HB 4124   STAFF MEASURE SUMMARY

Carrier: Sen. Olsen

Senate Committee On Environment and Natural Resources

Action Date:	02/23/18
Action:	Do pass.
Vote:	6-0-1-0
Yeas:	6 - Bentz, Dembrow, Olsen, Prozanski, Roblan, Taylor
Exc:	1 - Baertschiger Jr
Fiscal:	No fiscal impact
Revenue:	No revenue impact
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WHAT THE MEASURE DOES:

Allows a county governing body, upon remand of a Land Use Board of Appeals decision, to have the planning commission or a hearings officer conduct hearings and make a decision regarding designated agricultural lands or forestlands. Requires the county governing body to review the planning commission or hearings officer decision, and to take one of three actions: schedule a public hearing and issue a final decision on the application; leave the planning commission or hearings officer decision as the final county decision; or adopt the planning commission or hearings officer decision by consent order as the decision of the governing body. Declares emergency, effective on passage.

ISSUES DISCUSSED:
- Proposed process is consistent with process for other property types
- County may opt to use process; not mandatory
- Interim work group on issue

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Land Use Board of Appeals (LUBA) was created to simplify the land use appeals process, speed resolution of land use disputes, and provide consistent interpretation of state and local land use laws. LUBA reviews only final land use decisions and limited land use decisions, and will issue a final opinion and order to affirm, reverse, or remand a challenged decision. Currently, upon remand of a LUBA decision, county governing bodies conduct hearings and make a decision for lands designated under a statewide planning goal addressing agricultural lands or forestlands.

House Bill 4124 would allow a county governing body to have the planning commission or a hearings officer conduct hearings and make a decision regarding designated agricultural lands or forestlands following a LUBA remand decision.