

(cc) Parking demand, customer types and traffic generation;  
and

(dd) Intensity of land use of the site.

(iii) The use and development shall not exceed the carrying capacity of the soil or of existing water supply resources and sewer services. Factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on site sewage disposal and water supply if a community sewer or water system is not available.

(iv) The use and development shall not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.

(v) It shall be the applicant's responsibility to provide sufficient information to allow the Director to make the above determination.

(v) A single family dwelling for a caretaker that meets the following conditions:

(i) The single family dwelling shall be for a caretaker in conjunction with an existing public facility use permitted by LC 16.294(2)(a) through (d) or (3)(a) through (u) above and located on the same lot or parcel as the existing public facility use;

(ii) There shall not be any other living quarters or dwellings on the lot, parcel or tract where the single family dwelling for the caretaker will be located; and

(iii) The single family dwelling for the caretaker shall not be partitioned or separated by a boundary line adjustment from portion of the same lot or parcel with the public facility use on it.

(w) Transportation facilities and uses as specified in LC 16.265(3)(n) through (q).

(4) Criteria. New uses or development allowed by LC 16.294(3)(a) through (u) above, except for telecommunications facilities allowed by LC 16.294(3)(s) above, shall comply with the criteria in LC 16.294(4) below. Telecommunications facilities allowed by LC 16.294(3)(s) above shall comply with the requirements in LC 16.264.

(a) The location, design, size, shape and arrangement of the uses and structures shall be sufficient for the proposed intent and compatible with the surrounding vicinity.

(b) The quantity, location, height and materials of walls, fences, hedges, screen planting and landscape areas shall serve their intended purpose and shall minimize any adverse effect on existing or contemplated abutting land use.

(c) Suitable planting of ground cover or other surfacing shall be provided to prevent erosion and reduce dust, and suitable methods shall be provided for the continued maintenance of the planting or surfacing.

(d) The location, design and size of the uses shall be such that the residents or establishments to be accommodated will be adequately served by community facilities and services or by other facilities suitable for the intend uses.

(e) Based on anticipated traffic generation, adequate additional right-of-way and road improvements shall be provided by the development in order to address any traffic safety or congestion concerns created by the development. Consideration shall be given to the need and feasibility of widening and improving abutting streets to specifications of LC Chapter 15, "Roads," and also to the necessity for such additional requirements as lighting, sidewalks and turn and deceleration/acceleration lanes.

(f) There shall be a safe and efficient circulation pattern within the boundaries of the development. Consideration shall include the layout of the site with

respect to the location and dimensions of vehicular and pedestrian entrances, exits, drives, walkways, buildings and other related facilities.

(g) There shall be adequate off street parking and loading/unloading facilities provided in a safe and efficient manner. Consideration shall include the layout of the parking and loading/unloading facilities, and their surfacing, lighting and landscaping.

(h) Hazards and Impacts. The proposed use and development shall not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.

(i) The proposed use and development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service. To address this requirement, factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available.

(5) Area. No minimum is established, except what is necessary to accommodate any necessary sewerage and potable water concerns. Divisions shall comply with LC Chapter 13.

(6) Property Development Standards. All uses and development permitted by LC 16.294(2) and (3) above shall comply with these development standards:

(a) Property Line Setbacks. Structures other than a fence or sign shall be located:

(i) At least 20 feet from the right-of-way of a State road, County road or a local access public road specified in LC Chapter 15; and

(ii) At least 10 feet from all other property lines except as required in LC 16.294(6)(b) and (c) below.

(b) Class I Stream Riparian Setback Area. The riparian setback area shall be the area between a line 50 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence or sign shall be located closer than 50 feet from the ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) are met.

(c) Maintenance, Removal and Replacement of Indigenous Vegetation within the Riparian Setback Area. Maintenance, removal and replacement of indigenous vegetation within the riparian setback area along Class I streams designated for riparian vegetation protection by the Rural Comprehensive Plan must comply with the provisions of LC 16.253(2).

(d) Signs.

(i) Signs shall not extend over a public right-of-way or project beyond the property line.

(ii) Signs may be illuminated but shall not be flashing or capable of movement.

(iii) Signs shall be limited to 200 square feet in area.

(iv) Signs shall not project above the height of the tallest structure on the property.

(v) Signs shall advertise uses and development that are permitted by LC 16.294(2)(a) through (g) or (3)(a) through (v) above and that are conducted on the same premises where the signs are located; or

(vi) Signs located in an area designated by the RCP as an unincorporated community shall advertise uses and development that are located in the same community where the signs are located and that are permitted by LC Chapter 16.

