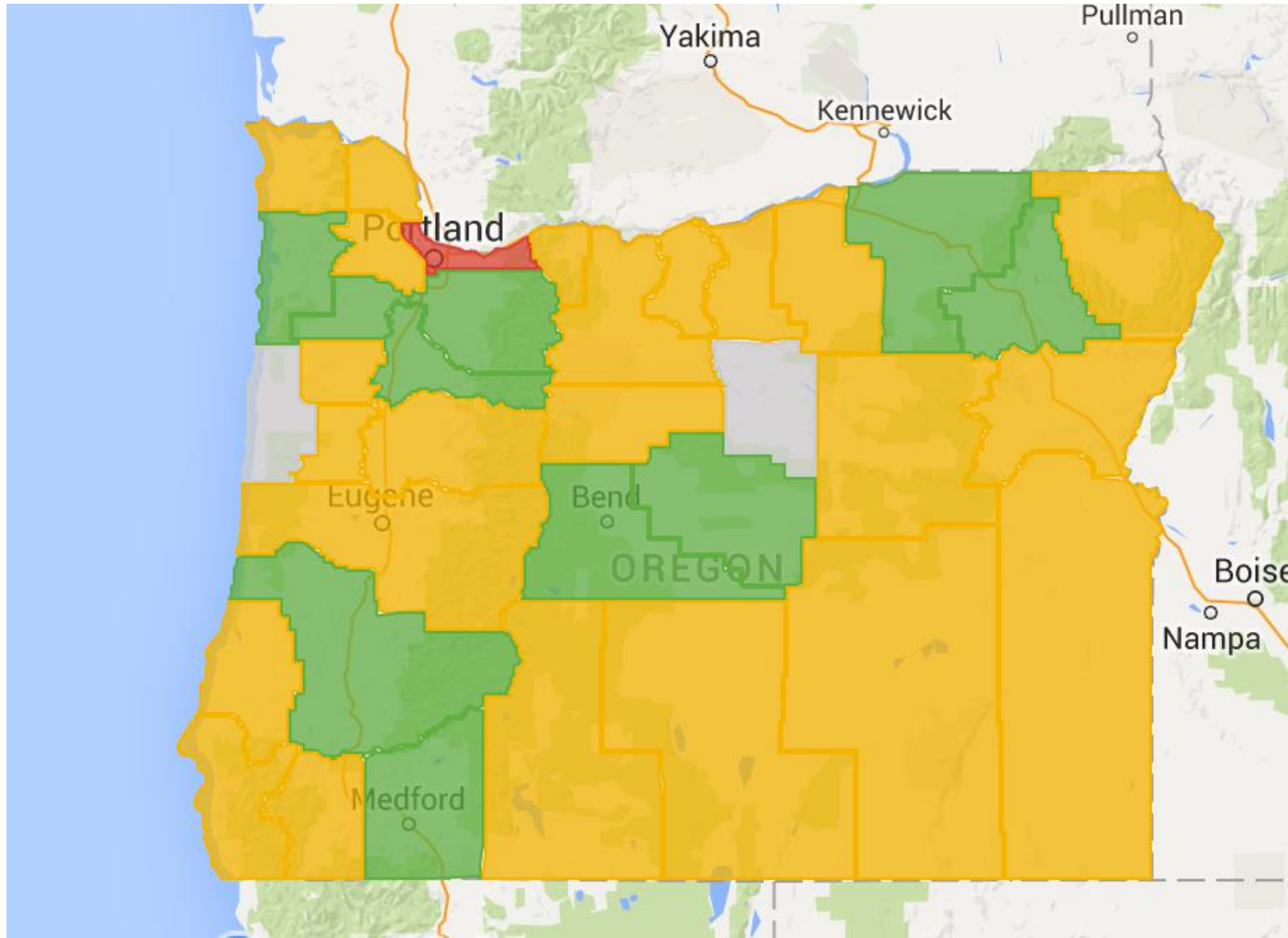


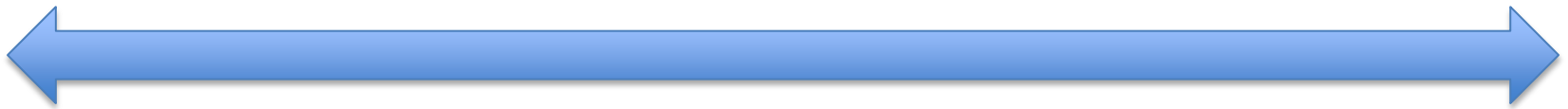
Agri-tourism: Policy Wonderland

Adoption of related/helpful statutes



Spectrum of permissible activities in EFU Zones

There are various ways that special events and activities may be allowed on EFU lands.



