

# Landowner Notification

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# Landowner Notification

## C.1. Purpose, Statutory Basis, Goals

### **Purpose**

Ballot Measure 56 requires local governments to mail individual notices to landowners about two types of land-use actions:

- When the governing body changes the base zoning classification of property; and
- When it adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone.

The measure was referred to voters by the 1997 Legislature as HB 2515 and became effective on Dec. 3, 1998.

### **Key Statutes**

- ORS 215.503
- ORS 227.186

### **Key Goal**

#### **DLCD Strategic Goal 4: Build Workforce Excellence and Improve Service**

Performance Measures

- Customer satisfaction measure placeholder pending DAS guidance.

## C.2. How are services delivered and to whom?

The landowner notification program has the lead responsibility for ensuring that local jurisdictions are notified of new or amended rules or statutes and for reimbursing them for costs of providing notices as allowed under statute.

- DLCD notifies local jurisdictions of a new or amended administrative rule or statute that limits or prohibits uses previously allowed.
- Cities and counties provide individual written notice to landowners when a new or amended zoning ordinance is proposed that will limit or prohibit use of the landowner property.

- The state reimburses local governments for the notification costs under certain conditions.
- The department also pays for legal assistance from the Department of Justice to interpret the measure's wording.

As of Dec. 31, 2004, the department has:

- Coordinated and processed 25 reimbursement requests;
- Answered about 150 phone calls;
- Updated and distributed reimbursement forms and instructions to local jurisdictions;
- Updated and distributed information to local governments and the public about the measure and its requirements for the state, cities and counties;
- Maintained an electronic time-cost accounting system to track staff work hours on the measure project; and
- Monitored accounts payable and made payments to jurisdictions.

### **C.3. Performance Measures**

None.

### **C.4. Factors Affecting Services**

- Reduction in funding for reimbursements
- Reduction from one full-time equivalent staff position to .52 of a full-time equivalent staff position

### **C.5. Involvement in Interagency and Intergovernmental Programs**

None.

### **C.6. Revenue Sources**

#### **GENERAL FUND**

There are no fees associated with this budget unit.

## C.7. Historical Expenditures and the Governor's Recommended Budget

	General Fund	Federal Funds	Other Funds	All Funds
2001-2003 Actuals	204,892			204,892
2003-05 Estimates	268,654			268,654
2005-2007 GRB	270,065			270,065

## C.8. Program Growth or Reduction

The Landowner Notification program is a fairly new program (Dec. 3, 1998). Historically, DLCDC services and reimbursements have stayed at about the same level due to the changing nature of land-use policy and statutes. Many factors affect this program's costs. As a result of Measure 7 (in 2000), reimbursements for the 2001-03 biennia were lower than previous biennia. It is anticipated with the recent passage of Measure 37, future reimbursements levels will remain the same level as current biennia levels.

Local governments determine which landowners in their jurisdictions are affected by each change of law and mail copies of the required notice to those landowners. Reimbursement costs vary with the number of notices mailed by the local government and with the availability of local resources and local costs for creating the notice for mailing.

DLCDC's experience with the program continues to indicate that the average cost of mailing one notice to one landowner is about \$1.00.

## C.9. Essential Packages

Essential packages maintain department services at the present level.

**Package 010, Non-PICS Personal Services Adjustments**

Increase of \$1800 for pension bond contributions

**Package 030, Inflation/Price List Adjustments**

Increase of \$8,180 in General Fund

## **C.10. Proposed 10% Reduction of Governor's Recommended Budget**

None.

## **C.11. Governor's Proposed Budget Reductions**

None.

## **C.12. Reductions Submitted to the Legislative Fiscal Office but Not in the Governor's Recommended Budget**

### **Prioritization list:**

\$29,579 total funds proposed reduction as follows:

- Reduce special payments providing reimbursement to local governments by \$29,579 General Fund

## **C.13. Policy Packages**

None

## **C.14. Facilities**

DLCD does not own or manage facilities.

## **C.15. Budget Notes from 2003**

None

## **C.16. Audits**

No audits were performed.