

m.c.
11/22

~~Engrossed~~
~~Corrected~~
~~Enrolled~~

Senate Bill 10

~~(Printing engrossed ordered by Committee on Rules and Resolutions,
March 6, 1969)~~
(Including amendments by Senate March 6)

Sponsored by Senator BATESON, Representative ROGERS, Senators IRELAND, RAYMOND, WILLNER, Representatives CARSON, HARTUNG, PECK (at the request of the Interim Committee on Agriculture)

CHAPTER.....

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 Governor to zone land in each county not subject to zoning regulations as of December 31, 1971. Provides standards for such zoning. Requires persons intending to erect certain buildings on land subject to zoning regulations prescribed by Governor to give 10 days' written notice of such construction to Governor. Authorizes Governor to institute appropriate civil actions or suits to enforce zoning regulations he prescribes. Provides penalties.

NOTE: Matter in *Italics* in an amended section is new; matter ~~lined out and bracketed~~ is existing law to be omitted; complete new sections begin with **Section**.

A BILL FOR AN ACT

Relating to land use; and providing penalties.

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

Section 1. Notwithstanding any other provision of law, if, after December 31, 1971, there are any lands within the boundaries of a county, whether or not within the boundaries of a city, that are not subject to ORS 390.640 or to a comprehensive land use plan and zoning ordinances adopted pursuant to ORS chapter 215, or zoned pursuant to any other state law or city ordinance, the Governor shall prescribe, may amend, and shall thereafter administer comprehensive land use plans and zoning ordinances for such lands.

Amend 11/21/71

Section 2. (1) Any comprehensive land use plans prescribed or amended by the Governor pursuant to section 1 of this Act shall be in accordance with the standards provided in section 3 of this Act and the notice and hearing requirements provided in ORS 215.060.

(2) Any zoning ordinances prescribed or amended by the Governor pursuant to section 1 of this Act shall be in accordance with the standards provided in ORS 215.055 and the notice and hearing requirements provided in ORS 215.223.

(3) A comprehensive land use plan or zoning ordinance prescribed or amended by the Governor pursuant to section 1 of this Act may be for any purpose provided in ORS chapter 215, except that the Governor may not prescribe building regulations. The Governor may, however, enjoin the construction of buildings or performance of any other acts which would constitute a land use that does not conform to the applicable land use plan or zoning ordinance.

(4) Any hearings required by this section may be held by the Governor, or by a person designated by the Governor.

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Section 3. Comprehensive physical planning should provide guidance for physical development within the state responsive to economic development, human resource development, natural resource development and regional and metropolitan area development. It should assist in attainment of the optimum living environment for the state's citizenry and assure sound housing, employment opportunities, educational fulfillment and

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"If any county shall have under consideration a comprehensive land use or zoning ordinance, and shall have shown satisfactory progress toward the final enactment of such plan or ordinance, the Governor may grant a reasonable extension of time after the date set in this section for completion of said plan or ordinance."

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Gov

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2 long-range growth objectives. The plans should set a pattern upon which
3 state agencies and local government may base their programs and local
4 area plans. Goals for comprehensive physical planning are:

- 5 (1) To preserve the quality of the air and water resources of the state.
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8 visitors.
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10 provide for an orderly and efficient transition from rural to urban land
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13 and other natural disasters.
- 14 (6) To provide and encourage a safe, convenient and economic
15 transportation system including all modes of transportation: air, water,
16 rail, highway and mass transit, and recognizing the differences in the social
17 costs in the various modes of transportation.
- 18 (7) To develop a timely, orderly and efficient arrangement of public
19 facilities and services to serve as a framework for urban and rural
20 development.
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22 (9) To ensure that the development of properties within the state is
23 commensurate with the character and the physical limitations of the land.

24 **Section 4.** (1) As used in this section, "building" means a structure
25 having one or more walls, with or without a roof; that is designed to
26 protect persons, animals or property from the elements.

27 (2) Except when notice is required to be given pursuant to sub-
28 section (4) of this section, any person who intends to cause to be erected
29 a building, the materials for construction of which have the value of
30 \$300 or more, on land subject to a zoning ordinance prescribed by the
31 Governor shall give written notice to the Governor 10 days before the
32 construction is to begin. Such notice shall include:

- 33 (a) The date construction of the building is to begin, and the location
34 of such building;

1 (b) A sketch showing the building and its dimensions;

2 (c) A rough estimate of the value of the materials to be used in
3 constructing the building; and

4 (d) A brief description of the intended use of the building.

5 (3) No person shall fail to give the notice required by subsection (2)
6 of this section.

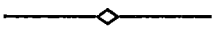
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8 to ~~a zoning ordinance~~ ^{regulation} prescribed by the Governor and is also subject to
9 building regulations imposed by the county or city, and such building
10 regulations require a permit for the type of building to be constructed, the
11 official from whom such permit is to be obtained shall give to the
12 Governor the notice required by subsection (2) of this section.

