

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

FILED 1-14-16 10:43 AM ARCHIVES DIVISION SECRETARY OF STATE

Land Conservation and Development Department Agency and Division	660 Administrative Rules Chapter Number
Casaria Taylor	(503) 373-0050, ext. 322
Rules Coordinator	Telephone
Land Conservation and Development Department, 635 Capitol St. NE, Suite 150, Salem, OR 97301	
Address	

RULE CAPTION

Conform rules to Oregon Laws 2015, chapter 104 and update a data source

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
3-10-16	8:00 a.m.	Curry County Event Center, 29392 Ellensburg Ave., Gold Beach, OR	LCDC

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:
660-033-0020
660-033-0030
660-033-0100 (Agricultural Lands)

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:
ORS 197.040

Other Authority:
Statewide Planning Goals (OAR chapter 660, division 15)

Statutes Implemented:
ORS 197.065, 215.263, 215.265, 215.780, 215.783, and Oregon Laws 2015, chapter 104, section 3

RULE SUMMARY

The proposed amendments will modify rules to conform to Oregon Laws 2015, chapter 104 regarding parcels split by urban growth boundaries (HB 2457) and to update the Natural Resources Conservation Service (NRCS) data source to reflect the most recent federal update.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

03-10-2016 Close of Hearing	Casaria Taylor	casaria.taylor@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

FILED
1-14-16 10:43 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Land Conservation and Development Department
Agency and Division

660
Administrative Rules Chapter Number

Conform rules to Oregon Laws 2015, chapter 104 and update a data source

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Changes to conform rules to Oregon Laws 2015, chapter 104, regarding parcels split by urban growth boundaries (HB 2457) and to update the Natural Resources Conservation Service (NRCS) data source to reflect the most recent federal update.

Statutory Authority:

ORS 197.040

Other Authority:

Statewide Planning Goals (OAR chapter 660, division 15)

Statutes Implemented:

ORS 197.065, 215.263, 215.265, 215.780, 215.783, and Oregon Laws 2015, chapter 104, section 3

Need for the Rule(s):

The need for and objectives of the rule amendments are to achieve conformance with Oregon Laws 2015, chapter 104 and to update the Natural Resources Conservation Service (NRCS) data source to reflect the most recent federal update.

Documents Relied Upon, and where they are available:

Oregon Laws 2015, chapter 104, ORS chapters 197 and 215; Statewide Planning Goal 3; OAR chapter 660, division 33. These documents are available on the agency's website at <http://www.oregon.gov/lcd/pages/index.aspx> or by contacting Casaria Taylor at the Department of Land Conservation and Development, 503-934-0065.

Fiscal and Economic Impact:

The Oregon Laws 2015, chapter 104 changes allow landowners to sell or develop portions of parcels within urban growth boundaries that previously were difficult to sell or develop. The data source update has no fiscal or economic impacts because it simply updates a data source for which there is no alternative applicable data.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The Oregon Laws 2015, chapter 104 changes do not affect state agencies and require only minor zone changes at the local level.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

Oregon Laws 2015, chapter 104 may generate some additional development potential for a handful of small businesses associated with development.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

Oregon Laws 2015, chapter 104 and the data source update require minor amendments associated with a technical zone change.

c. Equipment, supplies, labor and increased administration required for compliance:

Neither Oregon Laws 2015, chapter 104 nor the data update will affect the need for these resources.

How were small businesses involved in the development of this rule?

They were not involved as all amendments are either to conform with recent legislation or make a minor update.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

No, as all amendments are to conform with recent legislation or make a minor update.

<u>03-10-2016 Close of Hearing</u>	<u>Casaria Taylor</u>	<u>casaria.taylor@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

ARC 925-2007

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534) FOR ADMINISTRATIVE RULES

AGENCY NAME:

Department of Land Conservation and Development

ADDRESS: 635 Capitol Street NE, Suite 150

CITY/STATE: Salem, Oregon 97301

PHONE: (503) 373-0050, ext 229

PERMANENT:

TEMPORARY:

HEARING DATES: March 10, 2016

EFFECTIVE DATE: April 1, 2016

BELOW PLEASE PROVIDE A DESCRIPTION OF THE ESTIMATED SAVINGS OR ADDITIONAL COSTS THAT WILL RESULT FROM THIS PROPOSED CHANGE.

PROVIDE A BRIEF EXPLANATION OF HOW THE COST OR SAVINGS ESTIMATE WAS DETERMINED.
IDENTIFY HOW CHANGE IMPACTS COSTS IN CATEGORIES SPECIFIED

Description of proposed change: (Please attach any draft or permanent rule or ordinance)

Changes to conform exclusive farm use rules to Oregon Laws 2015, chapter 104 regarding parcels split by urban growth boundaries and update to a data source.

Description of the need for, and objectives of the rule:

The need for and objectives of the rule amendments are to achieve conformance with Oregon Laws 2015, chapter 104 and update a data source.

List of rules adopted or amended:

OAR 660-033-0020, 660-033-0030 and 660-033-0100 (Agricultural Lands)

Materials and labor costs increase or savings:

None

Estimated administrative, construction or other costs increase or savings:

None

Land costs increase or savings:

None

Other costs increase or savings:

*Typical-Single story 3 bedrooms, 1 ½ bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

PREPARERS NAME:Katherine Daniels **EMAIL ADDRESS:**katherine.daniels@state.or.us



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

February 4, 2015

TO: Oregon Legislators

FROM: Jim Rue, Director,
Department of Land Conservation and Development (DLCD)

SUBJECT: Notice of Proposed Amended Rules

The Land Conservation and Development Commission (LCDC) is considering adoption of amendments to existing rules that are minor and technical to conform to Oregon Laws 2015, chapter 104 and to update a data source within those rules.

The Department of Land Conservation and Development (DLCD) is soliciting public comment regarding the proposed rule amendments. The changes to the existing rules will be provided by amended rules under OAR 660-033-0020, 0030, and 0100 (Agricultural Lands).

A draft of the proposed rules and other notices and fiscal statements will be available February 29, 2016, on DLCD's website at <http://www.oregon.gov/LCD/Pages/rulemaking.aspx>.

LCDC will hold a public hearing for this rulemaking and may adopt the amended rules on March 10, 2016. Interested persons may provide oral and written testimony to LCDC at the hearing regarding the proposed rule amendments. The public is encouraged to send written comments in advance of the hearing. Oral and written testimony will be accepted until the close of the hearing. The hearing on this topic is scheduled to begin at 8:00a.m. on March 10, 2016 at Curry County Event Center, 29392 Ellensburg Ave., Gold Beach, Oregon.

Address written comments to the Chair of the Land Conservation and Development Commission, care of Amie Abbott at the department's address above, or email comments to amie.abbott@state.or.us. Fax comments to 503-378-5518. If you have questions about the proposed rule amendments, contact Sadie Carney at 503-934-0036, or email: sadie.carney@state.or.us.

To obtain copies of the proposed rule amendments and related information by mail, email or fax, please contact Casaria Taylor at 503-934-0065 or casaria.taylor@state.or.us. The agenda for LCDC's February 29, 2016, meeting will be available on DLCD's website at <http://www.oregon.gov/LCD/Pages/meetings.aspx>

Enclosures



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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