

Enrolled
House Bill 2573

Sponsored by Representatives MCKEOWN, SMITH DB, Senator HEARD; Representative GOMBERG, Senators JOHNSON, ROBLAN (Presession filed.)

CHAPTER

AN ACT

Relating to high-value farmland.

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

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 215.

SECTION 2. (1) Notwithstanding any farm income standard adopted under ORS 215.279, a county shall approve a primary dwelling customarily provided in conjunction with farm use under ORS 215.213 (1)(f) or 215.283 (1)(e), if:

(a) The tract on which the dwelling will be established is currently employed for farm use involving the raising and harvesting of cranberries;

(b) The tract on which the dwelling will be established is considered to be high-value farmland on the basis that the tract is growing a specified perennial under ORS 215.710 (2) but the tract is not considered to be high-value farmland on the basis of soil composition under ORS 215.710 (1);

(c) Except for seasonal farmworker housing approved prior to 2001, there is no other dwelling on lands zoned for exclusive farm use or for farm and forest use owned by the farm operator or on the farm operation;

(d) The operator of the farm on the tract earned at least \$40,000 in gross annual income from the sale of cranberries or cranberry products as described in ORS 215.279, excluding any income:

(A) From land leased or rented; or

(B) Used to qualify another lot or parcel for the construction or siting of a primary dwelling customarily provided in conjunction with farm use; and

(e) As a condition of approval of the new dwelling, in addition to the requirements of ORS 215.293, the property owner agrees to sign and record in the deed records for the county in which the parcel is located, one or more instruments containing irrevocable deed restrictions, enforceable by the county, that prohibit the owner and the owner's successors from using the dwelling as a rental dwelling unit as defined in ORS 90.100.

(2) Subsection (1)(b) of this section may not be interpreted to change land use decisions, or determinations, of high-value farmland for any other purpose.

SECTION 3. Section 2 of this 2019 Act is repealed on January 2, 2022.

Passed by House April 22, 2019

.....
Timothy G. Sekerak, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate June 3, 2019

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

.....
Bev Clarno, Secretary of State