

Senate Bill 683

Sponsored by Senator KNOPP (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 counties to identify lands that must be made available for industrial use. Sunsets January 2, 2028.

Sunsets 2011 program under which former Economic Recovery Review Council may designate regionally significant industrial areas.

A BILL FOR AN ACT

1
2 Relating to industrial lands; creating new provisions; amending ORS 285B.637; and repealing ORS
3 197.722, 197.723, 197.724, 197.726, 197.727 and 197.728.

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

5 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 197.**

6 **SECTION 2. (1) The governing body of a county may identify land within the county,**
7 **which may include land within an urban growth boundary, that is suitable for industrial use,**
8 **as defined in ORS 197.716.**

9 **(2) Lands identified for industrial use under subsection (1) of this section must be:**

10 **(a) Near population centers;**

11 **(b) Expected to be ready for development within six months of the change in zoning;**

12 **(c) At least 600 acres in Clackamas, Multnomah and Washington Counties or at least 400**
13 **acres in other counties; and**

14 **(d)(A) Contiguous to each other;**

15 **(B) Contiguous to existing lands zoned to allow for industrial use; or**

16 **(C) Designated as a regionally significant industrial area as defined in ORS 197.722 (2021**
17 **Edition).**

18 **(3) Notwithstanding ORS 197.830 to 197.845, appeals from a decision under this section**
19 **may be heard only under ORS 34.010 to 34.100.**

20 **(4) Within 100 days of notice of the identification of lands under this section, each local**
21 **government with jurisdiction over the property identified under subsection (1) of this section**
22 **shall amend its comprehensive plan and land use regulations to allow for industrial use of**
23 **the property, notwithstanding ORS 197.714 or any statewide land use planning goals related**
24 **to:**

25 **(a) Agriculture;**

26 **(b) Forest use; or**

27 **(c) Urbanization.**

28 **(5) A county's authorization to use lands under this section is in addition to actions a**
29 **county may take under ORS 197.716.**

30 **SECTION 3. Section 2 of this 2023 Act is repealed on January 2, 2028.**

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 **SECTION 4. ORS 197.722, 197.723, 197.724, 197.726, 197.727 and 197.728 are repealed.**

2 **SECTION 5.** ORS 285B.637 is amended to read:

3 285B.637. (1) The Oregon Business Development Department shall establish and administer the
 4 Oregon Industrial Site Readiness Assessment Program. The purpose of the program is to provide
 5 grants on a competitive basis from funds that are available in the Oregon Industrial Site Readiness
 6 Assessment Program Fund established in ORS 285B.640, to:

7 (a) Public owners of regionally significant industrial sites or public entities that have entered
 8 into development agreements or other agreements with private owners with respect to regionally
 9 significant industrial sites, to perform due diligence assessments, define development-related con-
 10 straints and create detailed development plans to move the site toward a state of market-readiness;
 11 and

12 (b) Public owners of regionally significant industrial sites or public entities that have entered
 13 into development agreements or other agreements with private owners with respect to regionally
 14 significant industrial sites, acting on behalf of regions for the purposes of performing regional in-
 15 dustrial land inventories and prioritizing sites for due diligence assessment and site preparation as-
 16 sistance.

17 (2) In each fiscal year of a biennium:

18 (a) Eighty percent of all moneys available for making grants under this section is reserved for
 19 grants to be made pursuant to subsection (1)(a) of this section; and

20 (b) Twenty percent of all moneys available for making grants under this section is reserved for
 21 grants to be made pursuant to subsection (1)(b) of this section.

22 (3) The department may prioritize grants to be made under this section based on established
 23 targets for regional allocations.

24 (4) Public owners of regionally significant industrial sites or public entities that have entered
 25 into development agreements or other agreements with private owners with respect to regionally
 26 significant industrial sites may apply to participate in the program by submitting an application in
 27 writing in a form prescribed by the department by rule.

28 (5) The department shall establish by rule criteria and standards for successful applicants under
 29 the program. At a minimum, the applicant must demonstrate that:

30 (a) For grants made under subsection (1)(a) of this section:

31 (A) The applicant has obtained a willing property owner;

32 (B) The applicant has received the support of the region in which the regionally significant in-
 33 dustrial site is located, or the regionally significant industrial site is located in an area that has
 34 been designated a regionally significant industrial area as defined in ORS 197.722 (**2021 Edition**);

35 (C) The regionally significant industrial site is not currently market-ready and has not been
 36 certified by the department as ready for development within six months or less as of the date on
 37 which the application is submitted; and

38 (D) The applicant can provide matching funds in an amount to be determined by the department.

39 (b) For grants made under subsection (1)(b) of this section:

40 (A) The applicant is committed and has the ability to perform regional industrial land invento-
 41 ries for a specific region;

42 (B) The applicant is committed and has the ability to prioritize regionally significant industrial
 43 sites in a region for due diligence assessment and site preparation funding; and

44 (C) The applicant can provide matching funds in an amount to be determined by the department.

45 (6) Grants made under subsection (1)(a) of this section may not exceed \$100,000 per site. Grants

1 made under subsection (1)(b) of this section may not exceed \$50,000 per region.

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