13 Section 5. In addition to the remedy prescribed in subsection (2) ⁽³⁾ of
14 section 2 of this Act, the Governor may cause to be instituted any civil
15 action or suit he considers appropriate to remedy violations of any
16 comprehensive land use plan or zoning ~~ordinance~~ ^{regulation} prescribed by the
17 Governor pursuant to section 1 of this Act.

18 Section 6. The Governor may enter into contracts for such services as
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27 ordinances adopted by the city, county or other zoning authority are in
28 effect.

29 Section 8. Violation of subsection (3) of section 4 of this Act is a
30 misdemeanor.



PREVIOUS AMENDMENTS

By House April 25, 1969

**SECOND HOUSE AMENDMENTS TO
PRINTED ENGROSSED CORRECTED
SENATE BILL 10**

By UNANIMOUS CONSENT

April 29, 1969

- 1 In line 15 of the printed House amendments dated April 25, delete
- 2 "ordinance" and insert "regulation".



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By House April 25, 1969

SECOND HOUSE AMENDMENTS TO PRINTED ENGROSSED CORRECTED SENATE BILL 10

By UNANIMOUS CONSENT

April 29, 1969

Mr. Speaker:

~~Rep. Hartung~~ requests UNANIMOUS
CONSENT to amend Printed Engrossed
Corrected SB 10 as follows:

*with second House
amendment*

In line 15 of the printed House
amendments dated April 25, delete "ordinance"
and insert "regulation".

By 

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**HOUSE AMENDMENTS TO
PRINTED ENGROSSED CORRECTED
SENATE BILL 10**

By COMMITTEE ON PLANNING AND DEVELOPMENT

April 25, 1969

- 1 On page 2 of the printed engrossed corrected bill, line 11, delete "ordi-
2 nances" and insert "regulations" and after "lands." insert "If any county
3 shall have under consideration a comprehensive land use or zoning ordi-
4 nance, and shall have shown satisfactory progress toward the final enact-
5 ment of such plan or ordinance, the Governor may grant a reasonable ex-
6 tension of time after the date set in this section for completion of said plan
7 or ordinance."
- 8 On page 2, line 16, delete "ordinances" and insert "regulations".
- 9 On page 2, line 20, delete "ordinance" and insert "regulation".
- 10 On page 2, line 23, after "however," insert "cause to be instituted an
11 appropriate proceeding to".
- 12 On page 2, line 26, delete "ordinance" and insert "regulation".
- 13 On page 2, line 28, after the second "Governor", delete the period and
14 insert ", and all such hearings shall be held in the county seat of the county
15 in which said comprehensive land use plan or zoning ordinance is to be
16 prescribed."
- 17 On page 3, line 25, after "walls" insert "or columns".
- 18 On page 3, line 30, delete "a" and in the same line delete "ordinance"
19 and insert "regulations".
- 20 On page 4, line 8, delete "a" and in the same line delete "ordinance" and
21 insert "regulations".
- 22 On page 4, line 13, delete "(2)" and insert "(3)".
- 23 On page 4, line 16, delete "ordinance" and insert "regulation".
- 24 On page 4, line 25, delete the first "ordinances" and insert "regulations"
25 and delete the second "ordinances" and insert "regulations".



HOUSE AMENDMENTS TO PRINTED ENGROSSED CORRECTED SENATE BILL 10

By COMMITTEE ON PLANNING AND DEVELOPMENT

April 25, 1969

On page 2 of the printed engrossed corrected bill, line 11, delete "ordinances" and insert "regulations" ^{and}

~~On page 2, line 11,~~ after "lands." insert: "If any county shall have under consideration a comprehensive land use or zoning ordinance, and shall have shown satisfactory progress toward the final enactment of such plan or ordinance, the Governor may grant a reasonable extension of time after the date set in ^{this} Section ~~1~~ of this Act for completion of said plan or ordinance."

On page 2, line 16, delete "ordinances" and insert "regulations".

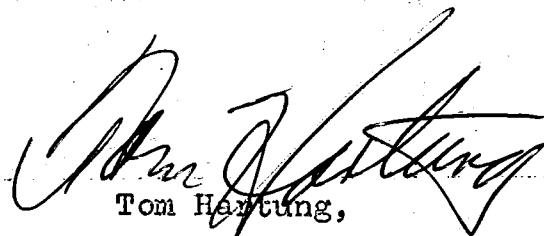
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On page 2, line 23, after "however," insert "cause to be instituted an appropriate proceeding to".

On page 2, line 26, delete "ordinance" and insert "regulation".

On page 2, line 28, after the second "Governor", delete the period and insert ", and all such hearings shall be held in the county seat of the county in which said comprehensive land use plan or zoning ordinance is to be prescribed."

On page 3, line 25, after "walls" insert "or columns".



Tom Hartung,

Chairman

Rep. Hartung will lead floor discussion on this measure.

