LAND USE PERMIT APPLICATION REVIEW PROCESS

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 a member of the Planning Staff 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**
A member of the Planning Staff will contact the applicant again to review the submitted application within one week after all materials have been submitted if the application is incomplete. A member of the Planning Staff 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 thru Administrative Review by a member of the Planning Staff. Public comment is received and recommendations are made to the decision making body.

4. **Decision Making Body Approval or Denial**
The decision-making body either approves or denies, or moves the application to the Planning Commission for further review.

5. **Provision for an Appeal**
An appeal is provided for if the applicant and/or a 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 Planning Commission, Harney County Court, LUBA or the Oregon State Court of Appeals.
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 BLUE or 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: ______________________
Section 2: Type of Application and Fees

The following total must be paid when submitting an application. (Note: Additional Costs will be billed and must be paid prior to receiving a decision on the application.)

<table>
<thead>
<tr>
<th>Type of Application: (Alphabetically Listed)</th>
<th>Fee(s):</th>
<th>Public Comment Period</th>
<th>Open Record Hearing</th>
<th>Decision Made By</th>
<th>1st and 2nd Level Appeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot of Record Dwelling</td>
<td>_**</td>
<td>20 + days</td>
<td>-</td>
<td>PD</td>
<td>CC and LUBA</td>
</tr>
<tr>
<td>Site Plan Review</td>
<td>$35.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County Clerk Recording Fee of Findings and Decision</td>
<td>$131.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>** Rural Addressing: When constructing a home</td>
<td>$50.00/ea</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL FEE</td>
<td>$216.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**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. IF applying for a Non Farm Dwelling an additional $8.00 fee also applies to produce a Soils and 2000 acre Buffer Map. Other mapping fees may also apply (See HCZO Section 9.050 for Filing Fee Schedule).

*Application Fees are NON REFUNDABLE. Waivers may be granted by the Planning Director upon special request.*

**Appeals:** There is a non-refundable fee when appealing to the Harney County Court of $250.00

**NOT All Sections** of this Land Use Permit Application may be applicable to every type of application. Sections 1-3, p. 2-6 and Sections 11-12, p. 15–17 are required for every application.
# Section 3: Property Information

Complete this section.

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?  
   - [ ] No  
   - **Yes**: ___

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:  
   - [ ] EFRU-1 (Exclusive Farm & Range Use)  
   - [ ] EFRU-2 (Exclusive Farm & Range Use)  
   - [ ] FU (Forest Use)  
   - [ ] 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?  
    - [ ] Yes  
    - [ ] No

11. Is the property located in **Wetlands** as listed on the National Wetlands Inventory maps?  
    - [ ] No  
    - [ ] Yes
12. What road provides **Access** to the Property? *(Note: Applicants must present evidence of legal access to any subject parcel proposed for development prior to the issuance of building permits and/or land use permits. (HCZO 4.120))*

13. Will the Property need an **Access Permit** onto a County Road or State Highway? *(If so call Eric Drushella, County Road master, 541-573-6232, or ODOT, 541-889-9115).*

<table>
<thead>
<tr>
<th>No</th>
<th>Yes, if so please contact the proper authority and provide that documentation with this application.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No, please provide the documentation with this application.</td>
</tr>
</tbody>
</table>

14. Are there any **Easements** that provide the **MAIN ACCESS** for the Property OR adjacent properties?

<table>
<thead>
<tr>
<th>No</th>
<th>Yes, if so please provide the documentation with this application.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

15. Does the Applicant hold **Title** to the Property? *If not, what is your interest in the Property?*

<table>
<thead>
<tr>
<th>Yes</th>
<th>No ___</th>
</tr>
</thead>
</table>

16. What type of **Water Use/Rights** is present on this Property? Describe type of Water Use - domestic wells, surface water rights, etc. *(Contact Tony Rutherford, Watermaster, OWRD, County Courthouse, 541-573-2591.)*

<table>
<thead>
<tr>
<th>No water uses/rights present.</th>
<th>Yes, there are water uses/rights. Check those that apply and list the number of each:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Stock Wells (No. ___)</td>
</tr>
<tr>
<td></td>
<td>Domestic Wells (No. ___)</td>
</tr>
<tr>
<td></td>
<td>Irrigation Wells (No. ___)</td>
</tr>
</tbody>
</table>

17. What is the **Environmental Health** of this Property? *(For example: are there any dumpsites, pollutants, etc. which makes this Property environmentally unhealthy?)*

<table>
<thead>
<tr>
<th>Good</th>
<th>Fair</th>
<th>Poor, if so, please explain:</th>
</tr>
</thead>
</table>

18. Are there any **Natural Hazards** found on the Property? *(Examples of natural hazards are natural floodways and steep slopes. If your proposal for development of a dwelling is on a slope greater than 12%, compliance with the standards under HCZO 4.070 is required.)*

<table>
<thead>
<tr>
<th>No</th>
<th>Yes, if so, please explain:</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>No</th>
<th>Yes, if so, please describe:</th>
</tr>
</thead>
</table>
20. 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.

21. 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.)

