

**Enrolled**  
**Senate Bill 1544**

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CHAPTER .....

AN ACT

Relating to economic development; and declaring an emergency.

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

Whereas the City of Redmond contains a developable site of approximately 465 acres that is unique in this state, in that it is a large site that can be served readily with infrastructure, is adjacent to the city's employment and industrial lands, is adjacent to Oregon Route 126 and is close to the Redmond airport; and

Whereas the need for the site is of statewide strategic economic development importance; and

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

Whereas this property was zoned industrial in the original comprehensive plan for the city; and

Whereas the city zoned the site Open Space Park Reserve in 1980 at the request of Deschutes County for a fairgrounds project; and

Whereas Deschutes County relocated the fairgrounds project to another site, and the city has been trying to restore the industrial zoning on the site since 2000; and

Whereas the city has adopted a framework plan for the site that identifies industrial zoning and service commercial zoning; and

Whereas the city is not able to rezone the property to support economic development opportunities because of constraints associated with the ability to fund transportation system improvements identified through compliance with administrative rules adopted to implement a statewide land use planning goal related to transportation planning and other transportation-related regulations; and

Whereas resources have not been identified on the property that must be inventoried under a statewide land use planning goal related to protection of natural resources and conservation of scenic and historic areas and open spaces; and

Whereas the city has determined that phased transportation improvements to mitigate traffic impacts associated with development of the high-value employment site are reasonable; and

Whereas the site is a unique site that was previously reserved for industrial opportunities; and

Whereas the site could be leveraged for regional, national and global recruitment opportunities; and

Whereas the city recognizes that rezoning and development of the site may result in additional motor vehicle traffic congestion on transportation facilities and that other providers of transporta-

tion facilities would not be expected to provide additional capacity for motor vehicles in response to the congestion; now, therefore,

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

**SECTION 1.** (1) As used in this section, “Southeast Redmond Employment Site” means the approximately 465 acres of real property that are located within the City of Redmond and:

(a) Are bounded roughly on the north by East Antler Avenue between Southeast 9th Street and Southeast 17th Street and the coterminous city limit and urban growth boundary, on the east by Southeast 17th Street and the coterminous city limit and urban growth boundary, on the south by Oregon Route 126 and on the west by Southeast 9th Street;

(b) Can be identified as tax lots 1513150000100, 1513150000101 and 1513150000102 and that portion of 1513000000103 lying within section 14 and located within the city on the effective date of this 2012 Act; and

(c) Are zoned under the Redmond Comprehensive Plan as Open Space Park Reserve.

(2) Notwithstanding a statewide land use planning goal related to transportation planning and administrative rules that implement the goal, and for the purpose of facilitating the development of the Southeast Redmond Employment Site, the city may adopt changes to the Redmond Comprehensive Plan and Zone Map to implement the Eastside Framework Plan adopted by the governing body of the city on December 9, 2008, without determining whether the change will have a significant effect on existing or planned transportation facilities.

(3) If the city adopts changes authorized by subsection (2) of this section:

(a) The city shall adopt a zoning designation or zoning overlay that restricts retail commercial activities allowed on the site to activities that:

(A) Are necessary to support the planned employment uses;

(B) Are not large-scale retail commercial activities, as that term is used in the land use regulations of the city; or

(C) Help contain overall trips within the site.

(b) The city shall adopt provisions to maintain in the site at least one lot or parcel, as those terms are defined in ORS 92.010, of at least 50 acres and shall plan and zone the lot or parcel for industrial or traded-sector employment use.

(c) Subject to subsection (4) of this section, the city shall address the transportation impacts for the Southeast Redmond Employment Site by entering into an agreement with other providers of transportation facilities, including but not limited to the Department of Transportation, to plan for transportation improvements appropriate to accommodate the amount and types of traffic projected to be generated by development within the Southeast Redmond Employment Site.

(d) Within four months after the city and the department have signed the agreement required by this section, the department shall establish an alternative mobility target for the state highways within the affected area that results from implementation of the agreement. By establishing an alternative mobility target, the department does not preclude modifying the target by agreement between the city and the department as a result of a future update to the Transportation System Plan, a comprehensive corridor planning approach, including the Trip 97 Study, or another system planning process. Other providers of transportation facilities may be parties to the agreement.

(4)(a) The city and the department must negotiate and enter into the agreement required by this section within six months after the city completes the planned update of the site Transportation Impact Analysis and submits the results to the department.

(b) The agreement must:

(A) Identify and list planned transportation improvements and contain a description of the anticipated timing and financial responsibility for funding the improvements; and

- (B) Be adopted as part of the Transportation System Plan of the city.
- (c) The transportation improvements in the agreement must be based on practical design principles and may be funded with existing and planned transportation funding sources available to the city within the planning horizon.
- (d) In the agreement required by this section:
  - (A) The city must acknowledge that the full impacts of the proposed land use action to the transportation system may not be fully accommodated by the transportation improvements contained in the agreement required under this section and that the department may not be responsible for funding additional transportation improvements to reduce motor vehicle traffic congestion that may occur due to the development of the Southeast Redmond Employment Site; and
  - (B) The department must acknowledge that the transportation improvements identified in the agreement may not be sufficient to meet the Highway Mobility Targets of the department as described in the Oregon Highway Plan.
  - (e) If the city and the department cannot negotiate an agreement within six months, the city shall construct mitigation described in the planned update to the Transportation Impact Analysis of the city.

**SECTION 2.** Section 1 of this 2012 Act is repealed on January 2, 2015.

**SECTION 3.** This 2012 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect on its passage.

Passed by Senate February 13, 2012

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 Robert Taylor, Secretary of Senate  
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 Peter Courtney, President of Senate

Received by Governor:

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Approved:

.....M,....., 2012

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 John Kitzhaber, Governor

Passed by House February 23, 2012

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 Bruce Hanna, Speaker of House  
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 Arnie Roblan, Speaker of House

Filed in Office of Secretary of State:

.....M,....., 2012

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 Kate Brown, Secretary of State