

## **SECTION 3.130 "A-2" Small Scale Agriculture Zone (GMA Only)**

### **A. Purpose**

The purpose of the Small Scale Agriculture Zone is to protect and enhance small scale agricultural land for agricultural uses. Small Scale Agricultural lands generally:

1. Have little potential for consolidation with large-scale agricultural lands and are currently devoted to agriculture of a scale too small to support workers or provide a significant volume of products for markets or processors; and
2. Have a combination of soil capability and size that provides an opportunity for direct marketing or part-time/second income agriculture.

### **B. Uses Permitted Without Review**

The uses and activities listed in Section 3.100 may be allowed without review on lands designated Small-Scale Agriculture.

### **C. Uses Permitted Subject To Expedited Review**

The uses and activities listed in Section 3.110 may be allowed on a legal parcel designated Small-Scale Agriculture subject to Expedited Review and Subsection G - Property Development Standards and Chapter 11 - Fire Safety Standards as well as all other listed or referenced standards.

### **D. Uses Permitted Subject to Review**

The following uses and activities may be allowed on a legal parcel designated Small Scale Agriculture subject to the Subsection G - Property Development Standards, Chapter 11 - Fire Safety Standards & Chapter 14 - Scenic Area Review, as well as any other listed or referenced standards.

## **FARM USE**

1. New cultivation: Any operation that would cultivate land that has not been cultivated.
2. Agricultural structures, except buildings, in conjunction with agricultural use. Non commercial wind energy conversion systems which fit this category are subject to the applicable provisions of Chapter 19.
3. Agricultural buildings in conjunction with current agricultural use and, if applicable, proposed agricultural use that a landowner would initiate within one year and complete within five years, subject to the following standards:

The size of proposed agricultural buildings shall not exceed the size needed to serve the current agricultural use and, if applicable, the proposed agricultural use. The applicants shall submit a floor plan showing intended uses of the agricultural building (e.g., space for equipment, supplies, agricultural products, livestock) as well as a Farm Management Plan defined in Section 1.200 with their land use application:

## RESIDENTIAL USE

4. One single-family dwelling on any legally existing parcel.
5. Accessory structures for an existing or approved dwelling that are not otherwise allowed outright, eligible for the expedited development review process, or allowed in 6 below. Non commercial wind energy conversion systems which fit this category are subject to the applicable provisions of Chapter 19.
6. Accessory building(s) larger than 200 square feet in area or taller than 10 feet in height for a dwelling on any parcel:
  - a. Less than or equal to 10 acres in size are subject to the following additional standards:
    - (1) The combined footprints of all accessory buildings on a single parcel shall not exceed 1,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.
    - (2) The height of any individual accessory building shall not exceed 24 feet.
  - b. Larger than 10 acres in size are subject to the following additional standards:
    - (1) The combined footprints of all accessory buildings on a single parcel shall not exceed 2,500 square feet in area. This combined size limit refers to all accessory buildings on a parcel, including buildings allowed without review, existing buildings and proposed buildings.
    - (2) The footprint of any individual accessory building shall not exceed 1,500 square feet.
    - (3) The height of any individual accessory building shall not exceed 24 feet.
7. The temporary use of a mobile home in the case of a family hardship, subject to the standards for hardship dwellings prescribed in Chapter 8, Temporary Use Permits.
8. Agricultural labor housing subject to the following standards:
  - a. The proposed housing is necessary and accessory to a current agricultural use as evidenced by the submittal of a Farm Management Plan, defined in Section 1.200, with the application;
  - b. The housing shall be seasonal unless it is shown that an additional full-time dwelling is necessary to the current agricultural use of the subject farm or ranch unit. Seasonal use shall not exceed nine (9) months.
  - c. The housing shall be located to minimize the conversion of lands capable of production of farm crops or livestock and will not force a significant change in

or significantly increase the cost of accepted agricultural practices employed on nearby lands devoted to agricultural use.

