



## LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Robert Wheeldon, Director

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### **CONDITIONAL USE PERMIT APPLICATION: DWELLING IN CONJUNCTION WITH FARM USE**

**Application Fee: \$650.00**

#### INTRODUCTION

A dwelling in conjunction with farm use (farm-related dwelling) is one which is necessary to operate a commercial farm enterprise. A farm-related dwelling may be permitted as a conditional use on a farm parcel in the Exclusive Farm Use (EFU) and Farm/Forest (F/F) zoning districts if the applicable decision criteria are met. If the farm-related dwelling is for a relative of the farm operator, a different application may be appropriate. Please discuss this option with a land use planner if you need more information on this option.

Where land has been used or is intended to be used principally for residential purposes rather than for commercial farm uses, a proposed dwelling on farmland cannot be considered to be in conjunction with commercial farm use. This type of dwelling can be reviewed only as a "lot-of-record" dwelling or non-farm dwelling. For this type of dwelling, a different conditional use permit application is needed.

An application for a farm-related dwelling is reviewed using one of several sets of decision criteria, depending on the management of the farm and the specific circumstances and characteristics of the farm tract. The *Property Size Test* is reviewed using the criteria in LCC 933.400(A). The *Median Income and Size Test* is reviewed using the criteria in LCC 933.400(B). The *Income Test for Non-high-value Farmland* is reviewed using the criteria in LCC 933.400(C). The *Income Test for High-value Farmland* is decided using the criteria in LCC 933.400(C). An application for an *Accessory Farm Dwelling* is reviewed using the criteria in LCC 933.410. The decision criteria are attached to this application.

The information necessary to determine the appropriate review criteria include: the size of the farm tract; the amount of gross farm income produced on the tract; the predominant soil characteristics of the tract; and the past, current, and planned farm uses of the tract. When filling out the application, it is important to provide complete and accurate responses. **IT IS THE APPLICANT'S RESPONSIBILITY TO SHOW THAT THE DECISION CRITERIA ARE SATISFIED AND THE APPLICATION SHOULD BE APPROVED.** A staff member will review the application with you before it is accepted. If you have any questions while filling out the application, please contact the Department.

An application for a farm-related dwelling is generally decided by the planning staff, unless the Director determines a public hearing is warranted. Once the application is deemed complete, it will take approximately six to eight weeks to process the application and prepare a decision. Adjoining property owners and affected agencies will be notified of the proposal and be given a 21-day comment period within which to respond. After a decision is made, there is a 14-day appeal period during which any participant in the process, including the property owner or applicant, may appeal the decision. A decision of the Director can be appealed to the Planning Commission. A Planning Commission decision may be appealed to the Board of Commissioners. IF there is no appeal with 14 days, the decision becomes final.

The following definitions from LCC 920.100 may be helpful as you fill out the application.

HIGH VALUE FARMLAND (TYPE I) - shall mean the following types of soils which when irrigated or non-irrigated are classified prime, unique, Class I or II by the U.S. Soil Conservation Service:

Abiqua (1A), Abiqua (1B), Amity (3), Bellpine (9C), Briedwell (16B), Chapman (19), Chehalis (21), Clackamas variant (24), Cloquato (25), Coburg (26), Holcomb (46), Jory (51C), Malabon (63), Malabon variant (64), McAlpin (66B), McBee (67), Nekia (72C), Newberg (73), Pengra (77A), Salem (87), Salkum (88B), Santiam (89B), Saturn variant (91), Silverton (93C)\*, Wapato (99)\*\*, Willakenzie (101C), Willamette (102), Woodburn (106A), Woodburn (106C)\*

\*Class IIe Soils in Linn County; listed as Class IIIe in HB3661

\*\* Recent addition to SCS Soil Survey List of Prime Soils

HIGH VALUE FARMLAND (TYPE II) - shall mean the following types of soils which are classified by the U.S. Soil Conservation Service as Class III or IV:

