

House Bill 4092

Sponsored by Representative BENTZ; Representatives CAMERON, CONGER, DAVIS, ESQUIVEL, HUFFMAN, JENSON, JOHNSON, KENNEMER, KRIEGER, OLSON, PARRISH, RICHARDSON, SPRENGER, THOMPSON, WEIDNER, WHISNANT, WHITSETT, Senators HANSELL, WHITSETT (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**.

Authorizes governing body of Malheur County, under specified circumstances, to plan and zone site for industrial use, in addition to and not in lieu of other authority to plan and zone for industrial use.

A BILL FOR AN ACT

1
2 Relating to industrial use of land in Malheur County.

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

4 **SECTION 1. (1) On or before December 31, 2020, if the governing body of Malheur County**
5 **determines, after reviewing data from the latest federal decennial census and the United**
6 **States Census Bureau's American Community Survey, that 20 percent or more of the resi-**
7 **dents of the county had income during the preceding 12 months that was below the poverty**
8 **level, the county may accept an application to plan and zone a site located outside of an ac-**
9 **knowledged urban growth boundary in the county for industrial use:**

10 (a) **In addition to and not in lieu of other lawful opportunities to plan and zone land in**
11 **the county for industrial use; and**

12 (b) **Notwithstanding provisions of a statewide land use planning goal related to:**

13 (A) **Urbanization that requires demonstrated need to accommodate the long-range urban**
14 **population forecasted or demonstrated need for employment opportunities; and**

15 (B) **Public facilities and services.**

16 (2) **The governing body of Malheur County may approve an application under this section**
17 **if the governing body determines that:**

18 (a) **The applicant has committed to provide at least 50 new permanent jobs;**

19 (b) **Water, sanitary sewer service and electricity are available to serve the proposed in-**
20 **dustrial use; and**

21 (c) **Taking into consideration the recommendations of the Oregon Business Development**
22 **Department and the Department of Land Conservation and Development, there is not an**
23 **adequate, available site for the proposed industrial use that is located:**

24 (A) **Outside of an acknowledged urban growth boundary in the county and that is planned**
25 **and zoned to allow the industrial use; or**

26 (B) **Within an acknowledged urban growth boundary in the county.**

27 (3) **If the governing body of Malheur County approves an application under this section,**
28 **the county shall plan and zone the approved site for industrial use for at least 15 years after**
29 **approval of the site. This subsection does not prohibit the continued use of land in the site**
30 **for farm use or forest use.**

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.
