

SB 432 STAFF MEASURE SUMMARY

Senate Committee On Environment and Natural Resources

Action Date: 04/17/17

Action: Without recommendation as to passage and request referral to Rules.

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Linthicum, Olsen, Prozanski, Roblan

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Makes legislative findings and declarations regarding rural lands and rural communities. Authorizes counties and local governments meeting certain criteria to adopt comprehensive plan and land use regulations that do not comply with statewide land use planning goals and do not require acknowledgement from the Department of Land Conservation and Development (DLCD). Prescribes criteria to include counties with population less than 50,000 that have not experienced population growth since the previous federal decennial census and local governments with 51 percent or more of their population within the county. Requires jurisdictions that adopt such plans to submit them to DLCD within 30 days of adoption. Requires jurisdictions that adopt such plans and subsequently cease to meet the specified criteria to amend plans within one year to comply with statewide land use planning goals.

ISSUES DISCUSSED:

- Washington Growth Management Act allows small, non-growing counties to opt out
- Economic conditions and growth statistics in Oregon rural counties
- Role of land use system in protecting agricultural land
- Whether measure will affect the implementation of the Oregon Greater Sage-Grouse Action Plan

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon's statewide land use planning program was created in 1973 when the Legislative Assembly passed the Oregon Land Use Act (Senate Bill 100). The program is overseen by the seven-member Land Conservation and Development Commission (LCDC), which receives administrative support from the Department of Land Conservation and Development (DLCD). Following the passage of Senate Bill 100, LCDC developed 19 land use planning goals, including but not limited to economic development, energy, transportation, and housing. All cities and counties are required to adopt comprehensive plans that meet these goals. Under certain circumstances, jurisdictions may claim an exception to a goal. Currently, LCDC must provide acknowledgement of a jurisdiction's comprehensive plan within 90 days. The DLCD provides a report to the Commission stating whether the comprehensive plan and land use regulations for which acknowledgement is sought are in compliance with the statewide goals.

Senate Bill 432 would authorize counties and local governments meeting certain criteria to adopt a comprehensive plan and land use regulations that do not comply with statewide land use planning goals. The measure would require jurisdictions that adopt such plans and subsequently cease to meet the specified criteria to amend plans within one year to comply with statewide land use planning goals.