

# House Bill 2703

Sponsored by Representative HELM (Presession filed.)

## 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**.

Requires city or county with population greater than 2,500 within urban growth boundary to consider integration of ecosystems services when developing public facility plan. Applies to public facility plans adopted on or after effective date of Act.

## A BILL FOR AN ACT

1  
2 Relating to ecosystems services; creating new provisions; and amending ORS 197.712.

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

4 **SECTION 1.** ORS 197.712 is amended to read:

5 197.712. (1) In addition to the findings and policies set forth in ORS 197.005, 197.010 and 215.243,  
6 the Legislative Assembly finds and declares that, in carrying out statewide comprehensive land use  
7 planning, the provision of adequate opportunities for a variety of economic activities throughout the  
8 state is vital to the health, welfare and prosperity of all the people of the state.

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

12 (a) Comprehensive plans [*shall*] **that** include an analysis of the community's economic patterns,  
13 potentialities, strengths and deficiencies as they relate to state and national trends.

14 (b) Comprehensive plans [*shall*] **that** contain policies concerning the economic development op-  
15 portunities in the community.

16 (c) Comprehensive plans and land use regulations [*shall*] **that** provide for at least an adequate  
17 supply of sites of suitable sizes, types, locations and service levels for industrial and commercial  
18 uses consistent with plan policies.

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

21 [(e)] **(3)(a)** A city or county shall develop and adopt a public facility plan for areas within an  
22 urban growth boundary containing a population greater than 2,500 persons. [*The public facility plan*  
23 *shall include rough cost estimates for public projects needed to provide sewer, water and transportation*  
24 *for the land uses contemplated in the comprehensive plan and land use regulations. Project timing and*  
25 *financing provisions of public facility plans shall not be considered land use decisions.*]

26 **(b) When developing a public facility plan under this subsection, a city or county shall**  
27 **consider the integration of an ecosystems services model as a method to minimize the im-**  
28 **act of the public facility plan on local ecosystems.**

29 **(c) The public facility plan shall include:**

30 **(A) A demonstration that the city or county considered integration of an ecosystems**  
31 **services model as required under paragraph (b) of this subsection;**

**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) A determination by the city or county to integrate or not integrate ecosystems ser-**  
2 **ices, either in addition to or in place of a traditional hard infrastructure model, into the**  
3 **public facility plan; and**

4       **(C) Rough cost estimates for public projects needed to provide sewer, water and trans-**  
5 **portation for the land uses contemplated in the comprehensive plan and land use regulations.**

6       **(d) Project timing and financing provisions of public facility plans will not be considered**  
7 **land use decisions.**

8       [(f)] (4) In accordance with ORS 197.180, state agencies that provide funding for transportation,  
9 water supply, sewage and solid waste facilities shall identify in their coordination programs how  
10 they will coordinate that funding with other state agencies and with the public facility plans of  
11 cities and counties. In addition, state agencies that issue permits affecting land use shall identify in  
12 their coordination programs how they will coordinate permit issuance with other state agencies and  
13 cities and counties.

14       [(g)] (5) Local governments shall provide:

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

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

20       [(3)] (6) A comprehensive plan and land use regulations shall be in compliance with this section  
21 by the first periodic review of that plan and regulations.

22       **(7)(a) As used in this section, "ecosystems services" means physical, chemical or biolog-**  
23 **ical processes or attributes of ecosystems that directly or indirectly benefit people or the**  
24 **environment.**

25       **(b) "Ecosystems services" includes, but is not limited to:**

26       **(A) The provision of extractable water, timber or fuel;**

27       **(B) Regulated pollination, decomposition, water filtration or carbon storage; or**

28       **(C) Erosion or flood control.**

29       **SECTION 2. The amendments to ORS 197.712 by section 1 of this 2017 Act apply to public**  
30 **facility plans adopted on or after the effective date of this 2017 Act.**

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