



Revised January 8, 2014

Summary of Senate Bill (SB) 960-A (Agritourism)

SB 960 creates opportunities for residents of exclusive farm zones to conduct “agritourism and other commercial events or activities that are related to and supportive of agriculture.” Farm zones in Washington County include areas designated Exclusive Farm Use (EFU) and Agriculture and Forestry – AF-20. Legislation authorizing agritourism uses became effective 6/28/11.

This bill is optional in that the county may choose whether or not to adopt these regulations. Recent legislation specific to agritourism events at wineries was passed in 2011 (HB 3280) and 2013 (HB 841). *Agritourism events at wineries can either be conducted under the wineries legislation (ORS 215.452) OR under this agritourism legislation (ORS 215.213) but not both.*

Following is a summary of the Agritourism legislation. All uses must comply with applicable local standards and be incidental and subordinate to the farm use. The regulations below ramp up as the intensity of event(s) ramps up, as follows:

1. “Expedited” single event license (not a land use permit) for a single event as long as the event:
 - Does not begin before 6 a.m. or end after 10 p.m.
 - Does not involve more than 100 attendees or 50 vehicles
 - Does not include amplification of music or voices before 8am or after 8pm
 - Does not involve the construction of a new structure
 - Is located on a tract of at least 10 acres or has the consent of adjoining properties
 - Complies with applicable health, fire, life safety requirements
2. Single event allowed in one calendar year as long as the event:
 - Does not exceed 72 consecutive hours
 - Does not exceed 500 people
 - Parking does not exceed 250 vehicles
 - Applicant must address impact findings*
 - Activity occurs outdoors, in temporary structures or in existing permitted structures subject to health and life safety requirements
 - Must meet conditions established for: planned hours of operation, access, egress and parking, traffic management plan, and sanitation and solid waste.
3. Up to six events in a calendar year by a “limited use permit” subject to the following requirements:
 - Does not exceed 72 consecutive hours
 - Does not include construction of a new permanent building
 - Applicant must address impact findings*
 - May not, in combination with other agritourism or other commercial events authorized in the area, materially alter the stability of the land use pattern in the area;
 - Must comply with conditions established for:
 - Types of events including number and duration, daily attendance and hours of operation;
 - Location of existing structures and proposed temporary structures;
 - Access, egress, parking facilities and traffic management; and
 - Sanitary and solid waste.
 - Permits are valid for two years. Renewals include a new public comment period.

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4. More frequent events (up to 18 per year) or events that that may occur for a longer period of time, by "limited use permit" subject to the following conditions:
 - Does not require construction of a new permanent building
 - Applicant must address impact findings*
 - May not, in combination with other agritourism or other commercial events authorized in the area, materially alter the stability of the land use pattern in the area;
 - Must comply with conditions established for:
 - Types of events including number and duration, daily attendance and hours of operation;
 - Location of existing structures and proposed temporary structures;
 - Access, egress, parking facilities and traffic management;
 - Sanitary and solid waste; and
 - Permits are valid for four years. Renewal permits include a new public comment period.

Other key points:

- * "Impact findings" (ORS 215.296) refer to findings made by the local governing body that the use will not: (a) force a significant change in accepted farm and forest practices on surrounding lands devoted to farm and forest use; or (b) significantly increase the cost of accepted farm and forest practices on surrounding lands devoted to farm and forest use.
- Temporary structures are allowed in connection with agritourism events but must be removed at the end of the agritourism event or activity.
- Physical alteration to the land (e.g. grading and fill, paving) for agritourism events is not allowed.
- *The authorizations in this legislation are in addition to other authorizations that may be provided by law, except that 'outdoor mass gathering' and 'other gathering' as used in ORS 197.015(10)(d) do not include agritourism or other commercial events and activities.*