

Requested by Representative CLEM

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2283**

1 On page 1 of the printed bill, delete lines 6 through 30.

2 On page 2, delete lines 1 through 4 and insert:

3 **“SECTION 2. (1) A city or county with jurisdiction shall allow a**  
4 **partition or subdivision of a lot or parcel on which the development**  
5 **of middle housing was allowed under ORS 197.758 (2) or (3) to divide**  
6 **the property into as many lots or parcels as there are dwelling units.**

7 **“(2) A city or county shall approve a tentative plan for a division**  
8 **of land under this section if the plan includes:**

9 **“(a) Development of middle housing in compliance with building**  
10 **codes, land use regulations and design criteria applicable to the parent**  
11 **lot or parcel;**

12 **“(b) Separate utilities for each dwelling;**

13 **“(c) Locating easements necessary for each dwelling for:**

14 **“(A) Locating, accessing, replacing and servicing utilities;**

15 **“(B) Pedestrian access between the dwelling and a public road;**

16 **“(C) Building elements that incidentally cross a property line cre-**  
17 **ated under this section; or**

18 **“(D) Any common use areas or shared building elements;**

19 **“(d) That each resulting lot or parcel contain one dwelling; and**

20 **“(e) That any common walls between dwellings consist of one or**  
21 **more fire walls, rated for a combined two hours of fire resistance.**

1       **“(3) In reviewing an application for a division of land under this**  
2 **section, a city or county:**

3       **“(a) May not subject an application to approval criteria except as**  
4 **provided in this section, including any additional requirements that a**  
5 **dwelling have vehicle access or parking, frontage or be subject to a**  
6 **planned community or other shared maintenance agreement.**

7       **“(b) Notwithstanding ORS 197.195 (3), may not require the applicant**  
8 **to provide public notice of the application or provide a public comment**  
9 **period.**

10       **“(c) May not require a public hearing to evaluate the application**  
11 **except on appeal as provided under ORS 197.195 (5).**

12       **“(d) Notwithstanding ORS 215.427 or 227.178:**

13       **“(A) Shall notify an applicant if an application is incomplete and**  
14 **what information is missing within five business days of receipt; and**

15       **“(B) Except as requested by the applicant, shall take final action**  
16 **on the decision, including the resolution of all appeals under ORS**  
17 **227.180, within 60 days after the application is deemed complete.**

18       **“(e) May not charge fees to review or approve a division under this**  
19 **section except as otherwise authorized by this chapter or as necessary**  
20 **to cover the actual costs of approval.**

21       **“(f) May not subject the application to any additional procedures,**  
22 **ordinances or regulations adopted under ORS 92.044 or 92.046 that are**  
23 **inconsistent with this section.**

24       **“(4) The tentative approval of a division of land under this section**  
25 **is void if and only if a final subdivision or partition plat is not ap-**  
26 **proved within three years of the tentative approval.**

27       **“SECTION 2a. Section 2 of this 2021 Act applies only to divisions**  
28 **of land for middle housing permitted on or after the effective date of**  
29 **this 2021 Act.”.**

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