2 copies if no amendments
Submit: 4 copies if amendments
5 copies if to be printed engrossed

Retain: 1 copy for committee files

HOUSE COMMITTEE REPORT

Salem, Oregon, April 25, 1969

Mr. Speaker:

Your Committee on Planning and Development to whom was referred SB 10, having had the same under consideration, respectfully report it back with the recommendation that it:

- Do pass. Do pass with the following amendments to the engrossed corrected bill: *printed*
- (Referred to Ways and Means by prior reference)
-

On page 2 of the printed engrossed corrected bill, line 11, delete "ordinances" and insert "regulations" *and*

~~On page 2, line 11,~~ after "lands." insert: "If any county shall have under consideration a comprehensive land use or zoning ordinance, and shall have shown satisfactory progress toward the final enactment of such plan or ordinance, the Governor may grant a reasonable extension of time after the date set in ^{this} ~~Section 1 of this Act~~ for completion of said plan or ordinance."

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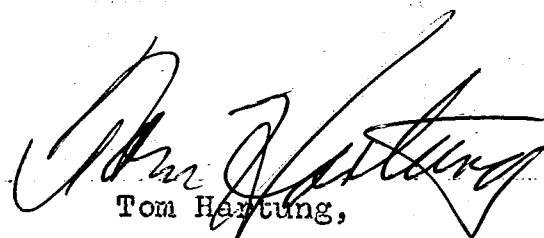
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On page 4, line 8, delete "a" and in ~~that~~ ^{same} line delete "ordinance" and insert "regulations".

On page 4, line 13, delete "(2)" and insert "(3)".

On page 4, line 16, delete "ordinance" and insert "regulation".

On page 4, line 25, delete ^{the word} "ordinances" ~~wherever it appears in~~ that line, and in each place ^{and} insert "regulations" ^{and delete the words} "ordinances" and insert "regulations".

A BILL FOR
AN ACT

1 Relating to land use; and providing penalties.

2

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

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5 **Section 1.** Notwithstanding any other provision of law, if, after
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7 whether or not within the boundaries of a city, that are not subject to
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9 adopted pursuant to ORS chapter 215, or zoned pursuant to any other state
10 law or city ordinance, the ~~State Land Board~~^{Governor} shall prescribe, may amend, and
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13 **Section 2. (1)** Any comprehensive land use plans prescribed or amended
14 by the ~~State Land Board~~^{Governor} pursuant to section 1 of this Act shall be in
15 accordance with the standards provided in section 3 of this Act and the
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Senate Bill 10

(Printing engrossed ordered by Committee on Rules and Resolutions,
March 6, 1969)

(Including amendments by Senate March 6)

Sponsored by Senator BATESON, Representative ROGERS, Senators IRELAND, RAYMOND, WILLNER, Representatives CARSON, HARTUNG, PECK (at the request of the Interim Committee on Agriculture)

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SENATE AMENDMENTS TO CORRECTED SENATE BILL 10

By COMMITTEE ON AGRICULTURE

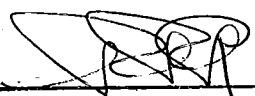
March 6, 1969

~~Do Pass~~ with the attached amendments and that prior referral
to Air and Water Quality Control Committee be rescinded.

(Handwritten signature)

Submit: 3 copies if no amendments
4 copies if amendments
5 copies if to be printed engrossed

Retain: 1 copy for committee files



RAPHAEL R. RAYMOND

CHAIRMAN

Sen. Bateson will lead
floor discussion on this measure.

SENATE COMMITTEE REPORT

63 LAS

Salem, Oregon March 5, 1969

Mr. President:

Your Committee on Agriculture to whom was referred
SB 10

having had the same under consideration, respectfully report it back with the recommendation that it:

Do pass:

Do pass with the following amendments:

(Other—specify)

~~Do Pass~~ with the attached amendments and that prior referral to Air and Water Quality Control Committee be rescinded.

(Handwritten signature)

Submit: 3 copies if no amendments
4 copies if amendments
5 copies if to be printed engrossed
Retain: 1 copy for committee files



RAPHAEL R. RAYMOND

CHAIRMAN

Sen. Bateson will lead floor discussion on this measure.

March 5, 1969

SENATE AMENDMENTS TO SENATE BILL 10

On page 2 of the printed bill, line 10, delete "State Land Board" and insert "Governor".

On page 2, line 14, delete "State Land Board" and insert "Governor".

On page 2, line 16, after ORS delete "215.223" and insert "215.060".

On page 2, line 17, delete "State Land".

On page 2, line 18, delete "Board" and insert "Governor".

On page 2, line 22, delete "State Land Board" and insert "Governor".

On page 2, line 23, delete "board" and insert "Governor".

On page 2, line 24, delete "State Land Board" and insert "Governor".

On page 2, after line 27 insert:

"(4) Any hearings required by this section may be held by the Governor, or by a person designated by the Governor."

On page 3, line 30, delete "State Land".

On page 3, line 31, delete "Board" and insert "Governor", and in that same line delete "board" and insert "Governor".

