

**A-Engrossed**  
**House Bill 3615**

Ordered by the House April 27  
Including House Amendments dated April 27

Sponsored by Representatives GARRARD, ESQUIVEL; Representatives FREEMAN, HANNA, HICKS, KRIEGER, SCHAUFLER

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Authorizes establishment of regional definitions of "agricultural land" and "forest land" for purposes of land use goal setting.]*

**Allows Jackson, Josephine and Douglas Counties to petition Land Conservation and Development Commission to establish regional definitions for 'agricultural land' and 'forestland' for purposes of statewide land use planning. Authorizes, for biennium beginning July 1, 2013, receipt by commission of one or two such petitions filed by other adjoining counties.**

Appropriates moneys to Department of Land Conservation and Development to make grants to Jackson, Josephine and Douglas Counties to *[pursue]* **petition for regional definitions of "agricultural land" and "forestland."**

**A BILL FOR AN ACT**

1  
2 Relating to regionalized land use planning; and appropriating money.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS chapter 195.**

5 **SECTION 2. (1) Jackson, Josephine and Douglas Counties may, after entering into an**  
6 **intergovernmental agreement, petition the Land Conservation and Development Commission**  
7 **to establish a definition of the term "agricultural land" or "forestland" for purposes of**  
8 **statewide land use planning in the three counties or in a specified region within the three**  
9 **counties.**

10 **(2) If a petition is filed with the commission:**

11 **(a) The petition must identify the region to which the definitions apply, taking into con-**  
12 **sideration:**

13 **(A) The need to address similar and related lands as one region; and**

14 **(B) The need to address similar and related farm practices and products or forest prac-**  
15 **tices and products in a region in a consistent manner.**

16 **(b) The commission shall coordinate with all local governments in the affected region.**

17 **(3) The commission is not subject to ORS 197.235 (1)(a) for the purpose of establishing**  
18 **definitions under this section. However, the commission shall hold at least one public hear-**  
19 **ing in each county in which the definitions would apply.**

20 **(4) The commission shall base definitions established under this section on the charac-**  
21 **teristics of the land, commercial farm or forest practices in the region, ORS 215.243 and**  
22 **215.700 and on consideration of the following factors:**

23 **(a) The capability and suitability of the soil for commercial farming or forestry;**

**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       **(b) The long-term viability of current and potential future commercial farm or forest**  
2 **operations on the land;**

3       **(c) The availability of water needed to sustain current or anticipated commercial farm**  
4 **operations on the land;**

5       **(d) The commercial farm or forest land use pattern, including parcelization, tenure and**  
6 **ownership patterns of the land and nearby lands; and**

7       **(e) Opportunities for alternative economic uses of the land that would enhance the em-**  
8 **ployment base of the counties and provide jobs to the region, as identified by the counties**  
9 **filing the petition.**

10       **(5) A county that elects to amend its comprehensive plan and zoning map designations**  
11 **based on definitions made pursuant to this section shall:**

12       **(a) Comply with the requirements of ORS 215.791; and**

13       **(b) Submit the proposed amendments to the commission pursuant to ORS 215.794.**

14       **SECTION 3.** **In addition to and not in lieu of any other appropriation, there is appropri-**  
15 **ated to the Department of Land Conservation and Development, for the biennium beginning**  
16 **July 1, 2011, out of the General Fund, the amount of \$350,000, which may be distributed in**  
17 **the form of grants to Jackson, Josephine and Douglas Counties to assist the counties to take**  
18 **action under section 2 of this 2011 Act.**

19       **SECTION 4.** **(1) The Department of Land Conservation and Development shall make grant**  
20 **moneys appropriated to the department by section 3 of this 2011 Act available to Jackson,**  
21 **Josephine and Douglas Counties after the counties have entered into an intergovernmental**  
22 **agreement pursuant to ORS 195.025 (2).**

23       **(2) Upon entering into the intergovernmental agreement, Jackson, Josephine and Douglas**  
24 **Counties may proceed immediately under section 2 of this 2011 Act.**

25       **SECTION 5.** **For the biennium beginning July 1, 2013, the Land Conservation and Devel-**  
26 **opment Commission shall, upon receipt of a petition filed by adjoining counties, select at**  
27 **least one, but not more than two, additional regions for which to consider establishing a**  
28 **definition of the term “agricultural land” or “forestland” for purposes of statewide land use**  
29 **planning in the manner set forth in section 2 of this 2011 Act.**

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