



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek Road | Oregon City, OR 97045
 503-742-4500 | zoninginfo@clackamas.us
 www.clackamas.us/planning

STAFF USE ONLY	
Staff Initials:	File Number:

Land use application for:

RELATIVE FARM HELP DWELLING

In AG/F or EFU Districts

Application Fee: \$1,670

APPLICANT INFORMATION			
Applicant name:	Applicant email:	Applicant phone:	
Applicant mailing address:	City:	State:	ZIP:
Contact person name (if other than applicant):	Contact person email:	Contact person phone:	
Contact person mailing address:	City:	State:	ZIP:

PROPOSAL
Brief description of proposal:

SITE INFORMATION		
Site address:	Comprehensive Plan designation:	Zoning district:
Map and tax lot #: <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i>	Land area:	
Adjacent properties under same ownership: <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i> <i>Township: _____ Range: _____ Section: _____ Tax Lot: _____</i>		

Printed names of all property owners:	Signatures of all property owners:	Date(s):
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<i>I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.</i>	
Applicant signature:	Date:

A. Review applicable land use rules:

This application is subject to the provisions of [Section 401, Exclusive Farm Use District \(EFU\)](#) of the [Clackamas County Zoning and Development Ordinance](#) (ZDO) if the subject property is zoned EFU, or to the provisions of [Section 407, AG/Forest District \(AG/F\)](#) and the provisions of Section 401 cited in Section 407 if the subject property is zoned AG/F. It is also subject to the ZDO's definitions, procedures, and other general provisions outlined in the ZDO.

If the subject property is zoned AG/F, the property must have been predominantly agriculture on January 1, 1993, to qualify for this permit.

B. Turn in all of the following:

- Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.
- Application fee:** The cost of this application is **\$1,670**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Site plan:** Provide a site plan (also called a plot plan). A [Site Plan Sample](#) is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - All existing and proposed structures, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Location of all current commercial farm uses (e.g., fields, grazing areas, orchards), with dimensions and labels;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, septic drain fields, and replacement drain field areas.
- Lot of record creation information:** You must provide evidence (deed records, Planning and Zoning research records, etc.) that the lot on which the accessory dwelling will be sited was lawfully created.
- Evidence of net earnings:** Include tax forms, farm receipts, or other appropriate documentation demonstrating the income produced from the subject lot of record. The documentation may include completed IRS "Schedule F" forms and signed statements from certified accountants, but the documentation *must* show how much in *net* income is derived from the farm products currently produced on the subject lot of record.
- Evidence of agricultural use:** If the subject property is zoned AG/F, include evidence, such as dated aerial photos and tax records, demonstrating that the property was predominantly agriculture on January 1, 1993.

C. Answer the following questions:

Accurately answer the following questions in the spaces provided. Attach additional pages, if necessary.

1. Identify the farm uses currently on the lot of record, including the types of crops grown and livestock raised. Also describe the size, type, and intensity of the farm operation (e.g. acres in production, crop density, and yield per acre):



2. What is the name of the farm operator? (The “farm operator” is the person who operates the farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding, and marketing.)

Farm operator’s name: _____

3. A Relative Farm Help Dwelling shall be located on the same lot of record as the dwelling of the farm operator *and* must be on real property used for farm use.

Will your proposed accessory dwelling be on the same lot of record as the farm operator’s existing dwelling, and also located on real property used for farm use?

- NO
- YES, as demonstrated in the attached site plan.

4. In the table below, provide the full name(s) of the relative(s) of the farm operator who will occupy the accessory dwelling and whose assistance in the management and farm use of the existing commercial farming operation is required by the farm operator.

Also identify how the assisting relative(s) is/are related *to the farm operator* (in this case, a “relative” is a child, parent, stepparent, grandchild, grandparent, stepgrandparent, sibling, stepsibling, niece, nephew, or first cousin of the farm operator).

Full Name of Relative in Accessory Dwelling Whose Assistance is Required	Relation to Farm Operator

5. Explain *how* each of the relatives named in response to Question 4 will be assisting in the management of an existing commercial farm operation, and how that assistance is *required* by the farm operator. List the activities each relative will be doing (e.g., planting, harvesting, marketing, caring for livestock), how many hours per day and per month their activities will take, and whether any of their activities are seasonal:

6. Explain how the farm operator will continue to play *the predominant role* in the management and farm use of the farm:

7. How much in net income is derived from the farm products produced on the subject farm unit, as evidenced with attached financial records? (“Farm unit” means the contiguous and noncontiguous tracts in common ownership used by the farm operator for farm use as defined in ORS 215.203.)

Net annual income from farm products: \$_____

8. Explain how the products from the farm unit contribute substantially to the agricultural economy, to agricultural processors, and to farm markets:

9. a. Aside from the existing dwelling occupied by the farm operator, are there any other dwellings currently on the subject lot of record?

NO (*Skip to Part D*)

YES, and they are identified and labeled on the attached site plan. (*Answer Questions 9.b-d below*)

- b. Are any of those other dwellings vacant?

YES

NO

c. Are any of those other dwellings currently occupied by persons not working on the subject farm unit?

NO

YES, as explained in the box below:

d. Could any of those other dwellings that are vacant or currently occupied by persons not working on the subject farm unit reasonably be used as an accessory farm dwelling?

YES

NO, for the following reasons:

D. Understand the following conditions:

The permit, if approved, will be subject to these (and other) conditions:

1. Any lot of record land division or property line adjustment which results in the location of any accessory farm dwelling on a lot of record separate from the farm use property for which it has been established is prohibited.
2. The landowner for the dwelling shall sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action of claim is allowed under ORS 30.936 or 30.937.

FAQs

When is Relative Farm Help Dwelling permit required?

The County's Zoning and Development Ordinance (ZDO) allows for a dwelling that is accessory to another existing dwelling on a commercial farm on qualifying agricultural land, when: that existing dwelling already houses the farm's operator; the farm operator needs assistance managing and operating the farm; *and* the accessory dwelling will be occupied by a relative of the farm operator whose assistance is required. Qualifying agricultural land includes land zoned Exclusive Farm Use (EFU) and land zoned AG/Forest (AG/F) if the AG/F land was predominantly agriculture on January 1, 1993. The dwelling requires Relative Farm Help Dwelling land use permit.

What is the permit application process?

Relative Farm Help Dwelling permits are subject to a "Type II" land use application process, as provided for in [Section 1307](#) of the ZDO. Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. If the application is approved, the applicant must comply with any conditions of approval identified in the decision. The Planning Director's decision can be appealed to the County Land Use Hearings Officer.

What is needed for the County to approve a land use permit?

Relative Farm Help Dwelling permits are discretionary and *may* be permitted after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type II land use application within 45 days of when we deem the application to be complete. State law generally requires a final County decision on a land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type II application is withdrawn before it is publicly noticed, 75% of the application fee paid, or the fee paid minus \$250, whichever is less, will be refunded. If a submitted application is withdrawn after it is publicly noticed, but before a decision is issued, 50% of the application fee paid, or the fee paid minus \$500, whichever is less, will be refunded. No refund will be given after a decision is issued.

Who can help answer additional questions?

For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.

503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод?

翻译或口译? | Cán Biên dịch hoặc Phiên dịch? | 번역 또는 통역?