

HOUSE AMENDMENTS TO HOUSE BILL 3458

By COMMITTEE ON AGRICULTURE, LAND USE, NATURAL RESOURCES, AND
WATER

April 12

1 On page 1 of the printed bill, delete lines 7 through 15 and insert:

2 **“SECTION 2. When a local government adopts a change to an acknowledged compre-**
3 **hensive plan or land use regulation, and the Land Use Board of Appeals remands all or a**
4 **portion of that decision based solely on inadequate findings or evidence, if the local govern-**
5 **ment adopts the same changes following remand with revised findings and additional evi-**
6 **dence responding to the remand, then a party may not raise new issues that could have been**
7 **but were not previously raised before the board, but may only challenge the revised findings**
8 **or additional evidence.”.**

9 Delete lines 20 through 24 and insert:

10 “(b) If a local government demonstrates that a land use decision adopting a change to an ac-
11 knowledged comprehensive plan or land use regulation contains a severability clause and specif-
12 ically challenged portions of the changes may be reasonably severable from the remainder of the
13 changes, the board may affirm in part. Reasonably severable means the remaining parts, standing
14 alone, are complete and capable of being executed with the legislative intent. The affirmed parts are
15 not affected by the reversal or remand, continue in effect and are considered acknowledged as de-
16 scribed in ORS 197.625.”.

17 On page 2, line 7, delete the second “to” and insert “regarding”.

18 In line 27, delete the boldfaced material and restore the bracketed material.

19 Delete lines 28 through 30.

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