

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. PA 1342

IN THE MATTER OF AMENDING THE RURAL COMPREHENSIVE PLAN TO REDESIGNATE LAND FROM "AGRICULTURAL" TO "MARGINAL LAND" AND REZONE LAND FROM "EXCLUSIVE FARM USE (E-40)" TO "MARGINAL LAND" (ML), AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES (FILE NO. 509-PA15-05161; APPLICANT: BENEDICK ET AL.)

WHEREAS, Lane Code 16.400 sets forth procedures to amend the Rural Comprehensive Plan, and Lane Code 16.252 sets forth procedures for rezoning lands within the jurisdiction of the Rural Comprehensive Plan; and

WHEREAS, on March 24, 2015, application no. 509-PA15-05161 was made for a minor amendment to re-designate a 110.5 acre property from "Agricultural" (A) to "Marginal Land" (ML), and to change the zoning from "Exclusive Farm Use" (E-40) to "Marginal Land" (ML); and

WHEREAS, the Lane County Planning Commission reviewed the proposal in a public hearing on June 7, 2016, and forwarded the matter to the Board with a recommendation for approval; and

WHEREAS, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapter 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted a public hearing and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDAINS** as follows:

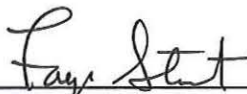
1. The Lane County Rural Comprehensive Plan is amended to re-designate the subject 110.5 acre property from "Agricultural" (A) to "Marginal Lands" (ML). This is depicted on the Official Lane County Plan maps and further identified on the map detail attached as Exhibit "A" and incorporated herein.
2. The Lane County Official Zoning Map is amended to change the zone of the subject 110.5 acre property from "Exclusive Farm Use" (E-40) to "Marginal Land" (ML). This is depicted on the Official Lane County Zone maps and further identified on the map detail attached as Exhibit "B" and incorporated herein.

FURTHER, although not a part of this Ordinance, the Board of County Commissioners adopts Findings of Fact and Conclusions of Law as set forth in Exhibit "C" attached, in support of this action.

The prior designation and zone 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 effect the validity to the remaining portions hereof.

ENACTED this 1st day of November, 2016.



Faye Stewart, Chair
Lane County Board of Commissioners



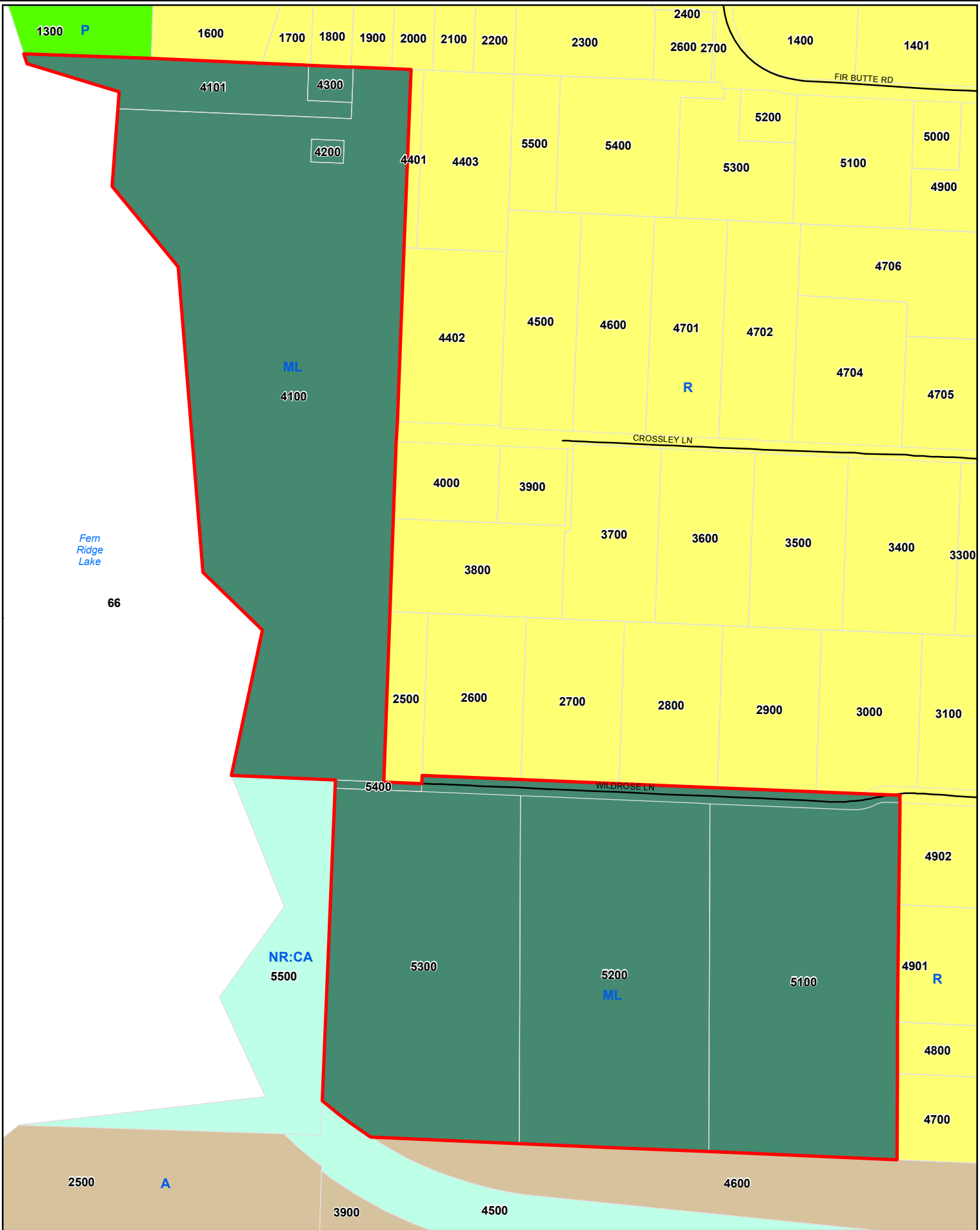
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 10-20-16



