Chapter 1. AGRICULTURE

Umatilla County agriculture contributes about 100 million dollars in annual income to the county and supports local food processing, transportation, trade, and service employment and payrolls. The county’s agricultural sector has consistently ranked among the top ten Oregon counties in total agricultural productivity; and for the three year period from 1975-77, as irrigated crop land came into production, ranked at least third in the state. Contributing to this strong agricultural economy is the diversity of farming activities which includes the production of cultivated crops (e.g. wheat, barley, oats, corn, canola), field and truck crops (e.g. potatoes, green peas, asparagus, melons), hay and silage feeds (e.g. alfalfa, corn, pea vines), fruit products (e.g. apples, cherries, prunes, peaches, apricots, grapes), and an extensive livestock industry raising cattle and calves, hogs and pigs, sheep and lambs, and chickens and turkeys.

Besides being the largest industry in this county and second largest industry in Oregon, agriculture creates a rural atmosphere greatly desired by many city, rural, and regional people. A comprehensive plan considers agriculture as an irreplaceable natural resource. Its wise use is of as much importance as other resources.

FINDINGS

1. Agriculture is important economically in Umatilla County and to the state.

2. Inventory review and local testimony identifies several categories of agriculture in the county: (a) North/ South County Agricultural Region; (b) West County Irrigation District; (c) Special Agriculture; and (d) Orchards District.

RECOMMENDED POLICIES

1. Umatilla County will protect, with Exclusive Farm Use zoning pursuant to ORS 215, lands meeting the definition of farmland in this plan and designated as Agricultural on the Comprehensive Plan Map.

2. Establish four agricultural designations with several types of management regulations to protect and maintain the existing agricultural economy character of the county.

The following Comprehensive Plan Designations are identified and corresponding preservation measures listed (see Plan and Zoning Map for locations of agricultural designations and EFU zone types):

(a) North/South County Agricultural Region -160 acre minimum parcel
3. Examination of past development patterns in farm areas, review of development costs (including drilling a domestic well, costs of land, septic tank installation, dwelling costs), a look at field pattern sizes, farm management unit sizes, tax lot and ownership patterns in the agriculture inventory, in the North/South County Agricultural Region lead to the conclusion that parcels of 160 acres and larger will continue the existing commercial agriculture enterprises in most of this county agricultural region. Also, these sizes are farm-sized related and the creation of new parcels of this size or larger will not attract nor encourage non-farm dwelling development. Also parcel divisions of less than 160 acres for strictly farming purposes are sometimes required and other times desired by dry land wheat farmers, livestock ranchers and irrigated farming interests to facilitate continued management on a variety of existing field pattern and farm management unit sizes and to maximize the number of management options (e.g. estate planning, financing, lease arrangements, land trades etc.) that are now taking place, and that would be restricted by one strict minimum parcel size requirement.

4. Dwellings customarily provided in conjunction with farm use can be found on a variety of parcel sizes.

3. To allow the flexibility of management options, to continue the existing commercial agricultural enterprises in a given area, and to assure that non-farm activities will not be encouraged, a flexible review called a "matrix system" shall be created that requires appropriate standards and review procedures for a variety of parcel division purposes and development situations. The policies on which the matrix system is designed are described below:

(a) New parcels of 160 acres or larger are appropriate to continue the existing commercial agricultural enterprises in those areas designated North/South County Agricultural Regions.

(b) New parcels equal to or greater than 80 acres may be authorized when found to be appropriate to continue the existing commercial agricultural enterprise in the North/South County Agricultural Region.

(c) Dwellings customarily provided in conjunction with farm use may be allowed on parcels of 160 acres or larger and may be allowed on parcels of less than 160 acres provided that the parcel can be shown to satisfy the requirements of Policy #4.

4. Dwellings customarily provided in conjunction with farm use shall be defined to mean:

(a) A dwelling located on a parcel of at least 160 acres containing a predominance of non-

(b) West County Irrigation District - 40 acre minimum lot parcel size;

(c) Special Agriculture - 20 acre minimum lot parcel size;

(d) Orchards District - 10 acre minimum parcel size.
(b) A dwelling located on a parcel less than 160 acres containing a predominance of non-high value soils in farm use where the Income Test is met as found in the Development Code.

(c) A dwelling located on a parcel containing a predominance of high value soils in farm use where the Income Test is met as found in the Development Code.

5. The County recognizes that parcel divisions of less than 160 acres for a variety of farm management reasons may continue the existing commercial agricultural enterprises in the County.

5. Farm divisions under 160 acres in the County must meet the applicable policies below and appropriate criteria and standards in the Development Code.

6. It is recognized that rural non-farm dwellings are desirable in the County. Rural non-farm housing must be placed in a manner not to negatively impact acceptable farming practices.

6. Non-Farm divisions under 160 acres in the County must meet the applicable policies and appropriate criteria and standards in the Development Code.

7. Relatives are often needed on the farm to assist in the overall farming operations and usually require a separate dwelling.

7. Farm relative dwellings shall be permitted if the dwelling meets the requirements of ORS 215.283 (1) (e).

8. The non-farm uses allowed in ORS 215.284 exist in the county and new ones can be accommodated without major conflict in most of the county’s agricultural regions.

8. The county shall require appropriate procedures/ standards/policies be met in the Comprehensive Plan and Development Ordinance when reviewing non-farm uses for compatibility with agriculture.

