

HB 2456-3
(LC 2409)
4/4/19 (RLM/ps)

Requested by Representative FINDLEY

**PROPOSED AMENDMENTS TO
HOUSE BILL 2456**

1 On page 1 of the printed bill, line 2, delete “creating new provisions;”.

2 In line 3, delete “amending ORS 308A.703;”.

3 In line 5, delete “Section 2 of this 2019 Act is” and insert “Sections 2 and
4 2a of this 2019 Act are”.

5 In line 7, after “county” insert “that has established a review board de-
6 scribed in section 2a of this 2019 Act”.

7 In line 9, delete “residential zoning” and insert “allow the development
8 of one residential unit per lot or parcel of two acres or more”.

9 Delete lines 11 and 12 and insert:

10 “(b) The lands are not:

11 “(A) High-value farmland, as defined in ORS 195.300;

12 “(B) Predominantly composed of Class I, II or III soils; or

13 “(C) Viable for reasonably obtaining a profit through a farm use;”.

14 In line 17, delete “and”.

15 After line 17, insert:

16 “(e) The property owner agrees as a condition of approval of the rezoning
17 to sign and record in the county deed records an irrevocable deed restriction
18 in the form prescribed by the county acknowledging the protected rights of
19 farm, forest and rangeland practices in the area and prohibiting the owner
20 and the owner’s successors in interest from pursuing a cause of action or
21 claim of relief alleging an injury from any farming, forest or rangeland

1 practices for which no claim or action is allowed under ORS 30.936 or 30.937
2 or otherwise protected by law as farming, forest or rangeland practice;

3 “(f) The rezoning complies with any other criteria adopted by the county;

4 “(g) The approval would not result in a cumulative total of more than 200
5 acres rezoned by the county under this section;

6 “(h) The rezoning has received a public hearing and a written opinion
7 from a review board established under section 2a of this 2019 Act; and”.

8 In line 18, delete “(e)” and insert “(i)”.

9 After line 26, insert:

10 **“SECTION 2a. (1) A county with lands within the Eastern Oregon**
11 **Border Economic Development Region, as defined in ORS 284.771, may**
12 **establish a review board that consists of four members appointed by**
13 **the governing body of the county.**

14 **“(2) The members of the review board shall serve terms of no more**
15 **than four years and may be reappointed by the governing body.**

16 **“(3) The review board must include:**

17 **“(a) One member who represents the interests of the farming com-**
18 **munity of the county;**

19 **“(b) One member who represents the Eastern Oregon Border Eco-**
20 **nomic Development Board;**

21 **“(c) One member who is a member of the governing body of the**
22 **county; and**

23 **“(d) One member who is a member of the planning body for the**
24 **county.**

25 **“(4) The review board shall review, and conduct at least one public**
26 **hearing for, each petition filed under section 2 of this 2019 Act to re-**
27 **zone land and shall provide a written opinion to the county.**

28 **“(5) The opinion developed by the review committee is not a land**
29 **use decision and is not subject to appeal.**

30 **“SECTION 2b. Sections 2 and 2a of this 2019 Act are repealed Jan-**

1 uary 2, 2030.

2 **“SECTION 2c. The repeal of sections 2 and 2a of this 2019 Act by**
3 **section 2b of this 2019 Act does not invalidate, or provide any basis for**
4 **challenging, the rezoning of lands under section 2 of this 2019 Act.”.**

5 On page 2, line 20, delete “the July 1 immediately following” and insert
6 “on”.

7 In line 21, after “(a)” insert “The July 1 next following”.

8 In line 22, delete “or”.

9 In line 23, after “(b)” insert “The July 1 next following” and delete the
10 period and insert “; or

11 “(c) July 1, 2030.”.

12 Delete lines 24 through 45.

13 On page 3, delete lines 1 through 35 and insert:

14 **“SECTION 5. Notwithstanding ORS 315.037, section 4 of this 2019**
15 **Act applies to property tax years beginning on or after July 1, 2020,**
16 **and before July 1, 2031.**

17 **“SECTION 6. Section 4 of this 2019 Act is repealed January 2,**
18 **2032.”.**

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