GOAL 3: AGRICULTURAL LANDS

Goal: To preserve and maintain agricultural lands.

The policies adopted in Goal Three of the Comprehensive Plan outline County policy with regard to agriculture and the preservation of agricultural lands. These policies are founded on the authority given a county to establish Exclusive Farm Use zones (ORS 215.203), to exercise its authority in these zones to protect the health, safety and welfare of the citizens (ORS 215.253 (2)) and to review and regulate proposals for subdividing farm lands (ORS 215.263). The policies are intended to support the state’s agricultural land use policy (ORS 215.243) and should be so interpreted and construed.

FINDINGS

1. Traditionally, Gilliam County has relied on agriculture as the basic element in the economic structure of the County and there is no reason to believe that the importance of agriculture will diminish appreciably in the future. Considering the economic climate for agriculture and the continuing employment reduction through mechanization and more efficient farming practices, the County must continue to seek to diversify the economy through uses that are not inconsistent with the County’s agricultural base.

2. Most of the land in the county is well suited to the agricultural enterprises, which operate in the county. However, farm operators must be able to be freely engaged in certain agricultural practices (such as pesticide use) that may be objectionable to nearby non-farm residents.

3. Soil survey tables are available in the Gilliam County Planning Office.

4. Although most of the agriculture in the county is adapted to dry land practices, the potential for irrigation and for more intensive agricultural production exists. In fact, there has been a recent trend for the development of more intensive type agriculture and a number of specialized crops, including some orchard development. Because these types of agricultural enterprises are often more labor oriented than the current dominant dry land farming, such agricultural endeavors should be encouraged and permitted within the overall framework of agricultural land use policies and regulations.

5. The State of Oregon Legislative Assembly has declared preservation of agricultural lands to be in the public interest of the state and legislation enacted since the County’s Plan of 1969 was adopted, enables the County to more directly address local concerns for preservation of agricultural land in a meaningful way.

6. The County has reviewed numerous data sources relevant to “Commercial Agriculture” in the County and has determined that an absolute 160-acre minimum is more than sufficient to insure the protection and preservation of such enterprises in the County. Further, the
County has determined that in order to insure the continuance and further development of more intensive types of agricultural enterprises that it is necessary and in the best interests of agriculture to provide for certain provisions that will permit agricultural units less than 160 acres to occur. Such conclusions are based on the following data source information.

A) OAR 660-05-015 provides certain standards and criteria that permit commercial agricultural enterprises to be approved on any lot size which is deemed appropriate for the continuation of existing commercial agricultural enterprises within the affected area.

B) U.S. Census of Agriculture and the OSU Extension Service data sources clearly indicate that the dominate agriculture in the County is dryland cereal grain farming, however, such data sources also clearly indicate that other more intensive types of specialty crops are also a viable and important commercial agricultural enterprise within the County.

7. Although the U.S. Census of Agriculture reports that the average farm size in the County in 1992 was 5,329 acres, such data is somewhat misleading. In actuality, the average producing acreage per farm in the County was only 988 acres. Such a differential in farm total size vs. required acres for commercial production is clearly evident to the on-site reviewer in the identification of large areas of untillable lands intermixed with those lands actually cultivated and producing.

8. Further, the U.S. Census of Population reports that the average farm income in the County ranges from $7,000 to $10,800 over the period of 1978 to 1983. Correlating such income figures with Farm Commodity Reports by the OSU Extension Service shows that an annual income of $10,000 is readily producible from a total producing acreage of 117 acres for dry land grains, 161 acres of hay crops, 25 acres of grass seed production, and 38 acres of specialty field crops; all of which are reported as significant farm production in Gilliam County. Such data does not, of course, even report on the production and values of the clearly commercial orchard operations in specific locations within the County.

9. It is also a notable fact that during the period from 1978 to the present (i.e. period affected by the County’s 1978 Plan and implementing Ordinances) the County has applied a minimum farm parcel size of 160 acres with no identifiable adverse affects on Commercial Agriculture whatsoever. In fact, during that period, the average size of farms has increased, while the number of farms has decreased. Such a trend is truly adverse to the trend in many dominate agricultural areas.

10. Even though there have been numerous wind energy projects located in the EFU zone since 2003, there has been little change in the uses in the EFU zone.

POLICIES:
In consideration of the above Findings, the Gilliam County Court adopts the following policies:

1. It shall be the policy of Gilliam County to maximize the preservation and protection of Commercial Agriculture in the County, and to provide maximum incentives for such, through the application of zoning in compliance with ORS 215 to all lands identified as “Agricultural Lands”. However, this policy shall not be construed to, nor is it intended to exclude non-farm uses that are authorized by state statutes on Lands zoned as Exclusive Farm Use (EFU), and are otherwise consistent with the Plan.

