



**Type III Livestock Conditional
Use Permit/Renewal Form**
Original Permit Number _____
Name _____
DATE: _____ **RETURN PERMIT WITHIN 60 DAYS**

City of Adams

Please refer to Ordinance 254 for full details.

SECTION 3. APPLICATION. It shall be unlawful for any person to have, keep or maintain livestock, fur-bearing animals, and fowl within the corporate limits of the City of Adams without first filing a conditional use application and, upon its approval, having obtained a permit from the City Recorder.

All permits required by this ordinance shall be obtained prior to placing livestock, animals, or fowl upon a premise.

No person having obtained a permit under the provisions of this ordinance shall keep any greater number of livestock, animals, or fowl than the number presented in the permit. Any increase in the number or change of species will constitute the need for a new conditional use application with accompanying fees.

Any person wishing to keep livestock, animals, or fowl must first file a conditional use application complete with:

- a. The name and address of the applicant.
- b. The actual location, by tax lot number, where the livestock, animals or fowl are to be kept.
- c. A description of the kind and exact number of livestock, animals and/or fowl to which the permit will apply.
- d. A plot plan showing the shelter or structures and enclosure boundaries for the keeping of livestock, animals, or fowl, including the distance of said shelter (natural, portable, or permanent) and accommodations from neighboring property and residences.
- e. A description of the type of enclosure showing sufficient ability to contain the livestock, animals and/or fowl to which the permit will apply.
- f. Approval from the Planning Commission showing compliance with City zoning ordinances.

SECTION 4. HEARING/GRANTING OF PERMIT. All applications for a conditional use permit **shall conform to the procedures of a Type III (Quasi-Judicial) application outlined in the Development Code under §4.1.500.**

Neighbors within 300 feet of property in consideration will be notified of such hearing and allowed the opportunity to comment. In consideration of request for a conditional use permit pursuant to this ordinance, the **Commission and/or Council** shall consider all information deemed relevant, including but not limited to the information set forth in the application, the results of the inspection, and the comments and information made a part of the record. The **Commission and/or Council** shall deny any request for a permit that does not meet the terms of this ordinance.

The **Commission and/or Council** shall have the authority to place conditions upon the keeping of animals regulated by this ordinance that are intended to mitigate or prevent adverse effect on neighboring property, the community, public health and safety, or sanitary conditions on the subject property, and/or to minimize odors, noise, vectors, or other adverse conditions or impacts reasonably to be expected. Such conditions may include, but are not limited to, screening, specifications for enclosures, locations on the subject property where the animals are to be kept, required maintenance, and clean up, pest control, and other measures.

The **Commission and/or Council** shall also have the authority to review and amend a granted conditional use permit to address adverse impacts which arise after the permit is allowed.

Upon approval of the application by both the Commission and Council, and upon completion of an inspection of the proposed enclosure by a Committee of Council and Commission members or authorized agents to ensure that the enclosure will not constitute a nuisance or health hazard, the City Recorder shall issue the conditional use permit herein provided for. The permit shall be for two (2) years from the date of issuance, unless sooner suspended or revoked, and shall be renewable providing applicant has complied with all provisions of this ordinance. Non-compliance with this ordinance, or any condition of the permit, shall make the permit subject to revocation pursuant to Section 8 of this ordinance.

SECTION 5. PROPERTY. All persons keeping or maintaining livestock, animals, or fowl shall keep all of same within their own fenced area, though **no livestock shall be allowed in front yards**. All enclosures shall be maintained so as not to allow livestock/animal or fowl access to any public waterway. Damage done by any privately-owned livestock **shall be the sole responsibility of the owner and** will not be the responsibility or liability of the City.

SECTION 6. SANITARY/ENCLOSURE. All livestock, animal, or fowl, and all structures and enclosures permitted in this ordinance, shall be kept, and maintained at all times in a clean and sanitary condition so that no offensive odors are emitted therefrom, and so as to prevent the same from becoming a breeding place for flies, mosquitos, or other insects and vermin. Accumulations of manure, droppings and/or other materials soiled by waste shall be collected as needed and disposed of in such a manner as to prevent and eliminate fly-breeding and nuisance conditions.