(e) **Parking.** Off street parking shall be provided in accordance with LC 16.250. *(Revised by Ordinance No. 6-02, Effective 5.16.02)*

**RURAL PARK AND RECREATION ZONE (RPR, RCP)  
RURAL COMPREHENSIVE PLAN**

**16.295 Rural Park and Recreation Zone (RPR, RCP).**

(1) **Purpose.** The purposes of the Rural Park and Recreation Zone (RPR, RCP) are: to implement the policies of the Lane County Rural Comprehensive Plan (RCP); to recognize existing park and recreation areas by applying the RPR, RCP zone to these areas; to provide objective land use and siting criteria in order to allow the uses and development indicated in the State Park Master Plan, the Lane County Parks Master Plan or privately developed recreation uses on developed and committed (D&C) lands; and to provide protective measures for riparian vegetation along Class I streams designated as significant in the Rural Comprehensive Plan. LC 16.295 is not retroactive. The Director has no authority to initiate compliance with LC 16.295 for lawfully (per LC Chapter 16) existing uses and development.

(2) **Permitted Uses and Development.** The uses and development in LC 16.295(a) through (n) below are allowed subject to compliance with the general provisions and exceptions specified by this chapter of Lane Code and shall not be subject to the Site Review Procedures in LC 16.257.

(a) Maintenance, repair or replacement of lawfully (per LC Chapter 16) existing uses and development not authorized elsewhere by LC 16.295.

(b) The uses and development authorized by LC 16.295(3)(a) through (k) below with approval of a special use permit are otherwise allowed without approval of a special use permit if they comply with the following conditions:

(i) The use and development shall not change the number, size or location of existing park and recreation structures on the subject property and shall not extend the park and recreation uses and development beyond the area of the existing park and recreation uses and development. The area of the existing park and recreation uses and development shall include all existing structures and outside areas used for park and recreation use such as private drives, off street parking and loading areas, and outside storage areas, but shall not include setback areas required by LC 16.295(6)(a) through (b) below; or

(ii) The use and development shall be a minor addition to a park and recreation structure that does not exceed 25 percent of the floor area of the structure that existed on the date that LC 16.295 became applicable to the subject property and shall not be closer to a property line than the closest portion of existing park and recreation structures meeting the setbacks required by LC 16.295(6)(a) through (b) below. To verify compliance with this condition, the applicant shall submit to the Director an application for verification of compliance. And, the Director shall determine if the addition to a park and recreation structure complies with this condition; or

(iii) The use shall be located at least 200 feet from all exterior boundaries of the subject property and shall meet the setbacks required by LC 16.295(6)(a) through (b) below; or

(iv) The proposed improvement is a sign that complies with LC 16.295(6)(d) below, and is located on the wall of an existing building or is located outside the structural setback areas designated by LC 16.295(6)(a) through (b) and is not illuminated.

(c) A single family dwelling for a caretaker that meets the following conditions:

(i) The single family dwelling shall be for a caretaker in conjunction with an existing park and recreation use permitted by LC 16.295(2)(a) or (b) above or (3)(a) through (k) or (o) below and located on the same lot or parcel as the existing park and recreation use;

(ii) There are no other living quarters or dwellings on the lot, parcel or tract where the single family dwelling for the caretaker will be located; and

(iii) The single family dwelling for the caretaker shall not be partitioned or separated by a boundary line adjustment from the portion of the same lot or parcel with the park and recreation use on it.

(d) Farm use or forest operations or forest practices including, but not limited to, reforestation of forestland, forest road construction and maintenance, harvesting of a forest tree species, and disposal of slash.

(e) Towers and fire stations for forest fire protection.

(f) Fishing without any lodging accommodations.

(g) Aids to navigation and aviation.

(h) Water intake facilities, related treatment facilities, pumping stations and distribution lines.

(i) Forest management research and experimentation facilities as defined by ORS 526.215.

(j) Uses to conserve soil, air, and water quality and to provide for wildlife and fisheries resources.

(k) Public and semipublic structures and uses rendering direct service to the public in local areas, such as utility substations, pump stations, wells, and underground utility lines or above ground utility lines that do not require a right-of-way more than 25 feet in width. For utility substations or buildings that are located within 100 feet of the boundaries of RR zoned property, native landscaping shall be provided between the utility substations or buildings and abutting RR zoned property to screen the utility substations or buildings from the view of the RR zoned property. Landscaping required by LC 16.295(2)(k) above shall be maintained.

(l) Transportation facilities and uses as specified in LC 16.265(3)(a) through (m).

(m) The following uses and developments that are included as part of an adopted State Master Park Plan or adopted Lane County Parks Master Plan that comply with OAR Division 34, State and Local Park Planning:

(i) Campgrounds that are used for temporary overnight camping including: recreational vehicle sites, tent sites, camper cabins, yurts, teepees, covered wagons, group shelters, and campfire program areas.

