

LAND USE PERMIT APPLICATION REVIEW PROCESS



LAND USE PERMIT APPLICATION 2007

Return Application
Materials To Either:

Brandon McMullen,
Planning Director
Voice: (541) 573-6655
planning@co.harney.or.us

or

Darwin Johnson,
Planning Assistant
Voice: (541) 573-8174
planningassistant@co.harney.or.us

at

**Harney County Planning
Department**
450 N. Buena Vista
Burns, OR 97720
Fax: (541) 573-8387

Visit us at
www.co.harney.or.us

PLANNING COMMISSION MEETINGS ARE HELD

Harney County Courthouse
Basement Meeting Room
3rd Wednesday of each month,
7:00 PM

Get the latest version!
Application Revision Date:
February 2007

This form provides for the simultaneous review of multiple proposed land use actions. Project review will be through an integrated and consolidated format as follows:

1. Pre-Application Meeting:

The applicant(s) will meet with the Planning Director to review the proposed development/request. Applicable information will be discussed in relation to the proposal. The applicant(s) will then submit all applicable materials to the Planning Department at their convenience.

2. Application Meeting

The Planning Director will contact the applicant again to review the submitted application within one week after all materials have been submitted if the application is incomplete. The Planning Director will review applicable regulations in regards to the type of application. Once the application is complete the 150 day clock will begin which is the maximum amount of time the County has by law to process the application.

3. Consideration by Planning Commission

Public notices are published in the Burns-Times Herald and sent to adjacent property owners. The application will then go before the Harney County Planning Commission in an Open Record Public Hearing (unless the application is for a Property Line Adjustment, Farm Dwelling, or other Land Use Action requiring Administrative Review which is heard by the Planning Director). Public comment is received and recommendations are made to the decision making body.

4. Decision Making Body Approval or Denial

The decision-making body (Planning Commission or County Court) takes the recommendation and either approves or denies the application. The County Court may, if the action is legislative in nature, send the application back to the Planning Commission for further review.

5. Provision for an Appeal

An appeal is provided for if the applicant/person with standing desires to challenge a decision of the decision-making body. The County Court or Planning Commission may hear the first level appeal.

6. First and Second Level Appeals

An appeal process is provided and is heard by a legislative body - either the Harney County Court, LUBA or the Oregon State Court of Appeals.

Please Note: This document can be printed to typed using MS Word. The document is "protected" so that the fields (shaded) may be typed into; use 'tab' to go between, but the text of the document cannot be changed. We hope this helps as you complete this application. Unfortunately, there is no spell checking!



Project Application #: _____

Date Received: _____

Final Decision or Public Hearing Date: _____

Harney County Planning **Land Use Permit Application 2007**

This application must be submitted to the Harney County Planning Department, 450 N. Buena Vista, Burns, OR 97720, (541) 573-6655, and must be accompanied by a non-refundable application fee(s). Acceptance of the application and fee(s) does not guarantee approval. **PLEASE COMPLETE THIS APPLICATION BY PRINTING CLEARLY WITH A BLACK INK PEN (copies come out better). THANK YOU.**

Section 1: Contact Information

Name of Applicant: _____

Address: _____

City, State, Zip: _____

Email & Telephone Number: _____

Name of current Property Owner(s):
(If Property Owner is not the applicant) _____

Address: _____

City, State, Zip: _____

Email & Telephone Number: _____

The applicant or an appointed representative **MUST** be in attendance at the Public Hearing (if required) of the Harney County Planning Commission in order to explain the project. Planning Commission meetings occur every 3rd Wednesday of the month at 7 PM in the Harney County Courthouse basement meeting room.

If there is no representative present during the scheduled Public Hearing for this Land Use Permit Application, the application will be tabled until the next regularly scheduled meeting.

Section 2: Type of Application and Fees

Check all application(s) being submitted.

