

Application for a Permit to Use
Groundwater

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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME Steve Ochs		PHONE (HM)	
PHONE (WK) 541-682-2530	CELL 541-852-8370	FAX	
ADDRESS 100 West 13th Ave			
CITY Eugene	STATE OR	ZIP 97404	E-MAIL* sochs@homesforgood.org

Organization

NAME Homes For Good		PHONE 541-852-8370		FAX
ADDRESS 100 West 13th Ave				CELL
CITY Eugene	STATE OR	ZIP 97404	E-MAIL* sochs@homesforgood.org	

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME Matthew Burgess / Boeger and Associates		PHONE 541-302-4996		FAX NA
ADDRESS 1011 S Bertelsen Rd				CELL 541-743-3467
CITY Eugene	STATE OR	ZIP 97402	E-MAIL* mburgess@boegerassociates.com	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot use water legally until the Water Resources Department issues a permit.
- Oregon law requires that a permit be issued before beginning construction of any proposed well, unless the use is exempt. Acceptance of this application does not guarantee a permit will be issued.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land-use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water-right holders to get water to which they are entitled.



I (we) affirm that the information contained in this application is true and accurate.

Applicant Signature

Steve Ochs, Real Estate Development Dir. 09/05/23
Print Name and Title if applicable Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- ☒ YES, there are no encumbrances.
☐ YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
☐ NO, I have a recorded easement or written authorization permitting access.
☐ NO, I do not currently have written authorization or easement permitting access.
☐ NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
☐ NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map.

SECTION 3: WELL DEVELOPMENT

WELL NO.	NAME OF NEAREST SURFACE WATER	IF LESS THAN 1 MILE:	
		DISTANCE TO NEAREST SURFACE WATER	ELEVATION CHANGE BETWEEN NEAREST SURFACE WATER AND WELL HEAD
142823	McKenzie River	316 ft	7 ft

Please provide any information for your existing or proposed well(s) that you believe may be helpful in evaluating your application. For existing wells, describe any previous alteration(s) or repair(s) not documented in the attached well log or other materials *(attach additional sheets if necessary).*

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SECTION 3: WELL DEVELOPMENT, continued

Total maximum rate requested: 0.0125 cfs (each well will be evaluated at the maximum rate unless you indicate well-specific rates and annual volumes in the table below).

The table below must be completed for each source to be evaluated or the application will be returned. If this is an existing well, the information may be found on the applicable well log. (If a well log is available, please submit it in addition to completing the table.) If this is a proposed well, or well-modification, consider consulting with a licensed well driller, geologist, or certified water right examiner to obtain the necessary information.

OWNER'S WELL NAME OR NO.	PROPOSED	EXISTING	WELL ID (WELL TAG) NO.* OR WELL LOG ID**	FLOWING ARTESIAN	CASING DIAMETER	CASING INTERVALS (IN FEET)	PERFORATED OR SCREENED INTERVALS (IN FEET)	SEAL INTERVALS (IN FEET)	MOST RECENT STATIC WATER LEVEL & DATE (IN FEET)	PROPOSED USE			
										SOURCE AQUIFER***	TOTAL WELL DEPTH	WELL- SPECIFIC RATE (GPM)	ANNUAL VOLUME (ACRE-FEET)
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LANE 79123	<input type="checkbox"/>	6	-2 to 58	28 to 58	0 - 18	14 ft	gravel and sand	60ft	75	2.5
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>									

* Licensed drillers are required to attach a Department-supplied Well Tag, with a unique Well ID or Well Tag Number to all new or newly altered wells. Landowners can request a Well ID for existing wells that do not have one. The Well ID is intended to serve as a unique identification number for each well.

** A well log ID (e.g. MARI 1234) is assigned by the Department to each log in the agency's well log database. A separate well log is required for each subsequent alteration of the well.

*** Source aquifer examples: Troutdale Formation, gravel and sand, alluvium, basalt, bedrock, etc.

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SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species if your proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of appropriation (POA) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the TRSQQ or the Lat/Long of a POA and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POA is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the well or proposed well located in an area where the Upper Columbia Rules apply?

☐ Yes ☒ No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes, and if the Department determines that proposed groundwater use has the potential for substantial interference with nearby surface waters:

- I understand that the permit, if issued, will not allow use during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that the Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the well or proposed well located in an area where the Lower Columbia rules apply?

☒ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine, by reviewing

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recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, you will be required to provide the following information, if applicable.

☐ Yes ☒ No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

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Statewide - OAR 690-033-0330 thru -0340

Is the well or proposed well located in an area where the Statewide rules apply?

☒ Yes ☐ No

If yes, and the proposed groundwater use is determined to have the potential for substantial interference with nearby surface waters you are notified that the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

USE	PERIOD OF USE	ANNUAL VOLUME (ACRE-FEET)
Irrigation	April 15 - October 15	2.5

For irrigation use only:

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated (*must match map*).

Primary: 1 Acres Supplemental: 0 Acres Nursery Use: 0 Acres

If you listed supplemental acres, list the Permit or Certificate number of the underlying primary water right(s):

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 2.5

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: **NA** (Exempt Uses: Please note that 15,000 gallons per day for single or group **domestic** purposes and 5,000 gallons per day for a single **industrial or commercial** purpose are exempt from permitting requirements.)
- If the use is **mining**, describe what is being mined and the method(s) of extraction (attach additional sheets if necessary): **NA**

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your well(s)?

- ☒ Pump (give horsepower and type):
☐ Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) (attach additional sheets if necessary)

High Pressure Sprinkler

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to aquatic life and riparian habitat; prevent the discharge of contaminated water to a surface stream; prevent adverse impact to public uses of affected surface waters (attach additional sheets if necessary).

Double check type back flow preventer to prevent any water from returning to well

SECTION 7: PROJECT SCHEDULE

- Date construction will begin: 6/12/2023
- Date construction will be completed: 3/29/2024
- Date beneficial water use will begin: 3/19/2024

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SECTION 8: RESOURCE PROTECTION

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In granting permission to use water the state encourages, and in some instances requires, careful control of activities that may affect adjacent waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

- ☒ Water quality will be protected by preventing erosion and run-off of waste or chemical products.

Describe: Irrigate in the morning/evening to prevent evaporation.

- ☐ Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.

Note: If disturbed area is greater than one acre, applicant should contact the Oregon Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:

- ☐ Other state and federal permits or contracts required and to be obtained, if a water right permit is granted:
List:

SECTION 9: WITHIN A DISTRICT

- ☐ Check here if the point of appropriation (POA) or place of use (POU) are located within or served by an irrigation or other water district.

Irrigation District Name NA	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application (*attach additional sheets if necessary*).

Water will be appropriated from the well, stored, then sent to either irrigation or distribution.

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0900.