(ii) Day use areas: picnic shelters, barbecue areas, swimming areas (not swimming pools unless located in a developed and committed lands exception area), open play fields, play structures;

(iii) Recreational trails: walking, hiking, biking, horse, or motorized off road vehicle trails; trail staging areas;

(iv) Boating and fishing facilities: launch ramps and landings, docks, moorage facilities, small boat storage, boating fuel stations, fish cleaning stations, boat sewage pump-out stations;

(v) Amenities related to park use intended only for park visitors and employees: laundry facilities; recreation shops; snack shops not exceeding 1,500 square feet of floor area;

(vi) Support facilities serving only park lands wherein the facility is located: water supply facilities, sewage collection and treatment facilities, storm water management facilities, electrical and communication facilities, restrooms and showers,

recycling and trash collection facilities, registration buildings, roads and bridges, parking areas and walkways;

(vii) Park maintenance and management facilities located within a park; maintenance shops and yards, fuel stations for park vehicles, storage for park equipment and supplies, administrative offices, staff lodging;

(viii) Natural and cultural resource interpretative, educational and informational facilities: interpretive centers, information/orientation centers, self-supporting interpretative and information kiosks, natural history or cultural museums, natural history or cultural educational facilities, reconstructed historic structures for cultural resource interpretation, retail stores in state parks not exceeding 1,500 square feet for sale of books and other materials that support park resource interpretation and education;

(ix) Visitor lodging and retreat facilities in state parks: historic lodges, houses or inns and the following associated uses in a state park retreat area only:

(aa) Meeting halls not exceeding 2,000 square feet of floor area;

(bb) Dining halls (not restaurants).

(n) Uses and development that are accessory to existing uses and development permitted under LC 16.295(2)(a) through (m) above or (3)(a) through (o) below.

(3) Uses and Development Subject to Approval by the Director. The uses and developments in LC 16.295(3)(a) through (k) below, not meeting the conditions in LC 16.295(2)(b) above, and the uses and development in LC 16.295(3)(l) through (o) below, are allowed subject to: submittal of a land use application pursuant to LC 14.050; compliance with the applicable land use requirements of LC 16.295(4)(a) through (h) below and elsewhere in LC Chapter 16; and review and approval of the land use application pursuant to LC 14.100 with the options for the Director to conduct a hearing or to provide written notice of the decision and the opportunity for appeal.

(a) Golf course.

(b) Riding stables.

(c) Yachting clubs.

(d) Game rooms, miniature golf, go cart tracks.

(e) Boat rentals or boat storage and incidental minor repairs and sale of gas.

(f) A clubhouse for an existing golf course. The clubhouse may include a restaurant, retail trade of food or new general merchandise, and recreation areas.

(g) A State or Lane County Park that is located on developed and committed exception area lands and that is not included in an adopted master park plan. These parks may include any of the uses mentioned in LC 16.295(2)(m) above.

(h) Race track.

(i) Recreational shooting.

(j) Airport and flying field.

(k) Expansion of lawfully (in terms of LC Chapter 16) existing uses.

(l) Communication facilities including but not limited to those for radio, television, computers, or satellites.

(m) Telecommunication facilities, including towers, antennas, and ancillary facilities as allowed pursuant to LC 16.264

(n) Electric transmission lines that require a combined right-of-way of more than 25 feet in width.

(o) Uses and development similar to uses and development allowed by LC16.295(3)(a) through (n) above if found by the Planning Director to be clearly similar

to the uses and development allowed by LC 16.295(3)(a) through (n) above. Such a finding shall be made by the Director and shall comply with the following criteria:

(i) The use and development shall be consistent with the purpose in LC 16.295(1).

(ii) When compared with the uses and development permitted by LC 16.295(3)(a) through (n) above, the use and development is similar to one or more of these uses and development. A comparison shall include an analysis of the:

(aa) Goods or services traded from the site;

(bb) Bulk, size, and operating characteristics of the proposed use;

(cc) Parking demand, customer types and traffic generation; and

(dd) Intensity of land use of the site.

(iii) The use and development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service. Factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available.

(iv) The use and development shall not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.

(v) It shall be the applicant's responsibility to provide sufficient information to allow the Director to make the above determination.

(p) Transportation facilities and uses as specified in LC 16.265(3)(n) through (q).

(4) Criteria. New uses or development allowed by LC 16.295(3)(a) through (o) above, except for telecommunications facilities allowed in LC 16.295(3)(m) above, shall comply with the criteria in LC 16.295(4) below. Telecommunications facilities allowed by LC 16.295(3)(m) above shall comply with the requirements in LC 16.264.

(a) The location, design, size, shape and arrangement of the uses and structures shall be sufficient for the proposed intent and compatible with the surrounding vicinity.

(b) The quantity, location, height and materials of walls, fences, hedges, screen planting and landscape areas shall serve their intended purpose and shall minimize any adverse effect on existing or contemplated abutting land use.

(c) Suitable planting of ground cover or other surfacing shall be provided to prevent erosion and reduce dust, and suitable methods shall be provided for the continued maintenance of the planting or surfacing.