The City of Adams is required to maintain either ownership or an easement for the properties within 100 feet of our drinking water well. The City of Adams has been granted a reduction for this easement to 80 feet. It is required (ORS 333-061-0050(2)(a)(E)) that no existing or potential public health hazard shall be permitted within this area.

These sanitary hazards include animal yards, feedlots, or animal waste storage.

SECTION 7. INSPECTIONS. All holders of a conditional use permit under this ordinance shall be subject to impromptu premises inspection. Conditional use permit holders, upon notification of inspection by the City, shall allow Council members or authorized agents access to premises for such inspection. Refusal to allow access to premises for inspection **may be grounds for** revocation of the permit.

SECTION 8. COMPLAINTS/REVOCATIONS OF PERMIT. **If** any resident of the City reasonably believes that any livestock, animal, or fowl, or any enclosure, structure, or pasture is offensive, such as by the emission of odors,

the breeding of flies, or the presence of insects or vermin, or that a violation of this ordinance or of a condition of an issued permit has occurred, or that the keeping of any animal has become a nuisance, such person may file a complaint in writing with the City Recorder.

Costs associated with the removal of livestock/animals or fowl will be the responsibility of the **violator/owner**.

Any conditional use permit holder under this ordinance who has a permit revoked shall be ineligible for any additional conditional use permit for a period of one year before eligible to reapply.

Written notices of violation will be sent certified mail and will be effective the same date as deposited with the United States Postal Service or other postal carrier.

Type III Conditional Use Permit-Livestock Policy and Process

The intent of this policy is that applicants for this permit understand and follow the correct procedure for a Type III Conditional Use Permit (CUP) Livestock application. Adhering to this process will ensure the correct sheltering of animals, reduce any potential impact on neighboring residents and properties, and provide a commitment to appropriate upkeep of permitted animals, structures, and land.

These steps will be followed, and it must be known that this process could take several months.

1. A resident may contact the City Recorder for a packet which includes:
 - a) Application for Type III Conditional Use Permit
 - b) Copy of City Ordinance No. 254 as amended.
 - c) Copy of this process.
 - d) Site map example
 - e) Standard of Animal Care
2. City Recorder will advise the applicant of a schedule of upcoming Planning Commission meetings, of the need for the applicant to attend, and for the need to have all documents returned to the City Recorder at least 7 days prior to the Commission meeting.
3. The Commission will conduct a pre-approval conference with the applicant in its regular meeting. The Commission will schedule a site visit with the applicant conducted by Code Enforcement.
4. Upon the applicant having met the requirements of the CUP application, the Commission will determine a recommendation for City Council (Council) consideration.
5. The CUP fee will be paid to the City Recorder by the applicant. The City Recorder will obtain information from Umatilla County and mail notification of the Permit application to all necessary surrounding property owners/residents withing 300 feet of the applicant's intent.

6. At the next regularly scheduled Planning Commission meeting, if all requirements are met, the Commission will vote to approve/disapprove the request which in the case of approval, the permit will be brought before the City Council at their next meeting.
7. The City Recorder will notify the applicant of the appropriate date for the next qualifying Council meeting at which a public hearing regarding the Permit application will be conducted. The Council will vote to approve or deny the CUP application.
8. The applicant must conclude all commitments and contingencies of the CUP before an animal can be placed on the property. Further, if commitments and contingencies are not met within 180 days of the CUP approval, the applicant may be required to re-apply.
9. As a condition of approval, applicants should be aware that the City may perform on-site inspection of animal living conditions subject to the commitment and contingencies documented in the final CUP application. These on-site inspections may be impromptu, and violations of the CUP agreement may result in sanctions, revocation of the permit, and/or submission of the applicant to Umatilla County Code Enforcement.

