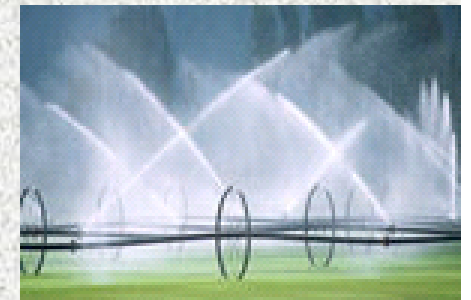




Agricultural Lands Program Community Involvement Results



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June 18, 2014



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I. EXECUTIVE SUMMARY

Purpose of the Report

The Board of County Commissioners directed staff to conduct a public outreach campaign to understand community, stakeholder, and landowner opinions about Deschutes County farm designations and land uses. Last month, the Planning Division conducted six (6) community conversations in locations throughout the county. The meetings were held in Alfalfa, Bend, Brothers, La Pine, Sisters, and Terrebonne. Each one provided an overview of Deschutes County's agricultural lands program with details focusing on its history, relevant Comprehensive Plan policies, and recent land use trends. A variety of public engagement techniques were utilized to generate public comments including facilitated exercises and questionnaires. An on-line survey was also made available on the Community Development Department website. In addition, stakeholder interviews were offered to numerous organizations in the region. Five responded. Staff met with Central Oregon LandWatch, Deschutes Basin Board of Control, Deschutes County Farm Bureau, Oregon Department of Fish and Wildlife, and the City of Redmond to understand their perspectives.

Three Predominant Themes

After evaluating the community conversations, survey results, questionnaires, and stakeholder interviews, three predominant themes emerged.

- *Theme 1 - Retain: The program is working as intended and no changes are needed.*
- *Theme 2 - Revise: The program warrants refinement that is reflective of local conditions.*
- *Theme 3 - Redo: The program is ineffective and overreaching with unintended consequences.*

Alternatives

There are several options for proceeding.

Alternative A - Status Quo: The status quo alternative maintains Deschutes County's existing agricultural lands program.

Alternative B - Minor Comp Plan Amendment: A minor Comprehensive Plan amendment would clarify that property owners can initiate a non-resource land plan amendment and zone change as currently allowed under State law.

Alternative C - Non-Resource Lands Program: Initiate a Non-Resource Lands Program. Elements include, a) engaging the community to draft eligibility criteria and zoning standards consistent with State law; b) drafting Comprehensive Plan and zoning code amendments; and c) initiating public hearings. Upon adoption, property owners, on a case-by-case basis, can initiate a Comprehensive Plan amendment and zone change to re-designate their Exclusive Farm Use (EFU) property to a "Non-Resource" zone.

Alternative D - DLCD, LCDC and Legislative Representatives Report: Revise this report to submit to Department of Land Conservation and Development (DLCD), Land Conservation and Development Commission (LCDC), and Central Oregon's legislative delegation requesting Deschutes County's desire to, 1) Implement HB 2229 ("The Big Look" bill) to correct mapping errors and update agricultural lands designations. This law requires LCDC approval of a work plan to initiate this process; and, 2) Develop regional agricultural land designations similar to the Southern Oregon Regional Pilot Project. This action may require legislation.

Alternative E - Initiate Regional Project: Continue to identify on CDD's work plan opportunities to review and potentially change farmland designations. Upon receiving formal support from DLCD or the State legislature, initiate a regional project.

II. BACKGROUND

Overview

Deschutes County has implemented an agricultural lands program for over 40 years. Effective public policy requires periodic evaluations to determine whether and how the program is working or if circumstances have changed to warrant revisions. The County's Comprehensive Plan recaps the history of agricultural land designations in Deschutes County and recognizes they remain controversial. Differences of opinion still persist today over which lands should be designated farmlands and what uses should be allowed. The Comprehensive Plan captures these issues by recognizing:

- Agriculture is part of the local economy
- Opportunities for future agricultural uses are difficult to predict
- Preservation of farmland benefits the wider public at landowner expense
- Farmland is marginal without irrigation
- Agricultural zoning was applied to land with no history of farming
- Conversion of agricultural land to non-agricultural uses has potential adverse impacts to the farming community
- Agricultural lands provide secondary benefits by contributing to scenic open spaces, rural character, and the tourism economy

In May 2014, the Deschutes County Community Development Department (CDD) initiated a community outreach effort to understand public, stakeholder, and landowner opinions. This feedback can help determine whether changes are needed to Deschutes County's agricultural land program.

Oregon's Farmland Protection Program

Oregon's land use planning program emphasizes the importance of maintaining commercial agriculture. Exclusive Farm Use (EFU) zoning protects agricultural land by limiting development that conflicts with farming practices. Zoning keeps farmland from being divided into parcels too small for commercial agriculture. Lands in these zones are automatically eligible for lower property taxes based on the land being farmed. All 36 counties in Oregon have EFU zoning. The State's land use planning program requires counties to: a) inventory agricultural land; b) designate agriculture in the comprehensive plan; c) adopt policies to preserve agriculture; and, d) zone agricultural land EFU. EFU zoning consists of:

1. Permitted "farm related" uses and conditional "nonfarm related" uses, including standards for evaluation;
2. Minimum lot sizes and land division standards for both farm and nonfarm uses;
3. Other dimensional standards for development, and;
4. Zoning maps depicting EFU lands.



The statewide minimum lot size is 80 acres for farmland and 160 acres for rangeland, unless counties can demonstrate the need for smaller standards. Deschutes County in 1992 documented the reasons for smaller standards for irrigated parcels. That same year, the Oregon Land Conservation and Development Commission (LCDC) formally acknowledged the County's approach (See page 11 for more information).

Comprehensive Plan

In 2011, Deschutes County updated its Comprehensive Plan (Comp Plan), a policy document that provides a framework for addressing resource protection, rural growth and development over a 20 year period (2010-2030). The update was performed to ensure a consistent policy framework for land use planning and development that reflects current conditions and trends, recent population projections, state law, and community values. Comp Plan goals and policies addressing agricultural lands are summarized below.

Section 2.2 Agricultural Lands Policies

Goal 1 Preserve and maintain agricultural lands and the agricultural industry.

Policy 2.2.3 Allow comprehensive plan and zoning map amendments for individual EFU parcels as allowed by State Statute, Oregon Administrative Rules and this Comprehensive Plan.

Policy 2.2.4 Develop comprehensive policy criteria and code to provide clarity on when and how EFU parcels can be converted to other designations.

Goal 2 Promote a diverse, sustainable, revenue-generating agricultural sector.

Policy 2.2.12 Review County Code and revise as needed to permit alternative and supplemental farm activities that are compatible with farming, such as agri-tourism or commercial renewable energy projects. When a preferred alternative or supplemental use identified through a public process is not permitted by State, work with the State to review and revise their regulations.

Goal 3 Ensure Exclusive Farm Use policies, classifications and codes are consistent with local and emerging agricultural conditions and markets.

Policy 2.2.13 Identify and retain accurately designated agricultural lands.

Policy 2.2.14 Explore new methods of identifying and classifying agricultural lands.

- a. Apply for grants to review and, if needed, update farmland designations.
- b. Study County agricultural designations considering elements such as water availability, farm viability and economics, climatic conditions, land use patterns, accepted farm practices, and impacts on public services.
- c. Lobby for changes to State statute regarding agricultural definitions specific to Deschutes County that would allow some reclassification of agricultural lands.

Figure 1 - Comp Plan Update

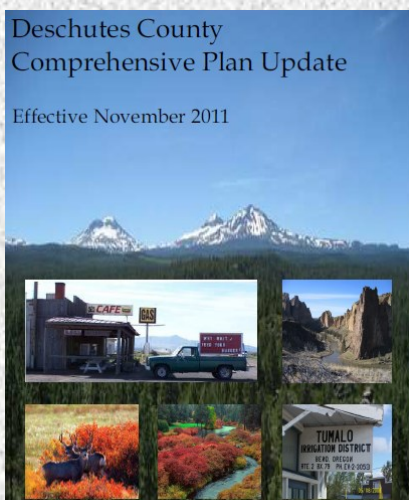


Figure 2 - Agricultural Lands near Cloverdale Road

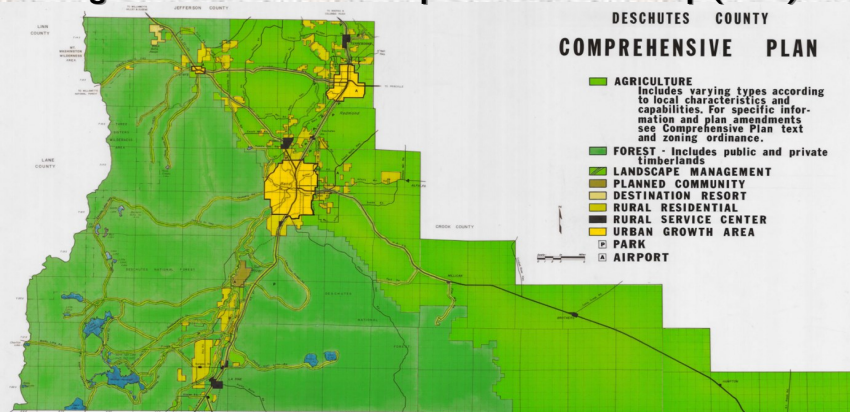


Historical Context

Deschutes County adopted its first comprehensive plan in 1970. One year later, the County adopted a zoning ordinance (PL-5), creating two agricultural zones: Exclusive Agricultural Zone (A-1) and General Agricultural Zone (A-2). A-1 established a 5-acre minimum lot size. Single-family and two-family dwellings were permitted outright. A-2 required a five-acre minimum lot size. All uses in the A-1 zone were permitted, among others. As a result of Senate Bill 100, Deschutes County was required to adopt a comprehensive plan that complied with new Statewide planning goals and agricultural standards.

In 1979, Deschutes County updated its Comprehensive Plan (PL-20) and established for the first time EFU zones (PL-15): EFU-20, EFU-40, EFU-80, and EFU-320. The County also provided a one-year opportunity for landowners to rezone from EFU to Multiple Use Agriculture (MUA-10) if a property was less than 320 acres, contained poor soils, had insufficient water rights, and could be demonstrated the rezone would not interfere with existing agricultural uses.

Figure 3 - Deschutes Comprehensive Plan Map (1979)

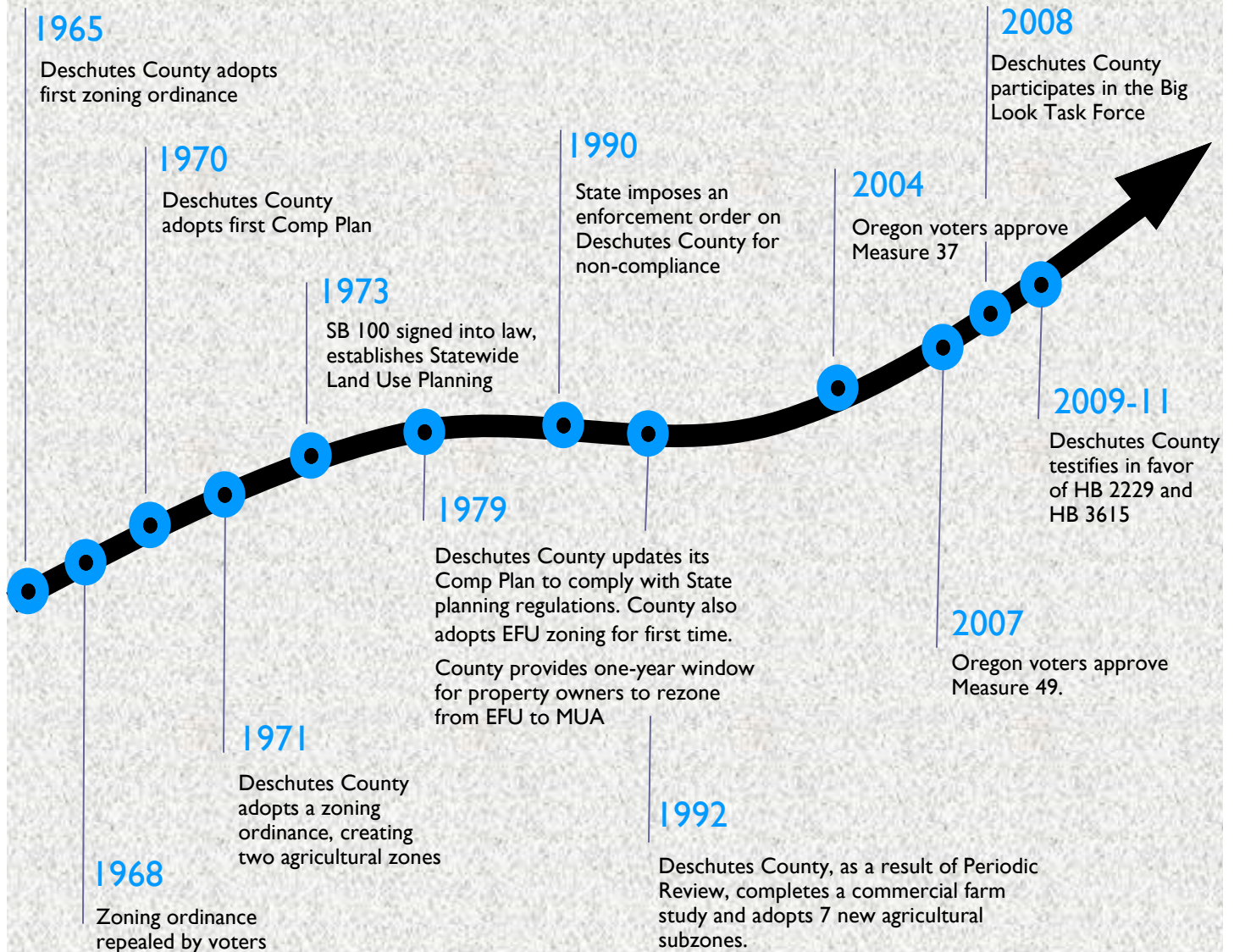


In 1990, an enforcement order was imposed upon Deschutes County by the State due to inappropriately applying nonfarm dwelling standards. The order required all dwellings proposed in a EFU zone to be reviewed by a Hearings Officer and the Board of County Commissioners. It was lifted in 1991 after the County demonstrated compliance. One year later, as a requirement of periodic review, the County completed a commercial farm study. It concluded that irrigation remains the controlling variable for defining farmlands. Seven new agricultural subzones were established to protect commercial agriculture. Minimum lot sizes were based on the typical number of irrigated acres used by commercial farms in that particular subzone.

