

Senate Bill 699

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 **as introduced**.

Prohibits annexation or incorporation of specified industrial lands 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.

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 195.145 to**
5 **195.235.**

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; and**

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

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

18 **SECTION 3. Section 4 of this 2005 Act is added to and made a part of ORS 199.410 to**
19 **199.534.**

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

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

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

27 (c) **Has an assessed value of more than \$2 million, including improvements.**

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

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 with the lot, parcel or tract.

2 **SECTION 5.** Section 6 of this 2005 Act is added to and made a part of ORS 221.020 to
 3 221.100.

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

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

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

11 (c) Has an assessed value of more than \$2 million, including improvements.

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

16 **SECTION 7.** Section 8 of this 2005 Act is added to and made a part of ORS 222.111 to
 17 222.180.

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

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

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

25 (c) Has an assessed value of more than \$2 million, including improvements.

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

30 **SECTION 9.** Section 10 of this 2005 Act is added to and made a part of ORS 222.210 to
 31 222.310.

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

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

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

40 (c) Has an assessed value of more than \$2 million, including improvements.

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

45 **SECTION 11.** This 2005 Act being necessary for the immediate preservation of the public

1 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
2 **on its passage.**

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