

House Bill 2306

Sponsored by Representatives MARSH, STARK (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 **as introduced**.

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 that requires conditions of development shall issue building permits**
17 **to the developer, declarant or owner allowing the construction of the residential dwellings**
18 **under the residential subdivision upon the substantial completion of the public improvements**
19 **included in the conditions of development, if the developer, declarant or owner has obtained**
20 **a bond to secure the completion of the remaining public improvements included in the con-**
21 **ditions of development.**

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