

# House Bill 3282

Sponsored by Representative BUEHLER; Representatives DAVIS, GILLIAM, Senators BEYER, JOHNSON

## 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 request to approve or remand sequential phases of work task 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, as amended by section 6, chapter 92, Oregon Laws 2014, is amended  
6 to read:

7 197.626. (1) A local government shall submit for review and the Land Conservation and Devel-  
8 opment Commission shall review the following final land use decisions in the manner provided for  
9 review of a work task under ORS 197.633, **subject to subsection (2) of this section:**

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

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

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

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

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

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

23 **(2) When reviewing an amendment of an urban growth boundary under subsection (1)(b)**  
24 **of this section and ORS 197.295 to 197.314:**

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

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

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

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

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

8       **(c) If the director does not take action within the time period required by paragraph (b)**  
9 **of this subsection, the sequential phase of the work task is deemed approved.**

10       **(d) The director may approve or remand a sequential phase of a work task or refer the**  
11 **phase of the work task to the commission for a decision. A decision by the director to ap-**  
12 **prove or remand a phase of the work task may be appealed to the commission.**

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

17       [2] **(3) When the commission reviews a final land use decision of a metropolitan service district**  
18 **under subsection (1)(a), (c), (d) or (f) of this section, the commission shall issue a final order in**  
19 **writing within 180 days after the commission votes whether to approve the decision.**

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 2015 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 2015 Act, without regard to**  
25 **whether the legislative review was initiated on, before or after the effective date of this 2015**  
26 **Act.**