

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Concur in the Senate Amendments dated 6/2 and Further Amend and Repass the Bill

Vote: 4 - 2 - 0

Yeas: Garrett, Nolan, Metsger, Schrader

Nays: Esquivel, Boquist

Exc.: 0

Prepared By: Beth Herzog, Administrator

Meeting Dates: 6/26

WHAT THE MEASURE DOES: Modifies exclusive farm use (EFU) exceptions in Oregon land-use regulation. Removes outright exceptions for schools and greyhound kennels. Modifies exception for model aircraft uses to allow landowners to charge fees. Adds conditional exception for public schools that primarily serve the rural area where sited. Modifies the conditional exception for golf courses by prohibiting golf courses on high value farmland. Deletes disposal of solid waste from EFU exceptions. Allows expansion of existing public schools, private schools on EFU lands that become nonconforming uses, notwithstanding change in zoning ordinance. Provides exception to notice otherwise required from Department of Land Conservation and Development. Authorizes counties to amend land use regulations by December 31, 2010 to conform to bill without public hearing and adoption of findings.

ISSUES DISCUSSED:

- Provisions of the amendment

EFFECT OF COMMITTEE AMENDMENT: Removes additional requirement that replacement dwellings not in compliance with codes be consistent with techniques used during or after era in which dwelling was constructed. Restores conditional exception for aerial fireworks display businesses. Removes provision that permit or approval to construct replacement dwelling issued by county on or after January 1, 1990 is valid even if permit has expired and may be used for construction that has begun before January 2, 2020. Removes repeal of ORS 215.297

BACKGROUND: Oregon's land use program places major emphasis on maintaining commercial agriculture. Exclusive farm use (EFU) zoning limits development that could conflict with farming practices. The EFU designation is also intended to keep farmland from being divided into parcels too small for commercial agriculture. EFU lands are eligible for lower property taxes based on the land being farmed. All 36 counties in Oregon have applied EFU zoning to their agricultural land. Current law allows numerous exceptions, both outright and conditional, for uses of land that is EFU-zoned.

6/26/2009 4:30:00 PM

This summary has not been adopted or officially endorsed by action of the committee.