

HB 4031 A -A16, -A22 STAFF MEASURE SUMMARY

Senate Committee On Environment and Natural Resources

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Meeting Dates: 2/21, 2/23

WHAT THE MEASURE DOES:

Authorizes **guest ranches** to be established in areas of eastern Oregon that are zoned for exclusive farm use, subject to state and county approval or siting standards. Establishes requirements for guest ranch location and services, including that guest ranches be located on a unit of land that is at least 160 acres, contain the dwelling of the individual conducting the livestock operation, and include not fewer than four nor more than 10 overnight lodging units. Prohibits guest ranch establishment on high-value farmland or certain federally designated areas, or in conjunction with a campground or golf course. Allows a **small-scale recreation community** established in conjunction with a transfer of development opportunity to be sited on land that is both planned and zoned for forest use and rural use subject to statewide land use planning goals relating to agricultural lands or forest lands. Specifies that such small-scale recreation community may not be sited in natural or conservation estuaries. Establishes that a county approval of an application for small-scale recreation community that also requires a federal license or permit constitutes an acknowledged exception to a statewide land use planning goal with which the use would not otherwise comply. Requires small-scale recreation community applicant demonstrate to the county that adequate streets, utilities, and services are available or will be made available prior to occupancy. Modifies requirements for the selection of an **economic development program pilot program site** by the Land Conservation and Development Commission as follows: changes the required minimum distance from 100 miles to 78 air miles between the urban growth boundary of a large city and the urban growth boundary of a city with a program site and changes the unemployment level of the county in which the program site is located from at least eight percent to at least seven percent over the preceding five-year period. Corrects an erroneous cross-reference in statute. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Sunset of guest ranch statute
- Use of transferable development opportunity
- Technical changes need to allow Madras pilot project to move forward
- Error in 2017 bill that would require local governments to allow accessory dwelling units in rural areas

EFFECT OF AMENDMENT:

-A16 Establishes that the requirement that certain local governments allow accessory dwelling units in areas zoned for detached single-family dwellings is applicable only within urban growth boundaries.

-A22 Designates as acknowledged rural industrial land a specified tract of land that under the Clackamas County Comprehensive Plan is designated as rural reserve land.

BACKGROUND:

In 1997, the Oregon Legislature authorized guest ranches as a way to provide the public an opportunity for a ranch stay experience and to allow ranchers to generate a supplementary means of income. The guest ranch statutes sunset on January 2, 2018. House Bill 4031 A would re-authorize the establishment of guest ranches in exclusive farm use zones through April 15, 2020 by restoring the language that sunset.

The Metolius River Basin is located primarily in Jefferson County, with a small portion in Deschutes County. In 2009, the Legislative Assembly adopted House Bill 3298 which designated a portion of the Metolius River Basin as an area

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of critical state concern, prohibiting the siting of a destination resort in that area. The measure directed that any new development allowed by a plan amendment not result in negative impacts to the Metolius River or fish and wildlife resources. In 2009, the Legislative Assembly also adopted House Bill 2228 which allowed the establishment of one or two small-scale recreational communities in conjunction with a transfer of development opportunity (TDO) from a Metolius resort site. Legislation in 2009, 2011, 2015, and 2017 extended the time limit by which the owner of a Metolius resort site was required to notify the Department of Land Conservation and Development of their intent to seek approval for a small-scale recreation community. In 2017, a Metolius resort site owner began exploring the Bradwood Landing Site in Clatsop County as a potential TDO site. House Bill 4031 A would allow a small-scale recreation community established in conjunction with a TDO to be sited on land that is zoned for both forestlands and exception lands; allow siting in development estuaries and prohibit siting in natural or conservation estuaries; and establish that a county approval of a small-scale recreation community application that also requires a federal license or permit constitutes an acknowledged exception to a statewide land use planning goal with which the use would not otherwise comply.

House Bill 2743 (2017) directed the Land Conservation and Development Commission to establish and implement an economic development pilot project promoting economic development in rural areas and industry growth and job creation on land adjacent to a rural airport. House Bill 4031 A would modify the selection criteria for the pilot project site.