



I, Deborah R. DeLong, County Clerk for Malheur County,
Oregon certify that the instrument identified herein was
recorded in the Clerk records.

Deborah R. DeLong - County Clerk

ORDINANCE NO. 191

In the matter of:)
An Ordinance Relating To Adoption of Amended Goal 3 Policies to the)
Malheur County Comprehensive Plan)
)

WHEREAS, agriculture is the leading industry in Malheur County; and,

WHEREAS, the original County comprehensive land use plan Goal 3 Agricultural Lands policies were adopted in 1985 and have not been revised or updated since; and,

WHEREAS, the Malheur County Court commissioned a citizen advisory committee to review the original policies and if necessary make recommendations on updating them to reflect current and anticipated future agricultural practices; and,

WHEREAS, a citizen advisory committee reviewed the original policies and made recommendations to update the policies as commissioned by the court; and,

WHEREAS, these revised policies have been offered for public review and the planning commission conducted a public hearing; and,

WHEREAS, the amended policies applicable to Goal 3, Agricultural Land are listed below in Section 1.

NOW, THEREFORE, BE IT ORDAINED BY THE MALHEUR COUNTY COURT AS FOLLOWS:

SECTION 1. Goal 3, Agricultural Lands Policies

GOAL 3: AGRICULTURAL LANDS

Goal: To preserve and maintain the agricultural land in the county for agricultural purposes.

1. Public and private land classified by the Natural Resources Conservation Service (formerly U.S. Department of Agriculture Soil Conservation Service) as being in

1 Capability Classes I through VI, as well as High Value Farmland as defined by
2 applicable Oregon Revised Statutes and Oregon Administrative Rules and any other
3 lands determined to be necessary and required for farm use, are considered to be
4 agricultural lands.

5
6 2. High Value Farmlands (ORS and OAR designated) shall be given the greatest
7 protection. Lands classified by the Natural Resources Conservation Service, as
8 Capability Classes I through VI shall be afforded the next highest protection with Class I
9 having the highest protection and Class VI the least.

10
11 3. In addition to the Natural Resources Conservation Service classification system,
12 county assessor's records may be considered in evaluating individual parcels for the
13 purpose of planning and zoning.

14
15 4. Urban growth boundaries, exclusive farm use zoning, and farm use tax assessment
16 will be the major tools used to protect agricultural lands.

17
18 5. The county will support viable water resource projects for additional storage, power
19 generation, water quality, conservation and recreation.

20
21 6. The county will review and consult with the irrigation and drainage districts on land
22 use decisions to assure they will not negatively impact the integrity or operation of water
23 for irrigation or drainage purposes.

24
25 7. In addition to county code and the State of Oregon's land use laws and
26 administrative rules for non-farm dwellings, it is the policy of Malheur County that there
27 be no net loss of farmlands listed on the High Value Farmlands Soils list or soils
28 classified as types I-III by the Natural Resources Conservation Service.

29
30 8. Current and future accepted farming and ranching practices and activities shall have
31 priority and continue without interference.

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33 9. Any utility transmission line should avoid adverse impacts on any agricultural
34 operation in the entire agricultural area. This protection should prioritize High Value
35 Farmland and the Natural Resources Conservation Service soil classes I through III.

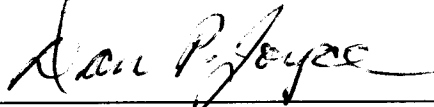
36
37 10. The County Court will appoint a citizens advisory committee on agriculture to
38 review the agricultural lands element of the comprehensive plan on an as needed
39 basis.


40
41 11. The county will not discourage the creation of special land use districts so that
42 landowners can impose more restrictive land use regulations than those imposed by the
43 county.

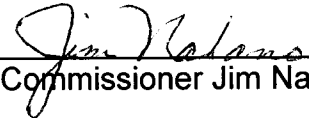
1 **SECTION 7. Effective Date**

2
3 This ordinance shall become effective upon passage

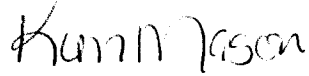
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5 Passed this 8th day of December 2010

6
7 
8 _____
9 Judge Dan P. Joyce

10
11
12 
13 _____
14 Commissioner Louis M. Wettstein

15
16 
17 _____
Commissioner Jim Nakano

ATTEST:


Kim Mason
Recording Secretary