

SB 375 STAFF MEASURE SUMMARY

Senate Committee On Energy and Environment

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Meeting Dates: 3/9

WHAT THE MEASURE DOES:

Requires county to permit the establishment of a replacement dwelling for any lawful structure in any area zoned for exclusive farm use, if: (a) the structure was recognized as an existing dwelling in a final order issued under section 6, 7 or 9, chapter 424, Oregon Laws 2007 regardless of actual use, removal, demolition or nonexistence of the structure before, on or after the effective date of this 2021 Ac; (b) At no time after the final order and before the Act takes effect was the structure eligible for a replacement dwelling; and (c) the structure, if any, is removed, demolished or converted into an allowable nonresidential use within three months of the completion of the replacement dwelling. Authorizes county to condition the siting of a replacement dwelling in certain ways.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2004 Oregon voters approved Ballot Measure 37, which allowed some property owners to file a claim for compensation if regulations reduced their property value. In 2007, Oregon voters approved Ballot Measure 49, which modified Ballot Measure 37 “to ensure that Oregon law provides just compensation for unfair burdens while retaining Oregon’s protections for farm and forest uses and the state’s water resources.” Measure 49 created two types of claims, former Measure 37 claims and new Measure 49 claims.

Senate Bill 375 would allow a replacement dwelling for a structure that was considered a dwelling by a final order under Ballot Measure 49 (2007) claim.