



January 10, 2019

TO: Land Conservation and Development Commission

FROM: Jim Rue, Director
Tim Murphy, Farm and Forest Lands Specialist

SUBJECT: **Agenda Item 12, January 24-25, 2019, LCDC Meeting**



2016-2017 FARM AND FOREST REPORT

I. AGENDA ITEM SUMMARY

ORS 197.065 requires the Land Conservation and Development Commission (LCDC or commission) to submit a biennial report to the Legislature that analyzes applications approved statewide in exclusive farm use, forest, and mixed farm-forest zones. Counties are required to submit copies of approved and denied applications to the Department of Land Conservation and Development (DLCD or department) for inclusion in the report. The purpose of the Farm and Forest Report is to allow the Legislature, commission, local officials and interested parties to evaluate the effectiveness of Goals 3 and 4, and implementing statutes and rules, in protecting agricultural and forest lands.

The 2016-2017 Farm and Forest Report documents approvals for dwellings, non-residential land uses, land divisions, zone changes, urban growth boundary expansions, and Measure 37/49 claims. In addition, the report provides cumulative historical data on county approvals going back to 1989, and an analysis of current trends regarding the conversion of agricultural and forest lands to developed uses.

The commission will receive a briefing on the 2016-2017 Farm and Forest Report by representatives of DLCD and the departments of Agriculture and Forestry. Following commission review, LCDC will decide whether to accept the report and forward it to the 2019 Legislature.

For further information about this report, please contact Tim Murphy, Farm and Forest Lands Specialist, at 503-934-0048 or timothy.murphy@state.or.us

II. **BACKGROUND**

A. **Agricultural Lands**

During 2016-2017, dwelling approvals on agricultural land increased by 13 percent, or 127 dwelling approvals, as compared to 2014-2015. Nonfarm dwellings had the largest increase with 221 approvals statewide in 2016-2017 as compared to 150 approvals in 2014-2015. Temporary hardship dwellings approvals increased by 34 percent in 2016-2017. Replacement dwellings constitute 48 percent of all dwellings approved on farmland in 2016-2017. There was minimal change in the number of farm related dwellings approved.

The most common nonresidential use approvals on farmland were commercial solar facilities (57 approvals), home occupations (55 approvals), and farm processing facilities (54 approvals). The majority of solar approvals were for 12 acre facilities on high-value farmland in the northern Willamette Valley. Approvals of processing facilities increased substantially primarily due to marijuana processing.

The total number of new parcels created on farmland in 2016-2017 (172 new parcels) was nearly identical to 2014-2015 (171 new parcels). The most common reason for creating a new parcel was for a nonfarm dwelling (64 new parcels).

B. **Forest Lands**

There was minimal change in the total number of dwellings approved on forestland as compared to 2014-2015. Fifty-six percent of dwelling approvals were template dwellings (255 approvals) and 21 percent were replacement dwellings (96 approvals). Approvals of template dwellings decreased from 2014-2015 when 278 template dwellings were approved.

The number of new parcels created on forest lands decreased from 63 new parcels in 2014-2015 to 48 new parcels in 2016-2017. There were no significant changes in approvals of nonresidential uses.

C. **Urban Growth Boundary (UGB) Expansions and Rural Zone Changes**

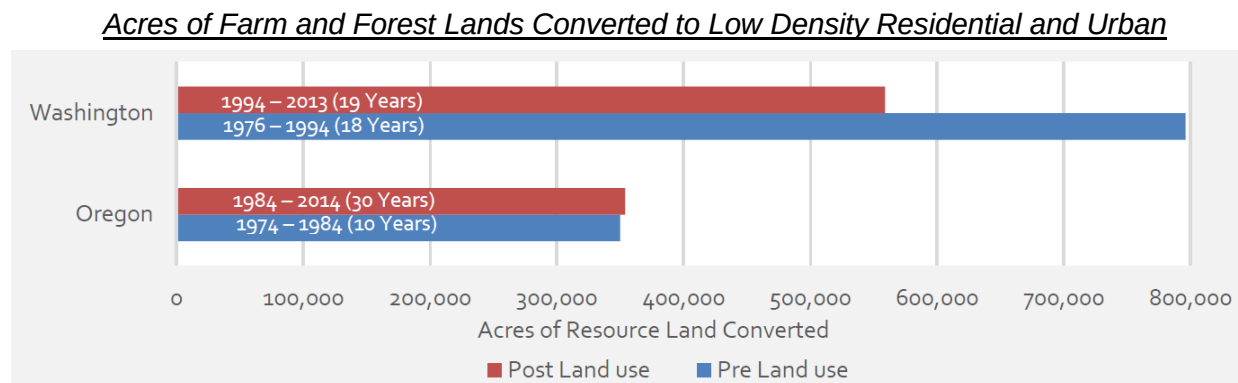
Farm and forest lands are given lower priority for inclusion in UGBs than lands already zoned for rural development or nonresource lands. In 2016-2017, 32 percent of the total acres added to UGBs was zoned Exclusive Farm Use (EFU) and three percent were zoned Forest. Notable UGB expansions include the cities of Bend (2,380 acres, zero EFU or Forest acres), Eugene (939 EFU acres for employment lands), and Sandy (45 percent of the 652-acre expansion was zoned EFU or Forest, although these lands were in an area designated as an urban reserve).

In 2016-2017, 825 acres of EFU and 336 acres of forestland were rezoned for rural residential, commercial or industrial uses. This is a decline from 2014-2015 when 4,283 of EFU and 524 acres of forestland were rezoned. Mineral and aggregate uses accounted for 23 percent of the acres rezoned in 2016-2017.

D. Analysis

The department remains concerned about the cumulative impact of dwellings and other uses on the working farm and forest lands. Since 1994, over 9,000 new permanent dwellings have been approved on farmland with over 6,500 dwellings on forest land. Currently over 50 types of nonresidential uses are allowed in exclusive farm use zones with over 40 types of nonresidential uses allowed in forest zones. The department intends to conduct additional analyses on the cumulative impacts of these uses as part of the Farmland Protection Improvements project. The department is also working on improving GIS mapping of farm and forest land use decisions, which will better inform future analyses.

Notwithstanding these concerns, Oregon's statewide land use planning program continues to be effective. While Oregon and Washington have similar area of non-federal land, the acres of farm and forest lands converted to low density and urban uses before and after implementation of the two state land use planning programs has been dramatically lower in Oregon than in Washington.



Source: Oregon Department of Forestry (Gray et al, 2018)

III. RECOMMENDED ACTION/CONCLUSION

In 2016-2017, approvals on farm and forest lands largely followed the pattern of gradual conversion that occurred in 2014-2015. The department will continue to monitor development and suggest appropriate policy changes.

Following LCDC review of the 2016-2017 Farm and Forest Report, the department will modify the report as requested and will forward it to the Legislature as directed by the commission.

IV. **ATTACHMENTS**

A. DRAFT 2016+2017 FARM AND FOREST REPORT

DRAFT

2016 - 2017 OREGON FARM & FOREST REPORT



Source: Carney, S.



OREGON

Department of
Land Conservation
& Development

January 24, 2018

2016 - 2017 OREGON FARM & FOREST REPORT

January 1, 2016 through December 31, 2017

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Introduction

Oregon Revised Statutes (ORS) 197.065 requires the Oregon Land Conservation and Development Commission (LCDC) to submit a report every two years to the Legislature “analyzing applications approved and denied” for certain land uses in exclusive farm use (EFU) and forest zones and “such other matters pertaining to protection of agricultural or forest land as the commission deems appropriate.”

County Reporting of Land Use Decisions

The Department of Land Conservation and Development (DLCD or department) receives county land use decisions in EFU, forest and mixed farm-forest zones. This report summarizes the information provided by the counties for the two-year period from January 1, 2016 through December 31, 2017. For each of the two years, tables and graphs include information on dwelling and land division approvals as well as other approved uses on farm and forest land. In addition, the report provides information on the acreage rezoned out of farm and forest zones to urban and rural zones in this time period. Additional graphs, tables, and maps provide historic data on development trends and land conversion of farm and forest land to other uses. Finally, this report also includes data on county land use decisions that are based on waivers to state and local land use regulations under Ballot Measures 37 and 49. Most of these decisions were in farm and forest zones.

Use of this Report

The department uses the collected information to evaluate the extent and location of development, partitions, and zone changes on farm and forest lands. This information is used to continually assess the effectiveness of farm and forest zones in implementing Statewide Planning Goal 3 (Agricultural Lands) and Goal 4 (Forest Lands). The data may also be used by LCDC and the Legislature to shape statutory and rule changes to enhance or clarify protections for farm and forest lands.



Oregon's Agricultural Land Protection Program

The preservation of agricultural land is one of the primary objectives of Oregon's statewide planning program. Oregon has determined that it is in the state's interest to protect the land resource foundation of one of its leading industries – agriculture.

The Land

Roughly 26 percent of Oregon's land base – 16.3 million acres – is in non-federal farm use, according to the 2012 USDA Census of Agriculture. This includes all places from which \$1,000 or more is earned annually from the sale of agricultural products. Farm acres have decreased by approximately five percent (778,844 acres) since the 2002 Census of Agriculture while the number of farms has decreased by 11 percent (4,594 farms). The average size of Oregon farms increased by 33 acres from 2002 to 2012.

The Economy

In 2015, Oregon's agricultural sector produced a farm gate value of \$5.7 billion or approximately 11 percent of the net state product (Sorte & Rahe, 2015). Agriculture is linked economically to approximately 13 percent of all Oregon sales and 11 percent of the state's economy (Sorte & Rahe, 2015). Oregon agriculture has created 326,617 full and part time jobs or 14 percent of all employment in Oregon (Sorte & Rahe, 2015). Over 98 percent of Oregon's farm sales are generated by farms generating more than \$10,000 in annual gross sales (USDA, 2012). These farms comprise 37 percent of all Oregon farms and make up 89 percent of the state's agricultural land base (USDA, 2012).



Crops and Livestock

Oregon is one of the most agriculturally diverse states in the nation, boasting the production of more than 225 different types of crops and livestock, and leading the nation in the production of 12 crops (ODA, 2017, 2018). Oregon agriculture continues to diversify as crop types and farming practices change. Increases in the production of hazelnuts, hemp, and marijuana are changing the agricultural landscape as are trends toward implementing organic and sustainable farm practices.

There is growing interest in purchasing locally grown food. Farm income from the direct sales of local food increased by 106 percent from 2002 to 2012 (USDA, 2002, 2012). Farmers markets, community supported agriculture, u-picks, and agritourism provide opportunities for farmers to market their products to local consumers. Locally grown food presents opportunities to combat hunger and nutrition issues in Oregon communities. The Oregon Community Food Systems Network has prepared a series of county food system assessments highlighting local needs (OCFSN, 2018).

House Bill 3400 (2015) designated marijuana as a crop for the purposes of “farm use,” effectively granting marijuana production the same protections provided to other crops grown in an EFU zone. Unlike other crops, counties are allowed to adopt reasonable regulations regarding the time, place, and manner of marijuana production. Regulations vary from county to county but typically include odor and light control with a few counties limiting the size of marijuana grows. The comparatively high value of marijuana crops to other farm products has resulted in conversion of existing farmland to marijuana cultivation and has led to the establishment of marijuana grow sites in forest or rural residential areas that traditionally have not been used for agricultural purposes.

Farm Ownership

Approximately 97 percent of Oregon’s farms are family owned and operated (USDA, 2012). This may be changing. A Portland State University study found that less than half of all buyers of farmland between 2010 and 2016 had a clear connection to agriculture with many buyers focused on estate/property development, investing, or manufacturing (Horst, 2018). The average age of Oregon farmers is 60 years old which presents challenges in conveying land to the next generation of farmers and highlights the need for farm succession planning (USDA, 2012). Retirements over the next several decades will require the conveyance of over 10 million acres (64 percent) of Oregon’s agricultural land (Brekken et al, 2016).



Agricultural Land Use Policy

Oregon’s agricultural lands protection program is based on statute and administrative rules as interpreted by the Land Use Board of Appeals (LUBA) and the courts. Statewide Planning Goal 3, “Agricultural Lands,” requires identification of agricultural land, use of statutory EFU zones (ORS Chapter 215), and review of farm and non-farm uses according to statute and administrative rule (OAR chapter 660, division 33) provisions. These provisions also incorporate statutory minimum lot sizes and standards for all land divisions.

Oregon’s “Agricultural Land Use Policy” was first established by the Oregon Legislature in 1973 and is codified at ORS 215.243. There are four basic elements to this policy:

1. Agricultural land is a vital, natural and economic asset for all the people of this state;
2. Preservation of a maximum amount of agricultural land in large blocks, is necessary to maintain the agricultural economy of the state;
3. Expansion of urban development in rural areas is a public concern because of conflicts between farm and urban activities;
4. Incentives and privileges are justified to owners of land in EFU zones because such zoning substantially limits alternatives to the use of rural lands.

In 1993, the Oregon Legislature added two more important elements to this policy (ORS 215.700):

1. Provide certain owners of less productive land an opportunity to build a dwelling on their land; and
2. Limit the future division of and the siting of dwellings on the state's more productive resource land.

Goal 3 reinforces these policies as follows:

“Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and the state's agricultural land use policy expressed in ORS 215.243 and 215.700.”

These policy statements clearly set forth the state's interest in the preservation of agricultural lands and the means for their protection (EFU zoning), and establish that incentives and privileges (e.g. tax deferrals) are justified because of limitations placed upon the use of the land.

Exclusive Farm Use Zones

In Oregon, agricultural lands are protected from conversion to rural or urban uses and other conflicting non-farm uses through the application of EFU zones. At present, about 16.1 million acres in Oregon are in EFU zones. The EFU zone was developed by the Legislature in 1961 along with the farm tax assessment program. Farm use is encouraged and protected within the EFU zone. A variety of nonfarm uses are also allowed provided they are compatible with agriculture. Large minimum lot sizes and dwelling approval standards limit the conversion of farmland to other uses.



Land Use Approvals on Agricultural Land

The data in this report are for all local land use decisions on farmland, whether in EFU or mixed farm-forest zones.

Dwellings

In EFU zones and agricultural portions of mixed farm-forest zones, dwellings are allowed in seven different circumstances: primary farm dwellings, accessory farm dwellings, relative farm help dwellings, nonfarm dwellings, lot of record dwellings, replacement dwellings, and temporary hardship dwellings. Counties approved 557 dwellings on farmland in 2016 and 565 dwellings in 2017 (see Table 1). For comparison, 473 and 522 dwellings were approved in 2014 and 2015.

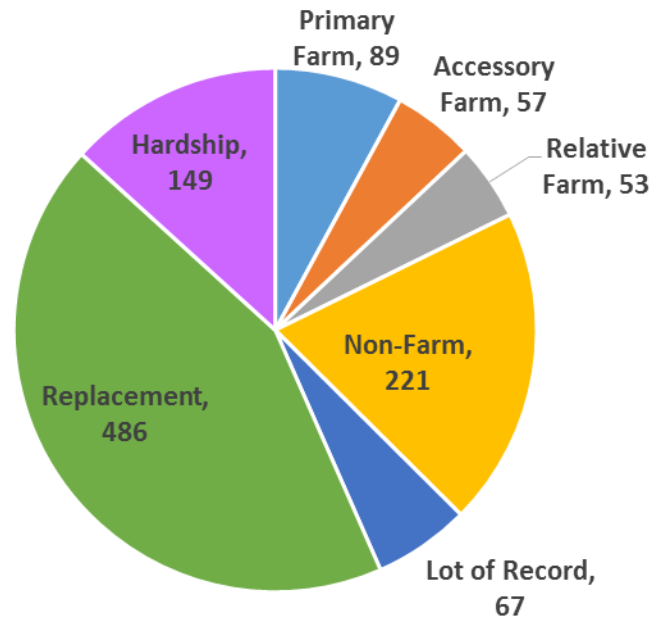
As shown in Figure 1 and Table 1, 43 percent of the dwelling approvals in the two year period were for replacement dwellings, 20 percent were for nonfarm dwellings, 13 percent were for temporary hardship dwellings, eight percent were for farm dwellings, six percent for lot of record dwellings, and five percent each for accessory farmworker dwellings and relative farm help dwellings.