In 2004, Oregon voters approved Measure 37. Deschutes County received over 170 claims, 121 of which applied to EFU zoned properties (205 tax lots) for land divisions and nonfarm dwellings. Faced with the option of waiving current land-use laws for owners filling claims for the right to develop their lands according to laws in place when they bought it, or providing compensation, Deschutes County chose the former. Three years later voters approved Measure 49, which modified Measure 37. Measure 37 claimants were now required to demonstrate they had made substantial expenditures towards their claim (a vested right) prior to December 6, 2007, the date Measure 49 came into effect. New Measure 49 claims could only be made against land use regulations enacted after January 1, 2007, that limit residential development or a farming or forest practice, and only to the extent that the claim demonstrates new regulations reduced the value of the property. The Oregon Department of Land Conservation and Development (DLCD) received over 80 Measure 49 claims from Deschutes County property owners.

In 2008, Deschutes County participated with the Big Look Task Force and a year later submitted testimony to the State legislature supporting House Bill (HB) 2229. HB 2229 expanded authorities for regional land use planning and allows a county to conduct legislative review of its agricultural lands. The bill requires interested counties to submit a proposed work scope and participant list to LCDC for approval. In 2011, the County participated in work groups and testified in support of HB 3615. This bill proposed to create a Regional Pilot Project to establish a regional definition of agricultural land.

Figure 4 - Deschutes County Agricultural Lands Program Timeline



Exclusive Farm Use Zoning Today

Limiting or prohibiting incompatible uses within large blocks of agricultural land has always been an objective of EFU zoning. Starting in 1973, uses allowed in the EFU zone were divided into two categories. The first category identifies “permitted” farm related uses that counties must authorize in their EFU zones without applying any additional review standards, other than those provided by statute or administrative rule (ORS 215.283(1) and OAR 660-0303-0120). Table 1 lists those permitted farm related uses.

The second category addresses larger and more intensive nonfarm related uses. They are not mandatory; counties have the option of allowing them within their EFU zones (ORS 215.283(2) and OAR 660-0303-0120) and can enact more restrictive review criteria than the State (ORS 215.296(10)). Deschutes County has amended its development code for landowners to take advantage of practically every nonfarm related use. Table 2 lists a majority of them. In 2011, the Oregon Legislature adopted Senate Bill (SB) 960, which enabled agri-tourism and other commercial events related and supportive of agriculture to be established in EFU zoning.

Table 1 - Permitted Farm Related Uses in EFU Zones

Permitted Farm Related Uses
Accessory buildings in conjunction with farm use
Climbing and passing lanes within right-of-way existing as of July 1, 1987
Composting facilities on farms
Creation, restoration or enhancement of wetlands
Dog training classes or testing trials
Facility for the processing of farm crops or for the production of biofuel
Farm related dwelling
Farm stands
Farm use
Fire service facilities providing rural fire protection services
Land application of reclaimed water, agricultural or industrial process for agricultural, horticultural or silvicultural production
Lawfully established dwelling may be altered, restored, or replaced
Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right-of-way existing as of July 1, 1987
Operations for the exploration and production of geothermal resources
Operations for the exploration of minerals
Operation, maintenance, and piping of existing irrigation systems operated by an irrigation district
Propagation or harvesting of a forest product
Reconstruction or modification of public roads and highways
Relative farm assistance dwelling
Replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in a county inventory as historic property
Site for the takeoff and landing of model aircraft
Temporary public road and highway detours that will be abandoned and restored
Utility facilities necessary for public service
Utility facility service lines
Winery

Figure 5 - Agricultural Lands near Lower Bridge Road



Table 2 - Nonfarm Related Uses Allowed in EFU Zones

Nonfarm Related Uses
Agri-tourism and commercial activities that are in conjunction with farm use
Churches and cemeteries
Community centers owned by a governmental agency or a nonprofit community organization and operated primarily by and for residents of the local rural community
Commercial dog boarding kennels or dog training classes
Commercial utility facilities for the purpose of generating power for public use by sale
Construction of additional passing and travel lanes requiring the acquisition of right-of-way
Destination resort that is approved consistent with the requirements of any statewide planning goal relating to the siting of a destination resort
Expansion of existing county fairgrounds
Facility for the primary processing of forest products
Golf courses on land determined not to be high-value farmland
Guest ranch
Home occupations
Landscape contracting business, if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes farm use
Living history museum related to resource based activities owned and operated by a governmental agency or a local historical society
Mining operations and processing
One manufactured dwelling or recreational vehicle, or the temporary residential use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident
Operations for the extraction and bottling of water
Outdoor mass gathering
Personal-use airports for airplanes and helicopter pads, including hangar, maintenance and service facilities
Photovoltaic solar power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale
Private parks, playgrounds, hunting and fishing preserves and campgrounds
Propagation, cultivation, maintenance and harvesting of aquatic species not under the jurisdiction of the State Fish and Wildlife Commission
Public or private schools for kindergarten through grade 12, primarily serving rural area residents
Public parks
Public road and highway improvement facilities, such as maintenance yards, weigh stations and rest areas
Reconstruction or modification of public roads and highways involving removal or displacement of buildings
Residential homes in existing buildings
Room and board arrangements for a maximum of five unrelated persons in existing residences
Single-family residential dwelling, not provided in conjunction with farm use
Site for the disposal of solid waste approved by the governing body of a city or county
Transmission towers over 200 feet in height
Wind power generation facilities as commercial utility facilities for generating power for public use by sale

Commercial Farm Study and EFU Subzones

In 1992, a commercial farm study was completed, concluding that irrigation is the controlling variable for defining farmlands in Deschutes County. Soil classifications improve when water is available. Seven new agricultural subzones were identified based on the factual data provided in the 1992 study and minimum acreages were defined based on the typical number of irrigated acres used by commercial farms in that particular subzone (with the exception of the Horse Ridge subzone). The 1992 farm study noted the challenges of local commercial farming. The high elevation (2700-4200 feet), short growing season (88-100 days), low rainfall, and distance to major markets hamper profitability. The 1992 study resulted in minimum lot sizes that are smaller than the State requirement of 80 acres for farmland and 160 acres for rangeland. These minimum lot sizes are unique in Oregon and were acknowledged as in compliance with Statewide Goal 3 (Agricultural Lands) by LCDRC. The County maintains a unique set of farm subzones based on the average number of irrigated acres for each type of farmland as determined in the 1992 farm study. Irrigated land divisions in each subzone must result in parcels that retain the acreages shown in Table 3. Tables 4 and 5 provides additional statistics on each respective subzone.

Table 3 - Exclusive Farm Use Subzones

Subzone Name	Minimum Irrigated Acres *	Profile
Lower Bridge	130	Irrigated field crops, hay and pasture
Sisters/Cloverdale	63	Irrigated alfalfa, hay and pasture, wooded grazing and field crops
Terrebonne	35	Irrigated hay and pasture
Tumalo/Redmond/Bend	23	Irrigated pasture and some hay
Alfalfa	36	Irrigated hay and pasture
La Pine	37	Riparian meadows, grazing and meadow hay
Horse Ridge East	320 (dry)	Rangeland grazing

* Except Horse Ridge. Horse Ridge is based on dry acreage.

Source: Deschutes County 1992 Farm Study

Figure 6 - Exclusive Farm Use Subzones

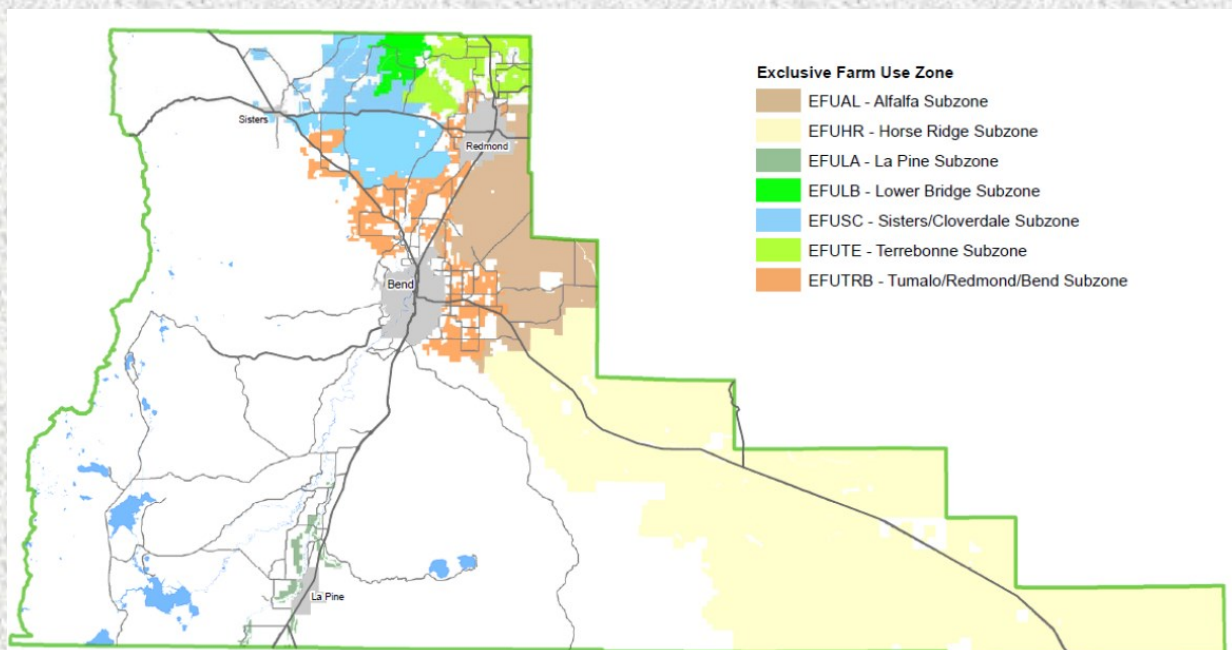


Table 4 - EFU Subzone Statistics (Alfalfa, Horse Ridge, La Pine, Sisters/ Cloverdale)

Exclusive Farm Use Subzones	Alfalfa	Horse Ridge	La Pine	Sisters / Cloverdale
Total Number of Parcels	948	1,141	137	2,767
Total Acreage of Parcels	79,666	472,115	5,347	60,047
Average Size of Parcels (acres)	84	414	39	22
Median Size of Parcels (acres)	2.3	20	10.3	0.35 (Eagle Crest)
Total Number of Dwellings	398	33	57	1,712
Dwellings Built Last 10 Years	88	2	3	735
Number of Parcels in Wildlife Area Combining Zone (WA)	14	1,104	137	207
Number of Acres in WA	24,871	460,427	5,347	16,346
Number of Parcels in a Fire District *	628	0	130	2,573
Total Number of Acres of Parcels in a Fire District	16,339	0	4,897	21,727
Number of Parcels in an Irrigation District **	340	1	0	755
Total Number of Acres of Parcels in an Irrigation District	12,281	42	0	19,320
Number of Commercial Farms	88	9	10	51
Total Acreage of Commercial Farms	3,427	13,714	574	3,885
Total Number of Parcels Receiving Farm Tax Deferral	207	149	66	219
Total Number of Acreage Receiving Farm Tax Deferral	8,256	73,825	4,123	12,430

* Rural Fire districts provide fire prevention, protection, and suppression services to residents living outside municipalities and other areas in Deschutes County. The following fire districts support rural residents in Deschutes County: Alfalfa Rural Fire Protection District, Bend Fire Department, Black Butte Ranch Rural Fire Protection District, Cloverdale Rural Fire Protection District, Crooked River Ranch Rural Fire Protection District, Deschutes County Rural Fire Protection District #1 and #2, La Pine Rural Fire Protection District, Redmond Fire District, Sisters-Camp Sherman Rural Fire Protection District, and Sunriver Service District.