On page 4, line 8, delete "State Land Board" and insert "Governor".

On page 4, line 11, delete "State Land".

On page 4, line 12, delete "Board" and insert "Governor".

On page 4, line 14, delete "State Land Board" and insert "Governor".

On page 4, line 15, delete "it" and insert "he".

On page 4, line 16, delete "board" and insert "Governor".

On page 4, line 18, delete "State Land Board" and insert "Governor".

On page 4, line 19, delete "board" and insert "Governor",
and in the same line delete "is" and insert "has".

On page 4, line 25, delete "State Land Board" and insert "Governor", and in that same line delete "board" and insert "Governor".

Senate Bill 10

Sponsored by Senator BATESON, Representative ROGERS, Senators IRELAND, RAYMOND, WILLNER, Representatives CARSON, HARTUNG, PECK (at the request of the Interim Committee on Agriculture)

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 State Land Board to zone land in each county not subject to zoning regulations as of December 31, 1971. Provides standards for such zoning. Requires persons intending to erect buildings on land subject to zoning regulations prescribed by State Land Board to give 10 days' written notice of such construction to board. Authorizes State Land Board to institute appropriate civil actions or suits to enforce zoning regulations it prescribes. Provides penalties.

NOTE: Matter in *italics* in an amended section is new; matter ~~lined out and bracketed~~ is existing law to be omitted; complete new sections begin with **Section**.

A BILL FOR
AN ACT

1 Relating to land use; and providing penalties.

2

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

4

5 Section 1. Notwithstanding any other provision of law, if, after
6 December 31, 1971, there are any lands within the boundaries of a county,
7 whether or not within the boundaries of a city, that are not subject to
8 ORS 390.640 or to a comprehensive land use plan and zoning ordinances
9 adopted pursuant to ORS chapter 215, or zoned pursuant to any other state
10 law or city ordinance, the State Land Board shall prescribe, may amend, and
11 shall thereafter administer comprehensive land use plans and zoning
12 ordinances for such lands.

13 Section 2. (1) Any comprehensive land use plans prescribed or amended
14 by the State Land Board pursuant to section 1 of this Act shall be in
15 accordance with the standards provided in section 3 of this Act and the
16 notice and hearing requirements provided in ORS 215.223.

17 (2) Any zoning ordinances prescribed or amended by the State Land
18 Board pursuant to section 1 of this Act shall be in accordance with the
19 standards provided in ORS 215.055 and the notice and hearing requirements
20 provided in ORS 215.223.

21 (3) A comprehensive land use plan or zoning ordinance prescribed or
22 amended by the State Land Board pursuant to section 1 of this Act may be
23 for any purpose provided in ORS chapter 215, except that the board may
24 not prescribe building regulations. The State Land Board may, however,
25 enjoin the construction of buildings or performance of any other acts which
26 would constitute a land use that does not conform to the applicable land use
27 plan or zoning ordinance.

28 Section 3. Comprehensive physical planning should provide guidance for
29 physical development within the state responsive to economic development,
30 human resource development, natural resource development and regional
31 and metropolitan area development. It should assist in attainment of the

1 optimum living environment for the state's citizenry and assure sound
2 housing, employment opportunities, educational fulfillment and sound
3 health facilities. State plans should relate to intermediate and long-range
4 growth objectives. The plans should set a pattern upon which state agencies
5 and local government may base their programs and local area plans. Goals for
6 comprehensive physical planning are:

7 (1) To preserve the quality of the air and water resources of the state.

8 (2) To conserve open space and protect natural and scenic resources.

9 (3) To provide for the recreational needs of citizens of the state and
10 visitors.

11 (4) To conserve prime farm lands for the production of crops and
12 provide for an orderly and efficient transition from rural to urban land use.

13 (5) To protect life and property in areas subject to floods, landslides and
14 other natural disasters.

15 (6) To provide and encourage a safe, convenient and economic
16 transportation system including all modes of transportation: air, water, rail,
17 highway and mass transit, and recognizing the differences in the social costs
18 in the various modes of transportation.

19 (7) To develop a timely, orderly and efficient arrangement of public
20 facilities and services to serve as a framework for urban and rural development.

21 (8) To diversify and improve the economy of the state.

22 (9) To ensure that the development of properties within the state is
23 commensurate with the character and the physical limitations of the land.

24 **Section 4.** (1) As used in this section, "building" means a structure
25 having one or more walls, with or without a roof; that is designed to protect
26 persons, animals or property from the elements.

27 (2) Except when notice is required to be given pursuant to
28 subsection (4) of this section, any person who intends to cause to be erected
29 a building, the materials for construction of which have the value of \$300 or
30 more, on land subject to a zoning ordinance prescribed by the State Land
31 Board shall give written notice to the board 10 days before the construction
32 is to begin. Such notice shall include:

33 (a) The date construction of the building is to begin, and the location of
34 such building.

