



# Josephine County, Oregon

Community Development – Planning Division

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## FOREST ZONE DWELLINGS

### PROPERTY & APPLICATION INFORMATION

ASSESSOR'S LEGAL DESCRIPTION:

TWN \_\_\_\_\_ RNG \_\_\_\_\_ SEC \_\_\_\_\_ QQ \_\_\_\_\_ TAX LOT(S) \_\_\_\_\_

TWN \_\_\_\_\_ RNG \_\_\_\_\_ SEC \_\_\_\_\_ QQ \_\_\_\_\_ TAX LOT(S) \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

ZONING DESIGNATION: \_\_\_\_\_ COMPREHENSIVE PLAN DESIGNATION: \_\_\_\_\_

PARCEL SIZE(S): \_\_\_\_\_ SPECIAL ASSESSMENT:  YES  NO

TYPE OF APPLICATION:  Lot of Record  Template  Large Tract

Multi-Tract  Resite/Home Site

### OWNERSHIP & APPLICANT INFORMATION

OWNER'S NAME: \_\_\_\_\_ TEL: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_ TEL: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

REPRESENTATIVE: \_\_\_\_\_ TEL: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

**APPLICANT'S STATEMENT OF UNDERSTANDING**

I \_\_\_\_\_, have filed an application for a **FOREST ZONE DWELLING** with the Community Development – Planning Division to be reviewed and processed according to state and county requirements. I acknowledge the following disclosures:

1. I understand that any representations, conclusions or opinions expressed by staff in the pre-application review of this request do not constitute final authority or approval, and that I am not entitled to rely upon any such expressions in the place of final approval.
2. I understand I may ask questions and receive input from planning staff, but acknowledge that I am ultimately responsible for all information and documentation submitted with this application. I further understand planning staff cannot legally bind the county to any fact or circumstance that conflicts with state or local laws, and in the event a conflict occurs, all such statements or agreements are void.
3. I understand I have the burden of demonstrating my application meets all of the applicable standards and criteria. The standards and criteria for approving or denying my request have been furnished to me as a part of this application and I acknowledge receipt.
4. I understand planning staff is entitled to ask for additional information or documentation any time after the submission of this application if it is determined such information is needed for the review of my application.
5. I understand my application may be reviewed by the Oregon Department of Land Conservation and Development (DLCD). If this happens and DLCD comments on the application, I understand DLCD has the authority to appeal the county's decision to the Oregon Land Use Board of Appeals if it chooses to do so.
6. I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree it is my sole responsibility to establish the case in favor of the application.
7. I understand I am entitled to have a lawyer or a land use consultant help me with my application and to appear with me (or for me) at any appointment, conference or hearing relating to the application.
8. I understand the processing of my application may require a site visit, which may include officials from other agencies, and photographs are commonly taken. Advance notice of the visit will be provided when the site is also a personal residence.

DATE: \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

OWNER/APPLICANT \*

\_\_\_\_\_

OWNER/APPLICANT \*

*\* If the applicant is someone other than the owner, a power of attorney must be on file from the owners authorizing the application*

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# STATEMENT OF INTENDED WATER USE

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**LEGAL:**

TWN\_\_\_\_\_, RNG\_\_\_\_\_, SEC\_\_\_\_\_, QQ\_\_\_\_\_

Tax Lot \_\_\_\_\_

## LAND USE PROPOSAL

- |  |  |
|--|--|
| <input type="checkbox"/> Development Permit              | <input type="checkbox"/> Home Occupation         |
| <input type="checkbox"/> Land Partition (# of Lots_____) | <input type="checkbox"/> Administrative Permit   |
| <input type="checkbox"/> Subdivision (# of Lots_____)    | <input type="checkbox"/> Conditional Use Permit  |
| <input type="checkbox"/> Planned Unit Development        | <input type="checkbox"/> Comp Plan & Zone Change |

Current Zoning: \_\_\_\_\_

Are new lots being created  Yes  No

Will any lots be less than 1 acre in size?  Yes  No

## DESCRIPTION OF WATER USE

*(Describe the Use)*

How many residential units will use water (# of units, single or multi-family)? \_\_\_\_\_

Will water be used to irrigate (lawn, garden, shrubs, fields)? \_\_\_\_\_

Total # of Acres Irrigated per Development \_\_\_\_\_

Will water be used for livestock (kind, #)? \_\_\_\_\_

Will water be used for one of the following:

