

Chapter 23.92. FOREST LANDS

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23.92.010. Forest Lands.

Much of the beauty, and the employment, in Deschutes County is directly related to the large expanse of forestland. For these reasons, this resource is of particular importance to the County's two major industries, timber/wood products and tourism. The great majority of the timber harvested consists of Ponderosa and Lodgepole pine.

One major problem is the increasing threat to local timber supplies created by scattered developments occurring in forested areas. This is particularly true if the development is located outside destination resorts or fire districts where fire protection is available.

In order to meet the State Land Conservation and Development Commission's requirement for an adequate inventory of forest site capability the County Planning Department worked with the State Department of Forestry. The resulting capabilities map is found in the plan's resource element. As shown on the map most of the land with high through moderate capability lies in the Deschutes National Forest.

The U.S. Forest Service and the Bureau of Land Management have responsibility for regulating use of federally-owned forest lands in the County pursuant to their own respective management plans. The decisions and actions of these agencies have, and will continue to have, major effects on the economic, social and natural environment of Deschutes County.

Subsequent to the acknowledgement of the County's plan in 1979, the Department of Land Conservation and Development promulgated an administrative rule setting forth allowed uses, siting conditions and minimum lot sizes in forest zones (forest rule). Previous to that enactment, there was no uniform criteria embodied in state law other than Goal 4's general policy guidance regulating forest zones. The rule requires that Counties implement its provisions no later than the time set for periodic review. In 1992, as part of periodic review of its comprehensive plan and zoning ordinances, the County proceeded to implement the forest rule by revising its forest zones. At the same time, the Forest Lands Goals and Policies in the Comprehensive Plan were reviewed and revised to conform them to the forest rule provisions. The Goals and Policies, as amended by Ordinance 92-024 and 94-037, reflect the forest rule.

(Ord. 2002-005 §1, 2002; Ord. 2000-017 §1, 2000; Ord. 94-037, 1994; Ord. 92-024, 1992; Ord. 80-203, 1980; PL-20, 1979)

23.92.020. Goal.

Because of the local importance of forest lands the following goal has been set: To conserve forest lands for forest uses.

(Ord. 2002-005 §1, 2002; Ord. 2000-017 §1, 2000; Ord. 94-037, 1994; Ord. 92-024, 1992; PL-20, 1979)

23.92.030. Policies.

1. Deschutes County shall designate forest lands on the comprehensive plan map consistent with Goal 4 and OAR 660, Division 6.
2. Deschutes County shall zone forest lands for uses allowed pursuant to OAR 660, Division 6. In addition to forest practices and operations and uses auxiliary to forest practices, as set forth in ORS 527.722, Deschutes County shall allow in the forest environment the following general types of uses:

- a. Uses related to, and in support of, forest operations;
 - b. Uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment;
 - c. Locationally dependent uses such as communication towers, mineral and aggregate resources use, etc.;
 - d. Dwellings authorized by ORS 215.720 to 215.750; and
 - e. Other dwellings under prescribed conditions.
3. In order to conserve and maintain the unimpacted forest land base for forest use the County shall identify and zone as F-1 those lands which have the following characteristics:
 - a. Consist predominantly of ownerships not developed by residences or non-forest uses.
 - b. Consist predominantly of contiguous ownerships of 160 acres or larger in size.
 - c. Consist predominantly of ownerships contiguous to other lands utilized for commercial forest or commercial farm uses.
 - d. Accessed by arterial roads or roads intended primarily for forest management.
 - e. Primarily under forest management.
 4. In order to conserve and maintain impacted forest lands for forest use the County shall identify and zone as F-2 those lands which have the following characteristics:
 - a. Consist predominantly of ownerships developed for residential or other non-forest uses;
 - b. Consist predominantly of ownerships less than 160 acres in size;
 - c. Consist of ownerships generally contiguous to tracts containing less than 160 acres and residences, or adjacent to acknowledged exception areas;
 - d. Provided with a level of public facilities and services, including roads, intended primarily for direct services to rural residences.
 5. Except as identified in this plan non-forest uses shall be discouraged in existing forested areas.
 6. Forest management in Deschutes County shall be governed by the Oregon State Forest Practices Act.
 7. Better coordination and cooperation between the U.S. Forest Service and Deschutes County shall be fostered, particularly as it relates to restrictive use of such Forest Service lands as Mt. Bachelor Ski Area and the Bend Watershed. As a basis for mutual cooperation and coordination, the Land Management Plan for the Deschutes National forest shall be used.
 8. Notwithstanding any other quasi-judicial plan or zone change criteria, lands designated as Forest under the Plan and zoned Forest Use 2 under the zoning ordinance may upon application be redesignated under the Plan from Forest to Agriculture and rezoned under the zoning ordinance from Forest Use 2 to Exclusive Farm Use if such lands:
 - a. Do not qualify under state law for forestland tax deferral,
 - b. Are not necessary to permit forest operations or practices on adjoining lands and do not constitute forested lands that maintain soil, air, water and fish and wildlife resources,
 - c. Have soils on the property that fall within the definition of agricultural lands as set forth in Goal 3,
 - d. Are a tract of land 40 acres or less in size,
 - e. Do not qualify under state law and the terms of the Forest Use 2 Zone for a dwelling, and;
 - f. Were purchased by the property owner after January 1, 1985 but before November 4, 1993. Such changes may be made regardless of the size of the resulting EFU-Zoning district. Such changes shall be processed in the same manner as other quasi-judicial plan or zoning map changes.”

(Ord. 2002-005 §1, 2002; Ord. 2000-017 §1, 2000; Ord. 94-037, 1994; Ord. 92-024, 1992; Ord, 80-203, 1980; PL-20, 1979)