



**Benton
County**

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Community Development Department

Office: (541) 766-6819

360 SW Avery Avenue

Corvallis, OR 97333

co.benton.or.us/cd

APPLICATION

FARM DWELLING IN THE EFU OR MPA ZONE

File # _____

Fee: \$ _____

(SEE CURRENT FEE SCHEDULE)

**ALL SECTIONS MUST BE COMPLETED. ATTACH ADDITIONAL SHEETS IF NECESSARY.
REVIEW WILL BEGIN ONLY WHEN THE APPLICATION IS DETERMINED TO BE COMPLETE**

I. Property Owner(s) Information

Name(s): _____ Phone #1: _____

Mailing Address: _____ Phone #2: _____

City: _____ State: _____ Zip: _____ Email: _____

II. Applicant Information

Name(s): _____ Phone #1: _____

Mailing Address: _____ Phone #2: _____

City: _____ State: _____ Zip: _____ Email: _____

Other individuals to be notified of this application: Name, Address, City & Zip, or Email

III. Property Information

Site Address: _____

Assessor's Map & Tax Lot Number: T _____ S, R _____ W, Section(s) _____, Tax Lot(s) _____

Acreage: _____ Zoning: _____ Fire District: _____

Water Supplied By: _____ Sewage Disposal Type: _____

Existing Structures: _____

Current use(s) of the property: _____

IV. Dwelling Type Requested: (Example: "Farm-Help Dwelling for a Relative of the Farm Operator.")

V. Attached Documentation: With all land use applications, the “burden of proof” is on the applicant. It is important that you provide **ALL** the information listed on the following pages at the time you submit your application. The processing of your application does not begin until the application is determined to be complete.

Identify the soil characteristics on the property:

Soil Type: _____ **USCS Class:** _____ **% of Parcel:** _____ **High Value?** Y / N

Uses, Crops, etc.: _____

Please **circle** this property’s Standard Industrial Class – SIC Code, below:

(Standard Industrial Class - SIC Code)		
001-Not in Production	002-Cons. Reserve Prog. (CRP)	011-Cash Grains
013-Field Crops	016-Vegetables & Melons	017-Fruits and Tree Nuts
018-Hort. Specialities Crops	021-Livestock	024-Dairy Farms
025-Poultry and Eggs	027-Animal Specialities	029-Gen. Farm, Primarily Livestock
081-Forestry including woodlots	082-Christmas Trees	

Attachments

1. Is there an existing well or spring on the proposed parcel(s)? _____ Please attach a copy of any well log or pump test that identifies the rated yield of this water source. A water source yielding at least five gallons per minute per residence (by pump or bailer test) is required for a building permit.
2. Is there an existing septic system on the proposed parcel(s)? _____ An evaluation by Environmental Health may be required of an existing system unless the system was recently installed or repaired. Please attach a copy of any septic system records you may have available. If a site has not been approved for a septic system, you may apply for a site feasibility, but a septic installation permit will be withheld pending approval of this application.
3. A copy of deed(s) covering the subject property.
4. If the parcel for which a dwelling is proposed does not have frontage on a public road, attach a copy of the easement granting access to the parcel.
5. An accurate scale drawn map of the property, showing the locations of existing and proposed: structures, roads, water supply, septic system, easements, and driveways. Label all tax lots.
6. Is the only access or proposed access to the property via a road that crosses a railroad? _____ If yes, please draw the location on your map and explain here:

Please identify the type of dwelling you are requesting from the following list and respond to the questions for that type of dwelling. Attach additional sheets as necessary to fully answer questions. Be sure all property owners sign the form on page 4.

- Farm Related Dwelling on predominantly High Value Farmland**, pursuant to Benton County Code Section 55.109 and 55.015(2)
1. Is the subject tract (the subject property and contiguous property in the same ownership) in farm use?
 2. Provide information that shows that the current farm use produced \$80,000 in gross annual income from the sale of farm products, not including marijuana, in the last two years or three of the last five years, or in an average of three of the last five years. Only income from land owned, not leased or

rented, shall be counted. The cost of purchased livestock shall be deducted from the total gross income.

3. What is the current farm use of the property(ies) that produced that gross annual income?
4. Is there a dwelling on the subject tract? _____
5. Except as permitted for seasonal farm worker housing that has been approved pursuant to ORS 215.283(1)(p) (1999 Edition), is there any other dwelling on lands zoned Exclusive Farm Use or Multi-Purpose Agriculture owned by the farm or ranch operator?
5. Name of the occupant(s) of the proposed dwelling: _____
6. Will the proposed occupant(s) be the person(s) who produced the commodities which grossed the income in Number 1 above? _____

☐ Farm Related Dwelling on 160 Acres or More of land that is not predominantly High Value Farmland, pursuant to Benton County Code Section 55.110 and 55.015(2).