Commercial (office, retail, motel)

Industrial (manufacturing, heavy repair)

Institutional (school, church)

Recreation (park, campground, pond)

Other: \_\_\_\_\_

# partial hookup sites \_\_\_\_\_ # full hookups \_\_\_\_\_

If so, please describe the use in detail: \_\_\_\_\_

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

SOURCE OF WATER (Check All That Apply)	QUANTITY TO BE USED (Estimate)
<input type="checkbox"/> Surface Water Source (spring, stream, irrigation district): _____ _____ _____ <input type="checkbox"/> Reservoir or Pond: _____ <input type="checkbox"/> Ground Water: <ul style="list-style-type: none"> <li><input type="checkbox"/> Individual Well(s)</li> <li><input type="checkbox"/> Shared Well(s)</li> <li><input type="checkbox"/> Community Well(s) (Indicate the # of wells: _____)</li> <li><input type="checkbox"/> Sump</li> <li><input type="checkbox"/> Municipal Supply</li> </ul> <input type="checkbox"/> Water Rights <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes (Certificate/Permit # _____)</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> Do Not Know</li> </ul>	_____ Gallons Per Minute _____ Gallons Per Day _____ Cubic Feet Per Second _____ Acre Feet  Remarks:

- - - ATTACH MAP SHOWING LOCATION OF EXISTING AND PROPOSED WELLS - - -

\_\_\_\_\_  
Signature of Applicant

<b>-- OFFICIAL USE ONLY --</b>	
Water Right Required	<input type="checkbox"/> Yes <input type="checkbox"/> No
Water Hazard Overlay Zone?	<input type="checkbox"/> Yes <input type="checkbox"/> No Comment: _____
Other Remarks: _____	
PUMP TEST REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> Other _____
Date: _____, 20_____	_____ Reviewed By

ADOPTED  
February 18, 1994

**660-006 - EXHIBIT A**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FORM**

WHEREAS, the undersigned, \_\_\_\_\_, hereinafter referred to as Declarant, is owner in fee simple of the property described in "Exhibit A," attached hereto and incorporated by reference herein; and

WHEREAS, the Declarant desires to declare their intention to create certain covenants, conditions, and restrictions in order to effectuate and comply with the requirements of Oregon Administrative Rule (OAR 660-006-0027).

Declarant hereby declares that all of the property described in "Exhibit A" shall be held, sold, and conveyed subject to the following covenants, conditions, and restrictions:

It is not lawful to use the property described in this instrument for the construction or siting of a dwelling or to use the acreage of the tract to qualify another tract for the construction or siting of a dwelling.

These covenants, conditions, and restrictions can be removed only and at such time as the property described herein is no longer protected under the statewide planning goals for agricultural and forest lands or the legislature otherwise provides by statute that these covenants, conditions, and restrictions may be removed and the authorized representative of the county or counties in which the property subject to these covenants, conditions, and restrictions are located executes and records a release of the covenants, conditions, and restrictions created by this instrument.

IN WITNESS WHEREOF, the undersigned, being Declarant herein, has heretofore set their hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

State of Oregon )ss  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

Notary Public for Oregon \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

After Recording Return to:

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

Recording label here

**WAIVER OF REMONSTRANCE  
Regarding Forest Uses**

Owner(s) \_\_\_\_\_ own certain real property located in Josephine County, Oregon. The address for the property is \_\_\_\_\_ and the Assessor's legal description is T \_\_\_\_\_ R \_\_\_\_\_, Sec \_\_\_\_\_ - \_\_\_\_\_, Tax Lot (s) \_\_\_\_\_. A metes and bounds legal description is attached as Exhibit A.

Owner(s) have applied for a forest use on the property described above. As a condition of approval for this use, the Josephine County Rural Land Code (RLDC) requires a written and recorded statement acknowledging the right of neighboring landowners to conduct forest operations on their properties as authorized by the Oregon Forest Practices Act. In addition, the RLDC provides that conflict between authorized forest practices and residential uses will be resolved in favor of the forest practices. The RLDC states:

