

STAFF MEASURE SUMMARY

Senate Committee On Business and Transportation

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 06/03/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 05/13, 06/03

Vote:

Yeas: 3 - Girod, Monroe, Thomsen

Nays: 1 - Riley

Exc: 1 - Beyer

Prepared By: James LaBar, Committee Administrator

WHAT THE MEASURE DOES:

Prohibits city from requiring consent to annexation of landowner's property in exchange for city providing county service as agent of county. Authorizes governing body of city to annex a territory without submitting the proposal to the city's voters for an election if: 1) the territory is within a city's urban growth boundary, but outside the city limits; 2) the territory is subject to the city's acknowledged comprehensive plan; 3) the owners petition to annex that property into the city; and 4) the owners comply with all requirements for annexation into the city. Creates exclusion from new provision for territory within Metro. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Need for broad-based reform of Oregon's land use policy, including the need for regionalism
- The measure's timing and place in larger conversation about land use policy
- Cities' concerns about self-governing and charter infringements

EFFECT OF COMMITTEE AMENDMENT:

Authorizes governing body of city to annex a territory without submitting the proposal to the city's voters for an election if: 1) the territory is within a city's urban growth boundary, but outside the city limits; 2) the territory is subject to the city's acknowledged comprehensive plan; 3) the owners petition to annex that property into the city; and 4) the owners comply with all requirements for annexation into the city. Creates exclusion from new provision for territory within Metro.

BACKGROUND:

Ambiguity in current law allows cities to require consent to eventual annexation of a landowner's property in exchange for extraterritorial services.

In an opinion dated January 9, 2006, Legislative Counsel determined that a requirement that property owners consent to eventual annexation of property to obtain approval of a building permit for that property is "beyond the scope of the building inspection program."

House Bill 2938A places in statute a prohibition on cities requiring consent to annexation of a landowner's property in exchange for the city providing county services as an agent of the county.