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Land Use Information Form

Page 1 of 3

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

Applicant

NAME Matthew Burgess		PHONE (HM) NA	
PHONE (WK) 541-302-4996	CELL 541-743-3467	FAX NA	
ADDRESS 1011 S Bertelsen Rd			
CITY Eugene	STATE OR	ZIP 97402	E-MAIL* mburgess@boegerassociates.com

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
1600 S	4 E	22	SW SE	1300	Rural Residential	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
1600 S	4 E	27	NW NE	1300	Rural Residential	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Lane County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water
 ☐ Water Right Transfer
 ☐ Permit Amendment or Groundwater Registration Modification
☐ Limited Water Use License
 ☐ Allocation of Conserved Water
 ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Groundwater ☐ Surface Water (name) _____

Estimated quantity of water needed: 2.5 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

This application is for 1 ac worth of water rights for Lazy Days Mobile Home Park

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Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
Conditional Use Permit (Local File No. 509-PA22-05570)	Lane Code 16.290(2)(o) Lane Code 14.030(1)(a)(ii)	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Julia Dobberstein Title: Planner

Signature: Julia Dobberstein Phone: 541-682-3958 Date: 8/24/2023

Government Entity: Lane County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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LAND MANAGEMENT DIVISION

Date Received:
RECEIVED AUG 17 2023

TYPE I APPLICATION
Zoning Determination Application

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97401 Planning: 682-3577

For Office Use Only: FILE # **509-P23-05540** FEE: **\$ 170.00 JD**

Applicant (print name): **Matthew Burgess**
Mailing address: **1011 S Bertelsen Rd, Eugene, OR 97402**
Phone: **541-745-3467** Email: **mburgess@boegerassociates.com**

Applicant Signature: ***Matthew Burgess***

PROPERTY LOCATION

1645220001300
Assessor's Map and Tax Lot

52511 McKenzie Hwy, Blue River, OR 97413
Site address

The Zoning Determination Application (ZD) is the form used when a customer needs a written response from the Planning Program, including State permit sign-offs. It is intended to assist customers who have a question that can not be answered in 10 minutes by the Planner at the front desk.

In the space below, write the question/request you have for the Planner. Attach additional pages if necessary.

OWRD LVCS Sign off for proposed irrigation of manufactured home park. 1.5 total acres to be irrigated applying for 1 ac worth of water rights because of 0.5 ac exemption

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LANE COUNTY PUBLIC WORKS

Property Owner Authorization Form

LAND MANAGEMENT DIVISION 3050 N DELTA HYW, EUGENE OR 97408

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I hereby affirm that I am the owner of the property located at:

Property Address/Location: 52511 McKenzie River Highway

City: Blue River State: OR Zip Code: 97413

Tax Map and Parcel Number: 16 - 45 - 22 - 00 - 1300

By signing below, I authorize the individual identified in the following section to act as my authorized agent with regard to any and all application(s) made to Lane County Land Management Division for the activities described. The individual identified below shall remain in this capacity with regard to any applications and subsequently issued permits related to these activities indefinitely unless an express written request to terminate this authorization, signed by me, is submitted to Lane County Land Management Division.

Project/Activity for which Application is being made: Rebuild of Lazy Days Mobile Home Park.

Provision of well water to the site.

Signature of Owner: [Signature] Date: 8/21/2023

Printed Owner Name: Steven Ochs

Printed Name of Permit Applicant/
Owner's Authorized Agent: Matthew Burgess, Boeger & Associates

Address: 1011 S Bertelsen Rd, #

City: Eugene State: OR Zip Code: 97402

Telephone Number: 541-302-4996

Signature of Applicant/Agent: [Signature] Date: 8/17/23

Once completed, please return this form to Lane County Land Management Division.

LANE CO. POAF Rev. 01-15-08 BDC

LAND MANAGEMENT DIVISION / PUBLIC WORKS DEPARTMENT / 3050 N DELTA HYW / EUGENE, OR 97401 / FAX 541/682-3947
BUILDING (541) 682-4651 / PLANNING (541) 682-3577 / SURVEYORS (541) 682-4195 / COMPLIANCE (541) 682-3807 / ON-SITE SEWAGE (541) 682-3754

EXHIBIT "A"

Beginning at the iron pipe marking the South one-quarter corner of Section 22, Township 16 South, Range 4 East of the Willamette Meridian; thence South $86^{\circ} 59' 04''$ East, 701.47 feet along the South line of said Section 22 to a point; thence South $43^{\circ} 14'$ East, 27.61 feet to an iron pin on the Northerly right of way line of the relocated McKenzie Highway marking the true point of beginning; thence along the Northerly right of way line of said highway and the arc of a curve to the left having a radius of 5674.58 feet to a point opposite to and 55.00 feet Northwesterly of Centerline Station 71+39.62 P.T. said point bears North $47^{\circ} 09' 50''$ East, 237.38 feet from the last described point; thence North $48^{\circ} 21' 39''$ East, 119.65 feet along the Northerly right of way line of said highway to a point opposite to and 50.00 feet Northwesterly from Centerline Station 72+59.16 P.S.; thence along said right of way line (being a line concentric with and 50.00 feet Northwesterly from when measured radially to the centerline of said Highway as it follows a standard Oregon State Highway Department spiral curve to the right in which $L=200$ feet, $S=4^{\circ}$ and $a=2.0$) to a point opposite to and 50.00 feet Northwesterly from centerline station 74+59.16 P.S.C. said point bears North $47^{\circ} 18' 38''$ East, 203.44 feet from the last described point; thence continuing along said right of way line (being a line concentric with and 50.00 feet Northwesterly from when measured radially to the centerline of said Highway) and the arc of a curve to the right having a radius of 1482.39 feet to a point marked by an iron pin on the East line of Government Lots 2 of Section 22, Township 16 South, Range 4 East of the Willamette Meridian, said pin bears North $54^{\circ} 57' 07''$ East, 257.70 feet from the last described point; thence North $1^{\circ} 40' 38''$ East, 400.00 feet along the East line of said Lot 2 to a point marked by an iron pin; thence South $55^{\circ} 08' 06''$ West, 1109.71 feet to an iron pipe marking the Northwest corner of a tract of land conveyed to Victor W. Heath and Prudence M. Heath, husband and wife, by Warranty Deed recorded February 5, 1964, Reception No. 42768, Lane County Oregon Deed Records; thence South $43^{\circ} 14'$ East, 401.20 feet along the West line of said tract to the true point of beginning, in Lane County, Oregon.

