

HB 3245 A -A4, -A6 STAFF MEASURE SUMMARY

Senate Committee On Environment and Natural Resources

Prepared By: Beth Patrino, LPRO Analyst

Meeting Dates: 5/25

WHAT THE MEASURE DOES:

Permits city governing body to authorize planning commission or hearings officer to conduct hearings and make decisions on applications for amendments to city comprehensive plan map. Authorizes appeal of decision by aggrieved party to city governing body. Specifies other rules and exceptions for such decisions.

Minimal fiscal impact, no revenue impact

House Vote: Passed. Ayes, 47; Nays, 12--Barnhart, Greenlick, Helm, Holvey, Keny-Guyer, McLain, Nathanson, Power, Rayfield, Reardon, Smith Warner, Sollman; Excused, 1--Heard

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-A4 Replaces measure. Authorizes city to make final decision on application to amend comprehensive plan map by order. Specifies decision is subject to review by Land Use Board of Appeals.

-A6 Deletes requirement that city governing body authorize planning commission or hearings officer to make decisions by ordinance or order. Allows person who appeared or participated orally or in writing in proceedings of planning commission or hearings officer to appeal or petition for review a final decision to city governing body. Makes decision of governing body under measure issued on appeal subject to review by Land Use Board of Appeals.

BACKGROUND:

Oregon's rapid population growth and development during the 1960s and 1970s prompted concern about what effect growth might have on the environment, natural resources and the livability of communities. These concerns led to the passage of Senate Bill 100 (1973). The legislation established the Land Conservation and Development Commission (LCDC) that was charged with adopting state land use goals, and the Department of Land Conservation and Development (DLCD), charged with assisting LCDC and local governments in the implementation of those goals and with coordinating state agencies in land use matters. In addition, SB 100 directed that local governments adopt and implement comprehensive plans and revise them periodically in accordance with statewide goals and with the needs and desires of the public. Comprehensive plans are required for cities and counties, and include statements of issues and problems to be addressed, various inventories and other technical information, the goals and policies for addressing the issues and problems and implementation measures. Plans must be done in accordance with state standards outlined in statute, statewide planning goals and administrative rules. Comprehensive plans were initially approved by LCDC in a process referred to as "acknowledgment of compliance."

House Bill 3245A permits a city to authorize a planning commission or hearings officer to make decisions to amend the city comprehensive plan map, subject to certain restrictions. The measure allows for an aggrieved party to appeal such decisions to the city governing body.