

HB 2790 -2 STAFF MEASURE SUMMARY
House Committee On Agriculture and Land Use

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Meeting Dates: 3/12, 4/4

WHAT THE MEASURE DOES:

Redefines "outdoor mass gathering" for the purposes of land use laws as an assembly of people that largely takes place in open spaces. Redefines "outdoor mass gathering" for the purposes of county review of public health impacts as an assembly of more than 500 individuals within any period of 72 hours or less that largely takes place in open spaces. Requires that counties consider an outdoor mass gathering as land use decision if the gathering involves more than 3,000 individuals for any period of 72 hours or less, or if the gathering is an agri-tourism event held on lands zoned for exclusive farm use. Requires counties apply only clear and objective standards to permit reviews for agri-tourism gatherings of 500 individuals or less. Establishes that the Land Use Board of Appeals (LUBA) has jurisdiction to interpret and apply statutory outdoor mass gatherings provisions and applicable Oregon Health Authority regulations in reviews of approval decisions. Allows a hearings officer or county designee, in addition to a county planning commission, to approve or deny permit applications. Allows counties to consolidate a mass gathering permit review with a mass gathering land use decision. Makes the approval of a consolidated permit subject to appeal only to Land Use Board of Appeals. Allows a county to charge up to \$2 per anticipated gathering attendee for the permit application fee, or \$5,000.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Replaces measure. Expands the definition of "outdoor mass gathering" to allow gatherings to continue beyond 120 hours only for the purpose of providing adequate time for ingress and egress from a gathering located on lands zoned for exclusive farm use, provided that the gathering is located at least 60 miles away from an interstate highway. Allows counties to require a land use permit for any outdoor mass gathering, and allows counties to authorize outdoor mass gathering that are expected to exceed the allowable time, provided that certain conditions are met. Allows a hearings officer, county planning commission, or county designee to approve or deny permit applications. Prohibits counties from requiring an outdoor mass gathering permit for events permitted under other statutes related to uses on lands zoned for exclusive farm use.

REVENUE: No revenue impact

FISCAL: May have fiscal impact, but no statement yet issued

BACKGROUND:

An "outdoor mass gathering" is currently defined as an assembly of more than 3,000 persons which continues for more than one day (24 hours) but less than 5 days (120 hours) within any three-month period, and which is held primarily in open spaces and not in a permanent structure.

House Bill 2790 would require that counties consider an outdoor mass gathering as land use decision if the gathering involves more than 3,000 individuals or if the gathering is an agri-tourism event held on lands zoned for exclusive farm use, and would allow counties to consolidate mass gathering permit reviews and land use decisions and to charge a higher permit application fee for a larger gathering.