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**NOTICE OF PENDING LAND USE DECISION
BY THE LANE COUNTY PLANNING DIRECTOR**

NOV 28 2022

Mailing Date: _____
Department File: 509-PA22-05570
Applicant/Owner: Jacob Fox, Home For Good Housing Agency
Agent: Mike Magee, BDA Architecture & Planning
Assessor's Map & Tax Lot: 16-45-22-00-01300
Address: 52511 McKenzie Highway, Blue River, OR 97413
Acreage: 7.62 acres
Base Zone: Rural Residential (RR-5)
Combining Zone: None
Comprehensive Plan: Lane County Rural Comprehensive Plan (/RCP)

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You own or occupy property near the above referenced property that is the subject of a land use application and pending decision for conditional approval of this application by the Lane County Planning Director.

Notice to mortgagee, lien holder, vendor or seller: ORS Chapter 215 requires that if you receive this notice, it must be forwarded to the purchaser.

The purpose of this notice is to inform you about the proposal and pending decision, where you may receive more information, and the requirements if you wish to appeal the pending decision by the Director to the Lane County Hearings Official. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

PROPOSAL: A request for Director Type II Director Verification and Replacement of a Lawfully Existing use with notice pursuant to Lane Code 16.290(2)(o) and Lane Code 14.030(1)(a)(ii). Specifically, the request is to a verify the Lazy Days manufactured home and recreational vehicle park is a lawful existing use and to partially replace the park improvements and infrastructure that burned in the Holiday Farm Fire event in conformance with current development standards. As proposed, 20 manufactured home sites, 10 recreational vehicle sites, a community building, and related infrastructure are to be replaced in two phases by September 25, 2025.

Enclosed is a site plan (Exhibit C) showing the existing and proposed development.

The proposed use that could be authorized by approval of the land use application is: Continuation and replacement of a lawfully existing Manufactured Dwelling and Recreational Vehicle Park with 20 manufactured dwelling spaces, 10 recreational vehicle spaces, a community building, and associated improvements.

The application, all documents and evidence relied upon by the applicant, the applicable criteria, and a copy of the Lane County Planning Director's report are available for inspection at the Lane County Land Management

Division at no cost, and copies will be provided at reasonable cost. The name of the Lane County Land Management Division representative to contact for more information is **Shawna Adams**, who may be contacted by telephone at **(541)682-8904** or by email at shawna.adams@lanecounty.or.gov.

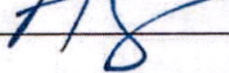
This decision will become final at **4:00 PM** on **DEC 12 2022** unless before this time a completed **APPLICATION FOR AN APPEAL OF A DECISION BY THE PLANNING DIRECTOR** form is submitted to and received by the County LMD. **This application form is enclosed and must be used if you wish to appeal this decision. To complete this form and appeal the decision:**

1. Fill in the required information and attach it along with the appeal fee, materials, and information required on the appeal form.
2. Submit the completed appeal to the Planning Director so that the Planning Director receives it prior to the date and time that the decision becomes final (see above deadline).
3. The Planning Director will reject an appeal if it: (a) is not received prior to the date and time that the decision becomes final or (b) is incomplete.

Failure to raise an issue in a hearing—in person or in writing—or failure to provide statements of evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals (LUBA).

Prepared by: 
Shawna Adams, Senior Planner

Date: November 23, 2022

Authorized by: 
Amber Bell, Planning Director

Date: November 23, 2022

EXHIBITS

Exhibit A: Conditions of Approval
Exhibit B: Vicinity Map
Exhibit C: Approved 1991 Master Plot Plan and Approved Preliminary Site Plan for Replacement

Exhibits below are mailed to the Applicant only. Copies are available upon request. Please contact staff at (541) 682-6768.

Exhibit D: Staff Report
Exhibit E: Preliminary ODOT Conditional Approval, d. 08.18.2022
Exhibit F: Department of State Lands Wetland Notice Response WN2022-1069, d. 11.15.2022
Exhibit G: Building Program Comments, d. 11.17.2022

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EXHIBIT A

CONDITIONS OF APPROVAL
509-PA22-05570

All of the following conditions are binding on the applicant or successive owner(s) of the parcel or successive applicant(s) who exercise this approval action.

1. The verification of a lawfully existing use under **509-PA22-05570** is valid until September 30, 2025, or as otherwise extended in accordance with the applicable Lane Code Chapter 14 provisions in effect at the time a request is made. Within this period, the applicable conditions of approval must be satisfied and building and sanitation permits for Phase 1 and Phase 2 improvements for replacement must be submitted and have obtained issued status.

Approval of an extension granted under this rule is an administrative decision, is not a land use decision as described in ORS 197.015 and is not subject to appeal as a land use decision.

2. Replacement of the manufactured home and recreational park must be generally as described and addressed in the staff report for this decision (**Exhibit D**) and as shown on the approved preliminary site plan in (**Exhibit C**).
3. All structures must comply with Lane Code 16.290(7)(a) minimum property line setbacks.
4. Prior to building permit, submit a final revised site plan that accurately shows the jurisdictional wetlands and waters on property, as reflected in a DSL approved wetland delineation or a DSL approved Wetland Determination. Provide a copy of the approved delineation or wetland determination with the final revised site plan.
5. Show on the final revised site plan all existing and proposed signage. Any new signs within the subject property must comply with LC 16.290(7)(g) and LC 16.006(5), as applicable.
6. Prior to any construction or alterations in the existing approaches to McKenzie Highway, obtain from ODOT a Permit to Construct a State Highway Approach. Submit a copy of the approved construction permit to LMD staff prior to the first Phase I final occupancy permit approval.
7. Replacement must be in accordance with sanitation and building codes. The applicant must obtain all required building and sanitation permits for each phase in accordance with the time limits of **Condition #1 and #2**. For more information, please contact the Building Program at 541-682-4651 and the On-Site Wastewater Program at 541-682-3754 with questions regarding building and sanitation requirements.

Informational Items

8. It is the applicant's responsibility to comply with all required local, state, and federal regulations and permitting requirements as they apply to the subject property and the development proposal, including Oregon Department of State Lands (DSL) and/or Army Corps of Engineers (ACOE) wetland regulations. A Department of Environmental Quality 1200-C permit is required for any cumulative disturbance of one (1) or disturbance of a lesser area with any potential for stormwater to run off a site during construction and into a surface water or conveyance system that leads to a water of the state.

9. The Oregon Department of Transportation (ODOT) maintains and has permitting authority for McKenzie Highway. Any changes to access or work within the highway right-of-way, including connections to state highway drainage facilities, are subject to ODOT review and approval. For more information, please contact with ODOT.
10. Site development and construction plans will be reviewed for compliance with building codes (Building, Mechanical, Plumbing, Electrical, and Fire Codes) after plans are submitted for building permits. Site accessibility and fire access will be included in the building review.

