

**PROPOSED AMENDMENTS TO
HOUSE BILL 3100**

1 On page 1 of the printed bill, line 2, delete “215.213 and 215.283” and in-
2 sert “215.203”.

3 Delete lines 4 through 32 and delete pages 2 through 18 and insert:

4 **“SECTION 1.** ORS 215.203, as amended by section 1, chapter 74, Oregon
5 Laws 2012, is amended to read:

6 “215.203. (1) Zoning ordinances may be adopted to zone designated areas
7 of land within the county as exclusive farm use zones. Land within such
8 zones shall be used exclusively for farm use except as otherwise provided in
9 ORS 215.213, 215.283 or 215.284. Farm use zones shall be established only
10 when such zoning is consistent with the comprehensive plan.

11 “(2)(a) As used in this section, ‘farm use’ means the current employment
12 of land for the primary purpose of obtaining a profit in money by raising,
13 harvesting and selling crops or the feeding, breeding, management and sale
14 of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or
15 for dairying and the sale of dairy products or any other agricultural or
16 horticultural use or animal husbandry or any combination thereof. ‘Farm
17 use’ includes the preparation, storage and disposal by marketing or otherwise
18 of the products or by-products raised on such land for human or animal use.
19 ‘Farm use’ [*also*] includes the current employment of land for the primary
20 purpose of obtaining a profit in money by stabling or training equines in-
21 cluding but not limited to providing riding lessons, training clinics and
22 schooling shows. ‘Farm use’ [*also*] includes the propagation, cultivation,

1 maintenance and harvesting of aquatic, bird and animal species that are
2 under the jurisdiction of the State Fish and Wildlife Commission, to the ex-
3 tent allowed by the rules adopted by the commission. **‘Farm use’ includes**
4 **vermiculture, as defined in ORS 561.258.** ‘Farm use’ includes the on-site
5 construction and maintenance of equipment and facilities used for the ac-
6 tivities described in this subsection. ‘Farm use’ does not include the use of
7 land subject to the provisions of ORS chapter 321, except land used exclu-
8 sively for growing cultured Christmas trees as defined in subsection (3) of
9 this section or land described in ORS 321.267 (3) or 321.824 (3).

10 “(b) ‘Current employment’ of land for farm use includes:

11 “(A) Farmland, the operation or use of which is subject to any farm-
12 related government program;

13 “(B) Land lying fallow for one year as a normal and regular requirement
14 of good agricultural husbandry;

15 “(C) Land planted in orchards or other perennials, other than land spec-
16 ified in subparagraph (D) of this paragraph, prior to maturity;

17 “(D) Land not in an exclusive farm use zone which has not been eligible
18 for assessment at special farm use value in the year prior to planting the
19 current crop and has been planted in orchards, cultured Christmas trees or
20 vineyards for at least three years;

21 “(E) Wasteland, in an exclusive farm use zone, dry or covered with water,
22 neither economically tillable nor grazeable, lying in or adjacent to and in
23 common ownership with a farm use land and which is not currently being
24 used for any economic farm use;

25 “(F) Except for land under a single family dwelling, land under buildings
26 supporting accepted farm practices, including the processing facilities al-
27 lowed by ORS 215.213 (1)(u) and 215.283 (1)(r) and the processing of farm
28 crops into biofuel as commercial activities in conjunction with farm use un-
29 der ORS 215.213 (2)(c) and 215.283 (2)(a);

30 “(G) Water impoundments lying in or adjacent to and in common owner-

1 ship with farm use land;

2 “(H) Any land constituting a woodlot, not to exceed 20 acres, contiguous
3 to and owned by the owner of land specially valued for farm use even if the
4 land constituting the woodlot is not utilized in conjunction with farm use;

5 “(I) Land lying idle for no more than one year where the absence of
6 farming activity is due to the illness of the farmer or member of the farmer’s
7 immediate family. For purposes of this paragraph, illness includes injury or
8 infirmity whether or not such illness results in death;

9 “(J) Any land described under ORS 321.267 (3) or 321.824 (3); and

10 “(K) Land used for the processing of farm crops into biofuel, as defined
11 in ORS 315.141, if:

12 “(i) Only the crops of the landowner are being processed;

13 “(ii) The biofuel from all of the crops purchased for processing into
14 biofuel is used on the farm of the landowner; or

15 “(iii) The landowner is custom processing crops into biofuel from other
16 landowners in the area for their use or sale.

17 “(c) As used in this subsection, ‘accepted farming practice’ means a mode
18 of operation that is common to farms of a similar nature, necessary for the
19 operation of such farms to obtain a profit in money, and customarily utilized
20 in conjunction with farm use.

21 “(3) ‘Cultured Christmas trees’ means trees:

22 “(a) Grown on lands used exclusively for that purpose, capable of prepa-
23 ration by intensive cultivation methods such as plowing or turning over the
24 soil;

25 “(b) Of a marketable species;

26 “(c) Managed to produce trees meeting U.S. No. 2 or better standards for
27 Christmas trees as specified by the Agriculture Marketing Services of the
28 United States Department of Agriculture; and

29 “(d) Evidencing periodic maintenance practices of shearing for Douglas
30 fir and pine species, weed and brush control and one or more of the following

1 practices: Basal pruning, fertilizing, insect and disease control, stump cul-
2 ture, soil cultivation, irrigation.”.

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