

# Senate Bill 792

Sponsored by Senator TELFER, Representative WHISNANT; Senators BOQUIST, FERRIOLI, GEORGE, GIROD, MORSE, OLSEN, STARR, THOMSEN, WHITSETT, Representative CONGER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes local governments to enter into cooperative agreements to plan for regional economic development and designate sites that are suitable for development of employment opportunities.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to planning use of land for development of employment opportunities; and declaring an  
3 emergency.

4 Whereas Oregon needs a reliable supply of competitive sites to attract employment and invest-  
5 ment; and

6 Whereas the need for the sites is of statewide strategic importance and represents an external  
7 demand for land to be developed for employment opportunities that is not predictable by reference  
8 to the local, coordinated population and employment forecasts but is more directly related to  
9 infrastructure funding and regulatory streamlining; and

10 Whereas development on the sites contributes so significantly to the state's economy, job base  
11 and ability to provide services that focused regulatory relief is a wise investment; and

12 Whereas cooperative regional economic development plans offer an effective way to identify  
13 suitable high-value employment sites and to direct that public investment toward workforce devel-  
14 opment and infrastructure; and

15 Whereas methods are needed to plan and prioritize high-value employment sites, provide  
16 infrastructure, protect the sites for their intended use and prevent excessive supply; and

17 Whereas informed public participation is necessary at the local level where the benefits and  
18 burdens of development have local impacts; and

19 Whereas the employment-related land planning projects of several local governments have been  
20 stopped or stalled by judicial review of technical flaws and lack of a clear state policy to provide  
21 a strategic supply of high-value employment sites; and

22 Whereas certain counties and cities in central Oregon are expected to complete a high-value  
23 employment land and large-lot industrial needs and strategy planning project by June 2011; now,  
24 therefore,

25 **Be It Enacted by the People of the State of Oregon:**

### **SECTION 1. (1) As used in this section:**

26  
27 **(a) "High-value employment site" means a site planned and zoned for development of**  
28 **employment opportunities.**

29 **(b) "Qualifying regional economic development plan" means a component of a compre-**  
30 **hensive plan or land use regulations that establishes a process and standards for the desig-**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 nation and maintenance of a strategic supply of high-value employment sites.

2 (2) The governing bodies of two or more local governments representing contiguous  
3 counties and a majority of the cities in the participating counties may adopt a qualifying  
4 regional economic development plan.

5 (3) A qualifying regional economic development plan must:

6 (a) Provide for extensive public outreach.

7 (b) Provide for coordination of investments in public facilities and services among the  
8 participating local governments.

9 (c) Provide a mechanism to identify and compare characteristics of high-value employ-  
10 ment sites.

11 (d) Provide for a maximum number of high-value employment sites based on an  
12 infrastructure financing plan.

13 (e) Prohibit conversion of the high-value employment sites to another use.

14 (f) Emphasize infrastructure finance planning to provide high-value employment sites  
15 that are ready for development of employment opportunities.

16 (g) Provide a mechanism to designate sites and replace designated sites as the sites are  
17 developed.

18 (h) Provide a mechanism to cooperatively set and keep regional priorities when request-  
19 ing state or federal funding or regulatory relief.

20 (i) Prohibit residential and retail development on high-value employment sites, except as  
21 provided by exceptions identified in the qualifying regional economic development plan.

22 (4) A qualifying regional economic development plan may include all or part of the ge-  
23 ographic area of the participating counties according to the purpose and scope of the quali-  
24 fying regional economic development plan.

25 (5) High-value employment sites:

26 (a) Are deemed to comply with a statewide land use planning goal relating to urbanization  
27 and the requirements for locally demonstrated need and location criteria, including demon-  
28 strations of consistency with coordinated 20-year population forecasts under ORS 195.036,  
29 historic trend-based employment forecasts and land priority; and

30 (b) Must have public facilities and services in place or be supported by a feasible  
31 infrastructure financing plan that is coordinated with the infrastructure financing plans of  
32 other local governments that are participants in the qualifying regional economic develop-  
33 ment plan.

34 (6) If zoned, developed and managed to meet the requirements of the qualifying regional  
35 economic development plan, a high-value employment site is exempt from the access man-  
36 agement and mobility standards required by a rule adopted or enforced by the Land Conser-  
37 vation and Development Commission requiring local governments to ensure or assure that  
38 a land use allowed under an acknowledged comprehensive plan, functional plan or land use  
39 regulation that significantly affects transportation facilities is consistent with the function,  
40 capacity or performance standards of the transportation facilities.

41 (7) Local governments may:

42 (a) Plan and designate for urban development high-value employment sites in a manner  
43 and quantity determined by a qualifying regional economic development plan.

44 (b) Designate high-value employment sites as urban reserves pursuant to ORS 195.145.

45 (8) The Oregon Business Development Department shall:

1       **(a) Determine the quantity and characteristics of high-value employment sites needed**  
2 **within an area described in a qualifying regional economic development plan to provide a**  
3 **strategic supply sufficient to meet regional economic development objectives.**

4       **(b) Encourage, establish or participate in public or private partnerships to move high-**  
5 **value employment sites from the planning phase to infrastructure development and the de-**  
6 **velopment of employment opportunities.**

7       **(c) Provide assistance to local governments seeking to comply with this subsection, in-**  
8 **cluding, but not limited to, assistance related to jurisdictional lines, watersheds, transpor-**  
9 **tation corridors, supply chains and proximity to research institutions.**

10       **SECTION 2.** **(1) The Department of Land Conservation and Development shall adopt**  
11 **changes to the statewide land use planning goals and to rules to conform to the requirements**  
12 **of section 1 of this 2011 Act within one year after the effective date of this 2011 Act.**

13       **(2) The Department of Land Conservation and Development and the Department of**  
14 **Transportation shall coordinate to adopt changes to the statewide land use planning goal**  
15 **related to transportation planning and to rules implementing the goal to conform the goal**  
16 **and rules to the requirements of section 1 of this 2011 Act within one year after the effective**  
17 **date of this 2011 Act.**

18       **SECTION 3.** **This 2011 Act being necessary for the immediate preservation of the public**  
19 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
20 **on its passage.**

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