

Date Received: _____

LAND MANAGEMENT DIVISION



**TYPE II LAND USE APPLICATION –
Riparian Modification**

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 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

Assessor's Map and Tax Lot _____

Site address _____

PROPOSAL: A request for Type II (Planning Director) approval of a Riparian Modification pursuant to Lane Code 16.253(3).

RIPARIAN DECLARATION. A Riparian Declaration is required prior to submittal of this application.

What is the PA number of the Riparian Declaration? PA # _____

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

ADJOINING OWNERSHIP: Is any adjacent property under the same ownership as the subject property? List the map and tax lot(s).

SITE PLAN: 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.

ZONING: _____

ACREAGE: _____

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

State Hwy County Rd Public Rd Private Easement (provide a copy)

Road name: _____

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

PRIOR DECISIONS: Provide information demonstrating compliance with any applicable prior decisions and conditions of approval for the subject property.

EXISTING IMPROVEMENTS: What structures or development does the property contain? Will any structure be removed/demolished besides the existing dwelling?

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.): _____

VEGETATION REMOVAL LIMITS

Table 1 is a summary of the vegetation removal limits contained in **LC 16.253(2)**. Refer to the last page of this application for a list of Resource and Non – Resource Zones. **Removal of vegetation in excess of these limits requires a Riparian Alteration Plan.** Refer to LC 16.253(5) for details.

Table 1

Length of river frontage	Vegetation removal		
	Linear feet	Total area: Non – Resource zones	Total area: Resource zones
200 ft or less	50	2,500 sf	5,000 sf
201 to 399 ft	25% of river frontage	25% of the riparian setback area	25% of the riparian setback area
400 ft or greater	100	5,000 sf	10,000 sf

APPROVAL CRITERIA

LC 16.253(3) Modification.

A modification to the applicable riparian setback standard for a structure may be allowed provided the Oregon Department of Fish and Wildlife (hereafter ODF&W) is consulted by the Planning Director at least 10 working days prior to the initial permit decision and an application for a modification to the setback standard has been submitted and approved pursuant to Type II procedures of LC Chapter 14 and subject to findings of compliance addressing the following criteria:

Upon receipt of your application, the Director will forward a copy to ODFW for their comments.

Your application must comply with (a) and either (b) or (c). Therefore, you must answer (a), but you may choose to answer either (b) or (c). Attach additional pages of necessary.

You must answer (a):

- (a) **The location of a structure within the riparian setback area shall not result in the removal or the alteration of vegetation within the riparian setback area in excess of the standards of LC 16.253(2) above. For purposes of LC 16.253, altered means to eliminate, significantly reduce or interrupt the natural growth cycle of indigenous vegetation by removal or destruction of the vegetation caused by a person; and**

How much vegetation (in square footage) you will be removing: _____

What is the length of river frontage for the property: _____

What is the maximum amount of vegetation (in square footage) that you are allowed to remove according to Table 1?: _____

What is the size, in square feet, of the footprint of the structure: _____

What is the total linear dimension within the setback area. Existing: _____ Proposed: _____

You may answer (b) OR (c). You do not have to answer both.

- (b) **The riparian vegetation does not actually extend all the way into the riparian setback area to the location of the proposed structure. This determination shall include consideration of any evidence of riparian vegetation existing prior to any removal of indigenous vegetation before or during the application review period; or**

Does your plan comply with this standard? Explain: _____

(c) **It can be demonstrated that an unduly restrictive burden would be placed on the property owner if the structure was not allowed to be located within the riparian setback area.**

Does your plan comply with this standard? Explain: _____

Resource Zones:

F1 (Nonimpacted Forest)	PR (Parks and Recreation)
F2 (Impacted Forest)	QM (Quarry and Mine Operations)
EFU (Exclusive Farm Use)	IWC (Inmate Work Camp)
NR (Natural Resource)	DR (Destination Resort)
ML (Marginal Lands)	

Nonresource Zones:

LC 16.219 PF (Public Facilities)	LC 16.229 RA (Suburban Residential)
LC 16.220 C-1 (Limited Commercial)	LC 16.230 RG (Garden Apartment Residential)
LC 16.221 C-2 (Neighborhood Commercial)	LC 16.231 RR (Rural Residential)
LC 16.222 C-3 (Commercial)	LC 16.290 RR (Residential)
LC 16.223 C-RCP (Rural Commercial)	LC 16.291 RC (Rural Commercial)
LC 16.224 M-1 (Limited Industrial)	LC 16.292 RI (Rural Industrial)
LC 16.225 M-2 (Light Industrial)	LC 16.294 RPF (Rural Public Facility)
LC 16.226 M-3 (Heavy Industrial)	LC 16.295 RPR (Rural Park and Recreation)