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EXHIBIT D

STAFF REPORT 509-PA22-05570

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Department File:	509-PA22-05570
Applicant/Owner:	Jacob Fox, Home For Good Housing Agency
Agent:	Mike Magee, BDA Architecture & Planning
Assessor's Map & Tax Lot:	16-45-22-00-01300
Address:	52511 McKenzie Highway, Blue River, OR 97413
Acreage:	7.62 acres
Base Zone:	Rural Residential (RR-5)
Combining Zone:	None
Comprehensive Plan:	Lane County Rural Comprehensive Plan (/RCP)
Staff:	Shawna Adams, Senior Planner

I. APPLICATION REQUEST

A request for Director Type II Director Verification and Replacement of a Lawfully Existing use with notice pursuant to Lane Code 16.290(2)(o) and Lane Code 14.030(1)(a)(ii). Specifically, the request is to verify the Lazy Days manufactured home and recreational vehicle park is a lawful existing use and to partially replace the park improvements and infrastructure that burned in the Holiday Farm Fire event in conformance with current development standards. As proposed, 20 manufactured home sites, 10 recreational vehicle sites, a community building, and related infrastructure are to be replaced in two phases by September 25, 2025.

II. BACKGROUND INFORMATION

On September 2, 2022, the applicant submitted the subject application to the Lane County Land Management Division. Staff reviewed the application and determined it to be complete on September 30, 2022 and proceeded with the review without optional notice of application, as provided in LC 14.030(1)(b)(ii) and LC 14.060(1). Copies of all application materials and any written comments received concerning this request are included in the application file record for this proposal and are incorporated herein by reference.

III. PROPERTY DESCRIPTION AND PROPOSAL DETAILS

- a. **LOCATION:** The subject property is identified as Assessor's Map 16-45-22-00-01300 with an assigned address of 52511 McKenzie Highway, Blue River. The property is located on the north side of McKenzie River Highway, approximately 1.5 miles east of the unincorporated community of Blue River.
- b. **SITE DESCRIPTION AND SURROUNDING USES:** As confirmed by county GIS data layers, the subject property consists of approximately 7.35 acres with topography gradually sloping upward from the southwest corner of the property to the northeast corner of the property, where slopes steepen upward to the north and east. The northeast portion of the property is traversed by a seasonal creek that is mapped as a riverine wetland on the Statewide Wetland Inventory (SWI). County DOGAMI landslide hazard data layers identify high landslide susceptibility in the steeper northeast portion of the property. The remainder of the properties is generally identified as having low landslide susceptibility with isolated areas of moderate landslide susceptibility. County GIS data layers indicate no floodplain, Class I streams or other encumbrances of note on the subject property.

The entire property is zoned Rural Residential (RR-5). Abutting properties to the east and northeast, southwest, and across McKenzie River Highway to the south are also zoned RR-5. Along the northwesterly boundary, the property abuts a large Impacted Forest Land-zoned property. The subject property and all abutting properties are within the Holiday Farm Fire boundary where aerial photos indicate a near complete loss of buildings and vegetation.

- c. **PROCEDURE & PROPOSAL:** LC 16.290(2)(o) allows as an outright permitted use the replacement of lawfully existing uses not authorized elsewhere in LC 16.290. Generally, determinations that a use qualifies for replacement under LC 16.290(2)(o) are ministerial actions based on clear and objective standards that do not require interpretation or exercise of policy or legal judgment and are made with planning authorization granted via the building permit authorization process or via prior Type I land use application determination by the Director without public notice or a hearing. When such determinations necessitate discretionary interpretation or judgment or when the applicant desire a final land use decision, LC 14.030(1)(a) provides that the Director may elevate a Type I determination to a Type II review process or the applicant may elect to elevate a Type I determination to a Type II process by submitting a Type II application to the Director as the applicant has done for the subject request. Accordingly, the applicant's request is subject to Type II review procedures with notice and an opportunity to appeal prior to the final effective date of the decision.

The applicant proposes to replace the infrastructure for the manufactured home and recreational park in two phases to be completed by September 25, 2025, with Phase 1 to be limited to development resulting in 5,000 GPD of on-site wastewater discharge or less. This purpose of the phasing proposal is to enable replacement of the majority of the park infrastructure to begin and avoid delays resulting from more extensive DEQ permitting requirements and procedures triggered by the wastewater discharge above the 5,000 GDB threshold. Based on anticipated DEQ on-site wastewater discharge and related DEQ requirements, the applicant proposes to delay sanitation and building approval for one (1) of the 20 manufactured home site replacements and all 10 recreational vehicle site replacements to Phase 2. The applicant's extended phasing schedule is approved and has been made a condition of approval, in accordance with LC 14.090(6)(a).

IV. APPROVAL CRITERIA & FINDINGS OF FACT

The purpose of this report is to verify that the proposed replacement of the Lazy Days manufactured home and recreational park conforms with Lane Code 16.290(2)(o) and applicable development standards. The Lane Code language is in **boldface** type, followed by the Findings of Fact.

16.290 Residential Zone (RR).

- (2) **Permitted Uses.** The following uses and activities are allowed subject to the general provisions and exceptions specified by this chapter of Lane Code:

- (o) **Maintenance, repair, or replacement of lawfully (per LC Chapter 16) existing uses and development not authorized elsewhere by LC 16.290.**

Finding 1. County permit records indicate a manufactured home and recreational vehicle park was established on the subject property in the late 1950s before zoning was applied to the property and that it remains a lawful existing use.

The earliest available building permit record for the park is a 1961 building permit for construction of a laundry building and septic facilities (509-BP-61-00571). The permit records include a park site plan approved by the

Lane County Health Department on April 9, 1959 identifying the laundry building, 45 trailer spaces, and associated site improvements. Subsequent permit records indicate the park had been licensed as a manufactured home park (aka manufactured home park) and recreational vehicle park consisting of 24 mobile home spaces and 9 recreational vehicle spaces for several years prior to 1981, at which time permit approvals were obtained for the addition of four additional recreational spaces (509-BP80-02587, 509-BP81-00518). As shown on the site plans for the approved permits, the park included an office building, laundry building, and related improvements in addition to the 24 manufactured home spaces and 14 recreational vehicle spaces.

In 1991, at the direction of the Lane County Building Official, the property owner submitted a surveyed Master Plot Plan for the park that showed the precise location of the park layout and improvements that existed at that time. This park plan was approved by the Building Official on June 3, 1991 and generally reflects the existing lawful manufactured home and recreational vehicle park use recognized by Lane County. The approved 1991 Master Plot Plan shows 14 recreational vehicle spaces and 21 manufactured home sites, including one identified as an office. Also shown is a building for laundry, restroom, and shower use and numerous accessory buildings throughout the park. As indicated by the applicant and documented in subsequent County permit records and County GIS aerial photo data layers, the manufactured home and recreational park continued to operate as shown on the approved 1991 Master Plot Plan up until the buildings and recreational vehicles within the park were destroyed during the Holiday Farm fire event in September 2020 (**Exhibit C**). Since the Holiday Farm Fire event, the applicant purchased the property with the intent of continuing the lawful manufactured home and recreational use park use and restoring and replacing the park infrastructure lost in the fire, and the manufactured home and recreational park use has continued to be recognized as a lawful existing use.

