

Enrolled Senate Bill 538

Sponsored by Senator WESTLUND, Representative WHISNANT

CHAPTER

AN ACT

Relating to guest ranches; creating new provisions; and amending sections 1 and 5, chapter 728, Oregon Laws 1997.

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

SECTION 1. Section 1, chapter 728, Oregon Laws 1997, as amended by section 1, chapter 216, Oregon Laws 1999, section 2, chapter 467, Oregon Laws 2001, section 5, chapter 544, Oregon Laws 2001, section 1, chapter 147, Oregon Laws 2003, and section 107, chapter 621, Oregon Laws 2003, is amended to read:

Sec. 1. (1) Notwithstanding ORS 215.283, a guest ranch may be established in conjunction with an existing and continuing livestock operation, using accepted livestock practices, that qualifies as a farm use under ORS 215.203 in any area zoned for exclusive farm use in eastern Oregon.

(2) A guest ranch established under this section shall meet the following conditions:

(a) Except as provided in paragraph [(d)] (c) of this subsection, the [lodge, bunkhouses or cottages] **guest lodging units** cumulatively shall:

(A) Include not less than four nor more than 10 overnight guest [rooms exclusive of kitchen areas, rest rooms, storage and other shared indoor facilities] **lodging units**; and

(B) Not exceed a total of 12,000 square feet in floor area, **not counting against the limit of 12,000 square feet of floor area of a guest lodging unit in a lodge that is dedicated to kitchen area, rest rooms, storage or other shared indoor space.**

(b) The guest ranch shall be located on a lawfully created parcel:

(A) That is at least 160 acres;

(B) That is the parcel containing the dwelling of the person conducting the livestock operation; and

(C) That is not classified as high-value farmland as defined in ORS 215.710.

[(c) *The guest ranch may be sited on any portion of a lot or parcel if the majority of the lot or parcel is more than 10 air miles from an urban growth boundary containing a population greater than 50,000, regardless of whether any other portion of the lot or parcel is within 10 miles of the urban growth boundary. The guest ranch shall be deemed to comply with this paragraph if it is located within the range set by the standard margin of error on the county's map used to determine the distance from an urban growth boundary.*]

[(d)] (c) For each doubling of the initial 160 acres required under paragraph (b) of this subsection, up to five additional overnight guest [rooms and 3,000] **lodging units not exceeding a total of 6,000** square feet of floor area may be added to the guest ranch for a total of not more than 25 guest [rooms and 21,000] **lodging units and 30,000** square feet of floor area.

(3) A guest ranch may provide recreational activities that can be provided in conjunction with the livestock operation's natural setting, including but not limited to hunting, fishing, hiking, biking, horseback riding, camping or swimming. Intensively developed recreational facilities, such as golf courses as identified in ORS 215.283, shall not be allowed. A campground as described in ORS 215.283 (2)(c) shall not be allowed in conjunction with a guest ranch, and a guest ranch shall not be allowed in conjunction with an existing golf course under ORS 215.283 (2)(f) or with an existing campground under ORS 215.283 (2)(c).

(4) Food services shall be incidental to the operation of the guest ranch and shall be provided only for the guests of the guest ranch, **individuals accompanying the guests and individuals attending a special event at the guest ranch. The cost of meals, if any, provided to guests of the guest ranch, individuals accompanying the guests and individuals attending a special event at the guest ranch may be included in the fee to visit or stay at the guest ranch. A guest ranch may not sell individual meals to an individual who is not a guest of the guest ranch, an individual accompanying a guest or an individual attending a special event at the guest ranch.** [*The cost of meals provided to the guests shall be included as part of the fee to visit or stay at the guest ranch. The sale of individual meals to persons who are not guests of the guest ranch shall not be allowed.*]

(5) Approval of a guest ranch shall be subject to the provisions of ORS 215.296 (1) and (2) and other approval or siting standards of the county.

(6) As used in this section:

(a) "Eastern Oregon" [*shall have the meaning provided*] **has the meaning given that term** in ORS 321.805.

(b) **"Guest lodging unit" means guest rooms in a lodge, bunkhouse, cottage or cabin used only for transient overnight lodging and not for a permanent residence.**

[(b)] (c) "Guest ranch" means a facility for overnight **guest lodging units, including passive recreational activities and food services, as set forth in subsections (2) to (4) of this section, that are** incidental and accessory to an existing livestock operation that qualifies as a farm use under ORS 215.203. [*Guest ranch facilities may include a lodge, bunkhouse or cottage accommodations as well as passive recreational activities and food services as set forth in subsections (2) to (4) of this section.*]

[(c)] (d) "Livestock" means cattle, sheep, horses and bison.

SECTION 2. The Department of Land Conservation and Development, the State Department of Agriculture and the Economic and Community Development Department shall submit jointly a written report on the implementation of sections 1 and 2, chapter 728, Oregon Laws 1997, to the Seventy-fourth Legislative Assembly by February 1, 2007, and to the Seventy-fifth Legislative Assembly by February 1, 2009.

SECTION 3. Section 5, chapter 728, Oregon Laws 1997, as amended by section 3, chapter 467, Oregon Laws 2001, is amended to read:

Sec. 5. Chapter 728, Oregon Laws 1997, is repealed [*December 31, 2005*] **January 2, 2010.**

Passed by Senate May 18, 2005

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Secretary of Senate

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President of Senate

Passed by House June 7, 2005

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Speaker of House

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State