

HB 2573-4
(LC 2536)
4/8/19 (RLM/ps)

Requested by HOUSE COMMITTEE ON AGRICULTURE AND LAND USE (at the request of Representative Brian Clem)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2573**

1 On page 1 of the printed bill, line 2, delete “; amending ORS 215.710”.

2 Delete lines 4 through 31 and delete page 2 and insert:

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

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

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

12 **“(b) The tract on which the dwelling will be established is consid-**
13 **ered to be high-value farmland on the basis that the tract is growing**
14 **a specified perennial under ORS 215.710 (2) but the tract is not con-**
15 **sidered to be high-value farmland on the basis of soil composition**
16 **under 215.710 (1);**

17 **“(c) Except for seasonal farmworker housing approved prior to 2001,**
18 **there is no other dwelling on lands zoned for exclusive farm use or for**
19 **farm and forest use owned by the farm operator or on the farm oper-**
20 **ation;**

21 **“(d) The operator of the farm on the tract earned at least \$40,000**

1 in gross annual income from the sale of cranberries or cranberry
2 products as described in ORS 215.279, excluding any income:

3 “(A) From land leased or rented; or

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

7 “(e) As a condition of approval of the new dwelling, in addition to
8 the requirements of ORS 215.293, the property owner agrees to sign and
9 record in the deed records for the county in which the parcel is lo-
10 cated, one or more instruments containing irrevocable deed re-
11 strictions, enforceable by the county, that prohibit the owner and the
12 owner’s successors from using the dwelling as a rental dwelling unit
13 as defined in ORS 90.100.

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

17 “SECTION 3. Section 2 of this 2019 Act is repealed on January 2,
18 2022.”

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