



Josephine County, Oregon

Community Development – Planning Division

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OVERSIZED ACCESSORY STRUCTURE

[Site Plan Review]

PROPERTY & APPLICATION INFORMATION

ASSESSOR'S LEGAL DESCRIPTION:

TWN _____ RNG _____ SEC _____ QQ _____ TAX LOT _____

TWN _____ RNG _____ SEC _____ QQ _____ TAX LOT _____

PROPERTY ADDRESS: _____

EXISTING ZONING: _____ PARCEL SIZE: _____

REQUEST INFORMATION:

SIZE AND GENERAL USE OF THE STRUCTURE: _____

Plot Plan Attached

Discussion of Site Plan Review Criteria Attached

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 an **OVERSIZED ACCESSORY STRUCTURE** 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. In the event my application involves a farm or forest use or a Comprehensive Plan Zone Change, I understand it 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*

MAP REQUIREMENTS. A site map showing the development must be drawn to scale and must show the following items. If you are unsure about the applicability of any item, or if you have questions about what is required, please contact the Planning Office.

1. Location of the parcel by address and Assessor's legal description.
2. The length of lot lines in feet and parcel size(s) in acres (to 10ths).
3. The scale used to draw the map, a north arrow and the date of preparation.
4. The location, size, height and dimensions of existing and proposed buildings and structures, including the distances between the buildings and the nearest property line.
5. A notation describing the existing and proposed uses for the structures shown on the site.
6. The slopes on the property (by % of grade), the nature and area of any proposed grading or earth movement, and the features of the proposed erosion control plan, if one is required (see Article 83 of the RLDC).
7. The location, dimensions and uses for all existing and proposed easements serving or burdening the parcel.
8. The location and layout of existing and proposed off-street parking, including the number and dimensions of spaces, the surface material, the internal circulation pattern and loading facilities.
9. The location, height and construction materials of walls and fences.
10. The location and nature of exterior lighting fixtures, including a depiction or description of the area to be illuminated.
11. The location and description of receptacles or areas for trash and garbage collection and/or disposal.
12. The location of natural or man-made water features, such as, springs, rivers, creeks, ponds, lakes, drainage ways, irrigation ditches and other similar features.
13. A depiction or description of adjoining structures and land uses, together with the approximate distances between the subject parcel lines and the adjacent structures or uses.

WHAT IS AN ACCESSORY STRUCTURE?

An accessory structure is any structure or building that is incidental to the main use or structure on the property. In the Rural Residential Zones (RR-5, RR-2.5, RR-1) accessory structures are incidental to the residence. Examples are garages (attached and unattached), carports, storage sheds, shop buildings, greenhouses, barns, guest houses, gazebos and other similar structures.

WHAT IS AN OVERSIZED ACCESSORY STRUCTURE?

The total size of all accessory structures allowed on parcels in the Rural Residential Districts is limited based on the size of the property. The *Josephine County Rural Land Development Code* (RLDC) provides the following limits:

Smaller than 1 acre.....	2500 total square feet
1 to 3 acres.....	3500 total square feet
3 to 5 acres.....	4000 total square feet
5 acres or larger	6000 total square feet

WHAT IS REQUIRED TO OBTAIN A PERMIT?

Any request for a structure that is larger than the limit, or which causes the total cumulative square footage of all existing and proposed structures to go over the limit, requires a site plan review. This procedure begins with an application that explains the request. To start review, the application must include a completed cover, a site map meeting the map requirements (*see page 2*) and a written statement explaining how the request meets the standards and criteria for (*see pages 3 and 4*).

STRUCTURE INFORMATION

1. What is the size of the proposed structure(s)?
2. What will the proposed structure(s) be used for? _____

3. Size and use of all existing accessory structures located on property:

Size: x (sq. ft.) Use: _____

Size: x (sq. ft.) Use: _____

Size x (sq. ft.) Use: _____

Size x (sq. ft.) Use: _____

SECTION 42.050 - SITE PLAN REVIEW STANDARDS & CRITERIA

Conditional use permit requests shall comply with the following standards and criteria:

A. STANDARDS.

1. Development standards contained within the *Josephine County Rural Land Development Code* (RLDC) and all other applicable master plans, rules, resolutions, ordinances, codes, technical manuals and policies of the county or the state or federal governments;
2. The Josephine County Roadway and Traffic Management Plan, including the Official Street Map;
3. Standards for construction of required infrastructure and public facilities; and