Farm Use
such: U Pick & U Cut

Farm Stands with
promotional activities
Small or “other”
gatherings

Mass Gatherings
Agri-tourism
Wineries

Agri-tourism: Policy Wonderland

Opportunities in Exclusive Farm Use Zones Allowed by ORS 215.213 & ORS 215.283

Types of Use	Farm Use	Commercial Activities with farm use	Room & Board	Mass Gathering	Farm Buildings	Farm Stand	Home Occupation	Private Park	Guest Ranch	Other commercial events	Wineries
Types of Agritourism											
Recreation	Fishing & Hunting							low-intensity uses such as hiking trails	fishing, hunting		
Education	Farm tours & demonstrations					Farm product promotional activities	Farm skills, craft and cooking classes		farm/ranch skills classes	farms skills, crafts and cooking classes	Wine tasting & tours
Agri-tainment					Equestrian events & dog trials	Corn mazes, hay rides, harvest festivals, petting zoos	farm skills, craft and cooking classes			seasonal festivals and farm related events (up to 18 days)	Up to 18 events that may include concerts & dances
Food Service				catered food		farm-to-table dinners	food processing, breakfast for b&b guests		meals for guests	farm-to-table dinners	Limited food service for tastings. Catered food service permitted
Accommodations			Room & board for up to 5 unrelated persons in existing residence who are working on the farm.				B&B up to 5 rooms	camping in a limited number of tents or yurts	up to 25 units		
Sales	U-picks, CSA	Business to business sales, eg fertilizer & seed		concerts, festivals, etc	Farm stand sales	raw & processed farm products					Wine & Incidentals
Celebratory Events						farm-themed birthday parties					Weddings & retreats.

Farm Use

Farm Use (ORS 215.203)

Definitions: Statute allows direct sales and direct marketing of farm crops

Types of Allowable uses: (may be subject to County Review) Direct sales & marketing

- U-Pick
- U-Cut
- Christmas Tree Sales
- Community Supported Agriculture

Limitations/requirements: Limited to crops grown/harvested on site

Farm Stands

Farm Use (ORS 215.283 (1)(o))

Definition: Farm stands are structures “designed and used for the sale of farm crops or livestock grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items and fee based activity to promote the sale of farm crops or livestock sold at the farm stand...”

Farm Stands (cont)

Types of Allowable Uses: Direct sales of farm crops and livestock produced on the farm or other farms in Oregon & retail incidental items

“Fee based activity to promote the sale of farm crops...” could include a variety of uses:

- Small-scale gatherings (birthdays & picnics)
- Corn mazes
- School tours
- Pumpkin patch rides
- Hay rides
- Farm animal exhibits
- Farm product food demonstrations
- Farm to Table dinners (outdoors)

Farm Stands (cont)

Limitations/Requirements:

Specifically does not include temporary or permanent structures:

- ~ designed for occupancy as a residence or for activity other than the sale of farm crops or livestock
- ~ for banquets, public gatherings and public events

Annual sales of incidental items and fees from promotional activities limited to 25% of total annual farm stand sales.

Outdoor Mass Gatherings

ORS 433.735 (1), ORS 433.750, ORS 433.755, ORS 433.763 (1)

Definition: State statute defines “outdoor mass gatherings” to mean an anticipated assembly of more than 3,000 persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three month period.

Other gatherings are an assembly of 3,000 or fewer persons not anticipated to continue for more than 120 hours in any three month period.

Counties are allowed to make modifications to this definition (e.g., “large gatherings” in Marion County)

Outdoor Mass Gatherings (cont)

Types of Allowable Uses:

- Concerts
- Festivals
- Fairs
- Carnivals

Limitations/Requirements: Mass Gatherings are subject to review by the planning commission and must:

- Demonstrate compatibility with existing land use issues
- Not materially alter stability of land use pattern of the area
- No permanent structures are allowed

Agri-tourism & other commercial events may not be permitted as mass gatherings under 215.283 (4)

Agri-tourism key provisions

Established by Senate Bill 960 in 2011 for the purpose “agri-tourism and other commercial events and activities related to and supportive of agriculture”

- Counties can choose to adopt these regulations, in whole or in part
- Must be “incidental and subordinate to existing farm use.”
- Different approvals for the different levels or intensities of events, increasing as the intensity of events increases.
 - a single expedited event license vs land use permits for multiple events

Agri-tourism key provisions (cont)

Required impact findings that the use will not:

- Force a significant change in accepted farm and forest practices on surrounding lands

- Significantly increase the cost of accepted farm and forest practices on surrounding lands

Agri-tourism / Commercial Events or Activities

ORS 215.283(4)

Definition: State law does not specifically define the term “Agri-tourism” or specific activities and events that could be considered agri-tourism.

Customary Definition is: Any commercial enterprise at a working farm or ranch conducted for the enjoyment of visitors that generates supplemental income for the owner.

The regulations apply to “agri-tourism and other commercial events and activities related to and supportive of agriculture.”

Agri-tourism etc. (cont)

Types of Allowable Uses: Statute is not clear about the types of events and activities that might be allowed. Possibilities could include activities related to:

- Education
- Entertainment
- Hospitality
- Outdoor recreational

More specific activities might be:

- Cooking classes using farm products
- School tours
- Farm / Garden / Nursery tours and stays
- Festivals / Harvest days
- Pony rides / Petting zoo / Corn maze / Pumpkin patch and catapult contest
- Musical events
- Farm-to-table dinners

Agri-tourism etc. (cont)

Limitations/Restrictions: State law requires that the activities and events must be “related to and supportive of agriculture” and be “incidental and subordinate to existing farm use.”

State law provides for:

- 1 event expedited license
- 1 event land use permit
- up to 6 events land use permit
- up to 18 events land use permit

All are subject to conditions set by the local jurisdiction, such as:

- Parking
- Noise
- Sanitation
- Signage

But wait, there's more...

Depending on the type of event or activity you're conducting you'll need additional permits, some of the most common come from the following agencies

- Oregon Department of Agriculture
- County Health Department
- Fire Marshall
- OLCC

Want to learn more or help build a map through wonderland?

Join the policy work group!

Have additional questions?

Send an email to erika@plateandpitchfork.com

Thank you!