

**CHECKLIST FOR CUSTOMER**  
**Creation of Private Road Without Land Division**  
*(LDO Sections 3.10.2 and 9.5.3)*

The following material must be submitted with a request for a private road. **Check off each item as you include it in your application.**

1. **A to-scale tentative map** (ie: 1"=100' or 1"=50') on 8/12 x 11 paper is included in this application showing the following:
  - The proposed location, width and length of the road. Met \_\_\_\_\_
  - The location of adjacent existing structures, railroad or limited access road easements. Met \_\_\_\_\_
  - The width of the road at the public road intersection. Met \_\_\_\_\_
  - The easement width. This is different than the road width. Met \_\_\_\_\_
  - The location of required road signs. Met \_\_\_\_\_
  - The location of required cuts and fill. Met \_\_\_\_\_
  - The location of the nearest parallel state highway. Met \_\_\_\_\_
  - Maximum finished grades for road segments identified in the engineers design report (below). Met \_\_\_\_\_
  - All lots and parcels to be crossed and served by the road Met \_\_\_\_\_
  - Location of proposed gates. Met \_\_\_\_\_
  
2. **The engineers design report** containing the following information:
  - The natural slope of the land within the easement (cross slope). Met \_\_\_\_\_
  - The minimum easement width based on required cut and fill slopes, ditches, turnouts and cul-de-sacs. Met \_\_\_\_\_
  - The maximum finished grade of the road. Met \_\_\_\_\_
  - The maximum finished grade of road segments exceeding 15 percent. Met \_\_\_\_\_
  - The maximum finished grade at the public road intersection for a distance of not less than 40'. Met \_\_\_\_\_
  - Minimum construction standards providing for a 5-year road life. Met \_\_\_\_\_
  - Annual and necessary maintenance measures. Met \_\_\_\_\_
  - Minimum annual maintenance cost. Met \_\_\_\_\_
  - Consideration of terrain, soil and slope aspects. Met \_\_\_\_\_
  - Construction standards to hold a minimum load capacity of 50,000 pounds Met \_\_\_\_\_
  - Evaluation of culverts and drainage facilities. Met \_\_\_\_\_
  
3. **Draft Maintenance Agreement:** Signed, or at a minimum acknowledged by the benefitted property owners. Met \_\_\_\_\_
  
4. **Lawful Lot Creation:** Copy of a deed record card, and earliest deed describing the subject parcel in it's current configuration. Met \_\_\_\_\_
  
5. **Title Report:** The report must indicate all easements and encumbrances that affect the property affected by the private road right-of-way. Met \_\_\_\_\_
  
6. **Road Names:** First and Section Choices. Met \_\_\_\_\_
  
7. **Signatures:** The cover sheet and the supplemental application are signed. Met \_\_\_\_\_
  
8. **Authorizations:** Signed authorizations from all owners of property the road will cross and benefit. Met \_\_\_\_\_
  
9. **Checklist:** This checklist is included with the application. Met \_\_\_\_\_

# JACKSON COUNTY, OREGON

## TYPE 1 APPLICATION

(Please print in black ink, or type all information except where a signature is required)

| OFFICE USE ONLY            |       |
|----------------------------|-------|
| File N <sup>o</sup>        | _____ |
| Fee Pd                     | _____ |
| Receipt N <sup>o</sup>     | _____ |
| App. Type:                 | _____ |
| App. Received by           | _____ |
| Date Received              | _____ |
| Zoning Confirmed by Staff: | _____ |

Legal description of subject property:

Township\_\_\_\_ Range\_\_\_\_ Section\_\_\_\_ Tax Lot\_\_\_\_ Acreage\_\_\_\_  
 Township\_\_\_\_ Range\_\_\_\_ Section\_\_\_\_ Tax Lot\_\_\_\_ Acreage\_\_\_\_

Street Address of the Property: \_\_\_\_\_

What is the Zoning of the Subject Property? \_\_\_\_\_

**Is the purpose of this application to complete a Measure 49 Approval?**  YES  NO

*NOTE: Applications for review and approval of all development proposals may be initiated by the property owner, purchaser under a recorded land sale contract, condemner who has been granted immediate possession by a court of competent jurisdiction, agent duly authorized in writing, or a public agency.*