Awbrig (7), Bashaw (8), Bellpine (9D), Bellpine (9E), Chehalem (20C), Concord (27), Conser (28) Courtney (29), Dayton (33), Jory (51D), Jory (51E), Nekia (72D), Salkum (88C), Whiteson (100), Willakenzie (101D), Willakenzie (101E)

FARM USE - farm use shall mean the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting, and selling crops or by the feeding, breeding, management and sale of, or the produce of livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. It does not include the use of land subject to the provisions of ORS 321 (timber taxation), except land used exclusively for growing cultured Christmas trees as defined under "accepted farming practice" or land described in ORS 321.267(1)(e). Farm use also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training horses and the propagation, cultivation, maintenance and harvesting of aquatic species and bird and animal species to the extent allowed by the rules adopted by the State Fish and Wildlife Commission. Farm use includes the on-site construction and maintenance of equipment and facilities used for the activities described in this subsection.

CURRENT EMPLOYMENT OF LAND FOR FARM USE includes: a) farmland, the operation or use of which is subject to any farm-related government program; b) land lying fallow for one year as a normal and regular requirement of good agricultural husbandry; c) land planted in orchards or other perennials, other than land specified in subparagraph (d) of this paragraph, prior to maturity; d) land not in an exclusive farm use zone which has not been eligible for assessment at special farm use value in the year prior to planting the current crop and has been planted in orchards, cultured Christmas trees or vineyards for at least three years; e) wasteland, in an exclusive farm use zone, dry or covered with water, neither economically tillable nor grazeable, lying in or adjacent to and in common ownership with a farm use land and which is not currently being used for any economic farm use; f) land under buildings supporting accepted farm practices; g) water impoundments lying in or adjacent to and in common ownership with farm use land; h) any land constituting a woodlot, not to exceed 20 acres, contiguous to and owned by the owner of land specially valued at true cash value for farm use even if the land constituting the woodlot is not utilized in conjunction with farm use; i) land lying idle for no more than one year where the absence of farming activity is due to the illness of the farmer or member of the farmer's immediate family. For

purposes of this paragraph, illness includes injury or infirmity whether or not such illness results in death; and j) any land in an exclusive farm use zone used for the storage of agricultural products that would otherwise be disposed of through open field burning or propane flaming.

## RURAL RESOURCE ZONE CONDITIONAL USES DECISION CRITERIA

### **Section 933.300 -- Statement of Purpose**

The purpose of LCC-933.300 to 933.999 is to establish decision criteria to carry out the policies in LCC Chapter 928 (Rural Resource Zone Code).

### **Section 933.310 -- RRZ Conditional Uses; Generally**

- (A) Conditional Uses permitted in LCC 928.320 to 928.336, 928.620 to 928.636 and 928.920 to 928.936, or a partition authorized under LCC 924.500 to 924.800, may be permitted in the Rural Resource Zone, provided the decision criteria in subsection (B), any additional criteria that may be specified in this section, and other requirements of law are met.
- (B) *Decision Criteria*
- (1) The development site has physical characteristics needed to support the use. Those characteristics include, but are not limited to, suitability for a sewage treatment system, and an adequate supply of potable water.
  - (2) The development will not be located within a mapped geologic hazard area or within a 100-year floodplain unless it is demonstrated that the proposal can be designed and engineered to comply with accepted hazard-mitigation requirements.
  - (3) The proposal will not have a significant adverse impact on sensitive fish or wildlife habitat.
  - (4) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use.
  - (5) If in the forest area of the F/F or in the FCM zoning districts, the proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
  - (6) The location, size, design, and operating characteristics of the proposed development will be made reasonably compatible with and have minimal impact on the livability and appropriate development of nearby property. The proposed use will be reviewed with respect to scale, bulk, coverage, density, the availability of necessary public facilities and utilities, traffic generation, road capacity and safety and to other related impacts of the proposal.
  - (7) If in the forest area of the F/F or in the FCM zoning districts, a written statement recorded with the deed or written contract with the county is obtained from the land owner which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for the following uses:
    - (i) parks and campgrounds;
    - (ii) reservoirs and impoundments;
    - (iii) medical hardship dwellings;
    - (iv) home occupations; and
    - (v) private accommodations for fishing.

