

HB 4108 -1, -2 STAFF MEASURE SUMMARY

House Committee On Housing and Homelessness

Prepared By: Iva Sokolovska, LPRO Analyst

Meeting Dates: 2/3, 2/10

WHAT THE MEASURE DOES:

The measure requires a city to annex noncontiguous land without a public hearing or election when all property owners petition for annexation and specified conditions are met. The measure applies to land within a city's acknowledged urban growth boundary that is planned for residential or mixed use, is served by city utilities, and is accessible by public road, and authorizes the city to annex the land by resolution or ordinance once the criteria are satisfied.

FISCAL: Has minimal fiscal impact

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

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 The amendment changes annexation from mandatory to discretionary and removes the requirement that the land receive all city utilities, including electricity, and instead requires only that the land be connected to and receive water and sewer services from the city or a city subcontractor. The amendment adds a restriction prohibiting a city from withdrawing annexed noncontiguous land from a district unless and until the land becomes contiguous to the city limits.

-2 Allows the city of Eugene to annex noncontiguous land instead of requiring cities to annex the land upon receipt of a petition proposing annexation of noncontiguous land submitted by all owners of the land. Changes land eligibility criteria to include lands connected to and receiving water and sewer services from the city or a contracted operator of the water system or primary water supplier for the land.

BACKGROUND:

Under Oregon law (ORS chapter 222, and subject to statewide land use planning requirements in ORS chapter 197A) annexation of land into a city generally requires a public process that may include notice, a public hearing, or approval by voters, depending on the circumstances of the annexation and the characteristics of the land. Counties must be notified and may review annexations for compliance and annexation may require withdrawal from or coordination with special districts (e.g., fire, water, sewer).