** As shown in the 1992 farm study, irrigation and irrigation districts are instrumental factors for Deschutes County agriculture. The following irrigation districts deliver water to EFU parcels in Deschutes County: Arnold, Central Oregon, Swalley, Three Sisters, and Tumalo. The study concluded that irrigation is the controlling variable for defining farmlands in Deschutes County. Soil classifications improve when water is available.

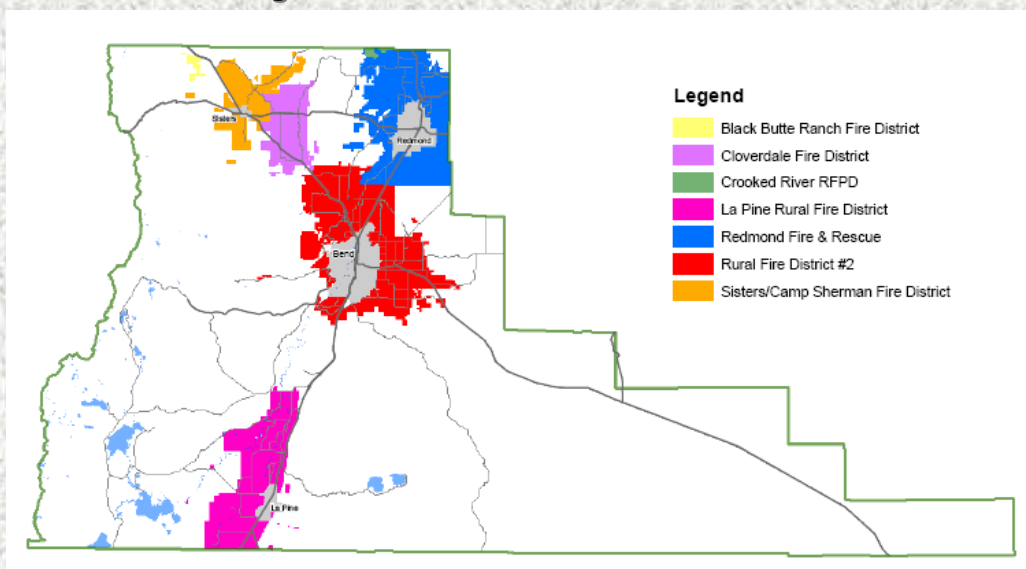
Figure 7 - Rural Fire Protection Districts

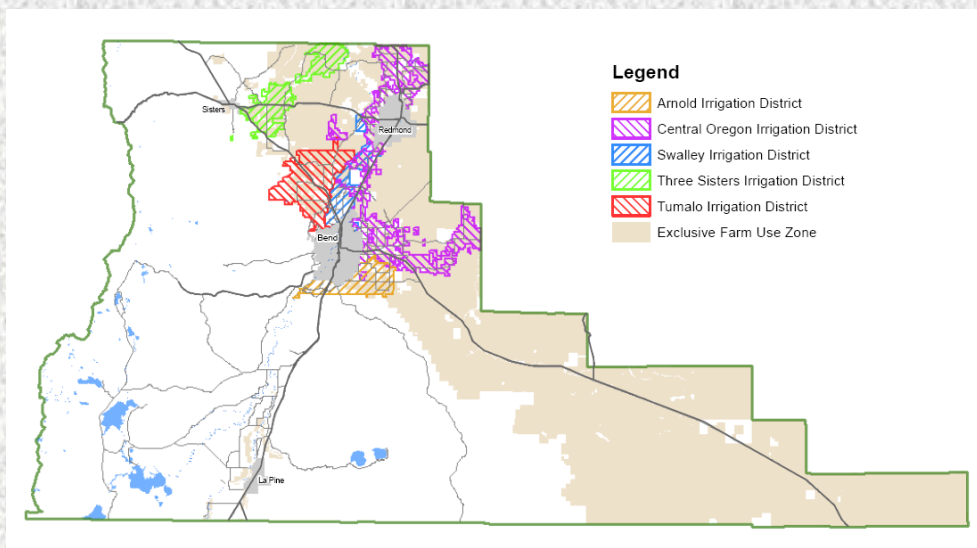
Table 5 - EFU Subzone Statistics (Terrebonne, Tumalo/Redmond/Bend, Lower Bridge)

Exclusive Farm Use Subzones	Terrebonne	Tumalo / Redmond / Bend	Lower Bridge
Total Number of Parcels	605	2,665	108
Total Acreage of Parcels	25,204	49,408	10,023
Average Size of Parcels (acres)	42	19	93
Median Size of Parcels (acres)	14.7	10.3	40.3
Total Number of Dwellings	431	2,084	60
Dwellings Built Last 10 Years	50	199	5
Number of Parcels in Wildlife Area Combining Zone (WA)	8	118	38
Number of Acres in WA	1,883	4,056	3,064
Number of Parcels in a Fire District*	559	2,616	7
Total Number of Acres of Parcels in a Fire District	20,316	48,125	245
Number of Parcels in an Irrigation District **	459	2,405	74
Total Number of Acres of Parcels in an Irrigation District	9,641	42,951	7,281
Number of Commercial Farms	107	383	20
Total Acreage of Commercial Farms	5,033	12,899	2,852
Total Number of Parcels Receiving Farm Tax Deferral	301	1,213	65
Total Number of Acreage Receiving Farm Tax Deferral	10,450	29,934	8,013

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Figure 8 - Irrigation Districts

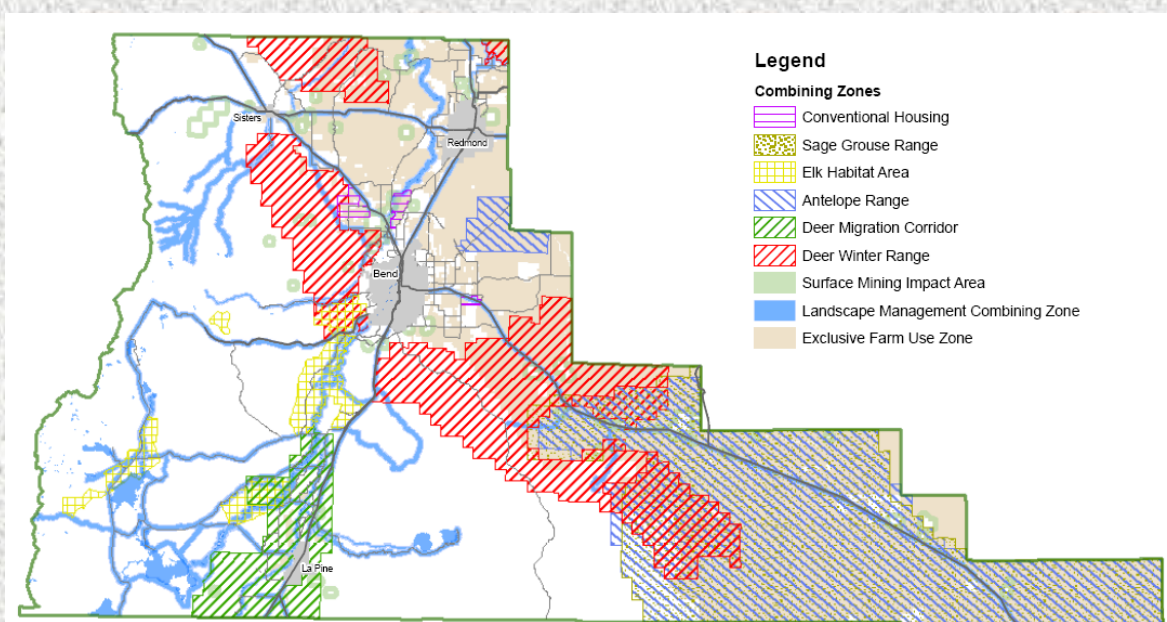


Wildlife Resources

Wildlife habitat extends into lands zoned EFU. The purpose of the Wildlife Area (WA) Combining Zone is to conserve important wildlife areas in Deschutes County; to protect an important environmental, social and economic element of the area; and to permit development compatible with the protection of the wildlife resource. The Oregon Department of Fish and Wildlife (ODFW) administers a Wildlife Habitat Conservation and Management Program to help private landowners voluntarily conserve native wildlife habitat. This program offers a property tax special assessment incentive for private landowners who want to provide wildlife habitat on their properties instead of, or in addition to, farming or growing timber. According to ODFW, there are approximately 85 property owners in Deschutes County participating in the program, with an overwhelming majority zoned EFU. The following wildlife inventories are recognized in Deschutes County's Comprehensive Plan and WA Combining Zone.

- The **Bend/La Pine Deer Migration Corridor** is approximately 56 miles long and 3 to 4 miles wide. It parallels the Deschutes and Little Deschutes rivers, which correspond to EFU zoning (La Pine Subzone). Deer use this corridor to move between their summer range on the forest along the east slopes of the Cascades and their winter range in the North Paulina area.
- **Deer Winter Range** - EFU zoning (Sisters/Cloverdale, Lower Bridge, Terrebonne, Tumalo/Redmond/Bend, Horse Ridge and Alfalfa subzones) overlaps the Metolius (18,498 acres), Tumalo, (4,189 acres), North Paulina (66,335 acres), and Grizzly Deer (2,008 acres) winter ranges. These winter ranges support approximately 15,000 deer.
- **Antelope Range** - EFU zoning (Alfalfa and Horse Ridge subzones) overlaps the North Paulina Antelope Range along the eastern part of Deschutes County near Alfalfa, Millican, Brothers, and Hampton. The habitat area covers approximately 406,087 acres.
- **Sage Grouse Range** - EFU zoning (Horse Ridge Subzone) overlaps sage grouse habitat along the eastern part of Deschutes County near Millican, Brothers, and Hampton. The habitat area covers approximately 392,265 acres.
- **Sensitive Bird and Mammal Habitat** - EFU zoning overlaps identified nesting sites and habitat of northern bald eagle, osprey, golden eagle, prairie falcon, great grey owl, great blue heron, and big-eared bats throughout Deschutes County.

Figure 9 - Wildlife Area Combining Zones



III. COMMUNITY INVOLVEMENT

Public involvement is a critical part of evaluating public policy and land use planning processes. Understanding the perspective, goals, and concerns of the community allows decision makers to make informed decisions. Recognizing this, the Planning Division conducted a comprehensive outreach campaign focused on agricultural lands. Last month, staff held six (6) community conversations in locations throughout the County that were well-received and well-attended. These meetings were held in Alfalfa, Bend, Brothers, La Pine, Sisters, and Terrebonne. With total attendance exceeding 175 people, the meetings ranged in size from 5 in La Pine to 50 in Sisters. Staff gathered information primarily in these ways: public meetings with both open-ended conversations and dot exercise, an informal internet survey, and stakeholder interviews.

♦ **Meeting announcements were provided in a variety of formats to reach the largest population of interested parties.**

- * Press release to the media
- * Targeted mailings to EFU property owners with parcels 20 acres or greater
- * E-mail distribution to over 30 stakeholder groups, many of which further distributed the information to their network of members and partners
- * CDD bi-monthly newsletter emailed to interested citizens and organizations
- * CDD website, with links to maps and background information



Figure 10 - Sisters Community Meeting



Figure 11 - La Pine Community Meeting

♦ **Each conversation used the same general format.**

- * A PowerPoint presentation introduced the history of EFU zoning in Deschutes County, project background, and purpose of the meeting
- * Informational handouts were provided summarizing:
 - Existing conditions
 - 2007 Agricultural Census Profile for Deschutes County
 - EFU zoning
- * County-wide maps showed EFU subzones, Wildlife Area Combining Zone, Rural Fire Protection Districts, and Irrigation Districts

♦ Active and passive facilitated exercises generated meaningful public input

- * Staff engaged participants in an active role, asking, “Is Deschutes County Agricultural Lands Program working?” Verbal responses were recorded on posted boards under three categories: 1) Yes it is working because . . . ; 2) No it isn’t working because . . . ; and, 3) It depends because . . . Attendees engaged in spirited discussions on these issues while also listening to everyone’s values, even if those perspectives differed from their own point of view.
- * Staff also facilitated a comment board exercise by providing an opportunity for participants to individually express their views. Several “buttons” were created identifying many of the characteristics and uses known to be attributed to the EFU zone (See Appendix A). In addition, a blank “Other” option was included for any other attributes not otherwise specified. The comment boards asked: 1) What are the advantages of EFU zoning?; 2) What are the disadvantages of EFU zoning? and, 3) Are there other alternatives worth exploring for EFU zoning? Participants would place buttons that represented their responses to these three questions. They were free to place as many different buttons as they felt necessary. This exercise also provided the opportunity for individuals to interact with staff and other attendees. Tallies for each meeting are noted in Tables 6 through 11.