This application must be submitted to the City of Adams at City Hall, by mail-P.O. Box 20, Adams, OR 97810 or electronically cityhall@cityofadamsoregon.us or in person. Acceptance of the application and fee does not guarantee approval of a determination of completeness. **If this is a renewal of a previously approved permit, the applicant will have sixty (60) days from the date on page 1 to fill out and return the renewal or the Livestock Permit will expire.**

PERMIT FEE-\$200.00 MUST BE PAID WHEN PERMIT IS SUBMITTED

PLEASE COMPLETE THIS APPLICATION PRINTING CLEARLY WITH A BLACK/BLUE PEN

SECTION I: Type III Permit

(describe) _____

Section II: Contact Information

Name of Applicant: _____

Mailing Address: _____

Telephone Number: _____ Email Address: _____

Applicant is the- _____ Legal Owner _____ Contract Purchaser _____ Agent _____ Realtor

Name of Current Property Owner(s): _____

Address: _____

City, State, ZIP: _____

Telephone Number _____ Email: _____

Section 3: Property Information

Call the Umatilla County Assessor’s Office at 541-278-6216 for property details.

Physical Address of property: _____

Map Number(s) of property: **Township 3N Range 34 Section 04-** _____ **Tax Lot** _____

Township 3N Range 34 Section 04- _____ **Tax Lot** _____

Tax Account Number(s) of property: Account # _____

Account # _____

Current size of property: Square Feet or Acres _____

Square Feet or Acres _____

Current Zoning Designation of the property:

_____ Commercial (C) _____ Industrial (I) _____ Residential (R) _____ Residential-Suburban (SR)

Buildings on property: _____

Current use of the property: _____

Surrounding uses of the property: _____

Is the property located in a floodplain? _____ Yes, the property is in a floodplain: Zone: _____

_____ No, the property is not in a floodplain.

How is ACCESS provided to the property: Name of road/street _____

_____ Paved _____ Gravel _____ Dirt

EASEMENTS: Are there access easements on the property that provide the MAIN ACCESS for the property OR adjacent properties? _____ YES _____ No

MATERIALS TO BE SUBMITTED

_____ Completed Application

_____ Application Fees

_____ Site Plan Marked Exhibit B to include:

- Detailed drawing
- Proposed and existing structures
- Site area showing property boundaries.
- Location of existing septic system-tank, drain field and replacement drain field.
- Widths and names of roads adjacent to property as well as those providing direct access.
- Existing access points-driveways, lanes
- Easements and rights-of-ways
- Existing utility lines-above and below ground
- Approximate location of any unusual topographical features
- Major geographic features
- Location of all creeks, streams, ponds, springs, and other drainage ways
- Landscaping-trees and other features

1. What type/species of animal and how many?

2. How much area is available for the animals?

3. What type of shelter will be provided? (Feel free to include pictures)

4. What type of fencing will be used to enclose the animals? Is fencing adequate for the type of animal(s)? Fencing in the floodplain must be the appropriate material and all fencing must meet development code.

5. Where is your septic tank and drain field in relation to the area where the animal(s) will be kept?

6. Please describe in detail your waste management plan

7. What is the plan for feeding and providing water for the animal(s) i.e., grazing, hay-supplied feed?

8. If grazing, what is the rotation plan?

9. What will be the impact on your neighbors from the location of the animal(s), animal feeding stations, and/or shelters?

10. If this is a renewal, what number and type of animal(s) were listed on the original permit?

Conditions for permit as issued by Planning Commission

- 1. _____

- 2. _____

- 3. _____

- 4. _____

- 5. _____

Signature of applicant agreeing to above conditions _____

Signature of Planning Commission _____

Date: _____

Conditions for permit as issued by City Council

- 1. _____

- 2. _____

- 3. _____

- 4. _____

- 5. _____

Signature of applicant agreeing to the above conditions: _____

Signature of City Council _____

Date: _____

