

HB 4018-1  
(LC 83)  
1/22/16 (EMM/ps)

Requested by Representative ESQUIVEL

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4018**

1 In line 2 of the printed bill, delete “section 11,” and insert “sections 2,  
2 4, 6, 8, 10 and 11,”.

3 Delete lines 5 through 10 and insert:

4 **“SECTION 1.** Section 2, chapter 539, Oregon Laws 2005, is amended to  
5 read:

6 **“Sec. 2.** (1) A lot, parcel or tract may not be included in territory pro-  
7 posed to be annexed unless the owner of the lot, parcel or tract gives written  
8 consent to the annexation, if the lot, parcel or tract:

9 “(a) Is zoned for industrial use or designated for industrial use zoning in  
10 an acknowledged comprehensive plan;

11 “(b) Is land on which no electors reside, unless one or more electors living  
12 on-site are employed or engaged to provide security services for the indus-  
13 trial user of the land;

14 “(c) Has an assessed value of more than \$2 million, including improve-  
15 ments; and

16 “[*(d) Is in unincorporated Jackson County, either:*]

17 “[*(A) Within the urban unincorporated community of White City, west of*  
18 *Oregon Route 62; or]*

19 “[*(B) Within the urban growth boundary of the City of Medford, west of*  
20 *Oregon Route 99.]*

21 **“(d) Is in unincorporated Jackson County within the urban unin-**

1 **corporated community of White City, west of Oregon Route 62.**

2 “(2) After annexation of a lot, parcel or tract described in subsection (1)  
3 of this section, the development rights that apply to the lot, parcel or tract  
4 under the industrial zoning classification applicable to the lot, parcel or  
5 tract when it is annexed are retained and run with the lot, parcel or tract.

6 “(3) As used in this section, ‘urban unincorporated community’ means an  
7 unincorporated community that:

8 “(a) Includes at least 150 permanent residential dwelling units;

9 “(b) Contains a mixture of land uses, including three or more public,  
10 commercial or industrial land uses;

11 “(c) Includes areas served by a community sewer system; and

12 “(d) Includes areas served by a community water system.

13 **“SECTION 2.** Section 4, chapter 539, Oregon Laws 2005, is amended to  
14 read:

15 **“Sec. 4.** (1) A lot, parcel or tract may not be included in territory pro-  
16 posed to be annexed unless the owner of the lot, parcel or tract gives written  
17 consent to the annexation, if the lot, parcel or tract:

18 “(a) Is zoned for industrial use or designated for industrial use zoning in  
19 an acknowledged comprehensive plan;

20 “(b) Is land on which no electors reside, unless one or more electors living  
21 on-site are employed or engaged to provide security services for the indus-  
22 trial user of the land;

23 “(c) Has an assessed value of more than \$2 million, including improve-  
24 ments; and

25 “[*(d) Is in unincorporated Jackson County, either:*]

26 “[*(A) Within the urban unincorporated community of White City, west of*  
27 *Oregon Route 62; or]*

28 “[*(B) Within the urban growth boundary of the City of Medford, west of*  
29 *Oregon Route 99.]*

30 **“(d) Is in unincorporated Jackson County within the urban unin-**

1 **corporated community of White City, west of Oregon Route 62.**

2 “(2) After annexation of a lot, parcel or tract described in subsection (1)  
3 of this section, the development rights that apply to the lot, parcel or tract  
4 under the industrial zoning classification applicable to the lot, parcel or  
5 tract when it is annexed are retained and run with the lot, parcel or tract.

6 “(3) As used in this section, ‘urban unincorporated community’ means an  
7 unincorporated community that:

8 “(a) Includes at least 150 permanent residential dwelling units;

9 “(b) Contains a mixture of land uses, including three or more public,  
10 commercial or industrial land uses;

11 “(c) Includes areas served by a community sewer system; and

12 “(d) Includes areas served by a community water system.

13 **“SECTION 3.** Section 6, chapter 539, Oregon Laws 2005, is amended to  
14 read:

15 **“Sec. 6.** (1) A lot, parcel or tract may not be included in unincorporated  
16 territory proposed to be incorporated as a city unless the owner of the lot,  
17 parcel or tract gives written consent to the incorporation, if the lot, parcel  
18 or tract:

19 “(a) Is zoned for industrial use or designated for industrial use zoning in  
20 an acknowledged comprehensive plan;

21 “(b) Is land on which no electors reside, unless one or more electors living  
22 on-site are employed or engaged to provide security services for the indus-  
23 trial user of the land;

24 “(c) Has an assessed value of more than \$2 million, including improve-  
25 ments; and

26 “[*(d) Is in unincorporated Jackson County, either:*]

27 “[*(A) Within the urban unincorporated community of White City, west of*  
28 *Oregon Route 62; or]*

29 “[*(B) Within the urban growth boundary of the City of Medford, west of*  
30 *Oregon Route 99.]*

1       “(d) Is in unincorporated Jackson County within the urban unin-  
2       corporated community of White City, west of Oregon Route 62.