Figure 12 - Alfalfa Community Meeting



♦ Questionnaires and an informal survey were also utilized

- * In addition to the facilitated exercises, a station was set up at each meeting for participants to complete a questionnaire. This provided opportunities for participants to convey their thoughts privately. A total of 17 questionnaires were completed. Questionnaire input mirrored the community conversations.
- * Similar to the questionnaire, an on-line survey was created using the website www.surveymonkey.com to provide another opportunity to participate. A link to the survey was created on the County webpage directing and encouraging interested parties to provide feedback. A total of 28 surveys were completed. Results are summarized in Appendix B.

♦ Stakeholder Interviews

- * Stakeholder Interviews were held with interest groups to gather their opinions and perspectives on Deschutes County’s agricultural lands program. Staff contacted over 30 organizations and invited them to participate in a stakeholder meeting independent of the community conversations. Staff met with Central Oregon LandWatch, Deschutes Basin Board of Control, Deschutes County Farm Bureau, Oregon Department of Fish and Wildlife, and City of Redmond.

Figure 13 - Informal Survey

A screenshot of a web-based survey titled "Agricultural Lands Analysis Survey" from Deschutes County. The survey is displayed on a green background with white text. It includes a thank you message, an introduction to the survey's purpose, and a question about the respondent's connection to Exclusive Farm Use (EFU) lands. The question has four radio button options: "EFU Property Owner", "Rural Property Owner (not zoned EFU)", "Interested Citizen", and "Visitor". Below the options is a text field for "In what region of the county is your property located (e.g. closest city/community)?". The Deschutes County logo is visible in the top left corner of the survey form.

IV. COMMUNITY CONVERSATIONS

Staff recorded public input from six community conversations. Tables 6 through 11 capture public sentiment from each facilitated meeting in Alfalfa, Bend, Brothers, La Pine, Sisters, and Terrebonne, but do not include every comment made or noted.

Table 6 - Alfalfa Community Conversations (5/6/14)

Alfalfa	
Is Deschutes County's Agricultural Lands Program Working?	
Yes, it is working because . . .	Preserves higher value farmland
No, it is not working because . . .	It has unintended consequences
	It is ineffective state system, with a one size fits all approach
	It is overreaching
	Agricultural land designations need to be clarified
	EFU is too restrictive
	It is difficult to obtain bank financing due to inability to divide property. Financing limitations impact one's ability to farm and buy equipment.
	Each parcel should be evaluated to determine if it is appropriately designated as EFU
	There are conflicts with newer residents who do not appreciate the local agricultural economy and the right to farm. There is fear of liability. There is a need to address compatibility
	Incentives are needed to preserve farming
	Property owners want more nonfarm dwellings on EFU ground.
It depends because . . .	Conflicts can arise between commercial farmers and those that do not on lands zoned EFU
	If non-resource program is developed, it is important to recognize surrounding property owners from a compatibility standpoint
	Buying EFU land should not be allowed to sell water rights. This dilutes the area with nonfarmers who object to neighboring agricultural practices
	Where there is no availability to irrigation, explore opportunities for dividing small parcels. This would allow for family continuity and the legacy of keeping the farm in the family
What are the advantages of EFU zoning?	
* Open space and scenic views (3)	* Farm deferral
* Agricultural economy (2)	* Wildlife habitat
* Limits sprawl (2)	* Scenic bike routes
* Distance buffers	* Limited development opportunities
* Enables agri-tourism	* No change

Alfalfa

What are the disadvantages of EFU zoning?

- | | |
|--|---|
| <ul style="list-style-type: none"> * Commercial events/activities (2) * Inaccurate designation (2) * Outdoor mass gatherings * Destination resorts * Not profitable for farm use * Loss of property rights | <ul style="list-style-type: none"> * Does not allow for small land divisions for family farms that want to be self-sustainable * Restricts division of large parcels * Limited development opportunities * Not prime farmland |
|--|---|

Are there other alternatives worth exploring?

- | | |
|---|--|
| <ul style="list-style-type: none"> * Rural residential development | <ul style="list-style-type: none"> * Limited commercial events and activities |
|---|--|

Table 7 - Bend Community Conversations (5/7/14)

Bend

Is Deschutes County's Agricultural Lands Program Working?

Yes, it is working because . . .	Destination resorts preserve large tracts and provide options
	EFU lands protect and preserve property rights and promote rural values
	Provides protection for wildlife
	Preserves opportunities for future crops
	Other uses like state scenic bikeways, diversify the economy and bring in tourism dollars
	Farm deferral is a benefit
	Other opportunities like agri-tourism help keep agriculture viable
	Soil enhancement/amendments create emerging opportunities
	There are areas in Deschutes County where farms can make a profit
	Many uses are allowed in EFU
No, it is not working because . . .	In certain areas with destination resorts, there are conflicts by not being compatible with farms
	Conflicts with state scenic bikeways
	Litigation threats impact property owners ability to explore opportunities
	Liability, even with the right to farm law, undermines the viability of farming, with roads adjoining non-open range and, for example, adjoining schools and neighborhoods
	Even with the right to farm act, an EFU property owner can experience conflicts from those who are zoned EFU
	BLM, Cline Falls, one used for grazing, is now leased for mountain biking
	Change in circumstances due to new public infrastructure and surrounding uses
	Need flexibility for local conditions that support nonfarm dwellings
	There is frustration with code enforcement

Bend

Is Deschutes County's Agricultural Lands Program Working?

No, it is not working because . . .	Non farm dwellings and its removal from farm deferral negatively impacts the remaining farm operation because of less disposable income
	Smaller parcel sizes (less than 500 acres make it difficult to be profitable for hay and grain
	Factors like poor soil, adjoining uses, and climate make it difficult to farm
	Size of a small property makes it difficult to hire people to grow and cut/bail hay
	Cost of managing small acres is prohibitively expensive
It depends because . . .	Compatibility issues with adjoining properties and uses if not done correctly
	If land division occur at higher densities, it can undermine one's rural expectation
	Opportunities for new home site should be tied to keeping it in the farm
	Acreage plays a role in competitively growing a farm operation
	Deschutes County should have local control over resource land use
	Measure the economic viability of hobby farms
	Water should be considered when changes are contemplated to the program
	There should be an emphasis on a regional approach

What are the advantages of EFU zoning?

- | | |
|--|--|
| <ul style="list-style-type: none"> * Wildlife habitat (9) * Open space and scenic views (9) * Value-added agricultural businesses (7) * Scenic bike routes (4) * Distance buffers (4) * Commercial events/activities (4) * Agri-tourism (4) * Statewide land use standards (4) * Limited development opportunities (4) * Agricultural economy (4) * Farm tax deferral (4) * No change (4) * Commercial activity in conjunction with farm use (3) * Limits sprawl | <ul style="list-style-type: none"> * Destination resorts * Rural residential development * Tourism * Limits rural residential development * Nonfarm dwellings * Seems to work * Maintains wildlife overlays * Prevents agricultural land from being subdivided * Preserves farmland for the long-term to support future opportunities and new technology * Keeps Oregon different from other states that allow sprawl * Preserves wildlife by minimizing fragmentation * Minimizes tax payer subsidies which occurs when there is sprawl |
|--|--|

What are the disadvantages of EFU zoning?

- | | |
|--|---|
| <ul style="list-style-type: none"> * Destination resorts (5) * Not profitable for farm use (4) * Outdoor mass gatherings (4) * Inaccurate designations (2) * Commercial events/activities * Statewide land use standards * Farm tax deferral * Nonfarm dwellings * Out of area people (non-EFU property owners) may contest property rights they do not own | <ul style="list-style-type: none"> * Rural residential development * Commercial activities in conjunction with farm use * Cannot make a living on less than 200 acres * Process is too cumbersome for conditional use permits; not enough uses are permitted outright * Not all irrigable land is farmable * Changes of circumstance due to development and traffic use * Difficult approval process for nonfarm dwellings |
|--|---|

Bend

Are there other alternatives worth exploring?

- | | |
|---|---|
| <ul style="list-style-type: none"> * No changes * Preserve EFU lands * 10 acres minimums with residence location restriction * Need to be logical about designations and examine surrounding uses | <ul style="list-style-type: none"> * Establish 20-acres minimums regardless of irrigation * Keep UGBs intact * New development should be driven by water availability * Promote juniper eradication to protect limited water supplies * Take back State land from the federal government |
|---|---|

Table 8 - Brothers Community Conversations (5/13/14)

Brothers

Is Deschutes County's Agricultural Lands Program Working?

Yes, it is working because . . .	Quality of life allows for solitude, wildlife viewing and being disconnected from the concentrations of development
	There is a limited carrying capacity if further development is permitted
No, it is not working because . . .	There are limited opportunities because of poor soils and rocks
	There are limitations on land divisions that do not permit smaller parcels
	There is inability to provide farm worker housing, with an emphasis on permanent workers, not migrant. If permitted it would allow farmers to be more productive
	Sage-grouse regulations could limit agricultural conversions. Examine the predator threats, not just ranching. Farmers provide water for habitat
	Additional income opportunities are needed. Take into consideration neighbor and adjoining uses
	Smaller parcels would provide ranchette development for families
	Restricts opportunities
	There is a need for economic opportunities
	Kids are forced to attend school over 60 miles away
It depends because . . .	Wildlife area fencing standards do not allow for protection of calving grounds from predators
	Support smaller parcel housing development on existing parcels
	Consider conservation emphasis / incentive to facilitate new development, while minimizing wildlife impacts
	Consider geothermal opportunities
Farmers are conservationists	
What are the advantages of EFU zoning?	
<ul style="list-style-type: none"> * Open space and scenic views (7) * Wildlife habitat (6) * Farm deferral (5) * Agricultural economy (5) * No change (2) 	<ul style="list-style-type: none"> * Limited development opportunities (2) * Value-added agricultural businesses * Limits sprawl * Nonfarm dwellings * Agri-tourism

Brothers

What are the disadvantages of EFU zoning?

- | | |
|---|---|
| <ul style="list-style-type: none"> * Nonfarm dwellings (4) * Limited development opportunities (3) * Outdoor mass gatherings (2) * Statewide land use standards (2) * Rural residential development (2) * Destination resorts (2) * Commercial activity in conjunction with farm use | <ul style="list-style-type: none"> * Need more value added agricultural businesses * Need more commercial activities in conjunction with farm use * Need more rural residential development * Current EFU zone restricts small farm parcels by setting a bar that is too high; a small farm adds to the community and keeps the school open |
|---|---|

Are there other alternatives worth exploring?

- | | |
|---|--|
| <ul style="list-style-type: none"> * Rural residential development * Require water availability, invasive plant removal, and predator control | <ul style="list-style-type: none"> * New zoning that promotes rural development with a wildlife management plan |
|---|--|

Table 9 - La Pine Community Conversations (5/21/14)

La Pine

Is Deschutes County's Agricultural Lands Program Working?

Yes, it is working because . . .	It is standard. If you chip away at it, the rest of the land use system whittles away
	Supporting activities allowed under State law legitimizes the EFU program; there are options
	If you change the program you will alter the price of land
	Chipping away at the agricultural land system, even for those areas devoid of irrigation, undermines opportunities that support farming (i.e. wind breaks, grazing)
	New development away from urban centers causes huge concerns
	Opportunity for agri-cycle. Breweries located in the cities provide bi-product to the farms for agricultural purposes, nutrient rich water and spent grains as enhancements. This is direct connection between a growing industry and agricultural lands
	Rural areas do not have infrastructure
	Subzones and zoning provide parody
	EFU system is already a challenge to enforce and administer
	Land use changes are difficult to monitor
No, it is not working because . . .	Not profitable
	Can't live off it
	Losing \$ selling hay
	Forced to farm. If stopped weeds will infest and will lose water rights
	State system is too restrictive
	Rules too restrictive for even supportive activities, commensurate with farming
	Can only make it through outside resources
	Expenses of farming undermining farmers trying to make it work

La Pine

Is Deschutes County's Agricultural Lands Program Working?