<input checked="" type="checkbox"/>	Type of Application: (Alphabetically Listed)	Fee(s):	Process Summary			
			Public Comment Period	Open Record Hearing	Decision Made By	1 st and 2 nd Level Appeal
<input type="checkbox"/>	Comp. Plan Amendment	\$200.00	20 + days	PC	CC	LUBA
<input type="checkbox"/>	Conditional Use Permit (Including a Non-Farm Dwelling)	\$125.00 **	20 + days	PC	PC	CC and LUBA
<input type="checkbox"/>	Farm Dwelling and other Permitted Uses requiring Admin. Review (Lot of Record Dwelling)	-**	20 + days	-	PD	CC and LUBA
<input type="checkbox"/>	Property Line Adjustment	\$50.00 *	20 + days	-	PD	CC and LUBA
<input type="checkbox"/>	Partition (Divide parcel into 3 - parcels)	\$175.00 *	20 + days	PC	PC	CC and LUBA
<input type="checkbox"/>	Subdivision (Divide parcel into 4 + lots)	\$200.00 + \$10 /lot *	20 + days	PC	CC	LUBA
<input type="checkbox"/>	Variance	\$125.00	20 + days	PC	PC	CC and LUBA
<input type="checkbox"/>	Zone Change (Rezone) (Map/Text, Requires Petition)	\$200.00	20 + days	PC	CC	LUBA
* Partitions, Property Line Adjustments and Subdivisions: Tax Map Maintenance Fee.		\$35 and \$35/lot on subdivisions	<p><i>Key for Abbreviations used above:</i> PD – Planning Director, PC – Planning Commission, CC – County Court, LUBA – Land Use Board of Appeals</p> <p>It should be noted that appeals above LUBA would go to the Oregon Court of Appeals and possibly the Oregon Supreme Court</p>			
Site Plan Review (required for all applications):		\$35.00				
County Clerk Recording Fee of Findings and Decision:		\$50.00				
** Rural Addressing: When constructing a home.		\$50.00/ea				
TOTAL FEE:		\$				

Advertisement Costs: All land use applications will also have additional costs to be billed to the applicant **AFTER** the application is processed - actual costs for public notice in the Burns-Times Herald, \$2.00 for every adjacent landowner that receives a public notice by mail, AND \$8.00 for adjacent landowners map.

Appeals: There is a non-refundable fee when appealing to the Harney County Court of \$125.00

NOT All Sections of this Land Use Permit Application **may** be applicable to every type of application. Sections 1-3, p. 1-8 and Sections 13, 15, p. 18 -20 are required for every application, Only complete the remaining sections that apply: Sec. 4, p. 8- a home or business, Sec. 5, p. 9 - depends on the permit, Sec. 6, p.10- Property Line Adjustment, Sec. 7, p. 11 - Partition, Sec. 8, p. 12 -Farm Dwelling, Sec. 9, p. 14 - Non-Farm Dwelling, Sec. 10, p. 15 - Lot of Record Dwelling, Sec. 11, p. 16 - Rural Addressing, Sec. 12, p. 17 - Road Naming.

Section 3: Property Information

Complete this section for ALL applications.

1. Location of Property (Provide directions you would give someone to get to the property):	
2. Has the Property or dwelling received a Rural Address ? If so, what is it?	<input type="checkbox"/> Yes: _____ <input type="checkbox"/> No
3. Assessor's Account Number(s) for the Property:	Parcel 1: _____ Parcel 2: _____ Parcel 3: _____
4. Assessor's Tax Lot Number(s) for the Property:	Parcel 1: _____ Parcel 2: _____ Parcel 3: _____
5. Legal Description of Property: Township: _____ Range: _____ Section: _____ Use separate sheet of paper for ENTIRE Legal Description and mark it "Exhibit A". (Obtain the legal description from either the Planning Department or Tax Assessor's Office)	
6. Current Zoning Classification:	<input type="checkbox"/> EFRU-1 <input type="checkbox"/> EFRU-2 <input type="checkbox"/> FU or OTHER _____
7. Current Use of Property:	
8. Surrounding Uses of Property:	
9. Size of Property: (acres)	
10. Does the Property reside in a Floodplain ? If the Property is in a Floodplain (Zone Ax) you will need to complete a Floodplain Development Permit before building.	No: _____ Yes: Zone _____ Panel Number: _____ Will building permits eventually be applied for on this project? <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>11. Is the property located in wetlands as listed on the National Wetlands Inventory maps?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>12. What road provides ACCESS to the Property?</p>	
<p>13. Will the Property need an Access Permit onto a County Road or State Highway? (If so call Kerry Landers, County Road master, 573-6232, or ODOT, 541-889-9115).</p>	<p><input type="checkbox"/> Yes, if so please contact the proper authority and provide that documentation with this application. <input type="checkbox"/> No</p>
<p>14. Are there any easements that provide the MAIN ACCESS for the Property OR adjacent properties?</p>	<p><input type="checkbox"/> Yes, if so please provide the documentation with this application. <input type="checkbox"/> No</p>
<p>15. Does the Applicant hold Title to the Property? If not, what is your interest in the Property?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No _____</p>
<p>16. Included in every application* file is a narrative of the types of Fish and Wildlife Habitat found on the Property (<i>obtained from ODFW map information</i>). Please include any additional information you feel necessary.</p>	<p>*Description is NOT necessary for Partitions and Property Line Adjustments.</p>
<p>17. What type of Water Use/Rights is present on this Property? Describe type of Water Use - domestic wells, surface water rights, etc. (Contact June Miller, OWRD, County Courthouse, 573-2591.)</p>	<p><input type="checkbox"/> No water uses/rights present. <input type="checkbox"/> Yes, there are water uses/rights. Circle those that apply: Stock Wells, Domestic Wells, Irrigation Wells</p>
<p>18. What is the environmental health of this Property? For example are there any dumpsites, pollutants, etc. which makes this Property environmentally unhealthy?</p>	<p><input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor, if so, please explain:</p>