## **Section 933.400 -- Dwellings in Conjunction with Farm Use**

A dwelling may be considered customarily provided in conjunction with farm use in the EFU or in a farm area of the F/F zoning district if it meets the criteria set out in this section and the criteria found in LCC 933.310(B) (1) to (3).

- (A) *Property Size Test.* On land identified as non-HVFL, a dwelling may be considered customarily provided in conjunction with farm use if the criteria and requirements for the size test in this subsection are met.
- (1) The authorized unit of land on which the dwelling will be located is at least 160 acres;
  - (2) The tract is currently employed for farm use as defined in ORS 215.203;
  - (3) 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; and
  - (4) Except as permitted in ORS 215.283(1)(p), seasonal farm worker housing, there is no other dwelling on the subject tract.
- (B) *Median Income and Size Test.* On land identified as non-HVFL pursuant to OAR 660-33-020(8), a dwelling may be considered customarily provided in conjunction with farm use if the median test in this subsection is satisfied.
- (1) The subject 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) The subject 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 tracts used to calculate the tract size in OAR 660-33-135(2)(a);
  - (3) The subject tract is currently employed for a farm use, as defined in ORS 215.203, at a level capable of producing the annual gross sales required in OAR 660-33-135(2)(b);
  - (4) The subject authorized unit of land on which the dwelling is proposed is not less than 10 acres; and
  - (5) Except as permitted in ORS 215.283(1)(p), seasonal farm worker housing, there is no other dwelling on the subject tract.
  - (6) If no farm uses have been established at the time of application, 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 OAR 660-33-135(2)(c).
    - (a) In order to identify the commercial farm or ranch tracts to be used in OAR 660-33-135(2), the gross sales capability of each tract in the study area including the subject tract must be determined, using the gross sales figures provided by the LCDDC or equivalent figures provided by another source.
    - (b) Identify the study area. This includes all the land in the tracts wholly or partially within one mile of the perimeter of the subject tract;
    - (c) Determine for each tract in the study area the number of acres in every land classification from the assessor's data;
    - (d) Determine the potential earning capability for each tract by multiplying the number of acres in each land class by the gross sales per acre for each land class provided by

the Commission pursuant to OAR 660-33-135(4). Add these to obtain the potential earning capability for each tract;

- (e) Identify those tracts capable of grossing at least \$10,000 dollars based on the data generated in OAR 660-33-135(3)(c); and
- (f) Determine the median size and median gross sales capability for those tracts capable of generating at least \$10,000 dollars in annual gross sales to use in OAR 660-33-135(2)(a) and (b).

- (C) *Income Test for non-HVFL.* On land identified as non-HVFL, a dwelling may be considered customarily provided in conjunction with farm use if the criteria set forth in this subsection are met.
  - (1) The subject tract is currently employed for the farm use, as defined in ORS 215.203, and the tract has produced in each of the last two years, or three of the last five years, the lower of subparagraph (a) or (b).
    - (a) At least \$40,000 (1994 dollars) in gross annual income from the sale of farm products. In determining the gross income, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract; or
    - (b) Gross annual income of at least the midpoint of the median income range of gross annual sales for farms in the county with gross annual sales of \$10,000 or more according to the 1992 Census of Agricultural, Oregon. In determining the gross income, the cost of purchased livestock shall be deducted for the total gross income attributed to the tract.
  - (2) Except as permitted in ORS 215.283(1)(p), seasonal farm worker housing, there is no other dwelling on the subject tract.
  - (3) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income in this subsection (OAR 660-33-135(5)(a)).
- (D) *Income Test for HVFL.* On land identified as HVFL, a dwelling may be considered customarily provided in conjunction with farm use if the following criteria for the income test are satisfied:
  - (1) The subject tract is currently employed for the farm use, as defined in ORS 215.203, that produced at least \$80,000 (1994 dollars) in gross annual income from the sale of farm products in each of the last two years or three of the last five years; and
  - (2) In determining the gross income in paragraph (1), the cost of purchased livestock shall be deducted from the total gross income attributed to the tract.
  - (3) Except as permitted in ORS 215.283(1)(p), seasonal farmworker housing, there is no other dwelling on the subject tract.
  - (4) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income in this subsection (OAR 660-33-135(6)(a)).

