

LAND MANAGEMENT DIVISION

Date Received:



LAND USE APPLICATION - DIRECTOR
Verification of Siting Standards for
Accessory Structure in a New Site:
Impacted Forest Lands Zone (F-2)

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97404 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

Township - Range - Section - 1/4 - Taxlot

Site address

PROPOSAL: A request for Director Approval to review the Impacted Forest Lands (F-2) Zone Siting Standards for an Accessory Structure in a New Site, pursuant to Lane Code 16.211(2)(o) & 16.211(8).

**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).

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**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:** \_\_\_\_\_

**FIRE DISTRICT:** \_\_\_\_\_

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

State Hwy                      County Rd                      Public Rd                      Private Easement

Road name: \_\_\_\_\_

**NUMBER OF EXISTING DWELLINGS ON PARCEL:** \_\_\_\_\_

**SIZE OF PROPOSED STRUCTURE:** \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_ sq.ft.

**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?

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**PHYSICAL FEATURES:** Describe the site.

▪ The Vegetation on the property: \_\_\_\_\_

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▪ The Topography of the property: \_\_\_\_\_

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

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## APPROVAL CRITERIA

(2) **Permitted Uses.** The uses and activities in LC 16.211(2)(a) through (i), (n) and (o)(ii) below are allowed without the need for notice and the opportunity for appeal, subject to compliance with the general provisions and exceptions prescribed by this chapter of Lane Code. A determination by the Director for whether or not a use fits within the classification of uses listed in LC 16.211(2) below may constitute a "permit" as defined by ORS 215.402(4), "...discretionary approval of a proposed development of land..." For such a determination, an owner of land where the use would occur may apply in writing to the Director to provide mailed notice of the determination to nearby owners pursuant to LC 14.100(3) and (4) with the opportunity for appeal pursuant to LC 14.500. The burden of proof in the application shall be upon the owner of land to demonstrate that the proposed use fits within the classification. The Director shall provide a disclosure statement regarding this option for notice and the opportunity for appeal to owners of land applying for land use compatibility statements or permits with Lane County for the uses listed in LC 16.211(2) below.

(o) Uses and development accessory to existing uses and development, subject to the following

- (i) For the purpose of LC 16.211(2)(o), the "same site" is defined as a square with dimensions of 200 feet which is centered on the footprint of the primary structure (dwelling);
- (ii) If the proposed accessory development is located partially or entirely within the 'same site' development area, the accessory development is subject to the following clear and objective siting standards: LC 16.211(8)(a)(iv) & (v), (c)(i)(aa), and (c)(iii); or
- (iii) If the proposed accessory development is located outside of the 'same site' development area, the accessory development is subject to the following discretionary siting standards: LC 16.211(8)(a), (b), (c)(i)(aa), (c)(iii), and (e). Notice is required pursuant to LC 14.100(3) and (4) with the opportunity for appeal pursuant to LC 14.500.

Distance from center of existing dwelling to center of the proposed accessory structure? \_\_\_\_\_ Feet

Is the proposed accessory structure located within the "same site" area described above?      Yes      No

If yes, then this application is not required because the accessory structure may be considered as a permitted use under LC 16.211(2)(o)(ii) following the clear and objective standards of LC 16.211(8)(a)(iv), (v), (c)(i)(aa) and (c)(iii).

## SITING CRITERIA

When addressing the following siting criteria, attach additional pages if needed to explain.

### Lane Code 16.211(8) Siting Standards for Dwellings, Structures and Other Uses.

These standards are designed to make the proposed dwelling compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands.

The standards in LC 16.211(8)(a)-(b) below shall be weighed together with the requirements in LC 16.211(8)(c) and (e) below to identify the building site.

