creating new provisions; and”.
- 2 Delete line 3 and insert “197.320.”.
- 3 Delete lines 5 through 32 and delete pages 2 through 5 and insert:
- 4 “**SECTION 1.** ORS 197.320 is amended to read:
- 5 “197.320. The Land Conservation and Development Commission shall issue an order requiring
- 6 a local government, state agency or special district to take action necessary to bring its compre-
- 7 hensive plan, land use regulation, limited land use decisions or other land use decisions into com-
- 8 pliance with the goals, acknowledged comprehensive plan provisions or land use regulations if the
- 9 commission 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 compli-
- 17 ance 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
- 21 compliance 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;
- 27 “(7) A local government has failed to comply with a commission order entered under ORS
- 28 197.644;
- 29 “(8) A special district has engaged in a pattern or practice of decision-making that violates an
- 30 acknowledged comprehensive plan or cooperative agreement adopted pursuant to ORS 197.020;
- 31 “(9) A special district is not making satisfactory progress toward performance of its obligations
- 32 under ORS chapters 195 and 197;
- 33 “(10) A local [*government*] **government’s** [*is applying*] approval standards, special conditions on
- 34 approval of specific development proposals or procedures for approval [*that*] do not comply with ORS
- 35 197.307 (4) or (6);

1 “(11) A local government is not making satisfactory progress toward meeting its obligations
2 under ORS 195.065; or

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

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