

**HB 4012 B STAFF MEASURE SUMMARY****Carrier:** Sen. Knopp**Senate Committee On Environment and Natural Resources****Action Date:** 02/25/20**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 3-0-0-2**Yeas:** 3 - Dembrow, Prozanski, Roblan**Abs:** 2 - Baertschiger Jr, Findley**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Beth Patrino, LPRO Analyst**Meeting Dates:** 2/25**WHAT THE MEASURE DOES:**

Defines key terms. Prohibits Department of Land Conservation and Development (DLCD) from approving an urban growth boundary amendment or Stevens Road planning amendments under the Act unless: on or before June 29, 2020, the holder of the development opportunity has submitted a letter of nonbinding interest to the owner of the Stevens Road tract and the City of Bend expressing its interest in selling the holder's development opportunity to the owner of the Stevens Road tract; on or before July 31, 2020 the owner of the Stevens Road tract submits a letter of nonbinding interest to the holder of the development opportunity and the City of Bend expressing its interest in purchasing the development opportunity; and at the time of approval the owner of the Stevens Road tract is the holder of the development opportunity. Establishes public participation process required prior to the City of Bend consideration of a conceptual plan. Authorizes DLCD to approve conceptual plan if it meets certain requirements and was submitted on or before March 31, 2021. Requires that DLCD approve or remand the conceptual plan within 90 days. Stipulates that if the City of Bend receives a notice of remand, it has 120 days to approve and submit amended conceptual plan. Notwithstanding any statewide land use planning goal related to housing or urbanization, DLCD is directed to approve an amendment to the urban growth boundary (UGB) submitted by the City of Bend if it determines certain factors. Stipulates lands added to the UGB under Act may not be included in an adopted inventory of buildable lands before the earlier of January 1, 2026 or the date the land is no longer owned or managed by the Department of State Lands. Requires DLCD to approve of Stevens Road planning amendments within 180 days submitted by the City of Bend if it determines certain factors. Authorizes the City of Bend, within 180 days of a remand, to resubmit Stevens Road planning amendments. Establishes process for City of Bend to approve by ordinance Stevens Road planning amendments. Authorizes DLCD to approve or remand in whole or in part any Stevens Road planning amendment based on a determination, notwithstanding statewide land use planning goals, that the Stevens Road planning amendments include certain requirements. Requirements include the designation of between 12.4 and 12.6 acres so that the area may be zoned, planned, sited, or developed on or before January 1, 2029 for residential housing units that meet certain income requirements. Stipulates that if the holder of the development opportunity applies to a county for the approval of a small-scale recreation community on or before June 29, 2020, the opportunities in Act are voided. Stipulates that actions taken by the City of Bend are not subject to any review except by DLCD and actions taken by DLCD are not considered rulemaking, and are appealable directly to the Court of Appeals. Sunsets laws allowing Metolius resort site owners to use development opportunity to develop small-scale recreation communities on July 1, 2020. Sunsets Act on January 2, 2030. Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

- City of Bend housing needs
- Use of Metolius transfer of development opportunity on Stevens Road tract
- Development criteria applicable to Stevens Road tract

*This summary has not been adopted or officially endorsed by action of the committee.*

## **HB 4012 B STAFF MEASURE SUMMARY**

- Importance of local input

### **EFFECT OF AMENDMENT:**

Replaces measure except for sunset of laws allowing Metolius resort site owners to use development opportunity to develop small-scale recreation communities on July 1, 2020 and emergency clause.

### **BACKGROUND:**

In 2009, the Legislative Assembly adopted House Bill 3298 which designated a portion of the Metolius River Basin as an area of critical state concern, prohibiting the siting of a destination resort in that area. In 2009, the Legislative Assembly also adopted House Bill 2228 which allowed for the establishment of one or two small-scale recreational communities in conjunction with a transfer of development opportunity from a Metolius resort site.

House Bill 4012-B would authorize the owner of the Stevens Road tract in Bend to purchase the development opportunity from the holder of the transferrable development opportunity at the Metolius resort site. This tract is owned by the Department of State Lands. The measure would also establish standards and a process for the development opportunity to be applied to the Stevens Road Tract, effectively bringing the land into the city's urban growth boundary.