Primary Farm Dwellings

There are four ways in which primary farm dwellings may be approved. On high-value farmland, the farm operator must have earned \$80,000 from the sale of farm products in the last two years or three of the last five years. Farm dwellings on non-high-value farmland must either meet a \$40,000 income standard, be located on a parcel of 160 acres, or meet a potential gross farm sales (capability) test. This latter test involves prior approval by DLCD.

The total number of primary farm dwelling approvals statewide was 40 in 2016 and 49 in 2017 for a total of 89 dwelling approvals. This is a slight decrease from 2014-2015 when 96 primary farm dwellings were approved. Table 2 shows what option was used to approve primary farm dwellings. Fifty-one percent of the 2016-2017 approvals were based on the parcel size test, 38 percent were based on the high-value income test, nine percent on the non-high-value income test, and two percent using the capability test. Fifty primary farm dwellings were approved in eastern Oregon with 39 approvals in western Oregon, primarily occurring in the Willamette Valley. Total statewide approvals of primary farm dwellings have remained relatively stable since the decline in approvals from 2006–2010 (see Figure 2).

Figure 1. Types of dwelling approvals on Farmland, 2016-2017



As shown in Table 3, 66 percent of all farm dwelling approvals were on parcels of 80 acres or more and 55 percent were on parcels of 160 acres or more. In some instances, primary farm dwellings have been approved on parcels smaller than 20 acres based on income from high-value farm operations such as nurseries and orchards.

Accessory farm dwellings

Accessory farm dwellings must be sited on a farm operation that earns the same gross income required for a primary farm dwelling (\$80,000 or \$40,000). These approvals occasionally involve more than one dwelling unit. Counties approved 26 accessory farm dwellings in 2016 and 31 in 2017 for a total of 57 dwelling approvals. A total of 231 housing units were approved in the 57 dwellings. Two-thirds of the units approved were related to a large cherry operation in Wasco County.

Accessory farm dwelling approvals increased from 2014-2015 when 47 accessory farm dwellings were approved. Over 60 percent of the 2016-2017 approvals were on parcels of 80 acres or more.

Relative farm help dwellings

The number of dwellings approved for relatives whose assistance is needed on the farm was 24 in 2016 and 29 in 2017 for a total of 53 dwelling approvals. This is a slight decrease from 2014-2015 when 66 dwellings were approved. A concern with this dwelling type is that, once built, there is no requirement that it continue to be occupied by a relative or even that it will continue to be used in conjunction with farm use.



Table 1. Dwelling approvals on Farmland, type and county, 2016–2017

County	Primary Farm		Accessory Farm		Relative Farm		Non-Farm		Lot of Record		Replacement		Temporary Hardship		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker	1	2			1	1		1	4	4	7	3	2		15	11
Benton	1			1	2						2	1	1	2	6	4
Clackamas	5	2	1	1	1	1			1	1			18	18	26	23
Clatsop								1			6				6	1
Columbia															0	0
Coos		1			1						1	1			2	2
Crook	6	5		5		1	6	10		2	4	12		2	16	37
Curry						1									0	1
Deschutes				2	1		19	17	1		20	22	7	5	48	46
Douglas	1	2			2	9	5	18	4	2	22	25	1	5	35	61
Gilliam		1						1			1	1			1	3
Grant			1			1	1	1	4		6	3			12	5
Harney	4	4	1		1		2	2			8	1			16	7
Hood River		5	5	6		1	2			1	14	12	1	1	22	26
Jackson	1			1	1	1	11	3	9	4	1	2	2	2	25	13
Jefferson	2	2	1		1	1		1	1	4	3	6	3		11	14
Josephine			2	1		1			1					1	3	3
Klamath	1			1			4	9	3						8	10
Lake		4	1	1		1	21	17	2	1	6	8			30	32
Lane		2			3	2	7	4			2	13	4	1	16	22
Lincoln										1					0	1
Linn	2	3		1		5	4				24	22	7	13	37	44
Malheur	1	1				1	2	3			1	13		3	4	21
Marion	2	2	4	2	1			1		2	15	9	5	4	27	20
Morrow	1		2	1			3	2			2	4			8	7
Multnomah					1			1			1			1	2	2
Polk	2			1	1	1				3	13	12	2	5	18	22
Sherman							3	5							3	5
Tillamook						1					1	5		1	1	7
Umatilla	2	1	3		2		10	2	3		11	5	1	1	32	9
Union	1	2		3				1			7	8	1		9	14
Wallowa	3	3		2	1				3	1	2	3	1		10	9
Wasco	1		2		1		2	4		2	1	1			7	7
Washington	1	1			2		10	5	3		32	17	1	9	49	32
Wheeler		2									2	2			2	4
Yamhill	2	4	3	2	1						37	23	7	11	50	40
Total	40	49	26	31	24	29	112	109	39	28	252	234	64	85	557	565

Table 2. Primary farm dwelling approvals, option and county, 2016-2017

County	HV Income		Non-HV Income		Non-HV Size		Non-HV Capability		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker			1			2			1	2
Benton	1								1	0
Clackamas	5	2							5	2
Clatsop									0	0
Columbia									0	0
Coos						1			0	1
Crook				1	6	4			6	5
Curry									0	0
Deschutes									0	0
Douglas						2	1		1	2
Gilliam						1			0	1
Grant									0	0
Harney					4	4			4	4
Hood River		5							0	5
Jackson							1		1	0
Jefferson				1	2	1			2	2
Josephine									0	0
Klamath					1				1	0
Lake						4			0	4
Lane		1				1			0	2
Lincoln									0	0
Linn	2	3							2	3
Malheur					1	1			1	1
Marion	2	2							2	2
Morrow					1				1	0
Multnomah									0	0
Polk	2								2	0
Sherman									0	0
Tillamook									0	0
Umatilla	2					1			2	1
Union	1	1				1			1	2
Wallowa					3	3			3	3
Wasco					1				1	0
Washington	1	1							1	1
Wheeler				2					0	2
Yamhill	2	1		3					2	4
Total	18	16	1	7	19	26	2	0	40	49

Table 3. Primary farm dwelling approvals on Farmland, parcel size and county, 2016-2017

County	0 to 10 acres		11 to 20 acres		21 to 40 acres		41 to 79 acres		80 to 159 acres		160+ acres		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker										1	1	1	1	2
Benton							1						1	0
Clackamas	1			1	2	1			2				5	2
Clatsop													0	0
Columbia													0	0
Coos												1	0	1
Crook										2	6	3	6	5
Curry													0	0
Deschutes													0	0
Douglas									1			2	1	2
Gilliam												1	0	1
Grant													0	0
Harney											4	4	4	4
Hood River						4		1					0	5
Jackson							1						1	0
Jefferson								1			2	1	2	2
Josephine													0	0
Klamath											1		1	0
Lake												4	0	4
Lane								2					0	2
Lincoln													0	0
Linn						1		1	1		1	1	2	3
Malheur									1	1			1	1
Marion				1			2			1			2	2
Morrow											1		1	0
Multnomah													0	0
Polk					2								2	0
Sherman													0	0
Tillamook													0	0
Umatilla											2	1	2	1
Union											1	2	1	2
Wallowa											3	3	3	3
Wasco											1		1	0
Washington		1			1								1	1
Wheeler												2	0	2
Yamhill			1			2	1	2					2	4
Total	1	1	1	2	5	8	5	7	5	5	23	26	40	49

Nonfarm dwellings

Nonfarm dwellings may be approved on parcels or portions of parcels that are unsuitable for farm use. There were 112 non-farm dwelling approvals in 2016 and 109 in 2017 for a total of 221 dwelling approvals. This is a significant increase from 2014-2015 when 150 nonfarm dwellings were approved.

Seventy-two percent of nonfarm dwellings were approved east of the Cascades. This distribution continues the trend begun in 1993 by House Bill 661 that shifted the number of non-farm dwelling approvals away from the Willamette Valley to eastern and southern Oregon. Counties with the most nonfarm dwelling approvals include Lake (38 dwellings), Deschutes (36 dwellings), and Douglas (23).



As shown in Figure 2, nonfarm dwelling approvals have been on the rise since 2015. The increase follows a sharp decline from 2007-2014. The 112 nonfarm dwelling approvals in 2016 were the most since 2009, when 111 nonfarm dwellings were approved.

Table 4 shows the size of parcels on which nonfarm dwellings were approved. Nearly half of all nonfarm dwellings were approved on parcels containing less than five acres and 71 percent were on parcels less than 10 acres. Sixty-four new parcels were created for nonfarm dwellings in 2016-2017. Nonfarm dwellings on larger parcels are often approved if a portion of the parcel is found to be unsuitable for farm use (e.g. shallow soil depth to bedrock).

In 2010, the Legislature passed House Bill 3647 which required DLCD review of soil assessments prepared by a private soil consultant. Soil assessments prepared by private consultants may be used to provide more detailed information than is shown on the USDA Natural Resources Conservation Service's soil mapping. Private soil assessments can be used to support nonfarm dwelling approval. In 2016-2017, DLCD reviewed 30 soil assessments related to nonfarm dwellings. Eighteen of those reviews were involved parcels in Douglas County.

Table 4 shows 15 nonfarm dwelling approvals in Washington County and 11 approvals in Lane County. Lane and Washington counties are subject to slightly different land use regulations than the rest of the state as they adopted marginal land provisions prior to 1991. Most of the nonfarm dwellings in Lane and Washington were approved using options only available in those counties.

Lot of record dwellings

Lot of record dwellings may be approved on parcels that have been in the same ownership since 1985 and, with some exceptions, are not on high-value farmland. In 2016-2017, 67 lot of record dwellings were approved (39 approvals in 2016 and 28 approvals in 2017). This is an increase from 2014-2015 when 49 lot of record dwellings were approved. Jackson County had the most approvals with 13. Only two lot of record dwellings were approved on high-value farmland statewide. Despite the increase in 2016-2017, it is anticipated that lot of record approvals will decline over time as existing parcels are built out or conveyed to separate ownership.

Temporary hardship dwellings

These dwellings are permitted for relatives with a medical hardship and must be removed at the end of the hardship. A temporary hardship dwelling must be sited in conjunction with an existing dwelling. DLCD does not track the removal of these dwellings when they are no longer needed.

In 2016-2017, 149 temporary hardship dwellings were approved (64 approvals in 2016 and 85 approvals in 2017). This is a sharp increase from 2014-2015 when 111 hardship dwellings were approved. The 85 temporary hardship dwelling approved in 2017 were the most since 89 hardship dwellings were approved in 2005. Clackamas County (36 approvals) had the most approvals in 2016-2017.

Replacement dwellings

A replacement dwelling is a new home that replaces an older dwelling on a parcel. New provisions were added to statute in 2013 which allow owners to obtain a replacement dwelling when the original dwelling no longer exists.

There were 252 replacement dwellings approvals in 2016 and 234 in 2017 for a total of 486 dwelling approvals. This is similar to 2012-2013 when 476 replacement dwellings were approved. Yamhill County had the most approvals in 2016-2017 with 60 approvals followed by Washington (49), Douglas (47), Linn (46), and Deschutes (42) counties.

Established dwellings that are replaced must be removed, demolished or converted to another allowed use within one year of completion of the replacement dwelling. Forty-eight percent of dwellings approved for replacement were removed, 31 percent were demolished, and nine percent were converted to non-residential use with 12 percent not specified.

Cumulative Dwelling Approvals

Between 1994 and 2017, nearly 18,000 dwellings of all types were approved on farmland across the state. Figures 2 and 3 below illustrate the number of dwelling unit approvals for each year since 1994 for the different dwelling types. The total dwellings approved over this timeframe are provided in Table 5. Thirty-six percent of all dwelling approvals were replacement dwellings, 24 percent were nonfarm dwellings, and 11 percent were temporary hardship dwellings. The three types of farm dwellings (primary, accessory, and relative) combined constitute 20 percent of all dwelling approvals on farmland from 1994-2017. Douglas County had the most dwelling approvals over this timeframe with 2,286 approvals, fifty percent of which were replacement dwellings. Deschutes County had the most nonfarm dwelling approvals with 830 approvals. Crook County approved 149 primary farm dwellings, the most in the state from 1994-2017.

The map in Figure 4 shows dwellings approvals on farmland from 2008-2017. More detailed mapping of land use approvals on farmland in the northern Willamette Valley is available through a Portland State University thesis available through [Metroscape](#) (Chun, 2017). The thesis maps land use approvals submitted to DLCD by tax parcel and identifies areas with higher numbers of approvals.

Table 4. Nonfarm dwelling approvals on Farmland, parcel size and county, 2016-2017

County	0 to 10 acres		11 to 20 acres		21 to 40 acres		41 to 79 acres		80+ acres		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker						1					0	1
Benton											0	0
Clackamas											0	0
Clatsop		1									0	1
Columbia											0	0
Coos											0	0
Crook			2	1	2	5		2	2	2	6	10
Curry											0	0
Deschutes	6	5	7	6	5	5			1	1	19	17
Douglas	3	16	1	2					1		5	18
Gilliam				1							0	1
Grant	1	1									1	1
Harney				1	1	1			1		2	2
Hood River	1		1								2	0
Jackson	8	1	1		2	1				1	11	3
Jefferson						1					0	1
Josephine											0	0
Klamath	2	1	1			3			1	5	4	9
Lake	10	9	8	5	1	1	2	2			21	17
Lane	1	1	4	1		1	1	1	1		7	4
Lincoln											0	0
Linn	1				3						4	0
Malheur	1	3			1						2	3
Marion				1							0	1
Morrow	1	2	2								3	2
Multnomah				1							0	1
Polk											0	0
Sherman	2	5	1								3	5
Tillamook											0	0
Umatilla	8	1		1					2		10	2
Union				1							0	1
Wallowa											0	0
Wasco	1	1	1	2						1	2	4
Washington	4	1	3	4	3						10	5
Wheeler											0	0
Yamhill											0	0
Total	50	48	32	27	18	19	3	5	9	10	112	109