(d) The location, design and size of the uses shall be such that the residents or establishments to be accommodated will be adequately served by community facilities and services or by other facilities suitable for the intended uses.

(e) Based on anticipated traffic generation, adequate additional right-of-way and road improvements shall be provided by the development in order to address any traffic safety or congestion concerns created by the development. Consideration shall be given to the need and feasibility of widening and improving abutting streets to specifications of LC Chapter 15, "Roads," and also to the necessity for such additional requirements as lighting, sidewalks and turn and deceleration/acceleration lanes.

(f) There shall be a safe and efficient circulation pattern within the boundaries of the development. Consideration shall include the layout of the site with respect to the location and dimensions of vehicular and pedestrian entrances, exits, drives, walkways, buildings and other related facilities.

(g) There shall be adequate off street parking and loading/unloading facilities provided in a safe and efficient manner. Consideration shall include the layout of the parking and loading/unloading facilities, and their surfacing, lighting and landscaping.

(h) Hazards and Impacts. The proposed use will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.

(i) The proposed use and development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service. To address this requirement, factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available.

(5) Area. No minimum is established, except what is necessary to comply with LC 16.295 and other requirements of LC Chapter 16. Land divisions shall comply with LC Chapter 13.

(6) Property Development Standards. All uses and development allowed by LC 16.295(2) and (3) above shall comply with the following development standards:

(a) Property Line Setbacks. Structures other than a fence or sign shall be located:

(i) At least 20 feet from the right-of-way of a State road, County road or a local access public road specified in LC Chapter 15; and

(ii) 10 feet from all other property lines except as provided below, in LC 16.295(6)(b) and (c).

(b) Class I Stream Riparian Setback Area. The riparian setback area shall be the area between a line 50 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence or sign shall be located closer than 50 feet from the ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) are met.

(c) Maintenance, Removal and Replacement of Indigenous Vegetation within the Riparian Setback Area. Maintenance, removal and replacement of indigenous vegetation within the riparian setback area along Class I streams designated for riparian vegetation protection by the Rural Comprehensive Plan must comply with the provisions of LC 16.253(2).

(d) Signs.

(i) Signs shall not extend over a public right-of-way or project beyond the property line.

(ii) Signs may be illuminated but shall not be flashing or capable of movement.

(iii) Signs shall advertise uses and development that are conducted on the property.

(iv) Signs shall not project above the height of the tallest structure on the property.

(v) Signs shall not contain more 200 square feet in area.

(e) Parking. Off street parking shall be provided in accordance with LC 16.250. *(Revised by Ordinance No. 6-02, Effective 5.16.02)*

**LAND DIVISIONS  
RURAL COMPREHENSIVE PLAN**

**16.300 Land Divisions.**

(1) Relationship of Lane Code Chapter 13 into Lane Code Chapter 16. LC Chapter 13 is the procedure for partitioning or subdividing lands under the jurisdiction of the Lane County Rural Comprehensive Plan with the following addition:

(a) Definitions. Abbreviations, terms, phrases, words and their derivatives shall be construed as specified in LC 16.090 instead of as specified in LC 13.010. *(Revised by Ordinance No. 7-87, Effective 6.17.87)*

**RURAL COMPREHENSIVE PLAN AMENDMENTS  
RURAL COMPREHENSIVE PLAN**

**16.400 Rural Comprehensive Plan Amendments.**

(1) Purpose. The Board shall adopt a Rural Comprehensive Plan. The general purpose of the Rural Comprehensive Plan is the guiding of social, economic and physical development of the County to best promote public health, safety, order, convenience, prosperity and general welfare. The Rural Comprehensive Plan shall be considered to be a dynamic policy instrument that can be modified to reflect changing circumstances and conditions as well as to correct errors and oversights. It is recognized that the Rural Comprehensive Plan affects the people of Lane County, and it is, therefore, important that the ability by individuals to propose amendments be free of restraint.

(2) Scope and Organization. The Rural Comprehensive Plan shall conform to the requirements of Statewide Planning Goals. The Rural Comprehensive Plan shall consist of components which shall be organized into categories by Plan type or geographic area as described in LC 16.400(3) below.

(3) Plan Categories.

(a) Rural Comprehensive Plan. This category includes all plans relating to lands beyond the Eugene-Springfield Metropolitan Area General Plan boundary and the urban growth boundaries of the cities within Lane County.

(b) Special Purpose Plan. This category includes Plans addressing a single or special need. The Plans may apply Countywide or to a limited area.

(4) Rural Comprehensive Plan Described. The Rural Comprehensive Plan of Lane County shall consist of the following components:

(a) Rural Comprehensive Plan.

(i) General Plan Policies and Plan Designations applying throughout Lane County outside of the Metropolitan Area General Plan and outside of all urban growth boundaries (Adopted by Ordinance No. 883).

