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AT _____ O'CLOCK _____ M

JUN 28 1985

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

BY: *[Signature]*
DEPUTY

ORDINANCE 2-85
(Amended)

-) IN THE MATTER OF REVISING
-) CHAPTER 16 THE RURAL DEVELOPMENT
-) CODE OF LANE COUNTY TO: 1. BRING
-) THE IMPACTED FOREST, F-2 ZONE INTO
-) COMPLIANCE WITH IN ORDER TO COMPLY
-) GOAL 4/#1 OF THE DLCD STAFF REPORT
-) DATED JUNE 29, 1984; REVISING
-) LC 16.211(vi) TO REFERENCE THE
-) APPLICABILITY OF THE METRO PLAN
-) GOAL 4 POLICIES. 2. REVISE THE
-) COMMERCIAL AIRPORT SAFETY
-) COMBINING, /CAS ZONE TO PROVIDE
-) THE CORRECT AIRPORT RUNWAY
-) COORDINATE NUMBERS. 3. REVISING
-) LC 16.211(5) AND LC 16.211(6) TO
-) INCLUDE A NEW SUBSECTION(S) CON-
-) CERNING ON-SITE SEWAGE DISPOSAL
-) WITHIN THE METRO PLAN

WHEREAS, on March 1, 1984 Lane County submitted the portion of the Metropolitan Plan outside the Urban Growth Boundary for acknowledgement; and

WHEREAS, since submittal, DLCD staff have identified a deficiency in the applicability of the F-2 zone to the Metropolitan Plan outside the Urban Growth Boundary; and

WHEREAS, since submitted, the City of Eugene has requested that a correction and amendment be made to the Commercial Airport Safety Combining, /CAS zone; and

WHEREAS, we are now in a position to revise the Development Code and bring it into an acknowledgeable standard and complete corrections requested by the City of Eugene, now, therefore;

THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY ORDAINS AS FOLLOWS:

Chapter 16 of Lane code is hereby amended by removing and substituting the following pages:

Remove These Pages	Insert These Pages
16.211(5)-16.211(7), 16-44 & 16-45 (a total of two pages)	16.211(6)-16.211(7) 16-44 & 16-45 (a total of two pages)
16.245(1)-16.245(4),	16.245(1)-16.245(4)

16-216 & 16-217
(a total of two pages)

16-216 & 16-217
(a total of two pages)

Said pages are attached hereto and incorporated herein by reference.

The zoning districts repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of, the remaining portions hereof.

While not part of this Ordinance, we adopt the attached Exhibit "A" as a Findings in support of this decision.

ENACTED this 26th day of June, 1985.



Peter DeFazio, Chairperson
Lane County Board of Commissioners



Recording Secretary for this Meeting of the Board

equipment facilities or buildings necessary for its operation.

(q) A dwelling or mobile home which is not necessary and accessory to forest use or customarily provided in conjunction with farm use and which is located upon a vacant legal lot.

(r) Lodges and any accessory facilities.

(s) Within the jurisdictional area of the Eugene-Springfield Metropolitan Area General Plan, an on-site sewage disposal system serving not more than one residence or one commercial or industrial establishment.

(6) Hearings Official/Special Use Approval Criteria.

The uses specified in LC 16.211(5) above, as identified below, are subject to compliance with the following criteria:

(a) Uses under LC 16.211(5)(a),(b),(c),(e),(f),(g),(h), (i) and (s) above subject to compliance with the criteria identified in LC 16.211(6)(f)(i) through (vi) below. Uses under LC 16.211(5)(r) above are subject to compliance with the criteria identified in LC 16.211(6)(f)(ii) through (iv) and (ix) below.

(b) Use under LC 16.211(5)(d) above subject to compliance with the criteria identified in LC 16.211(6)(f)(i) through (vi) and (xi) below.

(c) Uses under LC 16.211(5)(j),(l),(m),(n),(o), and (p) above subject to compliance with the criteria identified in LC 16.211(6)(f)(i) through (viii) below, and upon a positive determination that agricultural uses predominate on the subject property. This determination can be made either of two ways:

(i) The applicant demonstrates that generally accepted agricultural practices regularly occur over 50 percent of the property.

