

HB 3245 B STAFF MEASURE SUMMARY**Carrier:** Sen. Olsen**Senate Committee On Environment and Natural Resources****Action Date:** 06/01/17**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Baertschiger Jr, Dembrow, Olsen, Prozanski, Roblan**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Beth Patrino, LPRO Analyst**WHAT THE MEASURE DOES:**

Allows city governing body to authorize planning commission or hearings officer to conduct hearings and make final decisions on applications for amendments to city comprehensive plan. Lists situations authority does not apply to. Stipulates final decision may be appealed to or reviewed by city governing body. Authorizes person to appeal or petition for review of final decision if person appeared or participated in proceedings of planning commission or hearing officer orally or in writing. Establishes decision of city governing body on appeal under provision is subject to review by Land Use Board of Appeals.

ISSUES DISCUSSED:

- County governing body authority to have planning commission or hearings officer conduct hearings and make decisions on plan map amendments
- Process for appeal of planning commission and hearing officer decisions

EFFECT OF AMENDMENT:

Deletes requirement that city governing body authorize planning commission or hearings officer by ordinance or order, to make decisions on comprehensive plan map amendments. Specifies a final decision of planning commission or hearings office may be appealed to or reviewed by the city governing board. 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 3245B would allow 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 persons who appeared

This Summary has not been adopted or officially endorsed by action of the committee.

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or participated in the proceedings of the planning commission or hearings officer to appeal or petition for review of final decisions to the city governing body.