(b) Special Purpose Plans.

(i) Transportation System Plan (Adopted by Ordinance No. 3-80 and Amended by Ordinance No. 10-04).

(ii) Willamette Greenway Plan Ordinance No. 783).

(iii) Parks and Open Space Plan (Adopted by Ordinance No. 850).

(iv) Solid Waste Management Plan (Adopted by Ordinance No. 771) (Amended by Ordinance Nos. 79-80, PA 918 and PA 1179).

(v) Coastal Resources Management Plan (Adopted by Ordinance No. 803) (Amended by Ordinance Nos. 862 and 876).

(vi) Siuslaw River Dredged Material Disposal Plan (Adopted by Ordinance No. 749) (Amended by Ordinance Nos. 861 and 877).

(vii) Housing Plan (Adopted by Ordinance No. 1-78).



(5) Interrelationship of Plan Components. New Comprehensive Plan components shall include a description of relationship to other Plan components within the respective Plan category and to the overall Rural Comprehensive Plan. Existing Plan components not containing such a description of relationship shall, at the next update of that Plan, be amended to include such a description.

(6) Plan Adoption or Amendment - General Procedures. The Rural Comprehensive Plan, or any component of such Plan, shall be adopted or amended in accordance with the following procedures:

(a) Referral to Planning Commission. Before the Board takes any action on a Rural Comprehensive Plan component, or an amendment to such Plan component, a report and recommendation thereon shall be requested from the County Planning Commission and a reasonable time allowed for the submission of such report and recommendation. In the event the Rural Comprehensive Plan component, or amendment applies to a limited geographic area, only the Planning Commission having jurisdiction of that area need receive such referral.

(b) Planning Commission - Hearing and Notice.

(i) The Planning Commission shall hold at least one public hearing before making a recommendation to the Board on a Rural Comprehensive Plan component, or an amendment to such Plan component, and the hearing shall be conducted pursuant to LC 14.300.

(ii) Notice of the time and place of hearing shall be given, pursuant to LC 14.300.

(iii) If an exception to State Planning Goals is to be considered during the hearing, such exception shall be specifically noted in the notices of such hearing.

(iv) The proposed Rural Comprehensive Plan component, or an amendment to such Plan component, shall be on file with the Director and available for public examination for at least 10 days prior to the time set for hearing thereon.

(c) Planning Commission - Consideration With Other Agencies.

(i) In considering a Rural Comprehensive Plan component, or an amendment to such Plan component, the Planning Commission shall take account of and seek to harmonize, within the framework of the needs of the County, the Comprehensive Plans of cities, and the Plans and planning activities of local, state, federal and other public agencies, organizations and bodies within the County and adjacent to it.

(ii) The Planning Commission, during consideration of a Rural Comprehensive Plan component or an amendment to such Plan component, shall consult and advise with public officials and agencies, public utility companies, civic, educational, professional and other organizations, and citizens generally to the end that maximum coordination of Plans may be secured.

(iii) Whenever the Planning Commission is considering a Rural Comprehensive Plan component, or an amendment to such Plan component, it shall be referred to the planning agency of every city and county affected to inform them and solicit their comments.

(iv) The provisions of this subsection are directory, not mandatory, and the failure to refer such Plan, or an amendment to such Plan, shall not in any manner affect its validity.

(d) Planning Commission - Recommendation and Record.

(i) Recommendation of the Planning Commission on a Rural Comprehensive Plan component, or an amendment to a Plan component, shall be by resolution of the Commission and carried by the affirmative vote of not less than a majority of its total voting members.

(ii) The record made at the Planning Commission hearings on a Rural Comprehensive Plan component, or an amendment to such Plan component and all materials submitted to or gathered by the Planning Commission for its consideration, shall be forwarded to the Board along with the recommendation.

(e) Board Action - Hearing and Notice.

(i) After a recommendation has been submitted to the Board by the Planning Commission on the Rural Comprehensive Plan component, or an amendment to such Plan component, all interested persons shall have an opportunity to be heard thereon at a public hearing before the Board conducted pursuant to LC 14.300.

(ii) Notice of the time and place of the hearing shall be given pursuant to LC 14.300.

(iii) If an exception to Statewide Planning Goals is to be considered during the hearing, such exception shall be specifically noted in the notice of such hearing.

(iv) Hearings to consider amendments of the Plan Diagram that affect a single property, small group of properties or have other characteristics of a quasi-judicial proceeding shall be noticed pursuant to LC 14.300.

(f) Concurrent Consideration. The Board and Planning Commission may hold a single joint meeting to consider the proposed Plan amendment consistent with the requirements of LC 16.400(6)(e)(ii),(iii) and (iv) above.