It depends because . . .	None of the agricultural program works without water
	Difference between western and eastern Oregon
	Deschutes County has so many micro-climates. Some have more frost free days than others
	Central Oregon grows some the best orchard grass hay
	Not monitoring exempt wells/ being used more for irrigation ½ acre
	Consider pro-active enforcement

What are the advantages of EFU zoning?

- | | |
|---|--|
| <ul style="list-style-type: none"> * Open space and scenic views (3) * Limits sprawl (3) * Wildlife habitat (3) * Scenic bike routes (2) * Agri-tourism (2) * Distance buffers (2) * Tourism (2) * Agricultural economy (2) | <ul style="list-style-type: none"> * Farm tax deferral (2) * Commercial events / activities * Value-added agricultural businesses * Commercial activities in conjunction with farm use * Statewide land use standards |
|---|--|

What are the disadvantages of EFU zoning?

- | | |
|---|---|
| <ul style="list-style-type: none"> * Not profitable for farm use (4) * Statewide land use standards (2) * Wildlife habitat impacts agricultural production * Commercial activities in conjunction with farm use are too limited * Nonfarm dwellings * Inaccurate designations | <ul style="list-style-type: none"> * Outdoor mass gatherings * Commercial events/activities * Agri-tourism is too restrictive * Rural residential development * Value-added agricultural businesses * Limited development opportunities |
|---|---|

Are there other alternatives worth exploring?

- | | |
|--|--|
| <ul style="list-style-type: none"> * Rural residential development (10-20 acre parcels) | <ul style="list-style-type: none"> * Local alternative zone |
|--|--|

Table 10 - Sisters Community Conversations (5/15/14)

Sisters	
Is Deschutes County's Agricultural Lands Program Working?	
Yes, it is working because . . .	Protecting from rural subdivisions
	Livability a major asset
	Regulations establish a common good
	Incompatible uses will create unintended consequences with increases in residential density. Keep everything the size it is now rather than creating more density
	There are concerns about groundwater
	Rationale for preserving farmland is to preserve now for our children/grandchildren. Climate change also needs to be considered
	Allows to raise children in a rural environment
	Hold on to the original values of land use planning
	Because we have EFU we have lands for wildlife to get to water
	UGBs are designated to accommodate growth and prevent sprawl
	Drive decisions by water availability and you will not import the problems of AZ, CA or NW
No, it is not working because . . .	Mapping of soils is not accurate
	Way too much regulation, and overzealousness on the part of regulators to control how someone uses their own private property
	Erosion of individual's rights
	Too much government
	Land costs are expensive
	Growing season is too short
	Difficult to work the land
	Interested in rural development
	County, by allowing smaller parcels, has created this situation
	Too much nonfarmable land. It needs to be reexamined
	State makes changes that erode agricultural land (ex. destination resorts)
	Regulations are too restrictive

Is Deschutes County's Agricultural Lands Program Working?

It depends because . . .	Wildlife habitat on private property is an "externality" that may be incurred disproportionately to the land owners
	What is open space worth?
	Incompatible soils can lead owner to determine that property is inappropriately designated
	Educate people about zoning
	Change laws to adapt to current circumstances
	Wildlife was here long before we were and is an important parameter of the quality of human life

What are the advantages of EFU zoning?

- | | |
|--|--|
| * Limits sprawl (6) | * Tourism (2) |
| * Open space and scenic views (4) | * Agricultural economy (2) |
| * Farm tax deferral (3) | * Value-added agricultural businesses (2) |
| * Statewide use standards (3) | * Wildlife habitat |
| * Scenic bike routes (3) | * Limited development opportunities |
| * Distance buffers (2) | * Keeps development in UGBs |
| * No changes (2) | * Strengthens resistance to rural subdivisions |
| * Commercial activity in conjunction with farm use (2) | * Leaves rural lands alone, for the future. |

What are the disadvantages of EFU zoning?

- | | |
|---|---------------------------------|
| * Inaccurate designation (6) | * Local alternative zone |
| * Limited development opportunities (3) | * Rural residential development |
| * Not profitable for farm use (2) | * Wildlife habitat |
| * Farm tax deferral is out of date (2) | * Nonfarm dwellings |
| * Destination resorts | |

Are there other alternatives worth exploring?

- * 80% of our county is government owned, leave the rest alone

Table 11 - Terrebonne Community Conversation (5/19/14)

Terrebonne	
Is Deschutes County's Agricultural Lands Program Working?	
Yes, it is working because . . .	Development does not support agriculture
	Opportunities for restoring land, once agricultural, to be productive
	Technological are occurring in the region like green houses
	Preserving agricultural lands for lifestyle, open space, and opportunity
	Formula/methodology is working
	Draws tourism
	Soil in Terrebonne region can be made productive. Population pressures will make the land more valuable for future food production
	Farm deferral makes EFU more affordable
	Farming is productive. One farm in Terrebonne area has 50 different crops; meats (poultry, pork, beef); small milling
	Certified organic farming is emerging opportunity
	Emerging opportunities include value added, agri-tourism, restaurants, similar to wineries, and private dinners
	Agri-tourism (SB 960) allowed for expanded use of agricultural land
	Keeps a critical mass of agricultural properties. Once it switches, it goes fast to other uses
	It is possible to grow crops in Deschutes County and farm
	Farming has worked in Terrebonne area for over 50 years, only thing that makes it hard is cost of fuel which increases costs of fertilizer. Good producer of hay that goes to [Willamette] Valley and California. Dirt hasn't changed
No, it is not working because . . .	Don't want it to change. Like the patch work of crops throughout the season-alfalfa, mint, hay, etc. Growth impacts working farms
	Destination resorts are a threat
	Difficult to make a profit or recoup your costs
	County rules for second dwelling for farm use are need but rules are overly restricted
	County susceptible to proposals that change land use for tax purposes
	Program doesn't allow small parcels to be retained for EFU
	Adjoining properties who aren't farming complain about agricultural activities which impact farming. How do you rectify this?
	Things change. More people, growth, Central Oregon is not the Willamette Valley. Farmers should be able to have events on their properties
	Anything that has a parcel should have a house
	Need grace period to come out of tax deferral and EFU to make it work for property owners
	EFU zone applies to all properties equally, but properties are unique. EFU regulations need to be more flexible. Land is totally different. Make decisions in the office without seeing or considering the unique characteristics of the land/property . Changes would allow more people to make a living

Is Deschutes County's Agricultural Lands Program Working?

It depends because . . .	Consider neighborhood capacity. Preserving farm lifestyle can experience incompatible uses
	What happens to farm deferral when land use changes?
	Large farms can be threatened by EFU land that is rezoned, creating conflict
	Wildlife program could be ineffective because the ODFW doesn't have capacity to process applications that set aside land for protection
	Supplemental activities that support agricultural use should be expedited
	Be careful of unintended consequences if you change land use. Incompatible uses could threaten existing farms
	Events next to livestock operations can be disruptive and decrease quality of the livestock
	Play by the rules. Pressure to always tweak the rules for non-ag uses. Tweaking rules decreases farmland value for farmers
	Infrastructure is a concern when new development is near agricultural lands
	Good farmland surrounded by rural development and new residents complaining about noises, smells, etc. and then have a hard time farming and nothing else to do with the property
	Consider winery-type standards for traditional farms (i.e. restaurant, food service, etc.) for value-added products to support farms

What are the advantages of EFU zoning?

- | | |
|---|--|
| * Open space and scenic views (6) | * Limits sprawl |
| * Agricultural economy (5) | * Commercial activity in conjunction with farm use |
| * Farm tax deferral (4) | * Scenic bike routes |
| * Value-added agricultural businesses (4) | * Nonfarm dwellings |
| * Agri-tourism (3) | * Wildlife habitat |
| * Tourism (3) | * No destination resorts |
| * Statewide use standards (2) | * No rural residential development |
| * No change (2) | |
| * Scenic bike routes | |

What are the disadvantages of EFU zoning?

- | | |
|---|--------------------------|
| * Destination resorts (4) | * Farm tax deferral |
| * Rural residential development (3) | * Local alternative zone |
| * Outdoor mass gatherings (2) | * Wildlife habitat |
| * Limited development opportunities (2) | * Nonfarm dwellings |
| * Inaccurate designation | |
| * Not profitable for farm use | |

Are there other alternatives worth exploring?

- | | |
|--|----------------------------------|
| * Value added agricultural businesses | * Distance buffers |
| * Commercial activity in conjunction with farm use | * Commercial events / activities |
| * Agri-tourism | * Scenic bike routes |
| * No change | * Wildlife habitat |
| * Zoning able to split small EFU parcels and keep them EFU | |

V. STAKEHOLDER INTERVIEWS

Notes from the stakeholder interviews are summarized below.

Central Oregon Landwatch

Central Oregon LandWatch organized a panel discussion "From Farm to Table: Agriculture & Local Foods in Deschutes County" and invited staff to participate as a panelist. Other panelists members included Sarahlee Lawrence (Rainshadow Organics), Katrina Van Dis (Central Oregon Food Policy Council), Owen Murphy (COCC), and Jim Fields (Fields Farms).

The discussion highlighted successful food production in Deschutes County. In addition, the growing local food movement was discussed emphasizing people are increasingly interested connecting with and supporting local agriculture to know where their food comes from and how it is produced.

Staff also fielded several questions regarding Deschutes County's agricultural lands program. Participants expressed support for Statewide planning system, recognizing the numerous land uses that are presently allowed. They also underscored the benefits of preserving large tracts of land in light of changing technology and agricultural trends.

City of Redmond

Staff was generally supportive of the non-resource lands program, in light of the limitations with Deschutes County's soils and climate. They cited the application of EFU zoning in its initial application to county lands. There are several examples of lands that are clearly not capable of supporting agriculture in the Central and Eastern Oregon region (Alford Desert example).

They acknowledged that rural subdivisions, created by a Non-Resource program, that are near Urban Growth Boundaries can impede a municipality's ability to grow efficiently over time. Non-Resource designations near the Redmond Airport also need to be prohibited to protect public safety.

Agri-tourism and other land uses associated with farm use are vital to the success of certain agricultural landowners.

Deschutes Basin Board of Control

Three Sisters Irrigation District

Farmers are now generating revenue due to a combination of rising prices for crops and irrigation district improvements (such as piping) that lower the cost of putting water to fields.

U.S. Department of Agriculture (USDA) is coming forward with a program for a one-time purchase (perhaps 25% of the value of an operation) which in turn would lead to a permanent agricultural easement. In other words, the land would permanently stay in production. This could have implications for future destination resorts on EFU lands as those lands with these purchased easements could not be converted.

In the re-examination of agricultural zoning, do not allow property owners to parcel off marginal lands for economic development; consider the holdings as a functional whole. For example, do not let a 40-acre parcel that has irrigation on 30 acres, rezone the other 10 to non-resource.

Future reservoirs are coming to Central Oregon to address storage and seasonal flows; any rezoning must not prevent these new impoundments from occurring on any non-resource lands. Reservoirs also provide flood control.

Central Oregon Irrigation District

Commercial activity connected with farm use needs to be treated carefully. For instance, there are now breweries (Deschutes Brewery and 10 Barrel Brewing Company) where the district takes their wastewater and then sprays it as effluent onto agricultural lands.

Any future non-resource zone should not block the storage of water on non-agricultural lands. The district has concerns about whether rural residents who are not farming may stop traditional or new agricultural activities such as gray water spraying.

Right to farm legislation sounds good, but is expensive to litigate. County should consider a buffer approach to canals similar to what is used for aggregate mining with Surface Mining Impact Areas (SMIA).

Group

Overall, one of the key concerns is not classifying lands simply as irrigated or not. The concept of irrigable (has or can have water delivered or previously had water delivered) needs to remain in the forefront. Irrigable lands comprise a larger area than irrigated lands.

Improvements to irrigation districts drive down the costs of delivering water to farmers, which in turn lowers their overhead. With lower overhead, farmers can grow more crops or different types of crops.

Non-resource zone/designation will relieve development pressure on agricultural land because resource/non-resource will be more clearly defined instead of under the one EFU umbrella we have today.

Deschutes County Farm Bureau

The Farm Bureau is interested in:

- Pursuing stronger right-to-farm language; and,
- A Non-Resource Lands program and an opportunity to create smaller parcels. Farmers already sell a lot of hay to small rural property owners.

Farm Bureau supports Policy 2.2.13, “Identify and retain accurately designated agricultural lands.”

