

HB 2645 STAFF MEASURE SUMMARY
House Committee On Agriculture and Natural Resources

Carrier: Rep. Post

Action Date: 04/13/21
Action: Do Pass.
Vote: 6-4-0-0
Yeas: 6 - Breese-Iverson, Cate, Post, Reardon, Smith DB, Witt
Nays: 4 - Hudson, Marsh, McLain, Williams
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Stuty Maskey, LPRO Analyst
Meeting Dates: 2/11, 3/2, 4/13

WHAT THE MEASURE DOES:

Exempts dog training facilities from state structural specialty codes. Defines "dog training facility" as a farm building used for dog training classes or testing trials in which no more than 10 persons are present at any one time. Authorizes incorporated cities to regulate dog training facilities within their boundaries. Establishes that a lawfully created unit of land remains a lawfully established unit of land following circuit court judgment meeting specified criteria that relocates the property line without regard to whether: 1) the relocated property line could have been established through procedures authorized by city or county; 2) either party subsequently relocates property line; or 3) any unit of land complies with minimum lot or parcel size. Requires specified permit applications be decided based on property lines as relocated under the Act, and prohibits denial based solely on judgment. Stipulates Act applies to relocation of property lines by judgment of a circuit court that were entered before, on or after effective date of Act. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Treating dog training facilities on farms the same as horse training facilities for purposes of building code
- Impacts of allowing dog training facilities on the peace and health of rural farmers and their livestock
- The complexity and contradictory laws surrounding land use and real property and the need to bring clarity for landowners

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon's Statewide Land Use Planning Goal 3, "Agricultural Lands," requires all agricultural lands to be inventoried and preserved by adopting exclusive farm use (EFU) zones. Certain nonfarm uses are also allowed on EFU-zoned lands. In 2019, the legislature passed House Bill 2106 allowing dog training classes or testing trials to be conducted outdoors or in farm buildings in existence on or before January 1, 2019 rather than January 1, 2013. ORS 92.017 establishes when a lawfully created lot or parcel remains a discrete lot or parcel and was last amended in 1993.

House Bill 2645 would exempt dog training facilities from state structural specialty codes and establish that lawfully created units of land remain lawfully established units of land following a judgment that relocates a property line.