(ii) The applicant demonstrates that annual gross income for the subject property when obtained from farm use is greater than the annual gross income if managed for forest purposes. This will require a comparison of the actual annual gross farm income from accepted farm practices to the estimated annual gross income derived from accepted forest practice when managed on a sustained yield basis. In addition, the applicant must demonstrate that the area in which the subject property is located is characterized as a mixed farm forestry area.

(d) Use under LC 16.211(5)(k) above subject to compliance with the criteria identified in the LC 16.211(6)(c)(i) and (ii) above, and the criteria identified in LC 16.211(6)(f)(iii) through (viii) and (xi) below.

(e) Use under LC 16.211(5) (q) and (r) above, subject to compliance with the criteria identified in LC 16.211(6)(f)(v), (vii),(viii),(ix) and (x) below.

(f) Criteria.

(i) Evidence is provided supporting reasons why the proposed use should be sited in forest

lands, or that the proposed site is on land generally unsuitable for forest uses.

(ii) That the proposed use will not significantly impact forest uses on adjacent and nearby forest land.

(iii) That the proposed use will not significantly increase the costs of forest management on adjacent and nearby forest lands.

(iv) That the site is limited in size to that area suitable and appropriate only for the needs of the proposed use.

(v) That, where necessary, measures are taken to minimize potential negative impacts on adjacent and nearby forest or agricultural lands, and these measures may be established as conditions of approval.

(vi) That the proposed use is consistent with the forest policies contained in the Rural Comprehensive Plan or the Eugene-Springfield Metropolitan Area General Plan, whichever plan is applicable.

(vii) That the proposed use will not interfere seriously with forest practices as regulated by the Forest Practices Act on nearby or adjacent lands devoted to forest use, and that the proposed use will not interfere seriously with accepted farming practices, as defined in ORS 215.203(2)(c), on adjacent lands devoted to farm use.

(viii) That the proposed use does not materially alter the stability of the overall land use pattern of the area.

(ix) That the proposed use is situated upon land generally unsuitable for the production of farm crops, livestock and the growing and harvesting of tree species regulated by the Forest Practices Act, considering terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract.

(x) That the proposed use is compatible with farm use as described in ORS 215.203(2) and the purpose and intent set forth in ORS 215.243, and the proposed use is compatible with forest uses as regulated by the Forest Practices Act and the purpose and intent set forth in ORS 527.630.

(xi) That the proposed use will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding vicinity.

(7) Area. The minimum area requirement for the division of land shall be as follows:

(a) Except as provided in LC 16.211(7)(b) below, for the creation of a woodlot for the purpose of the

COMMERCIAL AIRPORT SAFETY COMBINING ZONE (/CAS-RCP)RURAL COMPREHENSIVE PLAN16.245 Commercial Airport Safety Combining Zone (/CAS-RCP).

(1) Purpose. The Commercial Airport Safety Combining Zone (/CAS-RCP) is applied to those lands adjacent to and within the Mahlon Sweet Field airport. The /CAS-RCP Zone is intended to carry out the following purposes:

(a) Prevent the creation or establishment of obstructions that are a hazard to air navigation and flight.

(b) Prevent the creation or establishment of other hazards to air navigation and flight such as distracting light and glare producing surfaces, radio interference, smoke, steam and dust, areas which attract birds and hazards of a similar nature.

(2) Applicability. The /CAS-RCP Zone is applied to those lands encompassed by the surfaces set forth and described in LC 16.245(4) below and diagramed in LC 16.245(6) below.

(3) Use Limitations. In the /CAS-RCP Zone, the following limitations and standards shall apply to all uses permitted, allowed conditionally or allowed as special uses by the primary zone with which the /CAS-RCP Zone is combined:

(a) The height of structures or objects shall not exceed the maximum height of the primary zone with which the /CAS-RCP Zone is combined. Furthermore, no structure or object shall be erected, altered, allowed to grow or be maintained in such a manner as to penetrate the height limitations of the various areas described in LC 16.245(4) below.

(b) No use may be made of land or water in such a manner as to create electrical interference with navigational signals or radio for pilots to distinguish between airport lights and others, resulting in glare in the eyes of pilots using the airport, impairing visibility in the vicinity of the airport, or otherwise in any way endangering the landing, take off or maneuvering of aircraft intending to use the airport.