9. Life Estate - A landowner who sells or otherwise transfers real property in an area designated Small Scale Agriculture may retain a life estate in a dwelling and a tract of land surrounding the dwelling. The life estate tract shall not be considered a lot/parcel as defined in this Ordinance. A second dwelling in conjunction with agricultural use may be allowed subject to the following standards:

a. The proposed dwelling is in conjunction with agricultural use, as defined, subject to the following standards:

(1) There are no other dwellings on the subject farm or ranch, including all of its constituent lots/parcels, contiguous or otherwise, which are vacant or currently occupied by persons not directly engaged in farming or working on the subject farm or ranch and which could be used as the principal agricultural dwelling;

(2) The farm or ranch upon which the dwelling will be located is currently devoted to agricultural use, as defined, where the day-to-day activities of one or more residents of the agricultural dwelling will be principally directed to the agricultural use of the land. Current use includes a minimum area which would satisfy (3)(c) below; and

(3) The operation is a commercial agricultural enterprise as determined by the submittal of a Farm Management Plan, defined in Section 1.200, with the application and an evaluation of the following factors:

(a) Size of the entire unit, including all land in the same ownership;

(b) Operational requirements for the particular agricultural activity common to area agricultural operations; and

(c) The farm or ranch, and all its constituent parcels, is capable of producing at least \$40,000 in gross annual income. This determination can be made using the following formula:

Average Yield Per Acre/Unit x Average Commodity/Unit Price x Total Acres for Production of Commodity/Units = Income Capability

b. Upon termination of the Life Estate, the original or second dwelling shall be removed.

#### MISCELLANEOUS USE

10. Additions to existing buildings greater than 200 square feet in area or greater than the height of the existing building.

11. Removal/demolition of structures that are 50 or more years old, including wells,

septic tanks and fuel tanks.

12. Construction, reconstruction, or modifications of roads not in conjunction with agriculture if designated in the Adopted Wasco County Transportation System Plan or designed and constructed as part of an approved, active development order.
13. Resource Enhancement Projects for the purpose of enhancing scenic, cultural, recreation and/or natural resources, subject Resource Enhancement standards prescribed in Chapter 10.
14. Uninhabitable structures associated with hunting and fishing operations.
15. Towers and fire stations for forest fire protection when necessary for public service
16. Docks and boathouses, subject to the standards below:
  - a. New private docks and boathouses serving only one family and one property shall be allowed, up to 120 square feet in size;
  - b. New private docks and boathouses serving more than one family and property shall be allowed, up to 200 square feet in size;
  - c. Public docks open and available for public use shall be allowed.
  - d. Boathouses may be allowed under criteria a and b above only when accessory to a dwelling and associated with a navigable river or lake.
17. Land Divisions and Replats subject to the property development standards listed in G below, Section 21.100, and all other applicable provisions of Chapter 21.
18. Property line adjustments and Replats that would result in the potential to create additional parcels through subsequent land divisions subject to the property development standards listed in G below, Section 21.200, and all other applicable provisions of Chapter 21.

E. Uses Permitted Conditionally

The following uses and activities may be allowed with conditions on a legal parcel designated Small Scale Agriculture subject to Subsection G - Property Development Standards, Chapter 5 – Conditional Use Review, Chapter 11 - Fire Safety Standards & Chapter 14 - Scenic Area Review, as well as any other listed or referenced standards.

FARM/FOREST USE

1. Wineries, in conjunction with on-site viticulture upon a showing that processing of wine is from grapes grown on the subject farm or in the local region.
2. Wine sales/tasting rooms, in conjunction with an on-site winery.

3. Boarding of horses. Findings shall be made on property characteristics, parcel size and impacts to neighbors, and shall specify the maximum number of horses based on those findings and the number of recommended animal units provided in the documentation by the OSU Extension Offices and the Natural Resource Conservation Service for the geographic area the application is located within.
4. Fruits and produce stands, upon a showing that:
  - a. Sales will be limited to agricultural products raised on the subject farm and other farms in the local region, and
  - b. The stand complies with licensing requirements of the Food and Dairy Division of the Oregon Department of Agriculture.
5. Agricultural product processing and packaging, upon demonstration that the processing will be limited to products grown primarily on the subject farm and sized to the subject operation.
6. Fish hatcheries and Aquaculture.

#### COMMERCIAL USE

7. Commercial events, subject to the Commercial Events standards prescribed in Chapter 20.
8. Home occupations or cottage industry in existing residential or accessory structures subject to the Home Occupations and Cottage Industries standards prescribed in Chapter 20.
9. Bed and Breakfast Inns may be permitted in a lawfully established single family dwelling subject to the Bed and Breakfast Inn standards prescribed in Chapter 20.
10. Special Uses in Historic Buildings subject to Special Uses in Historic Buildings standards prescribed in Chapter 20 (GMA Only).