Figure 2. Dwelling approvals on Farmland, type and year, all counties, 1994-2017

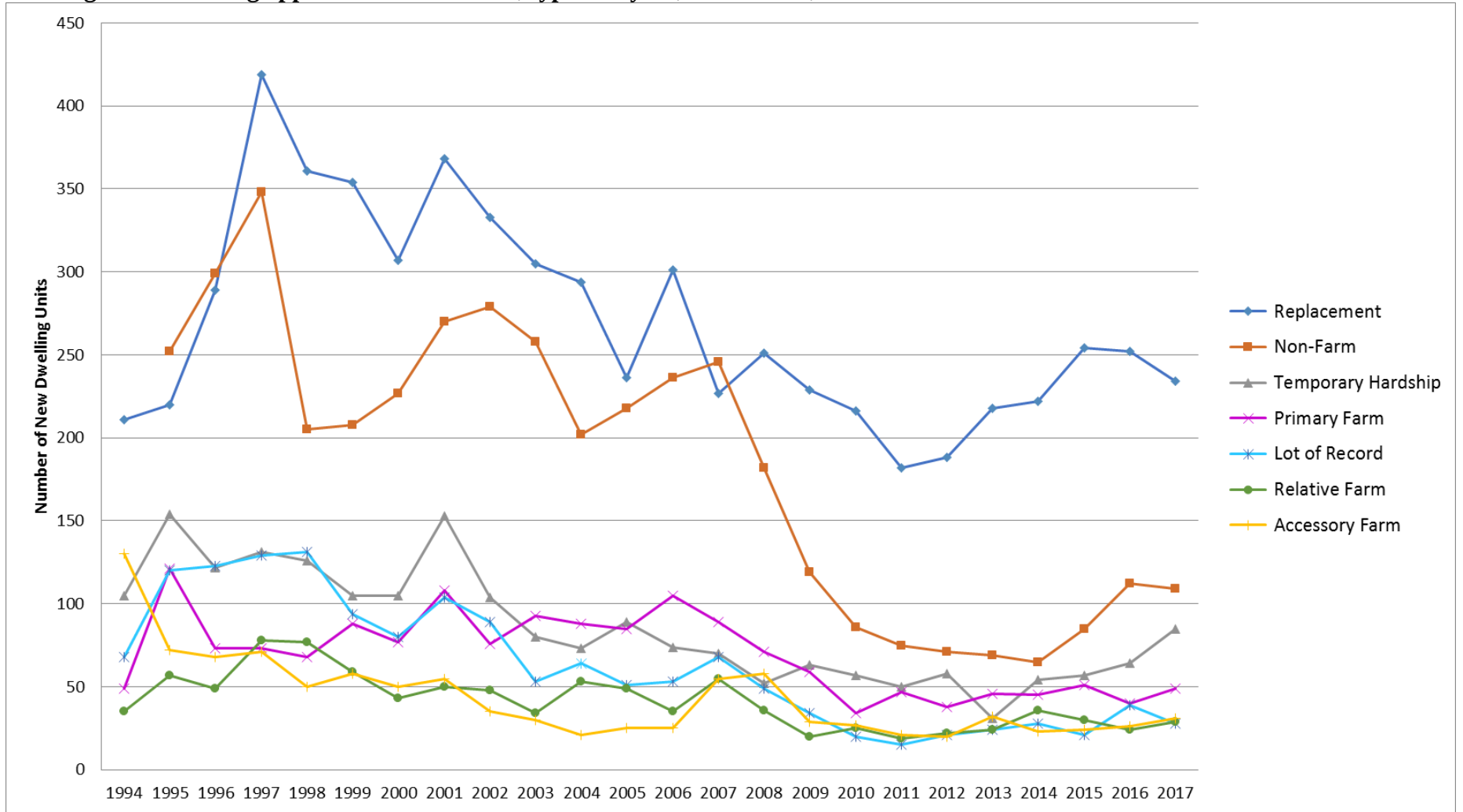


Figure 3. Total dwelling approvals on Farmland, all counties, 1994-2017

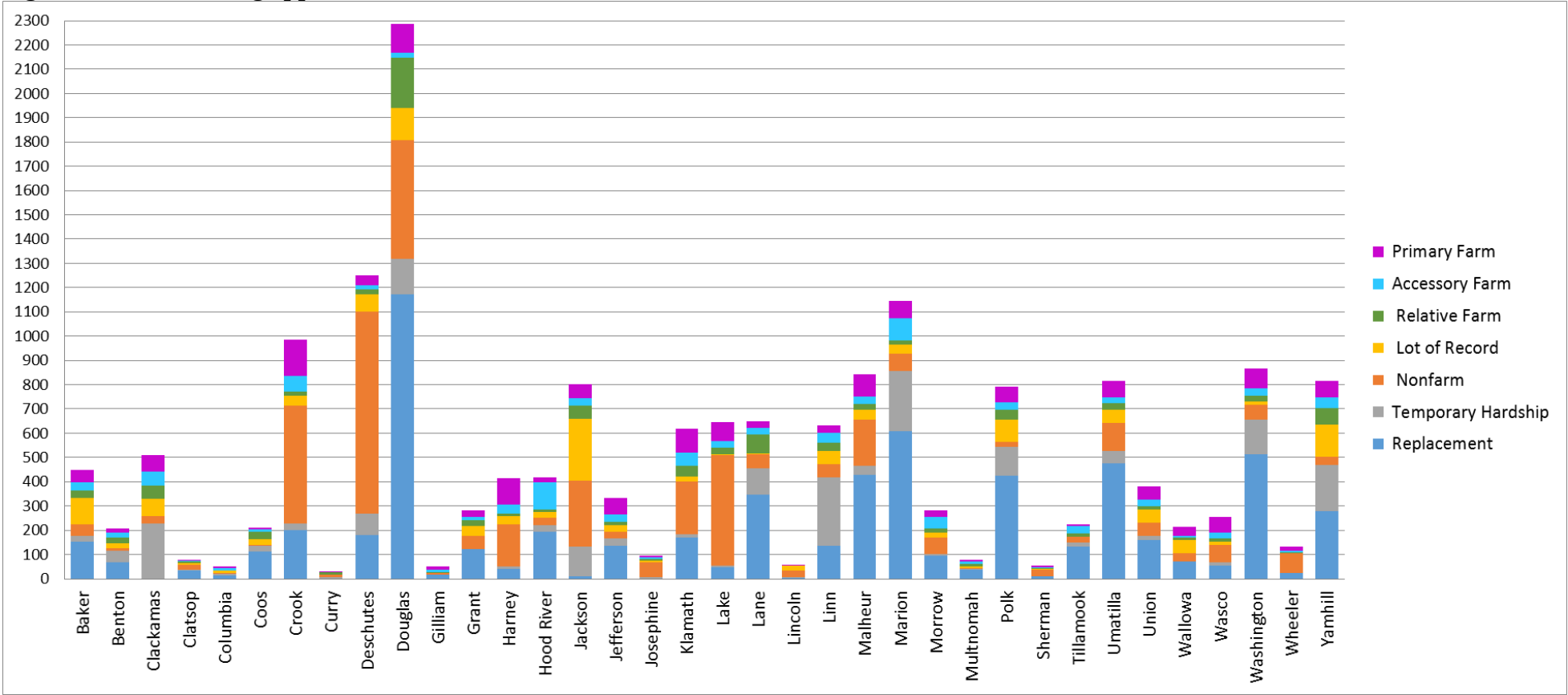
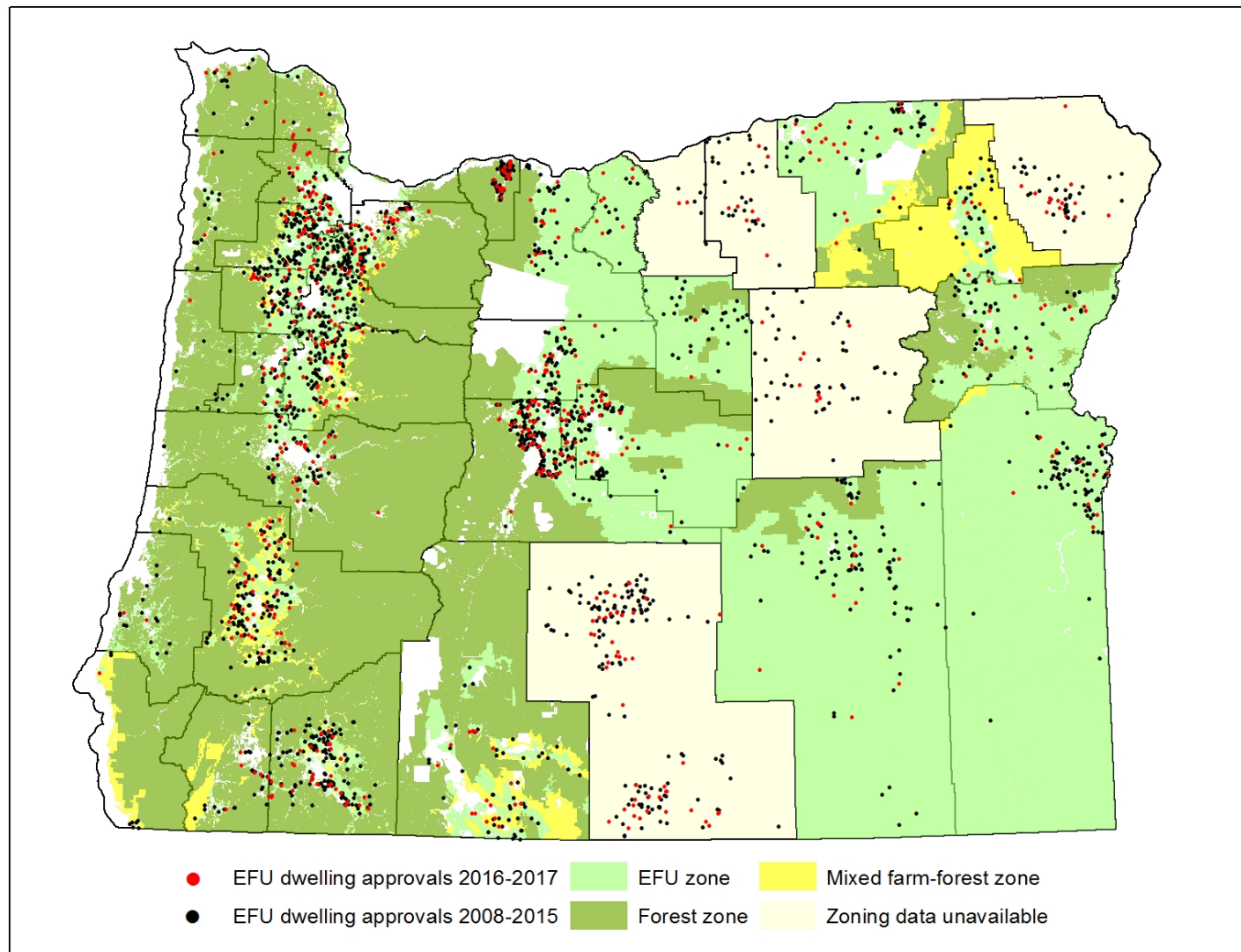


Table 5: Dwellings approvals on Farmland, by county, 1994-2017

County	Primary Farm	Accessory Farm	Relative Farm	Nonfarm	Lot of Record	Replacement	Temporary Hardship	Total
Baker	52	33	32	48	107	153	24	449
Benton	16	23	22	11	21	68	47	208
Clackamas	68	59	55	29	72	1	227	511
Clatsop	4	4	5	21	7	35	2	78
Columbia	8	8	1	6	9	14	5	51
Coos	9	9	30	4	25	111	24	212
Crook	149	65	14	483	44	201	28	984
Curry	5	1	8	11	1	0	6	32
Deschutes	44	17	19	830	72	181	89	1,252
Douglas	117	21	209	488	132	1,171	148	2,286
Gilliam	11	11	4	6	1	16	1	50
Grant	26	15	22	55	40	121	2	281
Harney	110	37	12	174	33	40	10	416
Hood River	22	111	11	30	25	194	26	419
Jackson	57	31	54	272	255	11	122	802
Jefferson	68	31	11	27	28	135	32	332
Josephine	7	7	5	60	9	1	6	95
Klamath	98	55	42	216	23	171	13	618
Lake	78	28	26	456	3	48	7	646
Lane	26	28	76	58	5	348	107	648
Lincoln	2	0	0	25	21	3	5	56
Linn	29	40	34	55	54	136	283	631
Malheur	89	32	25	190	39	429	37	841
Marion	74	89	19	74	35	607	248	1,146
Morrow	28	46	17	68	22	94	8	283
Multnomah	7	9	11	3	5	39	3	77
Polk	65	32	39	22	92	425	118	793
Sherman	9	2	3	29	3	9		55
Tillamook	7	30	15	23	1	131	18	225
Umatilla	67	23	29	114	55	476	51	815
Union	56	25	16	55	52	161	16	381
Wallowa	37	8	11	32	55	70	2	215
Wasco	66	24	14	69	14	53	16	256
Washington	82	28	27	63	11	514	141	866
Wheeler	15	8	2	79	3	24	1	132
Yamhill	65	46	67	35	132	280	189	814
Total	1,673	1,036	987	4,221	1,506	6,471	2,062	17,956

Figure 4. Map of new dwellings approvals on Farmland, 2008-2017



Nonresidential uses

The Legislature has recognized that some farm-related and non-farm uses are appropriate in EFU and mixed farm-forest zones. Some examples are farm-related commercial activities, utilities necessary for public service and home occupations. In 1963, the first statutory EFU zone included just six nonfarm uses. Today over 60 uses other than farm use are allowed in an EFU zone.

Nonfarm uses are subject to local land use approval and must demonstrate that they will not force a significant change in or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest uses (ORS 215.296). Allowing some nonfarm uses and dwellings assumes that farm zones can accommodate a nonfarm use or dwelling without affecting an area's overall agricultural stability. Small lots with such nonfarm uses and dwellings do not qualify for farm use tax assessment.

As shown in Table 6, the most commonly approved nonresidential uses in 2016-2017 were solar power generation facilities (57 approvals), home occupations (55 approvals), and farm processing facilities (54 approvals). Renewable energy and agritourism related uses are discussed further below. In 2014-2015, only nine farm processing facilities were approved statewide. The increase in 2016-2017 is largely related to marijuana processing facilities.

Table 6. Nonresidential use approvals on Farmland, 2016-2017

Use	2016	2017	Total	Approvals by County
Aggregate processing into asphalt/cement	3		3	Baker (1), Morrow (1), Umatilla (1)
Agritourism events	12	4	16	Clatsop (1), Deschutes (1), Hood River (1), Lane (1), Umatilla (2), Yamhill (10)
Aquatic species/insect propagation		1	1	Klamath (1)
Church	1	1	2	Deschutes (2)
Commercial activities with farm use	14	16	30	Crook (1), Deschutes (1), Douglas (3), Grant (1), Hood River (1), Jackson (3), Jefferson (1), Linn (2), Marion (3), Polk (3), Tillamook (1), Umatilla (1), Union (1), Wasco (1), Washington (2), Yamhill (5)
Dog boarding kennel	2	2	4	Deschutes (1), Jefferson (1), Lane (1), Polk (1)
Communication facility	9	9	18	Baker (1), Deschutes (1), Douglas (1), Hood River (1), Jackson (2), Linn (1), Polk (2), Sherman (1), Umatilla (3), Wasco (1), Washington (3), Yamhill (1)
Community center	1		1	Benton (1)
Dog training class/testing trial	1		1	Deschutes (1)
Farm processing facility	20	34	54	Benton (2), Clackamas (2), Deschutes (4), Hood River (1), Jackson (13), Josephine (5), Lane (7), Linn (1), Polk (5), Umatilla (1), Wasco (2), Washington (3), Yamhill (8)
Farm stand	3	1	4	Crook (1), Douglas (1), Marion (1), Yamhill (1)

Table 6. Nonresidential use approvals on Farmland, 2016-2017

Use	2016	2017	Total	Approvals by County
Fire service facility	1	1	2	Deschutes (1), Union (1)
Golf course	1		1	Linn (1)
Home occupation	25	30	55	Baker (1), Benton (5), Clackamas (1), Clatsop (1), Crook (3), Deschutes (3), Douglas (1), Hood River (5), Jackson (8), Jefferson (1), Lake (1), Lane (3), Marion (8), Morrow (1), Polk (2), Tillamook (1), Umatilla (1), Union (1), Wallowa (2), Wasco (1), Washington (2), Yamhill (3)
Land application of reclaimed water	1		1	Umatilla (1)
Landscape contracting business	1	2	3	Jackson (2), Marion (1)
Log truck parking	1		1	Marion (1)
Mineral and aggregate mining	8	2	10	Clatsop (1), Crook (1), Grant (1), Harney (1), Klamath (1), Tillamook (1), Umatilla (1), Union (1), Wallowa (1), Washington (1)
Outdoor gathering	1	3	4	Deschutes (1), Jackson (1), Washington (2)
Personal-use airport	4	2	6	Crook (2), Lake (1), Linn (1), Umatilla (1), Washington (1)
Private park/campground	10	8	18	Gilliam (1), Grant (1), Harney (2), Jackson (1), Jefferson (1), Klamath (1), Lake (6), Morrow (1), Umatilla (4)
Public park	3	1	4	Lincoln (1), Washington (2), Yamhill (1)
Roads improvements, conditional	3		3	Benton (1), Umatilla (1), Yamhill (1)
Roads improvements, outright	2	4	6	Jackson (1), Umatilla (1), Washington (4)
School	1	4	5	Deschutes (1), Harney (1), Hood River (1), Marion (2)
Solar power generating facility	20	37	57	Baker (1), Clackamas (14), Crook (4), Deschutes (2), Harney (2), Klamath (7), Lake (4), Marion (15), Polk (1), Sherman (1), Yamhill (6)
Solid waste disposal site	1		1	Lake (1)
Utility facility	11	5	16	Baker (1), Benton (1), Hood River (1), Jackson (1), Klamath (1), Lake (1), Lane (1), Linn (1), Umatilla (3), Washington (3), Wheeler (1), Yamhill (1)
Water extraction/bottling	1		1	Lake (1)
Wetland creation/restoration		2	2	Washington (2)
Wind power generating facility	1	1	2	Morrow (1), Umatilla (1)
Winery	7	16	23	Jackson (2), Josephine (1), Polk (4), Umatilla (1), Yamhill (15)
Total	169	186	355	

Agritourism

Agritourism can provide an alternate stream of income that helps farmers maintain agricultural operations and promotes awareness of locally produced food. A variety of agritourism options are allowed in EFU zones, including: u-picks, farm stands, wineries, cider businesses, guest ranches, and events that are supportive of local agriculture.

