



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

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**CONDITIONAL USE PERMIT APPLICATION
ALTERNATIVE FORESTLAND (TEMPLATE TEST)
DWELLING**

Application Fee \$650.00

The Farm/Forest zoning district template test (alternative forestland dwelling) is for determining whether a tract qualifies for a dwelling given soil types and surrounding development. The property owner or the owner's authorized agent can apply for a step one review. If it is determined that the application qualifies under the template test, then the second step in the conditional use review will take place. The second step involves notification to surrounding property owners and interested agencies of a pending land use decision. The notice provides an opportunity for interested parties to comment on the application based upon the decision criteria. The decision criteria for a template dwelling are contained in this application.

After this application is complete, staff will review it to make sure all the necessary documentation has been included. A decision will then be made regarding the template evaluation. If the property does not qualify under the template criteria, then the application will be denied and the applicant will be notified. Property qualifying under the template test criteria will be reviewed as an administrative conditional use permit and processed under the procedures set out in Chapter 921 of the Linn County Code (LCC).

In order for the application to be accepted, you will need submit the completed application form, a copy of the completed step one review showing the template test criteria can be met, a site plan, proof of ownership of the property, an approved septic evaluation, and the application fee. 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 for help. Planning staff are available daily from 8:30-12:00 and 1:00-5:00 and can be contacted by telephone at 541-967-3816.

LCC 933.750 Criteria for Alternative forestland dwellings

- (A) **Definitions.** For purposes of this section the following definitions apply
- (1) **"Tract,"** means only those units of land and parts of any unit of land of a tract, as that term is defined in LCC 920.100, that lie within the Rural Resource Zone when:
 - (a) the tract, as that term is defined in LCC 920.100, is split-zoned into resource zoned and non-resource zoned property, and
 - (b) at least one authorized unit of land is wholly within the Rural Resource Zone.
- (B) One single-family dwelling authorized under LCC 928.628 (B) (2) may be permitted on an authorized unit of land containing less than 160 acres in the forest area of the F/F zoning district subject to the requirements and criteria in subsections (C) to (J).
- (C) *Decision criteria.*
- (1) The authorized unit of land is predominantly composed of soils that are:
 - (a) Capable of producing 0 to 49 cubic feet per acre per year of wood fiber if:
 - (i) All or part of at least three other authorized units of land that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (ii) At least three dwellings existed on January 1, 1993, and continue to exist, on the other authorized units of land;
 - (b) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:
 - (i) All or part of at least seven other authorized units of land that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (ii) At least three dwellings existed on January 1, 1993, and continue to exist, on the other authorized units of land; or
 - (c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:
 - (i) All or part of at least 11 other authorized units of land that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (ii) At least three dwellings existed on January 1, 1993, and continue to exist, on the other authorized units of land.
 - (2) The criteria of LCC 933.310 (B) (1) to (3) and (5).
- (D) Authorized units of land within urban growth boundaries shall not be used to satisfy the eligibility requirements under paragraph (1) of subsection (C) of this section.
- (E) A proposed dwelling under this section is not allowed:
- (1) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan or acknowledged land use regulations or other provisions of law.
 - (2) Unless it complies with the requirements of LCC 933.170 and 934.590.
 - (3) If the tract on which the dwelling will be sited includes a dwelling.
- (F) Except as described in subsections (G) and (H) of this section, if the tract under this section abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.
- (G) If a tract 60 acres or larger described under this section abuts a road or perennial stream, the measurement shall be made in accordance with subsection (F) of this section. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:
- (a) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible, aligned with the road or stream; or
 - (b) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.
- (H) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling.
- (I) If the authorized unit of land is more than 10 acres, the property owner shall comply with LCC 933.170.
- (J) The alternative forestland dwelling is subject to siting standards described in LCC 934.590.