1 (b) A sketch showing the building and its dimensions;

2 (c) A rough estimate of the value of the materials to be used in
3 constructing the building; and

4 (d) A brief description of the intended use of the building.

5 (3) No person shall fail to give the notice required by subsection (2) of
6 this section.

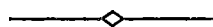
7 (4) If the land upon which a building is to be constructed is subject to a
8 zoning ordinance prescribed by the State Land Board and is also subject to
9 building regulations imposed by the county or city, and such building
10 regulations require a permit for the type of building to be constructed, the
11 official from whom such permit is to be obtained shall give to the State Land
12 Board the notice required by subsection (2) of this section.

13 **Section 5.** In addition to the remedy prescribed in subsection (2) of
14 section 2 of this Act, the State Land Board may cause to be instituted any
15 civil action or suit it considers appropriate to remedy violations of any
16 comprehensive land use plan or zoning ordinance prescribed by the board
17 pursuant to section 1 of this Act.

18 **Section 6.** The State Land Board may enter into contracts for such
19 services as the board considers appropriate for carrying out its land use
20 planning and zoning duties.

21 **Section 7.** If a county or city governing body or other zoning authority
22 adopts a comprehensive land use plan and zoning ordinances in accordance
23 with the standards provided in section 3 of this Act and ORS 215.055 after
24 the promulgation of a comprehensive land use plan and zoning ordinances by
25 the State Land Board, the plan and ordinances promulgated by the board
26 shall be ineffective during the time the plan and ordinances adopted by the
27 city, county or other zoning authority are in effect.

28 **Section 8.** Violation of subsection (3) of section 4 of this Act is a
29 misdemeanor.



**SENATE AMENDMENTS TO
CORRECTED SENATE BILL 10**

By COMMITTEE ON AGRICULTURE

March 6, 1969

- 1 On page 2 of the printed bill, line 10, delete "State Land Board" and
2 insert "Governor".
- 3 On page 2, line 14, delete "State Land Board" and insert "Governor".
- 4 On page 2, line 16, after ORS delete "215.223" and insert "215.060".
- 5 On page 2, line 17, delete "State Land".
- 6 On page 2, line 18, delete "Board" and insert "Governor".
- 7 On page 2, line 22, delete "State Land Board" and insert "Governor".
- 8 On page 2, line 23, delete "board" and insert "Governor".
- 9 On page 2, line 24, delete "State Land Board" and insert "Governor".
- 10 On page 2, after line 27 insert:
- 11 "(4) Any hearings required by this section may be held by the
12 Governor, or by a person designated by the Governor."
- 13 On page 3, line 30, delete "State Land".
- 14 On page 3, line 31, delete "Board" and insert "Governor", and in that
15 same line delete "board" and insert "Governor".
- 16 On page 4, line 8, delete "State Land Board" and insert "Governor".
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- 19 On page 4, line 14, delete "State Land Board" and insert "Governor".
- 20 On page 4, line 15, delete "it" and insert "he".
- 21 On page 4, line 16, delete "board" and insert "Governor".
- 22 On page 4, line 18, delete "State Land Board" and insert "Governor".
- 23 On page 4, line 19, delete "board" and insert "Governor", and in the
24 same line delete "its" and insert "his".
- 25 On page 4, line 25, delete "State Land Board" and insert "Governor",
26 and in that same line delete "board" and insert "Governor".



Corrected
Senate Bill 10

Sponsored by Senator BATESON, Representative ROGERS, Senators IRELAND, RAYMOND, WILLNER, Representatives CARSON, HARTUNG, PECK (at the request of the Interim Committee on Agriculture)

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 State Land Board to zone land in each county not subject to zoning regulation as of December 31, 1971. Provides standards for such zoning. Requires persons intending to erect buildings on land subject to zoning regulations prescribed by State Land Board to give 10 days' written notice of such construction to board. Authorizes State Land Board to institute appropriate civil actions or suits to enforce zoning regulations it prescribes. Provides penalties.

NOTE: Matter in *italics* in an amended section is new; matter ~~lined out and bracketed~~ is existing law to be omitted; complete new sections begin with **Section**.

A BILL FOR
AN ACT

1 Relating to land use; and providing penalties.

2

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

4

5 **Section 1.** Notwithstanding any other provision of law, if, after
6 December 31, 1971, there are any lands within the boundaries of a county,
7 whether or not within the boundaries of a city, that are not subject to
8 ORS 390.640 or to a comprehensive land use plan and zoning ordinances
9 adopted pursuant to ORS chapter 215, or zoned pursuant to any other state
10 law or city ordinance, the State Land Board shall prescribe, may amend, and
11 shall thereafter administer comprehensive land use plans and zoning
12 ordinances for such lands.

13 **Section 2.** (1) Any comprehensive land use plans prescribed or amended
14 by the State Land Board pursuant to section 1 of this Act shall be in
15 accordance with the standards provided in section 3 of this Act and the
16 notice and hearing requirements provided in ORS 215.223.

