



LINN COUNTY PLANNING AND BUILDING DEPARTMENT

Steve Wills, Director

Alyssa Boles, Planning Manager

*Room 114, Linn County Courthouse
PO Box 100, Albany, Oregon 97321
Phone 541-967-3816, 1-800-319-3816
Fax 541-926-2060 www.co.linn.or.us*

**RURAL RESOURCE ZONING DISTRICT
CONDITIONAL USE PERMIT APPLICATION**

Application Fee \$750.00/\$1250.00/\$2500.00/\$3500.00

INTRODUCTION

This application is for many of the uses permitted conditionally in a Rural Resource zoning district [Exclusive Farm Use (EFU), Farm/Forest (F/F), and Forest Conservation and Management (FCM)]. A conditional use may be permitted when it is shown that the proposed business or public or private facility meets the decision criteria. Most conditional use permits are reviewed at the staff level. Others require a Planning Commission public hearing review. When the application is submitted, we will tell you if the case will be reviewed by staff or the Commission. The attached decision criteria apply to both staff and Planning Commission reviews.

After the application is accepted and a file setup, notice of the proposed use will be mailed to nearby property owners. Individuals receiving the notice have about 20 days to return their comments in support or opposition to the case. If the case is reviewed by the Planning Commission, comments may be presented orally at the hearing. Comments on staff reviews must be in writing.

If the case goes to the Commission, the applicant or the applicant's representative must present the case. Staff will visit the property, take photographs and prepare a staff report. The applicant will receive a copy of the staff report one week before the public hearing. The Planning Commission will take testimony from all parties and then close the hearing. A decision is usually made at the next meeting one week later.

Staff decision cases are decided without a public hearing. Written testimony is reviewed and a decision made usually about one week after the notice period ends. Once a decision is made, there is a two-week appeal period during which development permits are not issued.

Please fill out the application and submit it in person at the Planning and Building Department office anytime Monday through Friday (except 12:00 - 1:00 p.m.). Use ink or a typewriter to complete the application. Applications filled out in pencil cannot be accepted. If you have any questions, please call or stop by the Planning and Building Department and ask for a planner.

Linn County Land Development Code
Decision Criteria

LCC 933.300 Statement of purpose

The purpose of LCC 933.300 to 933.999 is to establish decision criteria to carry out the policies in LCC Chapter 928 (Rural Resource Zone Code).

LCC 933.310 - RRZ conditional uses; generally

(B) *Decision criteria.*

- (1) The development site has physical characteristics needed to support the use. Those characteristics include, but are not limited to, suitability for a sewage treatment system and an adequate supply of potable water.
- (2) The development will not be located within a mapped geologic hazard area or within a 100-year floodplain unless it is demonstrated that the proposal can be designed and engineered to comply with accepted hazard mitigation requirements.
- (3) The proposal will not have a significant adverse impact on sensitive fish or wildlife habitat.
- (4) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use.
- (5) If in the forest area of the F/F or in the FCM zoning districts, the proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
- (6) The location, size, design and operating characteristics of the proposed development will be made reasonably compatible with and have minimal impact on the livability and appropriate development of nearby property. The proposed use will be reviewed with respect to scale, bulk, coverage, density, the availability of necessary public facilities and utilities, traffic generation, road capacity and safety and to other related impacts of the proposal.
- (7) If in the forest area of the F/F or in the FCM zoning districts, a written statement recorded with the deed or written contract with the county is obtained from the land owner which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for the following uses.
 - (a) parks and campgrounds;
 - (b) reservoirs and impoundments;
 - (c) medical hardship dwellings;
 - (d) home occupations; and
 - (e) private accommodations for fishing.

I. BACKGROUND INFORMATION (to be completed by applicant in ink or typewritten)

- A. Applicant's name _____
Address _____
City _____ State _____ Zip code _____
Phone number (home) _____ (work) _____
- B. Property owner (if different than applicant) _____
Address _____
City _____ State _____ Zip code _____
Phone number (home) _____ (work) _____
- C. Applicant's representative (if any) _____
Address _____
City _____ State _____ Zip code _____
Phone number (home) _____ (work) _____
- D. Legal description of property
Township _____ Range _____ Section _____ Tax Lot(s) _____
Site address (if any) _____
- E. Zoning designation _____ Comp Plan _____
- F. Size of parcel _____
- G. Additional parcels in contiguous ownership:
Township _____ Range _____ Section _____ Tax Lot(s) _____
- H. Is the property located within a rural fire protection district? If so, what district?