(4) Surfaces Described.(a) Primary Surfaces.

(i) The Primary Surface is a plan longitudinally centered on the runway centerline and extending 200 feet beyond the ends of prepared runway surfaces. The width of the Primary Surface for each runway is the same as the width of the inner portion of the Approach Surface for that runway.

(ii) For purpose of this section, the centerpoints at the ends of each runway Primary Surface shall be considered as having the following coordinates and elevations:

Runway	Centerpoint Coordinates		Centerpoint Elevation
	North	East	feet above sea level
16R-34L	909607	1286460	358.20
	903409	1286325	361.54
3-21	904558	1284617	365.10
	908000	1288540	359.97
16L-34R	907826	1290222	360.00
	904626	1290152	370.00

(iii) The elevation at any point on the Primary Surface is the same as the elevation of the nearest point on the runway centerline. For purposes of this section, the runway centerline shall be considered as having a straightline grade between the two centerpoints for that runway as described in LC 16.245(4)ii) above.

(b) Runway 16R-34L Approach Surface. This runway is a precision instrument runway aligned in a north-south direction and is designated as a primary runway. The inner edges of the Approach Surfaces coincide with the width of the Primary Surface at the ends of Runway 16R-34L and are 1,000 feet wide. Each Approach Surface extends outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the Primary Surface, its centerline being a continuation of the runway centerline. The Approach Surface extends outward and upward at a slope of 50 horizontal feet to one vertical foot beginning at the end of and at the same elevation as the Primary Surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline, thence slopes upward 40 horizontal feet to one vertical foot to an additional distance of 40,000 feet along the extended runway centerline.

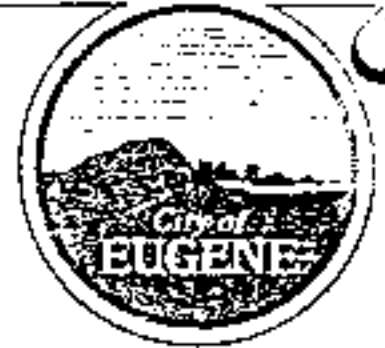
(c) Runway 3-21 Approach Surface. This runway is a nonprecision instrument runway, aligned in an east-west direction and designated as a crosswind runway. The inner edge of the Approach Surfaces coincide with the width of the Primary Surface at the ends of Runway 3-21 and are 500 feet wide. Each Approach Surface extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the Primary Surface, its centerline being the continuation of the runway centerline. The Approach Surface extends outward and upward at a slope of 34 horizontal feet to one vertical foot, beginning at the end of and at the same elevation as the Primary Surface.

(d) Runway 16L-34R. This is a future runway to be aligned in a north-south direction and will be designated as a secondary runway. The inner edge of the Approach Surface coincides with the width of the Primary Surface of the ends of Runway 16L-34R and are 250 feet wide. Each

EXHIBIT "A"

Findings for Ordinance No. 2-85

1. For areas outside of the Urban Growth Boundaries but under the jurisdiction of the Eugene-Springfield Metropolitan Area General Plan, via Ordinance No. PA 901, Lane County has adopted Goal 4 forest policies and justification for applying the Impacted Forest Land, F-2 zone. The aforementioned policies provide direction to Lane County for apply the F-2 zone, as well as, direction for future land use decisions. The amendment to LC 16.211(6)(vi) interrelates the F-2 zone with the aforementioned policies and provides that certain future land use decisions must comply with the aforementioned policies. Therefore, this provision as amended, together with those related provisions as adopted and amended in Ord. No. PA 901, comply with the directive of the June 29, 1984 DLCD staff report, Goal #4/In Order to Comply #1.
2. The revision to the Airport Safety Combining, /CAS Zone is a house keeping measure requested by the City of Eugene and necessary to provide correct airport runway coordinate numbers. The attached letter by L.D. Schoelerman documents Eugene's request and the correct coordinate numbers. An examination of the /CAS Zone as modified by this amendment indicates that the coordinate numbers are those as requested by Eugene. Therefore, Lane County has complied with Eugene's request.
3. Lands designated as Forest Lands within the Metro Plan jurisdictional area have all been zoned Impacted Forest Land, F-2. This is documented by the Metropolitan Area General Plan Forest Lands Working Paper Addendum. Within the F-2 Zone, subsection 16.211(6) a list of criteria is provided to insure that nonforest uses will not adversely impact forest lands. The use authorized by LC 16.211(5)(s) is subject to these criteria and therefore, forest lands are adequately protected.



