



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:

FARM STAND

In AG/F or EFU Zoning District

Application Fee: \$1,065

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. ZDO Sections 401 and 407 adopt by reference Oregon Administrative Rule (OAR) 660-033-0130(23) and Oregon Revised Statutes (ORS) Subsections 215.283(1)(o).

This application is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

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 **\$1,065**. 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 farm stands, other structures, seating areas, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions;
 - Setbacks of all structures from lot lines and easements;
 - Areas on the subject farm where crops/livestock sold at the farm stand are grown/raised
 - 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, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).
- Floor plans:** Attach detailed, accurate, and to-scale floor plans for all structures used in association with the farm stand. Label all rooms with their proposed use, show all of their dimensions, and include the square footage of each room.
- Building elevation diagrams:** Attach drawings of all structures used in association with the farm stand. The drawings must be to-scale and must show each side of the building and any windows, doors, or other appurtenances. Include all measurements (height, length, width, and area). Identify any proposed signs and show their dimensions.

C. Answer the following questions:

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

1. What type of structure will be used as a farm stand? Describe the farm stand structure, including how it is designed for the sale of farm crops and/or livestock:

2. What tax lots comprise the farm operation on which the farm stand will be located?

Township: _____ *Range:* _____ *Section:* _____ *Tax Lot:* _____

Township: _____ *Range:* _____ *Section:* _____ *Tax Lot:* _____

Township: _____ *Range:* _____ *Section:* _____ *Tax Lot:* _____

3. In the table below, list *all* of the farm crops and livestock that will be sold from the farm stand. Also identify whether the item is grown/raised on the subject farm operation and, if not from the subject farm operation, the name of the county and state where the item will be grown/raised:

Sale item type	Grown/raised on subject farm? (Yes or No)	If <i>not</i> from subject farm, name of county and state where the sale item is grown/raised
Farm crops		
Livestock		

4. How much in annual sales do you anticipate making from the sale of all of the crops and livestock listed in response to Question 3?

Estimated annual sales from all crops/livestock: \$_____

5. In the table below, list *all* of the retail incidental items that will be sold from the farm stand that are not crops or livestock, including any refreshments, packaged snacks, souvenir merchandise, and crafts:

Retail incidental items to be sold

6. How much in annual sales do you anticipate making from the sale of all incidental retail items listed in response to Question 5?

Estimated annual sales from all incidental retail items: \$_____

7. In the table below, list all of the fee-based activities that will be sold from the farm stand, and describe how those activities will promote the sale of farm crops or livestock sold at the farm stand:

Fee-based activities to be sold
<p>Activity:</p> <p>How it will promote farm stand's sale of crops/livestock:</p>
<p>Activity:</p> <p>How it will promote farm stand's sale of crops/livestock:</p>
<p>Activity:</p> <p>How it will promote farm stand's sale of crops/livestock:</p>

8. How much in annual sales do you anticipate making from fees for all the activities listed in response to Question 8?

Estimated annual fees from all activities: \$_____

9. Explain how you will ensure that the sale of all retail incidental items and fees from activities sold from the farm stand do not make up more than 25 percent of the total annual sales of the farm stand:

D. Understand the following conditions:

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

1. The farm stand shall not include structures designed for occupancy as a residence or for activities other than the sale of farm crops and livestock.
2. The farm stand shall not include structures for banquets, public gatherings, or public entertainment.
3. The farm stand shall not be used for the sale, or to promote the sale, of marijuana products or extracts.

FAQs

What is a farm stand?

A “farm stand” is a structure designed and used for the sale of farm crops and livestock that are grown/raised on the same farm operation where the stand itself is located or that are grown/raised on a farm operation elsewhere in the local agricultural area (in the case of Clackamas County, the “local agricultural area” means the state of Oregon). A farm stand may also sell retail incidental items and fee-based activities that promote the sale of the crops and livestock sold at the farm stand, provided that such sales and fees do not make up more than 25 percent of the farm stand’s annual sales.

When is a Farm Stand permit required?

The County’s Zoning and Development Ordinance (ZDO) allows a farm stand when the subject property is zoned Ag/Forest (AG/F) or Exclusive Farm Use (EFU). That farm stand requires a Farm Stand permit.

What is the permit application process?

Farm Stand 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?

Farm Stands *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. The Building Codes Division (503-742-4220, blbservice@clackamas.us) can help determine if any restroom is required.

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? | Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?