The subject property was first zoned AGT-5 under Ordinance 640 on November 23, 1977, well after the park was established. The Rural Residential Lands (RR-RCP) Zone codified in LC 16.231 was applied to the subject property under Ordinance PA 884 on February 29, 1984. The current Rural Residential Zone codified in LC 16.290 was applied to the subject property under Ordinance 6-02/ 1173, effective May 17, 2002. As reflected in the legislative findings and expressly stated the purpose of the RR zone provided at LC 16.290(1)(d), the enacted zoning provisions are not intended to apply retroactively. Rather, the provisions are intended to apply prospectively to new uses and to recognize the existing residential uses as lawfully existing conforming uses that may be continued and do not apply retroactively.

The current RR-5 zoning does not allow the establishment of new manufactured home parks or recreational vehicle parks for extended stays. Consistent with the purposes of the RR zone, LC 16.290(2)(o) allows the replacement of the existing lawful manufactured home and recreational park use as a permitted outright use, subject to the general provisions and exceptions specified in Lane County Chapter 16.

Planning staff understands "replacement" to mean restoring manufactured home and recreational vehicle spaces and associated improvements in-kind (within the same footprint), or replacing the spaces and associated improvements in accordance with current code requirements. In this instance, the applicant is proposing to replace the existing manufactured home and recreational vehicle park infrastructure that was destroyed in the Holiday Farm Fire with a modified layout that fully complies with all applicable local, state, and federal requirements. Compliance with such requirements is further addressed below and has been made a condition of approval.

As proposed, the replacement manufactured home and recreational vehicle park will contain fewer manufactured home sites and recreational vehicle sites than identified on the approved 1991 Master Plan layout that existed in 2002 when the current RR zoning was applied to the property. The proposed layout includes a total of 20 manufactured home spaces and 10 recreational vehicle spaces, an accessory community building with two offices, and laundry and restroom facilities for resident and guest use, parking facilities, a trash enclosure, and other associated improvements. The overall layout is similar to the 1991 Master Plot Plan layout, with an

internal access loop served by two existing driveway approaches within McKenzie Highway. Per the applicant, the modifications to the internal circulation and highway approaches depicted on the proposed site plan have been made in consultation with ODOT, the State Fire Marshal and local fire protection district, and Lane County Building staff and are designed to comply with or exceed applicable requirements.

For the reasons explained above, the proposal for replacement of the Lazy Days manufactured home and recreational vehicle park is allowed pursuant to LC 16.290(2)(o).

V. OTHER PROPERTY DEVELOPMENT STANDARDS

Lane Code 16.290

(7) **Property Development Standards.** All uses or development permitted by LC 16.290(2) through (4) above, except as may be provided therein, shall comply with the following development standards:

(a) **Property Line Setbacks.** Structures other than a fence or sign shall be located:

- (i) At least 20 feet from the right-of-way of a State road, County road or a local access public road specified in LC Chapter 15;
- (ii) At least 10 feet from all other property lines; and
- (iii) Notwithstanding LC 16.290(7)(a)(ii) above, a structure that contains less than 120 square feet of floor area and that is located more than 10 feet from other structures may be located in the 10 foot setback otherwise required by LC 16.290(7)(a)(ii) above provided it complies with LC 16.290(7)(d) below.

Finding 2. All proposed structures shown on the site plan in **Exhibit C** are set back from McKenzie Highway and property lines in accordance with (a)(1) and (a)(ii) above. The above standards have been made a condition of approval to ensure compliance as proposed.

With respect to (a)(i), staff note that the applicable 20-foot setback is measured from the right-of-way boundary pursuant to LC 15.070(1)(d) in this instance. LC 15.075 establishes a 100-foot planned right-of-way width for McKenzie Highway for determining setbacks. As shown on the applicant's site plans, the Highway is 100 feet wide along the property frontage, with the centerline identified to be at least 50 feet from the right-of-way boundary. The depicted right-of-way width and centerline are generally consistent with County GIS data layers and the centerline documented to vary between 50 and 55 feet from the right-of-way boundary on the surveyed 1991 Master Plot Plan for Lazy Days, which exceeds the minimum 50-foot width from centerline dictated by LC 15.070(1)(c).

(b) The setback for property lines other than front-yard shall be five feet, except as provided below, for any lot or parcel containing less than 1 acre and created prior to March 30, 1984.

Finding 3. This standard does not apply; the subject property exceeds one acre.

(c) For mobile homes to be located in lawfully existing mobile home parks, the setbacks from a projected or existing right-of-way of a County or local-access public road shall be the same as required above, and lesser setbacks from all other mobile home lot lines are permitted if in compliance with Oregon Administrative Rules, Chapters 918-600 =.

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Finding 4. Lesser setbacks under (2)(c) are neither proposed nor required in this instance. The lawfully existing manufactured home and recreational vehicle park consists of a single unit of land and has not been subdivided into multiple lots. As previously noted under **Finding 2**, proposed structures meet the applicable setback standards of (2)(a)(i) and (2)(a)(ii).

With respect to the interior of the manufactured home park property, staff note that the referenced Oregon Administrative Rules and applicable state and fire codes dictate additional requirements that will be subject to review and approval via the building permit process. Comments received from Building Program staff confirm the proposal appears to be conceptually acceptable and include several informational items concerning applicable building requirements (**Exhibit G**). Per the Building Program comments, the exterior wall of the manufactured dwelling must be set back at least five (5) feet from the curb of the park street as provided in Table 9-A, OMDPSC, 2002. Planning staff understands that the manufactured home locations shown on the applicant's site plans may need to be adjusted to fully comply with this requirement. To ensure compliance as proposed and required, compliance with applicable building and sanitation permit requirements has been made a condition of approval.

- (d) **Riparian Setback Area.** Except for property located between the Eugene-Springfield Metropolitan Area General Plan Boundary and the Eugene and Springfield Urban Growth Boundaries, where setbacks are provided for in LC 16.253(6), the riparian setback area shall be the area between a line 50 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence shall be located closer than 50 feet from the ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) or LC 16.253(6), as applicable, are met.
- (e) **Maintenance, Removal and Replacement of Indigenous Vegetation within the Riparian Setback Area.** Maintenance, removal and replacement of indigenous vegetation within the riparian setback area designated for riparian vegetation protection by the comprehensive plan must comply with the provisions of LC 16.253(2) or LC 16.253(6), as applicable.