#### PUBLIC & QUASI-PUBLIC USE

11. Nonprofit resource-related environmental learning facility or nonprofit resource-related research facility.
12. Recreation Development subject to Section 14.700.
13. Expansion of existing school or place of worship.

#### MISCELLANEOUS USE

14. Utility facilities and railroads necessary for public service upon a showing that:

- a. There is no practicable alternative location with less adverse effect on agricultural or forest lands; and
  - b. the size is the minimum necessary to provide the service.
15. Personal-use airstrips including associated accessory structures such as a hangar.
- a. A personal-use airstrip is an airstrip restricted, except for aircraft emergencies, to use by the owner and on an infrequent and occasional basis, by invited guests, and by commercial aviation activities in connection with agricultural operations.
  - b. No aircraft may be based on a personal-use airstrip other than those owned or controlled by the owner of the airstrip.
16. Exploration, development and production of mineral and geothermal resources subject to the standards prescribed in Chapter 10.
17. Temporary portable asphalt/batch plants related to public road projects, not to exceed six (6) months.
18. Cluster developments on lots or parcels forty (40) acres in size or larger in the "A-2(20)" zone, eighty (80) acres in size or larger in the "A-2(40)" zone, or one-hundred sixty acres in size or larger in the "A-2(80)" zone, that creates lots/parcels smaller than the designated minimum lot/parcel size, subject to the provisions of Chapter 18:
19. Disposal sites managed and operated by the Oregon Department of Transportation, or the Wasco County Public Works Department for earth materials and any intermixed vegetation generated by routine or emergency/disaster public road maintenance activities within the Scenic Area, subject to the Disposal standards prescribed in Chapter 10.
20. Construction, reconstruction, or modifications of roads not in conjunction with agriculture if designated in the Adopted Wasco County Transportation System Plan or designed and constructed as part of an approved, active development order.

F. Prohibited Uses

1. Industrial Uses.
2. All other uses not listed.

G. Property Development Standards

1. Property Size - The creation or alteration of a parcel shall be subject to the following standards:

Zone	Minimum Parcel Size	Minimum Parcel Width
A-2(20)	Twenty (20) Acres	500'
A-2(40)	Forty (40) Acres	500'
A-2(60)	Sixty (60) Acres	500'
A-2(80)	Eighty (80) Acres	1,000'

2. General Setbacks - All structures other than approved signs and fences shall comply with the following general setback standards:

Front Yard	25'
Side Yard	25'
Rear Yard	40'

3. Agricultural Setbacks - In addition to the general setback standards listed in criterion 2 above, all new buildings to be located on a parcel adjacent to lands that are designated Large-Scale or Small-Scale Agriculture and are currently used for or are suitable for agricultural use, shall comply with the following setback standards:

Adjacent Use	Open or Fenced	Natural or Created Vegetation Barrier	8 foot Berm or Terrain Barrier
Orchards	250'	100'	75'
Row crops/ vegetables	300'	100'	75'
Livestock grazing, pasture, haying	100'	15'	20'
Grains	200'	75'	50'
Berries, vineyards	150'	50'	30'
Other	100'	50'	30'

- a. Earth berms may be used to satisfy, in part, the setback guidelines. The berm shall be a minimum of eight (8) feet in height, and contoured at 3 to 1 slopes to look natural. Shrubs, trees and/or grasses shall be employed on the berm to control erosion and achieve a finished height of fifteen (15) feet.
- b. The planting of a continuous vegetative screen may be used to satisfy, in part, the setback guidelines. Trees shall be 6+ feet high when planted and reach an ultimate height of at least fifteen (15) feet. The vegetation screen shall be planted along the appropriate lot/parcel line(s), and be continuous.
- c. The necessary berming and/or planting must be completed during the first phase of development and maintained in good condition.
- d. If several crops or crop rotation is involved in the adjacent operation, the greater setback shall apply.
- e. A variance to the setback requirements may be made in accordance with Chapter 6.

4. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.240, Flood Hazard Overlay.
5. Height - Maximum height for all structures shall be thirty-five feet (35') unless further restricted in accordance with Chapter 14 - Scenic Area Review.
6. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.
7. Parking - Off street parking shall be provided in accordance with Chapter 4.