22. Provide a description of proposal:
Section 4: Facilities and Services to Serve Project

Complete this section.

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.

<table>
<thead>
<tr>
<th>Facilities and Services</th>
<th>Name of Provider, Address and Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>23. Potable (drinking) Water:</td>
<td>☐ Private Property Owner, ☐ Other _____</td>
</tr>
<tr>
<td>24. Sanitary Sewage Disposal:</td>
<td>☐ Private Property Owner, ☐ Other _____</td>
</tr>
<tr>
<td></td>
<td>☐ Oregon Trail Electric Co-op, ☐ Other _____</td>
</tr>
<tr>
<td>27. County Roads:</td>
<td>Harney County Road Department, 266 S. Date, Burns, OR 97720, 541-573-6232</td>
</tr>
<tr>
<td>28. Law Enforcement:</td>
<td>Harney County Sheriffs Department, 485 N. Court, Burns, OR 97720, 541-573-6156</td>
</tr>
<tr>
<td>29. Structural Fire Protection:</td>
<td>(Currently there is no Rural Fire District in the County to provide structural Fire Protection.)</td>
</tr>
<tr>
<td>30. Public Schools:</td>
<td></td>
</tr>
<tr>
<td>31. Telephone:</td>
<td>☐ Centurytel - (800)-637-9843, ☐ Other _____</td>
</tr>
</tbody>
</table>

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

☐ No
☐ Yes, if so, please explain:

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 5: Lot of Record Dwelling
Complete this section.

33. Was the lot or parcel on which the dwelling will be established lawfully created, acquired and owned continuously by the present owner:
   a. Since prior to January 1, 1985; or
   b. By devise or intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985.
   □ Yes, if so please explain in detail.
   (Use separate sheet: Label it Section 5:33 and provide legal documents.)
   □ No

34. Does the tract on which the dwelling will be sited include a dwelling?
   □ No
   □ Yes

35. Was the lot or parcel on which the dwelling will be sited part of a tract on November 4, 1993? If so, no other dwelling may exist on another lot or parcel that was part of that tract.
   □ No
   □ Yes

36. Does the proposed dwelling comply with the provisions of the Harney County Comprehensive Plan and land use regulations and any other relevant provisions of law?
   □ Yes, if so please explain in detail.
   (Use separate sheet: Label it Section 5:36.)
   □ No

37. Does the parcel lie within Big Game Habitat as designated in the Harney County Comprehensive Plan? If so, the siting of the dwelling shall be consistent with the Comprehensive Plan and land use regulations providing protection to the big game habitat resource.
   □ No
   □ Yes

38. Is the parcel part of a tract? If so, the remaining portions of the tract are consolidated into a single lot or parcel when the dwelling is allowed.
   □ No
   □ Yes
Section 6: Required Application Materials

Complete this section.

39. These materials are to be submitted with the application. The proceeding page is to be used as a base for the site plan. This site plan will show what is or will be on the property. Additional material may be requested.

<table>
<thead>
<tr>
<th>☒</th>
<th>Materials to be submitted for ALL types of Applications:</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
<td>a) Completed Application form.</td>
</tr>
<tr>
<td>□</td>
<td>b) Applicable Application fees.</td>
</tr>
<tr>
<td>□</td>
<td>c) Site Plan Marked Exhibit B (see proceeding page) to include:</td>
</tr>
<tr>
<td></td>
<td>• North Arrow</td>
</tr>
<tr>
<td></td>
<td>• Site area showing Property boundaries and dimensions</td>
</tr>
<tr>
<td></td>
<td>• Proposed and existing structures with dimensions to nearest Property lines.</td>
</tr>
<tr>
<td></td>
<td>• Location of existing wells and water rights.</td>
</tr>
<tr>
<td></td>
<td>• Location of existing septic systems (i.e. tanks, drain fields)</td>
</tr>
<tr>
<td></td>
<td>• Widths and names of roads adjacent to the site as well as existing roads, which provide direct access to the Property.</td>
</tr>
<tr>
<td></td>
<td>• Existing access points (driveways, lanes, etc.)</td>
</tr>
<tr>
<td></td>
<td>• Easements and rights-of-ways</td>
</tr>
<tr>
<td></td>
<td>• Existing utility lines (above and below ground)</td>
</tr>
<tr>
<td></td>
<td>• Approximate location of any unusual topographical features</td>
</tr>
<tr>
<td></td>
<td>• Major geographic features</td>
</tr>
<tr>
<td></td>
<td>• Location of all creeks, streams, ponds, springs and other drainage ways.</td>
</tr>
<tr>
<td>□</td>
<td>d) Quick Print showing property details.</td>
</tr>
<tr>
<td>□</td>
<td>e) Property Deed Card – property history.</td>
</tr>
<tr>
<td>□</td>
<td>f) The Deed of the Property in question.</td>
</tr>
<tr>
<td>□</td>
<td>g) Tax Map – Assessor’s map of the Property.</td>
</tr>
</tbody>
</table>

Contact County Assessor Dept – for a copy of these
Section 12: Certification
Complete this section.

I/We, 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 affected 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

ADDITIONAL NOTICE to interested parties

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: ___________________________