

CERTIFICATE AND ORDER FOR FILING PERMANENT ADMINISTRATIVE RULES WITH THE SECRETARY OF STATE

3/7/93 RECEIVED AUG 21 9 12 AM '92

I HEREBY CERTIFY that the attached copy is a true, full and correct copy of PERMANENT rule(s) adopted on August 7, 1992

(Date) PHIL KEISLING SECRETARY OF STATE

by the Land Conservation and Development Commission (Department) (Division)

to become effective August 7, 1993 or upon adoption of additional rules, whichever is later. (Date)

The within matter having come before the Land Conservation and Development Commission (Department) (Division)

all procedures having been in the required form and conducted in accordance with applicable statutes and rules and being fully advised in the premises:

Notice of Intended Action published in Secretary of State's Bulletin: NO [ ] YES [x] Date Published: June 1, 1992

NOW THEREFORE, IT IS HEREBY ORDERED THAT the following action be taken: (List Rule Number(s) or Rule Title(s) on Appropriate Lines Below)

Adopted: (New Total Rules)

Amended: (Existing Rules)

OAR 660-15-000(3), OAR 660-15-000(4)

Repealed: (Total Rules Only)



as Administrative Rules of the Land Conservation and Development Commission (Department) (Division)

DATED this 18th day of August 19 92

By: Richard Bauer (Authorized Signer)

Title: Director, DLCD

Statutory Authority: ORS Chapters 183, 197, 215

Chapter(s) Oregon Laws 19

House Bill(s) 19 Legislature; or Senate Bill(s) 19

Subject Matter: Statewide Planning Goals for Agricultural Lands and Forest Lands.

For Further Information Contact: Dale Blanton (Rule Coordinator)

Phone: 373-0089

LAND CONSERVATION AND DEVELOPMENT COMMISSION

AMENDMENTS TO  
GOAL 3: AGRICULTURAL LAND

and  
GOAL 4: FOREST LANDS

Adopted August 7, 1992

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AUG 21 9 11 AM '92

PHIL KEISLING  
SECRETARY OF STATE

2/7/93

1 **GOAL 3: AGRICULTURAL LAND**

2 To preserve and maintain agricultural lands.

3 Agricultural lands shall be preserved and maintained for farm use,  
4 consistent with existing and future needs for agricultural products, forest and  
5 open space and with the state's agricultural land use policy expressed in  
6 ORS 215.243. Oregon's agricultural diversity is reflected in farms of different  
7 sizes and varying production levels. To reflect this agricultural diversity, counties  
8 may adopt different types of comprehensive plan designations to protect  
9 agricultural lands.

10 Counties, in cooperation with LCDC, the Departments of Agriculture and  
11 Forestry and farm and forestry experts, may identify and map small-scale  
12 resource lands. LCDC, in cooperation with counties, the Department of  
13 Agriculture, farmers and agricultural experts, may identify high-value farmland.  
14 Agricultural lands not identified as high-value farmland or small-scale resource  
15 lands shall be identified as important farmlands. High-value and important  
16 farmland shall be preserved and maintained for commercial farm use.

17  
18 **USES**

19 [~~These lands shall be inventoried and preserved by adopting exclusive farm~~  
20 ~~use zones pursuant to ORS Chapter 215.]~~

1        On small-scale resource lands, counties may authorize the following uses,  
 2        subject to other provisions of law: (1) the uses allowed by Goal 4; (2) uses  
 3        authorized by exclusive farm use zones pursuant to ORS Chapter 215; and (3) a  
 4        dwelling on a single ownership as defined by LCDC rule.

5        On high-value and important farmlands, counties may authorize farm uses  
 6        and those nonfarm uses that will not have significant adverse effects on accepted  
 7        farm or forest practices.

## 9        **IMPLEMENTATION**

10        Zoning applied to agricultural land shall limit uses which can have  
 11        significant adverse effects on agricultural and forest land, farm and forest uses or  
 12        accepted farming or forest practices.

13        [~~Such minimum lot sizes as are utilized for any~~] Counties shall establish  
 14        minimum sizes for new lots or parcels in each agricultural land designation. The  
 15        minimum parcel size established for farm uses in high-value and important  
 16        farmland [use] zones shall be appropriate to maintain [for the continuation of] the  
 17        existing commercial agricultural enterprise within the area. The minimum lot or  
 18        parcel size in small-scale resource zones shall be consistent with the resource  
 19        capabilities and other factors related to development of such lands.

20        [~~Conversion of rural agricultural land to urbanizable land shall be based~~  
 21        ~~upon consideration of the following factors: (1) environmental, energy, social and~~  
 22        ~~economic consequences; (2) demonstrated need consistent with LCDC goals;~~  
 23        ~~(3) unavailability of an alternative suitable location for the requested use;~~  
 24        ~~(4) compatibility of the proposed use with related agricultural land; and (5) the~~

1 ~~retention of Class I, , III and IV Soils in farm use.]~~

2 ~~[A governing body proposing to convert rural land to urbanizable land shall~~  
3 ~~follow the procedures and requirements set forth in the Land Use Planning goal~~  
4 ~~(Goal 2) for goal exceptions.]~~

5 Counties may designate agricultural land as marginal land and allow those  
6 uses and land divisions on the designated marginal land as allowed by  
7 ORS 197.247 unless this law is repealed by the Legislature.

8 LCDC shall review and approve plan designations and revisions to land use  
9 regulations in the manner provided by ORS Chapter 197.

10  
11 **DEFINITIONS**

12 **Agricultural Land** -- in western Oregon is land of predominantly Class I,  
13 II, III and IV soils and in eastern Oregon is land of predominantly Class I, II, III,  
14 IV, V and VI soils as identified in the Soil Capability Classification System of the  
15 United States Soil Conservation Service, and other lands which are suitable for  
16 farm use taking into consideration soil fertility, suitability for grazing, climatic  
17 conditions, existing and future availability of water for farm irrigation purposes,  
18 existing land-use patterns, technological and energy inputs required, or accepted  
19 farming practices. Lands in other classes which are necessary to permit farm  
20 practices to be undertaken on adjacent or nearby lands, shall be included as  
21 agricultural land in any event.

22 More detailed soil data to define agricultural land may be utilized by local  
23 governments if such data permits achievement of this goal.

1        Agricultural land does not include land within acknowledged urban growth  
2 boundaries or land within acknowledged exceptions to Goals 3 or 4.

3        **Farm Use** -- is as set forth in ORS 215.203. [~~and includes the non-farm~~  
4 ~~uses authorized by ORS 215.213 and ORS 215.283.~~]

5        **High-Value Farmlands** -- are areas of agricultural land suitable for the  
6 production of crops at a commercial scale.

7        **Important Farmlands** -- are areas of agricultural land which are not  
8 identified as high-value farmland or small-scale resource land or appropriate for  
9 designation as forest land or agriculture/forest land pursuant to Goal 4.

10        **Small-Scale Resource Lands** -- are areas of agricultural and forest land  
11 not [suitable] appropriate for farm or forest uses at commercial scale. [and are not  
12 designated as High Value or Important Farmland under Goal 3 or as Forest Land  
13 or Agriculture/Forest Lands under Goal 4.]

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