

Senate Bill 250

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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 government required to have urban growth boundary to include land within boundary when inclusion of land is consistent with local economic development projections and public facilities plans.

A BILL FOR AN ACT

Relating to planning for industrial uses; amending ORS 197.712.

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

SECTION 1. ORS 197.712 is amended to read:

197.712. (1) In addition to the findings and policies set forth in ORS 197.005, 197.010 and 215.243, the Legislative Assembly finds and declares that, in carrying out statewide comprehensive land use planning, the provision of adequate opportunities for a variety of economic activities throughout the state is vital to the health, welfare and prosperity of all the people of the state.

[(2) By the adoption of new goals or rules, or the application, interpretation or amendment of existing goals or rules, the Land Conservation and Development Commission shall implement all of the following:]

[(a)] **(2)** Comprehensive plans *[shall]* **must:**

(a) Include an analysis of the community's economic patterns, potentialities, strengths and deficiencies as they relate to state and national trends.

(b) *[Comprehensive plans shall]* Contain policies concerning the economic development opportunities in the community.

[(c)] **(3)** Comprehensive plans and land use regulations *[shall]* **must:**

(a) Provide for at least an adequate supply of sites of suitable sizes, types, locations and service levels for industrial and commercial uses consistent with plan policies.

[(d)] **(b)** *[Comprehensive plans and land use regulations shall]* Provide for compatible uses on or near sites zoned for specific industrial and commercial uses.

(4) Pursuant to this subsection and notwithstanding provisions of a statewide land use planning goal related to urbanization that requires demonstrated need to accommodate long-range urban population or demonstrated need for employment opportunities, a local government that is required to have an urban growth boundary may include land within its urban growth boundary and plan and zone the land for industrial use when the inclusion of land is consistent with:

(a) Economic development projections of the local government that take into account:

(A) The economic base and the availability and suitability of land within its jurisdiction to support economic growth and activity;

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 **(B) The cost and availability of materials and energy resources;**

2 **(C) The labor market;**

3 **(D) The availability of educational and technical training programs and other resources**
 4 **that support economic growth and activity;**

5 **(E) The location of the land relative to markets; and**

6 **(F) Other local, regional, national and international factors affecting economic growth**
 7 **and activity.**

8 **(b) The public facilities plan developed under subsection (6) of this section.**

9 **(5) Land included within an urban growth boundary pursuant to subsection (4) of this**
 10 **section must be planned and zoned for industrial uses and may not be rezoned to a nonin-**
 11 **dustrial zoning classification within 10 years after the land is included within the urban**
 12 **growth boundary pursuant to subsection (4) of this section.**

13 [e] **(6)** A city or county shall develop and adopt a public facility plan for areas within an urban
 14 growth boundary containing a population greater than 2,500 persons. The public facility plan shall
 15 include rough cost estimates for public projects needed to provide sewer, water and transportation
 16 for the land uses contemplated in the comprehensive plan and land use regulations. Project timing
 17 and financing provisions of public facility plans shall not be considered land use decisions.

18 [f] **(7)** In accordance with ORS 197.180, state agencies that provide funding for transportation,
 19 water supply, sewage and solid waste facilities shall identify in their coordination programs how
 20 they will coordinate that funding with other state agencies and with the public facility plans of
 21 cities and counties. In addition, state agencies that issue permits affecting land use shall identify in
 22 their coordination programs how they will coordinate permit issuance with other state agencies and
 23 cities and counties.

24 [g] **(8)** Local governments shall provide:

25 [A] **(a)** Reasonable opportunities to satisfy local and rural needs for residential and industrial
 26 development and other economic activities on appropriate lands outside urban growth boundaries,
 27 in a manner consistent with conservation of the state's agricultural and forest land base; and

28 [B] **(b)** Reasonable opportunities for urban residential, commercial and industrial needs over
 29 time through changes to urban growth boundaries.

30 [3] *A comprehensive plan and land use regulations shall be in compliance with this section by the*
 31 *first periodic review of that plan and regulations.]*