### **Section 933.410 -- Accessory Farm Dwellings**

- (A) An accessory farm dwelling may be considered customarily provided in conjunction with farm use if it meets all of the requirements set forth in subsection (B) and LCC 933.310.
- (B) *Decision Criteria*
  - (1) An accessory farm dwelling approved pursuant to this section will be occupied by a person or persons who will be principally engaged in the farm use of the land and whose assistance in the management of the farm use is not or will not be required by the farm operator.
  - (2) The accessory farm dwelling will be located:

- (a) On the same authorized unit of land as the principal farm dwelling; or
  - (b) On the same tract as the principal farm dwelling when the authorized unit of land on which the accessory dwelling will be sited is consolidated into a single authorized unit of land with all other contiguous authorized units of land in the tract; or
  - (c) On an authorized unit of land on which the principal farm dwelling is not located, when the accessory farm dwelling is a manufactured dwelling and a deed restriction is filed with the county clerk.
    - (i) The deed restriction shall require the manufactured dwelling to be removed when the authorized unit of land is conveyed to another party. An accessory farm dwelling approved pursuant to this section may not be occupied by a person or person who will not be principally engaged in the farm use of the land and whose assistance in the management of the farm use is not or will not be required by the farm operator.
    - (ii) The manufactured dwelling does not have to be removed if it is reapproved under the applicable rules.
- (3) There is no other dwelling on lands owned by the farm operator that is vacant or currently occupied by persons not working on the subject farm or ranch that could reasonably be used as an accessory farm dwelling; and
- (4) *Income Test.* The principal farm dwelling to which the proposed dwelling would be accessory meets one of the following.
- (a) *Non-high-value Farmland.* On land identified as non-high-value farmland, the principal farm dwelling is located on a farm or ranch operation that is currently employed for farm use, as defined in ORS 215.203, and produced in each of the last two years or three of the last five years the lower of subparagraphs (a) or (b).
    - (i) At least \$40,000 (1994 dollars) in gross annual income from the sale of farm products. In determining the gross income, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract; or
    - (ii) Gross annual income of at least the midpoint of the median income range of gross annual sales for farms in the county with gross annual sales of \$10,000 or more according to the 1992 Census of Agriculture, Oregon. In determining the gross income, the cost of the purchased livestock shall be deducted from the total gross income attributed to the tract.
  - (b) *High-value Farmland.* On land identified as high-value farmland, the principal farm dwelling is located on a farm or ranch operation that is currently employed for farm use, as defined in ORS 215.203 which produced at least \$80,000 (1994 dollars) in gross annual income from the sale of farm products in each of the last two years or three of the last five years.
- (5) The County shall not approve any proposed partition under LCC Chapter 924 (Partitioning Code) for an accessory farm dwelling unless that dwelling has been requalified as a dwelling in conjunction with farm use and the [proposed parcels meet the minimum property size requirements of LCC 924.500(B) (OAR 660-33-100).
- (6) An accessory farm dwelling cannot later be used to satisfy the requirements for a non-farm dwelling pursuant to OAR 660-33-130(4).
- (7) An accessory farm dwelling authorized pursuant to LCC 928.326(B)(2) may only be replaced by a manufactured dwelling.

**CONDITIONAL USE PERMIT APPLICATION:  
DWELLING IN CONJUNCTION WITH FARM USE**

**Application Fee: \$650.00**

**Application Check List (for departmental use only)**

Date Received: \_\_\_\_\_ Receipt number: \_\_\_\_\_ Fee paid: \_\_\_\_\_  
Application accepted by: \_\_\_\_\_ Completeness reviewed by: \_\_\_\_\_  
Date deemed complete: \_\_\_\_\_ Final action time limit date: \_\_\_\_\_  
File number assigned: \_\_\_\_\_ Planner assigned: \_\_\_\_\_  
Other applications included: \_\_\_\_\_  
Property is predominately: \_\_\_\_\_ High-value Farmland \_\_\_\_\_ Non-high-value Farmland  
Dwelling type: \_\_\_\_\_ Primary Farm Dwelling \_\_\_\_\_ Accessory Farm Dwelling  
Dwelling review type: \_\_\_\_\_ Income test \_\_\_\_\_ Size test \_\_\_\_\_ Median/capability test

\_\_\_\_\_ **Environmental Health Program Certification.**

The proposal has approved sewage disposal system and repair areas.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Property includes a recognized access or an access recognition application is included.

