

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2106

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

May 31

1 On page 1 of the printed A-engrossed bill, line 2, after “215.213” insert “and 215.417; and de-
2 claring an emergency”.

3 On page 19, after line 44, insert:

4 “**SECTION 3.** ORS 215.417 is amended to read:

5 “215.417. (1) If a permit is approved under ORS 215.416 for a proposed residential development
6 on agricultural or forest land outside of an urban growth boundary under ORS 215.010 to 215.293
7 or 215.317 to 215.438 or under county legislation or regulation, the permit [*shall be*] **is** valid for four
8 years.

9 “(2) An extension of a permit described in subsection (1) of this section [*shall be*] **is** valid for two
10 years. **A county may approve no more than five additional one-year extensions of a permit**
11 **if:**

12 “(a) **The applicant makes a written request for the additional extension prior to the ex-**
13 **piration of an extension;**

14 “(b) **The applicable residential development statute has not been amended following the**
15 **approval of the permit; and**

16 “(c) **An applicable rule or land use regulation has not been amended following the issu-**
17 **ance of the permit, unless allowed by the county, which may require that the applicant**
18 **comply with the amended rule or land use regulation.**

19 “(3) **An extension of a permit under subsection (2) of this section is not a land use deci-**
20 **sion as defined in ORS 197.015.**

21 “[*(3)*] (4) [*For the purposes of*] **As used in** this section, ‘residential development’ [*only includes*
22 *the*] **means** dwellings provided for under ORS 215.213 (3) and (4), 215.284, 215.317, 215.705 (1) to (3),
23 215.720, 215.740, 215.750 and 215.755 (1) and (3).

24 “**SECTION 3a.** If House Bill 2225 becomes law, ORS 215.417, as amended by section 3 of this
25 2019 Act, is amended to read:

26 “215.417. (1) If a permit is approved under ORS 215.416 for a proposed residential development
27 on agricultural or forest land outside of an urban growth boundary under ORS 215.010 to 215.293
28 or 215.317 to 215.438 or under county legislation or regulation, the permit is valid for four years.

29 “(2) An extension of a permit described in subsection (1) of this section is valid for two years.
30 A county may approve no more than five additional one-year extensions of a permit if:

31 “(a) The applicant makes a written request for the additional extension prior to the expiration
32 of an extension;

33 “(b) The applicable residential development statute has not been amended following the approval
34 of the permit, **except the amendments to ORS 215.750 by section 1, chapter ____, Oregon Laws**
35 **2019 (Enrolled House Bill 2225); and**

1 “(c) An applicable rule or land use regulation has not been amended following the issuance of
2 the permit, unless allowed by the county, which may require that the applicant comply with the
3 amended rule or land use regulation.

4 “(3) An extension of a permit under subsection (2) of this section is not a land use decision as
5 defined in ORS 197.015.

6 “(4) As used in this section, ‘residential development’ means dwellings provided for under ORS
7 215.213 (3) and (4), 215.284, 215.317, 215.705 (1) to (3), 215.720, 215.740, 215.750 and 215.755 (1) and
8 (3).

9 “**SECTION 4.** ORS 215.417, as amended by section 9, chapter 462, Oregon Laws 2013, is
10 amended to read:

11 “215.417. (1) If a permit is approved under ORS 215.416 for a proposed residential development
12 on agricultural or forest land outside of an urban growth boundary under ORS 215.010 to 215.293
13 or 215.317 to 215.438 or under county legislation or regulation, the permit [*shall be*] **is** valid for four
14 years.

15 “(2) An extension of a permit described in subsection (1) of this section [*shall be*] **is** valid for two
16 years. **A county may approve no more than five additional one-year extensions of a permit**
17 **if:**

18 “(a) **The applicant makes a written request for the additional extension prior to the ex-**
19 **piration of an extension;**

20 “(b) **The applicable residential development statute has not been amended following the**
21 **approval of the permit; and**

22 “(c) **An applicable rule or land use regulation has not been amended following the issu-**
23 **ance of the permit, unless allowed by the county, which may require that the applicant**
24 **comply with the amended rule or land use regulation.**

25 “(3) **An extension of a permit under subsection (2) of this section is not a land use deci-**
26 **sion as defined in ORS 197.015.**

27 “[*(3)*] (4) [*For the purposes of*] **As used in** this section, ‘residential development’ [*only includes*
28 *the*] **means** dwellings provided for under ORS 215.213 (1)(q), (3) and (4), 215.283 (1)(p), 215.284,
29 215.317, 215.705 (1) to (3), 215.720, 215.740, 215.750 and 215.755 (1) and (3).

30 “**SECTION 4a.** If House Bill 2225 becomes law, ORS 215.417, as amended by section 9, chapter
31 462, Oregon Laws 2013, and section 4 of this 2019 Act, is amended to read:

32 “215.417. (1) If a permit is approved under ORS 215.416 for a proposed residential development
33 on agricultural or forest land outside of an urban growth boundary under ORS 215.010 to 215.293
34 or 215.317 to 215.438 or under county legislation or regulation, the permit is valid for four years.

35 “(2) An extension of a permit described in subsection (1) of this section is valid for two years.
36 A county may approve no more than five additional one-year extensions of a permit if:

37 “(a) The applicant makes a written request for the additional extension prior to the expiration
38 of an extension;

39 “(b) The applicable residential development statute has not been amended following the approval
40 of the permit, **except the amendments to ORS 215.750 by section 1, chapter ____, Oregon Laws**
41 **2019 (Enrolled House Bill 2225); and**

42 “(c) An applicable rule or land use regulation has not been amended following the issuance of
43 the permit, unless allowed by the county, which may require that the applicant comply with the
44 amended rule or land use regulation.

45 “(3) An extension of a permit under subsection (2) of this section is not a land use decision as

1 defined in ORS 197.015.

2 “(4) As used in this section, ‘residential development’ means dwellings provided for under ORS
3 215.213 (1)(q), (3) and (4), 215.283 (1)(p), 215.284, 215.317, 215.705 (1) to (3), 215.720, 215.740, 215.750
4 and 215.755 (1) and (3).

5 **“SECTION 5. This 2019 Act being necessary for the immediate preservation of the public
6 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect
7 on its passage.”.**

8
