

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 4063

By COMMITTEE ON RULES

February 18

1 On page 2 of the printed A-engrossed bill, delete lines 9 through 11 and insert:

2 “(a) Calculate, for each local jurisdiction the contractor examines, the average length of time,
3 in days, necessary to obtain all necessary approvals for a small- to medium-sized housing develop-
4 ment and determine the reasons why approval requires the specified amount of time;”.

5 Delete lines 28 through 30 and insert:

6 “(g) Recommend procedural changes, legislation or other remedies based on the results of the
7 contractor’s research and analysis that will increase residential construction and shorten the time
8 required for approving residential construction projects while maintaining critical infrastructure.”.

9 In line 33, delete “section 1 of this 2022 Act” and insert “this section”.

10 After line 39, insert:

11 “(5)(a) The department shall establish and regularly consult with an advisory committee that
12 includes, at a minimum, members who represent:

13 “(A) At least four local governments of varying size and from various regions of this state;

14 “(B) Special districts, as defined in ORS 197.015;

15 “(C) Landowners;

16 “(D) Residential construction companies; and

17 “(E) Real estate licensees.

18 “(b) The advisory committee shall make recommendations to the department concerning:

19 “(A) The department’s selection of a contractor under subsection (1) of this section;

20 “(B) The scope of the contractor’s work; and

21 “(C) The form and contents of draft and final reports from the contractor and of progress reports
22 to the Legislative Assembly.”.

23 Delete lines 40 through 45 and delete pages 3 and 4 and insert:

24 “**SECTION 2.** ORS 455.175 is amended to read:

25 “455.175. (1) As used in this section:

26 “(a) ‘Conditions of development’ means requirements that, as part of a residential subdivision,
27 a developer, declarant or owner must construct public improvements that are contained in:

28 “(A) A development agreement under ORS 94.504 to 94.528;

29 “(B) Conditions of approval under ORS 92.040, 215.416 or 227.175; or

30 “(C) Any other agreement with, or conditional approval by, a local government.

31 “(b) ‘Residential subdivision’ means a residential development requiring a developer, declarant
32 or owner to subdivide land, as defined in ORS 92.010, and to obtain a permit under ORS 215.416 or
33 227.175.

34 “(c) ‘Substantial completion’ means the city, county or other appropriate public body has in-
35 spected, tested and found acceptable under applicable code requirements, unless the parties agree

1 to a lower standard:

2 “(A) The water supply system;

3 “(B) The fire hydrant system;

4 “(C) The sewage disposal system;

5 “(D) The storm water drainage system, excepting any landscaping requirements that are part

6 of the system;

7 “(E) The curbs;

8 “(F) The demarcating of street signs acceptable for emergency responders; *[and]*

9 “(G) The roads necessary for access by emergency vehicles[.]; **and**

10 **“(H) Off-site improvements that are necessary for emergency services, water and storm**

11 **water and sewage disposal at a capacity that is sufficient to serve the residential subdivision.**

12 “(2)(a) A city or county may not deny a building permit allowing the construction of residential

13 dwellings under a residential subdivision on the basis that the conditions of development have not

14 been met, if:

15 “[*a*] (A) Substantial completion of conditions of development for the residential subdivision

16 occurs; and

17 “[*b*] (B) The developer, declarant or owner, to secure the completion of the remaining public

18 improvements included as conditions of development for the residential subdivision:

19 “[*A*] (i) Obtains and maintains a bond; or

20 “[*B*] (ii) Undertakes an alternative form of financial guarantee, if any, that is acceptable to,

21 but may not be required by, the city or county.

22 **“(b) A city or county shall allow applications for building permits to be submitted and**

23 **reviewed without regard to whether a final plat is recorded.**

24 “(3) Subsection (2) of this section does not prevent a city or county from declining to issue

25 certificates of occupancy for any residential dwellings if all conditions of development are not fully

26 completed or the conditions for the release of the bond are not fulfilled.

27 **“SECTION 3. This 2022 Act takes effect on the 91st day after the date on which the 2022**

28 **regular session of the Eighty-first Legislative Assembly adjourns sine die.”.**

29