*The Forest Commercial [or Woodlot Resource] zone is intended to facilitate the right to conduct forest practices consistent with the Forest Practices Act and to encourage and promote the development and conservation of natural resources. Normal forest management, mining, or agricultural practices shall not be considered a nuisance condition in a Forest Commercial [or Woodlot Resource] zone, provided that such actions are consistent with the standards of the Oregon Forest Practices Act and do not extend beyond the boundaries of the Forest Commercial [or Woodlot Resource] zone. Nothing in this regulation is intended to interfere with normal forestry or agricultural practices that might result in conditions such as noise, dust or odor. Residents of this zone must recognize that the intent of the zone is to protect resource management activities and that in the event of a conflict between residential use and normal forestry or agricultural practices, this Code will be interpreted in favor of the resource management practice. [Articles 65.010 and 65.110].*

Also, ORS 215.293 requires landowners who obtain an approval for a single-family dwelling within a farm or forest zone to sign and record a document that prohibits the landowners and their successors 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 30.336 or 30.337 (actions for nuisance or trespass are prohibited unless it results in damage to commercial agricultural products or death or serious physical injury).

Based upon the foregoing requirements, owners hereby acknowledge that the described forest use is subordinate to present and future forest, farm and mining practices on neighboring lands as may be authorized pursuant to the Oregon Forest Practices Act. Further, owners waive, on their behalf and on behalf of their successors in interest, the right to legally remonstrate, oppose or appeal authorized farm and forest practices. Owners acknowledge these practices may involve the application of herbicides or fertilizers, including aerial or ground spraying, road construction, changes in view, noise, dust, traffic and other impacts. This waiver, however, shall not prevent owners or their heirs, assigns or purchasers from expressing personal views during land use or forest practices permit review proceedings regarding such operations.

Owner(s):

Josephine County

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

\_\_\_\_\_  
Planning Director

STATE OF OREGON }  
County of Josephine } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_, personally appeared before me, a Notary public in and for the aforementioned state and county, and executed the foregoing *Waiver of Remonstrance Regarding Forest Uses* and acknowledged to me that it was freely and voluntarily done.

\_\_\_\_\_  
Notary Public, State of Oregon  
My commission expires: \_\_\_\_\_

## INTRODUCTION

Dwellings can be approved on forest zoned lands only when one of the following four tests is met:

- *LOT OF RECORD* test
- *TEMPLATE* test
- *LARGE TRACT* test
- *MULTI-TRACT* test

A checklist of the requirements for all applications is set out below. This is followed by a listing of the additional requirements for each test. Be sure to go through the checklists carefully to be sure all the required information is included. *Missing or incomplete information will cause your application to be rejected or delayed.* If you have questions about the application, please call the planning office. Remember, it is your responsibility to obtain all of the information needed to support your request.

### REQUIREMENTS FOR ALL APPLICATIONS

1. **PRE-APPLICATION FEE** (*To be submitted with completed application for pre-application review*)
2. **APPLICATION FEE** (*To be submitted only when the application is deemed complete*)
3. **A COMPLETED APPLICATION COVER SHEET**
4. **A SIGNED STATEMENT OF UNDERSTANDING**
5. **A GENERAL PLOT PLAN.** (*Article 65.080.A - Rural Land Development Code (RLDC)*):
  - Common scale (1" = 20', 50', 100', etc.) and North Arrow; the map and all placements must be drawn to scale.
  - Proposed dwelling and all accessory structure sites, with distances from the two closest property lines.
  - General location of the access driveway; please note the location of all streams, ravines, ditches or other similar terrain features which must be crossed.
  - Septic system location (including tank, primary drainfield and replacement drainfield with distances from the two closest property lines). Identify distance from watercourses.
  - Location of the domestic water supply and source.
  - Location of any other water supply, such as lake, pond, stream, swimming pool, storage tank.
  - Location of easement(s) used for legal access to the property, together with supporting legal documents verifying right to use the easement(s).

6. **REVIEW CRITERIA.** (Articles 65.060 and 65.070 - *Rural Land Development Code (RLDC)*)

The application must address the following review criteria with documentation showing how they are satisfied:

- The dwelling and structures will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel;
- The dwelling and structures will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use;
- The dwelling and structures will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.

7. **FOREST SITING REQUIREMENTS.** (Article 65.080.B - *Rural Land Development Code (RLDC)*):

The home and accessory structures must be sited so they are compatible with nearby forest and farm operations and the forest value of the homesite parcel is conserved. Include with your application an explanation and supporting documentation showing compliance with the following criteria:

- The dwelling and structures will have the least impact on nearby forest or farm lands.
- The dwelling site will minimize the amount of forest land used to site access roads, service corridors and the dwelling and accessory structures;
- The risks associated with wildfire are minimized;
- Adverse impacts on forest operations and accepted farm practices on the tract itself will be minimized.
- Satisfy the siting and fire safety requirements of Article 76 (see Section 8 below).

