

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.
11-2-23-17

IN THE MATTER OF ADOPTING POSITIONS ON
LEGISLATIVE ISSUES DURING THE 76TH
LEGISLATIVE SESSION

WHEREAS, Lane County has a keen interest in state legislative activities, and;

WHEREAS, Lane County Government employs an Intergovernmental Relations Manager for the purpose of advocating on behalf of Lane County government at the Oregon Legislature, and;

WHEREAS, the Lane County Board of County Commissioners wishes to communicate their positions on legislative issues to the public and other elected officials, and;

WHEREAS, the Legislative Committee is the established standing committee which exists to fully inform the Lane County Board of Commissioners in a timely fashion on legislative issues, and;

WHEREAS, it has previously been resolved that the Legislative Committee will forward its recommendations to the Board of County Commissioners for final approval by the Board of County Commissioners on an as-necessary basis.

NOW, THEREFORE, be it resolved that the Lane County Board agrees to the position illustrated in Attachment A, and;

BE IT FURTHER RESOLVED, that this Board Order will officially represent the will of the Board of County Commissioners and may be used by the Intergovernmental Relations Manager to communicate their position to Oregon legislators during the 76th Legislative session.

DATED this 23rd day of February, 2011



Faye Stewart, Chair
Lane County Board of Commissioners

ATTACHMENT A

Lane County, Oregon

Board of County Commissioners

Spreadsheet for Legislative Review

76th Oregon Legislative Assembly

16-Feb-11

Item	How	Bill #	Depar	Recommendation	Sponsor	Bill Summary	Staff Analysis
1)	HB	3280	PW	Support	Rep Holvey, Sen Prozanski	Modifies authority for establishment of winery and for winery sales and services in exclusive farm use zone.	<p>Will clarify that wineries over a certain size will be allowed to have a full service restaurant. Addresses the problem being faced by King Estate. Some people might think that it doesn't go far enough in discussing statewide commercial farm use issues. Instead is specific to wineries. However, this could be a good thing to limit the interested parties.</p> <p>Right now, King Estate land use decision is on appeal. Since it will almost certainly be appealed again and the Board would then become the decision-making body, would taking a position on HB 3280 possibly jeopardize the ability of the Board to be impartial when making the decision on the appeal?</p> <p>AOC created an interim task force on use of farm land that stemmed from activities primarily occurring at wineries, which were being handled somewhat differently from county to county. The Task Force issued a final report, and HB 2341 is the vehicle that proposes to implement the findings. In making the rounds to our delegation, some of them wanted to know if this bill would make the King Estate issue go more smoothly.</p> <p>The intent of HB 2341 is to do just that through language that would allow commercial activities to occur as long as they are subordinate to the primary use. Those commercial activities would occur through a conditional land use permit. Unfortunately, the bill came out of Legislative Counsel needing a lot of work. And, the news of the appeal on the King Estate permit, plus the letters submitted to the hearings official from DLCD and Ag, caused Sen Prozanski and Rep Holvey to draft and introduce HB 3280. This bill would make a restaurant an outright allowable use for wineries that are super large (and not currently identified by statute). It is being termed a "third tier" wineries bill.</p> <p>There are a number of folks interested in this bill...several commissioners and the attorney for King Estate. It has not yet been scheduled for any kind of hearing. It is my understanding that the wine industry is fragmented when it comes to this kind of thing, so the bill is not a slam dunk.</p> <p>I have additionally hard that the work continues to ensure that when HB 2341 comes out of counsel, it will clearly create a path for a conditional use permit. At this point, HB 2341 has at least conceptual buy in from the agencies, from the farm bureau, and from wineries for the most part.</p> <p>The difference here is that Floyd and Paul think that if a small winery can have limited sales as an outright use, why shouldn't a larger winery have an outright use as well. The conditional use permit process is expensive, they argue, and puts large wineries into a process dissimilar than a small winery.</p>