LANE COUNTY OFFICE OF LEGAL COUNSEL



The information on this map was derived from digital databases in the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or inaccuracy in the digital data or the underlying records. Current plan designations, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

Rural Comprehensive Plan Designation

Subject_Property	A - Agricultural	NR-CA - Natural Resource Conservation Area
Taxlot	R - Residential	ML - Marginal Lands
P - Parks		

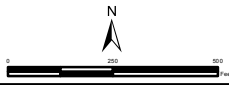
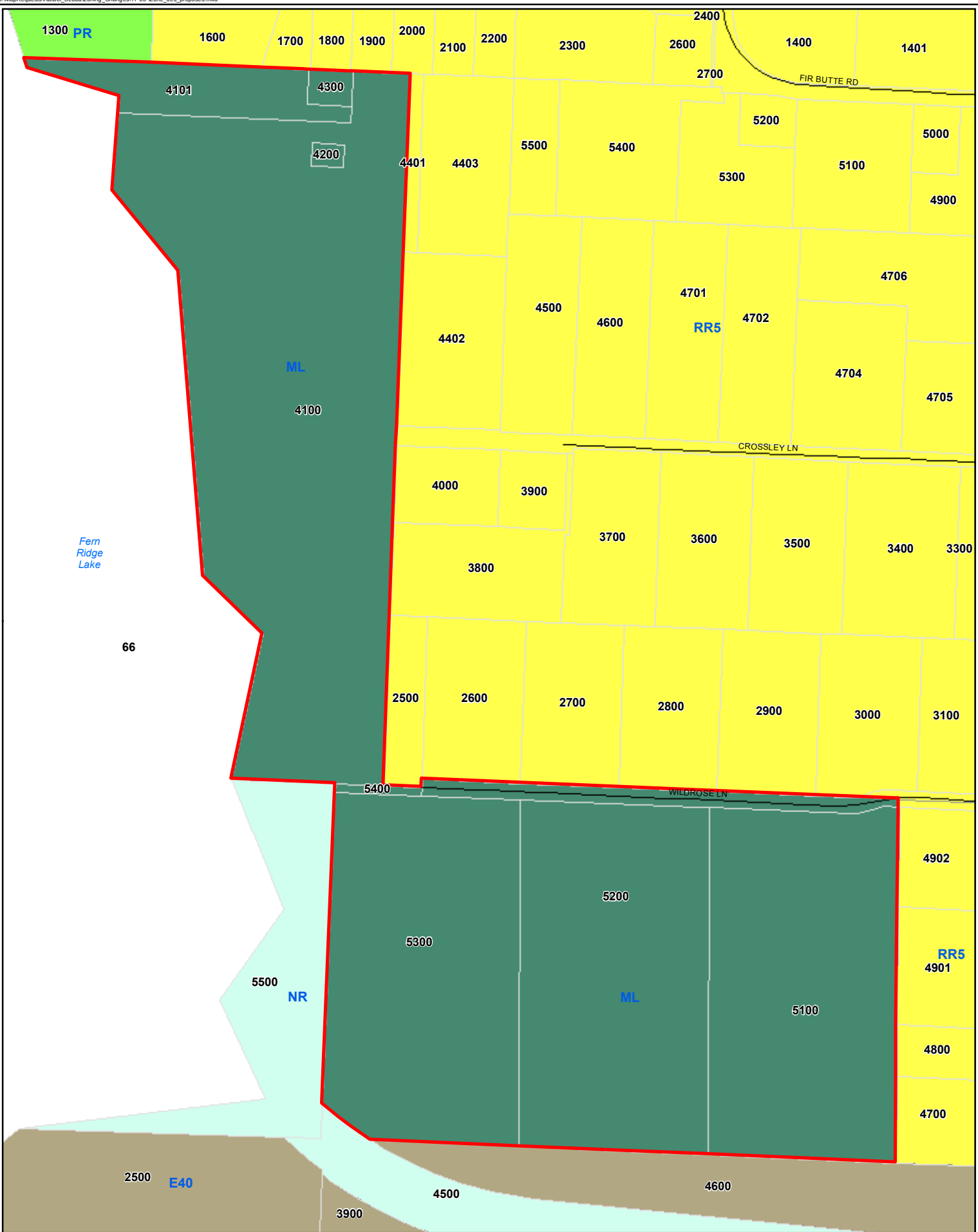


EXHIBIT A
ORDINANCE NO. PA 1342
PROPOSED PLAN DESIGNATIONS
PLAN MAP DETAIL



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or purchased accuracy in the digital data or the underlying records. Current plan designations, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

Zoning	
 Subject_Property	 E40 - Exclusive Farm Use (40 acre minimum)
 Taxlot	 NR - Natural Resource
	 RR5 - Rural Residential (5 acre minimum)
	 ML - Marginal Lands
	 PR - Park and Recreation

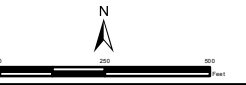


EXHIBIT B
 ORDINANCE NO. PA 1342
 PROPOSED ZONE DESIGNATIONS
 ZONE MAP DETAIL