July 18, 1984

RECEIVED

JUL 20 1984

DEPT. OF PLANNING
CITY OF EUGENE

Mr. Roy Burns, Manager
Land Management Division
Public Service Building
125 East 8th Avenue
Eugene OR 97401

Dear Mr. Burns:

I have been working with Joe Hudzikiewicz of your staff, regarding an apparent discrepancy in the recently adopted Commercial Airport Safety Combining Zone. As you may know, the surfaces described in that zone are based upon the center-point coordinates of the ends of our airport runways. We had previously provided your staff with those end-point coordinates. However, the adopted ordinance contains a different set of coordinates.

Mr. Hudzikiewicz suggested that the best way to remedy the situation, would be for me to request a Code change that would substitute the correct coordinates. The correct coordinates, according to our City's Survey Division, are shown in the table below:

Runway	Centerpoint Coordinate		Centerpoint Elevation
	North Coordinate	East Coordinate	in feet above sea level
16R-34L	909607.	1286460.	358.20
	903409.	1286325.	361.54
3-21	904558.	1284617.	365.10
	908000.	1288540.	359.97
16L-34R	907826.	1290222.	360.00
	904626.	1290152.	370.00

We would appreciate being notified when the Commissioners act upon this Code change, so that the City of Eugene may adopt a similar ordinance for lands within the City limit. If I can be of any assistance in this matter, please feel free to give me a call.

Cordially,

Larry D. Schoelerman
Operations Manager

LDS:jf

cc: Gary Chenkin, City of Eugene Planning Dept.

equipment facilities or buildings necessary for its operation.

(q) A dwelling or mobile home which is not necessary and accessory to forest use or customarily provided in conjunction with farm use and which is located upon a vacant legal lot.

(r) Lodges and any accessory facilities.

(6) Hearings Official/Special Use Approval Criteria.

The uses specified in LC 16.211(5) above, as identified below, are subject to compliance with the following criteria:

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(b) Use under LC 16.211(5)(d) above subject to compliance with the criteria identified in LC 16.211(6)(f)(i) through (vi) and (xi) below.

(c) Uses under LC 16.211(5)(j),(l),(m),(n),(o), and (p) above subject to compliance with the criteria identified in LC 16.211(6)(f)(i) through (viii) below, and upon a positive determination that agricultural uses predominate on the subject property. This determination can be made either of two ways:

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(i) Evidence is provided supporting reasons why the proposed use should be sited in forest

[(s) Within the Jurisdiction of the Eugene-Springfield Metropolitan Area General Plan, an on-site sewage disposal system serving not more than one residence or one commercial or industrial establishment.]

[(i), and (s)]

16.211(6)

Lane Code
REEL 125 PAGE 873

16.211(7)

lands, or that the proposed site is on land generally unsuitable for forest uses.

(ii) That the proposed use will not significantly impact forest uses on adjacent and nearby forest land.

(iii) That the proposed use will not significantly increase the costs of forest management on adjacent and nearby forest lands.

(iv) That the site is limited in size to that area suitable and appropriate only for the needs of the proposed use.

(v) That, where necessary, measures are taken to minimize potential negative impacts on adjacent and nearby forest or agricultural lands, and these measures may be established as conditions of approval.

(vi) That the proposed use is consistent with the forest policies contained in the Rural Comprehensive Plan, /or the Eugene-Springfield Metropolitan Area General Plan,

(vii) That the proposed use will not interfere seriously with forest practices as regulated by the Forest Practices Act on nearby or adjacent lands devoted to forest use, and that the proposed use will not interfere seriously with accepted farming practices, as defined in ORS 215.203(2)(c), on adjacent lands devoted to farm use.

(viii) That the proposed use does not materially alter the stability of the overall land use pattern of the area.

