

# Senate Bill 545

Sponsored by Senator GEORGE

## 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**.

Prohibits designation as rural reserve of land for which exception to statewide land use planning goal protecting agricultural land or forest land has been taken.

## A BILL FOR AN ACT

1  
2 Relating to rural reserves; amending ORS 195.141.

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

4 **SECTION 1.** ORS 195.141 is amended to read:

5 195.141. (1) A county and a metropolitan service district established under ORS chapter 268 may  
6 enter into an intergovernmental agreement pursuant to ORS 190.003 to 190.130, 195.025 or 197.652  
7 to 197.658 to designate rural reserves pursuant to this section and urban reserves pursuant to ORS  
8 195.145 (1)(b).

9 (2) Land **to be** designated as a rural reserve:

10 (a) Must be outside an urban growth boundary[.]

11 *[(b) May not be designated as an urban reserve during the urban reserve planning period described*  
12 *in ORS 195.145 (4).]*

13 *[(c) May not be included within an urban growth boundary during the period of time described in*  
14 *paragraph (b) of this subsection.]; and*

15 **(b) May not include land for which an exception to a statewide land use planning goal**  
16 **protecting agricultural land or forest land has been taken under ORS 197.732.**

17 (3) When designating a rural reserve under this section to provide long-term protection to the  
18 agricultural industry, a county and a metropolitan service district shall base the designation on  
19 consideration of factors including, but not limited to, whether land proposed for designation as a  
20 rural reserve:

21 (a) Is situated in an area that is otherwise potentially subject to urbanization during the period  
22 described in subsection (2)(b) of this section, as indicated by proximity to the urban growth boundary  
23 and to properties with fair market values that significantly exceed agricultural values;

24 (b) Is capable of sustaining long-term agricultural operations;

25 (c) Has suitable soils and available water where needed to sustain long-term agricultural oper-  
26 ations; and

27 (d) Is suitable to sustain long-term agricultural operations, taking into account:

28 (A) The existence of a large block of agricultural or other resource land with a concentration  
29 or cluster of farms;

30 (B) The adjacent land use pattern, including its location in relation to adjacent nonfarm uses  
31 and the existence of buffers between agricultural operations and nonfarm uses;

**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 (C) The agricultural land use pattern, including parcelization, tenure and ownership patterns;  
2 and

3 (D) The sufficiency of agricultural infrastructure in the area.

4 **(4) Rural reserves may not be:**

5 **(a) Redesignated as an urban reserve during the urban reserve planning period described**  
6 **in ORS 195.145 (4).**

7 **(b) Included within an urban growth boundary during the period of time described in**  
8 **paragraph (a) of this subsection.**

9 [(4)] (5) The Land Conservation and Development Commission shall, after consultation with the  
10 State Department of Agriculture, adopt by goal or by rule a process and criteria for designating  
11 rural reserves pursuant to this section.

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