

Requested by Representative FAHEY

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 4063**

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

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

7 Delete lines 28 through 30 and insert:

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

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

13 After line 39, insert:

14 “(5)(a) The department shall establish and regularly consult with an ad-
15 visory committee that includes, at a minimum, members who represent:

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

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

19 “(C) Landowners;

20 “(D) Residential construction companies; and

21 “(E) Real estate licensees.

1 “(b) The advisory committee shall make recommendations to the depart-
2 ment concerning:

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

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

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

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

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

10 “455.175. (1) As used in this section:

11 “(a) ‘Conditions of development’ means requirements that, as part of a
12 residential subdivision, a developer, declarant or owner must construct pub-
13 lic improvements that are contained in:

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

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

16 “(C) Any other agreement with, or conditional approval by, a local gov-
17 ernment.

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

21 “(c) ‘Substantial completion’ means the city, county or other appropriate
22 public body has inspected, tested and found acceptable under applicable code
23 requirements, unless the parties agree to a lower standard:

24 “(A) The water supply system;

25 “(B) The fire hydrant system;

26 “(C) The sewage disposal system;

27 “(D) The storm water drainage system, excepting any landscaping re-
28 quirements that are part of the system;

29 “(E) The curbs;

30 “(F) The demarcating of street signs acceptable for emergency responders;

1 [and]

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

3 **“(H) Off-site improvements that are necessary for emergency ser-**
4 **vices, water and storm water and sewage disposal at a capacity that**
5 **is sufficient to serve the residential subdivision.**

6 “(2)(a) A city or county may not deny a building permit allowing the
7 construction of residential dwellings under a residential subdivision on the
8 basis that the conditions of development have not been met, if:

9 “[a] (A) Substantial completion of conditions of development for the
10 residential subdivision occurs; and

11 “[b] (B) The developer, declarant or owner, to secure the completion of
12 the remaining public improvements included as conditions of development for
13 the residential subdivision:

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

15 “[B] (ii) Undertakes an alternative form of financial guarantee, if any,
16 that is acceptable to, but may not be required by, the city or county.

17 **“(b) A city or county shall allow applications for building permits**
18 **to be submitted and reviewed without regard to whether a final plat**
19 **is recorded.**

20 “(3) Subsection (2) of this section does not prevent a city or county from
21 declining to issue certificates of occupancy for any residential dwellings if
22 all conditions of development are not fully completed or the conditions for
23 the release of the bond are not fulfilled.

24 **“SECTION 3. This 2022 Act takes effect on the 91st day after the**
25 **date on which the 2022 regular session of the Eighty-first Legislative**
26 **Assembly adjourns sine die.”.**

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