



SUPPLEMENTAL APPLICATION  
**Farm Dwelling In Conjunction with a Farm Use**  
(January 2018)

APPLICANT INFORMATION

Name \_\_\_\_\_ File # \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

(If the same as above, write "Same")

**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. **160 Acre Test on Low Value Farmland:** Subject property must be at least 160 acres and currently in farm production.
4. **Capability Test On Low Value Farmland:** Farm Management Plan provision which requires the property to be of similar size and gross similar income as all other similar farm properties within a one-mile perimeter.

**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 the 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 (CPOs), 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 Land Use Hearings Officer and to the State Land Use Board of Appeals (LUBA) by the applicant or any other interested person.

**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 which one of the following tests you are applying for:
- 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 the following information to address the applicable criteria based on your answer to #2 above.

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**A. \*Dwelling On High Value Farmland : Income Test** Please provide the following information:

- 1) Proof that the parcel or tract is currently employed for active farm use that produced at least \$80,000 in gross annual income from the sale of farm products in: a.) the last two years; b.) three of the last five years; or c.) three of the last five years that averages to \$80,000 per year. This information can be in the form of tax forms, farm wholesale, retail receipts, etc.
- 2) Evidence from the Assessment and Taxation Office showing the history of ownership of the subject property for the last 2 to 5 years.
- 3) Statement that the parcel does not currently contain a dwelling, except for any 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.

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**B. \*\*Dwelling On Low Value Farmland : Income Test** Please provide the following information:

- 1) Evidence that the parcel or tract is currently employed for active farm use that produced at least \$32,500 in gross annual income from the sale of farm products in: a.) the last two years; b.) three of the last five years; or c.) three of the last five years that averages to \$32,500 per year. This information can be in the form of tax forms, farm wholesale, retail receipts, etc.
- 2) Evidence from the Assessment and Taxation Office showing the history of ownership of the subject property for the last 2 to 5 years.
- 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.

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**C. \*\*\*Dwelling On Low Value Farmland: 160 Acre Test** Please provide the following information:

- 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 history of ownership of the subject property for the last 2 to 5 years.
- 3) Provide a Farm Management Plan as indicated on the last page of this supplemental form showing that the tract is currently employed in a farm use.
- 4) Indicate who will occupy the dwelling, and demonstrate that 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, or marketing and caring for livestock at a commercial scale.
- 5) Statement that the parcel does not currently contain a dwelling, except for seasonal farm worker housing.

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**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 D.1.
- 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 D.2.
- 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 history of ownership of the subject property for the last 2 to 5 years.
- 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 D.3 above.

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**Staff will attach the following pertinent information:**

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

**Questions:** Contact Alex Pichacz, Planner I at 503-742-4510 or [APichacz@clackamas.us](mailto:APichacz@clackamas.us)

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# **FARM MANAGEMENT PLAN**

## **INFORMATION SHEET**

1. **Complete a detailed site plan of the subject property** outlining the existing acres and proposed acre usage 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 for the information required above. (Example: OHSU Extension Service for farming, IRS **Schedule 'F'** or **1120S**. 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? 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)