8. **FIRE SAFETY STANDARDS.** (Article 76 - *Rural Land Development Code (RLDC)*)

The actual homesite location and access driveway must comply with strict siting standards. This requires the preparation of two detailed siting plans that show compliance with the specific standards contained in Article 76:

[NOTE: All items marked with a “★” are construction requirements that must either be completed before a development permit can be issued or must be included in the house plans. Although these items are not required for this application, the information is included here as an alert].

**Homesite Siting Plan**

- No dwelling shall be sited on slopes greater than 40% [Note: soils on slopes 15% or greater cannot be disturbed without an erosion control plan from a registered engineer approved by the planning office];
- The application must show the property is located within a fire protection district, or if the property

is not within a district, provide evidence that a request to be included within a district has been approved;

- If the property cannot be located within a fire protection district, then the application must show the dwelling and other structures are covered by a private fire protection service contract;
- If fire protection is not available from a district or private company, then a plan must be submitted demonstrating adequate on-site fire protection measures. The plan may include a fire sprinkling system, on-site equipment and water storage and other measures that are effective given the circumstances at the site. If a water supply is required for fire protection, it shall be a pond, swimming pool, lake, or similar body of water containing at least 4,000 gallons or a stream having a continuous flow of at least 1 cubic foot per second. Road access shall be provided to within 15 feet of the water's edge to provide for pumping units. The plot plan shall show the places where permanent signs indicating the location of the emergency water source will be posted along the driveway.
- The plot plan must show the driveway extends to within 50' of all habitable structures and terminates in an approved cul-de-sac, clear area or other turnaround arrangement for firefighting equipment (a minimum 48' turning radius is recommended). Permanent signs shall be posted along the access route to indicate the location of the emergency water source;
- All structures shall be placed or constructed with minimum separation as described in the adopted Building Codes to reduce the risk of fire spreading from one structure to another;★
- All dwellings shall have a fire retardant roof and each chimney must have a spark arrester;★
- A primary safety zone (fuel break) shall be depicted on the plot plan (*the fuel break shall be completed and maintained around the structures in accordance with Article 76.030 (L)(6) of the RLDC*);
- The primary safety zone is a fire break extending a minimum of 100 feet in all directions around structures (there may be an additional fire break distance depending on the steepness of slopes; see the table located in Article 76.030.L.6 of the *RLDC*). The goal is to remove fuels that will produce flame lengths in excess of one foot. Vegetation can include green lawns and low shrubs (less than 24 inches in height). Trees are to be spaced a minimum of 15 feet between crowns and pruned to remove dead and low (less than 8 feet) branches. Dead vegetation, leaves, needles, and limbs are to be removed. Flammable materials (i.e., bark mulch) are not to be placed next to the house;
- Any homesite development that involves disturbance of slopes that have a 15% or greater slope, or exhibit granitic soils, requires an approved erosion control plan ***before*** any disturbance occurs. The plan must be prepared by a registered engineer and must meet the requirements of Article 83 (Erosion Control & Storm Drainage Facilities) of the *RLDC*. The planning office must approve the plan before any work is commenced.★