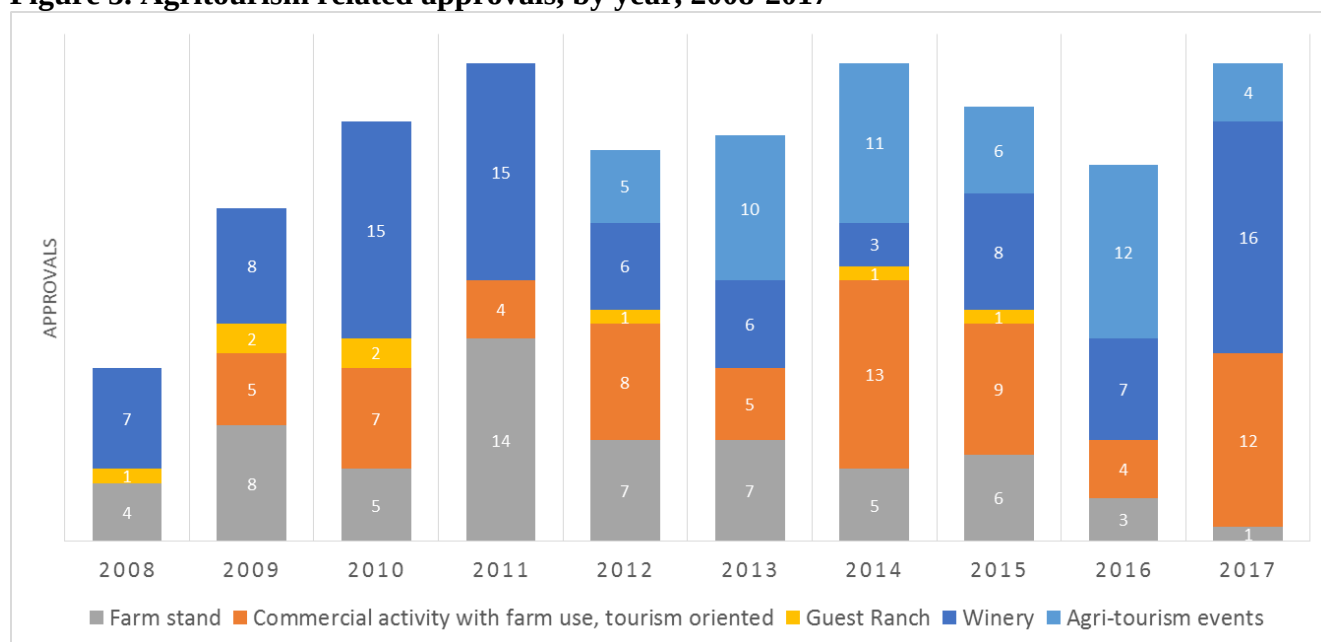
Oregon has experienced substantial growth in its wine grape industry over the last 50 years. As of 2017, Oregon has 1,144 vineyards and 769 wineries (University of Oregon, 2018). Many vineyards are sited on lands that appear to be less capable for agriculture based on Natural Resources Conservation Service (NRCS) ratings but are well suited for growing grapes. These lands were protected for agricultural use under Statewide Planning Goal 3 and are major contributors to Oregon's agricultural economy. Wineries are permitted to hold winery related events, have cooking facilities, and conduct other commercial events not related to agriculture such as weddings and concerts. In 2016, the Legislature added cider businesses as a use allowed in an EFU zone with many of the same permissions and requirements as wineries.



Agritourism also presents opportunities for conflict with neighboring agricultural operations. There have been some concerns about the effect of events and the cumulative impact of multiple agritourism operations on farm practices, such as moving machinery on public roads or altering spray schedules. Many agritourism uses are not required to address changes to farm practices or cost increases as part of the land use approval process. Events allowed on farmland that are permitted as an outdoor gathering or home occupation may not have a connection to local agriculture (e.g. festivals, weddings). Providing agritourism opportunities for farmers and ranchers while helping to mitigate impacts to neighbors is a challenge that should be considered when changing land use regulations or approving land use applications.

Figure 5 shows approvals of agritourism related uses from 2008 to 2017. Approvals of “commercial activities in conjunction with farm use” can vary from agricultural trucking and processing operations to wine tasting rooms. Figure 5 only includes “commercial activities in conjunction with farm use” that are tourism oriented, such as tasting rooms. Agritourism events were added to the list of uses allowed on farmland following the passage of Senate Bill 960 in 2011.

Figure 5. Agritourism related approvals, by year, 2008-2017



Overnight accommodation options on farmland include room and board arrangements, home occupations (e.g. bed and breakfasts), bed and breakfasts at wineries and cider businesses, and public and private campgrounds. In 2016-2017, there were 14 approvals reported statewide for overnight indoor accommodations and 14 approvals for campgrounds on farmland.

Figure 7 shows the location of reported agritourism, lodging, and recreation uses on farmland from 2008-2017. The concentration of approvals in Yamhill County is largely due to wineries.

Renewable Energy

Oregon has more than 3,000 megawatts (MW) of wind energy generation capacity, ranking eighth in the nation in installed wind energy capability (American Wind Energy Association, 2018). Many wind energy installations are located on farmland and are clustered along Columbia Gorge. Part of the attraction of wind energy to the state are the large open farm landscapes free from conflicting uses that are made possible by EFU zoning.

Solar energy development is rapidly growing in Oregon. In 2017, Oregon's installed solar capacity was 462 MW with 220 MW added in 2017 alone (Solar Energy Industries Association, 2018). Utility scale solar facilities are the leading cause of growth. Many utility scale solar facilities are opting to locate on land zoned EFU due to proximity to infrastructure (e.g.

substations), lower acquisition costs, availability of unobstructed sunlight, and ease of development due to flatter slopes.

LCDC has limited the size of solar facilities on EFU with the goal of encouraging solar development on land that is the lowest capability for agricultural use rather than high-value farmland. Solar development in eastern Oregon tends to occur on larger parcels with less potential for agricultural use. There has been a sharp increase in the number of 12 acre solar projects approved in the Willamette Valley on high-value farmland, specifically in Clackamas, Marion, and Yamhill counties. Several large solar facilities (80+ acres) have been approved on more productive agricultural lands in Clackamas and Jackson counties by taking an exception to exceed LCDC's adopted solar facility size limits. As shown in Figure 6, commercial solar approvals have been rising quickly compared to wind power approvals. Figure 8 provides the locations and sizes of approved solar projects.



Source: Manvel, E.

The rise in renewable energy production on farmland, together with new major transmission line corridors to bring energy to market, has raised questions and concerns about potential impacts to farm operations, wildlife habitat, scenic viewsheds, and tourism. Other concerns have been raised about the need for a state energy policy and more proactive state and regional roles in the siting of major transmission line corridors and energy facilities that may have regional impacts.

Figure 6. Renewable energy approvals, by year, 2008-2017

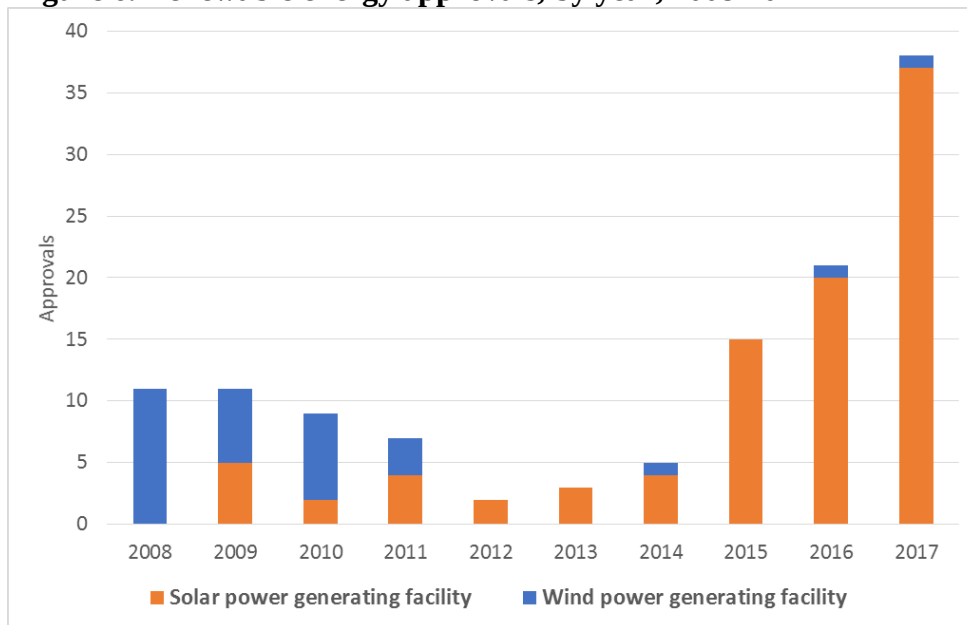


Figure 7. Map of agritourism, lodging, and recreation use approvals on Farmland, 2008-2017

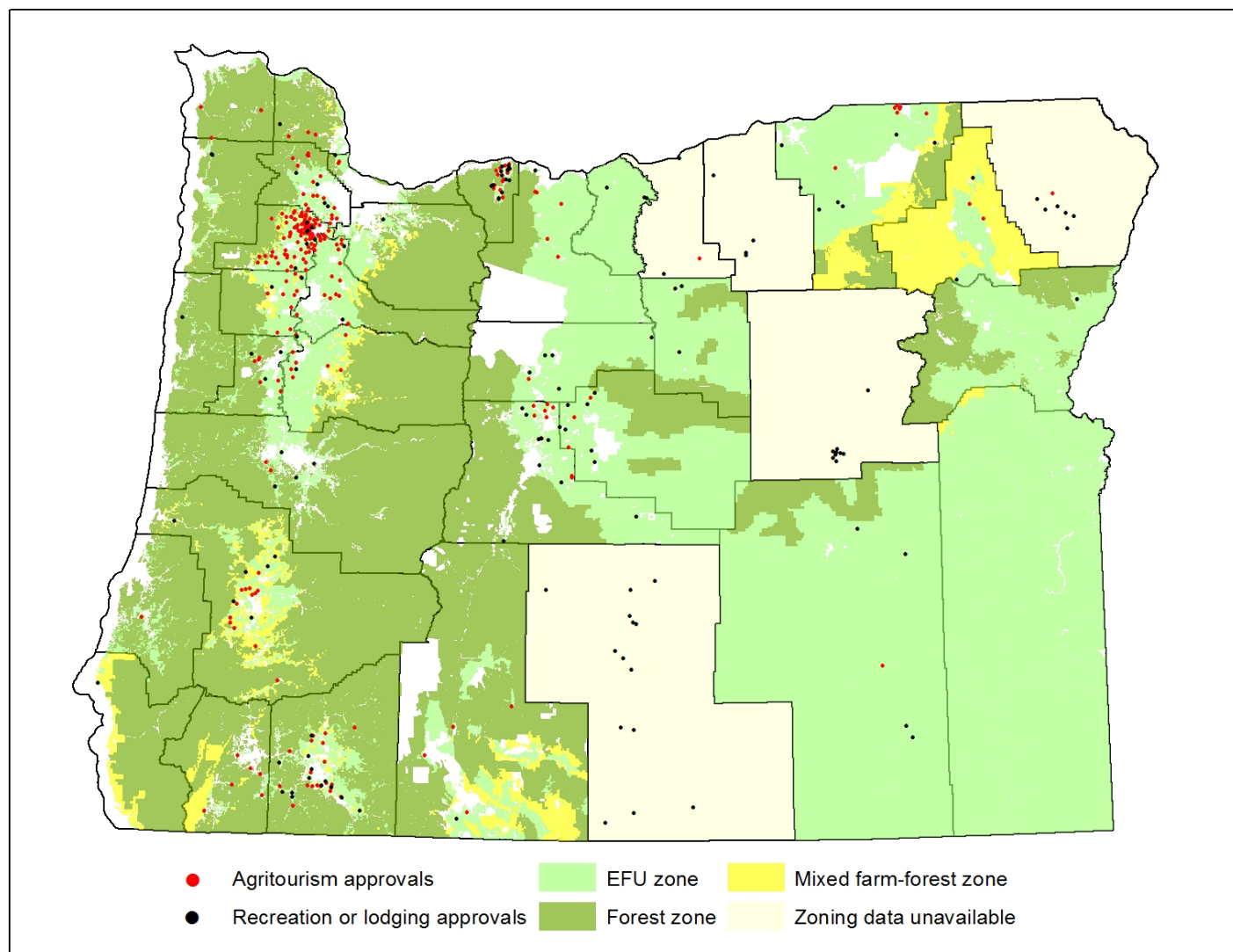
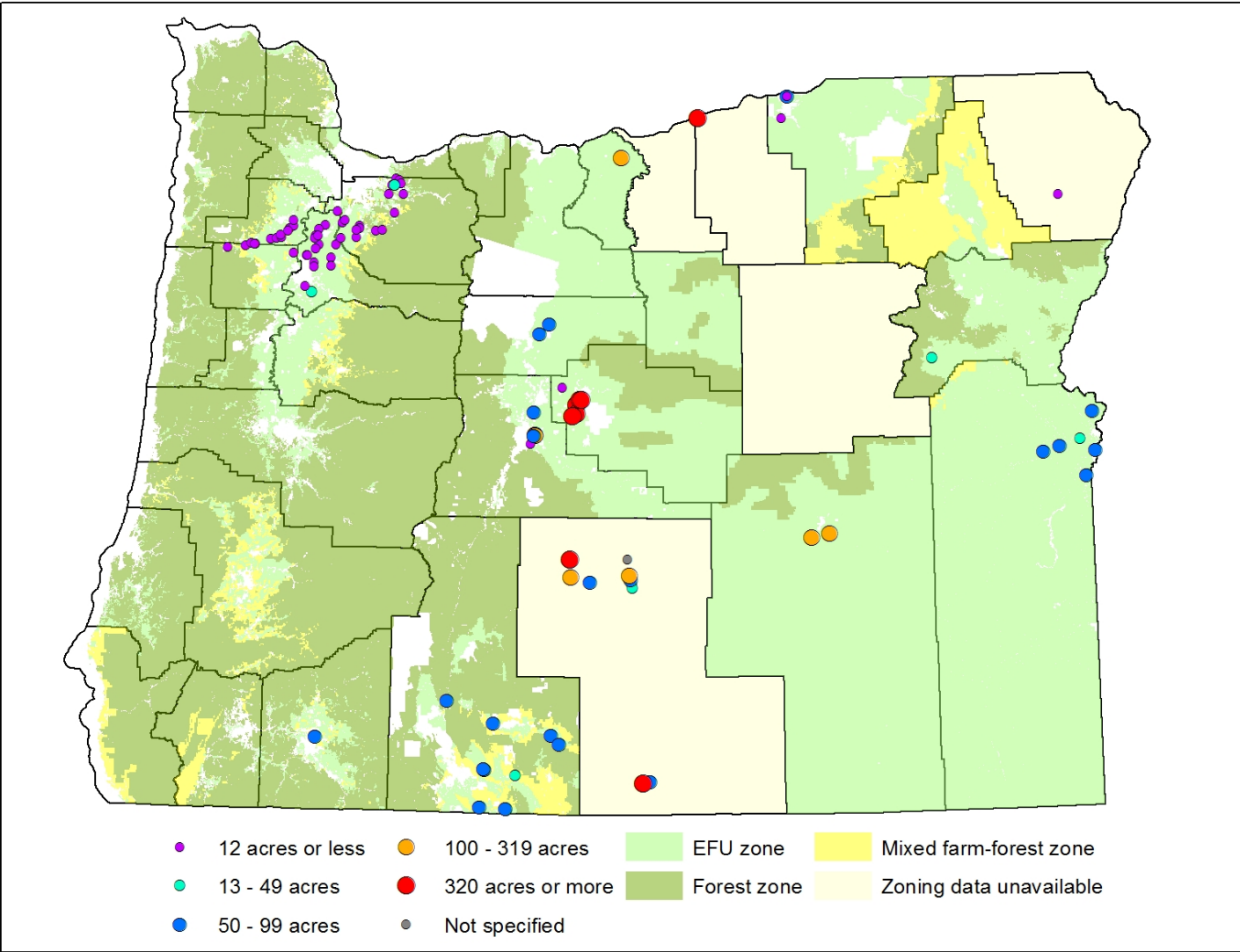


Figure 8. Size of solar projects approved on Farm and Forest Land, 2008-2017



Land Divisions and Property Line Adjustments

Ninety-one new parcels were approved on farmland in 2016 with 81 new parcels in 2017 for a total of 172 new parcels. These numbers are consistent with 2014-2015 when 173 new parcels were created. New parcels created in each county are shown in Table 7. Figure 9 shows land divisions on farmland from 2008-2017.