Finding 5. The above standards do not apply; the subject property does not contain or abut any Class 1 streams.

- (f) **Height.** None.
- (g) **Signs.**
 - (i) Signs shall not extend over a public right-of-way or project beyond the property line.
 - (ii) Signs shall not be illuminated or capable of movement
 - (iii) Signs shall be limited to 200 square feet in area.

Finding 6. The proposed site plan does not identify any existing or proposed signs. The application materials indicate that the property contains existing signage that complies with the above requirements and that any replacement signage that may be proposed in the future will comply with the above standards. As conditioned, any existing or proposed signage must be shown on the final site plans submitted for building permit review and approval. Compliance with the above standards has been made an informational condition of approval that must be met as applicable. In addition to the above sign standards, any off-premise signs placed on the property within 660 feet of the McKenzie River Highway are governed by the Scenic Byway sign requirements of LC 16.006(5). Signage on the subject property may also be subject to ODOT review and approval. These requirements have been made an advisory condition of approval.

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(h) **Parking.** Off street parking shall be provided in accordance with LC 16.250.

Finding 7. LC. 16.250 provides that garages and parking area requirements for residential and industrial development will be found under the zoning classification. Since the proposal is residential in nature, LC 16.250 does not dictate additional parking requirements. As such, this criterion is met without conditions.

Staff notes that the proposed layout will be subject to compliance with additional parking standards that are subject to review and approval through the building permit process. As shown on the applicant's site plan in Exhibit C, each manufactured home space will be developed with two parking spaces and each recreational vehicle space will be developed with one parking space. In addition, nine parking spaces, including one accessible space, will be provided within the common area of the park in conjunction with the proposed community building and play area. Building program confirm that the proposal appears to be conceptually acceptable, and that final design details will be reviewed for compliance as part of the building permit process.

ORS 215.418 Wetlands

Finding 8. See Exhibit F. The Statewide Wetland Inventory mapping shows wetlands and waters on the subject property regulated by the Department of State Lands (DSL) and Army Corps of Engineers. Planning staff submitted a Wetland Land Use Notification Form to the Oregon Department on State Lands for the subject proposal and received an advisory response (WN2022-1069), indicated to be a preliminary jurisdictional determination that the proposed project may impact wetlands and may require a State and Federal permit.

The DSL response notes that the applicant's site plan shows the mapped intermittent stream derived from USGS data that is not aligned with contours, but does not show the intermittent riverine wetland derived from USFWS data that is aligned with ground contours. The response further indicates that the catchment pond shown on the site plan is placed directly in the flow path of the USFWS mapping and appears as a potential waters impact. DSL recommends that the catchment pond be relocated so it is not directly at the bottom of the hillslope channel. Also recommended is that the applicant hire a wetland consultant to document the presence/absence of a stream channel via a wetland delineation submitted for review by DSL and that the applicant contact DSL staff to request an onsite determination to verify if the catchment pond footprint is within jurisdictional wetlands or waters in the absence of a delineation.

The property owner notes that the purpose of the catchment basin is to mitigate landslide hazards in the vicinity and that arrangements are underway for the recommended delineation, with the intention of avoiding impacts to the delineated wetlands.

A condition of approval has been imposed requiring a final revised site plan with the building permit submittal that accurately shows the jurisdictional wetlands and waters on property, as reflected in a DSL approved delineation or on-site Determination to be submitted in conjunction with the final revised site plan. In addition, compliance with state and federal jurisdictional wetland and water requirements have been made an advisory condition of approval.

VI. DECISION

Based upon the findings above, the proposed for replacement of the Lazy Days manufactured home and recreational vehicle park conforms with Lane Code 16.290(2)(o) and applicable development standards. Therefore, **APPROVAL** is granted subject to the conditions stated in Exhibit A of this staff report.

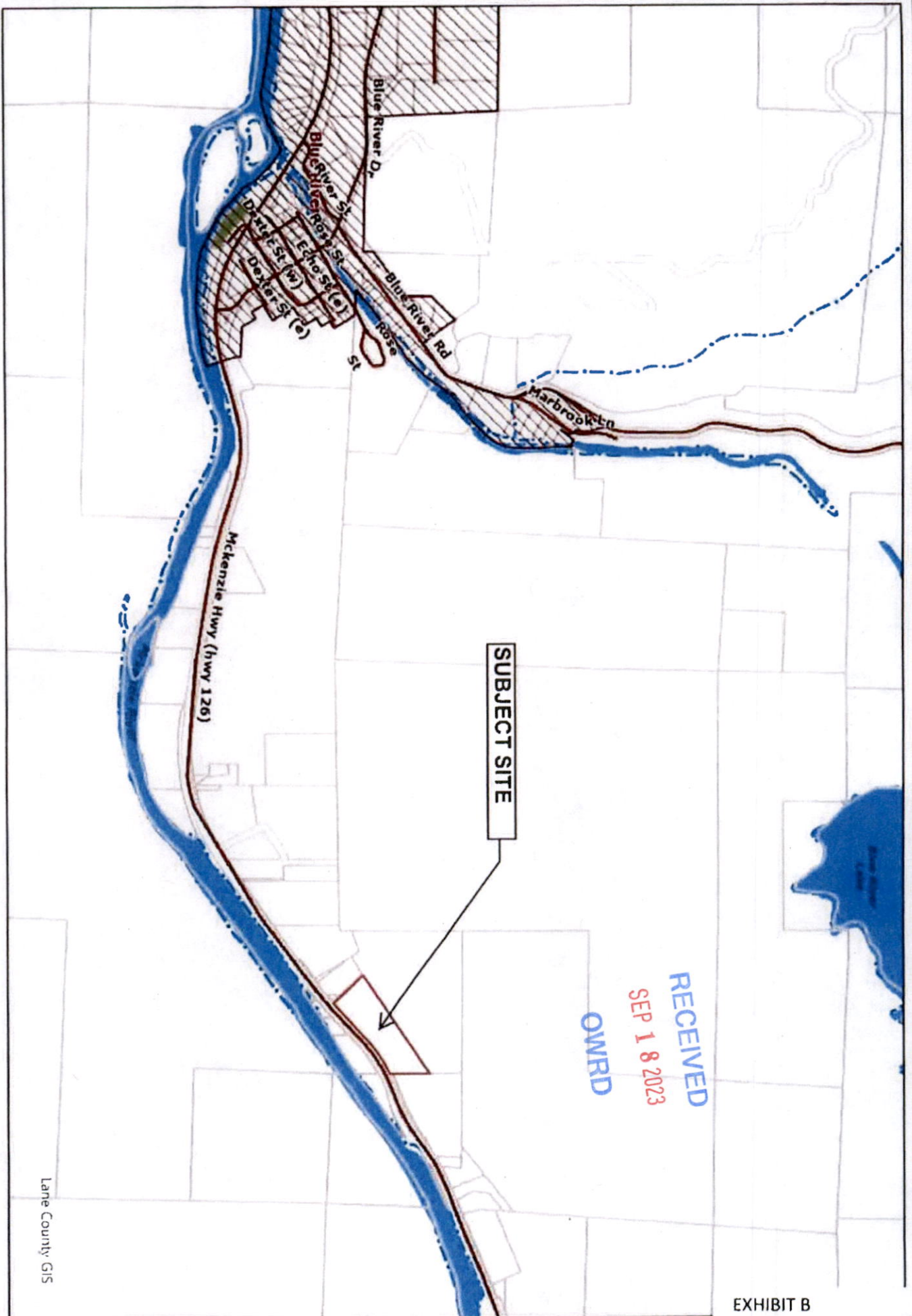
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SUBJECT SITE



