

Enrolled
Senate Bill 1044

Sponsored by COMMITTEE ON RULES

CHAPTER

AN ACT

Relating to destination resorts; amending ORS 197.455.

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

SECTION 1. ORS 197.455 is amended to read:

197.455. (1) A destination resort must be sited on lands mapped as eligible for destination resort siting by the affected county. The county may not allow destination resorts approved pursuant to ORS 197.435 to 197.467 to be sited in any of the following areas:

(a) Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort.

(b)(A) On a site with 50 or more contiguous acres of unique or prime farmland identified and mapped by the United States Natural Resources Conservation Service, or its predecessor agency.

(B) On a site within three miles of a high value crop area unless the resort complies with the requirements of ORS 197.445 (6) in which case the resort may not be closer to a high value crop area than one-half mile for each 25 units of overnight lodging or fraction thereof.

(c) On predominantly Cubic Foot Site Class 1 or 2 forestlands as determined by the State Forestry Department, which are not subject to an approved goal exception.

(d) In the Columbia River Gorge National Scenic Area as defined by the Columbia River Gorge National Scenic Act, P.L. 99-663.

(e) In an especially sensitive big game habitat area as determined by the State Department of Fish and Wildlife in July 1984 or as designated in an acknowledged comprehensive plan.

(2)(a) *In carrying out subsection (1) of this section, with respect to lands not identified in paragraph (b) of this subsection, a county shall adopt, as part of its comprehensive plan, a map consisting of eligible lands within the county. The map must be based on reasonably available information, and shall not be subject to revision or refinement after adoption, except in connection with periodic review. A map adopted pursuant to this section shall be the sole basis for determining whether tracts of land are eligible for destination resort siting pursuant to ORS 197.435 to 197.467.*

[(b)] In carrying out subsection (1) of this section, [with respect to lands in eastern Oregon, as defined in ORS 321.405,] a county shall adopt, as part of its comprehensive plan, a map consisting of eligible lands within the county. The map must be based on reasonably available information[,] and may be amended pursuant to ORS 197.610 to 197.625, but not more frequently than once every 30 months. The county shall develop a process for collecting and processing concurrently all map amendments made within a 30-month planning period. A map adopted pursuant to this section shall be the sole basis for determining whether tracts of land are eligible for destination resort siting pursuant to ORS 197.435 to 197.467.

Passed by Senate May 4, 2005

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Secretary of Senate

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President of Senate

Passed by House May 25, 2005

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Speaker of House

Received by Governor:

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Approved:

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Governor

Filed in Office of Secretary of State:

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Secretary of State