

A Notice Required by Ballot Measure 56 About Changes in State Law That May Affect Your Land SB 12

On July 24, 1999, Oregon's Legislative Assembly adopted Senate Bill 12. The bill will take effect on October 23, 1999. The Department of Land Conservation and Development has determined that enactment of Senate Bill 12 may affect the permissible uses of property in your jurisdiction and may reduce the value of subject property.

Senate Bill 12 is available for inspection at the Department of Land Conservation and Development, located at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301-2540. You also may get copies of Senate Bill 12 or any other legislation from the Internet at *gopher://gopher.leg.state.or.us*. Copies of any bill are available at no cost from the Office of Legislative Publications, Room 49, State Capitol, Salem OR 97310; telephone (503) 986-1180.

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 . . .

Senate Bill 12 is a law passed by the 1999 Oregon Legislature to deal with rapidly moving landslides. The bill requires certain state agencies and local governments throughout Oregon to take steps to protect people and property from such landslides. It calls for two main steps. The first is for state and local officials to map places in Oregon where rapidly moving landslides are likely to occur. The next step is to write local ordinances to control development in the mapped areas. All of that work will take several years. After it's done, the resulting ordinances may limit or prohibit development on certain pieces of property. Your property could be one of them -- but please read on.

Ballot Measure 56 (passed by Oregon's voters last fall) requires notices like the one above to be mailed to landowners whose property will be affected by a change in state land-use laws. The measure requires the same general wording in all notices, and that may cause some confusion. We hope the explanation on the next page will help to clarify three main points of confusion.

Please turn to next page . . . 

1. Senate Bill 12 May Not Limit the Use of Your Land.

Measure 56 requires notices such as the one in the box above to say that the Department of Land Conservation and Development (DLCD) has determined that the new law (Senate Bill 12, in this case) may “affect the permissible uses of property.” But Oregon has more than a million parcels of land. Senate Bill 12 requires extensive mapping to be done to identify which of those parcels are most likely to experience rapidly moving landslides. Until the mapping is finished, no one can really say just which parcels will be affected by Senate Bill 12. The bill probably won’t affect your property unless your land has steep slopes that can be developed.

Measure 56 requires the Department of Land Conservation and Development to mail the above notice to all local governments. 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 Senate Bill 12 will affect your property. If you have questions about the regulations that currently apply to your land, please call your local planning department. Their staff will be able to tell you what regulations are now in effect. They also may be able to tell you whether they expect to start applying Senate Bill 12 during the next few years.

2. Senate Bill 12 May Not Affect the Value of Your Land.

Measure 56 requires the notice to say DLCD has determined that Senate Bill 12 “. . . may reduce the value of subject property.” But DLCD has no way to know whether, how, or when the bill might affect the value of *your* property. It’s likely to increase the value of a few properties, decrease the value of a few others, and have no effect at all on the value of most.

3. Senate Bill 12 May Not Affect 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 Senate Bill 12 will apply only to communities with the potential to have rapidly moving landslides. Cities and counties not affected by the bill need not mail this notice to any landowners. Local officials with questions about how Measure 56 applies to their city or county should consult their local legal counsel.

If you have questions, call your local planner.

If you have questions about whether and how Senate Bill 12 will apply to your community or to your land, please contact your local planning department. □

Department of Land Conservation and Development (DLCD)
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