

GOAL 3: AGRICULTURAL LANDS

General Discussion

To encourage and allow agricultural operations consistent with the well-being of individual owners and operators, and to preserve the viability of real property ownership.

Agricultural lands and operations shall be identified and inventoried.

Agricultural lands shall be converted to urban or other uses only after considering and reviewing the following factors:

- Economic consequences consistent with Klamath County planning goals.
- Retention of lands in farm use consistent with Goal 9.
- Procedures and requirements set forth in Goal 2, "Land Use Planning," for goal exceptions.

Objectives:

Economically stabilize the agricultural community in Klamath County.

Definitions:

- Agricultural land in eastern Oregon is land predominantly Class, I, II, III, IV, V and VI soils as identified in the soil capability classification system of the SCS and other lands suitable for farm use, taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation, existing land use patterns, technological and energy inputs required, accepted farming practices. Lands in other classes or nearby lands, shall be included as agricultural land in any event.
- Farm use is set forth in ORS 215.203 and includes non-farm uses authorized by ORS 215.213.

1. POLICY: The following land shall be designated Agricultural and subject to the regulations of the EFU zones contained in the Land Development Code taking into consideration all of the following factors:

- (1) Land comprised of SCS Class I-VI soils;
- (2) Land presently irrigated or potentially irrigable in order to become economically productive.
- (3) Land with improved pasture as identified in the 1978 land use survey and 1982 infrared air photos as updated and supplied by the U. S. Forest Service;
- (4) Lands located in an area where the predominant surrounding land use is agriculture; and
- (5) Other lands which because of size or situation are well suited for the accepted farm practice of the area or necessary to permit farm practices to be undertaken on adjacent or nearby land.

Rationale:

The unique situation of farmers in Klamath County include the following:

- There is a maximum of a ninety-day growing season. However, no areas expect ninety continuous frost-free days;
- There is very low rainfall. Timely irrigation is necessary;
- There are many natural rivers, streams and hills, as well as irrigation canals which cut up the prime farm lands into smaller fields. New cost efficient sprinkler irrigation systems and large, expensive farm machinery do not work economically in these smaller fields;
- The economic and frost conditions have dictated special irrigation sprinkler systems to minimize frost damage;
- There are risks which all farmers face, but they are intensified in Klamath County because of the short growing season, and the frost problems, as well as other weather conditions;
- An extremely small percentage of Klamath County land area is privately owned and buildable. This creates economic pressures to utilize the farm ground for residential and commercial uses. This has combined with the above factors to increase the value of real property far above a value supported by farm income;

- Real Estate may not be utilized significantly for farm crop production unless it can be irrigated.

Because of the above factors, it is important to preserve and maintain choices and viability of real property ownership.

Implementation:

- The land use plan designates agriculture lands in accordance with this policy. The Land Development Code includes three EFU zones. Land shall be zoned to be consistent with the designation of the land use plan.

2. POLICY: Agricultural lands shall be designated Exclusive Farm Use-Grazing, Exclusive Farm Use-Grazing/Crop, and Exclusive Farm Use-Crop, and shall be subject to the regulations of these zones.

A. Exclusive Farm Use-Grazing

The purpose of this zone is to recognize and appropriately plan those areas engaged primarily in grazing and ranching operations.

B. Exclusive Farm Use-Crop/Grazing

The purpose of this zone is to recognize and appropriately plan those areas which exhibit a mixture of grazing, crop and grass land operations.

C. Exclusive Farm Use-Crop

The purpose of this zone is to recognize and appropriately plan those areas engaged primarily in crop and grass land production.

Rationale:

- To recognize the needs and requirements of various agricultural area and operations in Klamath County.
- To preserve and maintain agricultural lands.
- To minimize potential land use conflicts.
- To maintain and promote the quantity and quality of the County's agricultural resources.

Implementation:

Agricultural lands in Klamath County shall be identified and zoned consistent with the methods and finding contained in the County's "Planning Process for Designating Resource Lands."

3. POLICY: The County shall ensure that land zoned for agricultural uses will be converted to urban used only after the following have been considered:

- A. Whether there is a need for more urban land.
- B. Whether conversion is consistent with the plan goals and policies.
- C. Whether alternative suitable locations are readily available and economically feasible.
- D. When a valid exception has been taken by the applicant.

Rationale:

- To reduce unnecessary conversion of agricultural lands to urban use.

Implementation:

- The County shall reevaluate the urban growth boundaries in the course of Comprehensive Plan revision to determine urban land needs.
- The land use plan and urban growth boundaries are based on an evaluation and selection of alternatives with varying impacts on agricultural lands. The land use plan affords agricultural land protection from development which helps to preserve this resource. An exception shall be required before urban and rural development is allowed on agricultural lands.

4. POLICY: The county shall regulate overlapping agricultural and forestry lands in a manner that allows the market to determine the appropriate use for either.

Rationale:

- To preserve farm and agricultural land use for appropriate market demand for these lands.

Implementation:

- Agriculture and forestry zones afford these lands virtually the same protection i.e., forestry may be designated agriculture and vice versa.

5. POLICY: The Land Development Code will allow for partition of a lot and a non-farm parcel in the EFU zones.

Rationale:

- To provide for homesites for farm use and nonfarm use.

Implementation:

- The parcel in question to be partitioned will meet the standards of ORS Chapter 215.263 as indicated below.

ORS 215.263:

1. Any proposed division of land included within an exclusive farm use zone resulting in the creation of one or more parcels of land shall be reviewed and approved or disapproved by the governing body of the county in which such land is situated. The governing body of a county by ordinance shall require such prior approval for such divisions of land within exclusive farm use zones established within the County.
2. If the governing body of a county initiates a review as provided in subsection (1) of this section, it shall not approve any proposed division of the land unless it finds that the proposed division of land is in conformity with the legislative intent set forth in ORS 215.243.
3. This section shall not apply to the creation or sale of cemetery lots, if a cemetery is within the boundaries designated for a farm use zone at the time the zone is established.
4. This section shall not apply to divisions of land resulting from lien foreclosures or divisions of land resulting from foreclosures of recorded contracts for the sale of real property.

5. The governing body of a county shall not approve any proposed subdivision or partition of a lot or parcel described in ORS 215.213(1) (e).