



LAND MANAGEMENT DIVISION

Date Received: _____

TYPE I CHECKLIST - DWELLING ALTERATION/RESTORATION: F-1 / F-2 / EFU ZONES

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97404 Planning: 682-3577

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 Taxlot Number _____

Site address _____

PROPOSAL: A request for Type I determination for alteration or restoration (that changes the footprint) of a dwelling in the:

- ___ Nonimpacted Forest Lands (F-1) Zone, pursuant to Lane Code 16.210(2)-2.2; or
___ Impacted Forest Lands (F-2) Zone, pursuant to Lane Code 16.211(2)-2.5; or
___ Exclusive Farm Use (EFU) Zone, pursuant to Lane Code 16.212(3)-2.7; or

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

ADDITIONAL INFORMATION REQUESTED FOR THIS APPLICATION:

ACREAGE: _____

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: _____

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?

APPROVAL CRITERIA

The Nonimpacted Forest Land (F-1) and Impacted Forest Land (F-2) zones contain identical standards for alteration or restoration of a dwelling. The Exclusive Farm Use (EFU) zone contains different standards than those in the F-1 and F-2 zones. Below are the standards from the F-2 and EFU zones.

*** This application is only required when the proposal involves changing the footprint of the existing dwelling. If you are applying for a replacement dwelling in the F-1, F-2 or EFU zone, please use the applicable *Verification of Replacement Rights* application.***

If the dwelling is located within the **F-1 or F-2 zones**, the alteration or restoration must comply with the following standards:

Lane Code 16.211(2) contains the **Impacted Forest Lands (F-2) Zone Table of Permitted Uses**. Use 2.5, alteration, restoration, or replacement of a lawfully established dwelling, is subject to (3)(d), (3)(q), (5) and (6).

(3) Use Standards

- (d) Alteration, restoration, or replacement of a lawfully established dwelling, subject to the following:
 - (i) The dwelling was lawfully established
 - (ii) The lawfully established dwelling:
 - (aa) Has intact exterior walls and roof structures;
 - (bb) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
 - (cc) Has interior wiring for interior lights; and
 - (dd) Has a heating system;

Include pictures of the kitchen, bathroom, interior lights, heating system, and exterior of the dwelling.

- (q) For single-family dwellings, the landowner must sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

If the application is approved, this will be required after the building permit review meeting and prior to issuance of the building permit.

(5) Siting Standards for Uses, Activities, and Structures

Restoration or alteration of an existing dwelling will be in the 'same site' area per Lane Code 16.211(3)(s). Therefore, the application is exempt from Lane Code 16.211(5)(a). The restoration or alteration must comply with the setback requirements of Lane Code 16.211(5)(b).

(6) Fire-Siting Standards for Dwellings and Structures

Restoration or alteration of an existing dwelling requires Fuel-Free Breaks pursuant to Lane Code 16.211(6)(c). If the proposed restoration or alteration changes the existing access to the dwelling, Fire Safety Design Standards for Roads and Driveways may also apply as required by Lane Code 16.211(6)(b).

If the dwelling is located within the **EFU zone**, the alteration or restoration must comply with the following standards:

Lane Code 16.212(3) contains the Exclusive Farm Use Zone Table of Permitted Uses.

Use 2.7, alteration, restoration, or replacement of a lawfully established dwelling, is subject to (4)(z), (6)(a)-(d), and (15).

(4) Use Standards

- (z) Single-family dwelling deeds. The landowner shall sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.**

If the application is approved, this will be required as part of the building permit review meeting and recorded prior to issuance of the building permit.

(6) Alteration, Restoration or Replacement of a Lawfully-Established Dwelling

- (a) A lawfully established dwelling may be altered, restored or replaced if, when an application for a permit is submitted, the approval authority finds to its satisfaction, based on substantial evidence that:**
 - (i) The dwelling to be altered, restored or replaced has, or formerly had:**
 - (aa) Intact exterior walls and roof structure;**
 - (bb) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;**
 - (cc) Interior wiring for interior lights; and**
 - (dd) A heating system.**
 - (ii) The dwelling was assessed as a dwelling for purposes of ad valorem taxation for:**
 - (aa) The previous five property tax years; or**
 - (bb) If the dwelling was constructed within the last five years, the time when the dwelling was erected upon or affixed to the land and became subject to assessment as described in ORS 307.010.**
 - (cc) Notwithstanding (ii)(aa) and (bb) above, if the value of the dwelling was eliminated as a result of either of the following circumstances, the dwelling was**

assessed as a dwelling until such time as the value of the dwelling was eliminated:

- (A) The destruction (i.e., by fire or natural hazard), or demolition in the case of restoration, of the dwelling; or
- (B) The applicant establishes to the satisfaction of the approval authority that the dwelling was improperly removed from the tax roll by a person other than the current owner. "Improperly removed" means that the dwelling has taxable value in its present state, or had taxable value when the dwelling was first removed from the tax roll or was destroyed by fire or natural hazard, and the County stopped assessing the dwelling even though the current or former owner did not request removal of the dwelling from the tax roll.

The remainder of criteria in subsection (6)(b) through (d) applies only to replacement dwellings and is not applicable to requests for alteration or restoration of a dwelling.

- (15) **Development Standards.** All uses or activities allowed by LC 16.212 must comply with the requirements in Section (15)(b). Uses or activities allowed by LC 16.212, except farm use, must comply with the requirements in LC 16.212(15)(a) and (b).

Restoration or alteration to a dwelling must comply with the setback requirements of Lane Code 16.212(15)(b).

APPLICANT CERTIFICATION

I, _____, as applicant, with authorization of the owner of
Applicant (Print Name)

the subject property, declare that I have read all of the foregoing and the information I have provided is accurate and correct.

Signature

Date Signed

****For Staff Use Only****

Staff checklist for building permit: _____

The application contains the following information as required by the applicable Lane Code provisions in chapter 16.210, 16.211 or 16.212.

- ___ Owner's signature is on the application form
- ___ Scaled site plan showing all existing and proposed development on the subject property as meeting setbacks
- ___ Habitability photos of the subject dwelling
- ___ Lane County Assessment and Taxation records showing taxation of the dwelling
- ___ Recorded Farm Use and Forest Management Easement
- ___ Building permit, land use application or records from the Lane County Assessment and Taxation Office indicating the structure has been taxed on a continuous annual basis from a date that predates zoning.

Based on the information provided, staff has verified that the application complies with Lane Code _____.

Staff Planner

Date