Farm Divisions

Land divisions on farmland must meet the statutory minimum parcel size of 80 acres (160 acres for rangeland) or be in counties that have approved “go-below” parcel minimums below these sizes. A “go-below” is a parcel size below 80 or 160 acres that has been approved by LCDC as adequate to protect existing commercial agriculture in an area. In 2016-2017, 47 percent of new parcels created on farmland were over 80 acres. This is similar to 2014-2015 when 53 percent of new parcels were over 80 acres. Over 60 percent of new parcels 80 acres or larger were created east of the Cascades with the most approvals in Crook (11 approvals) and Umatilla (10 approvals) counties.

Non-Farm Divisions

State statute provides several options for creating new parcels smaller than the required minimum parcel size. Up to two new nonfarm parcels (each containing a dwelling) may be created if the new parcels are predominantly comprised of non-agricultural soils. In addition, nonfarm land divisions are allowed for conditional uses that are approved on farmland.

In 2016-2017, 92 new parcels were created that contained less than 80 acres. This is a slight increase from 2014-2015 when 82 parcels less than 80 acres were created. Some of these parcels were created for farm use in counties with reduced “go-below” minimum parcel sizes. Seventy percent of new parcels less than 80 acres were created east of the Cascades. Douglas County approved 17 new parcels less than 80 acres followed by Klamath County with 14 approvals. The most common reason for partitions in 2016-2017 was to create a new parcel for a nonfarm dwelling (64 approvals).

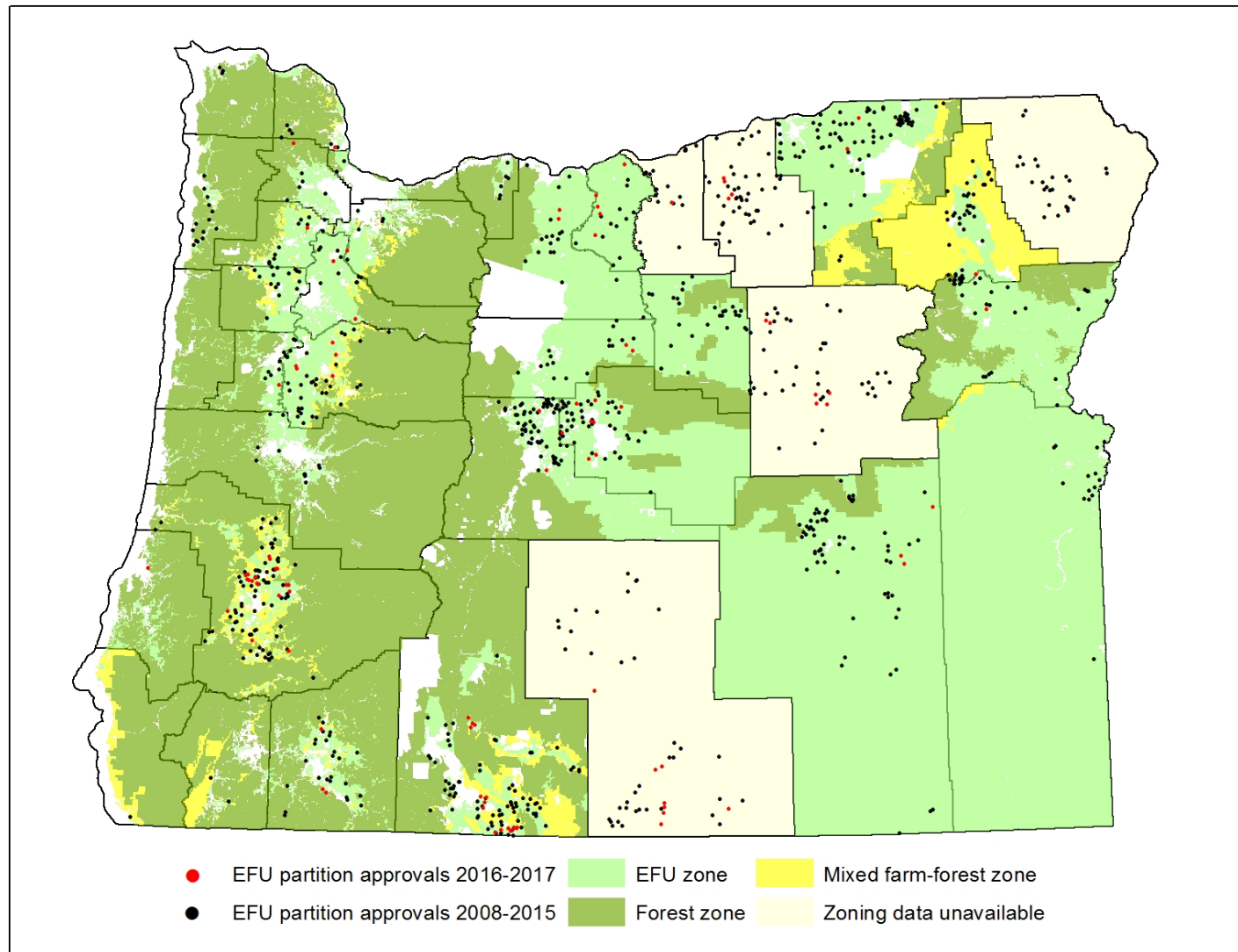
Property line adjustments

Property line adjustments are commonly employed for a variety of reasons. However, they may not be used to allow the approval of dwellings that would not otherwise be allowed. Property line adjustments are sometimes used in serial fashion on a single tract to effectively move an existing parcel to another location. Many of the reported property line adjustments involve more than two tax lots. In 2016, 357 property line adjustments were approved and 275 were approved in 2017 for total of 632 property line adjustments. During 2014-2015, 593 property line adjustments were approved.

Table 7. New parcel approvals on Farmland, parcel size and county, 2016–2017

County	0 to 5 acres		6 to 10 acres		11 to 20 acres		21 to 40 acres		41 to 79 acres		80 to 159 acres		160 to 319 acres		320+ acres		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker	1										1						1	1
Benton											1						0	1
Clackamas																	0	0
Clatsop																	0	0
Columbia																	0	0
Coos		1															0	1
Crook	1						3				4	1	2	1		3	7	8
Curry																	0	0
Deschutes	1				2	2											3	2
Douglas	1	14		2							2	3	1	1		1	4	21
Gilliam					1										1		1	1
Grant	2	4			1								1	2	3		7	6
Harney													2		1		0	3
Hood River	2					1					1						4	0
Jackson	2										1		2				2	3
Jefferson															2	2	2	2
Josephine																	0	0
Klamath	5	4	1		1		2		1		2	3			1		13	7
Lake		1	2								1		1		2		6	1
Lane																	0	0
Lincoln																	0	0
Linn		1									4	4					4	5
Malheur																	0	0
Marion									1		2						0	3
Morrow		2		1									1			1	1	4
Multnomah	1																1	0
Polk	1										2						3	0
Sherman	2	1		4													2	5
Tillamook																	0	0
Umatilla	5		2	1							4	1	3		2		16	2
Union	4	1											1				5	1
Wallowa																	0	0
Wasco	1		1		2	2							1				5	2
Washington																	0	0
Wheeler																	0	0
Yamhill	1										2	2	1				4	2
Total	30	29	6	8	4	5	5	3	1	1	22	19	12	8	11	8	91	81

Figure 9. Map of Land Divisions on Farmland, 2008-2017



Oregon's Forestland Protection Program

The conservation of forest land is one of the primary objectives of Oregon's statewide planning program. Oregon has determined that it is in the state's interest to protect the land resource foundation of one of its largest industries – forestry – as well as to protect other forest values, including soil, air, water and fish and wildlife resources.

The Land

Approximately 19 percent of Oregon's land base – 11.9 million acres – is in non-federal forest use according to the Oregon Forest Resources Institute (OFRI, 2017). Oregon retains 98 percent of the non-federal acreage that was in forest or mixed farm-forest land cover in 1984 (Gray et al, 2016). All counties had adopted comprehensive plans implementing Statewide Planning Goal 4 (Forest Lands) in 1984.



The Economy

Forestry products and services employ nearly 61,000 people directly in Oregon and are critical to Oregon's rural communities (OFRI, 2017). Global competition, environmental controls and rising forest management costs have created serious challenges to the continued economic viability of Oregon's working forests. Large areas of industrial forestland have changed hands in recent years and there is growing pressure to divide and convert forestland to residential and other developed land uses. Many mills across the state have closed. As less federal and industrial forestland is available to harvest, more privately owned woodlots are being harvested.

Oregon is the nation's top producer of softwood lumber and plywood (OFRI, 2017). Development of advanced wood products, such as cross-laminated timber, are opening new market opportunities for use of wood in large commercial and multifamily residential buildings.

Wildfire

Oregon's 2017 wildfire season was a challenge for emergency responders, landowners, businesses, wildlife, and many other individuals who suffered negative health impacts. 665,000 acres of forest and rangeland burned, which is approximately the size of Tillamook County (OFRI, 2017). The total cost of fire suppression was \$454 million which does not include negative economic impacts such as business closures, event cancellations, and highway closures (OFRI, 2017). Large fires such as the Chetco Bar Fire in southwestern Oregon and the Eagle Creek Fire in the Columbia Gorge were particularly damaging.



Source: Wonderlane

Trends suggest that wildfires in Oregon are becoming more severe. The amount of acres burned in three of the past four years have exceeded the 10-year average (Northwest Interagency Coordination Center, 2017). A combination of high fuel loads, declining forest health, and a warmer climatic outlook suggest an unusually high level of fire risk in the future (ODF, 2017).

Oregon requires residential and other developed uses in forest zones to incorporate fire safety measures,

such as fuel-free breaks around buildings. Development in forest zones is still prone to wildfire damage and increases the cost of emergency wildfire protection. The existence of structures, particularly dwellings, can significantly alter fire control strategies and can increase the cost of wildfire protection by 50 to 95 percent (Gorte, 2013). Isolated forest dwellings particularly increase suppression costs. The cost of protecting two homes instead of one within six miles of wildfire is over estimated to be over \$31,000 (Gude et al, 2012). For comparison, the additional cost of protecting 100 homes instead of 99 homes within six miles of wildfire is estimated at \$319 (Gude et al, 2012).

Recreation and tourism

Both public and private forest lands have long provided a variety of recreational opportunities. Interest in outdoor activities continues to grow across the state. Recreation and tourism in and around forest areas provides personal and societal benefits and generates significant economic activity. Many locations within Oregon, including those near forests, serve as appealing day and overnight destinations for both Oregon residents and out-of-state visitors who participate in outdoor activities. Forest zones allow a variety of recreation and tourism pursuits appropriate to a forest environment. Recreation and tourism opportunities in and near forest areas can be expected to continue to grow in the future.



Carbon sequestration

Oregon's forests make an enormous contribution to carbon sequestration. Landowners participating in established carbon markets may receive additional income by adopting practices designed to increase carbon sequestration (e.g. delaying forest harvests). The Oregon Department of Forestry is currently working with the U.S. Forest Service to provide a report on the storage and flux of carbon in forest ecosystems for carbon accounting purposes.

Forest Land Use Policy

Statewide Planning Goal 4, "Forest Lands", seeks to maintain Oregon's forests to allow for tree harvesting that is consistent with sound management of soil, air, water, fish, and wildlife resources. Recreational opportunities and agriculture are also encouraged on forestland. Other uses allowed on forestland (e.g. dwellings) are limited and subject to standards that make them more compatible with forestry, agriculture, and preservation of natural resources. Large minimum lot sizes are prescribed to help ensure land is used in accordance with the purposes of Goal 4.

Forest and Mixed Farm-Forest Zones

Lands that are subject to Goal 4 are zoned forest or mixed farm-forest by counties. Approximately 11.7 million acres in Oregon are included in forest or mixed farm-forest zones. Mixed farm-forest zones must comply with Goal 3 (Agricultural Lands) and Goal 4 requirements.

A variety of uses are allowed in forest and mixed farm-forest zones. Some activities allowed under the Forest Practices Act (e.g. logging, reforestation) do not require county land use approval. Dwellings may be allowed under certain circumstances.

Counties may also permit nonresidential uses that are compatible with farm and forest practices. Minimum lot sizes are typically 80 acres in order to prevent conversion of forestland.

Minimizing fire risk is a major concern in forest zones. New dwellings and structures are required to have defensible fuel-free space around them. Dwellings must be in a fire protection district or have other sufficient means of suppressing fire such as an onsite lake and sprinklers. Fire retardant roofs and spark arrestors are required for dwellings. County road design requirements for firefighting equipment also need to be met.

Forest zoning has been instrumental in maintaining working forests in Oregon. The Oregon Department of Forestry reports that Washington's loss of wildland forest between 1974 and 2014 was nearly three times the amount of wildland forest lost in Oregon (Gray et al, 2018).



Source: US Forest Service

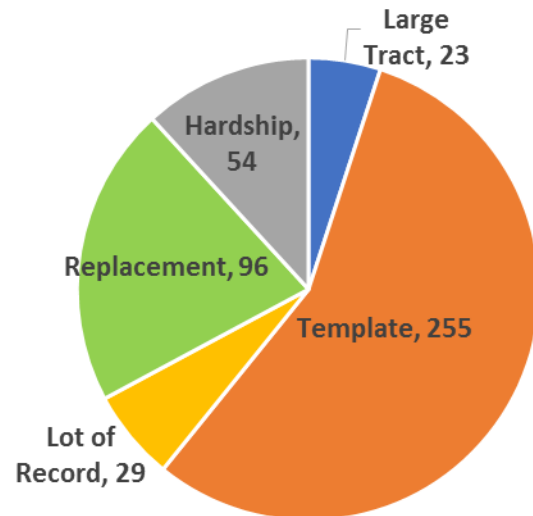
Land Use Decisions on Forestland

Dwellings

Five types of dwellings may be approved on forestland: large tract forest dwellings, lot of record dwellings, template dwellings, replacement dwellings and temporary hardship dwellings. In 2016, 216 dwellings were approved in forest zones with 241 approvals in 2017 for a total of 457 dwelling approvals (see Table 8). This is similar to 2014-2015 when 447 dwellings were approved.

As shown in Figure 10, 56 percent of the 2016-2017 dwelling approvals were for template dwellings, 21 percent were replacement dwellings, 12 percent temporary hardship dwellings, and less than 10 percent of approvals were for lot of record and large tract dwellings.

Figure 10. Dwelling types on Forestland, 2016-2017



Template Dwellings

Template dwellings are allowed on forestland that has already been altered by existing dwellings and parcelization. Template dwellings may be approved where there is a certain amount of pre-1993 dwellings and parcels established within a 160 acre “template” centered on the parcel. Locating multiple dwellings in the same area provides greater opportunity for fire protection than isolated forest dwellings.

In 2016-2017, 255 template dwellings were approved statewide (121 approvals in 2016 and 134 approvals in 2017). This is a decrease from 2014–2015 when 278 template dwellings were approved. Lane County approved the most template dwellings in 2016–2017 with 39 approvals. Other counties with at least 20 template dwelling approvals include: Coos (33 approvals), Jackson (28), Clackamas (27), and Columbia (23). Eighty-five percent of the template dwellings approved in 2016-2017 were on the most productive forest soils. As shown in Table 9, 66 percent of the template dwelling approvals occurred on parcels containing 20 acres or less.

Template dwellings have historically had the highest number of approvals in forest zones. Since 1994, 58 percent of all forest zone dwelling approvals were approved the template dwelling option. As shown on Figure 11, template dwelling approvals have increased since the sharp decline from 2008-2010.