Today’s economics make it extremely difficult for commercial farmers in Deschutes County to be profitable. Farmers have a difficult time being competitive because other regions (Columbia Basin, Willamette Valley) produce crops at higher yields, have greater access to transportation and consumer markets, and experience more favorable growing climates and soils. Ultimately, the global economy undermines agricultural opportunities in the county because commodities derived from outside the region can be produced at a lower cost. Water limitations also play a role. Junior water right holders are constrained as the summer progresses and they lose their rights to those with higher priority dates.

Right-to Farm laws do not eliminate neighborhood conflicts. New property owners, especially those on small adjoining lots, can still complain and contest farm practices. Consider buffer zones when developing a non-resource lands program.

Oregon Department of Fish and Wildlife

The larger parcel size requirement and land use limitations of the EFU zone support wildlife habitat preservation. When significant wildlife habitat was inventoried in the 1990s for compliance with Statewide land use Goal 5, some habitat was not included on the inventory because of the restrictive nature of the EFU zone. At the time, there was an assumption that some level of protection and preservation will be maintained based on the limitations of the EFU zone.

As land use development on private and public land increases there is a cumulative impact to wildlife. The sheer volume continues to impact habitat availability and forces wildlife populations to move to smaller, more marginal areas away from traditional migration routes. There will be a breaking point at which time the health and welfare of certain species will be permanently compromised.

The Oregon Department of Fish and Wildlife (ODFW) administer a Wildlife Habitat Conservation and Management Program to help private landowners voluntarily conserve native wildlife habitat. This program offers a property tax special assessment incentive for private landowners who want to provide wildlife habitat on their properties instead of, or in addition to, farming or growing timber. According to ODFW, there are approximately 85 property owners in Deschutes County participating in the program, an overwhelming majority of which are zoned EFU.

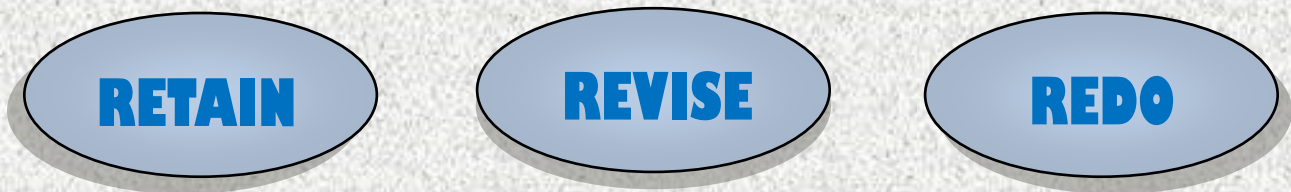
Figure 14 - Central Oregon Pumpkin Company



Three Predominant Themes

The outreach efforts described in Section II of this report resulted in significant and valuable feedback. Public comments were very diverse and cover a full spectrum of perspectives. After evaluating the community conversations, survey results, questionnaires, and stakeholder interviews, three predominant themes emerged.

Figure 15 - Themes



Theme 1 - Retain: *The program is working as intended and no changes are needed.*

- ♦ Preserves large tracts for current and future agricultural activities, recognizing that while local agricultural production is challenging, the industry is growing in certain sectors.
- ♦ Farm and nonfarm uses currently permitted under State law provide a variety of economic opportunities.
- ♦ EFU zoning is valuable with respect to maintaining property values, wildlife habitat conditions and Deschutes County's quality of life.
- ♦ Rural infrastructure, service districts, wildlife habitat, and other natural resources may not have the capacity to absorb additional impacts stemming from a Non-Resource Lands program.

Theme 2 - Revise: *The program warrants refinement that is reflective of local conditions.*

- ♦ Greater flexibility and expanding supplementary activities further supports the local agricultural economy.
- ♦ Existing land use approval processes for farm and nonfarm uses is too costly, complex, and easily obstructed by opponents.
- ♦ New nonfarm uses should further demonstrate that they are compatible with existing residential and agricultural uses because they impact livability and farm productivity.
- ♦ Regional definitions of agricultural lands allow for standards that recognize existing local agricultural practices and land use patterns.

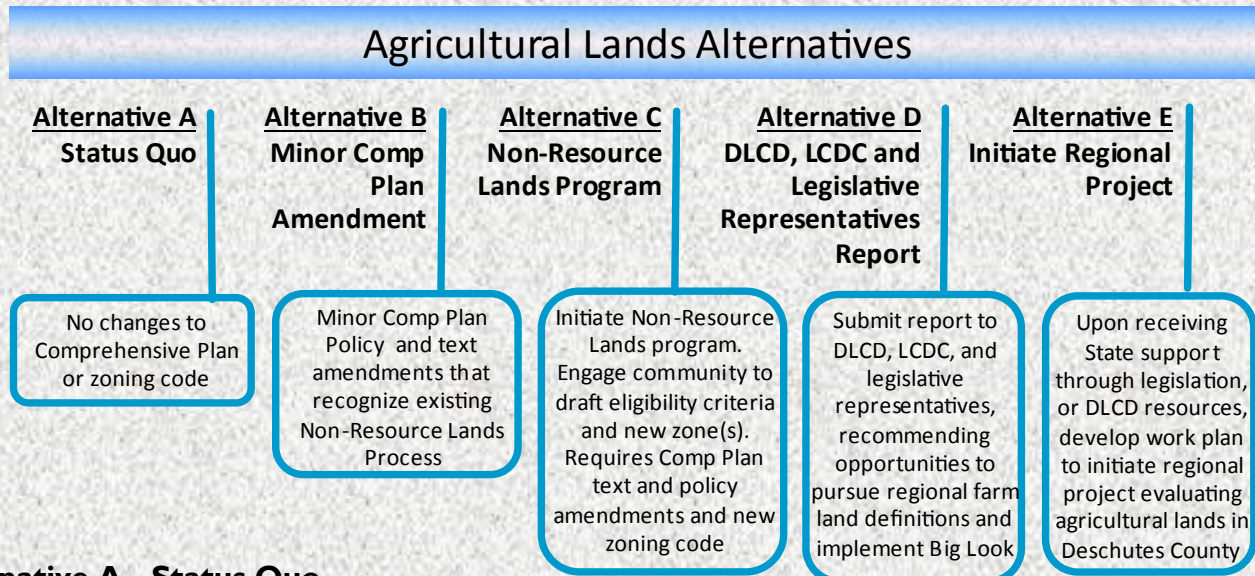
Theme 3 - Redo: *The program is ineffective and overreaching with unintended consequences.*

- ♦ Lands that do not meet the State definition should be accurately designated and rezoned.
- ♦ Program is not reflective of the unique conditions and characteristics of Deschutes County; commercial farming is not profitable.
- ♦ Prescriptive statewide approach is ineffective in Deschutes County when one recognizes the climate, short growing season, poor soils, distance to markets, and economics.
- ♦ Restrictive State income tests and development standards preclude opportunities that support and enhance those that are truly commercially farming.

IV. NEXT STEPS

Based on the community conversations and stakeholder responses, there are several options for proceeding.

Figure 16 - Alternatives for Moving Forward



Alternative A - Status Quo

The status quo alternative maintains Deschutes County's existing agricultural lands program.

Alternative B - Minor Comp Plan Amendment

Recent applicant-initiated Non-Resource Land plan amendment and zone change requests have relied on a Hearings Officer decision that determined that the Deschutes County Comprehensive Plan allows applicants to initiate them, even though the Comprehensive Plan does not specifically acknowledge the process. A minor Comprehensive Plan amendment would clarify that property owners can initiate a non-resource land plan amendment and zone change as allowed under State law.

Alternative C - Non-Resource Lands Program

Initiate a Non-Resource Lands Program (The program may be renamed). Elements include, a) engaging the community to draft eligibility criteria and zoning standards consistent with State law; b) drafting Comprehensive Plan and zoning code amendments; and c) initiating public hearings. Upon adoption, property owners, on a case-by-case basis, can initiate a Comprehensive Plan amendment and zone change to re-designate their EFU property to a "Non-Resource" zone.

Alternative D - DLCD, LCDC and Legislative Representatives Report






Revise this report to submit to DLCD, LCDC, and Central Oregon's legislative delegation requesting Deschutes County's desire to:

1. Implement HB 2229 ("The Big Look" bill) to correct mapping errors and update agricultural lands designations. This law requires LCDC approval of a work plan to initiate this process.
2. Develop regional agricultural land designations similar to the Southern Oregon Regional Pilot Project. This action may require legislation.





Alternative E - Initiate Regional Project

Continue to identify on CDD's work plan opportunities to review and potentially change farmland designations. Upon receiving formal support from DLCD or the State legislature, initiate a regional project.






APPENDIX A - BUTTON EXERCISE GLOSSARY

 <p>Open Space and Scenic Views</p>	<p>Lands used for agricultural or forest uses and any land area that, in part, conserve and enhance natural or scenic resources</p>
 <p>Agricultural Economy</p>	<p>Use of land related to raising, harvesting and selling crops or by the feeding, breeding, management and sale of animals or for dairying and the sale of dairy products.</p>
 <p>Farm Tax Deferral</p>	<p>Many rural properties are eligible for a special assessment or deferral of some or all of their property if it is "used for a qualifying farm use." This special assessment of the land reflects the value for agricultural productivity on farm land. Other alternative uses may justify a higher assessment.</p>
 <p>Wildlife Habitat</p>	<p>Areas or environments where wildlife normally live or migrate.</p>
 <p>Scenic Bike Routes</p>	<p>Routes that provide scenic, historic, natural, and cultural experiences that are viewed as accommodating to bicycles.</p>

APPENDIX A - BUTTON EXERCISE GLOSSARY

 <p>Outdoor Mass Gatherings</p>	<p>An assembly of persons less than 3,000 persons but more than 500 for a period that continues for more than 4 but less than 240 hours within any continuous three-month period and which is held primarily in open spaces and/or one or more temporary structures, but not in any permanent structure.</p>
 <p>Agri-Tourism</p>	<p>A commercial enterprise at a working farm or ranch that is incidental and subordinate to the existing farm use of the tract that promotes successful agriculture, generates supplemental income for the owner. Any assembly of persons shall be for the purpose of taking part in agriculturally based operations or activities such as animal or crop care, picking fruits or vegetables, cooking or cleaning farm products, tasting farm products; or learning about farm or ranch operations.</p>
 <p>Non-Farm Dwellings</p>	<p>A single-family residential dwelling not provided in conjunction with farm use.</p>
 <p>Tourism</p>	<p>Activities of people traveling to and staying in places outside their usual environment for leisure, business or other purposes.</p>
 <p>Limits Sprawl</p>	<p>Relatively large minimum parcel sizes and limited opportunities for intensive development.</p>

APPENDIX A - BUTTON EXERCISE GLOSSARY

 <p>Inaccurate Designation</p>	<p>Exclusive farm use lands that do not meet the State's definition for farm land.</p>
 <p>Not Profitable For Farm Use</p>	<p>Location, climate, parcel size, irrigation availability, cost, and other factors that prohibit profitability of agricultural uses.</p>
 <p>Limited Development Opportunities</p>	<p>Overly restrictive Statewide development standards.</p>
 <p>Destination Resorts</p>	<p>A self-contained development providing visitor-oriented accommodations and recreational facilities in a setting with high natural amenities.</p>
 <p>Statewide Land Use Standards</p>	<p>Land uses and zoning regulations dictated by Oregon's Statewide Land Use Program as outlined in Oregon Revised Statutes (ORS) and Administrative Rules (OAR).</p>

APPENDIX A - BUTTON EXERCISE GLOSSARY



Local Alternative Zone

A yet to be developed local comprehensive plan designation and zoning for lands that do not meet the state definition of Agricultural Land and are not eligible for an exception to statewide land use goals.



Distance Buffers

Larger parcels sizes provide a buffer between land uses on adjacent and nearby parcels.



Rural Residential Development

Low density residential developments with an average minimum parcel size of 10 acres.



Value-Added Agricultural Businesses



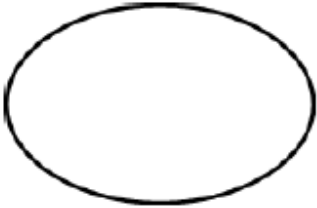
The process of changing or transforming a product from its original state to a more valuable state such as milk into cheese and wheat into flour.



Commercial Activity In
Conjunction With Farm Use

Commercial use that is accessory to the primary agricultural use of the property.