19. Are there any **natural hazards** found on the Property?

- No
 Yes, if so, please explain:

20. Are there any **Archeological Sites** on this Property? (If during construction, remains are uncovered please contact the Harney County Planning Department immediately)

- No
 Yes, if so, please describe:

21. Is the Property considered a **Legal Lot of Record**? This means that the parcel or lot was created according to required procedures. Mark which description applies and provide documentation (i.e. Property Deed Card - Assessor's Office):

- A lot in an existing, duly recorded **subdivision**; or,
 A parcel in an existing, duly recorded major or minor land **partition**; or,
 An existing unit of land for which a **survey** has been duly filed which conformed to all applicable regulations at the time of filing, or,
 Any unit of land **created PRIOR to zoning** and partitioning regulations by deed or metes and bounds description, and recorded with the Harney County Clerk, provided, however that contiguous units of land so created under the same ownership and not conforming to the minimum property size of the underlying zone shall be considered one (1) lot of record.
 The **Property does not meet any of the above** descriptions.

22. Projected **timeline** of proposal: (If applying for a Conditional Use Permit it should be noted that if there is no substantial development begun within 1 year from the date of approval, an extension must be written and approved by the Harney County Planning Commission before the permit expires [the 1 year anniversary date]. There is a limit to one extension.)

23. **Provide a description of proposal:**

Section 4: Facilities and Services to Serve Project

Complete this section ONLY if applying for a dwelling.

All facilities and services provided in Harney County are listed below. Please indicate who will provide each facility/service (either public or private) by providing name, address, and phone. For example, if a private domestic well were providing the drinking water, the provider would be the property owner.

Facilities and Services	Name of Provider, Address and Phone
24. Potable (drinking) Water:	<input type="checkbox"/> Private Property Owner, <input type="checkbox"/> Other _____
25. Sanitary Sewage Disposal:	<input type="checkbox"/> Private Property Owner, <input type="checkbox"/> Other _____
26. Electrical Services:	<input type="checkbox"/> Harney Electric Co-op, <input type="checkbox"/> Idaho Power
27. Solid Waste (trash):	<input type="checkbox"/> C & B Sanitary, <input type="checkbox"/> Landfill: _____
28. County Roads:	Harney County Road Department , 266 S. Date, Burns, OR 97720, 573-6232
29. Law Enforcement:	Harney County Sheriffs Department , 485 N. Court, Burns, OR 97720, 573-6156
30. Structural Fire Protection:	(Currently there is no Rural Fire District in the County to provide structural Fire Protection.)
31. Public Schools:	
32. Telephone:	Centurytel - (800)-637-9843

33. Will there be any **undue impacts** on public facilities and services as a result of this land use proposal? (Attach additional pages if necessary.)

- Yes, if so, please explain.
 No

NOTE: "Undue impacts" are when the public facilities or services mentioned above will be adversely impacted or reach a point where they can no longer provide adequate levels of service to the general public.

Section 8: Farm (Ranch) Dwelling

Complete this section ONLY if the application being submitted is for a Farm Dwelling, or an Accessory Farm Dwelling.

