

Date Received:

LAND MANAGEMENT DIVISION



Type II or III LAND USE APPLICATION
Modification of Approval:

Director Approval Hearings Official Approval

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577

For Office Use Only: FILE #

FEE:

Applicant (print name):

Mailing address:

Phone: Email:

Applicant Signature:

Agent (print name):

Mailing address:

Phone: Email:

Agent Signature:

Land Owner (print name):

Mailing address:

Phone: Email:

Through applying for this application I authorize the Lane County Planning Director, designee, or hearings official to enter upon the property subject of the application to conduct a site visit necessary for processing the requested application. Lane County shall contact the Land Owner prior to the site visit to arrange an appropriate time for the site visit.

Land Owner Signature:

LOCATION

Township - Range - Section - Taxlot

Site address

What is the PA# for the original land use application?

PROPOSAL: A request for a Type II or III Modification of Approval, pursuant to LC 14.090(5).

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

REQUIRED SUBMITTALS (Also reference the Application Standards handout)

Lane Code 14.020 (3)(b) Electronic Materials.

- (i) **When application or appeal materials submitted in hard copy format are over five pages in length, an applicant or appellant must provide an identical electronic version of the submitted materials in addition to a hard copy. Any other party submitting written materials into the record that are over five pages is also encouraged to submit an identical electronic copy. Any electronic materials must be in a format acceptable to the Director. This provision should not be interpreted to prohibit electronic submittals of materials less than five pages in length. The County will scan submitted materials upon request for fee. The County cannot be held responsible for electronic submittals that are not received by the Director or not confirmed by the Director to have been received.**
- (ii) **When electronic materials over five pages in length are submitted by any party for inclusion in an application record, an identical hard copy of the materials must also be submitted unless this requirement is waived by the Director.**

Lane Code 14.040 Application Requirements

- (1) **Minimum Submittal Requirements. Applications for a Type I through Type IV procedure must be submitted on a form provided by the Director, address all applicable standards and criteria, and include the following materials and information:**
 - (a) **Applications must include at least one hard copy of all application materials, no larger than 11 inch x 17 inch in size;**
 - (b) **All applicable information requested on the application form;**
 - (c) **Required filing fee, except that the required filing fee may not be required when Lane County initiates an application;**
 - (d) **Signature of each applicant;**
 - (e) **Signature of a property owner or property owner's authorized representative;**
 - (f) **Proof of property ownership by providing a certified or recorded copy of a deed, or land sale contract, or Lane County Tax Assessor's records;**
 - (g) **Assessor's map and tax lot number of the subject property;**
 - (h) **A site plan drawn to a standard engineer's scale, and conforming to the County's site plan submittal standards;**

A site plan must be included. Refer to the handout entitled "How to prepare your plot plan." Identify nearby driveways. Driveways spacing standards are contained in Lane Code 15.138.
 - (i) **Information demonstrating compliance with any applicable prior decisions and conditions of approval for the subject property;**

- (j) A written narrative clearly indicating what action is requested and addressing all applicable standards and criteria;
- (k) Supporting information required to evaluate the application and address the applicable standards and criteria;
- (l) A written statement indicating whether a railroad-highway crossing provides or will provide the only access to land that is the subject of an application; and

Does a railroad-highway crossing provide the only access to the subject property?

Yes ___ No ___

(m) Additional information needed to evaluate applicable standards and criteria.

- (2) Fees Required. In addition to any other applicable approval criteria, an approvable Type II or III application must be accompanied by the appropriate filing fee unless the Director authorizes a waiver or reduction to filing fees pursuant to Lane Manual Chapter 60.850.
- (3) Determination of Application Requirements. The Director may waive any of the requirements of subsection (1) above if deemed to be inapplicable to the application.
- (4) Applicant's Burden. It is the applicant's responsibility to provide evidence demonstrating that the application complies with all applicable standards and criteria.

ADDITIONAL INFORMATION REQUESTED FOR THIS APPLICATION:

ZONING _____ ACREAGE: _____

DESCRIBE THE ACCESS TO THE PROPERTY (circle the answer):

State Hwy County Rd Public Rd Private Easement

Road name: _____

Does a railroad or highway crossing provide the only access to the property (circle)? Yes No

NUMBER OF EXISTING DWELLINGS ON PARCEL:

EXISTING IMPROVEMENTS: What structures or improvements does the property contain (i.e., outbuildings, roads, driveways, wells, septic tanks, drainfields)? Will any structure or improvement be removed/demolished?

PHYSICAL FEATURES: Describe the site.

- The Vegetation on the property: _____

▪ The Topography of the property: _____

▪ Any Significant Features of the property (steep slopes, water bodies, etc.): _____

APPROVAL CRITERIA

Lane Code 14.090

(4) Compliance with Conditions of Approval. Compliance with conditions of approval and adherence to approved plans is required. Any departure from the conditions of approval and approved plans constitutes a violation of the applicable sections of Lane Code and may constitute grounds for revocation or suspension of the approval unless a modification of approval is approved as provided in subsection (5) below.

(5) Modification of Approval. An application for modification of approval must comply with the subsection (5)(a) through (c) below.

(a) An application for modification of approval must:

(i) Be in writing on a form provided by the Director;

(ii) Include the required application fee;

(iii) Be received by the Director prior to the expiration of the approval time period to complete any conditions of approval of the decision for which modification is requested, where calculation of the expiration date includes any time extension approved in accordance with subsection (7) below;

What is the expiration date of the original decision?

Which conditions need to be modified?

How do the conditions need to be modified?

(iv) Identify and address any standards or criteria that the original approval addressed; and

Identify the standards or criteria that the original conditions addressed.

(v) Address compliance of the requested modifications with any applicable standards or criteria.

Explain how the requested modification(s) comply with the application criteria.

(b) The applicable standards and criteria for the final decision have not changed; and

Have the approval criteria for the original decision been changed? Yes No

(c) A decision on a modification of approval must be made by the same approval authority as the original final decision unless the original decision allows modification by a different approval authority.

Approval authority for the final decision:

____ Planning Director ____ Hearings Official