

Requested by HOUSE COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4031**

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

3 Before line 5, insert:

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

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

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

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

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

17 **“(2) Subject to the provisions of ORS 215.296 (1) and (2) and other  
18 approval or siting standards of a county, a guest ranch may be estab-  
19 lished in an area of eastern Oregon, as defined in ORS 321.805, that is  
20 zoned for exclusive farm use unless the proposed site of the guest  
21 ranch is within the boundaries of or surrounded by:**

1       “(a) A federally designated wilderness area or a wilderness study  
2 area;

3       “(b) A federally designated wildlife refuge;

4       “(c) A federally designated area of critical environmental concern;  
5 or

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

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

10       “(a) Is at least 160 acres;

11       “(b) Contains the dwelling of the individual conducting the livestock  
12 operation; and

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

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

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

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

21       “(5) For every increment of 160 acres that the lawfully established  
22 unit of land on which the guest ranch is located exceeds the minimum  
23 160-acre requirement described in subsection (3) of this section, up to  
24 five additional overnight guest lodging units not exceeding a total of  
25 6,000 square feet of floor area may be included in the guest ranch for  
26 a total of not more than 25 guest lodging units and 30,000 square feet  
27 of floor area.

28       “(6) A guest ranch may provide passive recreational activities that  
29 can be provided in conjunction with the livestock operation’s natural  
30 setting including, but not limited to, hunting, fishing, hiking, biking,

1 horseback riding, camping and swimming. A guest ranch may not  
2 provide intensively developed recreational facilities, including golf  
3 courses as identified in ORS 215.283.

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

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

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

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

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

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

22 **“SECTION 4. A guest ranch approved and established under section**  
23 **1, chapter 728, Oregon Laws 1997, as amended by section 1, chapter 216,**  
24 **Oregon Laws 1999, section 2, chapter 467, Oregon Laws 2001, section 5,**  
25 **chapter 544, Oregon Laws 2001, section 1, chapter 147, Oregon Laws**  
26 **2003, section 107, chapter 621, Oregon Laws 2003, and section 1, chapter**  
27 **258, Oregon Laws 2005, and made nonconforming by repeal of chapter**  
28 **728, Oregon Laws 1997, by section 5, chapter 728, Oregon Laws 1997, as**  
29 **amended by section 3, chapter 467, Oregon Laws 2001, and section 3,**  
30 **chapter 258, Oregon Laws 2005, or approved and established under**

1 section 2, chapter 84, Oregon Laws 2010, as amended by section 1,  
2 chapter 451, Oregon Laws 2011, and made nonconforming by repeal of  
3 chapter 84, Oregon Laws 2010, by section 6, chapter 84, Oregon Laws  
4 2010, as amended by section 2, chapter 451, Oregon Laws 2011, is  
5 deemed a conforming use under section 2 of this 2018 Act.

6 **“SECTION 5. A county shall amend its land use regulations to**  
7 **conform to the requirements of sections 2, 3 and 4 of this 2018 Act.**  
8 **Notwithstanding contrary provisions of state law or a county charter**  
9 **relating to public hearings on amendments to an ordinance, a county**  
10 **may adopt amendments to its land use regulations required by this**  
11 **section without holding a public hearing and without adopting findings**  
12 **if:**

13 **“(1) The county has given notice to the Department of Land Con-**  
14 **servation and Development of the proposed amendments in the man-**  
15 **ner provided by ORS 197.610; and**

16 **“(2) The department has confirmed in writing that the only effect**  
17 **of the proposed amendments is to conform the county’s land use reg-**  
18 **ulations to the requirements of sections 2, 3 and 4 of this 2018 Act.**

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

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

22 On page 2, delete line 36 and insert:

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

25 Delete lines 44 and 45.

26 On page 3, delete line 1 and insert:

27 “(7) If a county listed in subsection (4)(b)(B), (D), (F), (G) or (M) of this  
28 section approves an application for a small-scale recreation community that  
29 also requires a federal license or permit, that approval shall be deemed to  
30 constitute an acknowledged exception under ORS 197.732 to any applicable

1 statewide land use planning goal with which the use would not otherwise  
2 comply.”.

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

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

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

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

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

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