The definition of “**Farm Use**” as indicated in the Harney County Zoning Ordinance, Section 3.010:

“As used in this section, ‘farm use’ means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use. "Farm use" also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics and schooling shows. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species and bird and animal species to the extent allowed by the rules adopted by the State Fish and Wildlife Commission. "Farm use" includes the on-site construction and maintenance of equipment and facilities used for the activities described in this subsection. "Farm use" does not include the use of land subject to the provisions of ORS chapter 321, except land used exclusively for growing cultured Christmas trees as defined in subsection (3) of this section or land described in ORS 321.267(1)(e) or 321.415(5). (ORS 215.203(2)(a))”

<p>34. Does the intent of the applicant to farm/ranch the Property fit within the definition of “Farm Use” as stated above?</p>	<p><input type="checkbox"/> Yes, if so complete a Farm/Ranch Management Plan (see below)</p> <p><input type="checkbox"/> No</p>
<p>35. Does the applicant of this dwelling affirm intent to farm the Property for commercial purposes? If so, provide a Farm/Ranch Management Plan indicating the type of operation, size, markets, etc. Use an additional sheet of paper.</p>	<p>Is a Farm/Ranch Management Plan attached?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No (A plan is required, the application is not complete until one is submitted.)</p>
<p>36. Will you be selling a product from the farming/ranching operation? If so, what will it be and to what scale?</p>	<p><input type="checkbox"/> Yes, provide more details.</p> <p><input type="checkbox"/> No</p>

37. Is the Property where the farm/ranch dwelling is to be located **currently being farmed/ranched**?

- Yes, then answer below
 No, then go to #54

38. If the Property is **ALREADY** being farmed/ranched, what **crops, stock, or other farm uses** and activities are involved (indicate number of acres in each use, irrigated or dry, etc. in the table below)?

Type of Use	Number of Acres in each use	Irrigated or Dry	Estimated Annual Income from Property
Crops			
Livestock			

39. Is the Property where the farm/ranch dwelling is to be located under **Farm Use Special Assessment (Class 550)**?

- Yes
 No

40. Is the Property where the farm/ranch dwelling is to be located **suitable for farming**? Consider soil productivity, drainage, terrain, special soil or land conditions, availability of water, etc.

- Yes
 No

41. Are the **properties that surround** the subject Property farmed/ranched?

- Yes
 No

42. What **other uses** are located on the subject Property?

43. Are there any **other dwellings** on the Property? If so, how many and indicate their location on the Site Plan (detailed in Section 10).

- Yes
 No

44. **Who will live** in this dwelling?

Section 11: Rural Address Numbering

A building meant for human occupancy is the ONLY sort of building that can be addressed. Bare pieces of property, barns, etc. are not to be addressed.

45. Location of Property (Provide directions you would give someone to get to the property):	
46. Assessor's Account Number for the Property:	_____
47. Assessor's Tax Lot Number for the Property:	_____
48. Legal Description of Property: Township: _____ Range: _____ Section: _____	
49. Name of Road abutting the property for which an address is to be assigned:	
50. What is the address of the closest neighbors on either side?	
51. How many feet is your driveway from the neighbor's driveway on either side? Provide a directional (i.e. the closest address is 100 feet south of our new driveway.)	

A site plan is required (see Section 13) to show locations of roads and the home to be addressed. If the home were under construction the home site would be shown on the site plan. Rural Address Numbering is dependent upon the location of the driveway when generating the five-digit number.

Section 12: Road Naming

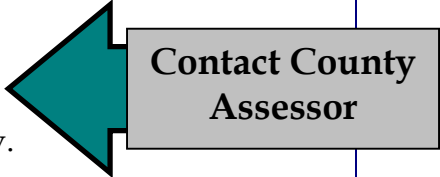
Complete this section ONLY if requesting a new Road Name or Renaming an existing road. Refer to HCZO, Article 9, and Section 9.090, to ensure the Proposed Road Name is in compliance with the Road Naming Standards. If a drive has three or more homes on it then it needs a Road Name and signage.