\_\_\_\_\_ Verification of ownership

\_\_\_\_\_ Property is an authorized unit of land

\_\_\_\_\_ Owner/applicant name(s), addressee(s)

\_\_\_\_\_ Owner/applicant signature(s)

\_\_\_\_\_ Complete Site Development Plans

\_\_\_\_\_ Property development standards can be met

\_\_\_\_\_ Proposal is located within:

UGA \_\_\_\_\_ Planning area \_\_\_\_\_

Fire District \_\_\_\_\_ A.O./Airport notification area \_\_\_\_\_

Floodplain \_\_\_\_\_ Hazard Area \_\_\_\_\_ Wetland \_\_\_\_\_

Wildlife Habitat \_\_\_\_\_ Riparian Habitat \_\_\_\_\_ Fish Habitat \_\_\_\_\_

S.B.H.O. \_\_\_\_\_ Historic \_\_\_\_\_ Greenway \_\_\_\_\_

**THIS FORM MUST BE FILLED OUT COMPLETELY, IN INK OR TYPE WRITTEN**

**I. Property Owner/Applicant Information**

- A. Applicant(s) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone number (home) \_\_\_\_\_ (work) \_\_\_\_\_
- B. Property owner(s) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone number (home) \_\_\_\_\_ (work) \_\_\_\_\_
- C. Applicant's representative (if any) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone number (home) \_\_\_\_\_ (work) \_\_\_\_\_

**II. Property Information**

- A. Legal description of property: Township \_\_\_\_\_ Range \_\_\_\_\_ Section(s) \_\_\_\_\_  
Tax Lot(s) \_\_\_\_\_
- B. Parcel size \_\_\_\_\_ Size of farm tract \_\_\_\_\_
- C. Site Address (if any): \_\_\_\_\_  
\_\_\_\_\_
- D. Zoning designation \_\_\_\_\_ Comp Plan designation \_\_\_\_\_
- E. Nearest city or town \_\_\_\_\_ Distance \_\_\_\_\_  
Nearest cross road \_\_\_\_\_ Distance \_\_\_\_\_
- F. Additional parcels in contiguous ownership:  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_ Tax Lot \_\_\_\_\_ Size \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_ Tax Lot \_\_\_\_\_ Size \_\_\_\_\_
- G. Name of Fire Protection District \_\_\_\_\_

**III. Land Use Information**

- A. Describe any houses, barns, buildings, structures, fences, wells, septic systems or other improvements which are on the property. (Show these improvements on your site plan.)  
\_\_\_\_\_  
\_\_\_\_\_  
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B. Describe any natural features on the property such as drainage ways, creeks, streams, swales, ponds, steep slopes or hills. (Show these features on your site plan.)

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C. Describe the surrounding land uses in the general area, north, south, east and west. For example, if it's farm use, describe whether it is row crop production, livestock pasture or hay ground. If it's livestock, describe whether it's supporting cattle, sheep, horses, pigs or poultry.

North: \_\_\_\_\_

South: \_\_\_\_\_

East: \_\_\_\_\_

West: \_\_\_\_\_

D. How is access to be provided to the parcel?

County road name \_\_\_\_\_

Local Access road name \_\_\_\_\_

State Highway name \_\_\_\_\_

Volume and page number of recorded easement to a public road (attach copy) \_\_\_\_\_

E. Describe the proposed driveway.

1. How wide will the road surface be? \_\_\_\_\_

2. If over an easement, what is the width of the easement? \_\_\_\_\_

3. Will any water bodies be crossed by the access? \_\_\_\_\_

4. If crossing any water bodies, will the crossing be by bridge or culvert(s)? \_\_\_\_\_

5. Will the driveway intersect with a public road at an existing access point or will this be a new access point? \_\_\_\_\_

#### IV. General Conditional Use Criteria [LCC 933.310(B)(1-3)]

A. The development site must have the physical characteristics needed to support the use. Those characteristics include, but are not limited to, suitability for a sewage treatment system and an adequate supply of potable water [LCC 933.310(B)(1)].

