

HB 2950 -4, -5 STAFF MEASURE SUMMARY

House Committee On Agriculture, Land Use, Natural Resources, and Water

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/12, 3/31

WHAT THE MEASURE DOES:

The measure requires the Land Conservation and Development Commission (LCDC) to, through rulemaking and the appointment of an advisory committee, amend Oregon's land use planning goal on Citizen Involvement, with the assistance of the advisory group and public participation, study and develop recommendations for the public participation processes used by LCDC to amend, implement, and review land use goals.

Detailed Summary

Requires the Land Conservation and Development Commission (LCDC) to, by rule, amend Oregon's land use planning goal relating to "citizen involvement" following general rule making procedures but without regard to certain rule making requirements specific to the Department of Land Conservation and Development (DLCD) and LCDC related to public engagement. Requires state agencies and local governments to implement the new land use goal by amending their comprehensive plans, land use regulations, zoning ordinances, rules, plans, and programs and specifies population based implementation timelines.

Sets the following provisions for the rule making process:

- Requires DLCD to appoint an advisory group and specifies membership and meeting requirements.
- Requires DLCD and the advisory group to consider the following when amending the goal: Exclusive and outdated language in the current model; adopting implementation standards; overcoming specific barriers to public participation; diversity, equity, and inclusion; outreach and education; and racial justice.
- Specifies the amended goal to be effective 30 days after adoption.
- Requires the amended goal to be renamed to reflect, where possible, the broadest and most inclusive public engagement in land use planning and decision-making processes.
- Authorizes the LCDC and DLCD to request assistance from other entities in the goal amendment and adoption.

Sets the following reporting requirements:

- Requires DLCD to study and develop recommendations for the public participation process used by LCDC to amend, implement, and review land use goals.
- Requires DLCD to submit an interim report by August 1, 2026, and a final report by December 31, 2026.
- Requires the advisory committee to assist DLCD in their reporting requirement and specifies the associated process for public feedback on the interim report.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-4 The amendment changes development and implementation timelines, modifies the membership of the advisory group, changes certain requirements that the Department of Land Conservation and Development must consider when amending the goal, establishes the Public Involvement Goal Update Fund (fund), appropriates moneys from the General Fund into the fund and sunsets the Act on January 2, 2030.

Detailed Summary

- Requires the advisory group to deliver drafted goal amendments to the Land Conservation and Development Commission (commission) by June 30, 2027 and directs the commission to adopt the goal by June 30, 2029.
- Modifies membership of the advisory group.
- Changes the Requirements that DLCD and the advisory group must consider when amending the goal to the following:
 - Adopting implementation standards
 - Outreach and education standards
 - Overcoming specified barriers to public participation
 - Inequities in public participation due to specified demographic factors
 - Eliminating duplicative or inefficient processes
 - Limiting exploitation that leads to litigation or unreasonable delay to quasi-judicial land use applications and decisions
 - Exclusive or outdated language in the existing goal.
- Modifies implementation timelines.
- Establishes the Public Involvement Goal Update Fund (fund), consisting of moneys appropriated, allocated, deposited, or transferred by the Legislative Assembly or otherwise and directs fund moneys to be continuously appropriated to DLCD for implementation of the Act.
- Appropriates \$_____ General Fund moneys to DLCD for the biennium beginning July 1, 2025, for deposit into the fund.
- Sunsets the Act on January 2, 2030 and reverts remaining fund moneys to the General Fund.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

-5 The amendment requires that appointments to the advisory committee represent the partisan, ideological, and geographical diversity of Oregon and that no more than 45 percent of its membership belong to the same political party.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

BACKGROUND:

Oregon's statewide land use planning program was created in 1973 when the Legislative Assembly passed Senate Bill 100. The program is overseen by the seven-member Land Conservation and Development Commission (LCDC). Following the passage of Senate Bill 100, LCDC developed 19 land use planning goals, including economic development, energy, transportation, and housing. All cities and counties are required to adopt comprehensive plans to meet these goals. Land Use Planning Goal 1 is called Citizen Involvement and calls for "the opportunity for citizens to be involved in all phases of the planning process."