### PROPERTY OWNER:

At Time Application is Submitted

### APPLICANT:

If Other than Property Owner

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

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

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

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

City: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

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

E-Mail Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

### AGENT:

If Other than Applicant

### OTHER:

Specify: \_\_\_\_\_

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

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

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

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

City: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

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

E-Mail Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**IF AN AGENT, APPLICANT, OR "OTHER" IS ACTING ON BEHALF OF THE OWNER OR PURCHASER, A SIGNED STATEMENT OF OWNER AUTHORIZATION MUST BE SUBMITTED WITH THIS APPLICATION. THIS APPLICATION MUST BE ACCOMPANIED BY AN ACCURATE PLOT PLAN (MAP). SEE USER'S GUIDE FOR ASSISTANCE. THE BURDEN OF PROOF FOR APPROVAL OF AN APPLICATION RESTS WITH THE APPLICANT. YOU MUST PROVIDE DOCUMENTATION REGARDING THE PROPERTY AND APPLICATION CRITERIA IN SUFFICIENT DETAIL AND ACCURACY TO ENABLE THE DEPARTMENT TO FIND THAT YOUR APPLICATION COMPLIES WITH ALL APPLICABLE APPROVAL CRITERIA.**

**APPLICANT SUPPORTING INFORMATION**

Describe your proposal: \_\_\_\_\_

\_\_\_\_\_

Are Plans Attached?  Yes  No

**THIS APPLICATION IS HEREBY SUBMITTED AND THE STATEMENTS AND INFORMATION HEREIN CONTAINED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

**APPLICANT(S):**

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

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

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

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

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

**AGENT:**

**OWNER or CONTRACT PURCHASER:**

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

*(See Attached Form)*

Signature: \_\_\_\_\_

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

# TYPE 1 REVIEW: CREATION OF A PRIVATE ROAD WITHOUT LAND DIVISION

(LDO Section 3.10)

## APPLICANT'S SUPPORTING INFORMATION

***On the following pages, describe how your application complies with the applicable criteria.***

The purpose of these regulations is to establish procedures to be followed in the creation and development of new publicly maintained and private roads when no land division is proposed. These provisions are applied when a new road is proposed to serve as access to an existing lot or parcel. New roads that will be created to serve as access to lots and parcels created as part of a land division are subject to the land division procedures of LDO Section 3.3 and LDO Chapter 10.

**Procedures:** Legal, practical, and physical access must be provided to all parcels or lots created as part of a land division (LDO Section 10.4.3). A request to create a new private road to provide access to existing lots or parcels is processed under the Type 1 procedure unless otherwise required in the underlying zoning district. A request to create a new public road is processed under a Type 4 procedure. See also LDO Section 9.5.1(E). Access may also be by one of the following means:

- Frontage abutting a publicly maintained or approved private road (see LDO Chapter 9) for a distance of at least 25 feet.
- Frontage abutting a Bureau of Land Management (BLM) or U. S. Forest Service (USFS) road for a distance of at least 25 feet, provided the applicant, or his authorized representative, provides a copy of written approval for a long-term road access use permit in conformance with the BLM or USFS requirements.
- A recorded exclusive easement no less than 14 feet in width that connects to a publicly maintained or approved private road for driveway access. A prescriptive easement is not considered suitable access for division purposes.
- A driveway as described by an exclusive easement may be used to provide access to a single lot or parcel when it is unfeasible to provide frontage on a publicly maintained or approved private road.

Describe the type of access you are proposing, using the above listed requirements

**ANSWER:** \_\_\_\_\_

**Application Requirements:** The following information must be submitted as part of a request for a new private road: See also the User's Guide.

- A tentative map showing the proposed location, width and length of the road. See the User's guide;
- A Title Report and exception document showing all existing easements of record within the proposed road area. The report will be based on research going back in time without limitation, and must indicate all easements and encumbrances that affect the property;
- An engineer's design report for any proposed private road that specifically identifies both the minimum construction standards necessary for the road to provide a minimum life of five years, necessary maintenance measures, type of work to be done annually, and the minimum annual maintenance cost. The engineer's design report will take into consideration the terrain, soil, and slope aspects of the property and the proposed road; and
- Written authorization and consent to creation of the road by all owners of the property the road will cross.

Name of Engineer: \_\_\_\_\_

No private road may be named with a name that duplicates any existing private or public road in Jackson County. A first and second choice of names for each proposed road should be specified:

**Note: Additional information may be submitted on 8½ 11 inch white paper.**

**FIRST CHOICE:** \_\_\_\_\_ **SECOND CHOICE:** \_\_\_\_\_

A private road provides common access to no more than twelve lots or parcels (*LDO Section 9.5*).

How many parcels will use this proposed road? \_\_\_\_\_

**Approval:** The Planning Director will review the proposed road for consistency with the standards in LDO Section 9.5 and any other applicable standards of the affected zoning designation and the LDO. If the Planning Director determines that the standards have been or can feasibly be met, the road will be approved. Conditions may be placed on the approval when necessary to assure that all standards will be met.

**APPLICANT SIGNATURE:** \_\_\_\_\_

\_\_\_\_\_

**AGENT SIGNATURE:** \_\_\_\_\_

**DEPARTMENT FILE NUMBER:** \_\_\_\_\_