1. What is the current farm use of the property? _____

2. Will the dwelling be occupied by a person(s) 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? _____
If yes, please describe the work that will be conducted by the occupant(s) of the proposed dwelling.
3. Is there any other dwelling on the subject tract (other contiguous lots or parcels in the same ownership)? _____ If yes, please describe the use of these dwellings.

☐ Commercial Dairy Farm Dwelling shall demonstrate compliance with the decision criteria listed in Benton County Code Section 55.111.

☐ Farm Related Dwelling on Land that is not predominantly High Value Farmland, pursuant to Benton County Code Section 55.112 and 55.015(2).

1. Provide information that shows the subject tract (the subject property and all contiguous property in the same ownership) is currently employed for farm use. Provide information that shows that the current farm use produced in the last two years or three of the last five years, or in an average of three of the last five years, the lower of the following:
 - a. At least \$40,000 in gross annual income from the sale of farm products, not including marijuana; 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 Agriculture, Oregon.
2. Are there any other dwellings on lands zoned EFU or MPA owned by the farm or ranch operator or on the farm or ranch operation? _____ If yes, describe the use of this/these dwellings and the work conducted by the occupant(s).
3. Name of the occupant(s) of the proposed dwelling: _____
4. Would the occupant(s) of the proposed dwelling be the person(s) who produced the commodities which grossed the income identified in number one (1) of this section?
5. In determining the gross income, the income from the sale of marijuana and the cost of purchased livestock shall be deducted from the total gross income attributed to the tract.

❑ **Accessory Farm-Related Dwelling for Year-Round and Seasonal Farmworkers**, pursuant to Benton County Code Section 55.115.

1. Is the subject tract (the subject property and contiguous property in the same ownership) in farm use?
2. Demonstrate that the principal farm dwelling to which the proposed dwelling would be accessory meets one of the following:

(A) On land not identified as high-value farmland, the principal farm dwelling is located on a tract that is currently employed for farm use, as defined in ORS 215.203, that produced in the last two years or three of the last five years, or in an average of three of the last five years, the lower of the following:

(i) At least \$40,000 in gross annual income from the sale of farm products, not including marijuana. 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 income from the sale of marijuana and the cost of purchased livestock shall be deducted from the total gross income attributed to the tract; or

(B) On land identified as high-value farmland, the principal farm dwelling is located on a tract that is currently employed for 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, not including marijuana, in the last two years or three of the last five years or in an average of three of the last five years. In determining the gross income, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract.

3. Describe who will occupy the accessory dwelling, what their role will be in the farm use of the land and why their assistance in the management of the farm use will be required by the primary farm operator.
4. The accessory dwelling will be located: ____ on the same lot or parcel as the dwelling of the primary farm operator; ____ on an adjacent parcel in the same ownership; or ____ on a non-adjacent parcel?
5. Are there other dwellings on *any* land owned by the farm operator and designated for Exclusive Farm Use or Multi-Purpose Agriculture that are vacant or currently occupied by persons not working on the subject farm or ranch? ____ If yes, explain why this/these dwelling(s) could not reasonably be used as the requested accessory dwelling.

❑ **Farm-Help Dwelling for a Relative of the Farm Operator**, pursuant to Benton County Code Section 55.120.

1. Is the subject property, and contiguous property in the same ownership, in farm use?
2. How will the occupant(s) of the proposed dwelling be related to the farm operator?
3. In what ways is the occupant's assistance required by the farm operator?
4. Describe how the farm operation qualifies as a commercial farm operation.

Note: The dwelling must be located on the same lot or parcel as the dwelling of the farm operator. The dwelling must be occupied by a relative of the farm operator or the farm operator's spouse, which means a child, parent, step-parent, grandchild, grandparent, step-grandparent, sibling, stepsibling, niece, nephew or first cousin of either, whose assistance in the management and farm use of the existing commercial farming operation is required by the farm operator.

Signature(s)

I hereby certify that I am the legal owner or contract purchaser of the above noted property; that the information contained herein is accurate to the best of my knowledge; and that the requested farm dwelling would not violate any deed restrictions attached to the property.

Owner/Contract Purchaser Signature

Date

Owner/Contract Purchaser Signature

Date

For Office Use Only

Date Application Received: _____ Receipt Number: _____ By: _____

File Number Assigned: _____ Planner Assigned: _____

Date Application Deemed Complete: _____