Does the development site have approval for a sewage treatment system? ( ) Yes ( ) No

**Attach a copy of the approved septic site evaluation with the application.**

B. Does the development site have an adequate supply of potable water? ( ) Yes ( ) No  
Describe the source and volume of the domestic water supply for the proposed dwelling.  
Attach a copy of the water well report or other water supply information. \_\_\_\_\_

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C. To the best of your knowledge, will the proposed dwelling be located within an area subject to flooding, landslides or other natural hazards? ( ) Yes ( ) No  
If yes, explain how the proposal will be designed and engineered to comply with accepted hazard-mitigation requirements [LCC 933.310(B)(2)]: \_\_\_\_\_

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D. Will the proposed dwelling have a significant adverse impact on fish or wildlife habitat [LCC 933.310(B)(3)]? ( ) Yes ( ) No

If not, explain why not: \_\_\_\_\_

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V. Farm-dwelling decision criteria

A. A dwelling in conjunction with farm use may only be approved if the property is currently employed for farm use [LCC 933.400(A)(2), LCC 933.400(B)(3), LCC 933.400(C)(1)]. Describe in detail the current farm use of the property. Attach another sheet of paper if necessary. Indicate the location of existing farm activities on the site plan.

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B. A dwelling in conjunction with farm use may only be approved which will be occupied by a person or persons who will be principally engaged in the farm use of the land at a commercial scale [LCC 933.400(A)(3), LCC 933.400(C)(3)].

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? \_\_\_\_\_

Who will occupy the proposed dwelling? \_\_\_\_\_

Describe how the resident of the dwelling will be primarily engaged in the operation of the farm.

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- C. Is there already a dwelling located on the subject tax lot?  Yes  No  
If yes, is the resident of the dwelling engaged in the operation of the farm?  Yes  No  
If yes, describe how the resident of the dwelling is primarily engaged in the operation of the farm.

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If the resident of the dwelling is not engaged in the operation of the farm, explain why not.

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- D. A tract is defined as contiguous tax lots which are under the same ownership. Is there a dwelling on another tax lot which is part of the subject tract [LCC 933.400(A)(4)]?  
 Yes  No  
If yes, is the resident of the dwelling engaged in the operation of the farm?  Yes  No  
If yes, describe how the resident of the dwelling is primarily engaged in the operation of the farm.

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If the resident of the dwelling is not engaged in the operation of the farm, explain why not.

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VI. Attachments

**YOU MUST SUBMIT THE FOLLOWING ATTACHMENTS WITH THIS APPLICATION:**

- A. A site plan showing the property dimensions, location of existing and proposed structures and natural features. A more complete description of what is required in a site plan is attached to the application. The site plan must be submitted on paper no larger than 8½ inches by 14 inches and must be drawn to scale.
- B. The current deed or contract showing ownership and containing the property’s legal description.
- C. A copy of the easement of road access, if applicable.
- D. Before the application can be reviewed, an on-site sewage disposal system must be approved for use on the parcel. Contact the Linn County Environmental Health Program (EHP) to obtain an application (967-3821). Attach a copy of the site evaluation or certificate of satisfactory completion from EHP.
- E. If this property has been determined to be high-value farmland, and the application will be reviewed using the income test for high-value farmland [LCC 933.400(D)], you must attach to this application evidence that the subject tract is currently employed for farm use, as defined in ORS 215.203, and the tract has produced at least \$80,000 (1994 dollars) in gross annual income from the sale of farm products in each of the last two years, or three of the last five years [LCC 933.400(D)(1)]. A completed Federal Income Tax Form Schedule F will usually suffice for this requirement.
- F. If this property has been determined to be non-high-value farmland, and the application is to be reviewed using the “Median Income and Size Test” for a dwelling, you must attach to this application the necessary information identified in LCC 933.400(B) (see attached).
- G. If this property has been determined to be non-high-value farmland, and the application is to be reviewed using the income test for non-high-value farmland, you must attach to this application the necessary information identified in LCC 933.400(C)(1).
- H. If there is already a primary farm dwelling on the property, and this application is to be reviewed for an additional (accessory) farm dwelling, you must attach to this application the necessary information identified in LCC 933.410(B)(4).

