Date Received:

LAND MANAGEMENT DIVISION

LAND USE APPLICATION - ADMINISTRATIVE
Shoreline Boundary Preliminary Investigation
Mixed Development Combining Zone

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(s)

_____
Site address

PROPOSAL: A request for a Preliminary Investigation prior to development in the Mixed Development Combining Zone, pursuant to Lane Code 16.241.

This application is based on objective evidence and is not a land use decision; therefore, the decision is not subject to public notice and may only be appealed by the applicant.

Version 9/2013

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

The Preliminary Investigation will determine the presence of any hazards to the proposed development and the appropriate mitigation measures.

PROJECT DESCRIPTION What are you proposing? What are you going to build?

_____

_____

_____

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: _____

LOCATION Describe how to find the property. Is the address visible? Are there any identifying features?

_____

_____

_____

_____

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

_____

_____

_____

STAKE OUT THE DEVELOPMENT AREA. The location of the structure(s) must be staked out on the site and identified with colored ribbon or a similar item.

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.): _____

  _____

APPLICABILITY

LC 16.241(8) Preliminary Investigation.

Any proposal for development within the /MD-RCP Zone shall require a Preliminary Investigation by the Planning Director to determine the specific area to which the requirements of the /MD-RCP Zone shall apply. The requirements of the /MD-RCP Zone shall apply in an area in which the Planning Director determines that one or more or the criteria specified below apply:

To the best of your knowledge, do any of the following conditions exist at the site? Check all that apply.

(a) Lands which limit control or are directly affected by the hydraulic action of the coastal waterways. These lands are composed of the following:

__ (i) Floodways and floodway fringe.

__ (ii) Land lying between the mean high, high water and mean low watermark of coastal water bodies.

__ (iii) Dikes, dams, levees or steep embankments which control the coastal water body.

__ (iv) Lands along the ocean coast at or below the 26-foot elevation line.

(b) Adjacent areas of geologic instability which are composed of;

__ (i) Areas of geologic instability in which the instability is attributable to the hydraulic action of the water body.

__ (ii) Areas of geologic instability which have a direct impact on water quality, water temperature or on shoreline stability.

__ (iii) Shorelands in dunal areas in which the enforcement of the use restrictions of the /BD-RCP Zone, LC 16.243, would be inadequate to protect water quality, water temperature or shoreline stability.

(c) Natural or human-made riparian resources. These lands are as follows:

(i) Extend from 10 to 65 feet landward from the mean high water, within which area the existing vegetation serves one or more of the following functions:

__ (aa) Shading of coastal water body.

__ (bb) Stabilization of shoreline.

__ (cc) Habitat for rare or endangered wildlife species.

__ (dd) Significant riparian vegetation areas as identified in the Lane County Coastal Inventory.

(d) Areas of significant shoreland and wetland biological habitat, composed of:

__ (i) Freshwater marshes identified in the Lane County Rural Comprehensive Plan.

__ (ii) Areas currently identified by Nature Conservancy and included in the Lane County Coastal Inventory as significant natural areas or other areas which the Lane County Board of Commissioners may deem significant natural areas based on new inventory information.

__ (iii) Habitat, other than that listed in LC 16.241(8)(c)(i)(cc) above, which supports rare or endangered species.

__ (e) Areas necessary for water dependent and water related uses, including areas of recreational importance which utilize coastal water or riparian resources, areas appropriate for navigation and port facilities and areas having characteristics suitable for aquaculture. These are as identified in the Lane County Rural Comprehensive Plan.

__ (f) Areas identified in the Lane County Rural Comprehensive Plan as having exceptional aesthetic or scenic quality derived from or related to the association with coastal water areas.

__ (g) Coastal headlands identified in the Lane County Coastal Inventory.

APPROVAL CRITERIA

Answer every question. Attach additional pages if necessary.

LC 16.241(6) Site and Development Requirements.

If found subject to the requirements of the /MD-RCP Zone, based on the results of the Preliminary Investigation specified by LC 16.241(8) below, the below-specified development requirements shall be in addition to those provided by the respective zone or zones with which the /MD-RCP Zone is combined. These requirements shall not apply to timber harvesting activities. Timber harvesting activities, where permitted by the respective zone with which the /MD-RCP Zone is combined, shall conform to Oregon Forest Practices Act rules.

(a) Riparian vegetation shall be maintained or encouraged to promote bank stabilization, maintain water quality and temperature, reduce erosion and for general aesthetics, except where unfeasible in connection with a water dependent or water related use.

Footprint of the proposed structure(s): _____ sf

Total area of vegetation clearance: _____ sf

Explain why your proposed vegetation clearance is not excessive: _____

_____

_____

_____

(b) The applicant must submit a complete analysis of all physical and biological impacts upon the shorelands area and upon coastal waters and water resources. The report shall consider, at a minimum, the critical relationships which exist between coastal shorelands and coastal water resources and the potential for geological and hydrological hazards:

Will your project have any impact to the shorelands area or the coastal waters? Explain.

_____

_____

_____

_____

(c) The benefits of the proposed activity to the long-term economic development or improved public recreational use shall outweigh the negative impacts on water quality, temperature and resources, bank stabilization, erosion control and general aesthetics.

How does your plan comply with this requirement?

_____

_____

_____

_____

(d) Where public ownerships in the form of existing rights-of-way which provide access to coastal waters are involved in development subject to the regulations of this section, those ownerships shall be retained where possible, or replaced where not possible, upon the sale or disposal of the rights-of-way. Rights-of-way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.

Will your project impact any public rights-of-way that provide access to coast waters? Explain.

_____

_____

_____

_____