17 (2) Any zoning ordinances prescribed or amended by the State Land
18 Board pursuant to section 1 of this Act shall be in accordance with the
19 standards provided in ORS 215.055 and the notice and hearing requirements
20 provided in ORS 215.223.

21 (3) A comprehensive land use plan or zoning ordinance prescribed or
22 amended by the State Land Board pursuant to section 1 of this Act may be
23 for any purpose provided in ORS chapter 215, except that the board may
24 not prescribe building regulations. The State Land Board may, however,
25 enjoin the construction of buildings or performance of any other acts which
26 would constitute a land use that does not conform to the applicable land use
27 plan or zoning ordinance.

28 **Section 3.** Comprehensive physical planning should provide guidance for
29 physical development within the state responsive to economic development,
30 human resource development, natural resource development and regional
31 and metropolitan area development. It should assist in attainment of the

1 optimum living environment for the state's citizenry and assure sound
2 housing, employment opportunities, educational fulfillment and sound
3 health facilities. State plans should relate to intermediate and long-range
4 growth objectives. The plans should set a pattern upon which state agencies
5 and local government may base their programs and local area plans. Goals for
6 comprehensive physical planning are:

- 7 (1) To preserve the quality of the air and water resources of the state.
- 8 (2) To conserve open space and protect natural and scenic resources.
- 9 (3) To provide for the recreational needs of citizens of the state and
10 visitors.
- 11 (4) To conserve prime farm lands for the production of crops and
12 provide for an orderly and efficient transition from rural to urban land use.
- 13 (5) To protect life and property in areas subject to floods, landslides and
14 other natural disasters.
- 15 (6) To provide and encourage a safe, convenient and economic
16 transportation system including all modes of transportation: air, water, rail,
17 highway and mass transit, and recognizing the differences in the social costs
18 in the various modes of transportation.
- 19 (7) To develop a timely, orderly and efficient arrangement of public
20 facilities and services to serve as a framework for urban and rural development.
- 21 (8) To diversify and improve the economy of the state.
- 22 (9) To ensure that the development of properties within the state is
23 commensurate with the character and the physical limitations of the land.

24 **Section 4.** (1) As used in this section, "building" means a structure
25 having one or more walls, with or without a roof; that is designed to protect
26 persons, animals or property from the elements.

27 (2) Except when notice is required to be given pursuant to
28 subsection (4) of this section, any person who intends to cause to be erected
29 a building, the materials for construction of which have the value of \$300 or
30 more, on land subject to a zoning ordinance prescribed by the State Land
31 Board shall give written notice to the board 10 days before the construction
32 is to begin. Such notice shall include:

- 33 (a) The date construction of the building is to begin, and the location of
34 such building;

1 (b) A sketch showing the building and its dimensions;

2 (c) A rough estimate of the value of the materials to be used in
3 constructing the building; and

4 (d) A brief description of the intended use of the building.

5 (3) No person shall fail to give the notice required by subsection (2) of
6 this section.

7 (4) If the land upon which a building is to be constructed is subject to a
8 zoning ordinance prescribed by the State Land Board and is also subject to
9 building regulations imposed by the county or city, and such building
10 regulations require a permit for the type of building to be constructed, the
11 official from whom such permit is to be obtained shall give to the State Land
12 Board the notice required by subsection (2) of this section.

13 **Section 5.** In addition to the remedy prescribed in subsection (2) of
14 section 2 of this Act, the State Land Board may cause to be instituted any
15 civil action or suit it considers appropriate to remedy violations of any
16 comprehensive land use plan or zoning ordinance prescribed by the board
17 pursuant to section 1 of this Act.

18 **Section 6.** The State Land Board may enter into contracts for such
19 services as the board considers appropriate for carrying out its land use
20 planning and zoning duties.

21 **Section 7.** If a county or city governing body or other zoning authority
22 adopts a comprehensive land use plan and zoning ordinances in accordance
23 with the standards provided in section 3 of this Act and ORS 215.055 after
24 the promulgation of a comprehensive land use plan and zoning ordinances by
25 the State Land Board, the plan and ordinances promulgated by the board
26 shall be ineffective during the time the plan and ordinances adopted by the
27 city, county or other zoning authority are in effect.

28 **Section 8.** Violation of subsection (3) of section 4 of this Act is a
29 misdemeanor.



(1)

A BILL FOR

AN ACT

Relating to land use; and providing penalties.

Be It Enacted by the People of the State of Oregon:___

61/ Section 1. Notwithstanding any other provision of law, if, after December 31, 1971, there are any lands within the boundaries of a county, whether or not within the boundaries of a city, that are not subject to ORS 390.640 or to a comprehensive land use plan and zoning ordinances adopted pursuant to ORS chapter 215, or zoned pursuant to any other state law or city ordinance, the State Land Board shall prescribe, may amend, and shall thereafter administer comprehensive land use plans and zoning ordinances for such lands.

