

LAND MANAGEMENT DIVISION



LAND USE APPLICATION  
Riparian Modification

PUBLIC WORKS DEPARTMENT 125 E 8<sup>th</sup> AVENUE, EUGENE OR 97401 PLANNING: 682-3807

For Office Use Only. FILE # CODE: DARSM 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: \_\_\_\_\_

Land Owner Signature: \_\_\_\_\_

LOCATION

Township Range Section Taxlot(s)

Site address

PROPOSAL: A request for Director Approval of a Riparian Modification pursuant to Lane Code 16.253(3).

**RIPARIAN DECLARATION.** A Riparian Declaration is required prior to submittal of this application.

What is the PA number of the Riparian Declaration? PA # \_\_\_\_\_

**SITE PLAN.** A site plan must be included. It must be the same site plan that was used in the Riparian Declaration.

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

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

**VEGETATION REMOVAL LIMITS**

Table 1 is a summary of the vegetation removal limits contained in LC 16.253(2). Refer to the last page of this application for a list of Resource and Nonresource Zones. Removal of vegetation in excess of these limits requires a Riparian Alteration Plan. Refer to LC 16.253(5) for details.

*Table 1*

Length of river frontage	Vegetation removal		
	Linear feet	Total area: Non-resource zones	Total area: Resource zones
200 ft or less	50	2,500 sf	5,000 sf
201 to 399 ft	25% of river frontage	25% of the riparian setback area	25% of the riparian setback area
400 ft or greater	100	5,000 sf	10,000 sf

## APPROVAL CRITERIA

### LC 16.253(3) Modification.

A modification to the applicable riparian setback standard for a structure may be allowed provided the Oregon Department of Fish and Wildlife (hereafter ODF&W) is consulted by the Planning Director at least 10 working days prior to the initial permit decision and an application for a modification to the setback standard has been submitted pursuant to LC 14.050 and approved by the Planning Director pursuant to the requirements of LC 14.100 with findings of compliance addressing the following criteria:

Upon receipt of your application, the Director will forward a copy to ODFW for their comments.

Your application must comply with (a) and either (b) or (c). Therefore, you must answer (a), but you may choose to answer either (b) or (c). Attach additional pages of necessary.

#### You must answer (a):

- (a) **The location of a structure within the riparian setback area shall not result in the removal or the alteration of vegetation within the riparian setback area in excess of the standards of LC 16.253(2) above. For purposes of LC 16.253, altered means to eliminate, significantly reduce or interrupt the natural growth cycle of indigenous vegetation by removal or destruction of the vegetation caused by a person; and**

How much vegetation (in square footage) you will be removing: \_\_\_\_\_

What is the length of river frontage for the property: \_\_\_\_\_

What is the maximum amount of vegetation (in square footage) that you are allowed to remove, according Table 1: \_\_\_\_\_

What is the size, in square feet, of the footprint of the structure: \_\_\_\_\_

Total linear dimension within the setback area. Existing: \_\_\_\_\_ Proposed: \_\_\_\_\_

#### You may answer (b) or (c). You do not have to answer both.

- (b) **The riparian vegetation does not actually extend all the way into the riparian setback area to the location of the proposed structure. This determination shall include consideration of any evidence of riparian vegetation existing prior to any removal of indigenous vegetation before or during the application review period; or**

Does you plan comply with this standard? Explain: \_\_\_\_\_

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- (c) **It can be demonstrated that an unduly restrictive burden would be placed on the property owner if the structure was not allowed to be located within the riparian setback area.**

Does you plan comply with this standard? Explain: \_\_\_\_\_

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**Resource Zones:**

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F1 (Nonimpacted Forest)	PR (Parks and Recreation)
F2 (Impacted Forest)	QM (Quarry and Mine Operations)
EFU (Exclusive Farm Use)	IWC (Inmate Work Camp)
NR (Natural Resource)	DR (Destination Resort)
ML (Marginal Lands)	

**Nonresource Zones:**

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LC 16.219 PF (Public Facilities)	LC 16.229 RA (Suburban Residential)
LC 16.220 C-1 (Limited Commercial)	LC 16.230 RG (Garden Apartment Residential)
LC 16.221 C-2 (Neighborhood Commercial)	LC 16.231 RR (Rural Residential)
LC 16.222 C-3 (Commercial)	LC 16.290 RR (Residential)
LC 16.223 C-RCP (Rural Commercial)	LC 16.291 RC (Rural Commercial)
LC 16.224 M-1 (Limited Industrial)	LC 16.292 RI (Rural Industrial)
LC 16.225 M-2 (Light Industrial)	LC 16.294 RPF (Rural Public Facility)
LC 16.226 M-3 (Heavy Industrial)	LC 16.295 RPR (Rural Park and Recreation)