

Date Received:

LAND MANAGEMENT DIVISION



**LAND USE APPLICATION
Agricultural Building
Exemption Certification**

PUBLIC WORKS DEPARTMENT 125 E 8th AVENUE, EUGENE OR 97401 PLANNING: 682-3807

For Office Use Only: FILE #

CODE:

FEE:

Applicant (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Applicant Signature: _____

Land Owner (print name): _____

Mailing address: _____

Phone: _____ Email: _____

Land Owner Signature: _____

LOCATION

Township _____ Range _____ Section _____ Taxlot _____

Site address _____

This application is required if you wish to build an agricultural structure without a building permit.

Complete this application and bring it with you to the permit meeting.

NOTICE: The Applicant is responsible for providing enough information in this application for staff to make reasonable findings.

REQUIRED INFORMATION

You must submit a site plan with this application. If you are unsure what a site plan is, refer to the handout entitled "How to prepare your site plan".

ZONING _____ **ACREAGE:** _____

1. Will the proposed building be located on a farm and used in the operation of the farm?
_____ YES _____ NO

2. Which of the following systems will the proposed structure have?
__ Mechanical __ Boiler __ Plumbing __ Septic
(Separate permits are required for each of these systems)

3. What is the maximum number of people that will be present in the building at any one time? _____
Will the structure be used by the public at any time? _____ No _____ Yes
If you answered yes, explain how: _____

4. Check which of the following agricultural uses will be conducted in the proposed building:
_____ Storage, maintenance, repair of farm machinery, equipment and supplies used on this farm.
_____ Raising, harvesting or selling of crops raised on this farm.
_____ Feeding, breeding, management and sale of livestock, poultry, furbearing animals or honeybees on this farm.
_____ Dairying and sale of dairy products produced on this farm.
_____ Other agricultural, horticultural, or animal husbandry use.

Describe the intended use of the proposed building and estimate the anticipated annual profit of the farm:

Certification by Owner for PA# _____

I, _____, do hereby swear and affirm that my statements are true and correct. I further affirm that the subject building is located on a farm and is used in the operation of the farm as defined in the Oregon Structural Specialty Code. I understand and acknowledge that should the subject building be converted to a non-agricultural use, (e.g., garage, home-occupancy, etc.) I will obtain a building permit prior to such conversion. Failure to obtain appropriate permits may result in action to enforce the applicable building codes for such structure and use, including civil penalties. I understand that a post-occupancy inspection may be made to assure continuing compliance with the agricultural building requirements.

Signature of Owner: _____

Date: _____

Print name: _____

NOTE: Once the Planning Program has given approval to the "Farm Agriculture Building Exemption Certification", the "OWNER" shall record the "AGRICULTURAL BUILDING STRUCTURE USE COVENANT" along with the applicable exhibits and pay the required fees prior to issuance of this application.

Lane County / Official Use Only

___ **Approved**

___ **Denied**

Date: _____

Planner: _____

After Recording Return to:

Owner's Name and Address:

Recording label here

AGRICULTURAL STRUCTURE USE COVENANT

The undersigned OWNER hereby agrees that the structure proposed under PA _____ located on the real property as described on Exhibit "A", (legal description obtained from Lane County Assessment and Taxation), Exhibit "B" the plot plan, and Exhibit "C" the Certification of Existing Sewage Disposal System, attached hereto, will be used solely as an agricultural building as defined by ORS 455.315 (2). (See below) This agreement further serves as notice to the owner and successors in interest that no change in use of the structure shall occur without obtaining the necessary land use approval and building permits from Lane County. This covenant shall be binding upon the OWNER, their heirs, successors and assigns.

455.315 Exemption of agricultural buildings. (1) Nothing in this chapter is intended to authorize the application of a state structural specialty code to any agricultural building.

(2) As used in this section, "agricultural building" means a structure located on a farm and used in the operation of such farm for storage, maintenance or repair of farm machinery and equipment or for the raising, harvesting and selling of crops or in the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry, or any combination thereof, including the preparation and storage of the produce raised on such farm for human use and animal use and disposal by marketing or otherwise. "Agricultural building" does not include:

(a) A dwelling; (b) A structure used for a purpose other than growing plants in which 10 or more persons are present at anyone time; (c) A structure regulated by the State Fire Marshal pursuant to ORS chapter 476; (d) A structure used by the public; or (e) A structure subject to sections 4001 to 4127, title 42, United States Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated thereunder. (3) Notwithstanding the provisions of subsection (1) of this section, incorporated cities may regulate agricultural buildings within their boundaries pursuant to this chapter. [Formerly 456.758 and then 456.917; 1995 c.783 § I]

Dated this _____ day of _____, 20_____.

OWNER(S)

STATE OF OREGON)

) SS.

County of _____)

The foregoing instrument was acknowledged before me this _____ day of

_____, 20__ by _____
(Owners Name)

X _____
Notary Public for Oregon

My commission expires: _____