## Driveway Siting Plan

- A driveway shall be provided to all habitable structures and within 50 feet of all significant buildings;
- The plot plan for the driveway must be drawn to scale and exhibit, at a minimum, contour lines at 40' intervals (closer intervals may be required if needed to accurately evaluate the plot plan). All changes in the direction of the driveway, to include curves and switchbacks, together with the percentage of grades at regular intervals, must be clearly shown. [Note: In difficult cases, if staff is unable verify compliance with road standards from the plot plan, surveyed plan and profile drawings may be required to verify grades, grade changes, curve radii, turnout locations, etc].
- The driveway must have an all-weather surface (rock or shale), with turnouts located every 400 feet. The all-weather surface must be built and maintained with a minimum 12-foot width. This minimum width may be increased to 14 feet within curves to ensure emergency vehicles remain on the all weather surface while turning within the curves.
- Although Article 76 does not list the following specifications recommended by the Oregon Department of Forestry (ODF), it does require a finding by the county that the driveway is adequate for firefighting equipment (Article 76.030.E, F, and G). On this basis, the ODF recommendations provide important guidance. The recommendations are: (1) A minimum centerline curve radius that is at least 48 feet for all driveway curves; (2) Driveways in excess of 200 feet should provide a 20 foot wide by 40 foot long passage space (turnout) at a maximum spacing of ½ the driveway length or 400 feet, whichever is less; (3) Where visibility is limited, these distances should be reduced; and (4) Dead-end driveways (serving a single residence and in excess of 150 feet) have turn-a-rounds of not less than a 48 foot radius.
- A structure or fill and culvert shall be provided and maintained to cross live streams, ravines, irrigation ditches, or similar topographic features to provide access for emergency vehicles. A written certification from an engineer registered in Oregon that the structure or fill and culvert has been constructed to support emergency vehicles grossing a minimum of 50,000 pounds may be required.
- The plot plan must establish the grades of slope for the driveway at regular intervals. Driveways on granitic soils or with slopes of 15% or greater shall be constructed to the surface standards specified in a driveway construction plan prepared by a registered engineer that contains a certification that the surface, as built, will support 50,000 pounds, provide adequate drainage and traction and prevent significant degradation or deterioration as a result of rain or freezing and thawing.
- Driveway development that will result in the disturbance of slopes that are 15% or greater (measured before disturbance), or involve granitic soils, requires an erosion control plan by a registered engineer that meets the requirements of Article 83 of the *RLDC*. The plan must be reviewed and approved by planning before any disturbance occurs.★
- House numbers shall be posted on lots in a manner to clearly direct emergency equipment to the location of the dwelling. Numbers shall be at least 3 inches high,

light reflective, and posted at the driveway entrance and any intersection thereafter.★

- Gates shall be at least 14' wide unless the gate is placed in a curve that requires a 14 foot wide surface, in which case the gate shall be at least 16 feet wide.★

9. **VERIFICATION OF LEGAL LOT**

The application must include documentation that shows the parcel that is proposed for homesite development is an authorized lot, meaning it was lawfully created in its present size and configuration. You must attach one of the following:

- A copy of the deed or sales contract *originally creating* the parcel in its present size and configuration
- A copy of a recorded partition or subdivision plat that includes the parcel
- A copy of other planning office action (legal lot determination) or court action (decree or foreclosure instrument)

10. **DEER WINTER RANGE REGULATIONS**

If the dwelling will be sited within an area designated as big-game habitat, the siting must be consistent with limitations placed on dwelling densities. Josephine County's Comprehensive Plan designates certain areas in the county as critical winter habitat for deer, and maps are available showing the critical areas. If the proposed dwelling will be located within a critical or "non-impacted" deer habitat area, the application must include the following:

- A copy of the Deer Winter Range Map for the area surrounding the proposed dwelling with a 2 square mile template imposed over it and the location of existing dwellings marked within the template. [*The number of dwellings (including the proposed dwelling) within the template cannot exceed 32 in the non-impacted area below 2500' elevation.*]

11. **APPROVED DOMESTIC WATER SOURCE**

You must provide evidence that your domestic water supply is from a source authorized by the Oregon State Water Resources Department. You must satisfy one of the following:

- Domestic water will be supplied from an existing or proposed well which will utilize less than 15,000 gallons of water per day (*this requirement is met by attaching to your application a statement indicating the source of domestic water will be from a well yet to be drilled and that your use will not exceed 15,000 gallons per day*); or
- Domestic water will be supplied from a public or private water supplier (*Note: the application must include verification from the supplier that water will be furnished pursuant to its permit*); or
- Domestic water will be supplied from a stream, spring, pond, or other source pursuant to a permit issued by the Oregon State Water Resources Department (*attach a copy of the permit or permits*).

12. **STOCKING REQUIREMENTS**

If your parcel is larger than 10 acres in size, Oregon Revised Statutes require the property owner to submit a stocking survey report to the assessor and the assessor must verify that the minimum stocking requirements adopted under ORS 527.610 to 527.770 have been met.

- The parcel is 10 acres or smaller in size.
- The parcel is larger than 10 acres and a written statement from the Assessor's Office is attached verifying stocking requirements have been met.

13. **ROAD ACCESS**

If your parcel is served by a private road or a road under the control of the Oregon Department of Forestry, the Bureau of Land Management or the United States Forest Service, then you must submit proof of a long-term road access agreement or permit. Please make sure your application demonstrates one of the following:

- An Assessor's map is attached showing the parcel fronts a county or state road.
- The property does not front a county or state road, but a copy of a long-term road access agreement or permit is attached.