Application Check List (for department use)

- A. Complete application _____ Site plan _____ Ownership _____
- B. Environmental health division approval
 - 1. Existing system has been checked _____
 - 2. New site has been approved _____
 - 3. New site has been requested but not reviewed _____
- C. Property development standards can be met:
 - 1. Width _____ Depth _____ Frontage _____ Coverage _____ Setbacks _____
 - 2. Legal lot _____ Area _____
- D. Proposal is located within:
 - 1. UGB _____ Planning area _____ Greenway _____ A.O. Zone _____
 - 2. S.B.H.O _____ Habitat _____ Floodplain _____ Historic _____
- E. Application accepted by: _____ Date _____ Receipt No. _____
Refer to: Staff _____ P.C. _____
- F. This application contains:
 - Medical hardship CU _____ Aggregate resources CU _____
 - Non-resource residence CU _____ Solid waste CU _____
 - Resource residence CU _____ Comprehensive plan amend. _____
 - Variance _____ Comprehensive plan revision _____
 - Conditional use _____ Zoning map amendment _____
 - Non-resource division _____ Easement _____ Subdivision _____
 - Resource division _____ Major partition _____ Minor partition _____
 - Nonconforming use _____ Greenway CU _____ Caretaker CU _____
 - UGM CU _____ Planned unit development _____

I. Background Information (to be completed by applicant in ink or typewritten)

- A. Applicant's name _____
Address _____
City _____ State _____ Zip code _____
Phone number (home) _____ (work) _____
- B. Property owner (if different than applicant) _____
Address _____
City _____ State _____ Zip code _____
Phone number (home) _____ (work) _____
- C. Applicant's representative (if any) _____
Address _____
City _____ State _____ Zip code _____
Phone number (home) _____ (work) _____
- D. Legal description of property
Township _____ Range _____ Section _____ Tax Lot(s) _____
Site address (if any) _____
- E. Zoning designation _____ Comp Plan _____
- F. Size of parcel _____
- G. Additional parcels in contiguous ownership:
Township _____ Range _____ Section _____ Tax Lot(s) _____

H. Is the property located within a rural fire protection district? ____ If so, what district?

I. If the tract qualifies for a dwelling, then an on-site sewage disposal system must be approved for use on the parcel. Contact the Linn County Environmental Health Division to obtain an application (967-3821). Attach a copy of the environmental health division's approval letter.

II. Verification of Ownership and Applicant's Certification

A. Does the application violate any recorded codes, covenants, or restrictions that are attached to the subject property?

Yes _____ No _____

B. The owner has the following legal interest in the property: owner of record____, or land sales contract purchaser_____.

C. I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as 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's signature _____ Date _____

Owner's signature _____ Date _____

PLEASE NOTE: County ordinance 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. Please contact the assessor's office (second floor, room 215, Linn County Courthouse) to complete this section.

The Linn County Assessor's office verifies that Township____, Range____, Section____, Tax Lot(s)_____, is owned or is being purchased by:_____

If more than one owner is included on your records, please list all persons involved.
Other owners:

Signature of Assessor's Representative

III. Description of Property (to be filled out by applicant in ink or by typewriter)

A. How is the property now used? Please describe any farm or forest land uses on the property.

B. Does the property owner(s) own or in the process of purchasing property that is contiguous to the parcel identified in this application?

No _____ Yes _____

If the answer is yes, please answer question C.

C. Is there a dwelling located on a parcel owned being purchased by the applicant that is contiguous to the property proposed for a dwelling?

No _____ Yes _____

D. Does the property have an approval from the Linn County Environmental Health Program for location of subsurface sewage disposal system?

No _____ Yes _____

E. What type of access does the property have?

County/state highway name _____

Public road name _____

Easement (please attach a copy) _____

F. How close is the property to a county or public road (distance in feet)?

G. Is the land involved in this request on farm or forest deferral? You can determine this by contacting the Linn County Assessor's Office. Yes _____ No _____

IV. DEVELOPMENT REVIEW

A. Describe in detail the proposed use and your development plans for the property. Include a description of the number and type of buildings and their intended use, driveways, etc. You must submit a site plan (drawing) that shows the property dimensions, location of any existing structures, the proposed location of new structures and any natural features such as hills, drainage ways, and streams and natural vegetation. An example is attached.

B. Will the proposed use require a water supply? If so, how will it be supplied? Will the proposed use generate wastewater? If so, what type of system is proposed to manage wastewater?

C. Does the property front on a county road or public road? Which one? Is there an existing driveway and how is it improved (gravel, asphalt, concrete)? Is access to the property provided by a roadway easement? If so, when was the easement recorded with Linn County? Please provide a copy of the recorded easement.

D. How is the property now used? Are there any unique features on the property such as a creek, steep topography, or wetlands?

E. Please describe the land uses on adjoining properties.

F. Will your proposed use be compatible with the surrounding area? Explain the reasons for your answer.

G. Explain how 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.

H. If the property is located within a forested area, explain how the proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

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.