(g) Board Referral. Before the Board makes any change or addition to a Plan component, or Plan component amendment recommended by the Planning Commission, it may first refer the proposed change or addition to the Planning Commission for an additional recommendation. Failure of the Planning Commission to report within 21 days after the referral, or such longer period as may be designated by the Board, shall be deemed to be approval of the proposed change or addition. It shall not be necessary for the Planning Commission to hold a public hearing on such change or addition.

(h) Method of Adoption and Amendment.

(i) The adoption or amendment of a Rural Comprehensive Plan component shall be by Ordinance.

(ii) The adoption or amendment shall be concurrent with an amendment to LC 16.400(4) above. In the case of a Rural Comprehensive Plan adoption, the Code amendment shall place such Plan in the appropriate category. In the case of a Rural Comprehensive Plan amendment, the Code amendment shall insert the number of the amending Ordinance.

(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:

(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:

(i-i) necessary to correct an identified error in the application of the Plan; OR

(ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; OR

(iii-iii) necessary to comply with the mandate of local, state or federal policy or law; OR

(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; OR

(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.

(cc) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component does not conflict with adopted Policies of the Rural Comprehensive Plan, and if possible, achieves policy support.

(dd) For Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is compatible with the existing structure of the Rural Comprehensive Plan, and is consistent with the unamended portions or elements of the Plan.

(i) A change of zoning to implement a proposed Plan amendment may be considered concurrently with such amendment. In such case, the Board shall also make the final zone change decision, and the Hearings Official s consideration need not occur.

(7) Validation of Prior Action. The adoption of a Rural Comprehensive Plan component, or an amendment to such Plan component under the authority of prior acts, is hereby validated and shall continue in effect until changed or amended under the authority of these provisions.

(8) Additional Amendment Provisions. In addition to the general procedures set forth in LC 16.400(6) above, the following provisions shall apply to any amendment of Rural Comprehensive Plan components.

(a) Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:

(i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring an exception to Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or is irrevocably committed to other uses not allowed by an applicable goal.

(ii) Major Amendment. Any amendment that is not classified as a minor amendment.

(b) Amendment proposals, either minor or major, may be initiated by the County or by individual application. Individual applications shall be subject to a fee established by the Board and submitted pursuant to LC 14.050.

(c) Minor amendment proposals initiated by an applicant shall provide adequate documentation to allow complete evaluation of the proposal to determine if the findings required by LC 16.400(6)(h)(iii) above can be affirmatively made. Unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following:

(i) A complete description of the proposal and its relationship to the Plan.

(ii) An analysis responding to each of the required findings of LC 16.400(6)(h)(ii) above.

(iii) An assessment of the probable impacts of implementing the proposed amendment, including the following:

(aa) Evaluation of land use and ownership patterns of the area of the amendment;

(bb) Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply and sewage disposal;

(cc) Impact of the amendment on proximate natural resources, resource lands or resource sites, including a Statewide Planning Goal 5 "ESEE" conflict analysis where applicable;

(dd) Natural hazards affecting or affected by the proposal:

(ee) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an assessment of employment gain or loss, tax revenue impacts and public service/facility costs, as compared to equivalent factors for the existing uses to be replaced by the proposal;

(ff) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an inventory of reasonable alternative sites now appropriately designated by the Rural Comprehensive Plan, within the jurisdictional area of the Plan and located in the general vicinity of the proposed amendment;

(gg) For a proposed amendment to a Nonresource designation or a Marginal Land designation, an analysis responding to the criteria for the respective request as cited in the Plan document entitled, "Working Paper: Marginal Lands" (Lane County, 1983).

(9) Addition Amendment Provisions - Special Purpose Plans. In addition to the general provisions set forth in LC 16.400(6) above, the following provisions shall apply to any amendment of Rural Comprehensive Plan components classified in LC 16.400(4) above as Special Purpose Plans. Amendments to Special Purpose Plans may only be initiated by the County. Any individual, however, may request the Board to initiate such amendment. Requests must set forth compelling reasons as to why the amendment should be considered at this time, rather than in conjunction with a periodic Plan update. An offer to participate in costs incurred by the County shall accompany the request.

(10) Periodic Review of Plan Components. All components of the Rural Comprehensive Plan shall contain a provision requiring the Plan be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances. Any Plan component adopted under the authority of prior acts be assumed to require a review every five years. *(Revised by Ordinance No. 7-87, Effective 6.17.87; 10-02, 11.15.02)*



## FINDINGS AND CONCLUSIONS IN SUPPORT OF ADOPTION OF ORDINANCE NO. 10-04

The Lane County Board of Commissioners (“Board”) finds as follows:

1. The Ordinance to which these findings are attached effects changes to Lane Code (LC) Chapters 10, 13, 15, and 16, which are being adopted to achieve Lane Code consistency with the update to the Lane County Transportation System Plan (TSP) being adopted concurrently under separate ordinance. Also included are housekeeping changes, and changes to update Lane Code 16.253(2). These changes are described and discussed in the findings below.