<p>52. Who is making the request for changes to the Rural Addressing System? What category would you place yourself into?</p>	<p><input type="checkbox"/> Property Owner with property along the specified roadway; <input type="checkbox"/> Person renting or occupying the property along the specified roadway; <input type="checkbox"/> Other _____</p>
<p>53. Location of Roadway by description AND Assessor's Map:</p>	
<p>54. Legal Status (who owns the road if known)</p>	<p><input type="checkbox"/> County Road <input type="checkbox"/> Private Road <input type="checkbox"/> Other _____</p>
<p>55. Existing Road Name if applicable:</p>	
<p>56. Proposed Road Name (if more than one residence uses the road attach a petition that all agree on the proposed road name):</p>	<p><input type="checkbox"/> Yes, there are more than one residence using the road for access, a PETITION is completed below. <input type="checkbox"/> No, there are not multiple residences using the road to access their property.</p>
<p>57. Reason for the requested naming or renaming of the road:</p>	
<p>58. Do you use this road to access your property?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>59. PETITION: Signatures of property owners along the Road that is being named or renamed, is it attached?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Section 13: Required Application Materials

60. These materials are to be submitted with the application: The proceeding page is to be used as a base for the site plan. This drawing DOES NOT take the place of any maps required to be submitted by a Licensed Surveyor. This site plan will show what is or will be on the property. Additional material may be requested.

<input checked="" type="checkbox"/>	Materials to be submitted for ALL types of Applications:
<input type="checkbox"/>	a) Completed Application form .
<input type="checkbox"/>	b) Applicable Application fees .
<input type="checkbox"/>	c) Site Plan Marked Exhibit B (see proceeding page) to include:
<input type="checkbox"/>	<ul style="list-style-type: none"> • North Arrow
<input type="checkbox"/>	<ul style="list-style-type: none"> • Site area showing Property boundaries and dimensions
<input type="checkbox"/>	<ul style="list-style-type: none"> • Proposed and existing structures with dimensions to nearest Property lines.
<input type="checkbox"/>	<ul style="list-style-type: none"> • Location of existing wells
<input type="checkbox"/>	<ul style="list-style-type: none"> • Location of existing septic systems (i.e. tanks, drain fields)
<input type="checkbox"/>	<ul style="list-style-type: none"> • Widths and names of roads adjacent to the site as well as existing roads, which provide direct access to the Property.
<input type="checkbox"/>	<ul style="list-style-type: none"> • Existing access points (driveways, lanes, etc.)
<input type="checkbox"/>	<ul style="list-style-type: none"> • Easements and rights-of-ways
<input type="checkbox"/>	<ul style="list-style-type: none"> • Existing utility lines (above and below ground)
<input type="checkbox"/>	<ul style="list-style-type: none"> • Approximate location of any unusual topographical features
<input type="checkbox"/>	<ul style="list-style-type: none"> • Major geographic features
<input type="checkbox"/>	<ul style="list-style-type: none"> • Location of all creeks, streams, ponds, springs and other drainage ways.
<input type="checkbox"/>	d) Vicinity Map - Assessor's map of the Property.
<input type="checkbox"/>	e) Quick Print showing property details.
<input type="checkbox"/>	f) The Deed of the Property in question.
<input type="checkbox"/>	g) Property Deed Card and description of property.
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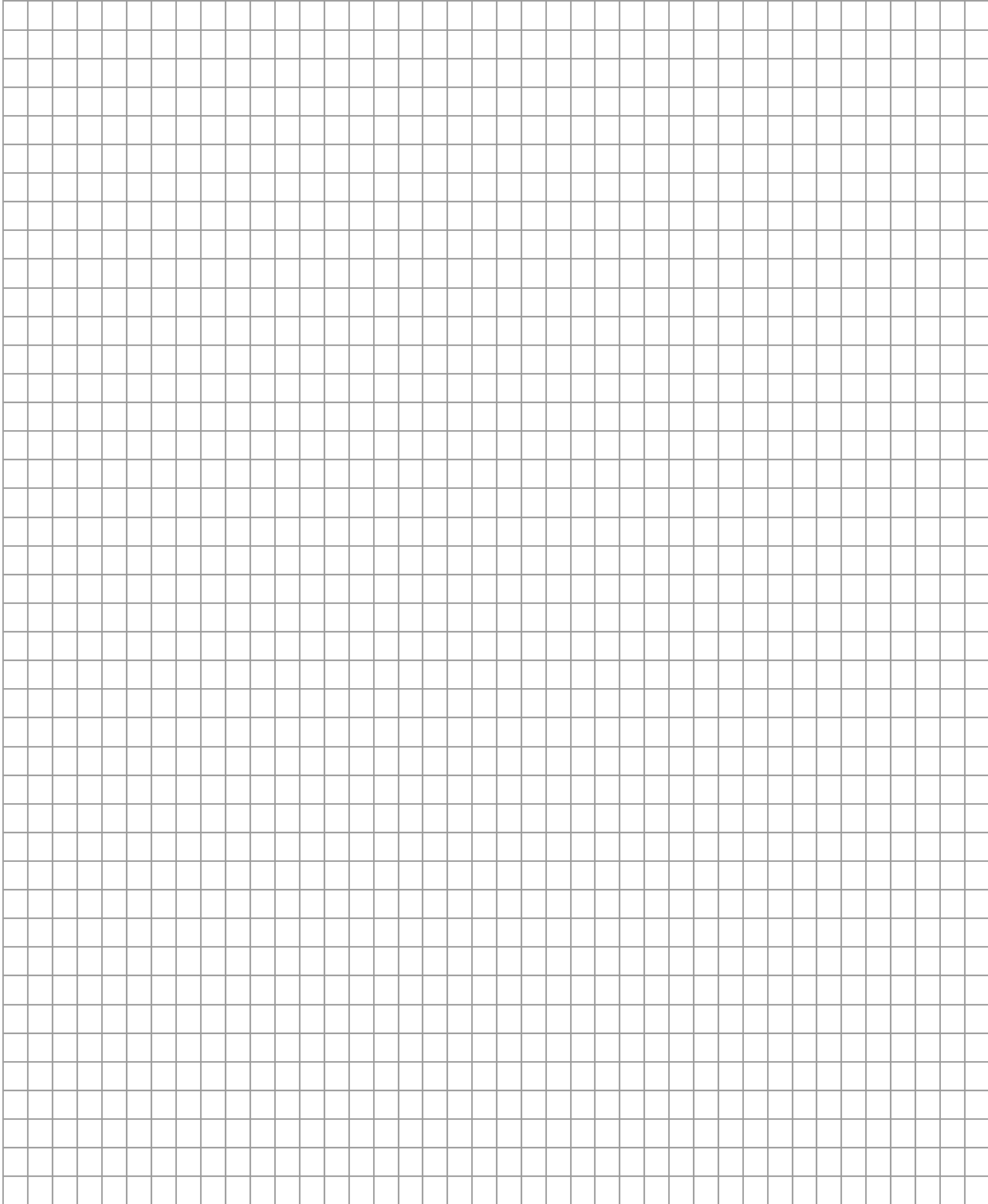
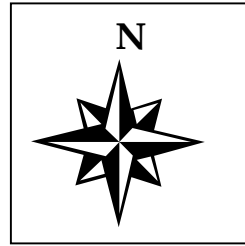


