

Senate Bill 958

Sponsored by Senator SMITH DB

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act allows cities or counties to select land outside of the UGBs to site homes or light commercial uses. Lands are exempt from statewide land use laws. (Flesch Readability Score: 74.7).

Allows cities or counties to designate lands outside the urban growth boundary for residential or light commercial use. Exempts designated lands from statewide land use planning laws.

A BILL FOR AN ACT

1 Relating to local designation of lands outside of an urban growth boundary.

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

3 **SECTION 1. (1) A city or county may, by ordinance, designate land within the city's or**
4 **county's land use planning jurisdiction for the development of housing as provided in this**
5 **section, provided that:**

6 (a) **The property is all or a portion of a tract, as defined in ORS 215.010, that is outside**
7 **of an urban growth boundary and is contiguous to, or across a road from, an urban growth**
8 **boundary or a lot or parcel that is zoned to allow for residential or commercial use;**

9 (b) **The property is not being used for its zoned purposes, which, for lands zoned for ex-**
10 **clusive farm use, means having not been used for farm use or permissible nonfarm use under**
11 **ORS 215.213 or 215.283 for a period of at least five years;**

12 (c) **The property is, or is capable of becoming, connected to urban services, as defined in**
13 **ORS 195.065, used for housing or commercial uses; and**

14 (d) **All owners of the property have consented to the designation.**

15 (2) **Designated lands may be zoned, divided, developed and used only for residential uses**
16 **or light commercial uses that are designed to meet the needs of nearby residents.**

17 (3) **Except for laws applicable only to the procedures for dividing land under ORS 92.010**
18 **to 92.192, designated lands are not subject to any provision of:**

19 (a) **ORS chapter 195, 197, 197A, 215 or 227;**

20 (b) **A statewide land use planning goal;**

21 (c) **Rules or orders adopted by the Land Conservation and Development Commission;**

22 (d) **A comprehensive plan; or**

23 (e) **Land use regulations, except as provided in subsection (4) of this section.**

24 (4) **The designating city or county may adopt, by ordinance, zoning, siting or development**
25 **regulations consistent with this section for the specific purpose of regulating residential or**
26 **light commercial uses on designated lands.**

27 (5) **An application for the development of housing or commercial uses on designated lands**
28 **must be:**
29

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.

- 1 **(a) Approved or rejected by the governing body of the city or county;**
 - 2 **(b) Approved or rejected within 100 days from the date of the application; and**
 - 3 **(c) Appealed only by a writ of review under ORS 34.010 to 34.100.**
 - 4 **(6) The approval of a development application under subsection (5) of this section be-**
 - 5 **comes void four years after the date it is issued.**
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