2. **Changes to LC 10 and 16**

With regard to changes specifically proposed to land use and zoning provisions, LC 10 and LC 16 provide identical criteria with which proposed changes to land use and zoning requirements must be found to be consistent, as follows:

***LC 10.315-20 and LC 16.262(2), Criteria.***

*Zonings, rezonings and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the Zone District classification proposed, applicable Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners, the Planning Commission or the Hearings Official in accordance with the procedures in this section.*

The proposed changes will not zone or rezone any properties by changing the zoning classification applied to specific properties. These findings must show that the proposed changes to LC Chapters 10 and 16 achieve consistency with the general purpose of those chapters and are not contrary to the public interest. The general purpose of LC Chapter 10 is as follows:

***10.015 Purpose.***

*The purpose of this chapter is to provide procedures for dividing the unincorporated portions of Lane County into districts and to provide requirements pertaining to such districts in accordance with a comprehensive plan, and is adopted to protect and promote the public health, safety, and welfare, and to promote the implementation of the Comprehensive Plan for Lane County. Such procedures and requirements are intended to achieve the following objectives:*

- (1) To encourage the most appropriate use of land and resources throughout the County.*
- (2) To facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, and other public requirements.*
- (3) To avoid undue concentration of population.*
- (4) To secure safety from fire, panic, flood, and other dangers.*
- (5) To prevent the overcrowding of land.*
- (6) To provide adequate light and air.*
- (7) To lessen congestion in the streets, roads, and highways.*
- (8) To provide an environment of character in harmony with existing and proposed neighboring use of land.*
- (9) To preserve and enhance the quality of Lane County's environment.*

The general purpose of LC Chapter 16 is as follows:

**16.003 Purpose.**

*This chapter is designed to provide and coordinate regulations in Lane County governing the development and use of lands to implement the Lane County Rural Comprehensive Plan. To these ends, it is the purpose of this chapter to:*

(1) *Insure that the development of property within the County is commensurate with the character and physical limitations of the land and, in general, to promote and protect the public health, safety, convenience and welfare.*

(2) *Protect and diversify the economy of the County.*

(3) *Conserve the limited supply of prime industrial lands to provide sufficient space for existing industrial enterprises and future industrial growth.*

(4) *Conserve farm and forest lands for the production of crops, livestock and timber products.*

(5) *Encourage the provision of affordable housing in quantities sufficient to allow all citizens some reasonable choice in the selection of a place to live.*

(6) *Conserve all forms of energy through sound economical use of land and land uses developed on the land.*

(7) *Provide for the orderly and efficient transition from rural to urban land use.*

(8) *Provide for the ultimate development and arrangement of efficient public services and facilities within the County.*

(9) *Provide for and encourage a safe, convenient and economic transportation system within the County.*

(10) *Protect the quality of the air, water and land resources of the County.*

(11) *Protect life and property in areas subject to floods, landslides and other natural disasters and hazards.*

(12) *Provide for the recreational needs of residents of Lane County and visitors to the County.*

(13) *Conserve open space and protect historic, cultural, natural and scenic resources.*

(14) *Protect, maintain, and where appropriate, develop and restore the estuaries, coastal shorelands, coastal beach and dune area and to conserve the nearshore ocean and continental shelf of Lane County.*

The proposed changes to LC 10 and 16 are summarized as follows:

- Add a listing of specific transportation facilities and uses that are allowed either outright or as special uses in land use zones.
- Add a general cross reference to LC 15 to alert members of the public who are proposing development subject to LC 10 and LC 16 that they are also required to comply with LC 15.
- Delete references to “planned” rights-of-way to achieve consistency with changes being made to LC 15.
- Update Site Review criteria in order to provide more effectively for bicycle and pedestrian access and to provide for on-site bicycle and pedestrian circulation as part of development proposals subject to Site Review.
- Stipulate in Site Review requirements that transportation facilities and uses are not subject to Site Review.

Changes to LC 16 also include the following:

- In Class I Stream Riparian Regulations, LC 16.253(2), exempt public road projects in riparian areas that are in compliance with Endangered Species Act laws pertaining to aquatic species from Riparian Modification Permit requirements; and
- Incorporate the ordinance number in LC 16.400(4) to reflect the action taken in adopting the updated Transportation System Plan.

Transportation facilities and uses were added as permitted or special uses in land use zones in order to comply with statewide planning Goal 12, which, in keeping with statewide land use goals, distinguishes between urban and rural transportation uses and therefore contributes to the orderly and efficient transition from urban to rural land uses. This is consistent with LC 10.015(1) and LC 16.003(7).