Contact County Assessor

PROPERTY LINE ADJUSTMENT Applications All applications for Property Line Adjustments must have a Record of Survey Map completed by a Surveyor licensed in the State of Oregon, showing the proposal to County standards as found in the Harney County Subdivision and Partitioning Ordinance, Article 5

PARTITION and SUBDIVISION Applications: A Surveyor licensed in the State of Oregon must submit a Preliminary Plat showing the proposal to County standards as found in the Harney County Subdivision and Partitioning Ordinance, Article 5.

**Exhibit B
Site Plan**



Section 14: Road Naming Petition

When naming or renaming a road in the County, those that use the road to access their property must agree to the proposed road name.

Existing Road Name: _____ or,
 Private Access Road not currently named.

Proposed Road Name: _____

By signing my name below I agree with the proposed road name listed above:

Name of Property Owner (Printed and Signed)	Address	Phone Number

Section 15: Certification

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. It is further understood that the signing of this application if for a dwelling will preclude any lawsuits related to the by-products (i.e. noise, dust, order, etc.) of farming operations.

ALL Property Owners with any interest in the properties being effected by this Land Use Permit Application must sign and date this form. If more room is needed signing the reverse side of this page is appropriate.

X

Signature of Applicant

Date

Printed Name of Applicant

X

Signature of Property Owner

Date


Printed Name of Property Owner

X

Signature of Property Owner

Date

Printed Name of Property Owner


Is there anyone else besides the property owner and adjacent property owners who would like to receive notice of this application during its' review period and notice of decision? (Realtor, perspective buyer, etc.) If so, provide name and mailing address:

Name: _____

Name: _____

Mailing
Address: _____

Mailing
Address: _____