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CHAPTER 12 APPLICATION FOR A FARM OR FOREST RELATED DWELLING (PRIMARY STRUCTURE) ON A NON-CONFORMING LOT-OF-RECORD IN THE "A-1" EXCLUSIVE FARM USE OR "FF" FOREST-FARM ZONES

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**CHAPTER 12 APPLICATION FOR A FARM OR FOREST RELATED DWELLING
(PRIMARY STRUCTURE) ON A NON-CONFORMING LOT-OF-RECORD
IN THE "A-1" EXCLUSIVE FARM USE OR "FF" FOREST-FARM ZONES**

SECTION 12.010 Purpose

The purpose of this chapter is to establish a mechanism for review action on farm or forest related dwelling requests located on parcels not meeting the minimum lot area required by the applicable zoning classification and qualifying as a lot-of-record under this Ordinance.

SECTION 12.020 Building Permits

A. In accordance with Section 3.210(B) and Section 3.220(B) of this Ordinance, one single-family dwelling is permitted in the "A-1" Exclusive Farm Use and "FF" Forest-Farm zones. In those instances in which a lot-of-record contains less than minimum acreage required of that zone and the dwelling requested will be in conjunction with farm or forest activities, the following apply:

1. A building permit on a nonconforming lot-of-record, which is less than the minimum lot area, shall be issued provided that the applicant makes assurances that the dwelling will be in conjunction with farm or forest activities. Approval of a single-family dwelling in conjunction with a farm use shall conform to the following criteria:
 - a. The farm will be appropriate for the continuation of existing commercial agricultural enterprise in the area;
 - b. The farm will contribute in a substantial way to the existing agricultural economy;
 - c. The farm will help maintain agricultural processors and establish farm markets;
 - d. The proposed use is compatible with the farm use in the area and does not interfere either in itself or in the location of improvements, with "current accepted practices" as that term is defined in O.R.S. 215.203(2)(c) which characterizes such use;
 - e. The proposed use is consistent with the agricultural land use policy for the State of Oregon expressed in O.R.S. 215.243;
 - f. The proposed use would not materially alter the stability of the overall land use pattern of the area, nor would substantially add to the demand for increased use of roads, ground water during growing seasons, or public facilities and services; and
 - g. The parcel is typical of the existing commercial agricultural operations in the

surrounding area and is of sufficient size to support production of food or fiber using accepted farm practices as that term is defined in O.R.S. 215.203(2)(c) and taking into account:

- (1)** soil types and patterns in the area and typical yields;
 - (2)** type of crops grown in the area and typical yields;
 - (3)** potential markets;
 - (4)** other relevant information included in the agricultural element of the Wasco County Comprehensive Plan; and
 - (5)** average size of parcels conducting agricultural farming practices in the area.
- h.** Farming of a marijuana crop shall not be used to demonstrate compliance with the approval criteria for a dwelling in Exclusive Farm Use zones. (See Section 34, Chapter 614, Oregon Laws 2015.)
- 2.** In an instance in which an applicant for a building permit for a nonconforming lot-of-record does not intend to construct or place a dwelling that is in conjunction with farming or forest activities, the applicant must apply for a Conditional Use Permit for a non-farm or non-forest dwelling in a resource land.