APPENDIX A - BUTTON EXERCISE GLOSSARY

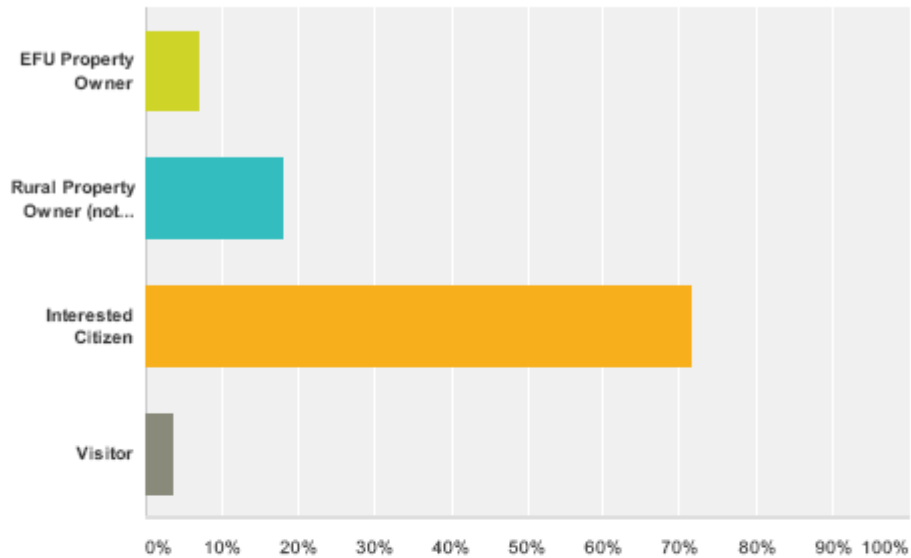
 Commercial Events/Activities	Events or activities related to and supportive of agriculture.
 No Changes	Deschutes County agricultural lands program does not require any changes.
 Other	Additional idea not captured in any of the concepts. Please write in.

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q1 Which best describes your connection to Exclusive Farm Use (EFU) lands?

Answered: 28 Skipped: 1



Answer Choices	Responses
EFU Property Owner	7.14% 2
Rural Property Owner (not zoned EFU)	17.86% 5
Interested Citizen	71.43% 20
Visitor	3.57% 1
Total	28

#	In what region of the county is your property located (e.g. closest city/community)?	Date
1	Bend, north area, about four miles	6/7/2014 10:52 AM
2	Bend	6/4/2014 3:35 PM
3	Sunriver	6/4/2014 11:47 AM
4	Bend	6/3/2014 10:12 PM
5	bend	6/3/2014 9:16 PM
6	Bend	6/3/2014 7:06 PM
7	Bend	6/3/2014 6:27 PM
8	bend	6/3/2014 4:42 PM
9	NE Bend	5/29/2014 4:26 PM
10	Bend	5/29/2014 12:22 PM
11	City of Bend	5/29/2014 11:43 AM
12	Bend west side	5/29/2014 11:34 AM

APPENDIX B - INFORMAL SURVEY

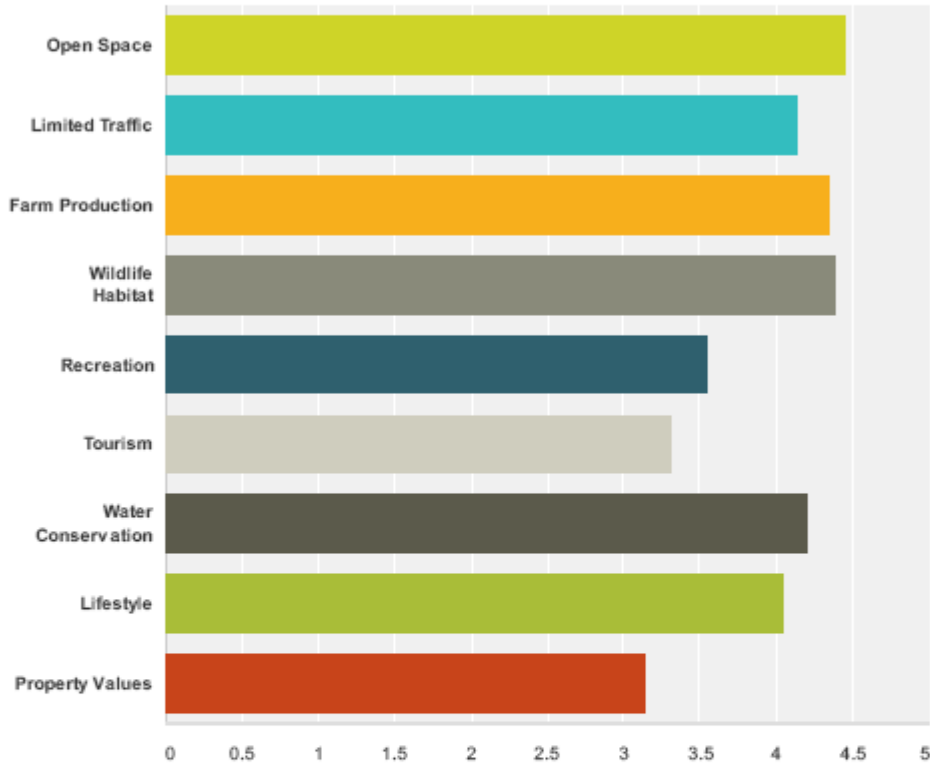
Agricultural Lands Analysis Survey		
12	Detail worksheet	DATE/TIME
13	Bend, OR	5/29/2014 9:40 AM
14	Deschutes River Woods, Bend	5/22/2014 9:58 AM
15	Tumalo	5/22/2014 9:33 AM
16	Region Can NOT be factored County-wide rule or NONE!	5/18/2014 2:12 PM
17	Northeast Redmond	5/15/2014 3:23 PM
18	East side of Bend	5/7/2014 10:10 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q2 What aspects of EFU lands do you value? Please indicate how strongly you agree or disagree with each of the following.

Answered: 29 Skipped: 0



	Strongly Disagree	(no label)	Neutral	(no label)	Strongly Agree	Total	Average Rating
Open Space	6.90% 2	0.00% 0	6.90% 2	13.79% 4	72.41% 21	29	4.45
Limited Traffic	3.45% 1	6.90% 2	17.24% 5	17.24% 5	55.17% 16	29	4.14
Farm Production	3.45% 1	3.45% 1	6.90% 2	27.59% 8	58.62% 17	29	4.34
Wildlife Habitat	6.90% 2	3.45% 1	6.90% 2	10.34% 3	72.41% 21	29	4.38
Recreation	3.45% 1	10.34% 3	37.93% 11	24.14% 7	24.14% 7	29	3.55
Tourism	3.45% 1	24.14% 7	31.03% 9	20.69% 6	20.69% 6	29	3.31
Water Conservation	3.45% 1	3.45% 1	10.34% 3	34.48% 10	48.28% 14	29	4.21
Lifestyle	0.00% 0	7.14% 2	21.43% 6	32.14% 9	39.29% 11	29	4.21

3 / 12

APPENDIX B - INFORMAL SURVEY

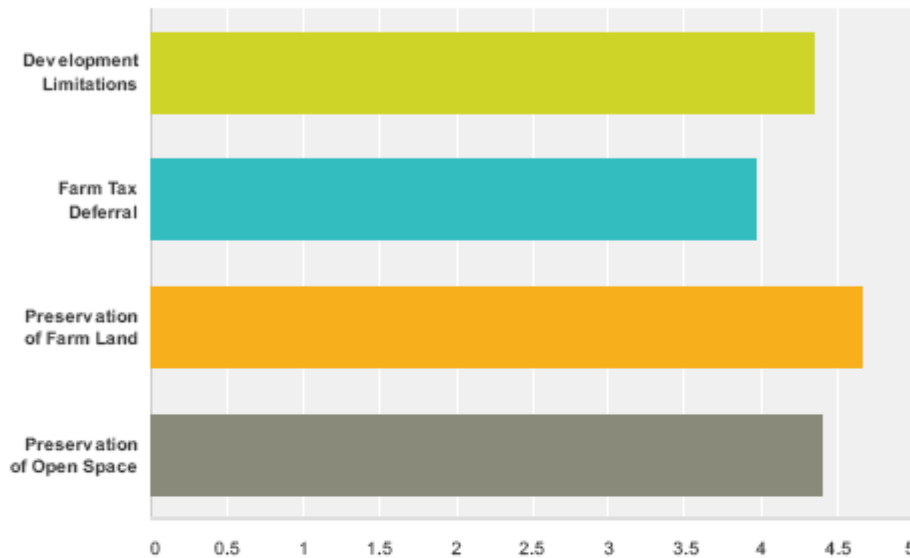
Agricultural Lands Analysis Survey							
Landtype	0	2	6	9	11	28	4.04
Property Values	10.71%	14.29%	46.43%	7.14%	21.43%		
	3	4	13	2	6	28	3.14
#	Other (please specify)						Date
1	sense of home						6/3/2014 4:42 PM
2	Non-Resource Zone & housing needed, NOT Open Space						5/18/2014 2:12 PM
3	Strange question						5/7/2014 10:10 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q3 What are the advantages of EFU zoning? Please indicate how strongly you agree or disagree with each of the following.

Answered: 29 Skipped: 0



	Strongly Disagree	(no label)	Neutral	(no label)	Strongly Agree	Total	Average Rating
Development Limitations	10.34% 3	0.00% 0	3.45% 1	17.24% 5	68.97% 20	29	4.34
Farm Tax Deferral	0.00% 0	6.90% 2	31.03% 9	20.69% 6	41.38% 12	29	3.97
Preservation of Farm Land	3.45% 1	0.00% 0	0.00% 0	20.69% 6	75.86% 22	29	4.66
Preservation of Open Space	6.90% 2	0.00% 0	3.45% 1	24.14% 7	65.52% 19	29	4.41

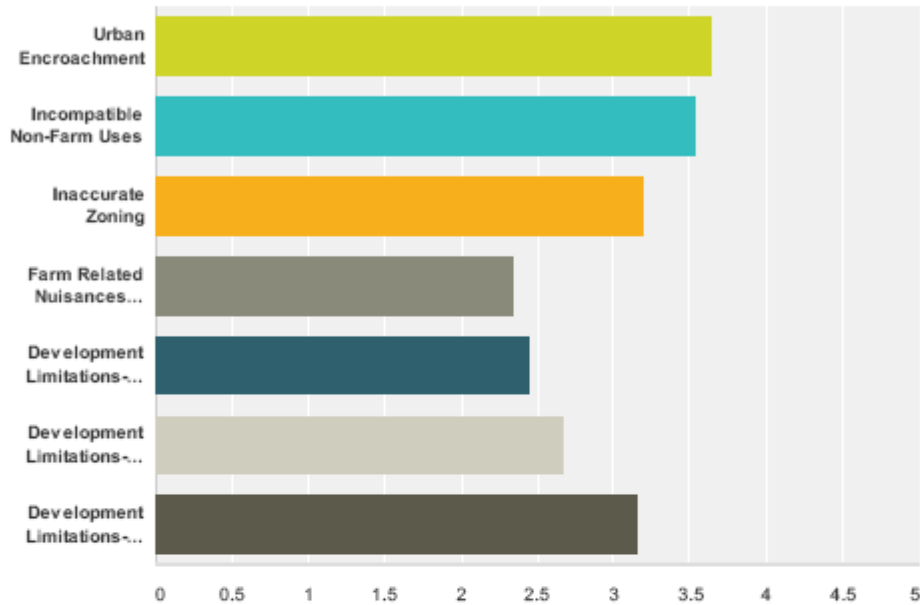
#	Other (please specify)	Date
1	At least it tries to keep land in ag production or wildlife habitat rather than sprawl.	5/29/2014 11:43 AM
2	Over 80% Open Space NOW,Don't need more!	5/18/2014 2:12 PM
3	Wildlife corridors, viewsheds for visitors and residents	5/2/2014 10:52 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q4 What are the disadvantages or challenges associated with EFU zoning?
Please indicate how strongly you agree or disagree with each of the following.

Answered: 28 Skipped: 1



	Strongly Disagree	(no label)	Neutral	(no label)	Strongly Agree	Total	Average Rating
Urban Encroachment	17.86% 5	10.71% 3	7.14% 2	17.86% 5	46.43% 13	28	3.64
Incompatible Non-Farm Uses	7.69% 2	11.54% 3	30.77% 8	19.23% 5	30.77% 8	26	3.54
Inaccurate Zoning	0.00% 0	29.63% 8	33.33% 9	25.93% 7	11.11% 3	27	3.19
Farm Related Nuisances (noise, odor, dust, etc.)	38.46% 10	15.38% 4	23.08% 6	19.23% 5	3.85% 1	26	2.35
Development Limitations-Residential	33.33% 9	25.93% 7	14.81% 4	14.81% 4	11.11% 3	27	2.44
Development Limitations-Land Divisions	33.33% 9	18.52% 5	14.81% 4	14.81% 4	18.52% 5	27	2.67
Development Limitations-Farm Related Uses	7.41% 2	22.22% 6	33.33% 9	22.22% 6	14.81% 4	27	3.15

#	Other (please specify)	Date
1	Dumb data questions allow multiple County interpretation	5/18/2014 2:12 PM
2	Strong pressure by well-funded development interests to build on EFU land, while the public will clearly supports preservation of EFU	5/2/2014 10:52 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q5 Are there emerging agricultural opportunities given the possibilities of new farming techniques, different crops, and climate change? If so, please describe.

