

HB 3062 -3 STAFF MEASURE SUMMARY

House Committee On Emergency Management, General Government, and Veterans

Prepared By: Beverly Anderson, LPRO Analyst

Meeting Dates: 2/20, 4/3, 4/8

WHAT THE MEASURE DOES:

The measure requires local governments to map sensitive uses in their comprehensive plans for the permitting of industrial developments.

Detailed Summary

- Defines terms, including sensitive uses.
- Requires local governments to identify and map sensitive uses within the urban growth boundary; requires updating maps when economic opportunity assessments are updated.
- Requires local governments require an applicant to submit a public health impact analysis before an industrial site can be located within 1,000 feet of a sensitive area.
- Requires local governments document conditions of approval.
- Requires an additional public hearing on the efficacy of the conditions of approval and public health impact analysis; lists notification requirements.
- Requires local governments amend comprehensive plans and adopt land use regulations by January 1, 2027.
- Declares emergency, effective upon passage.

Fiscal impact: TBD

Revenue impact: TBD

ISSUES DISCUSSED:

- Examples of industrial developments in sensitive areas
- Questions about the applicability of the bill concept and smaller, less dense communities
- Concerns about the cost and staff needed to implement comprehensive plan updates and public health impact analysis
- Questions and comments relating to the -3 amendment

EFFECT OF AMENDMENT:

- 3 Replaces measure.
- Limits a local government within a metropolitan statistical area from approving any application for the development or use of land for a warehouse or distribution center within 1,000 feet of certain facilities unless they complete a Level 1 Risk Assessment; describes facilities.
- Describes the Level 1 Risk Assessment process with the Department of Environmental Quality for warehouse or distribution center applications.
- Requires the local government with land use jurisdiction over the application apply land use requirements related to the assessment or mitigation of certain conditions: lists conditions.
- Limits local governments from allowing waivers or blanket variances from requirements.
- Requires local governments amend comprehensive plans and adopt land use regulations to comply with the Act by January 1, 2027.
- Declares emergency, effective upon passage.

BACKGROUND:

SB 100 (1973) required local communities to prepare a comprehensive plan in accordance with a set of general state goals and created the Land Conservation and Development Commission. The commission established land use goals, including Goal 9 which addresses economic development. Goal 9, in accordance with OAR 660, requires local governments identify likely industrial and other economic development opportunities and corresponding employment land needs over the planning period of the next 20 years, plus up to an additional 30 years for communities planning for designated urban reserves.

PRELIMINARY