



SUPPLEMENTAL APPLICATION
FARM DWELLING IN CONJUNCTION WITH A FARM USE
(March - 2009)

APPLICANT INFORMATION:

Name _____ File # _____

Date _____

WHAT IS A DWELLING IN CONJUNCTION WITH A FARM USE PERMIT?

The County Zoning & Development Ordinance (ZDO) allows a single-family residential dwelling to be constructed in conjunction with a commercial farm use in an Agricultural or Agricultural/Forest zone if one of the following tests can be met:

1. High Value Farmland; Income Test; Requires property to have grossed \$80,000 in the last two years or three of the last five years.
2. Low Value Farmland; Income Test; Requires property to have grossed \$32,500 in the last two years or three of the last five years.
3. Not High Value Farmland; 160 Acre Test; Subject property must be at least 160 acres and currently in farm production.
4. Not High Value Farmland; Capability Test; Farm Management Plan provision which requires the property to be of similar size and gross similar income as all other farm properties within a one-mile radius.

WHAT IS NEEDED FOR APPROVAL?

Commercial farm dwellings MAY be permitted after evaluation according to criteria in the ZDO. The County must make written findings to support the decision. The applicant is responsible for providing evidence to support the Commercial farm dwelling request according to the criteria in Section 401 of the ZDO.

WHAT ARE CHANCES FOR APPROVAL?

Staff cannot predetermine the decision of this or any application. A decision of approval or denial will only be made after the complete application is processed. This includes review of citizen and agency comments. The decision is based on criteria appropriate to this application as listed in the ZDO. In order to address the necessary criteria, the information requested in this supplemental application should be as thorough and complete as possible.

APPLICATION PROCESS

Commercial farm dwelling permits are subject to the Administrative Action process and public notice. Public comments received from the Community Planning Organizations (CPO), property owners, agencies and other interested parties may affect the decision on the application. Special conditions may be attached to any approvals. Any decision on this application can be appealed to the County Hearings Officer and to the State Land Use Board of Appeals (LUBA) by the applicant or any other interested person.

150 Beaver Creek Road, Oregon City, OR 97045; Phone: (503) 742-4500; Fax: 503-742-4550

STAFF WILL ATTACH THE FOLLOWING PERTINENT INFORMATION:

_____ Land Use Application _____ CPO Information
 _____ Sample Plot Plan _____ Application Process
 _____ ZDO Section 401

HOW LONG WILL IT TAKE TO GET A FINAL DECISION ON THIS APPLICATION?

Approximately 6 to 8 weeks, or 150 days if the initial decision is appealed.

COMPLETE APPLICATIONS REQUIRE THE FOLLOWING:

1. Land Use Application Form - Information on applicant and land involved in the application.
2. Please indicate one of the following tests:
 - A. _____ High Value Farmland; \$80,000 Income Test
 - B. _____ Low Value Farmland; \$32,500 Income Test
 - C. _____ Low Value Farmland; 160 Acre Test
 - D. _____ Low Value Farmland; Capability Test
3. Application Fee: _____ (*Fee is nonrefundable upon decision or staff report; partial refund if withdrawn after notice; full refund if withdrawn prior to notice.*)
4. Plot Plan drawn to scale on 8.5" x 11" or 8.5" x 14" paper, showing the property and your proposal (buildings, driveway, etc.).
5. Supplemental Application – Submit and address the following information on separate paper for the appropriate application.
 - A. DWELLING ON HIGH VALUE FARMLAND : INCOME TEST
 1. Proof that the parcel is currently employed for the farm use that produced at least \$80,000 in gross annual income from the sale of farm products in the last two years or three of the last five years. This information can be in the form of tax forms, farm receipts, etc.
 2. Evidence from the Assessment and Taxation Office showing the recent 2 to 5 years history of ownership of the subject property.
 3. Statement that the parcel does not currently contain a dwelling, except for seasonal farm worker housing.
 4. Indicate who produced the commodities which grossed the annual income in #1 above, and who will occupy the proposed dwelling.
 5. Indicate if any livestock was sold to gross the income in #1 above, and if so provide documentation of the purchase price of the livestock. In determining the gross income requirement, the cost of purchased livestock shall be deducted from the total gross income attributed to the parcel.

