



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Nicole Mardell, AICP, Senior Planner
Will Groves, Planning Manager

DATE: October 8, 2025

SUBJECT: Consideration of Second Reading: Farm and Forest Housekeeping Amendments

On October 15, 2025, staff will present Ordinance No. 2025-016 to the Board of County Commissioners (Board) for consideration of second reading. The Board conducted a public hearing on September 10, 2025, to consider text amendments to integrate changes to state rule, resulting from the state's Farm and Forest Modernization Project, into local code (File no. 247-25-000297-TA). On October 1, 2025, the Board voted to adopt the proposed package with minor amendments presented by staff and conducted first reading of the ordinance.

Staff submitted a 35-day Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development (DLCD) on May 14, 2025. An initial public hearing was held before the Planning Commission on June 26, 2025¹. No testimony was received, and the Commission voted unanimously to recommend approval of the amendments.

All record materials can be found on the project website: bit.ly/farmforesthousekeeping.

I. AMENDMENT SUMMARY

To comply with this rulemaking package, staff is proposing the following amendments:

- Amend 18.16.040(A) to apply farm impacts test through reference to ORS and OAR.
- Amend 18.16.042(A) 'incidental and subordinate' definition for agri-tourism.
- Amend 18.16.030(Y) to include ORS and OAR references for rural transportation facilities in Exclusive Farm Use (EFU) zone.
- Add rural transportation facilities as 18.36.030(AE) and 18.40.030(AG) in forest zones and include ORS and OAR references.

¹ <https://www.deschutes.org/bc-pc/page/planning-commission-68>

- Amend 18.16.031(D), 18.36.030(G), and 18.40.030(H) to reference ORS and OAR definition for private parks.
- Amend 18.16.020(J), 18.36.020(M), and 18.40.020(M) to reference ORS and OAR standards for replacement dwellings. Removed sections 18.16.023, 18.36.025, and 18.40.025 as they were duplicative.
- Amend 18.04 to reference ORS and OAR for definition of “farm use”.
- Amend 18.16.050(A)(3)(f), 18.16.050(B)(8), and 18.16.050(C)(5) to reflect new requirements for verification of income associated with farmworker and primary farm dwellings.
- Amend 18.16.038(C) to reference ORS and OAR standards for farm stands.
- Amend 18.16.030(M), 18.36.030(R), and 18.40.030(S) to reference ORS and OAR standards for home occupations.
- Amend 18.36.050(D)(1)(d)(1) and 18.40.050(D)(1)(d)(1) to remove a temporary provision for template dwellings that has sunset.
- Amend 18.16.031(D), 18.16.030(G), 18.36.030(G), and 18.40.030(H) to directly reference requirements for campgrounds in OAR and ORS. Removed 18.16.050(L) as no longer needed.
- Amend 18.04 to amend the definition for a processing facility for farm crops to include rabbit products.
- Amend 18.16.033(C) as it is duplicative and superseded by 18.120.010(B), pertaining to expansion of nonconforming schools.

Staff included only housekeeping style amendments resulting from rulemaking in this particular text amendment package. Additional discretionary amendments related to childcare, temporary storage sites, and natural disaster event allowances may be pursued in future amendment processes.

II. NEXT STEPS

The ordinance will become effective approximately 90 days following the second reading.

Attachments:

Ordinance No. 2025-016 and Corresponding Exhibits