14. **CONFLICT STATEMENT**

As a condition of approval for any dwelling in a forest zone, the property owner must sign and record a written statement which acknowledges the rights of nearby landowners to conduct forest operations consistent with the Oregon Forest Practices Act, and that approved forest, farm and mining practices will be given preference over residential uses in the event of conflict. A form of the statement is attached to this application.

- A copy of an executed and recorded *Conflict Acknowledgment* is attached to this application.

## LOT OF RECORD TEST

### 1. OWNERSHIP

The present owner must have acquired the subject parcel prior to January 1, 1985, or later became owner by inheritance from someone who acquired the property prior to January 1, 1985. The application must include:

- A copy of the deed (dated prior to January 1, 1985) by which the present owner acquired the property;

or

- A copy of the court decree showing acquisition by the present owner by inheritance, together with a copy of the deed (dated prior to January 1, 1985) by which the previous owner acquired the property.

### 2. TRACT CONSOLIDATION

If the parcel on which the dwelling is proposed is part of a "tract," the request cannot be approved until all of the parcels in the tract have been consolidated into a single parcel. A "tract" of land is one or more contiguous parcels under the same ownership. If you own a contiguous parcel or parcels, a separate application for a Lot Line Adjustment or Replat must be submitted with this application. Please indicate one of the following:

- This parcel on which the dwelling is proposed is not a part of a "tract," or
- A Lot Line Adjustment or Replat application has been submitted with this application, together with a separate filing fee.

### 3. COMMERCIAL FOREST PRODUCTION IS LOW

The soils on the subject parcel cannot be capable of producing 5,000 or more cubic feet per year of commercial tree species. Your application must contain:

- A copy of the soil map for the property taken from the *Soil Survey of Josephine County* by the Soil Conservation Service, with applicable soils clearly identified, together with a computation of the composite annual cubic foot production of commercial tree species for the entire parcel.

### 4. WITHIN VICINITY OF PUBLIC ROAD

The parcel (after consolidation, if it is in a tract) must be located within 1500' of a public road. A "public road" means a road over which the public has a right of use that is a matter of public record, excluding USFS or BLM roads, but which is maintained with a paved or rock surface. Your application must contain:

- A copy of the Assessor's map for the area (reproduced to a typical scale) with the closest maintained public road identified by name and the surfacing material described within 1500' of the nearest property line. The 1500' shall be measured in a straight line.

## TEMPLATE TEST

### 1. SOIL DOCUMENTATION

The application must document the soil classifications present on the property. This information is available from the Soil Conservation Service's *Soil Survey for Josephine County*. Please provide the following information:

- The soil classes present on the property are:

Soil Type	CF/AC/YR	% of Parcel

- Copy of SCS map with parcel boundaries identified to scale is attached.
- The predominant CF/AC/YR rating (greater than 50%; or if no single rating constitutes a majority, then the average or composite rating) is: \_\_\_\_\_.

**IMPORTANT NOTE:** SCS's *Soil Survey For Josephine County* does not provide the cubic-feet-per-acre-per-year calculation for all of the soils found in Josephine County. In the event your property contains an unrated soil and the CF/AC/YR calculation is needed to determine the predominant soil rating, then you must supply additional information. State rules provide that an alternative method for determining productivity may be used when SCS data is unavailable or inaccurate. The alternative method must provide equivalent data and must be reviewed and approved by the Oregon Department of Forestry. The alternative method, once it is compiled, must be submitted to the Oregon Department of Forestry at 5375 Monument Drive, Grants Pass, Oregon, for review and approval. Confirmation of the approval must be submitted with the application.

- The parcel contains an unrated soil and this information is needed to calculate the

predominant soil rating. A copy of an alternative method for calculating the CF/AC/YR data is attached to this application, together with a letter of approval from the Oregon Department of Forestry.

2. **TEMPLATE REQUIREMENTS**

This method requires a 160-acre template to be placed over an Assessor's map(s) for the area surrounding the parcel which is proposed for development, so that a parcel and dwelling count can be made within the area of the template. The application must include one of the following:

***SQUARE TEMPLATE:***

- Copy of Assessor's map with the 160-acre square superimposed over the subject and surrounding parcels. The template must be centered on the subject parcel.
- The parcels with existing residential development are identified by a clear symbol (large dot, depiction of house, etc.). Records at the Assessor's Office can be used to determine which parcels are residentially developed.
- Parcels and dwellings within an Urban Growth Boundary for Cave Junction or Grants Pass have not been counted.
- Depending on the primary soil value for the subject parcel, 3 other lots (0-49 cfa), or 7 other lots (50-85 cfa) or 11 other lots (greater than 85 cfa) are within or touch the template. In order to be counted, the parcels must exist as of January 1, 1993.
- 3 or more dwellings exist within the template as of January 1, 1993.

