

A-Engrossed
Senate Bill 699

Ordered by the Senate June 7
Including Senate Amendments dated June 7

Sponsored by Senator BATES; Representative RICHARDSON

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.

Prohibits annexation or incorporation of specified industrial lands **in specified areas of Jackson County** without written consent of landowner. Declares that specified industrial lands annexed or incorporated with consent of landowner retain in perpetuity development rights that apply when land is annexed or incorporated.

Sunsets June 30, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to industrial land; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS 195.205 to**
5 **195.225.**

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

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

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

13 (c) **Has an assessed value of more than \$2 million, including improvements; and**

14 (d) **Is in unincorporated Jackson County, either:**

15 (A) **Within the urban unincorporated community of White City, west of Oregon Route**
16 **62; or**

17 (B) **Within the urban growth boundary of the City of Medford, west of Oregon Route 99.**

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

22 (3) **As used in this section, "urban unincorporated community" means an unincorporated**
23 **community that:**

24 (a) **Includes at least 150 permanent residential dwelling units;**

25 (b) **Contains a mixture of land uses, including three or more public, commercial or in-**
26 **dustrial land uses;**

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

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

3 **SECTION 3.** Section 4 of this 2005 Act is added to and made a part of ORS 199.410 to
4 **199.534.**

5 **SECTION 4.** (1) A lot, parcel or tract may not be included in territory proposed to be
6 annexed unless the owner of the lot, parcel or tract gives written consent to the annexation,
7 if the lot, parcel or tract:

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

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

12 (c) Has an assessed value of more than \$2 million, including improvements; and

13 (d) Is in unincorporated Jackson County, either:

14 (A) Within the urban unincorporated community of White City, west of Oregon Route
15 **62; or**

16 (B) Within the urban growth boundary of the City of Medford, west of Oregon Route 99.

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

21 (3) As used in this section, “urban unincorporated community” means an unincorporated
22 community that:

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

24 (b) Contains a mixture of land uses, including three or more public, commercial or in-
25 dustrial land uses;

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

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

28 **SECTION 5.** Section 6 of this 2005 Act is added to and made a part of ORS 221.020 to
29 **221.100.**

30 **SECTION 6.** (1) A lot, parcel or tract may not be included in unincorporated territory
31 proposed to be incorporated as a city unless the owner of the lot, parcel or tract gives
32 written consent to the incorporation, if the lot, parcel or tract:

33 (a) Is zoned for industrial use or designated for industrial use zoning in an acknowledged
34 comprehensive plan;

35 (b) Is land on which no electors reside, unless one or more electors living on-site are
36 employed or engaged to provide security services for the industrial user of the land;

37 (c) Has an assessed value of more than \$2 million, including improvements; and

38 (d) Is in unincorporated Jackson County, either:

39 (A) Within the urban unincorporated community of White City, west of Oregon Route
40 **62; or**

41 (B) Within the urban growth boundary of the City of Medford, west of Oregon Route 99.

42 (2) After incorporation of a city that includes a lot, parcel or tract described in sub-
43 section (1) of this section, the development rights that apply to the lot, parcel or tract under
44 the industrial zoning classification applicable to the lot, parcel or tract when the city is in-
45 corporated are retained and run with the lot, parcel or tract.

1 (3) As used in this section, “urban unincorporated community” means an unincorporated
2 community that:

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

4 (b) Contains a mixture of land uses, including three or more public, commercial or in-
5 dustrial land uses;

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

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

8 **SECTION 7.** Section 8 of this 2005 Act is added to and made a part of ORS 222.111 to
9 222.180.

10 **SECTION 8.** (1) A lot, parcel or tract may not be included in territory proposed to be
11 annexed unless the owner of the lot, parcel or tract gives written consent to the annexation,
12 if the lot, parcel or tract:

13 (a) Is zoned for industrial use or designated for industrial use zoning in an acknowledged
14 comprehensive plan;

15 (b) Is land on which no electors reside, unless one or more electors living on-site are
16 employed or engaged to provide security services for the industrial user of the land;

17 (c) Has an assessed value of more than \$2 million, including improvements; and

18 (d) Is in unincorporated Jackson County, either:

19 (A) Within the urban unincorporated community of White City, west of Oregon Route
20 62; or

21 (B) Within the urban growth boundary of the City of Medford, west of Oregon Route 99.

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

26 (3) As used in this section, “urban unincorporated community” means an unincorporated
27 community that:

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

29 (b) Contains a mixture of land uses, including three or more public, commercial or in-
30 dustrial land uses;

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

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

33 **SECTION 9.** Section 10 of this 2005 Act is added to and made a part of ORS 222.210 to
34 222.310.

35 **SECTION 10.** (1) A lot, parcel or tract may not be included in territory proposed to be
36 consolidated to create a newly incorporated city or a consolidated city unless the owner of
37 the lot, parcel or tract gives written consent to the incorporation or consolidation, if the lot,
38 parcel or tract:

39 (a) Is zoned for industrial use or designated for industrial use zoning in an acknowledged
40 comprehensive plan;

41 (b) Is land on which no electors reside, unless one or more electors living on-site are
42 employed or engaged to provide security services for the industrial user of the land;

43 (c) Has an assessed value of more than \$2 million, including improvements; and

44 (d) Is in unincorporated Jackson County, either:

45 (A) Within the urban unincorporated community of White City, west of Oregon Route

1 **62; or**

2 **(B) Within the urban growth boundary of the City of Medford, west of Oregon Route 99.**

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

7 **(3) As used in this section, “urban unincorporated community” means an unincorporated**
8 **community that:**

9 **(a) Includes at least 150 permanent residential dwelling units;**

10 **(b) Contains a mixture of land uses, including three or more public, commercial or in-**
11 **dustrial land uses;**

12 **(c) Includes areas served by a community sewer system; and**

13 **(d) Includes areas served by a community water system.**

14 **SECTION 11. Sections 2, 4, 6, 8 and 10 of this 2005 Act are repealed June 30, 2016.**

15 **SECTION 12. This 2005 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
17 **on its passage.**

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