

## HOUSE AMENDMENTS TO HOUSE BILL 4031

By COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

February 15

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating new provisions;”.

2 Before line 5, insert:

3 **“SECTION 1. Sections 2 and 3 of this 2018 Act are added to and made a part of ORS**  
4 **chapter 215.**

5 **“SECTION 2. (1) As used in this section and section 3 of this 2018 Act:**

6 **“(a) ‘Guest lodging unit’ means a guest room in a lodge, bunkhouse, cottage or cabin used**  
7 **only for transient overnight lodging and not for a permanent residence.**

8 **“(b) ‘Guest ranch’ means a facility for guest lodging units, passive recreational activities**  
9 **described in subsection (6) of this section and food services described in subsection (7) of this**  
10 **section that are incidental and accessory to an existing and continuing livestock operation**  
11 **that qualifies as a farm use.**

12 **“(c) ‘Livestock’ means cattle, sheep, horses and bison.**

13 **“(2) Subject to the provisions of ORS 215.296 (1) and (2) and other approval or siting**  
14 **standards of a county, a guest ranch may be established in an area of eastern Oregon, as**  
15 **defined in ORS 321.805, that is zoned for exclusive farm use unless the proposed site of the**  
16 **guest ranch is within the boundaries of or surrounded by:**

17 **“(a) A federally designated wilderness area or a wilderness study area;**

18 **“(b) A federally designated wildlife refuge;**

19 **“(c) A federally designated area of critical environmental concern; or**

20 **“(d) An area established by an Act of Congress for the protection of scenic or ecological**  
21 **resources.**

22 **“(3) The guest ranch must be located on a lawfully established unit of land that:**

23 **“(a) Is at least 160 acres;**

24 **“(b) Contains the dwelling of the individual conducting the livestock operation; and**

25 **“(c) Is not high-value farmland, as described in ORS 215.710.**

26 **“(4) Except as provided in subsection (5) of this section, the guest lodging units of the**  
27 **guest ranch cumulatively must:**

28 **“(a) Include not fewer than four nor more than 10 overnight guest lodging units; and**

29 **“(b) Not exceed a total of 12,000 square feet in floor area, not counting the floor area of**  
30 **a lodge that is dedicated to kitchen area, rest rooms, storage or other shared or common**  
31 **indoor space.**

32 **“(5) For every increment of 160 acres that the lawfully established unit of land on which**  
33 **the guest ranch is located exceeds the minimum 160-acre requirement described in sub-**  
34 **section (3) of this section, up to five additional overnight guest lodging units not exceeding**  
35 **a total of 6,000 square feet of floor area may be included in the guest ranch for a total of**

1 not more than 25 guest lodging units and 30,000 square feet of floor area.

2 “(6) A guest ranch may provide passive recreational activities that can be provided in  
3 conjunction with the livestock operation’s natural setting including, but not limited to,  
4 hunting, fishing, hiking, biking, horseback riding, camping and swimming. A guest ranch may  
5 not provide intensively developed recreational facilities, including golf courses as identified  
6 in ORS 215.283.

7 “(7) A guest ranch may provide food services only for guests of the guest ranch, indi-  
8 viduals accompanying the guests and individuals attending a special event at the guest ranch.  
9 The cost of meals, if any, may be included in the fee to visit or stay at the guest ranch. A  
10 guest ranch may not sell individual meals to an individual who is not a guest of the guest  
11 ranch, an individual accompanying a guest or an individual attending a special event at the  
12 guest ranch.

13 “SECTION 3. (1) Notwithstanding ORS 215.283, the governing body of a county or its  
14 designee may not allow a guest ranch in conjunction with:

15 “(a) A campground as described in ORS 215.283 (2).

16 “(b) A golf course as described in ORS 215.283 (2).

17 “(2) Notwithstanding ORS 215.263, the governing body of a county or its designee may  
18 not approve a proposed division of land in an exclusive farm use zone for a guest ranch.

19 “(3) The governing body of a county or its designee may not approve a proposed division  
20 of land that separates the guest ranch from the dwelling of the individual conducting the  
21 livestock operation.

22 “SECTION 4. A guest ranch approved and established under section 1, chapter 728,  
23 Oregon Laws 1997, as amended by section 1, chapter 216, Oregon Laws 1999, section 2, chap-  
24 ter 467, Oregon Laws 2001, section 5, chapter 544, Oregon Laws 2001, section 1, chapter 147,  
25 Oregon Laws 2003, section 107, chapter 621, Oregon Laws 2003, and section 1, chapter 258,  
26 Oregon Laws 2005, and made nonconforming by repeal of chapter 728, Oregon Laws 1997, by  
27 section 5, chapter 728, Oregon Laws 1997, as amended by section 3, chapter 467, Oregon Laws  
28 2001, and section 3, chapter 258, Oregon Laws 2005, or approved and established under section  
29 2, chapter 84, Oregon Laws 2010, as amended by section 1, chapter 451, Oregon Laws 2011,  
30 and made nonconforming by repeal of chapter 84, Oregon Laws 2010, by section 6, chapter  
31 84, Oregon Laws 2010, as amended by section 2, chapter 451, Oregon Laws 2011, is deemed a  
32 conforming use under section 2 of this 2018 Act.

33 “SECTION 5. A county shall amend its land use regulations to conform to the require-  
34 ments of sections 2, 3 and 4 of this 2018 Act. Notwithstanding contrary provisions of state  
35 law or a county charter relating to public hearings on amendments to an ordinance, a county  
36 may adopt amendments to its land use regulations required by this section without holding  
37 a public hearing and without adopting findings if:

38 “(1) The county has given notice to the Department of Land Conservation and Develop-  
39 ment of the proposed amendments in the manner provided by ORS 197.610; and

40 “(2) The department has confirmed in writing that the only effect of the proposed  
41 amendments is to conform the county’s land use regulations to the requirements of sections  
42 2, 3 and 4 of this 2018 Act.

43 “SECTION 6. Sections 1, 2, 3, 4 and 5 of this 2018 Act are repealed on April 15, 2020.”.

44 In line 5, delete “1.” and insert “7.”.

45 On page 2, delete line 36 and insert:

1       “(B) Natural or conservation management unit requirements for estuarine resources; or”.

2       Delete lines 44 and 45.

3       On page 3, delete line 1 and insert:

4       “(7) If a county listed in subsection (4)(b)(B), (D), (F), (G) or (M) of this section approves an ap-  
5 plication for a small-scale recreation community that also requires a federal license or permit, that  
6 approval shall be deemed to constitute an acknowledged exception under ORS 197.732 to any appli-  
7 cable statewide land use planning goal with which the use would not otherwise comply.”.

8       In line 2, delete “2” and insert “8”.

9       In line 30, delete “3” and insert “9”.

10      In line 42, delete “eight” and insert “seven”.

11      On page 4, line 13, delete “4” and insert “10”.

12      In line 26, delete “5” and insert “11”.

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