

Yamhill County Department of Planning & Development

APPLICATION FOR NONFARM DWELLING

400 NE Baker Street, McMinnville, OR 97128 • Tel: 503-434-7516 • Fax: 503-434-7544

Docket _____
Date _____
Rec'd by _____
Receipt # _____
Fee \$2954.01

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
Last name	First	MI	Last name	First	MI
Mailing address (Street or PO Box)			Mailing address (Street or PO Box)		
City	State	Zip	City	State	Zip
Telephone			Telephone		
E-mail address			E-mail address		

PROPERTY INFORMATION

Tax Lot(s) _____ Zone _____

Property Location: _____

Size of Tract (including all contiguous lots under the same ownership): _____

PROPERTY INFORMATION:

- Is there a septic system on the property? ☐ Yes ☐ No
- How will water be provided? Well: ☐ Existing ☐ Proposed
☐ On-site spring or creek ☐ Water Association ☐ other: _____
- What road or easement will be used as access? _____
- Is the property in a Fire District? _____ Name of Fire District: _____
- To your knowledge, do any of the following natural hazards exist on the property?
☐ Floodplain ☐ Areas of erosion ☐ Steep slopes ☐ Fish or wildlife habitat
☐ Soil limitations for building or septic

THE APPLICATION MUST INCLUDE:

- Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
- Site plan drawn to scale showing the parcel boundaries, all existing buildings, the proposed dwelling location, existing or proposed access, and any significant natural features.
- Written justification, maps, and other evidence showing compliance with the approval criteria.

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NOTE: Fees are not refundable

Printed Name

Signature

Date

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

Applicant's signature

Date

Property owner's signature (if different)

Date

State of _____)

County of _____)

Signed or attested before me on this _____ day of _____, 20 _____

by _____.

Notary Public for Oregon

My Commission expires _____

NONFARM DWELLING REQUIREMENTS

1. **Predominant Use.** Describe the present use of the property, and whether it is being farmed:

If the property is zoned AF, was the property mostly in farm use or mostly forested in 1993? _____

You will need to submit evidence with the application to show whether the tract was predominantly in farm or forest use in 1993. Evidence may include air photos (which may be purchased in the Tax Assessor's office), evidence of farm or forest deferral on the tract, or other information.

2. **Soil Type.** Provide information from the Yamhill County Soil Survey showing the soils making up the tract, the number of acres of each soil type, and the agricultural capability classification.

Soil name and symbol (i.e. WkD)	# of Acres	Classification
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The dwelling must be located on a lot or parcel that is predominantly Class IV - VIII soils.

3. **Date of creation.** Was the lot or parcel created by a partition after January 1, 1993, or has there been a lot line adjustment affecting the parcel since January 1, 1993? _____

The lot or parcel on which the dwelling will be sited must have been created before January 1, 1993.

4. **Dwellings on tract.** List all adjacent lots that are under the same ownership, and state whether there is a dwelling or land use approval for a dwelling on any of these lots: _____

An additional dwelling will not be approved if there already is a dwelling on the tract.

5. **Affect on surrounding lands.** Describe what kinds of farming and forestry activities are occurring on surrounding properties. Explain what affect the proposed dwelling, or activities associated with the dwelling, will have on farming and forest practices on nearby lands: _____

The dwelling will not be approved if it will force a significant change in or significantly increase the cost of farming and forest practices on nearby lands that are devoted to farm or forest use.

6. Cumulative impact. You must include evidence that the proposed dwelling will not materially alter the stability of the overall land use pattern of the area. This requires an analysis of the cumulative impact of possible new non-farm and lot of record dwellings on other lots or parcels in the area, as follows:

- a. Identify a study area. The study area generally must include at least 2000 acres. (However, a smaller area of not less than 1000 acres may be used if it is a distinct agricultural area that is obviously different than other adjacent agricultural lands.) Factors such as topography, soils, parcel sizes, and the type of farming operations in the area should be considered when selecting the study area. Rural residential and other non-resource zoned lands may not be included.
- b. Prepare a map showing the study area boundaries, the location of the subject parcel, and all tax lots within the study area.
- c. On a separate sheet, describe the study area and explain how it is representative of the land use pattern surrounding the subject parcel. List which tax lots have dwellings or land use approval for a dwelling and indicate how the dwellings were approved (prior to zoning, lot of record, farm, non-farm, etc.).
- d. Determine the potential number of non-farm and lot of record dwellings that could be approved on the remaining (vacant) tax lots. This will require an analysis of the soil type on each lot as shown in the Yamhill County Soil Survey, and information on whether a lot has been owned continuously since prior to 1985.
- e. On the study area map, show which lots have existing dwellings, and which lots could potentially qualify for non-farm and lot of record dwellings.
- f. Describe the existing land use pattern of the study area, including the distribution and arrangement of existing dwellings. Describe the land use pattern that would result if all the potential non-farm and lot of record dwellings were to be constructed. Explain whether the stability of the land use pattern in the study area would be materially altered if all of the potential non-farm and lot of record dwellings were to be constructed.

The stability of the land use pattern will be materially altered if the cumulative effect of the existing and potential non-farm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area.

7. Additional requirements. The dwelling must comply with other requirements such as road access and provision for sewage disposal. A deed affidavit must be recorded acknowledging the rights of nearby property owners to conduct normal farming and forest operations. In addition, the parcel must be permanently disqualified from receiving a farm or forest tax deferral. This may require the payment of back taxes if the parcel is currently under deferral.