

**A-Engrossed**  
**House Bill 2306**

Ordered by the House April 1  
Including House Amendments dated April 1

Sponsored by Representatives MARSH, STARK, SMITH DB; Representatives MEEK, NEARMAN, NOBLE, ZIKA  
(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.

Requires city or county to issue residential building permits upon substantial completion of construction of public improvements in residential subdivisions.

**A BILL FOR AN ACT**

1  
2 Relating to residential subdivisions.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Conditions of development" means requirements that, as part of a residential sub-**  
6 **division, a developer, declarant or owner construct public improvements that are contained**  
7 **in a development agreement under ORS 94.504 to 94.528, in conditions of approval under ORS**  
8 **92.040, 215.416 or 227.175 or in any other agreement with, or conditional approval by, a local**  
9 **government.**

10 (b) **"Public improvements" includes the construction of streets and water and sewer**  
11 **lines.**

12 (c) **"Residential subdivision" means a planned community, residential condominium or**  
13 **any other residential planned unit development.**

14 (d) **"Substantial completion" means completion of 80 percent of the public improvements**  
15 **included in the conditions of development, based on a reasonable estimate of the costs.**

16 (2) **A city or county may not deny a building permit allowing the construction of resi-**  
17 **dential dwellings under a residential subdivision on the basis that the conditions of develop-**  
18 **ment have not been met, if:**

19 (a) **Substantial completion of the public improvements included in the conditions of de-**  
20 **velopment has occurred; and**

21 (b) **The developer, declarant or owner has obtained a bond to secure the completion of**  
22 **the remaining public improvements included in the conditions of development.**

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

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**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.