***RECTANGULAR TEMPLATE — An Option For Parcels Less Than 60 Acres***

- The parcel is less than 60 acres in size and it abuts a road that existed on January 1, 1993.
- Copy of Assessor's map with the 160-acre rectangle (1 mile long, ¼ mile wide) superimposed over the subject and surrounding parcels. The template must be centered on the subject parcel and be aligned to the maximum extent possible with the road.
- The parcels with existing residential development are identified by a clear symbol (large dot, depiction of house, etc.). Records at the Assessor's Office can be used to determine which parcels are residentially developed.
- Parcels and dwellings within an Urban Growth Boundary for Cave Junction or Grants Pass have not been counted.
- Depending on the primary soil value for the subject parcel, 3 other lots (0-49 cfa), or 7 other lots (50-85 cfa) or 11 other lots (greater than 85 cfa) are within or touch the template. In order to be counted, the parcels must exist as of January 1, 1993.

- 3 or more dwellings exist within the template as of January 1, 1993.

### **RECTANGULAR TEMPLATE – Larger Than 60 Acres**

- The parcel is 60 acres or larger in size and abuts a road that existed on January 1, 1993, or a perennial stream.
- Copy of Assessor's map with the 160-acre rectangle (1 mile long, ¼ mile wide) superimposed over the subject and surrounding parcels. The template must be centered on the subject parcel and be aligned to the maximum extent possible with the road or stream.
- The parcels with existing residential development are identified by a clear symbol (large dot, depiction of house, etc.). Records at the Assessor's Office can be used to determine which parcels are residentially developed.
- Parcels and dwellings within an Urban Growth Boundary for Cave Junction or Grants Pass have not been counted.
- Depending on the primary soil value for the subject parcel, 3 other lots (0-49 cfa), or 7 other lots (50-85 cfa) or 11 other lots (greater than 85 cfa) are within or touch the template. In order to be counted, the parcels must exist as of January 1, 1993.
- 3 or more dwellings exist within the template as of January 1, 1993, and 1 of the 3 dwellings is on the same side of road or stream as the subject parcel. If the parcel is divided by a road, at least 1 of the 3 dwellings must be on the same side of the road as the proposed dwelling, or be within ¼ mile of the edge of the subject parcel but not outside the length of the template (on the same side of the road or stream as the parcel).

### 3. **DEED RESTRICTIONS FOR PARCELS IN A TRACT**

If the subject parcel is part of a "tract" (contiguous parcels under the same ownership), then all of the following is required:

- No dwelling now exists on any part of the tract; and
- A copy of a non-revocable deed restriction is attached for every parcel in the tract. The deed restriction(s) must preclude all future right to construct a dwelling on the parcel(s) or to use it in totaling acreage for the future siting of dwellings. (*Note: the deed restriction need not be recorded at the time of this application, but is required before a development will be issued.*) A form for restricting deeds is attached to this application.

### **LARGE TRACT TEST**

The LARGE TRACT TEST permits one dwelling on a tract of land consisting of at least 160 contiguous acres. Parcels are considered contiguous even if they are divided by a public road or waterway. The application must include:

- A copy of the Assessor's map(s) showing all parcels (with ownership specified) which are included in the tract and which comprises at least 160 acres.

## MULTI-TRACT TEST

The MULTI-TRACT TEST permits one dwelling on a tract of 200 non-contiguous acres by adding the parcels together, placing a dwelling on only one parcel and prohibiting future development of the other parcels. The application under this test must include:

- A copy of the Assessor's map(s) for each parcel to be included in the tract. The included parcels must be identified by ownership. The parcel planned for development with the dwelling must also be identified.
  
- A copy of a non-revocable deed restriction is attached for every parcel in the tract. The deed restriction(s) must preclude all future right to construct a dwelling on the parcel(s) or to use it in totaling acreage for the future siting of dwellings. (*Note: the deed restriction need not be recorded at the time of this application, but is required before a development will be issued.*) A form for restricting deeds is attached to this application.