

**SB 16 STAFF MEASURE SUMMARY**

Carrier: Sen. Findley

**Senate Committee On Energy and Environment**


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**Action Date:** 03/04/21  
**Action:** Do pass.  
**Vote:** 3-1-1-0  
**Yeas:** 3 - Beyer, Findley, Robinson  
**Nays:** 1 - Taylor  
**Exc:** 1 - Dembrow  
**Fiscal:** Has minimal fiscal impact  
**Revenue:** No revenue impact  
**Prepared By:** Beth Reiley, LPRO Analyst  
**Meeting Dates:** 2/9, 3/4

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**WHAT THE MEASURE DOES:**

Authorizes county within Eastern Oregon Border Economic Development Region to establish a four-member review board (Review Board) appointed by the county governing body for the purpose of reviewing, conducting public hearings, and writing opinions to the county for each petition to rezone, and if necessary partition, land. Authorizes county that has established Review Board to rezone, and if necessary partition, lands zoned as exclusive farm use for the development of residential uses. Requires rezoned land to be for the development of one residential unit per lot or parcel of two acres or more, provided that lands meet certain requirements. Prohibits county from approving the rezoning of more than 200 cumulative acres. Stipulates that Review Board's opinion is not a land use decision and is not subject to appeal. Sunsets rezoning and review board provisions January 2, 2030, and specifies that the sunset does not invalidate or provide a basis to challenge rezoned lands. Takes effect on 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

- Act applies to Malheur County
- Difference in policies adopted in Idaho and Oregon
- Potential uses of land

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

In 2017, the legislature created the Eastern Oregon Border Economic Development Region (Border Region) and established the Eastern Oregon Border Economic Development Board (Board) to recommend policies and strategies to the Legislative Assembly for promoting workforce and economic growth (House Bill 2012). The Border Region is defined by rule as the area within 20 miles of the Oregon border with Idaho, that includes the cities of Ontario, Vale, and Nyssa. The Board was also charged with identifying specific laws, rules, and regulations that place workforce or economic development efforts in the Border Region at a competitive disadvantage compared to similar efforts in the border region of Idaho.

Under Statewide Land Use Planning Goal 3, counties are currently required to include an inventory of farm land in their comprehensive plans and zone these lands for exclusive farm use (EFU) to protect them from incompatible uses. EFU zoning and preferential farm value tax assessments for farm land were authorized by the legislature in 1961 due to concerns over loss of farm and forest land. The Border Region was established by the Oregon Legislative Assembly in 2017 (HB 2012) to promote workforce development, create or retain jobs, expand business and promote economic development within the Oregon communities bordering Idaho.

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Senate Bill 16 would authorize counties to partition and rezone up to 200 acres of lands within the Eastern Oregon Border Economic Development Region from EFU to residential uses, if land meets certain criteria.