

**PROPOSED AMENDMENTS TO
HOUSE BILL 3222**

1 On page 1 of the printed bill, line 2, delete “creating new provisions;
2 and”.

3 Delete line 3 and insert “197.320.”.

4 Delete lines 5 through 32 and delete pages 2 through 5 and insert:

5 **“SECTION 1. ORS 197.320 is amended to read:**

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

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

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

18 “(3) A local government is not making satisfactory progress toward per-
19 formance of its compliance schedule;

20 “(4) A state agency is not making satisfactory progress in carrying out
21 its coordination agreement or the requirements of ORS 197.180;

22 “(5) A local government has no comprehensive plan or land use regulation

1 and is not on a compliance schedule directed to developing the plan or reg-
2 ulation;

3 “(6) A local government has engaged in a pattern or practice of decision
4 making that violates an acknowledged comprehensive plan or land use reg-
5 ulation. In making its determination under this subsection, the commission
6 shall determine whether there is evidence in the record to support the deci-
7 sions made. The commission shall not judge the issue solely upon adequacy
8 of the findings in support of the decisions;

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

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

14 “(9) A special district is not making satisfactory progress toward per-
15 formance of its obligations under ORS chapters 195 and 197;

16 “(10) A local [*government*] **government’s** [*is applying*] approval stan-
17 dards, special conditions on approval of specific development proposals or
18 procedures for approval [*that*] do not comply with ORS 197.307 (4) **or** (6);

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

21 “(12) A local government within the jurisdiction of a metropolitan service
22 district has failed to make changes to the comprehensive plan or land use
23 regulations to comply with the regional framework plan of the district or
24 has engaged in a pattern or practice of decision-making that violates a re-
25 quirement of the regional framework plan.”.

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