

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rural Communities, Land Use, and Water

MEASURE: HB 2831
CARRIER: Rep. Helm

Fiscal: No Fiscal Impact
Revenue: Has minimal revenue impact

Action Date: 04/14/15

Action: Do Pass.

Meeting Dates: 03/03, 04/14

Vote:

Yeas: 6 - Clem, Gilliam, Gomberg, Helm, Post, Witt
Exc: 1 - McLane

Prepared By: Ian Davidson, Committee Administrator

WHAT THE MEASURE DOES:

Defines terms. Modernizes language. On land zoned for exclusive farm use (EFU), prohibits property line adjustment resulting from subdivision or partition authorized by waiver so unit of land affected by adjustment is larger than two acres if unit is high value farmland, high value forestland, or within ground water restricted area; or five acres if unit is not high value farmland, high value forestland, or within ground water restricted area.

ISSUES DISCUSSED:

- Modernization of language by Legislative Counsel
- Applicability to Measure 49 properties
- Legislative intent of Measure 49

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Ballot Measure 37 (2004) required that a property owner be paid compensation for reduced property value resulting from a state or local land use regulation that took effect after the claimant took ownership of the property. Ballot Measure 49 (2007) stipulated that all compensation under Ballot Measure 37 would be in the form of buildable home sites (no commercial or industrial claims would be approved) and limited claims made under Ballot Measure 37 to no more than 10 home sites. Ballot Measure 37 was passed with no funding to provide for compensation so valid claims under Measure 37 were generally resolved by waiving land use laws and ordinances.

On land zoned for exclusive farm use, House Bill 2831 would prohibit property line adjustments resulting from a subdivision or partition authorized by a waiver so the unit of land affected by the adjustment is larger than two acres if high value farmland, high value forestland, or within a ground water restricted area; or five acres if the unit is not high value farmland, high value forestland, or within a ground water restricted area.