There have been some concerns regarding the number of template dwellings approved. Statute allows for one template dwelling per “tract” which is defined as “one or more contiguous lots or parcels under the same ownership.” When a tract consists of multiple parcels, an owner may sell

one of the parcels to a new owner which allows two template dwellings to be approved instead of one. There have also been cases where a series of property line adjustments are used to relocate forest parcels into areas where a template dwelling may be approved. These issues could be addressed by requiring tracts and parcels to be created by a specific date in order to be eligible for template dwellings. Fire risk is also a concern. Although template dwellings are limited to areas that have existing residential development, the approval of new dwellings presents additional fire risks and increase structural protection responsibilities.

Large Tract Dwellings

Landowners with large amounts of forest land may construct a dwelling in a forest zone based on the acreage owned. In western Oregon, large tract dwellings must be on ownerships of at least 160 contiguous acres or 200 noncontiguous acres. In eastern Oregon, they must be on ownerships of 240 or more contiguous or 320 or more noncontiguous acres.



In 2016-2017, 23 large tract dwellings were approved statewide (8 approvals in 2016 and 15 approvals in 2017). This is a slight increase from 2014-2015 when 18 large tract dwellings were approved. Nine of the approvals occurred in Jackson County.

Lot of Record Dwellings

Forest landowners and families who have owned the same property since 1985 may be eligible for a lot of record dwelling. The property must have a low capability for growing merchantable tree species and be located near a public road.

Twenty-nine lot of record dwellings were approved in 2016-2017 (21 approvals in 2016 and 8 approvals in 2017). This is an increase from 2014-2015 when 19 lot of record dwellings were approved. Lot of record dwelling approvals are spread fairly evenly across the state and are on a variety of parcel sizes.

Temporary Hardship Dwellings

Temporary hardship dwellings are approved for relatives with a medical hardship and must be removed at the end of the hardship. A temporary hardship dwelling must be sited in conjunction with an existing dwelling. DLCD does not track the removal of these dwellings when they are no longer needed.

Nineteen hardship dwellings were approved in 2016 with 35 approvals in 2017 for a total of 54 approvals. This is a significant increase from 2014-2015 when 23 temporary hardship dwellings were approved on forestland. Clackamas County had over half of the hardship dwelling

approvals on forestland in 2016-2017. The 35 approvals in 2017 were the most since 41 hardship dwellings were approved in 2002.

Replacement Dwellings

A replacement dwelling is a new home that replaces an older dwelling on a parcel. A total of 96 replacement dwellings were approved in 2016-2017 (47 approvals in 2016 and 49 approvals in 2017). This is a slight decrease from 2014-2015 when 109 replacement dwellings were approved. Established dwellings that are being replaced must be removed, demolished or converted to another allowed use within three months of completion of the replacement dwelling. Thirty-five percent of dwellings approved for replacement were removed, 35 percent were demolished, and 16 percent were converted to non-residential use with 14 percent not specified.

Cumulative Dwelling Approvals

Between 1994 and 2017, over 9,000 dwellings of all types were approved on forestland across the state. Figures 11 and 12 below illustrate the number of dwelling unit approvals for each year since 1994 for the different dwelling types. The total dwellings approved over this timeframe are provided in Table 10. Fifty-eight percent of all dwelling approvals from 1994-2017 were template dwellings, 21 percent were replacement dwellings, nine percent were lot of record, seven percent temporary hardship, and five percent large tract dwellings. Lane County had the most approvals during this timeframe with 1,414 dwellings approvals, 942 of which were template dwellings. The map in Figure 13 shows dwellings approvals on forestland from 2008-2017.



Table 8. Dwelling approvals on Forestland by type and county, 2016–2017

County	Large Tract		Template		Lot of Record		Temporary Hardship		Replacement		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker				1	3					2	3	3
Benton			1	2			2	2			3	4
Clackamas		1	13	14	3	2	8	23			24	40
Clatsop			2	5							2	5
Columbia			13	10	2						15	10
Coos		1	17	16			1				18	17
Crook	2									1	2	1
Curry	1	1	3	2	1						5	3
Deschutes		1	2			1		2	2		4	4
Douglas		2	3	4					8	3	11	9
Gilliam											0	0
Grant		1							2		2	1
Harney											0	0
Hood River			1	4					1	1	2	5
Jackson	5	4	10	18	3		3			1	21	23
Jefferson											0	0
Josephine			3	9	1					2	4	11
Klamath				4		2					0	6
Lake											0	0
Lane			24	15	2	1	2		2	5	30	21
Lincoln			5	3							5	3
Linn				1				1	3	4	3	6
Malheur											0	0
Marion			2	2	1				1	2	4	4
Morrow			2	1					1		3	1
Multnomah			1	1					3	1	4	2
Polk		2	7	7			1	3	9	9	17	21
Sherman											0	0
Tillamook			1	2	1		1		1	1	4	3
Umatilla											0	0
Union		2							3	6	3	8
Wallowa			4		3	1			2	1	9	2
Wasco					1			1		1	1	2
Washington			5	7		1	1	1	6	3	12	12
Wheeler										1	0	1
Yamhill			2	6				2	3	5	5	13
Total	8	15	121	134	21	8	19	35	47	49	216	241

Table 9. Template dwelling approvals on Forestland, parcel size and county, 2016–2017

County	0 to 5 acres		6 to 10 acres		11 to 20 acres		21 to 40 acres		41 to 79 ac.		80+ acres		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker											1		0	1
Benton	1					1		1					1	2
Clackamas	4	3	3		3	3	3	2		6			13	14
Clatsop		1	1	1				1		2	1		2	5
Columbia	2	1	3	4	6	2	1	3	1				13	10
Coos	5	3	1	4	5	5	4	2	2	1		1	17	16
Crook													0	0
Curry	1	1	1	1	1								3	2
Deschutes			1		1								2	0
Douglas			2			1	1	3					3	4
Gilliam													0	0
Grant													0	0
Harney													0	0
Hood River			1	1		1		2					1	4
Jackson	2	6		3	2	5	2	2	4	1		1	10	18
Jefferson													0	0
Josephine		1	1	1		1		3	1	1	1	2	3	9
Klamath				1				1				2	0	4
Lake													0	0
Lane	7	4	5	4	6	4	4	3	2				24	15
Lincoln	1	1		1	1	1	3						5	3
Linn		1											0	1
Malheur													0	0
Marion		1	1		1			1					2	2
Morrow			2	1									2	1
Multnomah					1			1					1	1
Polk	2	1	2	3		1	1	2	1		1		7	7
Sherman													0	0
Tillamook	1					1				1			1	2
Umatilla													0	0
Union													0	0
Wallowa	2						1				1		4	0
Wasco													0	0
Washington	1	2	2		1		1	3				2	5	7
Wheeler													0	0
Yamhill	1	1	1			3		2					2	6
Total	30	27	27	25	28	29	21	32	11	12	4	9	121	134

Figure 11. Dwelling approvals on Forestland by year, all counties, 1994–2017

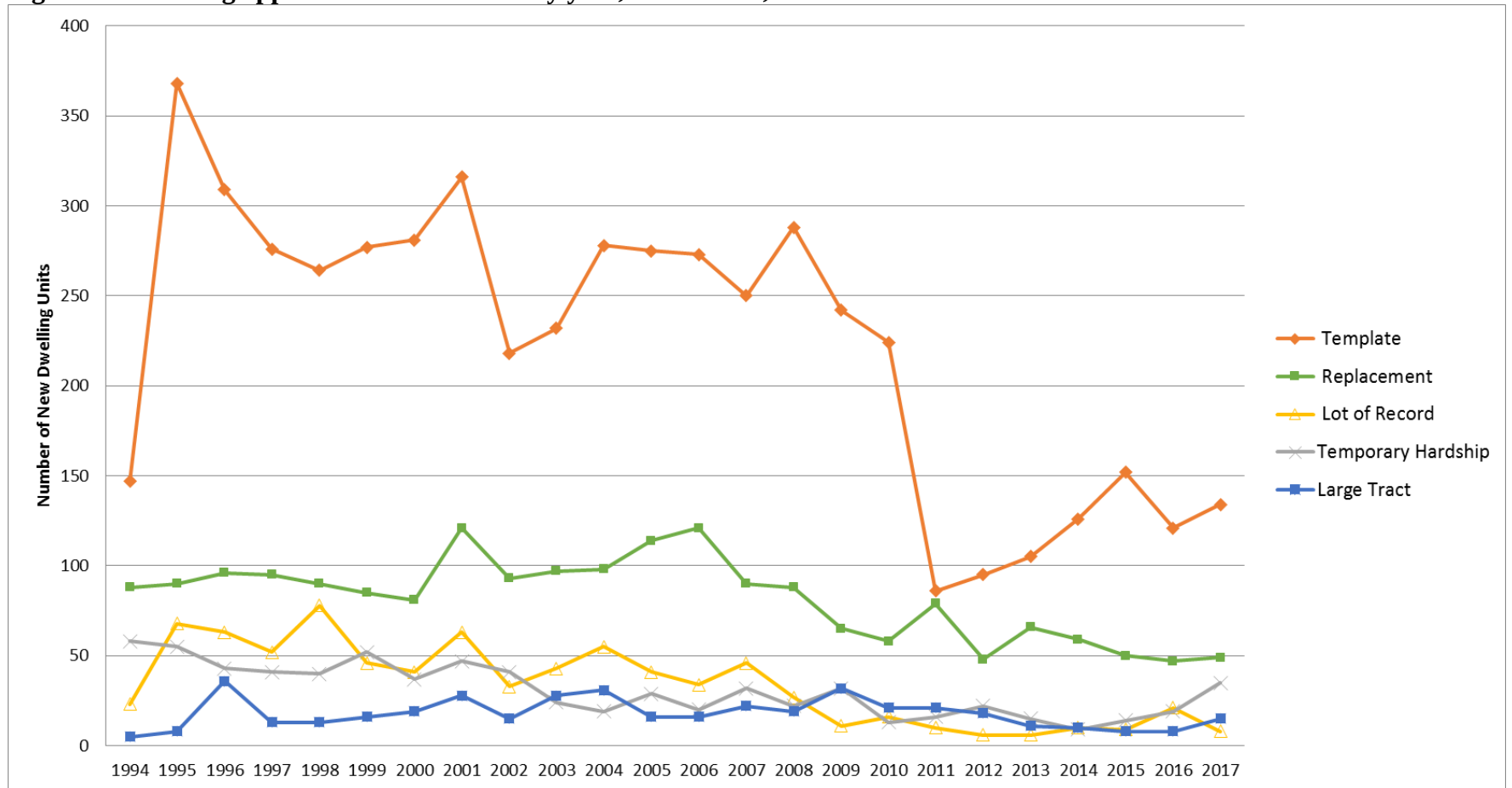


Figure 12. Total dwelling approvals on Forestland, by county, 1994–2017

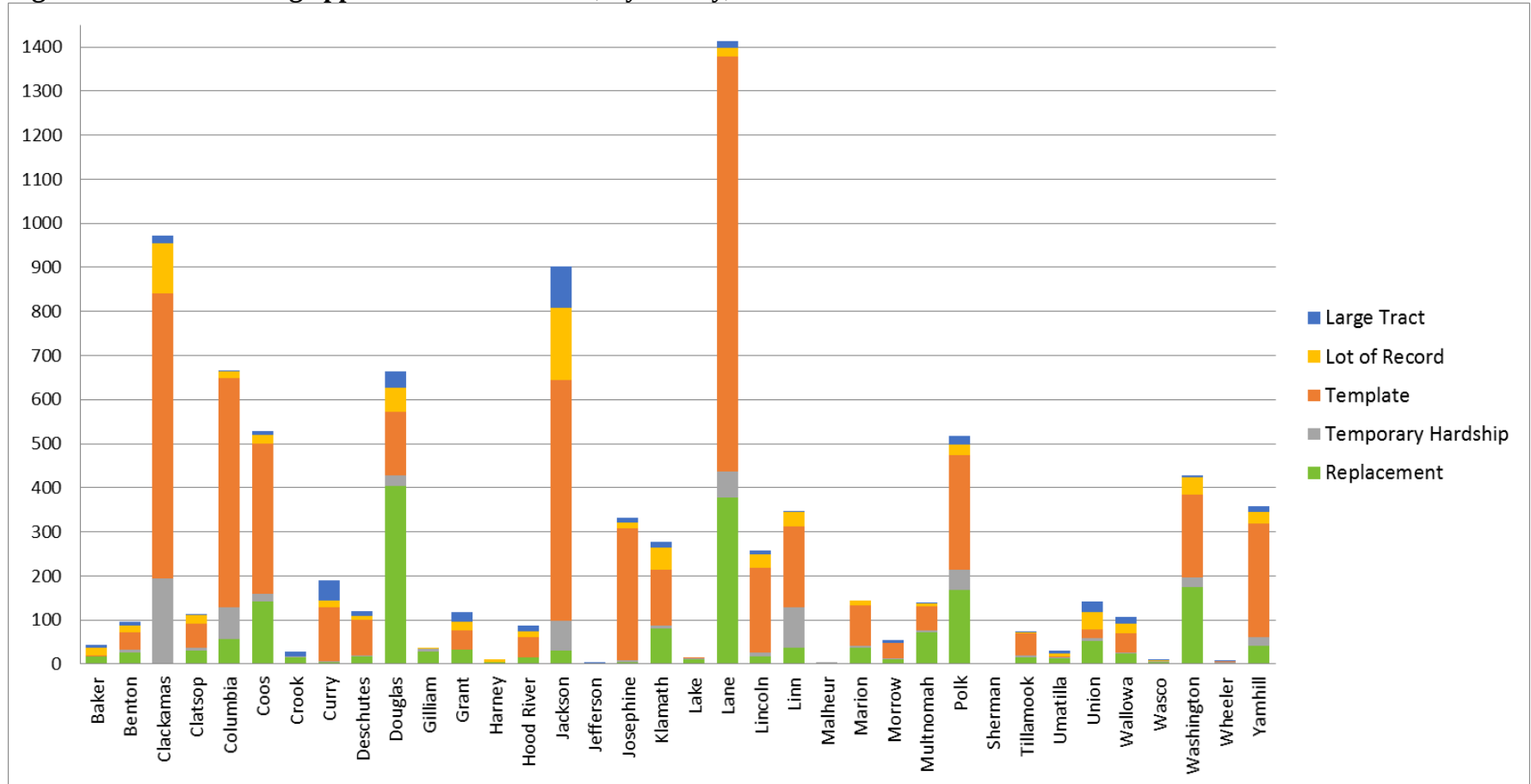
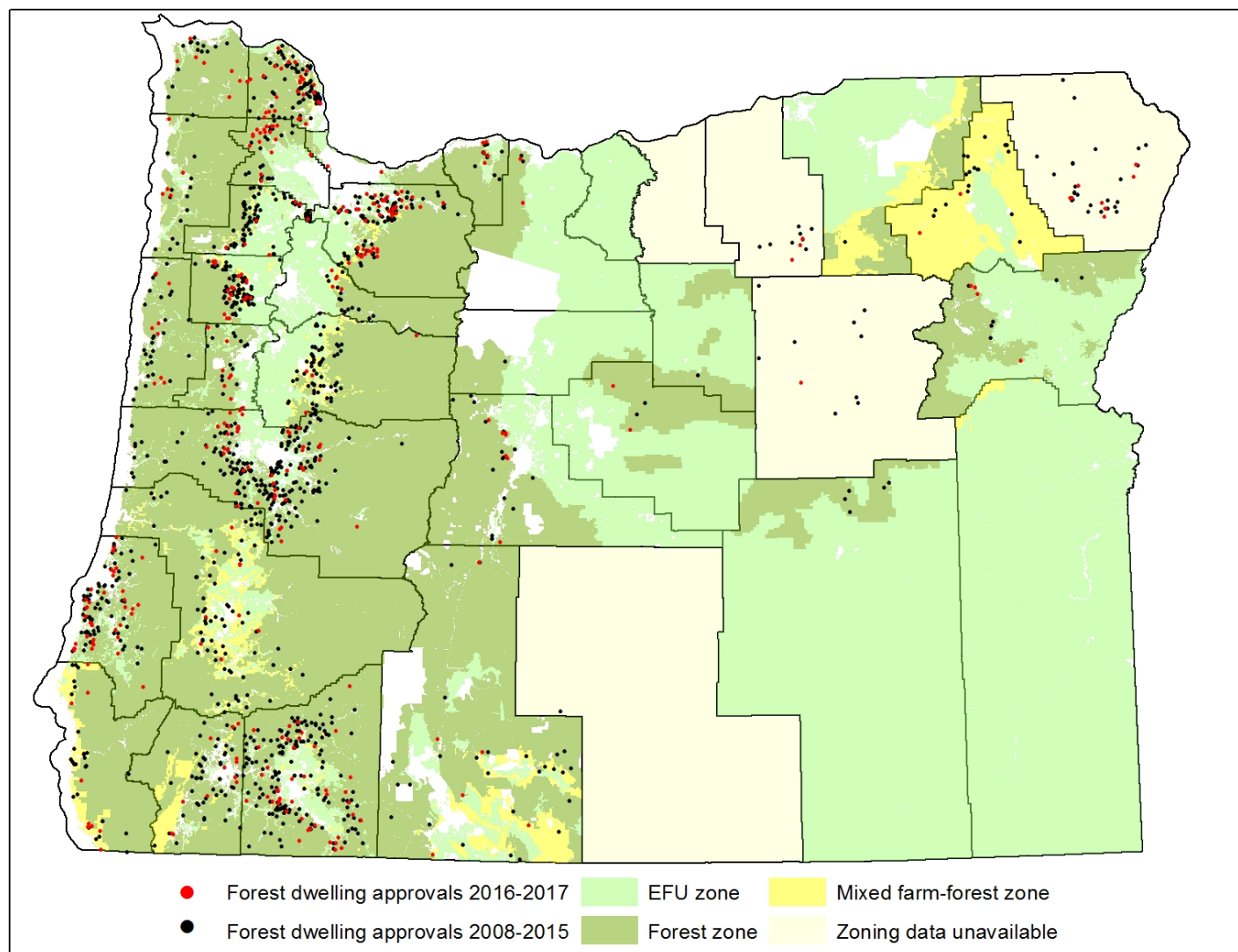