   A) As defined by Statewide Planning Goal No. 3 and by OAR 660-033-0010, “Agricultural Lands” are those lands classified by the U.S. Natural Resource Conservation Service (NRCS) as predominantly Class I-VI soils and other lands in different soil classes, which are determined suitable for farm use, taking into consideration soil fertility, suitability for grazing, climatic conditions, and availability of water for irrigation, existing land use patterns, technological and energy inputs required, and accepted farming practices. Lands in other classes, which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as Agricultural Land in any event.

   B) Commercial Agricultural enterprises shall consist of farm operations which will:

     1) Contribute in a substantial way to the area’s existing agricultural economy, and
     2) Help maintain agricultural processors and established farm markets.

2. With the exception of the General Industrial and future Rural Residential lands indicated on the Comprehensive Plan map and the lands included within Urban Growth Boundaries, all lands in Gilliam County are hereby defined as agricultural lands for purposes of applying policies adopted by this Comprehensive Plan.

3. In order to preserve the maximum level of agriculture in the County, all “Agricultural Lands” shall be so designated and shall be zoned in accordance with the provisions of ORS 215.283. Further, those non-farm uses permitted by ORS 215.283(1) shall be permitted uses, and those non-farm uses permitted by ORS 215.283(2) may be allowed as conditional uses subject to ORS 215.296.

4. Where lands are designated by the Plan as Agricultural Lands, parcels containing 160 acres or more shall be presumed to be commercial agriculture entities and dwellings proposed for location on such parcels shall be considered farm accessory dwellings, unless there is substantial evidence to the contrary.

5. Other policies enunciated in this Plan not withstanding, it is the policy and declaration of Gilliam County that under certain circumstances, some accepted farming practices may endanger the public health, safety and welfare of the citizens of the county and state, and that in such cases, the County will exercise its lawful authority to protect the rights of those
adversely affected by such practices. Implementation of this policy may include the adoption and enforcement of standards with respect to the location and design of livestock feed yards or lots, grain storage facilities and similar structures and uses, whether they are operated independently or as an integral part of a general ranching operation; in addition, setbacks from adjacent property lines may be imposed for wind generation facilities if shown that there are adverse impacts to adjacent landowners.

6. Non-farm uses that legitimately require a location in close proximity to areas of commodity production shall not interfere with the use of surrounding lands for agricultural pursuits. Such uses shall be considered to be commercial activities in conjunction with or of direct service and support to agriculture.

7. In areas where concentrated, intensive agricultural production occurs, it can be expected that a demand for certain types of handling or processing facilities may arise. While these establishments may be no different in kind than those noted in policy statement 6 above, they may differ in size and number. It is the policy of Gilliam County to encourage the grouping of such production-oriented agri-businesses in such a manner and at such a location that the proper public facilities (such as roads and necessary utilities) to serve them can be installed and maintained in the most economic fashion.

8. Development of facilities, such as described in policy statement 7 above, may involve the addition of a number of new workers and their families to the population of the County. It is expected that housing demands created by these workers can be accommodated, either in existing ranch facilities or in residential units developed in or adjacent to a nearby incorporated city where necessary services can be provided most effectively. It is there the policy of the County that future concentrated residential development associated with agriculturally oriented industries be located inside urban growth boundaries of the incorporated cities in accordance with policies expressed in Part Four of the Comprehensive Plan.

9. Because of the vital importance of the railroad facilities from Arlington to Condon for the need of agriculture, Gilliam County opposed plans of abandonment of said facility. Union Pacific abandoned operation of the line from the Columbia Ridge Landfill to the City of Condon and removed the track in 1993. It remains the policy of the County to support and utilize every effort possible to retain the remaining section of rail line to facilitate shipment of agricultural product from Shutler siding and to encourage diversified economic development through transportation opportunities by rail in the County.

10. No planned unit developments or non-farm subdivisions shall be allowed on land qualified for exclusive farm use zoning, unless an exception is taken to the applicable resource goal.

11. All land divisions in the EFU Zone shall comply with ORS 215.263.
12. Homestead partitions shall be considered, but shall be reviewed for approval against the criteria for non-farm dwelling in ORS 215.284 (2) and (3).

2. In addition to those requirements for approval of non-farm dwellings set forth by ORS 215.284, no non-farming dwelling in an EFU Zone shall be given final approval until compliance with ORS 215.236 is evident.

Findings in support of Goal 3:

1. The urban growth areas of the City of Arlington and the City of Condon are separated from agricultural lands by buffers of transitional areas of large-lot rural residential development.

2. Gilliam County Comprehensive Plan provides for the preservation and maintenance of farm land for farm use by determining that an absolute 160-acre minimum is more than sufficient to insure the protection and preservation of farm land in the County.

3. Gilliam County minimizes non-farm uses within its farm use zone to allow for maximum agricultural productivity.

4. Extension of services such as sanitary sewer facilities and water supplies into the county’s rural areas are allowed only for appropriate uses for the needs of farm uses and allowed non-farm uses.

5. Urban-type services that need to pass through agricultural lands are not allowed to be connected with uses not allowed in the farm use zone.

6. Forest and open space uses are permitted on agricultural land that is being preserved for future agricultural growth.