

REVENUE: Minimal revenue impact, no statement issued

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 5 - 0 - 3
Yeas: Cowan, Johnson, Schaufler, Sprenger, Jenson
Nays: 0
Exc.: Boone, Esquivel, Clem
Prepared By: Beth Herzog, Administrator
Meeting Dates: 3/14, 4/15

WHAT THE MEASURE DOES: Establishes that any Land Conservation and Development Commission (LCDC) rule that establishes farm income standard to determine whether dwelling is customarily provided in conjunction with farm use must allow farm operator to satisfy income standard by: meeting standard in at least three of last five years; meeting standard in each of last two years; or averaging farm income for three of last five years.

ISSUES DISCUSSED:

- Allows third opportunity to meet income standard
- Current administrative rules determine you are eligible if you to meet standard in each of last two years or by averaging farm income for three of last five years
- Allows for more flexibility

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: In 1993, LCDC established a technical advisory committee to determine methods that would ensure new “farm dwellings” allowed in exclusive farm use (EFU) zones would be for farmers rather than for those who want to live in the country but not engage in agricultural activities. In response to recommendations from the advisory committee, LCDC adopted rules to establish a “gross income test” of \$80,000 to help determine whether a property supports commercial agriculture and is therefore eligible for a “farm dwelling.” LCDC rules apply the \$80,000 gross income test only to high-value farmland. For other farmland, the LCDC rules give counties a lower income test and a production capability test (as well as a parcel size test not related to income). House Bill 3290 would add another option for meeting the income standard.