Answered: 10 Skipped: 19

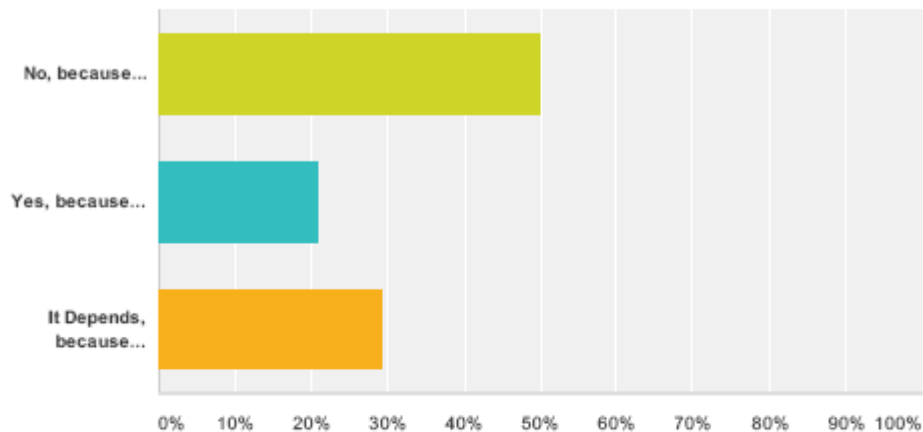
#	Responses	Date
1	A century ago Central Oregon used to feed itself locally and we can do that again. And we may have to if drought devastates California agriculture and earth quakes isolate us from the Willamette Valley. There are already local farmers who supply vegetables year round using green houses and by selecting new crop varieties more resistant to Central Oregon climate. EFU lands will play a vital role in making Central Oregon more self sufficient and in reducing carbon emissions by reducing truck traffic now dedicated to food imports from California and the Willamette Valley.	6/7/2014 10:52 AM
2	yes, new water conservation techniques are allowing greater production on marginal desert land.	6/3/2014 4:42 PM
3	small sections to farm-produce. lease small sections from larger farms.	5/29/2014 3:09 PM
4	YES! Small organic farms like Rainshadow are showing us that you don't need Willamette Valley soil to have a successful farm in Central Oregon. Those who say that farms here can only lose money are just not very good farmers.	5/29/2014 11:43 AM
5	Hopefully, there will be more "truck farms" locating in this area.	5/29/2014 11:34 AM
6	Market for local and organic foods has increased. It is now possible to feed all of Central Oregon locally.	5/29/2014 9:40 AM
7	"POSSIBILITIES" are NO basis for D-County Planning regulations! State Non-Resource reqmts & prop-owner requests ARE!	5/18/2014 2:12 PM
8	Yes, grape vines and hops hard being developed with heartier varieties that could be possibilities here. We have been researching trees starts and grafting as a possibility to sell to nurseries. Advancements in agriculture science allow for us to be more creative with our property for ag production.	5/15/2014 3:23 PM
9	This depends on the location and the size of the farm as to whether any new potential technique is feasible.	5/7/2014 10:10 AM
10	The strong market for farmland in Oregon is the best indicator that there are new opportunities. We may not even know what emerging opportunities/advances in irrigation/crops are for some years down the road. That's why it's important to preserve farmland, despite the strong profit motive to allow building on it.	5/2/2014 10:52 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q6 Should the County explore alternatives to EFU zoning? Please select answer and specify below.

Answered: 24 Skipped: 5



Answer Choices	Responses
No, because...	50.00% 12
Yes, because...	20.83% 5
It Depends, because...	29.17% 7
Total	24

#	Please specify the reason for your answer above.	Date
1	EFU zoning is working very well today and is the envy of the rest of the country. But EFU zoning is under pressure from developers who want to have access to more lands to build more houses and from some EFU land owners who do not want or are not capable of making an income from farming and want events to be allowed on their properties. This will be very detrimental to adjacent farmers and will set an irreversible precedent.	6/7/2014 10:52 AM
2	Limiting urban sprawl should be a top priority.	6/4/2014 3:35 PM
3	More flexibility to all for vertical integration. I. E. Farm stands, rural vacation stay, ag industry, etc.	6/4/2014 11:47 AM
4	I don't feel educated on alternatives	6/3/2014 9:16 PM
5	All options should be explored to ensure the best option is selected.	6/3/2014 8:02 PM
6	we need farmland!!	6/3/2014 7:01 PM
7	Efu lands are essential to the fabric of our communities.	6/3/2014 4:42 PM
8	I don't really understand enough to vote on this.	5/29/2014 4:26 PM
9	stay on the side of small farms doing produce. hobby farms and other large land use need to give up space for small produce farmers.	5/29/2014 3:09 PM
10	the county needs to increase it's sustainability and self reliance both in terms of food production and quality of life standards.	5/29/2014 12:38 PM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

11	If the county does change zoning for development, they should require future developments to maintain a certain percentage of existing farm lands, either by setting them aside as open space or converting them to community garden or leaseable farm lands.	5/29/2014 12:22 PM
12	the current system is based on good principles. Those who rail against it just want to build more houses in rural areas.	5/29/2014 11:43 AM
13	Looks like present zoning is working.	5/29/2014 11:34 AM
14	There is more than enough rural residential development already.	5/29/2014 11:26 AM
15	The system at present is working.	5/29/2014 9:40 AM
16	Oregon's land use system works and is part of the reason why we don't have vast suburban sprawl, with all of the negative connotations associated with sprawl. EFU lands that are misdesignated (farm land that has poor soil) serve a different purpose, i.e., open space and wildlife habitat.	5/26/2014 11:32 AM
17	Depends on the alternatives suggested	5/22/2014 9:58 AM
18	Consider farm related uses such a retail sale of farm related material	5/22/2014 9:33 AM
19	It works the way it is	5/21/2014 11:47 AM
20	non-productive EFU lands SHOULD have more dev options	5/18/2014 2:12 PM
21	I think our land that can be used for agriculture production should be preserved, but I think that the limitations on the EFU zoning is a problem. There needs to be some flexibility to the zone. If you own an EFU piece of property that costs more to farm than you can make on it due to pumping costs and such for irrigation water then you have to come up with a way to make it pay or it's unfarmable. Then you are stuck with a piece of property that requires more money and work than it is worth. Those types of lands could be split into 10 acre pieces where families could raise their kids with animals and have a lifestyle of agriculture where the costs to produce pasture or grow specialty crops would be more efficient.	5/15/2014 3:23 PM
22	EFU land designations can be incorrect or not flexible enough to allow the landowner to have a profitable enterprise.	5/7/2014 10:10 AM
23	I'm not supportive of new zoning categories, but am supportive of allowing new uses strictly relate to farm production on such lands.	5/2/2014 10:52 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q7 Are there EFU designations and land use regulations you believe need to be preserved, expanded, or abandoned? If so, please describe.

Answered: 14 Skipped: 15

#	Responses	Date
1	I think present EFU land use regulations should be preserved at any cost!	6/7/2014 10:52 AM
2	Strict prohibitions on ag related non-ag specific uses.	6/4/2014 11:47 AM
3	Protect agricultural lands and wildlife!	6/3/2014 7:01 PM
4	Preserved	6/3/2014 6:27 PM
5	yes. Efu lands whould be preserved, oregon's urban growth boundaries should be respected.	6/3/2014 4:42 PM
6	protect the small farmers, tax the hobby famers, the do-nothing landowners, . . Preserve the tax deferral for the small produce farmer. Keep politics out of it, HA HA.	5/29/2014 3:09 PM
7	Yes.	5/29/2014 11:43 AM
8	Yes, preserve current EFU designations.	5/29/2014 9:40 AM
9	Expand opportunities for landowners to supplement their income. However, make sure it is in a way that respects compatibility and livability. Preserve EFU lands and abandon idea of dividing parcels and allowing rural residential development.	5/26/2014 11:32 AM
10	There will be increased pressure to develop EFU properties. It should be resisted by county government.	5/22/2014 9:33 AM
11	Let land owners drive changes, NOT lrr. Districts usurping public's water& NOT more conservation lands	5/18/2014 2:12 PM
12	I think the EFU designation needs to be updated. The current designations need to be evaluated and then make sure that if they are EFU that the land is being used to it's highest use and that it can be efficiently used for this purpose.	5/15/2014 3:23 PM
13	Yes. The same laws are being applied to all lands designated as EFU regardless of location, climate or parcel size. The laws need to be revised to allow logical changes to zoning or usage to more easily occur. It is currently too restrictive and onerous of a process. Some lands were incorrectly designated, and should be allowed to be changed out of EFU.	5/7/2014 10:10 AM
14	Keep current zoning and land categories in place. Add protections for viewsheds that DO have a monetary value for tourism and for quality of life of residents.	5/2/2014 10:52 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q8 Please include any other comments, concerns, or recommendations related to EFU zoning:

Answered: 6 Skipped: 23

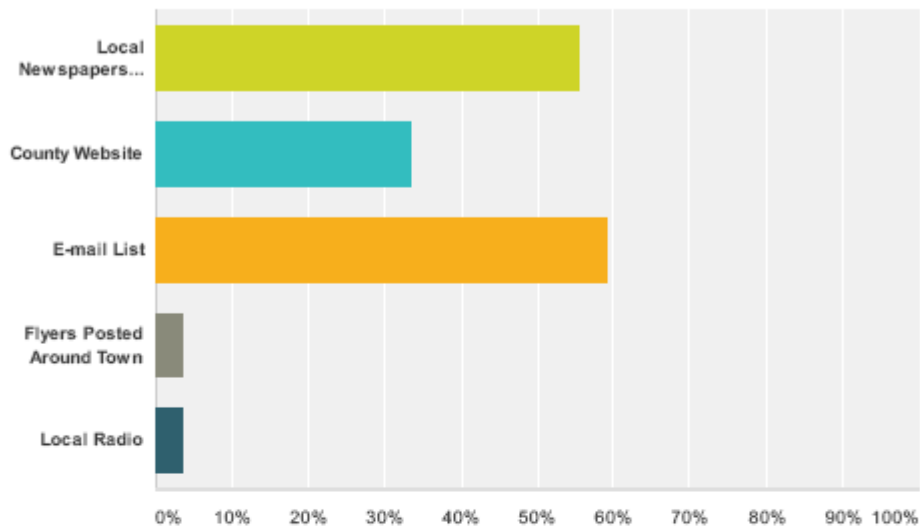
#	Responses	Date
1	Do not yield to developers pressure and non-farmers who are not using EFU land as designed. We saw what developers did to the region before 2007. Our EFU lands are a very precious tresor.	6/7/2014 10:52 AM
2	We need to examine buyers who only want land and cannot show, working the land. We need to decrease the Buyers who cannot do positive agriculture which benefit the residents of our area.....	5/29/2014 3:09 PM
3	I believe the use of this designation will keep sub-urban encroachment at a manageable level.	5/29/2014 12:38 PM
4	County should abide with State Planning rules allowing Non-resource EFU land development option! !!	5/18/2014 2:12 PM
5	The laws were created to protect valuable farmland, and to assist those making a living farming. Most of the time, the law does this. The same laws should be revised to take into consideration location, size of parcel, and climate. The laws that protect the valley should not be so restrictive as to prevent logical usage of land east of the Cascades.	5/7/2014 10:10 AM
6	Please consider the source of the complaints about EFU zoning and restrictions that elected officials get. They are most often/generally people with a strong profit motive to build on farmland. Note that 66% of Oregonians wants farmland protected. http://oregonvaluesproject.org/wp-content/uploads/2013/10/OVB_Land-Use_Summary.pdf	5/2/2014 10:52 AM

APPENDIX B - INFORMAL SURVEY

Agricultural Lands Analysis Survey

Q9 What is the best way to communicate with you on upcoming community events?
Please check ALL that apply.

Answered: 27 Skipped: 2



Answer Choices	Responses
Local Newspapers (e.g. Bend Bulletin, Newberry Eagle, Redmond Spokesman, Sunriver Scene)	55.56% 15
County Website	33.33% 9
E-mail List	59.26% 16
Flyers Posted Around Town	3.70% 1
Local Radio	3.70% 1
Total Respondents: 27	

#	Other (please specify)	Date
1	1897father@gmail.com	5/29/2014 3:09 PM
2	through groups like central oregon landwatch	5/21/2014 11:47 AM
3	D-County CAG Group-LaPine	5/18/2014 2:12 PM



Deschutes County encourages persons with disabilities to participate in all programs and activities. If you need to request this information in an alternate format please contact Anna Johnson.

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Administration**

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