

SB 408 A STAFF MEASURE SUMMARY

Carrier: Sen. Hansell

Senate Committee On Environment and Natural Resources

Action Date: 03/05/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

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

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/26, 3/5

WHAT THE MEASURE DOES:

Allows county to approve a proposed division of land in an exclusive farm use zone for utility facilities necessary for public service if it finds the use is not larger than the minimum size necessary for the use. Prohibits land divided under this Act from being later rezoned by the county for retail, commercial, industrial, or other non-resource use, except as provided under the statewide planning goals or under ORS 197.732 (goal exceptions).

ISSUES DISCUSSED:

- Measure does not allow new uses in exclusive farm use (EFU) zone
- Need for utility to either lease land or purchase more land than necessary for infrastructure in absence of authority to divide EFU land into smaller parcels

EFFECT OF AMENDMENT:

Prohibits land divided under this Act from being later rezoned by the county for retail, commercial, industrial, or other non-resource use, except as provided under the statewide planning goals or under ORS 197.732 (goal exceptions).

BACKGROUND:

Oregon law establishes that agricultural use is an efficient means of conserving natural resources; that the preservation of land for agricultural use is a priority; and that the expansion of urban development into rural lands is of concern because of conflicts between farm and urban activities, such as noise, dust or odor, and loss of open spaces from such expansion (ORS 215.243). Certain nonfarm uses may be allowed on exclusive farm use (EFU) lands. Among these is the land-based application of reclaimed water, agricultural or industrial process water or biosolids for farm use.

Senate Bill 408A would allow a county to approve a proposed division of land in an EFU zone for utility facilities necessary for public service if it finds the use is not larger than the minimum size necessary for the use.