Table 10. Dwellings approvals on Forestland, by county, 1994-2017

County	Template	Large Tract	Lot of Record	Temporary Hardship	Replacement	Total
Baker	2	8	17	0	17	44
Benton	39	8	17	7	25	96
Clackamas	647	18	112	195	0	972
Clatsop	54	2	20	6	31	113
Columbia	520	1	15	72	56	664
Coos	341	8	20	17	142	528
Crook	0	11	1	1	16	29
Curry	122	45	17	1	5	190
Deschutes	82	10	8	2	17	119
Douglas	146	39	53	24	403	665
Gilliam	0	0	1	6	29	36
Grant	44	20	21	0	32	117
Harney	0	0	5	0	5	10
Hood River	47	12	13	0	15	87
Jackson	547	94	164	68	30	903
Jefferson	0	3	0	0	1	4
Josephine	301	12	12	3	5	333
Klamath	126	14	50	8	80	278
Lake	1	0	0	1	11	13
Lane	942	15	20	59	378	1,414
Lincoln	192	7	32	8	18	257
Linn	184	4	32	91	37	348
Malheur	0	0	0	4	0	4
Marion	91	0	12	5	37	145
Morrow	33	6	1	3	11	54
Multnomah	55	1	6	6	71	139
Polk	258	20	25	46	169	518
Sherman	0	0	0	0	0	0
Tillamook	49	2	4	5	15	75
Umatilla	3	8	5	1	14	31
Union	20	24	39	6	52	141
Wallowa	42	15	22	4	23	106
Wasco	1	2	2	2	4	11
Washington	189	4	39	22	174	428
Wheeler	1	1	0	2	3	7
Yamhill	258	15	25	19	42	359
Total	5,337	429	810	694	1,968	9,238

Figure 13. Map of new dwellings on Forestland, 2008-2017



Nonresidential uses

In addition to a range of traditional forest-related uses, the commission has recognized that some nonforest uses are acceptable in forest areas. These uses are set forth in OAR 660-006-0025. Nonforest uses are subject to local land use approval and must demonstrate that they will not force a significant change in or significantly increase the cost of accepted farm or forest practices on farm or forest land.

Table 11 shows nonresidential uses approved on forestland in 2016-2017. The most commonly approved use in 2016-2017 was home occupations (14 approvals). There were 17 approvals for utility related uses, 10 approvals for recreation related uses, and nine approvals for mineral and aggregate uses.

Table 11. Nonresidential use approvals on Forestland, 2016-2017

Type of use	2016	2017	Total	County approvals
Commercial power generating facility	3		3	Clackamas (2), Polk (1)
Communication facilities	5	3	8	Clatsop (1), Douglas (1), Hood River (1), Lincoln (2), Linn (1), Tillamook (1), Washington (1)
Exploration for minerals/aggregate		2	2	Lake (2)
Fire station		2	2	Lane (1), Wheeler (1)
Home occupation	10	4	14	Benton (1), Clatsop (1), Coos (1), Jackson (2), Lincoln (1), Polk (4), Union (1), Wallowa (3)
Logging equipment repair/storage	2	1	3	Jackson (1), Tillamook (2)
Mineral & aggregate	4	2	6	Jackson (1), Klamath (2), Lincoln (2), Wallowa (1)
Private hunting & fishing without lodging		1	1	Wheeler (1)
Private park/campground	3	3	6	Clackamas (2), Jackson (2), Klamath (1), Marion (1)
Public park	1	1	2	Benton (1), Multnomah (1)
Reservoirs/water impoundment	1	1	2	Clackamas (1), Tillamook (1)
Road improvements, conditional	1	1	2	Jackson (1), Washington (1)
Road improvements, outright		3	3	Coos (1), Umatilla (1), Washington (1)
Temporary batch plant	1		1	Klamath (1)
Water intake facilities	3	1	4	Clackamas (1), Clatsop (1), Polk (2)
Youth camp		1	1	Clackamas (1)
Total	34	26	60	

Land Divisions and Property Line Adjustments

Twenty-six new parcels were approved in 2016 with 22 new parcels in 2017 for a total of 48 new parcels (see Table 12). These numbers decreased from 2014-2015 when 63 new parcels were created. Figure 14 shows land divisions on forestland from 2008-2017.

Forestland divisions

In 2016-2017, 24 parcels met the minimum parcel size of 80 acres. This is similar to 2014-2015 when 25 parcels met the minimum parcel size. In 2016-2017, forest land divisions occurred fairly evenly across the state with highest number of approvals in Grant County (six new parcels).

Nonforest land divisions

Nonforest land divisions are allowed in only a few circumstances, including the creation of a parcel or parcels to separate one or more existing dwellings on a property. In 2016-2017, 24 new nonforest parcels were approved, a decrease from the 38 non-forest parcels created in 2014-2015. The majority of these parcels are five acres or smaller. The most common reason for creating smaller parcels in 2016-2017 was to divide a parcel that has multiple dwellings (11 approvals).

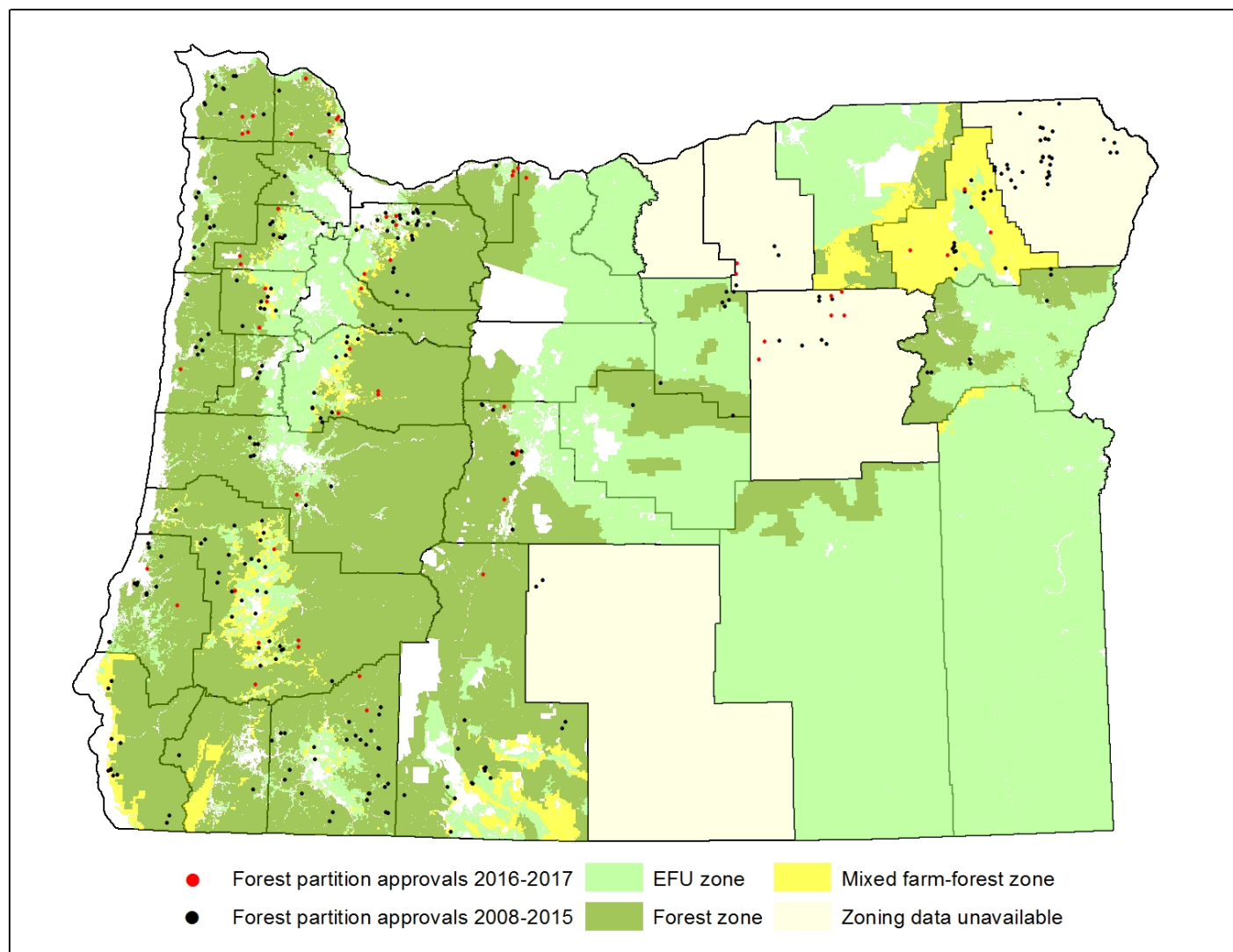
Property line adjustments

Property line adjustments on forest land may occur for a variety of reasons. Occasionally they are used to adjust parcels to areas where they can be approved for dwellings. Many of the reported property line adjustments involve more than two tax lots. In 2016, 107 property line adjustments were approved and 114 were approved in 2017 for total of 221 adjustments on forest land. This is an increase from 2014-2015 when 175 property line adjustments were approved on forest land.

Table 12. New parcel approvals on Forestland, parcel size and county, 2016–2017

County	0 to 5 acres		6 to 10 acres		11 to 20 acres		21 to 40 acres		41 to 79 acres		80 to 159 acres		160 to 319 ac.		320+ acres		Total	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Baker																	0	0
Benton																	0	0
Clackamas	4	1										2					4	3
Clatsop																	0	0
Columbia	1			1							1						2	1
Coos						1											0	1
Crook																	0	0
Curry																	0	0
Deschutes							2						2				4	0
Douglas	1	3												2			1	5
Gilliam																	0	0
Grant											1	2		2	1		2	4
Harney																	0	0
Hood River																	0	0
Jackson													1	1			1	1
Jefferson																	0	0
Josephine																	0	0
Klamath																	0	0
Lake																	0	0
Lane	1	1															1	1
Lincoln										1							0	1
Linn	1					1					1						2	1
Malheur																	0	0
Marion											1						1	0
Morrow													2				2	0
Multnomah																	0	0
Polk	2										1						3	0
Sherman																	0	0
Tillamook																	0	0
Umatilla																	0	0
Union																2	0	2
Wallowa																	0	0
Wasco							1			1	1		1				3	1
Washington																	0	0
Wheeler																	0	0
Yamhill		1															0	1
Total	10	6	0	1	0	2	3	0	0	2	6	4	6	5	1	2	26	22

Figure 14. Map of land divisions on Forestland, 2008-2017



Ballot Measures 37 and 49

If a state or local government enacts a land use regulation that restricts a residential use or a farm or forest practice, and reduces the fair market value of a property, then the landowner may qualify for compensation under Ballot Measure 49. Oregon voters initially passed Ballot Measure 37 in 2004, which was later modified by the Oregon legislature and approved by the voters in 2007 as Ballot Measure 49. Enactment of Measure 49 retroactively voided some Measure 37 claims.

Measure 49 relief for former Measure 37 claims ended in 2011. DLCD received 4,960 Measure 49 claims and authorized 3,542 claims for residential development (Table 13). The difference between claims received and authorizations issued is partly due to multiple claims being filed for contiguous properties. Under Measure 49, contiguous properties were combined into single claims.

Table 13 shows the number of new dwellings and new parcels authorized under Measure 49 for each county. A total of 6,238 new dwellings and 3,953 new parcels were authorized. Approximately 90 percent of Measure 49 approvals are on land in farm and forest zones.

Property owners who desire to construct new dwellings or create new parcels must apply to the county for approval subject to the terms of their Measure 49 order. For the first time, this report contains information on county land use approvals for new dwellings and parcels authorized by Measure 49 claims. However, the number of Measure 49 dwellings approved by counties is underrepresented. While statute requires counties to send notice of Measure 49 land use decisions to DLCD, some counties only require a building permit to place a Measure 49 dwelling on an existing parcel. Counties are not required to send notice of building permits.

On farmland, counties sent approvals for 115 Measure 49 dwellings and 94 new Measure 49 parcels in 2016-2017. For comparison, counties approved 221 nonfarm dwellings and 172 non-Measure 49 parcels in the same period on farmland. On forestland, counties reported approvals for 58 Measure 49 dwellings and 53 new Measure 49 parcels in 2016-2017. For comparison, counties approved 255 template dwellings in the same period and 48 new non-Measure 49 parcels on forestland.

Due to the variability in receiving notice of Measure 49 development from counties, DLCD periodically estimates the total numbers of Measure 49 dwellings built and parcels created since 2009, when the first authorizations were issued. This is accomplished by analyzing county tax assessor's data for counties that share this data. DLCD estimated that by 2016, 12 percent of new dwellings and 28 percent of new parcels authorized by Measure 49 had been completed.

Measure 49 authorizations are tied to a specific property and may be conveyed to a new owner when the property is sold. Unless the new owner is a spouse or revocable trust, all authorized Measure 49 development must be completed within ten years of the property conveyance. DLCD anticipates that Measure 49 development will increase in the coming years as properties conveyed in 2009 and 2010 near the ten year deadline.

Many claimants who had completed development or who were vested in their Measure 37 projects on the date Measure 49 was enacted did not file a Measure 49 election. County approvals of Measure 37 developments are not included in this report. DLCD is working on tracking these developments and intends to provide that information in future reports.