(a) **Setbacks.** Residences, dwellings or manufactured dwellings and structures shall be sited as follows:

**(i) Near dwellings or manufactured dwellings on other tracts, near existing roads, on the most level part of the tract, on the least suitable portion of the tract for forest use and at least 30 feet away from any ravine, ridge or slope greater than 40 percent;**

Explain the reason for the proposed location. You must address the following issues:

- Is the proposed structure close to dwellings on the subject property or on other nearby tracts of land? Explain.  
\_\_\_\_\_  
\_\_\_\_\_
- Is the structure near existing roads? Explain.  
\_\_\_\_\_  
\_\_\_\_\_
- What is the most level part of the property? Is the proposed structure on the most level portion of the property? Explain.  
\_\_\_\_\_  
\_\_\_\_\_
- What is the area of the property that is least suitable for forest use? This could be based on the soil productivity, forest management or forest harvesting practices. Is the proposed structure located on the least suitable portion of the property for forest use? Explain.  
\_\_\_\_\_  
\_\_\_\_\_
- Is there a ravine, ridge or slope greater than 40% within 30 feet of the proposed structure? Explain.  
\_\_\_\_\_  
\_\_\_\_\_

**(ii) With minimal intrusion into forest areas undeveloped by non-forest uses; and**

Will the proposed structure encroach into a forested area? Will the proposed structure be located in an existing developed or open area? Explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(iii) Where possible, when considering LC 16.211(8)(a)(i) and (ii) above and the dimensions and topography of the tract, at least 500 feet from the adjoining lines of property zoned F-1 and 100 feet from the adjoining lines of property zoned F-2 or EFU; and**

Is the proposed structure within 500 feet of adjoining property zoned F-1?    Yes            No

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is the proposed structure within 100 feet of adjoining property zoned F-2 or EFU?      Yes      No

If yes, explain: \_\_\_\_\_

**(iv) Except for property located between the Eugene-Springfield Metropolitan Area General Plan Boundary and the Eugene and Springfield Urban Growth Boundaries, where setbacks are provided for in LC 16.253(6), the riparian setback area shall be the area between a line 100 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence shall be located closer than 100 feet from ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) or LC 16.253(6), as applicable, are met; and**

Is there a designated Class 1 stream on the property?      Yes      No

If yes, how far will the proposed structure be from the Class 1 stream? \_\_\_\_\_ Feet

**(v) Structures other than a fence or sign shall not be located closer than:**

- (aa) 20 feet from the right-of-way of a state road, County road or a local access public road specified in Lane Code LC Chapter 15; and**
- (bb) 30 feet from all property lines other than those described in LC 16.211(8)(a)(v)(aa) above; and**
- (cc) The minimum distance necessary to comply with LC 16.211(8)(a) above and LC 16.211(8)(b) through (d) below.**

Does the property front County Right-of-way?      Yes      No

If yes, what is the distance from the proposed structure to the County Right-of-way? \_\_\_\_\_ Feet

How far is the proposed structure from the northern property line? \_\_\_\_\_ Feet

How far is the proposed structure from the eastern property line? \_\_\_\_\_ Feet

How far is the proposed structure from the southern property line? \_\_\_\_\_ Feet

How far is the proposed structure from the western property line? \_\_\_\_\_ Feet

**(b) The amount of forest lands used to site access roads, service corridors and structures shall be minimized.**

Will an existing driveway be extended to access the proposed structure?      Yes      No

Will a new access road be constructed to access the proposed structure?      Yes      No

Explain how the location of the structure and access road minimizes the intrusion into the forest lands.

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(c) **Fire Siting Standards.** The following fire-siting standards or their equivalent shall apply to new residences, dwellings, manufactured dwellings or structures:

(i) **Fuel-Free Breaks.** The owners of dwellings, manufactured dwellings and structures shall maintain a primary safety zone surrounding all structures and clear and maintain a secondary fuel break on land surrounding the dwelling or manufactured dwelling that is owned or controlled by the owner in compliance with these requirements.

(aa) **Primary Safety Zone.** The primary safety zone is a fire break extending a minimum of 30 feet in all directions around dwellings, manufactured dwellings and structures. The goal within the primary safety zone is to exclude fuels that will produce flame lengths in excess of one foot. Vegetation within the primary safety zone could include green lawns and low shrubs (less than 24 inches in height). Trees shall be spaced with greater than 15 feet between the crown and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles, and other dead vegetation shall be removed from beneath trees. Nonflammable materials (i.e., rock) instead of flammable materials (i.e., bark mulch) shall be placed next to the house.

