

D R A F T

SUMMARY

Digest: This Act limits rezoning of farm and forest lands. (Flesch Readability Score: 75.5).

Restricts methods by which lands zoned for farm, forest or mixed farm and forest use may be redesignated for nonresource use.

A BILL FOR AN ACT

1
2 Relating to redesignating resource lands for nonresource use; amending ORS
3 215.788.

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

5 **SECTION 1.** ORS 215.788 is amended to read:

6 215.788. (1) For the purposes of correcting mapping errors made in the
7 acknowledgment process and updating the designation of farmlands and
8 forestlands for land use planning, a county may conduct a legislative review
9 of lands in the county to determine whether the lands planned and zoned for
10 farm use, forest use or mixed farm and forest use are consistent with the
11 definitions of “agricultural lands” or “forest lands” in goals relating to ag-
12 ricultural lands or forestlands.

13 (2) A county may undertake the reacknowledgment process authorized by
14 this section only if the Department of Land Conservation and Development
15 approves a work plan, from the county, describing the expected scope of re-
16 acknowledgment. The department may condition approval of a work plan for
17 reacknowledgment under this section to reflect the resources needed to
18 complete the review required by ORS 197.659 and 215.794. The work plan
19 of the county and the approval of the department are not final orders for
20 purposes of review.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (3) A county that undertakes the reacknowledgment process authorized
2 by this section shall provide an opportunity for all lands planned for farm
3 use, forest use or mixed farm and forest use and all lands subject to an ex-
4 ception under ORS 197.732 to a goal relating to agricultural lands or
5 forestlands to be included in the review.

6 (4) A county must plan and zone land reviewed under this section:

7 (a) For farm use if the land meets the definition of “agricultural land” in
8 a goal relating to agricultural lands;

9 (b) For forest use if the land meets the definition of “forest land” used
10 for comprehensive plan amendments in the goal relating to forestlands;

11 (c) For mixed farm and forest use if the land meets both definitions;

12 (d) For nonresource use, consistent with ORS 215.794, if the land does not
13 meet either definition; or

14 (e) For a use other than farm use or forest use as provided in a goal re-
15 lating to land use planning process and policy framework and subject to an
16 exception to the appropriate goals under ORS 197.732 (2).

17 (5) A county may consider the current land use pattern on adjacent and
18 nearby lands in determining whether land meets the appropriate definition.

19 **(6) Notwithstanding any other provision of this chapter, a county**
20 **may not approve an amendment to a comprehensive plan that redes-**
21 **ignates lands from farm use, forest use or mixed farm and forest use**
22 **to a nonresource use, except:**

23 **(a) As provided in this section;**

24 **(b) As a goal exception under ORS 197.732; or**

25 **(c) For lands that have been added to an urban growth boundary.**

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