Table 13. Total Measure 49 authorizations, by county

County	Claims	Claims Authorized	Authorized New Dwellings	Authorized New Parcels
Baker	97	66	112	54
Benton	80	57	91	53
Clackamas	863	673	1,158	810
Clatsop	52	29	45	27
Columbia	79	50	90	62
Coos	135	96	182	104
Crook	33	21	44	27
Curry	75	48	99	48
Deschutes	116	83	130	93
Douglas	168	124	208	148
Gilliam	1	0	0	0
Grant	5	3	5	5
Harney	0	0	0	0
Hood River	160	117	168	113
Jackson	349	265	445	306
Jefferson	142	86	185	113
Josephine	124	82	142	106
Klamath	139	92	195	78
Lake	1	1	1	1
Lane	327	237	466	292
Lincoln	78	62	110	49
Linn	270	182	331	222
Malheur	19	11	16	10
Marion	322	211	361	223
Morrow	0	0	0	0
Multnomah	72	50	84	39
Polk	247	168	302	184
Sherman	0	0	0	0
Tillamook	67	40	78	46
Umatilla	34	25	55	30
Union	31	19	28	20
Wallowa	38	29	63	37
Wasco	31	26	44	21
Washington	485	360	607	390
Wheeler	2	0	0	0
Yamhill	318	229	393	242
Total	4,960	3,542	6,238	3,953

Urban Growth Boundary Expansions and Zone Changes

Urban growth boundaries (UGBs) help prevent conversion of irreplaceable farm and forest lands, while limiting the cost of services associated with expansion of urban infrastructure into rural areas. Cities must have a 20 year supply of land within UGBs to meet their residential, commercial, and industrial needs. Periodically it is necessary to expand UGBs onto rural lands to meet those needs. Lands zoned EFU, forest, and mixed farm-forest are given lower priority for inclusion in UGBs than lands already zoned for rural development or nonresource lands.

Rural zone changes are usually approved in order to allow land uses that otherwise would not be permitted in an EFU, forest, or mixed farm-forest zone. Examples include clustered rural residential parcels, mineral and aggregate quarries, and institutional uses such as schools serving an urban population. A zone change typically includes an exception to Statewide Planning Goals 3 or 4 based on existing development, development patterns on surrounding lands, or other reasons. A goal exception is not required if it can be demonstrated that a parcel does not qualify as agricultural or forest land and is nonresource land.

2016-2017 approvals

Table 14 shows that 1,417 acres brought into UGBs in 2016-2017 were formerly zoned EFU and 135 acres were zoned forest or mixed farm-forest. A total of 4,450 acres were added to UGBs in 2016-2017 (see Table 15). Lands zoned EFU accounted for 32 percent of the total acreage while forestland was only 3 percent. This demonstrates that state rules prioritizing the inclusion of Goal 3 and 4 exception areas and nonresource lands in UGBs continue to be effective.

The largest UGB expansions were for the cities of Bend, Eugene and Sandy. Bend's 2,380 acre UGB expansion did not include any land zoned EFU, forest, or mixed farm-forest. The City of Eugene's expansion included 939 acres of EFU for employment land. Less than half of Sandy's 652 acre expansion was zoned EFU or forest.

Table 14 also shows acres rezoned for rural development. In 2016-2017, 825 acres of EFU land and 336 acres of forest and mixed farm-forest land were rezoned for rural development. Mineral and aggregate uses led to rezoning of 276 acres. Solar development accounted for the rezoning of 167 acres. Over 50 percent of the 470 acres rezoned in Lane County for rural development occurred as a result of a marginal lands designation, which is a process allowed only in Lane and Washington counties. Five zone changes encompassing 128 acres were approved based on nonresource land findings rather than a goal exception (see Table 18).

In 2016-2017, 432 acres of EFU land were rezoned to forest or mixed farm-forest zones and 76 acres were rezoned from forest to EFU. A zone change from EFU to forest or vice versa does not require a goal exception. These zone changes are often pursued to facilitate development that is allowed in one rural zone but not another. As an example, it is easier to get template dwelling approval than nonfarm dwelling approval in the Willamette Valley, prompting rezonings to forest use in this area. Outside the Willamette Valley it can be easier to get nonfarm dwelling approvals instead of forest zone template dwelling approvals.

Table 14. UGB expansions and zone changes on Farm and Forest Land, by county, 2016–2017

County	Exclusive Farm Use					Forest & Farm-Forest				
	To Forest	To other Rural Zone	To UGB	Other zone to EFU	Net Total	To EFU	To other Rural Zone	To UGB	Other zone to Forest	Net Total
Baker					0					0
Benton		8			8					0
Clackamas		5	202		207			4		4
Clatsop					0			49		49
Columbia					0					0
Coos	71				71				71	-71
Crook			160		160					0
Curry					0					0
Deschutes		58			58					0
Douglas					0		32			32
Gilliam					0					0
Grant	279				279				279	-279
Harney					0					0
Hood River					0					0
Jackson		77			77		20			20
Jefferson			2		2					0
Josephine					0		39			39
Klamath		107		13	94					0
Lake			61	58	3					0
Lane	82	258	939		1,280		212		82	130
Lincoln					0					0
Linn					0		1			1
Malheur					0					0
Marion		12			12					0
Morrow		13	9		22					0
Multnomah					0					0
Polk			42		42					0
Sherman		100			100					0
Tillamook					0					0
Umatilla		184			184		16			16
Union					0		16			16
Wallowa					0					0
Wasco					0					0
Washington					0			82		82
Wheeler			2		2					0
Yamhill				76	-76	76				76
Total	432	825	1,417	147	2,527	76	336	135	432	116

Cumulative UGB expansions and zone changes

Between 1989 and 2017, a total of 50,570 acres of EFU land has been added to UGBs or rezoned for rural development. In forest and mixed farm-forest zones, 17,016 acres were removed due to UGB expansions and zone changes to allow rural development during this timeframe. As shown in Figure 15, UGB expansions on EFU account for nearly the same acreage as zone changes to rural development. On forestland, rural zone changes have accounted for more than double the acreage added to UGBs.

Figure 15. Farm and Forest Land rezoned or added to UGBs, 1989–2017

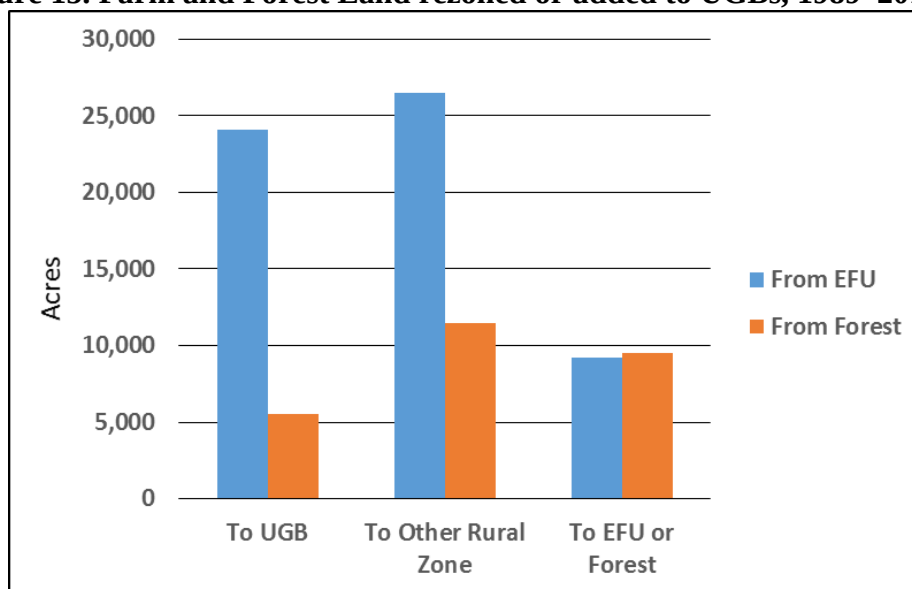


Table 15 shows UGB expansions from 1989 to 2017. Over 66,000 acres of land were added to UGBs statewide during this timeframe. Forty-one percent (27,300 acres) of the acres added was for the Portland-area Metro UGB. More than one-third of the new acreage added to UGBs in this period originated from farm zones, while eight percent was from forest or mixed farm-forest zones. As UGBs continue to expand fewer non-resource lands will be available to be brought into the boundaries, and more farm and forest land will come under pressure to be added to UGBs.

Tables 16 and 17 show rural zone changes from 1989-2017. Nearly 38,000 acres were rezoned from EFU, forest, or mixed farm-forest zones to other rural zones during this timeframe. A net of 21,034 acres were rezoned from EFU during 2001-2017. On forestland, a net of 6,541 acres were rezoned during 2001-2017.

Table 15. Farm and Forest Land included in UGBs by Year, 1989 – 2017

Year	Number	Acres	Acres from EFU Zones	Acres from Forest Zones
1989	25	1,445	259	100
1990	9	2,737	1,734	17
1991	21	1,480	177	70
1992	15	970	297	120
1993	22	2,277	1,390	448
1994	20	1,747	201	20
1995	15	624	219	143
1996	19	3,816	2,466	16
1997	12	668	508	40
1998	21	2,726	493	2
1999	10	927	587	72
2000	8	624	0	0
2001	4	140	11	0
2002	55	17,962	3,281	1,659
2003	10	385	124	85
2004	7	3,391	2,090	176
2005	10	739	70	8
2006	15	3,231	670	27
2007	19	292	105	65
2008	6	972	949	0
2009	7	782	686	4
2010	5	58	37	2
2011	6	2,738	1,662	699
2012	6	4,941	757	1,272
2013	7	894	559	0
2014	8	4,188	3,262	350
2015	7	1,028	79	1
2016	5	2,605	225	0
2017	10	1,845	1,192	135
Totals	384	66,232	24,090 (36%)	5,531 (8%)

Table 16. Farmland zone changes, 1989–2017

From EFU	To Commercial*	To Industrial**	To Residential	Subtotal	To Forest	Other zone to EFU	Net total change from EFU
1989 - 2000	614	1,370	5,986	7,970	2,410	944,670	934,290
2001	11	31	283	325	67	148	-244
2002	18	69	147	234	202	10	-426
2003	21	2	283	306	90	77	-319
2004	25	1,681	220	1,926	269	52	-2,143
2005	479	772	414	1,665	988	21	-2,632
2006	31	539	1,468	2,038	311	777	-1,572
2007	2	342	1,704	2,048	1,115	2,020	-1,143
2008	79	10	1,011	1,100	73		-1,173
2009	6	375	396	777	459	53	-1,183
2010	30	439	402	871	546	41	-1,376
2011		288	270	558	199		-757
2012	57	1,075	42	1,174	517		-1,691
2013			380	380	1,316		-1,696
2014	22	55	2,987	3,064	6	916	-2,154
2015	640	569	10	1,219	204	8	-1,415
2016	103	167	206	476		93	-383
2017	8	157	184	349	432	54	-727
Total	2,146	7,941	16,393	26,480	9,204	948,940	913,256

*Public zones are counted as commercial; **Mineral and aggregate zones are counted as industrial

Table 17. Forest and mixed farm-forest zone changes, 1989–2017

From Forest	To Commercial*	To Industrial**	To Residential	Subtotal	To EFU	Other zone to Forest	Net total change from Forest
1989 - 2000	16	275	3,692	3,983	8,517	36,854	24,354
2001			232	232			-232
2002			113	113	109		-222
2003			520	520	113		-633
2004		82	95	177	50		-227
2005		31	101	132	44	50	-126
2006		3	292	295		163	-132
2007	2	5	1,269	1,276		90	-1,186
2008	3	212	5	220	131	509	158
2009		56	2,451	2,507		27	-2,480
2010	215	185	489	889	10	378	-521
2011	2		53	55	162		-217
2012		5	74	79		80	1
2013	18	129		147	288		-435
2014	4		159	163		11	-152
2015		197	164	361		204	-157
2016		32	120	152	35		-187
2017	16	136	32	184	41	432	207
Total	276	1,348	9,861	11,485	9,500	38,798	17,813

*Public zones are counted as commercial; **Mineral and aggregate zones are counted as industrial

Table 18 shows acres rezoned using a nonresource lands process. Rural resource lands (commonly referred to as nonresource lands) are rural lands that do not meet the state’s definition of agricultural or forest lands. Rural resource lands are not subject to Statewide Planning Goals 3 and 4 and may be zoned by counties for other uses. These lands are commonly rezoned for rural residential development with minimum parcel sizes of 10 acres or less.

In 2009, the Legislature adopted provisions that allow counties to designate land for nonresource use (see ORS 215.788 – 794). This process requires coordination with state agencies to ensure such lands are truly nonresource and that future development would not conflict with wildlife, water quality, or increase the costs of public facilities and services. Counties and landowners have not used this process but rather continue to designate rural resource lands on a case by case basis through comprehensive plan amendments.

Ten counties have designated rural resource lands as shown in Table 18. Several counties have recently expressed interest conducting countywide evaluations of land that could be rezoned for nonresource use.

Table 18. Acres of nonresource designations, by county

County	Acres designated	Acres designated in 2016-2017
Clatsop	2,351	
Crook	23,261	
Deschutes	416	36
Douglas	3,341	
Jackson	525	20
Josephine	15,534	39
Klamath	34,797	
Linn	121	1
Lane	527	32
Wasco	7,047	
Total	87,920	128



2016 - 2017 Statutory and Rule Changes for Farm and Forest Lands

Statutory amendments

- SB 1517 (2016) – Makes wetland creation and restoration a conditional use in Tillamook County.
- SB 1598 (2016) – Clarifies that both recreational and medical marijuana are a crop as used in the definition of “farm use.”
- HB 2179 (2017) – Allows onsite treatment of septage prior to land application of biosolids
- HB 2730 (2017) – Allows golf courses west of Highway 101 to be permitted on high-value farmland when the land is only considered to be high-value based on water rights for irrigation or location within an irrigation or diking district.
- HB 3456 (2017) – Allows photovoltaic solar facilities to be located on high-value farmland in the Columbia Valley American Viticultural Area under certain circumstances.
- SB 644 (2017) – Mining of significant non-aggregate resources is exempt from compliance with certain EFU regulations in seven eastern Oregon counties.
- SB 677 (2017) – Allows cider businesses to be established on agricultural land.

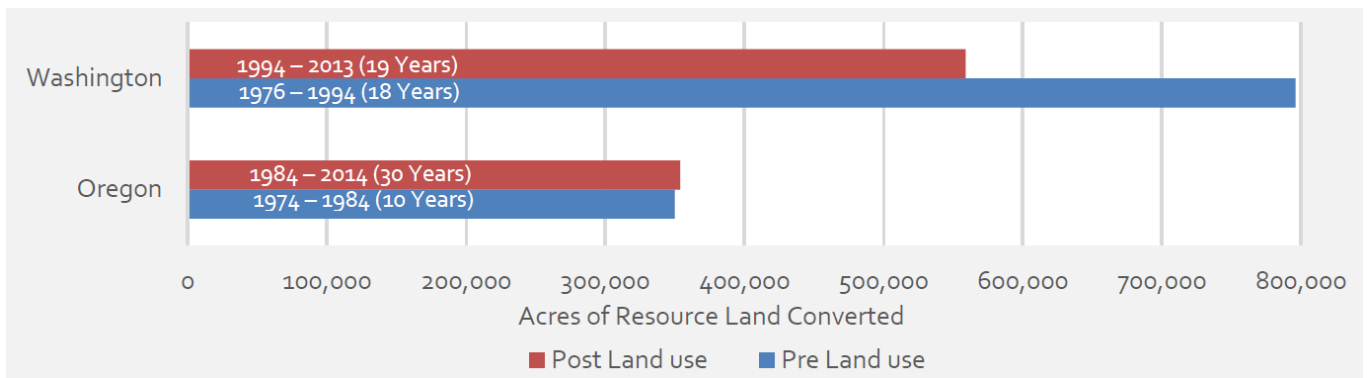
Rule amendments

- OAR 660-006-0005 (2016) – Clarifies that the definition of “forest land” includes forested areas that maintain soil, air, water and fish and wildlife resources.
- OAR 660-006-0026 and 660-033-0100 (2016) – Clarifies that a property line adjustment may not be used to separate uses where land divisions are prohibited.

Conclusion

Oregon's farm and forest land protection program has provided a significant level of protection to the state's working landscapes over the last several decades. As shown in Figure 16, the acres of farm and forest lands converted to low density residential and urban uses in Oregon has slowed considerably since the adoption of county comprehensive plans in 1984.

Figure 16. Acres of Farm and Forest Lands Converted to Low Density Residential and Urban (Gray et al, 2018)



Over the years, the Legislature and LCDC have continued to refine the state's agricultural and forest land protections to accommodate changing needs and regional variation. As Oregon continues to change, it is important to remember the valuable role that agricultural and forest lands provide to the food needs and health of all Oregonians. Agricultural and forest lands are also critical for the various industries that depend on Oregon produced farm and forest products and businesses that thrive on recreation and tourism opportunities. Maintaining the land base necessary to support agricultural and forestry operations is a critical component of a prosperous Oregon.

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