

HOUSE COMMITTEE ON JUDICIARY SUBCOMMITTEE ON CIVIL LAW AND JUDICIAL
ADMINISTRATION

May 24, 1993 Hearing Room 357 1:30 p.m Tapes 119

MEMBERS PRESENT: Rep. Tom Brian, Chair Rep. Ken Baker Rep. Jim Edmunson
Rep. Tom Mason

STAFF PRESENT: Holly Robinson, Committee Counsel Sarah May,
Committee Clerk

MEASURES CONSIDERED: HB 3494 - Relating to zoning HJR 57
- Proposes constitutional amendments to allow city or county
 to adopt zoning ordinances...

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These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in
quotation marks report a speaker's exact words. For complete contents
of the proceedings, please refer to the tapes. [--- Unable To Translate
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TAPE 119, SIDE A

006 CHAIR BRIAN: Calls the meeting to order at 1:50 P.M.

WORK SESSION ON HB 3494

Witnesses: Rep. Sharon Wylie, District 22 Karen Elliot, Attorney
Rep. Kevin Mannix, District 32

015 HOLLY ROBINSON, COMMITTEE COUNSEL: Summarizes Section by
Section Analysis of HB 3494. (EXHIBIT A)

095 REP. SHARON WYLIE, DISTRICT 22: Testifies in support of HB 3494.

102 REP. BAKER: On LC draft 3, pg. 2, line 4, a city may adapt
with a zoning ordinance, but what do you do if it is out of a city?

106 KAREN ELLIOT, ATTORNEY, LEGISLATIVE COUNSEL: The provision for a
county are in Section 4. Section 2 and 4 are identical, 2 covers
cities, 4

covers counties.

112 REP. BAKER: Why do you separate those?

113 ELLIOT: It has to be in line with Oregon's land use plan. Have
to be in line with ORS 197, 215, 227.

121 REP. BAKER: The information on pg. 3, of draft, line 14,

includes the diagram of a building, and interior property boundaries. This

information is what the applicant would provide, to people within the effective zone? Wouldn't you also have them provide, traffic impact, parking, or sign issues?

131 ELLIOT: That may or may not be the case. ORS 215 and 227 have the basic same provisions, but under provisions of these amendments, the

applicant would be under Section 2, Subsection 5-B, Pg. 3, line 30.

They have to agree to comply with the standards relative to business operation, structure design, landscaping, parking configuration, lighting, and sign placement. Traffic flow is a different matter.

149 REP. BAKER: The parking configuration could be a factor, shouldn't that be a separate point rather than the subsequent condition that is put on the granting of the franchise rights?

155 ELLIOT: This was approved by a senior policy analyst at Land Conservation Development, but could go back to see if could be made more appropriately.

161 REP. KEVIN MANNIX, DISTRICT 32: On line 15, after word "premises", opens it up and would still give local government some flexibility as to how much they want in terms of preliminary information. We need to see

if there is a sentence that says, these are supplemental requirements, not substitute requirements.

184 REP. BRIAN: In addition to any requirements of a community development plan?

187 MANNIX: I support HB 3494, and HJR 57.

211 HOLLY ROBINSON, COMMITTEE COUNSEL: In Subsection b, line 14, if it said, "in addition to, or any other requirements", that would be

sufficient language. I will work with Legislative Counsel to come up with a sentence pertaining to Subsection b. These would be supplemental requirements, and not supplanting underlying requirements to the ordinary development codes.

227 MOTION: REP. BAKER: Moves to CONCEPTUALLY AMEND HB 3494 as stated above by Committee Counsel.

VOTE: Hearing no objections the amendments are ADOPTED. All members are present.

231 HOLLY ROBINSON, COMMITTEE COUNSEL: The committee will need to add a new section 5 to the conceptual amendments.

238 MOTION: REP. BAKER: Moves to AMEND HB 3494 by adding Section 5 of HB 3494, to -3 amendments.

VOTE: Hearing no objections the amendments are AMENDED. All members are present.

247 MOTION: REP. BAKER: Moves to ADOPT HB 3494-3 AMENDMENTS.

VOTE: Hearing no objections the amendments are ADOPTED. All members are present.

254 MOTION: REP. BAKER: Moves HB 3494 AS AMENDED TO FULL COMMITTEE with a DO PASS recommendation.

VOTE: 3-1 MOTION PASSES AYE: Baker, Mason, Brian NO: Edmunson

WORK SESSION ON HJR 57

265 HOLLY ROBINSON, COMMITTEE COUNSEL: HJR 57 is a companion bill to HB 3494. Rep. Wylie drafted -1 amendments, that in order for the bills to

be consistent, need to be moved.

284 CHAIR BRIAN: HJR 57 with -1 amendments, puts on the ballot the question referenced here and statutory defined by HB 3494?

289 HOLLY ROBINSON, COMMITTEE COUNSEL: Correct.

292 MOTION: REP. BAKER: Moves to ADOPT HJR 57-1 AMENDMENTS.

VOTE: Hearing no objections the amendments are ADOPTED. All members are present.

295 MOTION: REP. BAKER: Moves HJR 57 AS AMENDED TO FULL COMMITTEE with a DO PASS recommendation.

VOTE: 3-1 MOTION PASSES AYE: Baker, Mason, Brian NO: Edmunson

303 CHAIR BRIAN: Adjourns the meeting at 2:15 P.M.

Submitted by:

Reviewed by:

Sarah May
Committee Coordinator

Anne May Committee Clerk

EXHIBIT LOG:

A - Analysis of HB 3494 - Committee Counsel - 2 pages B - Proposed Amendments to HB 3494 - Committee Counsel - 16 pages C - Testimony on HB 3494 - Rep. Wylie - 1 page D - Testimony on HB 3494 - Brad Woodworth

