



VALIDATION OF A UNIT OF LAND (LOT LEGALITY) APPLICATION – Type II

1. APPLICANT INFORMATION (If a corporation, list all principals)

Name _____

Address _____

City _____ State _____ ZIP Code _____

Email _____

Telephone Primary _____ Secondary _____

2. AGENT INFORMATION (Owner’s consent required)

Name _____

Address _____

City _____ State _____ ZIP Code _____

Email _____

Telephone Primary _____ Secondary _____

**3. PROPERTY OWNER/CONTRACT PURCHASER OF RECORD
(Attach separate sheet if needed)**

Name _____

Address _____

City _____ State _____ ZIP Code _____

Email _____

Telephone Primary _____ Secondary _____

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4. PROJECT DESCRIPTION

Date Lot(s) Created: _____

Assessor's Map &
Tax Lot(s): _____

Site
Address(es): _____

Gross Acreage: _____ Net Acreage: _____

General Land Use Plan
(GLUP) Map Designation(s): _____

Zoning: _____

Overlay Zone(s)
(if applicable): _____

Southeast Plan Map Designation(s)
(if applicable): _____

Number of
Dwelling Units: Existing _____ Proposed _____

Area of Structures
(square feet): Existing _____ Proposed _____

Percent of site covered by
structures _____ %

List any land use application file numbers (including Pre-Application Conferences)
associated with the subject property:

5. REQUIRED SUBMITTALS (Single Sided – Documents Letter Size – Plans 11 x 17)

- This Application Form (completed and signed)
- Findings of Fact addressing the review criteria (Page 4)
- A copy of the recorded deed or land sales contract that created the unit of land
- For a unit of land unlawfully created within the City, a copy of the land division and zoning regulations applicable to the property at the time the unit of land was created
- For a unit of land unlawfully created outside the City, a written statement from Jackson County identifying the zoning of the property at the time the unit of land was created and either:

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- A written statement from the County confirming the unit of land could have complied with the applicable criteria for creation of the unit of land in effect when it was created; or
- A copy of the land division and zoning regulations applicable to the property at the time the unit of land was created
- A Tentative plat prepared in accordance with Section 10.170, Partition Tentative Plan or Section 10.202(C), Subdivision Tentative Plan, and the applicable provisions of ORS Chapter 92

6. SUBMIT THE APPLICATION AND REQUIRED DOCUMENTS

- Submit the package (one paper copy and electronic submittal required)
 - Electronic submittal options:
 - Send via email to planning@cityofmedford.org
 - Submit on a flash drive or other USB storage device (will not be returned)
 - Paper submittal options (one paper copy required):
 - Physical address: 200 S. Ivy Street, Medford, OR 97501
 - Mailing address: 411 W. 8th Street, Medford OR 97501
- Fees
 - \$1,200
 - Fees are due at time of application submittal
 - Checks shall be made payable to *City of Medford*

7. I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE PLANS AND DOCUMENTS SUBMITTED HERewith ARE COMPLETE, TRUE, CORRECT, AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Signature _____ Applicant Agent Owner

**All submittals
must be single
sided**

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MEDFORD LAND DEVELOPMENT CODE 10.176A VALIDATION OF A UNIT OF LAND.

(A) Purpose. The purpose of this section is to establish a process pursuant to ORS 92.176 by which a unit of land that was unlawfully created may be lawfully validated. This section shall only be used to validate units of land that were unlawfully created prior to January 1, 2007. For purposes of this section, a unit of land is unlawfully created if:

(1) It was created through a deed or land sale contract that did not comply with the criteria applicable to the creation of the unit of land at the time of sale or transfer; and

(2) It was created solely to establish a separate tax account, created by gift, or created through any other method of transfer that is not considered a sale.

(B) Procedure. The review and approval of a validation of a unit of land request is a Type II administrative decision with notice, and the Planning Director is the approving authority. The Planning Department shall route a copy of the application materials to the appropriate referral agencies, including the City Surveyor, for review and comments in accordance with Section 10.112.

(C) Review Criteria. The Planning Director shall approve an application to validate a single unit of land if all of the following criteria are met:

(1) The unit of land was unlawfully created as defined in 10.176A(A) prior to January 1, 2007; and

(2) The unit of land could have complied with applicable criteria for the creation of a lawfully established unit of land in effect when the unit of land was sold; and

(3) A validation tentative plat, prepared by an Oregon professional land surveyor, complying with Section 10.170(C), Partition Tentative Plat (see Sections 10.202(C)(1) through (C)(8)), and the applicable provisions of ORS Chapter 92.

(D) Unlawfully Created Units of Land with Existing Structures.

Notwithstanding Section 10.176A(C)(2), the Planning Director may approve an application to validate a unit of land under this section that was unlawfully created prior to January 1, 2007, if the city or county approved a permit as defined in ORS 227.160 for the construction or placement of a dwelling or other building on the unit of land after the sale[See ORS 92.176(2)]

(E) Expiration and Recording.

(1) Approval to validate a unit of land shall take effect fourteen calendar days following the date the notice of decision is mailed, unless appealed, in which case the decision is effective when all appeals are decided.

(2) A final validation plat, prepared by an Oregon professional land surveyor, shall be submitted by the applicant for review and signatures in accordance with applicable provisions of Section 10.162, ORS 92 and ORS 209. The unit of land becomes lawfully

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established if the plat is recorded with the county within 90 days after the date the city validates the unit of land.

(3) One copy of the recorded plat (either in paper or electronic format) shall be provided to the Planning Department within 10 days following recordation.

(F) Development or Improvement of a Lawfully Established Unit of Land.

Development or improvement of a unit of land created under subsection (E) of this section must comply with the applicable laws in effect when a complete application for the development or improvement is submitted. [See ORS 92.176(7)]

(G) Application Form.

An application for Validation of a Unit of Land shall contain the following:

(1) The deed, land sales contract or other document that created the unit of land;

(2) For a unit of land unlawfully created within the City, a copy of the land division and zoning regulations applicable to the property at the time the unit of land was created;

(3) For a unit of land unlawfully created outside the City, documentation identifying the County zoning designation of the property at the time the unit of land was created and either:

(A) A written statement from the County confirming the unit of land could have complied with the applicable criteria for creation of the unit of land in effect when it was created; or

(B) A copy of the land division and zoning regulations applicable to the property at the time the unit of land was created; and

(4) A validation tentative plat prepared in accordance with Section 10.170(C), Partition Tentative Plat (see Sections 10.202(C)(1) through (C)(8)), and the applicable provisions of ORS Chapter 92.

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WRITTEN CONSENT OF OWNER

I/We, _____, the property owner(s) of
Tax Lot(s) _____ on Jackson County
Assessor Map _____, hereby consent to the filing of an
application for _____ on said property, and will
allow _____ to represent me
before the City of Medford approving authority.

Signed: _____
Print
Name: _____
Date: _____

Signed: _____
Print
Name: _____
Date: _____

Signed: _____
Print
Name: _____
Date: _____

Signed: _____
Print
Name: _____
Date: _____