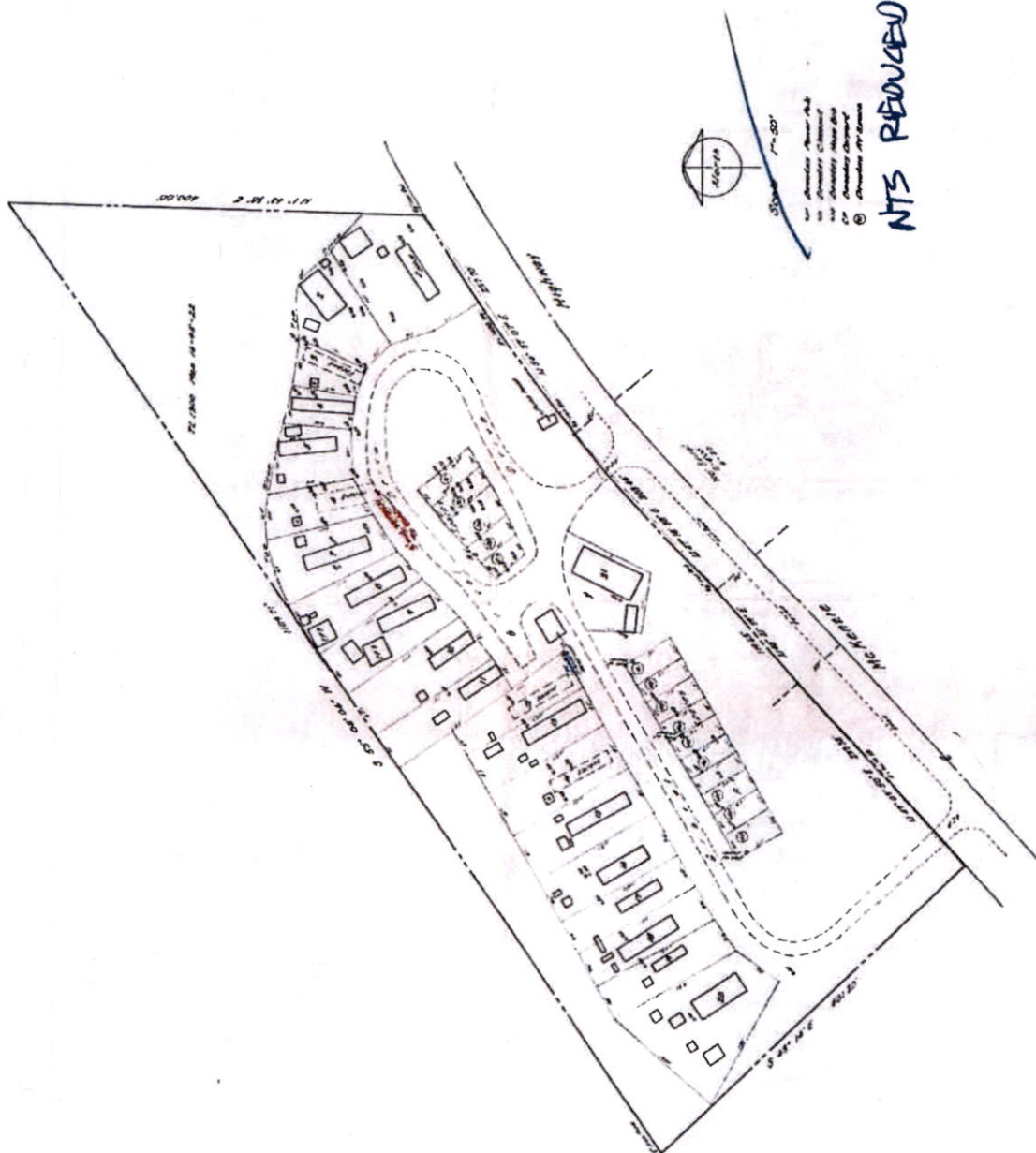
VICINITY MAP: 509-PA22-05570
Lane County, Oregon

The information on this map was derived from digital data for the Lane County GIS. The data was collected from various sources and is subject to change. The map is for informational purposes only and does not constitute a warranty or guarantee of accuracy. The map is not to be used for legal or financial purposes. The map is the property of Lane County, Oregon and is not to be reproduced without written permission.

SCHAUDT · STEMM & WILD
INGENIEURE SURVEYORS
106 High Street • Weymouth, Dorset, DT4 4DL • (0502) 468 - 0303

Master Plot Plan
APPROVED
DATE JUNE 2, 1971
BY JOHN WHITE
FIRM: N/A

NTS RECOVERED



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Day Days MH Park
16-45-22 / 1300

LASTY DAYS M4 PICK

509. PA22-05570

OWNER:
HOMES FOR GOOD
100 WEST 13TH AVENUE
EUGENE, OR 97401
PH: 541-682-2530

SITE ADDRESS:
52511 MCKENZIE HIGHWAY
BLUE RIVER, OR 97413
TAX MAP: 16-45-22 TAX LOTS: 1300

PARKING PROPOSED:
MH SPACES: 2 PER SPACE
RV SPACES: 1 PER SPACE

COMMUNITY BUILDING:
4 GUEST SPACES PER OMDPSC 10-5.3(b)
4 SPACES FOR PLAY AREA PER OMDPSC 10-5.3(c)
1 ADDITIONAL SPACE PER OMDPSC 10-5.3(d)
9 SPACES TOTAL (1 ACCESSIBLE)

REDEVELOPMENT WILL CONSIST OF TWO PHASES
OF PERMITTING AND CONSTRUCTION, WITH THE
INTENTION OF KEEPING PHASE 1 DEVELOPMENT
TO UNDER 5,000 GPD OF ON-SITE WASTEWATER
DISCHARGE.

