

Enrolled House Bill 2458

Sponsored by Representative JENSON, Senator NELSON; Representatives ACKERMAN, ANDERSON, AVAKIAN, BEYER, BUTLER, ESQUIVEL, GARRARD, HUNT, MORGAN, RICHARDSON, SCHAUFLER, G SMITH, P SMITH, Senators ATKINSON, FERRIOLI, B STARR, WHITSETT (at the request of Oregon Association of Realtors)

CHAPTER

AN ACT

Relating to buildable land supply outside urban growth boundaries; creating new provisions; amending section 1, chapter 688, Oregon Laws 2003; repealing section 4, chapter 688, Oregon Laws 2003; and declaring an emergency.

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

SECTION 1. Section 1, chapter 688, Oregon Laws 2003, is amended to read:

Sec. 1. (1) Notwithstanding statewide land use planning goals relating to urbanization or to public facilities and services, a county or its designee may authorize:

(a) Industrial development, including accessory uses subordinate to the industrial development, in buildings of any size and type, subject to the permit approval process described in ORS 215.402 to 215.438 and to applicable building codes, in an area planned and zoned for industrial use on [*the effective date of this 2003 Act*] **January 1, 2004**, subject to the territorial limits described in subsections (2) and (3) of this section.

(b) On-site sewer facilities to serve the industrial development authorized under this section, including accessory uses subordinate to the industrial development.

(2) Subject to subsection (3) of this section, a county or its designee may consider the following land for industrial development under this section:

(a) Land more than three miles outside the urban growth boundary of every city with a population of [*15,000*] **20,000** individuals or more; and

(b) Land outside the urban growth boundary of every city with a population of fewer than [*15,000*] **20,000** individuals.

(3) A county or its designee may not authorize industrial development under this section on land within the Willamette Valley as defined in ORS 215.010.

(4) A county or its designee may not authorize under this section retail, commercial or residential development in the area zoned for industrial use.

SECTION 2. (1) **The Land Conservation and Development Commission shall conform a statewide land use planning goal relating to urbanization to the requirements of section 1, chapter 688, Oregon Laws 2003, within six months after the effective date of this 2005 Act.**

(2) **Notwithstanding ORS 197.235 (1)(a), the commission may amend the goals and guidelines to make the specific change required by this section after only one public hearing, at a location determined by the commission, because the proposed amendment is necessary to**

conform an inconsistent goal or guideline to the requirements of section 1, chapter 688, Oregon Laws 2003.

SECTION 3. Section 4, chapter 688, Oregon Laws 2003, is repealed.

SECTION 4. This 2005 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect on its passage.

Passed by House March 15, 2005

Received by Governor:

Repassed by House July 19, 2005

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Approved:

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Chief Clerk of House

.....M,....., 2005

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Speaker of House

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Governor

Passed by Senate June 15, 2005

Filed in Office of Secretary of State:

Repassed by Senate July 20, 2005

.....M,....., 2005

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President of Senate

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Secretary of State