

HB 2577 A STAFF MEASURE SUMMARY

Carrier: Sen. Olsen

Senate Committee On Environment and Natural Resources

Action Date: 05/14/19

Action: Do pass the A-Eng bill.

Vote: 5-0-0-0

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

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

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Meeting Dates: 5/2, 5/14

WHAT THE MEASURE DOES:

Requires a city to provide a delayed effective date that is at least three years and not more than 10 years after the date of annexation approval for property that is zoned to allow residential use as a permitted use in the zone and is in residential use. Allows a property owner within the territory to be annexed to waive the delayed annexation effective date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- How the three-year waiting period affects property being annexed
- History of statute language
- Measure would codify a decision of the Land Use Board of Appeals

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 222.750, known as the "island annexation statute," allows a city to annex a territory that is surrounded by the corporate boundaries of the city, or by the corporate boundaries of the city and the ocean shore, a river, creek, bay, lake, or Interstate Highway 5 following a properly noticed public hearing.

In 2007, the legislature passed House Bill 2760, which provided a three- to ten-year waiting period from the time a city decided to annex an "island" territory to the finalization of the annexation. The delayed annexation waiting period applied to property zoned for residential use that was also in residential use when a city initiated annexation.

House Bill 2577 A would clarify the type of property for which a city must provide a delayed effective date for an annexation decision. The measure would also allow a property owner to waive such a delay.