VII. Owner/Applicant Certifications

**I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true and any approval granted based on this information may be revoked if it is found that such statements are false.**

**Owner/applicant signature \_\_\_\_\_ Date \_\_\_\_\_**

**Owner/applicant signature \_\_\_\_\_ Date \_\_\_\_\_**

VIII. Verification of Ownership

**Only the owner of the property is authorized to complete this section.**

A. I hereby certify that this application does not violate any recorded codes, covenants or restrictions that are attached to the subject property.

B. I have the following legal interest in the property:  
\_\_\_\_\_ owner of record  
\_\_\_\_\_ land sales contract purchaser  
\_\_\_\_\_ holder of a recorded exclusive option to purchase

C. Property Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

PLEASE NOTE: County Code does not allow an application to be reviewed unless the owner has first authorized it. The assessor's office records are used to verify the ownership.

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The Linn County Assessor's Office records indicate that:

Township\_\_\_\_, Range\_\_\_\_, Section(s)\_\_\_\_\_, Tax Lot(s)\_\_\_\_\_

is owned or is being purchased by: \_\_\_\_\_

If more than one owner is included, please list all other owners.

Other owners:

(1) \_\_\_\_\_

(3) \_\_\_\_\_

(2) \_\_\_\_\_

(4) \_\_\_\_\_

\_\_\_\_\_  
Assessor or Planning Staff Signature

\_\_\_\_\_  
Date

## STANDARD SITE PLAN DRAWING

For a complete and accurate evaluation of your proposal, it is necessary to include sufficient information and detail on a site plan drawing. An example is provided as a guide to the preparation of your plan. The site plan you submit will constitute the formal development plan upon which your request is based.

You may submit separate plans to show details of particular aspects of your proposal, i.e. landscaping, off-street parking, topography and drainage plans.

Any public or semi-public use or activity will require written detail and description of such use, i.e. number of employees, hours of operation, unusual equipment or activities that may produce noise, odor, glare, vibration, etc., equipment storage areas, guard or watchman requirements, aerial hazards and road access needs.

This site plan requirement is in addition to any other requirements for zoning, building, sanitation or other governmental permits or standards compliance.

### SITE PLAN REQUIREMENTS:

- (1) The site plan must be submitted on paper no larger than 8½ inches by 14 inches and drawn to scale.
- (2) Indicate the scale (for example, 1" = 200') on the site plan.
- (3) Include a North arrow indicating the direction of North on the map.
- (4) Include the applicant's name and address in an information block at the bottom of the page.
- (5) Show the dimensions of the property. These may be taken from surveys, deeds and assessor's records.
- (6) Indicate the names of roads adjacent to the property.
- (7) Indicate the approximate distance and direction to nearest city or town.
- (8) Indicate the dimensions and distance from property lines to all structures, both existing and proposed, as well as fences, culverts, light standards and signs on the property and adjacent properties.
- (9) Indicate the location of existing and proposed access ways, parking and loading areas, approaches and barriers. The type of surfacing should be indicated.
- (10) Identify the location of significant land features, such as streams, creeks, drainage areas and slope.
- (11) Identify the location of existing and/or proposed septic tanks, repair areas and wells. If known, indicate any wells or septic systems on adjacent properties if they are within 10 feet of this property.
- (12) Indicate existing uses of land (cultivation, pasture, timber, etc.). Indicate types of crops, pasture, grass and timber species.

Attach sample plot plan (see sample plotplan on Planning and Building webpage)