

## A Notice Required by Ballot Measure 56 About Changes in State Law That May Affect Your Land HB 3171, HB 3326, HB 3924, SB 212, SB 928

The 2001 Legislative Assembly adopted HB 3171 (on 6/26/01), HB 3326 (on 7/2/01), HB 3924 (on 7/6/01), SB 212 (on 6/21/01) and SB 928 (on 6/19/01). Except for SB 212, these bills will take effect on January 1, 2002. Senate Bill 212 was adopted with an emergency clause and took effect upon passage (June 21, 2001). The Department of Land Conservation and Development has determined that enactment of these bills will affect the permissible uses of property in your jurisdiction and may reduce the value of the subject property.

Copies of HB 3171, HB 3326, HB 3924, SB 212 and SB 928 are available at no cost from the Office of Legislative Publications, Room 49, State Capitol, Salem OR 97310; telephone (503) 986-1180. You also may get copies of these bills or any other legislation from the Internet at [www.leg.state.or.us](http://www.leg.state.or.us), these bills are available for inspection at the Department of Land Conservation and Development, located at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301-2540.

For additional information, contact the Department of Land Conservation and Development at (503)373-0050, ext. 237. Thank you for your attention.



### *A few words of explanation to landowners who get this notice . .*

House Bills 3171, 3326, 3924 and Senate Bills 212 and 928 are laws passed by the 2001 Oregon Legislature that provide standards for the review and approval of certain allowed uses in Exclusive Farm Use (EFU) zones under ORS Chapter 215. Here is a brief summary statement for each law regarding what uses they affect.

**House Bill 3171** deals with year-round and seasonal farmworker housing. **House Bill 3326** deals with the creation of new parcels for nonfarm dwellings under ORS 215.263. **House Bill 3924** deals with farm stands and related promotional activities. **Senate Bill 212** deals with the land application of reclaimed water, agricultural or industrial process water or biosolids for agricultural, horticultural or silvicultural production. **Senate Bill 928** deals with guest ranches in conjunction with an existing and continuing livestock operation **only in eastern Oregon as defined in ORS 321.405.**

Ballot Measure 56 (passed by Oregon voters in 1998) requires a notice like the one on the front of this flyer to be mailed to landowners whose property will be affected by a change in state land-use laws (see ORS 197.047). The measure requires the same general wording in all notices, and that may cause some confusion. We hope the following explanation will help to clarify three main points of confusion.

### **1. *These Laws May or May Not Limit the Use of Your Land.***

Measure 56 requires notices such as the one in the box above. Under Measure 56, the notice must contain substantially the following language: “the Department of Land Conservation and Development (DLCD) has determined that the new laws will affect the permissible uses of property.” But Oregon has more than a million parcels of land, and many will not be affected by the laws described in this notice. We don’t know whether these laws will affect the use of *your* property. The laws only affect lands zoned for Exclusive Farm Use (EFU).

Measure 56 requires the Department of Land Conservation and Development to mail the above notice to all cities and counties. Local officials then must mail a copy of the notice to certain landowners whose property might be affected by the new law. But local governments often cannot know exactly whose property will be affected or how it will be affected. They may inadvertently send notices to some people whose land will not be affected. Your getting this notice does not necessarily mean that these laws will limit the use of your property. If you have questions about the regulations that apply to your land, please call your local planning department.

### **2. *These Laws May Not Affect the Value of Your Land.***

Measure 56 requires the notice to say that “DLCD has determined that the bills listed in this notice . . . may reduce the value of subject property.” But DLCD has no way to know whether, how, or when the law might affect the value of *your* property. In fact, these laws are most likely to either raise the value of certain EFU properties, or else they will have no affect at all on the property value.

### **3. *These Laws May Not Apply To Your Community.***

Measure 56 requires DLCD to send a notice like the one above to *all* cities and counties in Oregon whenever the Legislature passes certain types of land-use legislation. But the laws listed in this notice apply only to land zoned for Exclusive Farm Use (EFU) under ORS Chapter 215, so they probably do not affect land inside most cities. Local governments need to send a copy of this notice only to the owners of land affected by the laws listed, not to all landowners. Local officials with questions about how Measure 56 applies to their city or county should consult their local legal counsel.

<p style="text-align: center;"><b>DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT (DLCD)</b>  <b>635 Capitol Street NE, Salem OR 97301-2540 ☎ (503) 373-0050</b></p>
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