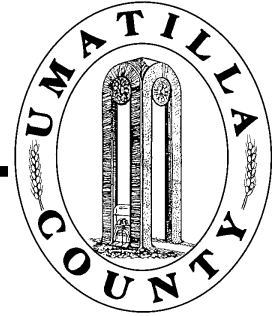


Umatilla County

Department of Land Use Planning

216 SE 4th ST, Pendleton, OR 97801, (541) 278-6252



Farm Agriculture/Equine Building Exemption

Review Process and Applicable Standards

State law (ORS 455.315) allows exemption from the requirement for a building permit and inspections under the Oregon State Structural Specialty Code for certain agricultural-buildings. A landowner must obtain approval and signature from the local planning office to qualify for this type of permit. Farm Exempt structures are only allowed on resource zoned land (EFU and GF) where a bona fide "farm" is being operated. The property must be assessed under the "Farm Deferral" tax program. (UCDC 152.026 amended via Ord. 2008-09).

ORS 455.315 Exemption of agricultural buildings, agricultural grading and equine facilities. (2) As used in this section:

(a) "**Agricultural building**" means a structure located on a farm and used in the operation of the farm for:

- (A) Storage, maintenance or repair of farm machinery and equipment;
- (B) The raising, harvesting and selling of crops;
- (C) The feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees;
- (D) Dairying and the sale of dairy products; or
- (E) Any other agricultural or horticultural use or animal husbandry, or any combination thereof, including the preparation and storage of the produce raised on the farm for human use and animal use and disposal by marketing or otherwise.

(b) "**Agricultural building**" does not mean:

- (A) A dwelling;
- (B) A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time;
- (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476;
- (D) A structure used by the public; or

(E) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.

(d) "**Equine facility**" means a building located on a farm and used by the farm owner or the public for:

- (A) Stabling or training equines; or
- (B) Riding lessons and training clinics.

(e) "**Equine facility**" does not mean:

- (A) A dwelling;
- (B) A structure in which more than 10 persons are present at any one time;
- (C) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476; or
- (D) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder.

Processing This Type of Permit

Complete and sign the following applications. The County Planning Department will review and sign both applications if the use qualifies, prior to the applications being reviewed by State BCD.

County Zoning Permit Application

State BCD Farm Agriculture/Equine Building Exemption Request Application

Provide a copy of both applications signed by the County Planning Department to State BCD.