62/ Section 2. (1) Any comprehensive land use plans prescribed or amended by the State Land Board pursuant to section 1 of this Act shall be in accordance with the standards provided in section 3 of this Act and the notice and hearing requirements provided in ORS 215.223.

(2) Any zoning ordinances prescribed or amended by the State Land Board pursuant to section 1 of this Act shall be in accordance with the standards provided in ORS 215.055 and the notice and hearing requirements provided in ORS 215.223.

(3) A comprehensive land use plan or zoning ordinance prescribed or amended by the State Land Board pursuant to section 1 of this Act may be for any purpose provided in ORS chapter 215, except that the board may not prescribe building regulations. The State Land Board may, however, enjoin the construction of buildings or performance of any other acts which would constitute a land use that does not conform to the applicable land use plan or zoning ordinance.

Section 3. Comprehensive physical planning should provide guidance for physical development within the state responsive to economic development, human resource development, natural resource development and regional and metropolitan area development. It should assist in attainment of the optimum living environment for the state's citizenry and assure sound housing, employment opportunities, educational fulfillment and sound health facilities. State plans should relate to intermediate and long-range growth objectives. The plans should set a pattern upon which state agencies and local government may base their programs and local area plans. Goals for comprehensive physical planning are:

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(2) To conserve open space and protect natural and scenic resources.

(3) To provide for the recreational needs of citizens of the state and visitors.

(4) To conserve prime farm lands for the production of crops and provide for an orderly and efficient transition from rural to urban land use.

(5) To protect life and property in areas subject to floods, landslides and other natural disasters.

(6) To provide and encourage a safe, convenient and economic transportation system including all modes of transportation: air, water, rail, highway and mass transit, and recognizing differences in the social costs in the various modes of transportation.

(7) To develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

(8) To diversify and improve the economy of the state.

(9) To ensure that the development of properties within the state is commensurate with the character and the physical limitations of the land.

Section 4. (1) As used in this section, "building" means a structure having one or more walls, with or without a roof; that is designed to protect persons, animals or property from the elements.

(2) Except when notice is required to be given pursuant to subsection (4) of this section, any person who intends to cause to be erected a building, the materials for construction of which have the value of \$300 or more, on land subject to a zoning ordinance prescribed by the

State Land Board shall give written notice to the board 10 days before the construction is to begin. Such notice shall include:

(a) The date construction of the building is to begin, and the location of such building;

(b) A sketch showing the building and its dimensions;

(c) A rough estimate of the value of the materials to be used in constructing the building; and

(d) A brief description of the intended use of the building.

(3) No person shall fail to give the notice required by subsection (2) of this section.

(4) If the land upon which a building is to be constructed is subject to a zoning ordinance prescribed by the State Land Board and is also subject to building regulations imposed by the county or city, and such building regulations require a permit for the type of building to be constructed, the official from whom such permit is to be obtained shall give to the State Land Board the notice required by subsection (2) of this section.

Section 5. In addition to the remedy prescribed in subsection (2) of section 2 of this Act, the State Land Board may cause to be instituted any civil action or suit it considers appropriate to remedy violations of any comprehensive land use plan or zoning ordinance prescribed by the board pursuant to section 1 of this Act.

Section 6. The State Land Board may enter into contracts for such services as the board considers appropriate for carrying out its land use planning and zoning duties.

Section 7. If a county or city governing body or other zoning authority adopts a comprehensive land use plan and zoning ordinances in accordance with the standards provided in section 3 of this Act and ORS 215.055 after the promulgation of a comprehensive land use plan and zoning ordinances by the State Land Board, the plan and ordinances promulgated by the board shall be ineffective during the time the plan and ordinances adopted by the city, county or other zoning authority are in effect.

Section 8. Violation of subsection (3) of section 4 of this Act is a misdemeanor.

SENATE BILL BACK

▼ CROSS OUT INAPPLICABLE WORDS ▼

BILL
 RESOLUTION } NUMBER 10
 MEMORIAL }

Title: Relating to land use; and providing penalties.

Principal Sponsors:
CB Senator Bateson and Representative Rogers
 (at the request of the Interim Committee on Agriculture)

SENATE **ADDITIONAL SPONSORS** **HOUSE**

Atiyeh	Akeson	Ingalls
Bain	Anunsen	Johnson
Bateson	Bazett	Kennedy
Boivin	Bennett	Lang
Burns	Boe	McCready
Cook	Bradley	McGilvra
Dement	Browne	McKenzie
Eivers	Carson <i>WR</i>	Macpherson
Elfstrom	Chuinard	Mann
Fadeley	Cole	Markham
Flegel	Crothers	Martin
Hallock	Davis	Meeke
Holmstrom	Day	Peck <i>OP</i>
Hoyt	Detering	Priestley
Husband	Dielschneider	Pynn
Huston	Dugdale	Richards
Inskeep	Elliott	Ripper
Ireland <i>APJ</i>	Eymann	Roberts
Jernstedt	Frost	Rogers
Lent	Graham	Skelton
McKay	Groener	Smith
Morgan	Gwinn	Stathos
Newbry	Haas	Stevenson
Ouderkirk	Hanneman	Thornton
Potts	Hansell	Turner
Raymond <i>RR</i>	Hart	Willits
Roberts	Hartung <i>EH</i>	Wilson, Don
Stadler <i>SW</i>	Heard	Wilson, M. Keith
Willner	Howard	Wingard
Yturri	Howe	Young

- Staple -

- Staple -

Enrolled
Senate Bill 10

Sponsored by Senator BATESON, Representative ROGERS, Senators IRELAND, RAYMOND, WILLNER, Representatives CARSON, HARTUNG, PECK

CHAPTER.....

