

**CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION**  
*Tribal Planning Office*

**CONDITIONAL USE / VARIANCE APPLICATION  
SUPPLEMENTAL SHEET**

DEAR APPLICANT:

Please fill out this APPLICATION completely and as accurately as possible. If a block does not apply, write 'N/A' in the space provided. An incomplete application cannot be processed.

- 1) Please fill out your full name, current address and phone number.
- 2) Please fill out the full name, current address and phone number of the legal property owner (s) of the site your are requesting a permit for. If you are the sole property owner, simply write "same" on the first line.
- 3) This is the location of the site as described by section, township and range. If you are not familiar with this method or you do not have access to this information, we can assist in determining the location upon request.
- 4) Indicate whether the property is fee land (tax lot) or trust land (allotment) and the parcel number. Also specify the parcel acreage.
- 5) Indicate the right of way or easement road that allows legal access to the property (e.g., county, road, street, or access road).
- 6) Indicate the current use or uses of the subject property.
- 7) Indicate the specific use or uses for which you are requesting this conditional use/variance.
- 8) Explain in details on a separate sheet how the proposed use conforms to the conditional use/variance decision criteria (see attached page) and present a detailed site plan of the proposed use.
- 9) Read the statement carefully. Sign and date the application only after the application has been completely filled out.

**NOTE:** If the information presented is unclear or questionable, you may be required to provide further information such as lease agreements, evidence of legal access, legal ownership, etc.

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**IF YOU HAVE ANY QUESTIONS CONCERNING THE APPLICATION PROCESS  
OR CODE REQUIREMENTS, FEEL FREE TO EITHER STOP BY THE PLANNING  
OFFICE OR CONTACT THE OFFICE AT 276-3099**  
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CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION  
Tribal Planning Office  
PO Box 638, Pendleton, Oregon, 97801

CONDITIONAL USE \ VARIANCE  
APPLICATION

Fee: \$100.00 Please Print

Applicant's Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Lot Owner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Property Description: \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
Tax Lot ( ) Allotment ( ): \_\_\_\_\_ Present Zone: \_\_\_\_\_ Total Acreage: \_\_\_\_\_

Legal Access: \_\_\_\_\_

Present Use of Property (Description, including any existing structures and the current use): \_\_\_\_\_

Proposed Use: (Explain in detail on a separate sheet)

Decision Criteria: (Explain in detail on a separate sheet)

- A response shall be submitted with this application explaining how this request relates to the applicable decision criteria (see Attached).
- Also submit a statement explaining any other evidence you plan to present and a detailed site plan of the proposed use.

I understand that any false statements made on this application may cause subsequent approval by the Natural Resources Commission to be null and void.

I hereby certify that I understand that by signing this permit application, I am giving the CTUIR Tribal Planning Office the authorization to conduct any site inspections necessary in reviewing this application.

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED!**

Date: \_\_\_\_\_ Applicant: \_\_\_\_\_  
Agent: \_\_\_\_\_

I am the (Circle One): Owner/owner's authorized representative (If authorized representative, attach letter signed by owner)

## TRIBAL PLANNING OFFICE USE ONLY

Date Filed \_\_\_\_\_ Reviewed By: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

NOTE: \_\_\_\_\_  
\_\_\_\_\_

### ATTACHMENT: Conditional Use Decision Criteria

A Conditional use may be granted if, on the basis of the application, investigation and evidence submitted findings are made based on the criteria below. A Conditional Use may be granted unqualifiedly or may be granted subject to prescribed conditions.

- (1) That the locations, size, design, and operations characteristics of the proposed use are such that it will have minimal adverse impact on the property value, livability, and permissible development of the surrounding area. Consideration shall be given to compatibility in terms of scale, coverage, and density, to the alteration of traffic patterns and the capacity of surrounding streets and roads, and to any other relevant impact of the proposed use.
- (2) That the site planning of the proposed use will, as far as reasonably possible, provide an aesthetically pleasing and functional environment to the highest degree consistent with the nature of the use and the given setting.
- (3) If the use is permitted outright in another zone, that there is substantial reason for locating the use in an area where it is only conditionally allowed, as opposed to an area where it is permitted outright.
- (4) That the proposed use will be consistent with the purposes of this Code, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which is it located.

### Variance Decision Criteria

A Variance may be granted if, on the basis of the application, investigation and evidence submitted findings are made based on the criteria below. A variance may be granted unqualifiedly or may be granted subject to the prescribed conditions. A variance may be granted only in the event that all of the following circumstances exist:

- (1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this Code have had no control.
- (2) The variance is necessary for the preservation of a property right of the applicant substantially the same as possessed by the owners of other property in the same zone or vicinity.
- (3) The variance would not be materially detrimental to the purposes of this Code or to property in the same zone or vicinity in which the property is located or otherwise conflict with the objectives of any Reservation Plan or Policy.
- (4) The variance requested is the minimum variance which would alleviate the hardship.