(ix) That the proposed use is situated upon land generally unsuitable for the production of farm crops, livestock and the growing and harvesting of tree species regulated by the Forest Practices Act, considering terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract.

(x) That the proposed use is compatible with farm use as described in ORS 215.203(2) and the purpose and intent set forth in ORS 215.243, and the proposed use is compatible with forest uses as regulated by the Forest Practices Act and the purpose and intent set forth in ORS 527.630.

(xi) That the proposed use will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding vicinity.

(7) Area. The minimum area requirement for the division of land shall be as follows:

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(a) Prevent the creation or establishment of obstructions that are a hazard to air navigation and flight.

(b) Prevent the creation or establishment of other hazards to air navigation and flight such as distracting light and glare producing surfaces, radio interference, smoke, steam and dust, areas which attract birds and hazards of a similar nature.

(2) Applicability. The /CAS-RCP Zone is applied to those lands encompassed by the surfaces set forth and described in LC 16.245(4)(i) below and diagramed in LC 16.245(5) below. [6]

(3) Use Limitations. In the /CAS-RCP Zone, the following limitations and standards shall apply to all uses permitted, allowed conditionally or allowed as special uses by the primary zone with which the /CAS-RCP Zone is combined:

(a) The height of structures or objects shall not exceed the maximum height of the primary zone with which the /CAS-RCP Zone is combined. Furthermore, no structure or object shall be erected, altered, allowed to grow or be maintained in such a manner as to penetrate the height limitations of the various areas described in LC 16.245(4)(i) below.

(b) No use may be made of land or water in such a manner as to create electrical interference with navigational signals or radio for pilots to distinguish between airport lights and others, resulting in glare in the eyes of pilots using the airport, impairing visibility in the vicinity of the airport, or otherwise in any way endangering the landing, take off or maneuvering of aircraft intending to use the airport.

(4) Surfaces Described.(a) Primary Surfaces.

(i) The Primary Surface is a plan longitudinally centered on the runway centerline and extending 200 feet beyond the ends of prepared runway surfaces. The width of the Primary Surface for each runway is the same as the width of the inner portion of the Approach Surface for that runway.

(ii) For purpose of this section, the centerpoints at the ends of each runway Primary Surface shall be considered as having the following coordinates and elevations:

Runway	Centerpoint Coordinates		Centerpoint Elevation
	North	East	feet above sea level
16R-34L	909419	1286622	358.2
	902848	1286530	361.54
3-21	903976	1284706	365.1
	907754	1288797	359.9
16L-34R	907793	1290513	360.0
	904416	1290501	370.0

(iii) The elevation at any point on the Primary Surface is the same as the elevation of the nearest point on the runway centerline. For purposes of this section, the runway centerline shall be considered as having a straightline grade between the two centerpoints for that runway as described in LC 16.245(4)ii) above.

(b) Runway 16R-34L Approach Surface. This runway is a precision instrument runway aligned in a north-south direction and is designated as a primary runway. The inner edges of the Approach Surfaces coincide with the width of the Primary Surface at the ends of Runway 16R-34L and are 1,000 feet wide. Each Approach Surface extends outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the Primary Surface, its centerline being a continuation of the runway centerline. The Approach Surface extends outward and upward at a slope of 50 horizontal feet to one vertical foot beginning at the end of and at the same elevation as the Primary Surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline, thence slopes upward 40 horizontal feet to one vertical foot to an additional distance of 40,000 feet along the extended runway centerline.

(c) Runway 3-21 Approach Surface. This runway is a nonprecision instrument runway, aligned in an east-west direction and designated as a crosswind runway. The inner edge of the Approach Surfaces coincide with the width of the Primary Surface at the ends of Runway 3-21 and are 500 feet wide. Each Approach Surface extends outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the Primary Surface, its centerline being the continuation of the runway centerline. The Approach Surface extends outward and upward at a slope of 34 horizontal feet to one vertical foot, beginning at the end of and at the same elevation as the Primary Surface.

(d) Runway 16L-34R. This is a future runway to be aligned in a north-south direction and will be designated as a secondary runway. The inner edge of the Approach Surface coincides with the width of the Primary Surface of the ends of Runway 16L-34R and are 250 feet wide. Each