AN ACT

Relating to land use; and providing penalties.

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

Section 1. Notwithstanding any other provision of law, if, after December 31, 1971, there are any lands within the boundaries of a county, whether or not within the boundaries of a city, that are not subject to ORS 390.640 or to a comprehensive land use plan and zoning ordinances adopted pursuant to ORS chapter 215, or zoned pursuant to any other state law or city ordinance, the Governor shall prescribe, may amend, and shall thereafter administer comprehensive land use plans and zoning regulations for such lands. If any county shall have under consideration a comprehensive land use or zoning ordinance, and shall have shown satisfactory progress toward the final enactment of such plan or ordinance, the Governor may grant a reasonable extension of time after the date set in this section for completion of said plan or ordinance.

Section 2. (1) Any comprehensive land use plans prescribed or amended by the Governor pursuant to section 1 of this Act shall be in accordance with the standards provided in section 3 of this Act and the notice and hearing requirements provided in ORS 215.060.

(2) Any zoning regulations prescribed or amended by the Governor pursuant to section 1 of this Act shall be in accordance with the standards provided in ORS 215.055 and the notice and hearing requirements provided in ORS 215.223.

(3) A comprehensive land use plan or zoning regulation prescribed or amended by the Governor pursuant to section 1 of this Act may be for any purpose provided in ORS chapter 215, except that the Governor may not prescribe building regulations. The Governor may, however, cause to be instituted an appropriate proceeding to enjoin the construction of buildings or performance of any other acts which would constitute a land use that does not conform to the applicable land use plan or zoning regulation.

(4) Any hearings required by this section may be held by the Governor, or by a person designated by the Governor, and all such hearings shall be held in the county seat of the county in which said comprehensive land use plan or zoning regulation is to be prescribed.

Section 3. Comprehensive physical planning should provide guidance for physical development within the state responsive to economic development, human resource development, natural resource development and regional and metropolitan area development. It should assist in attainment of the optimum living environment for the state's citizenry and assure sound housing, employment opportunities, educational fulfillment and

sound health facilities. State plans should relate to intermediate and long-range growth objectives. The plans should set a pattern upon which state agencies and local government may base their programs and local area plans. Goals for comprehensive physical planning are:

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(2) Except when notice is required to be given pursuant to subsection (4) of this section, any person who intends to cause to be erected a building, the materials for construction of which have the value of \$300 or more, on land subject to zoning regulations prescribed by the Governor shall give written notice to the Governor 10 days before the construction is to begin. Such notice shall include:

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(b) A sketch showing the building and its dimensions;

(c) A rough estimate of the value of the materials to be used in constructing the building; and

(d) A brief description of the intended use of the building.

(3) No person shall fail to give the notice required by subsection (2) of this section.

(4) If the land upon which a building is to be constructed is subject to zoning regulations prescribed by the Governor and is also subject to building regulations imposed by the county or city, and such building regulations require a permit for the type of building to be constructed, the official from whom such permit is to be obtained shall give to the Governor the notice required by subsection (2) of this section.

Section 5. In addition to the remedy prescribed in subsection (3) of section 2 of this Act, the Governor may cause to be instituted any civil action or suit he considers appropriate to remedy violations of any comprehensive land use plan or zoning regulation prescribed by the Governor pursuant to section 1 of this Act.

Section 6. The Governor may enter into contracts for such services as the Governor considers appropriate for carrying out his land use planning and zoning duties.

Section 7. If a county or city governing body or other zoning authority adopts a comprehensive land use plan and zoning ordinances in accordance with the standards provided in section 3 of this Act and ORS 215.055 after the promulgation of a comprehensive land use plan and zoning regu-

lations by the Governor, the plan and regulations promulgated by the Governor shall be ineffective during the time the plan and ordinances adopted by the city, county or other zoning authority are in effect.

Section 8. Violation of subsection (3) of section 4 of this Act is a misdemeanor.



Chapter

, Oregon Laws 1969

ENROLLED

Senate Bill 10

Passed by Senate March 10, 1969

Repassed by Senate May 7, 1969

Secretary of Senate

President of Senate

Passed by House April 29, 1969

Repassed by House

Speaker of House

Received by Executive Department:

M., 1969.

Approved: , 1969.

Governor

Filed in Office of Secretary of State:

M., 1969.

Secretary of State