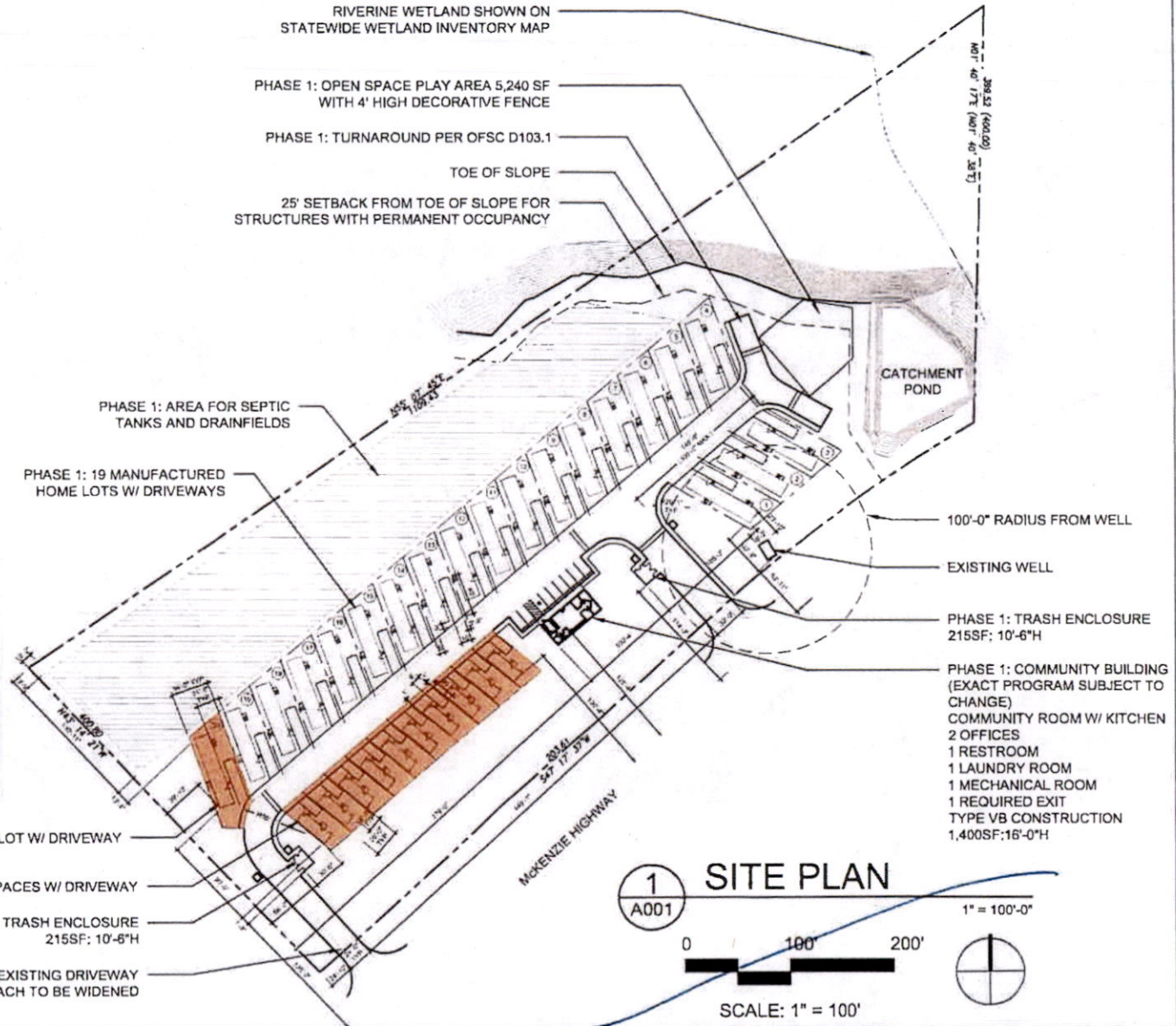
PHASE 1:

- ALL ROADS AND SIDEWALKS
- COMMUNITY BUILDING
- TRASH ENCLOSURES
- OPEN SPACE PLAY AREA
- LANDSCAPING
- SITE LIGHTING
- STORM DRAINAGE
- WATER DISTRIBUTION
- ON-SITE WASTEWATER TREATMENT
- MH SPACES 1 THROUGH 19 (5,000 GPD MAX INCLUDING COMMUNITY BUILDING)

PHASE 2:

- RV SPACES
- REMAINING MH SPACE 20

PHASE 2 SPACES WILL HAVE UTILITIES STUBBED
OUT NEARBY, BUT WILL BE LEFT UNDEVELOPED
UNTIL ALL NECESSARY APPROVALS ARE
GRANTED.



BDA
Architecture & Planning, PC
1389 First Street
Eugene, Oregon 97401
March 2022
541.623.8541

**LAZY DAYS MANUFACTURED
HOME PARK RECONSTRUCTION**
52511 MCKENZIE HWY, BLUE RIVER, OREGON
HOMES FOR GOOD

SITE PLAN

date 8-31-22
d.b. LWL

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NTS REQUIRED

509-1422-05570
SA 11/23/22
*SEE CONDITIONS OF
APPROVAL
EXHIBIT C 2 of 2
APPROVED PRELIMINARY
DATE 11/23/22

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- ☐ SECTION 1: Applicant Information and Signature
- ☒ SECTION 2: Property Ownership
- ☒ SECTION 3: Well Development
- ☒ SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- ☒ SECTION 5: Water Use
- ☒ SECTION 6: Water Management
- ☒ SECTION 7: Project Schedule
- ☒ SECTION 8: Resource Protection
- ☒ SECTION 9: Within a District
- ☒ SECTION 10: Remarks

Include the following additional items:

- ☐ Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- ☐ Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- ☐ Fees - Amount enclosed: \$
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- ☒ Map that includes the following items:
 - ☒ Permanent quality and drawn in ink
 - ☒ Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - ☒ North Directional Symbol
 - ☒ Township, Range, Section, Quarter/Quarter, Tax Lots
 - ☒ Reference corner on map
 - ☒ Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - ☒ Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - ☒ Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - ☒ Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

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Water-Use Permit Application Processing

1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050. The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$310. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at www.oregon.gov/owrd. The public comment period is 30 days from publication in the weekly notice.

4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$480.00 for the applicant and \$950.00 for non-applicants. Protests are filed on approximately 10 percent of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.



Today's Date: Tuesday, September 5, 2023

Base Application Fee		\$1,570.00
Number of proposed cubic feet per second (cfs) to be appropriated. (1 cfs = 448.83 gallons per minute)	0.0125	\$410.00
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed groundwater points of appropriation (i.e. number of wells) (include all injection wells, if applicable) **	1	
	Subtotal	\$1,980.00
Permit Recording Fee ***		\$610.00
* the 1st Water Use is included in the base cost. ** the 1st groundwater point of appropriation is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$2,590.00

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