

SB 16 STAFF MEASURE SUMMARY

Carrier: Rep. Owens

House Committee On Rules

Action Date: 06/15/21
Action: Do Pass.
Vote: 4-3-0-0
Yeas: 4 - Bonham, Drazan, Smith Warner, Zika
Nays: 3 - Fahey, Holvey, Salinas
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Melissa Leoni, LPRO Analyst
Meeting Dates: 6/10, 6/15

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 purpose of 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:

- Land outside of urban growth boundary
- Location of farm land to be developed and how it is not currently farmed
- Complies with current plan for rural residential areas

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2017, the Legislative Assembly 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, which 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 to zone these lands for exclusive farm use (EFU) to protect them from incompatible uses. Use of EFU zoning and preferential farm value tax assessments for farm land were authorized by the Legislative Assembly in 1961 due to concerns over loss of farm and forest land.

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