As slope increases, the primary safety zone shall increase away from the house, parallel to the slope and down the slope, as shown in the table below:

Size of the Primary Safety Zone by Percent Slope		
% Slope	Feet of Primary Safety Zone	Feet of Additional Safety Zone Down Slope
0	30	0
10	30	50
20	30	75
25	30	100
40	30	150

The new structure must be surrounded by a 30 foot primary safety zone. If the structure is on a slope, the safety zone will increase, as shown in the table.

Dwellings or manufactured dwellings shall not be sited on a slope greater than 40 percent.

What is the slope of the land at the building site? \_\_\_\_\_

What is the slope of the land within 30 feet of the structure? \_\_\_\_\_

(iii) **Chimneys and Roofs.** Dwellings, manufactured dwellings or structures with any chimneys shall have a spark arrestor on the chimneys. All habitable roofed structures shall be regulated by the State of Oregon Structural Specialty Code or the State of Oregon One and Two Family Specialty Code. Roofing for dwellings and manufactured dwellings shall be asphalt shingles in accordance with Section 903, slate shingles in accordance with Section 904, metal roofing in accordance with Section 905, tile, clay or concrete shingles in accordance with Section 907 and other approved roofing which is deemed to be equivalent to Class C rated roof covering. Wood shingles and shake roofs are not permitted. When 50 percent or more of the roof covering of any one or two family dwelling or manufactured dwelling is repaired or replaced in one year, the roof covering shall be made to comply with this section.

Do you agree to construct your structure to meet the standards above?    Yes    No

These construction standards will be a condition of approval and will be verified by staff.



**(iii) Bridges and Culverts.** Bridges and culverts shall be constructed to sustain a minimum gross vehicle weight of 50,000 lbs. and to maintain a minimum 16-foot road width surface or a minimum 12-foot driveway surface. The Planning Director may allow a single-span bridge utilizing a converted railroad flatcar as an alternative to the road and driveway surface width requirements, subject to verification from an engineer licensed in the State of Oregon that the structure will comply with the minimum gross weight standard of 50,000 lbs.

Will the access road or extension of the driveway contain any culverts or bridges?                      Yes              No

If yes, explain: \_\_\_\_\_

**(iv) Road and Driveway Grades.** Road and driveway grades shall not exceed 16 percent except for short distances when topographic conditions make lesser grades impractical. In such instances, grades up to 20 percent may be allowed for spans not to exceed 100 feet. An applicant must submit information from a Fire Protection District or engineer licensed in the State of Oregon demonstrating that road and driveway grades in excess of eight percent are adequate for the fire fighting equipment of the agency providing fire protection to access the use, fire fighting equipment and water supply.

Will the road or driveway contain any slopes in excess of 8%?                      Yes              No

If yes, explain: \_\_\_\_\_

**(v) Identification.** Roads shall be named and addressed in compliance with LC 15.305 through 15.335.

Please be advised that staff will evaluate the route of the road serving your dwelling, from the homesite back to the public road to which it connects. Staff will determine if the road is to be named, per LC 15.312 and LM 15.015(3). Staff will review the address numbering of the street, if determined the address number may be required to change. If determined, such will be required as a condition of this approval.

**(vi) Driveway Vehicle Passage Turnouts.** Driveways in excess of 200 feet shall provide for a 20-foot long and eight-foot wide passage space (turn out) with six inches in depth of gravel and at a maximum spacing of 400 feet. Shorter or longer intervals between turnouts may be authorized by the Planning Director where the Director inspects the road and determines that topography, vegetation, corners or turns obstruct visibility.

Is the driveway over 200 feet long?                      Yes              No

    If yes, it must contain turnouts, unless the driveway is 16 feet wide.

Will the driveway be 16 feet wide?                      Yes              No

    If no, it must contain turnouts.

Will the driveway have turnouts?                      Yes              No

    If yes, the turnouts must meet the following standards :

Will the turnout be at least 20-feet long and 8-feet wide?                      Yes              No

Will the turnout have a gravel depth of at least 6-inches?                      Yes              No

(Required turnouts must be shown on the submitted site plan)

