

Enrolled
Senate Bill 1094

Sponsored by Senator NELSON

CHAPTER

AN ACT

Relating to speedway destination site in Morrow County; and declaring an emergency.

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

SECTION 1. As used in sections 1 to 3 of this 2005 Act:

(1) "Associated uses and facilities" means speedway-related and accessory uses and facilities identified in the findings.

(2) "Findings" means the Morrow County Findings of Fact and Conclusions of Law, dated June 21, 2002, and September 24, 2003, in the matter of an application by the Port of Morrow for comprehensive plan and zoning amendments to allow the siting of a speedway and related facilities at the Port of Morrow.

(3) "Major motor speedway" means a combination of race tracks developed and used for premier, high speed automobile races, as identified in section A (3) of the June 21, 2002, findings.

(4) "Speedway destination site" means a site containing a major motor speedway and associated uses and facilities.

(5) "Transient lodging" means a unit consisting of a room or a suite of rooms that is available for a period of occupancy that typically does not exceed 30 days and for which the lodging operator:

(a) Charges on a daily basis and does not collect more than six days in advance; and

(b) Provides maid and linen service daily or every two days as part of the regularly charged cost of occupancy.

SECTION 2. (1) On a site approved for development of a major motor speedway, pursuant to an exception to statewide land use planning goals relating to agricultural lands, public facilities and services and urbanization that was acknowledged before the effective date of this 2005 Act, if the site is developed and used as a major motor speedway, the governing body of Morrow County or its designee may authorize the ancillary development of transient lodging and associated uses and facilities:

(a) Without taking further exception to the statewide land use planning goals relating to agricultural lands, public facilities and services and urbanization.

(b) Primarily for the use of users and patrons of the major motor speedway but available, as well, to members of the general public.

(c) Without regard to the limitations on the size or occupancy of speedway-related and accessory uses and facilities specified in the findings.

(d) Without regard to use limitations specified in section H (10) of the June 21, 2002, findings for a multipurpose recreational facility.

(e) Without regard to the limitation on hours of operation specified in the findings for outdoor recreational facilities.

(2) The major motor speedway authorized in the findings and by this section may be developed:

(a) Without taking further exception to the statewide land use planning goals relating to agricultural lands, public facilities and services and urbanization.

(b) Without regard to the specific sizes and configurations of the tracks specified in the findings.

(3) In addition to the associated uses and facilities authorized by the findings and this section, if the site described in this section is developed and used as a major motor speedway, the governing body of Morrow County or its designee may authorize the ancillary development of a golf course and theme park on the site:

(a) Without taking further exception to the statewide land use planning goals relating to agricultural lands, public facilities and services and urbanization.

(b) Primarily for the use of users and patrons of the major motor speedway but available, as well, to members of the general public.

(4) Notwithstanding the local process for review and approval of a proposal to amend the acknowledged comprehensive plan and land use regulations that is contained in an acknowledged comprehensive plan and land use regulations, the governing body of Morrow County may review and approve a proposal to make the changes to the acknowledged comprehensive plan and land use regulations authorized by this section through an expedited local review and approval process in which the final approval of the county is granted after only one evidentiary hearing.

SECTION 3. (1) The private developer of the speedway destination site is financially responsible for addressing, through traffic infrastructure improvements and upgrades, adverse traffic impacts that cannot be adequately mitigated, in the judgment of road authorities, through the use of temporary traffic management measures.

(2) The private developer, or the organizer of a specific event or activity at the speedway destination site, is financially responsible for temporary traffic management measures required to mitigate the adverse traffic impacts of events or activities at the speedway destination site.

(3) Notwithstanding subsections (1) and (2) of this section, transportation infrastructure projects required by the establishment and use of the major motor speedway may receive funding from any source of moneys for transportation infrastructure projects.

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 Senate August 3, 2005

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Secretary of Senate

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President of Senate

Passed by House August 4, 2005

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Speaker of House

Received by Governor:

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

Approved:

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

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Governor

Filed in Office of Secretary of State:

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

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Secretary of State