II. VERIFICATION OF OWNERSHIP

If the person submitting the application and the owner of the property are not the same, then only the owner of the property should complete this section.

- A. The application does not violate any recorded codes, covenants, or restrictions that are attached to the subject property.
- B. I have the following legal interest in the property: owner of record _____, land sales contract purchaser _____, holder of a recorded exclusive option to purchase _____.
- Owner/applicant signature _____
- Owner/applicant signature _____

III. DEVELOPMENT REVIEW

A. Describe in detail the proposed use and your development plans for the property. Include a description of the number and type of buildings and their intended use, roadways, driveways, parking lots, signs, landscaping, drainage plans and outdoor lighting. A site plan is also required (see attached site plan requirements).

B. Please describe the operating characteristics of the proposed use.

C. Will any other permits from local or state agencies be required? If yes, please list permits needed and if they have been secured.

D. How much land area will be used for the proposed activity? Will the proposed use generate wastewater and if so, how will it be disposed?

E. Will the proposed use require a water supply? If so, how much will be needed and how will it be supplied?

F. Please describe the types of vehicles, machines and/or tools to be used. Please estimate the amount of vehicle trips per day that will be generated by the proposed use.

G. What are the proposed hours and days of operation? Will any products be offered for sale on the property? If products are sold, what will be sold?

H. How many people will be employed including the applicant? Please indicate whether the employees will be full or part-time. Will anyone live on the property? If so, who?

I. Does the property front on a county road or public road? Which one? Is there an existing driveway and how is it improved (gravel, asphalt, concrete)? Is access to the property provided by a roadway easement? If so, when was the easement recorded with Linn County? Please provide a copy of the recorded easement.

J. How is the property now used? Are there any unique features on the property such as a creek, steep topography, or wetlands?

K. Please describe the land uses on adjoining properties.

L. Will your proposed use be compatible with the surrounding area? Explain the reasons for your answer.

M. Explain how the proposed use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use.

N. If the property is located within a forested area, explain how the proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

O. You must submit a site plan (drawing) that shows the property dimensions, location of any existing structures, the proposed location of new structures and any natural features such as hills, drainage ways, and streams and natural vegetation. An example is attached.

IV. APPLICANT'S CERTIFICATION

I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true and any approval granted based on this information may be revoked if it is found that such statements are false.

Applicant's signature

Date _____

STANDARD SITE PLAN DRAWING

For a complete and accurate evaluation of your proposal, it is necessary to include sufficient information and detail on a site plan drawing. An example is provided as a guide to the preparation of your plan. The site plan you submit will constitute the formal development plan upon which your request is based.

You may submit separate plans to show details of particular aspects of your proposal, i.e. landscaping, off-street parking, topography and drainage plans.

Any public or semi-public use or activity will require written detail and description of such use, i.e. number of employees, hours of operation, unusual equipment or activities that may produce noise, odor, glare, vibration, etc., equipment storage areas, guard or watchman requirements, aerial hazards and road access needs.

This site plan requirement is in addition to any other requirements for zoning, building, sanitation or other governmental permits or standards compliance.

SITE PLAN REQUIREMENTS:

- (1) The site plan must be submitted on paper no larger than 8½ inches by 14 inches and drawn to scale.
- (2) Indicate the scale (for example, 1" = 800') on the site plan.
- (3) Include a North arrow indicating the direction of North on the map.
- (4) Include the applicant's name and address in an information block at the bottom of the page.
- (5) Show the dimensions of the property. These may be taken from surveys, deeds and assessor's records.
- (6) Indicate the names of roads adjacent to the property.
- (7) Indicate the approximate distance and direction to nearest city or town.
- (8) Indicate the dimensions and distance from property lines to all structures, both existing and proposed, as well as fences, culverts, light standards and signs on the property and adjacent properties.
- (9) Indicate the location of existing and proposed access ways, parking and loading areas, approaches and barriers. The type of surfacing should be indicated.
- (10) Identify the location of significant land features, such as streams, creeks, drainage areas and slope.
- (11) Identify the location of existing and/or proposed septic tanks, repair areas and wells. If known, indicate any wells or septic systems on adjacent properties if they are within 10 feet of this property.
- (12) Indicate existing uses of land (cultivation, pasture, timber, etc.). Indicate types of crops, pasture, grass and timber species.

Attach sample plot plan (see sample plot plan on Planning and Building webpage)