9. Non-Farm dwellings often are found to conflict with agricultural uses. They should conform to area activities, not place unnecessary burdens upon public facilities and services, and take up the least amount of area as possible.

9. Require appropriate procedures, standards and policies be met in the Comprehensive Plan and Development Ordinance to assure that non-farm dwellings will be compatible with farming activities.

10. Rural or non-farm dwellings often takes good farmland out of production; however, it is difficult to define what good farmland is

10. To assure that new non-farm dwellings as opposed to existing farm dwellings converted to non-farm dwellings will not
as evidenced by recent legislation (marginal lands) attempting to broaden the very tight parameters of the SCS Soil Classification System used to define agricultural lands.

remove valuable farm ground, the generally unsuitable test in ORS 215.284 (7) (non-farm dwelling criteria) for the establishment of non-farm dwellings shall now be clearly defined as soils classified as VII and VIII according to the SCS Soils Survey Classification System.

11. It is recognized that rural non-farm dwellings in farm areas might create a variety of problems (e.g. complaints of noise, dust, chemicals, etc. related to generally accepted farming practices).

11. Require as part of the matrix review criteria and standards that a "Covenant Not to Sue" document be recorded prior to approval of a non-farm dwelling.

12. Some farm dwellings have the potential of becoming non-farm dwellings.

12. When an existing farm-related dwelling is requested to be converted to a non-farm dwelling, the requirements of ORS 215.284 (7) (non-farm dwelling criteria) and ORS 215.236 (farm tax disqualification) shall be met. However, existing farm dwellings converted to non-farm dwellings may be on better classified soils, provided that they meet the intent of the generally unsuitable test in ORS 215.284.

13. The supply of irrigation ground water is diminishing in several locations in the County.

13. Recognize that future irrigation water supplies will be primarily surface sources (Columbia River Water). Support feasible and storage projects including groundwater recharge.

14. Irrigated farming affords greater diversified crop and animal production, thereby requiring new support/processing facilities.

14. Ensure availability of necessary supportive services sites through allowed conditional uses in EFU zones and commercial activities allowed on industrial lands.

15. Federal and state action policies greatly influence irrigation water availability and supporting agri-industry sittings.

15. Maintain continuing liaison with state and federal agencies to ensure water supplies for farming and to help coordinate other land use development related to agriculture.

16. Although slowly recovering, past overgrazing by has resulted in deterioration of the County’s lower elevation range lands.

16. Support programs such as Soil and Water livestock conservation management practices maintain optimum forage levels.
17. Forest management (e.g. timber harvesting) does some seasonal grazing lands or creek bottom lands designated agricultural, and those lands can play a significant role in contribution to the overall County timber supply.

17. Continue to encourage timber management to occur on lower elevation seasonal grazing as permitted in the Exclusive Farm Use Zone.

18. Often times land used for security in mortgages requires less than the minimum lot size in agricultural areas which makes it cumbersome for the property owner to obtain approval and for the county to keep records. It is not necessary for a separate parcel to be created for mortgage purposes. Oregon Statutes (ORS 92) exempt divisions of lands resulting from lien foreclosures from land partitioning requirements. Therefore, it is not necessary for a landowner to create a new parcel of land for mortgage purposes; rather, a release of any prior security interest in property may be given to a lending institute without creating a new lot.

18. Umatilla County will implement procedures set forth in ORS Chapter 92.

19. The Seven Hills Properties, LLC, and Powerline Ranches LLC, property described in Exhibit 1, is located in the North-South County Agriculture Plan Area and in the Walla Walla Wine Appellation. The land is well suited for vineyards and wine production and meets the OAR requirements to justify parcel sizes smaller than the statewide 80-acre minimum.

19: The Seven Hills Properties, LLC and Powerline Ranches LLC tract of land, described in Exhibit 1, may be partitioned below 80 acre parcels as follows and subject to the following conditions:

1. Limitation on Lot Size. The parcel size may be no smaller than 40 acres.

2. Dwellings only allowed if meet applicable Oregon Administrative Rule requirements.

3. A transportation/road circulation master plan must be submitted and approved prior to any partition of the subject property.

4. Parcel size may not be used as justification for any future zone change.
PLAN FINDING 20: Certain Exclusive Farm Use lands acknowledged by the State of Oregon in 1985 were zoned EFU-10, EFU-20 and EFU-40. The minimum parcel size was 10 acres, 20 acres and 40 acres respectively. In 1993, HB 3661 required all EFU zoned land to have a minimum parcel size of not less than 80 acres, thus, not allowing the minimum parcel sizes in the EFU-10, EFU-20 and EFU-40 Zones. Those same lands were the subject of a go-below application in 2012 and were found to comply with OAR 660-033-100.

PLAN POLICY 20: Lands zoned Exclusive Farm Use and located in the EFU-10, EFU-20 and EFU-40 zones shall be allowed a minimum parcel size less than the 160 acre minimum set forth in the EFU Zone.

1. Limitation on Lot Size: In the EFU-10 Zone the minimum lot size shall be 10 acres. In the EFU-20 Zone the minimum lot size shall be 20 acres. In the EFU-40 Zone the minimum lot size shall be 40 acres.

2. Dwellings may be permitted in those zones subject to dwelling standards set forth in the Development Code.

3. Parcel size may not be used as justification for any future zone change.

NOTE: See Technical Report, Section B, for Background Data and Plan Map Section, Chapter 18 for additional information.