

**ORDINANCE 239
BEFORE THE MALHEUR COUNTY COURT**

**AN ORDINANCE AMENDING MALHEUR COUNTY CODE TITLE 6, CHAPTER 1,
CHAPTER 3, SECTION A, CHAPTER 4, CHAPTER 6 and CHAPTER 12; and TITLE 7,
CHAPTER 1; and DECLARING AN EMERGENCY**

WHEREAS, the Malheur County Planning Department initiated this legislative amendment to revise the Malheur County Code (MCC) Title 6, Chapters 1, 3, 4, 6 and 12; and Title 7, Chapters 1 and 7 in order to codify State and administrative rule changes applicable to resource lands (amendment); and

WHEREAS, the text of the MCC, with respect to planning and zoning in resource lands, has not been updated for over 10 years; and

WHEREAS, the intent of this amendment is to codify several years of State law changes made regarding farmlands – Exclusive Farm Use (EFU), Exclusive Range Use (ERU) and Exclusive Farm Forest Use (EFFU) Zones; and

WHEREAS, this amendment does not change how farmland is already regulated nor does it change existing zoning maps; and

WHEREAS, because this amendment does not change how farm and resource lands are already regulated or change zoning maps; and because the amendment directly reflects substantive State and administrative rules, Statewide Planning Goals and policies of the Malheur County Comprehensive Plan, there is no specific criteria or review standards to be considered; and the factors in MCC 6-10-7 B.- D. are not applicable; and

WHEREAS, the amendment includes a matrix setting out uses, zones, and review procedures which is convenient and a user-friendly text amendment for the public; and

WHEREAS, notice of this amendment was provided to Department of Land Conservation and Development (DLCD) and published in the Argus Observer; and

WHEREAS, the Malheur County Planning Commission considered the amendment at a public hearing on May 28, 2026; and

WHEREAS, the Malheur County Planning Commission voted and recommended _____ to the amendment to the Malheur County Court; and

WHEREAS, the Malheur County Court considered the amendment at public hearings on June 10, 2026 and June 24, 2026; deliberated and finds _____

WHEREAS, in order to meet the public’s need for an updated MCC, it is necessary for this ordinance to be effective immediately upon adoption.

NOW, THEREFORE, THE MALHEUR COUNTY COURT ORDAINS AS FOLLOWS:

Section 1. ADOPTION. Malheur County adopts the amendment package attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. AMENDMENT TO MALHEUR COUNTY CODE. The Malheur County Code (MCC) is amended as set out in Exhibit “A” with ~~strikethrough~~ language deleted from the MCC and underlined text added to the MCC. A clean copy (no strikethrough or underline) of the amendment is attached as Exhibit “B”.

Section 3. EMERGENCY. This ordinance, being immediately necessary for the preservation of the peace, health and safety of planning and zoning operations, an emergency is declared to exist and this ordinance shall take effect immediately upon its passed.

PASSED AND ADOPTED this ___ day of June 2026.

MALHEUR COUNTY COURT:

County Judge Dan P. Joyce

Commissioner Ron Jacobs

Commissioner Jim Mendiola

ATTEST:

Kim Ross, Recording Secretary