3       “(2) After incorporation of a city that includes a lot, parcel or tract de-  
4       scribed in subsection (1) of this section, the development rights that apply  
5       to the lot, parcel or tract under the industrial zoning classification applica-  
6       ble to the lot, parcel or tract when the city is incorporated are retained and  
7       run with the lot, parcel or tract.

8       “(3) As used in this section, ‘urban unincorporated community’ means an  
9       unincorporated community that:

10       “(a) Includes at least 150 permanent residential dwelling units;

11       “(b) Contains a mixture of land uses, including three or more public,  
12       commercial or industrial land uses;

13       “(c) Includes areas served by a community sewer system; and

14       “(d) Includes areas served by a community water system.

15       “**SECTION 4.** Section 8, chapter 539, Oregon Laws 2005, is amended to  
16       read:

17       “**Sec. 8.** (1) A lot, parcel or tract may not be included in territory pro-  
18       posed to be annexed unless the owner of the lot, parcel or tract gives written  
19       consent to the annexation, if the lot, parcel or tract:

20       “(a) Is zoned for industrial use or designated for industrial use zoning in  
21       an acknowledged comprehensive plan;

22       “(b) Is land on which no electors reside, unless one or more electors living  
23       on-site are employed or engaged to provide security services for the indus-  
24       trial user of the land;

25       “(c) Has an assessed value of more than \$2 million, including improve-  
26       ments; and

27       “[(d) Is in unincorporated Jackson County, either:]

28       “[(A) Within the urban unincorporated community of White City, west of  
29       Oregon Route 62; or]

30       “[(B) Within the urban growth boundary of the City of Medford, west of

1 *Oregon Route 99.]*

2 “(d) **Is in unincorporated Jackson County within the urban unin-**  
3 **corporated community of White City, west of Oregon Route 62.**

4 “(2) After annexation of a lot, parcel or tract described in subsection (1)  
5 of this section, the development rights that apply to the lot, parcel or tract  
6 under the industrial zoning classification applicable to the lot, parcel or  
7 tract when it is annexed are retained and run with the lot, parcel or tract.

8 “(3) As used in this section, ‘urban unincorporated’ community’ means an  
9 unincorporated community that:

10 “(a) Includes at least 150 permanent residential dwelling units;

11 “(b) Contains a mixture of land uses, including three or more public,  
12 commercial or industrial land uses;

13 “(c) Includes areas served by a community sewer system; and

14 “(d) Includes areas served by a community water system.

15 “**SECTION 5.** Section 10, chapter 539, Oregon Laws 2005, is amended to  
16 read:

17 “**Sec. 10.** (1) A lot, parcel or tract may not be included in territory pro-  
18 posed to be consolidated to create a newly incorporated city or a consol-  
19 idated city unless the owner of the lot, parcel or tract gives written consent  
20 to the incorporation or consolidation, if the lot, parcel or tract:

21 “(a) Is zoned for industrial use or designated for industrial use zoning in  
22 an acknowledged comprehensive plan;

23 “(b) Is land on which no electors reside, unless one or more electors living  
24 on-site are employed or engaged to provide security services for the indus-  
25 trial user of the land;

26 “(c) Has an assessed value of more than \$2 million, including improve-  
27 ments; and

28 “[*(d) Is in unincorporated Jackson County, either:*]

29 “[*(A) Within the urban unincorporated community of White City, west of*  
30 *Oregon Route 62; or]*

1       “[(B) Within the urban growth boundary of the City of Medford, west of  
2 Oregon Route 99.]

3       “(d) Is in unincorporated Jackson County within the urban unin-  
4 corporated community of White City, west of Oregon Route 62.

5       “(2) After incorporation or consolidation of a city that includes a lot,  
6 parcel or tract described in subsection (1) of this section, the development  
7 rights that apply to the lot, parcel or tract under the industrial zoning  
8 classification applicable to the lot, parcel or tract when the city is incorpo-  
9 rated or consolidated are retained and run with the lot, parcel or tract.

10       “(3) As used in this section, ‘urban unincorporated community’ means an  
11 unincorporated community that:

12       “(a) Includes at least 150 permanent residential dwelling units;

13       “(b) Contains a mixture of land uses, including three or more public,  
14 commercial or industrial land uses;

15       “(c) Includes areas served by a community sewer system; and

16       “(d) Includes areas served by a community water system.

17       “**SECTION 6.** Section 11, chapter 539, Oregon Laws 2005, is amended to  
18 read:

19       “**Sec. 11.** Sections 2, 4, 6, 8 and 10, chapter 539, Oregon Laws 2005, [of  
20 this 2005 Act] are repealed June 30, [2016] 2026.

21       “**SECTION 7.** This 2016 Act being necessary for the immediate  
22 preservation of the public peace, health and safety, an emergency is  
23 declared to exist, and this 2016 Act takes effect on its passage.”.