

REVENUE: No Revenue Impact
FISCAL: Fiscal Impact Issued
SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: James LaBar, Administrator

Meeting Dates: 4/27, 6/1, 6/3

WHAT THE MEASURE DOES: Modifies definition of “land use regulation” to include any law enacted, or rule adopted, solely for purpose of regulating farming practice that was allowed immediately prior to enactment or adoption.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

(-A4 amendment) Modifies land use regulation definition to mean a law enacted or rule adopted on or after January 1, 2016 for the purpose of regulating a farming practice that was allowed immediately prior to enactment of the law or adoption of the rule.

(-A7 amendment): Creates new provision that a demonstration by an applicant that a list of proposed uses in ORS215.213 and 215.283, which includes commercial activities that are in conjunction with farm use, including the processing of farm crops into biofuel; operations conducted for mining and processing for geothermal resources, oil and gas, aggregate, and other mineral resources for subsurface resources; personal use airports and helipads; facilities for processing forestry products; and destination resort, that complies with environmental standards applicable to use, is proof that the use complies with the standards for approval described in ORS 215.296.

BACKGROUND: Existing statute dealing with just compensation for land use regulations defines “land use regulation” as including a provision, enacted or adopted on or after January 1, 2010, of the Oregon Forest Practices Act, an administrative rule of the State Board of Forestry, or any other law enacted, or rule adopted, solely for the purpose of regulating a forest practice.

House Bill 3212 A would add “any law enacted, or rule adopted, solely for the purpose of regulating a farming practice that was allowed immediately prior to enactment of the law or adoption of the rule” to the definition of land use regulation.