

SENATE AMENDMENTS TO SENATE BILL 792

By COMMITTEE ON BUSINESS, TRANSPORTATION AND ECONOMIC DEVELOPMENT

April 28

1 On page 1 of the printed bill, delete lines 4 through 24 and insert:

2 “Whereas Oregon needs a reliable supply of large-lot, high-value employment sites to attract
3 investment and create jobs for Oregonians and to be competitive for employment projects on a re-
4 gional, national and global scale; and

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

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

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

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

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

18 “Whereas certain counties and cities in central Oregon are expected to complete a high-value
19 employment land and large-lot industrial needs and strategy planning project as a pilot project by
20 June 2011; and

21 “Whereas expansions of urban areas undertaken by local governments in central Oregon to ad-
22 dress buildable urban land needs seldom, if ever, adversely impact high-value, productive agricul-
23 tural lands and farming activities; and

24 “Whereas agricultural lands with irrigation water rights typically are not appropriate for
25 inclusion within an urban growth boundary or are not eligible or acceptable candidates for com-
26 prehensive plan and zoning map amendments and redesignation; and

27 “Whereas high-value, productive agricultural lands are not at risk as a result of this 2011 Act
28 because lands in central Oregon cannot produce high-value or commercially viable crops without
29 irrigation water rights; and

30 “Whereas central Oregon is one of the most economically distressed regions in Oregon; now,
31 therefore,”

32 Delete lines 26 through 30 and delete pages 2 and 3 and insert:

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

34 “(a) ‘High-value employment site’ means a site planned and zoned for development of
35 employment opportunities that fills all or part of a demonstrated regional and statewide need

1 identified in a qualifying regional economic opportunity plan.

2 “(b) ‘Qualifying regional economic opportunity plan’ means a component of a compre-
3 hensive plan or land use regulations that establishes a process and standards for the desig-
4 nation and maintenance of a strategic supply of high-value employment sites.

5 “(2) A qualifying regional economic opportunity 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 that can be desig-
12 nated for urban development based on a viable infrastructure financing plan.

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

14 “(f) Include viable regional infrastructure finance planning so that high-value employ-
15 ment sites are ready for development of employment opportunities.

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

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

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

22 “(3) A qualifying regional economic opportunity 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 opportunity plan.

25 “(4) High-value employment sites:

26 “(a) Are deemed to comply with a statewide land use planning goal relating to
27 urbanization and the requirements for locally demonstrated need and location criteria, in-
28 cluding demonstrations of consistency with coordinated 20-year population forecasts under
29 ORS 195.036, historic trend-based employment forecasts and land priority, if regional and
30 statewide need and location criteria are provided for in the qualifying economic opportunity
31 plan; and

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

36 “(5) A high-value employment site is exempt from the access management and mobility
37 standards required by a rule adopted or enforced by the Land Conservation and Development
38 Commission requiring local governments to ensure or assure that a land use allowed under
39 an acknowledged comprehensive plan, functional plan or land use regulation that signif-
40 icantly affects transportation facilities is consistent with the function, capacity or perform-
41 ance standards of the transportation facilities.

42 “(6) Local governments in Crook, Deschutes and Jefferson Counties may:

43 “(a) Plan and designate high-value employment sites for urban development in a manner
44 and quantity determined by the qualifying regional economic opportunity plan. The local
45 governments must prohibit development of residential or retail uses except as authorized by

1 exemptions identified in the qualifying regional economic opportunity plan.

2 “(b) Designate high-value employment sites as urban reserves pursuant to ORS 195.145
3 as provided for in the qualifying regional economic opportunity plan.

4 “(7) The Oregon Business Development Department shall:

5 “(a) Encourage, establish or participate in public or private partnerships to move high-
6 value employment sites identified in the qualifying regional economic opportunity plan from
7 the planning phase to infrastructure development and the development of employment op-
8 portunities.

9 “(b) Provide assistance to local governments seeking to comply with this subsection, in-
10 cluding, but not limited to, assistance related to strategic supply need, jurisdictional lines,
11 watersheds, transportation corridors, supply chains and proximity to research institutions.

12 “SECTION 2. (1) The Department of Land Conservation and Development shall adopt
13 changes to the statewide land use planning goals and to rules as necessary to enable the
14 requirements of section 1 of this 2011 Act within one year after the effective date of this 2011
15 Act. The rules must:

16 “(a) Provide a reliable and efficient means for a local government to implement a quali-
17 fying regional economic opportunity plan.

18 “(b) Provide a reliable and efficient means for a local government to implement the plan
19 policies of a qualifying regional economic opportunity plan.

20 “(c) Provide a local government with incentives to implement a qualifying regional eco-
21 nomic opportunity plan, including but not limited to regulatory relief of land use and trans-
22 portation planning requirements.

23 “(2) The Department of Land Conservation and Development and the Department of
24 Transportation shall coordinate to adopt changes to the statewide land use planning goal
25 related to transportation planning and to rules implementing the goal as necessary to enable
26 the goal and rules to meet the requirements of section 1 of this 2011 Act within one year
27 after the effective date of this 2011 Act.

28 “SECTION 3. This 2011 Act being necessary for the immediate preservation of the public
29 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
30 on its passage.”.

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