

# Senate Bill 418

Sponsored by Senator BEYER (Presession filed.)

## 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 **as introduced**.

Requires Director of Department of Land Conservation and Development, at city's request, to approve or remand sequential phases of work tasks related to potential amendment of urban growth boundary.

## A BILL FOR AN ACT

1  
2 Relating to local legislative review of urban growth boundaries; creating new provisions; and  
3 amending ORS 197.626.

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

5 **SECTION 1.** ORS 197.626 is amended to read:

6 197.626. (1) A local government shall submit for review and the Land Conservation and Devel-  
7 opment Commission shall review the following final land use decisions in the manner provided for  
8 review of a work task under ORS 197.633 **and subject to subsection (3) of this section:**

9 (a) An amendment of an urban growth boundary by a metropolitan service district that adds  
10 more than 100 acres to the area within its urban growth boundary;

11 (b) An amendment of an urban growth boundary by a city with a population of 2,500 or more  
12 within its urban growth boundary that adds more than 50 acres to the area within the urban growth  
13 boundary;

14 (c) A designation of an area as an urban reserve under ORS 195.137 to 195.145 by a metropolitan  
15 service district or by a city with a population of 2,500 or more within its urban growth boundary;

16 (d) An amendment of the boundary of an urban reserve by a metropolitan service district;

17 (e) An amendment of the boundary of an urban reserve to add more than 50 acres to the urban  
18 reserve by a city with a population of 2,500 or more within its urban growth boundary; and

19 (f) A designation or an amendment to the designation of a rural reserve under ORS 195.137 to  
20 195.145 by a county, in coordination with a metropolitan service district, and the amendment of the  
21 designation.

22 (2) When the commission reviews a final land use decision of a metropolitan service district  
23 under subsection (1)(a), (c), (d) or (f) of this section, the commission shall issue a final order in  
24 writing within 180 days after the commission votes whether to approve the decision.

25 **(3) When reviewing an amendment of an urban growth boundary under subsection (1)(b)**  
26 **of this section and ORS 197.295 to 197.314:**

27 **(a) At the request of and in coordination with the city, the Director of the Department**  
28 **of Land Conservation and Development shall parse work tasks in a manner that allows the**  
29 **Department of Land Conservation and Development to issue final orders approving or re-**  
30 **manding sequential phases required for completion of the work tasks, including a final order**  
31 **approving:**

**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       **(A) An inventory of buildable lands and an opportunities analysis under a goal relating**  
2 **to economic activities or an inventory of buildable lands and a needs analysis under a goal**  
3 **relating to housing needs.**

4       **(B) An estimation of the land need under a goal relating to economic activities.**

5       **(C) Any response to the department regarding approval of the estimation of land need,**  
6 **including changes proposed to comprehensive plan designations or land use zones.**

7       **(b)(A) The director shall take action on each sequential phase of a work task described**  
8 **in paragraph (a) of this subsection not later than 90 days after the local government submits**  
9 **the phase for review, unless the local government waives the 90-day deadline or the com-**  
10 **mission grants the director an extension.**

11       **(B) If the director does not take action within the time period required by subparagraph**  
12 **(A) of this paragraph, the sequential phase of the work task is deemed approved.**

13       **(c) The director may approve or remand a sequential phase of a work task or refer the**  
14 **phase of the work task to the commission for a decision. A decision by the director to ap-**  
15 **prove or remand a phase of the work task may be appealed to the commission.**

16       **(d) The director shall provide a letter to the local government certifying the approval of**  
17 **each sequential phase of a work task, unless an interested party has filed a timely objection**  
18 **to the phase of the work task consistent with administrative rules for conducting periodic**  
19 **review.**

20       **[(3)] (4) A final order of the commission under this section may be appealed to the Court of**  
21 **Appeals in the manner described in ORS 197.650 and 197.651.**

22       **SECTION 2. The amendments to ORS 197.626 by section 1 of this 2017 Act apply to a**  
23 **legislative review of an urban growth boundary under ORS 197.295 to 197.314 that has not**  
24 **become acknowledged on or before the effective date of this 2017 Act, without regard to**  
25 **whether the legislative review was initiated before, on or after the effective date of this 2017**  
26 **Act.**