Explanation: *The standards referenced here are technical in nature and many are contained in various policies or manuals in other departments or agencies. The requirements covered by items 1 through 3 will be identified during application review. Staff will let you know if you need to respond to any of these items.*

4. Access standards contained in §11.030.

Explanation: *Section 11.030 is the definition for the term Adequate Access for site plan review. It applies only when site plan review is required. This section says the property must have a valid access permit on a county, state, forest access or public usage road, or be served by a written and recorded easement which contains no language that excludes commercial traffic. This definition will apply in the event full site plan review is required, which is unlikely in oversized accessory structure applications. Again, staff will let you know if you need to respond to this item.*

B. CRITERIA.

1. All criteria made applicable by the provisions of Article 69 (Overlays); Chapter 7 (Development Standards); Chapter 8 (Public Facilities); and, Chapter 9 (Special Uses).

Explanation: *The criteria referenced in this item are the type that apply only when unique circumstances exist on the property involved in the application. The planner handling your request will let you know if any apply in your case.*

2. The location, size, design and operating characteristics of the proposed use will not result in significant impacts on the neighborhood (“significant impact” is defined in Article 11 of this Code).

Explanation: *The impacts most often involved in oversized accessory structures are sights, sounds and traffic. But other impacts, such as pollution, drainage and odor, can also come into play. The RLDC says impacts are significant when they cause serious adverse effects to, or conflict with, other properties, which cannot be mitigated. Your application should carefully explain how the request will be conducted, and how the impacts will be minimized. This is usually the most important part of the application and your response on this criterion should be especially thorough.*

- C. The use will not exceed the carrying capacity of the land as defined in Section 11.030(64).

Explanation: *Carrying capacity has to do with the ability of the property to support the proposed development. Usually this covers questions about sewage disposal facilities, water supplies and on-site roads. Your application must demonstrate it is possible to meet basic requirements. Issues about carrying capacity are most likely to arise in the pre-application conference or during site plan review.*

D. Existing and proposed infrastructure and public facilities are adequate to serve the proposed development.

Explanation: *This criterion has to do with the adequacy of off-site public streets, bridges, water and sewage systems to serve the development. It is a rare case when significant issues arise under this criterion. The planner handling your request is the best person to ask if you need to be concerned.*

E. The development is designed so that it coordinates efficiently with surrounding development patterns and existing and planned utilities, facilities and streets in the vicinity.

Explanation: *Again, this criterion mostly has to do with long-range zoning and planning programs. You should only be concerned with this issue if the pre-application planner raises it.*

F. Special hazards (flooding, fire, erosion, etc.) and special environmental circumstances (watershed, wetland, wildlife or plant habitat, etc.), are adequately mitigated, provided for or protected.

Explanation: *The RLDC contains specific Articles dealing with special hazards. You will find the most commonly applicable regulations in Article 69.1 (flooding), Article 76 (fire), Article 83 (erosion), Article 69.4 (airports). In the event one or more special hazards affect your property, the application will need to carefully show how all applicable regulations are satisfied.*

IMPORTANT NOTE: The issues and criteria involved in your application may range from simple to very complex, depending on the nature and extent of your proposal and the physical and development circumstances present on-site and in the neighborhood. Sometimes the issues—and the resulting criteria—do not become completely known until staff is able to fully investigate the request through the application review process. This makes the completeness and accuracy of your application the critical first-step for effective review.

WHAT ARE THE STEPS TO OBTAINING A PERMIT?

- ① Complete the application cover.
- ② Attach a detailed written statement explaining how the request meets the conditional use criteria.
- ③ Complete a site map.
- ④ Make any needed changes and/or attach the additional information required by pre-application review.
- ⑤ If notice of the application is required, it will be sent to neighbors within a specified distance and other affected agencies and organizations. Comments or objections must be received within 15 days from the date notice is mailed
- ⑥ When the notice period closes, staff will prepare a written decision based on the criteria and relevant evidence. Adversely affected parties have 12 days to appeal the decision to the Board of County Commissioners.
- ⑦ In the event your request is referred to a public hearing, you must schedule an appointment with a planner to discuss hearing procedures and responsibilities.
- ⑧ The final step is obtain a development permit for the Oversized Accessory Structure.