6. Provide a Farm Management Plan as indicated on the last page of this supplemental form.

B. DWELLING ON LOW VALUE FARMLAND : INCOME TEST

1. Proof that the parcel is currently employed for the farm use that produced at least \$32,500 in gross annual income from the sale of farm products in the last two years or three of the last five years. This information can be in the form of tax forms, farm receipts, etc.
2. Evidence from the Assessment and Taxation Office showing the recent 2 to 5 years history of ownership of the subject property.
3. Statement that the parcel does not currently contain a dwelling, except for seasonal farm worker housing.
4. Indicate who produced the commodities which grossed the income in #1 above, and who will occupy the dwelling.
5. Indicate if any livestock was sold to gross the income in #1 above, and if so provide documentation of the purchase price of the livestock. In determining the gross income requirement the cost of purchased livestock shall be deducted from the total gross income attributed to the parcel.
6. Provide a Farm Management Plan as indicated on the last page of this supplemental form.

C. DWELLING ON LOW VALUE FARMLAND : 160 ACRE TEST

1. Proof that the parcel on which the dwelling will be located is at least 160 acres.
2. Evidence from the Assessment and Taxation Office showing the recent 2 to 5 years history of ownership of the subject property.
3. Provide a Farm Management Plan as indicated on the last page of this supplemental form.
4. Indicate who will occupy the dwelling, and demonstrate the dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land, such as planting, harvesting, marketing or caring for livestock at a commercial scale.
5. Statement that the parcel does not currently contain a dwelling, except for seasonal farm worker housing.

D. DWELLING ON LOW VALUE FARMLAND : CAPABILITY TEST; This is a complex land use application. It is recommended that you contact the Planning Staff for a pre-application conference before pursuing this application.

1. Proof that the tract is at least as large as the median size of those commercial farm or ranch tracts capable of generating at least \$10,000 in annual gross sales that are located within a study area which includes all tracts wholly or partially within one mile from the perimeter of the subject tract.
2. Proof that the tract is capable of producing at least the median level of annual gross sales of county indicator crops as the same commercial farm or ranch parcels used to calculate the tract size in Subsection 1 of this Section.

3. Proof that the subject tract is currently employed for a farm use at a level capable of producing the annual gross sales required in Subsection 2 of this Section.
4. Proof the subject lot or parcel on which the dwelling is proposed is not less than 10 acres.
5. Evidence from the Assessment and Taxation Office showing the recent 2 to 5 years history of ownership of the subject property.
6. Statement that the parcel does not currently contain a dwelling, except for seasonal farm worker housing.
7. If no farm use has been established at the time of application, any land use approval shall be subject to a condition that no building permit may be issued prior to the establishment of the farm use required by Section 3 above.

Questions: Contact Gary Hewitt, Sr. Planner at 503-742-4519 or garyh@co.clackamas.or.us

FARM MANAGEMENT PLAN INFORMATION SHEET

1. **Complete a detailed site plan of the subject property** outlining the existing acres and proposed acre uses to occur on the subject property. For example, areas in acres used for different farm uses such as crops and pasture land, areas used for buildings, driveway, and areas in acres not in farm production or in a forest use, identify any streams, ponds or wetlands. Number each of the areas in farm production to correspond with the information requested below.
2. From the site plan number each area and identify the different farm uses on the property and provide the following minimum information. Use separate paper as needed.

Type of **crop** currently on-site _____

Type of **livestock** currently on-site _____

How many **plants** per acre currently exist? _____

How many **acres** are currently in production? _____

How many **animals** per acre currently exist? _____

How many acres by industry standards to support one (1) animal? _____

How many **acres planted** at full production? _____

How many **acres for animals** at full production? _____

Cost to establish proposed crop _____

Cost to establish proposed livestock _____

What was last year's gross annual income from farming? _____

Estimated gross annual income at full production _____

Provide documentation or a source of information. (Example, OHSU Extension Service for farming, Internal Revenue Service - **Schedule 'F'** or **1120S** for the income information required above, attach documentation as needed)

3. If irrigation water is required, state source of water and provide proof of water availability such as an irrigation water right certificate. (Attach documentation as needed)
4. Identify the marketing and delivery systems available for the products produced by the farm operation. (Attach documentation as needed)
5. Demonstrate that the physical characteristics of the subject property are suitable to support the farm use. For example are the soils suitable to support the crops or livestock, is the property large enough to allow the use of the necessary farm equipment, and are there any physical characteristics such as slopes, wetlands, flooding or drainage problems, buildings or other improvements which limit the property for the proposed farm uses? (Attach documentation as needed)