Providing a cross reference to LC 15 from LC 10 and LC 16 provides information to the public about requirements in LC 15 designed specifically for many of the purposes cited in LC 10.015 and LC 16.003. LC 15 as updated provides new requirements for access management, traffic impact analysis, road performance, and road design. Such requirements have been found to further public safety, convenience, health, and welfare, and reduce congestion, based upon volumes of empirical data and numerous studies prepared by nationally and internationally recognized engineering professionals as published by the American Association of State Highway and Transportation Officials (AASHTO), the Federal Highway Administration, the American Public Works Association, and the Oregon Department of Transportation. Furthermore, the requirements take into account Lane County roads, and arterial, collector, and local road conditions, by employing guidelines according to topographical and traffic level considerations, and using guidelines specifically for low volume roads as appropriate. Therefore, the proposed changes are consistent with LC 10.015(2), (7), and (9), and LC 16.003(1) and (9).

Updates to Site Review provisions in LC 10 and LC 16 also promote safety and welfare, reduction of congestion, and enhancement of quality of life, as specified in the LC 10 and LC 16 provisions cited previously, through criteria that encourage the separation of traffic modes (vehicular, bicycle, and pedestrian). Changes to exempt public road projects from Riparian Modification Permit requirements when such projects are otherwise consistent with ESA requirements for aquatic species reduces procedural requirements while not changing or compromising how protection measures are carried out on the ground, thereby promoting efficiency.

Incorporating the ordinance number of the ordinance adopting the Transportation System Plan complies with LC 16.400(6)(h)(ii).

### **3. Changes to LC 13**

Proposed changes to LC 13 are made to achieve consistency with changes being made to LC 15, which is consistent with the overall purpose of promoting the public interest.

### **4. Changes to LC 15**

Proposed changes to LC 15 promote the public interest by achieving consistency with state law, and by implementing the updated TSP. Proposed changes will promote public health, safety, and welfare, as noted above, through the following provisions:

- New access management, traffic impact analysis, and road performance requirements, and new road design standards, to codify what have heretofore been implemented as accepted engineering practices.
- New requirements with regard to access, unconstructed roads, and private easements to promote an efficient and orderly road network and to encourage adequate road improvements for new development.
- Updates to facility permit requirements to exempt roads that are not maintained by the County from road improvement requirements, except as needed for emergency vehicle passage, and to allow for better coordination with the building permit process when a facility permit is required for development along County Roads; and
- Updates to Rural Addressing provisions.

Based upon the above findings and the findings adopted in support of Ordinance No. PA 1202 incorporated here by this reference, the proposed Lane Code changes are consistent with the overall purpose of serving the public and promoting public health, safety, and welfare, and with the approval criteria in LC 10.315-20 and LC 16.252(2).





**ORDINANCE 10-04**  
**Legislative changes to Lane Code**



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Board of Commissioners, Planning Commission, or Planning Director for any reason.  
(Revised by Ordinance No. 13-72, Effective 7.21.72)

**10.025-30 Minimum Requirements.**

In interpreting and applying the provisions of this chapter, such provisions shall be construed to be the minimum requirements for the promotion of the public health, safety, and welfare, therefore, where this chapter imposes a greater restriction upon the use of the buildings or premises, or upon the height of buildings, or requires larger open spaces than those imposed or required by other laws, ordinances, rules, or regulations, the provisions of this chapter shall control. (Revised by Ordinance No. 13-72, Effective 7.21.72)

**10.025-35 Conformance and Permits Required.**

No building or structure shall be erected, reconstructed, structurally altered, enlarged, moved or maintained, nor shall any building, structure or land be used or designed to be used for any use other than is permitted in the zone in which such building, structure or land is located, and there only after proper application for and securing of all permits and licenses required by all applicable State and local laws. (Revised by Ordinance No. 13-72, Effective 7.21.72)

**10.025-40 Effective Filing Date of Applications and Requests.**

All applications and requests provided in this chapter shall be deemed filed upon the submission of all the information, materials, and fees required by this chapter. (Revised by Ordinance No. 13-72, Effective 7.21.72)

**10.025-45 Notices of Appeal.**

When a written appeal is filed pursuant to the provisions of LC Chapters 9, 10, 11, 13, 14 or 15, to appeal a decision to the Hearings Official, the failure of the appeal to state the manner in which the applicable criteria were erroneously applied shall not deprive the Hearings Official of jurisdiction over the appeal and the Hearings Official may proceed to hear the matter. The Hearings Official may dismiss the appeal, or make other appropriate disposition, upon a finding of substantial prejudice as a result of the failure of the appeal to include a statement of error. (Revised by Ordinance No. 10-78, Effective 7.7.78; 5-81, 4.8.81)

**10.025-50 Scenic Byway/Tour Route Off-Premise Sign Requirements.**

New or relocated off-premise signs shall not be allowed on any property adjacent to or within 660 feet of any designated state scenic byway or tour route recognized by the Board and listed in LC 10.025-50, below. "Off-Premise Sign" means a sign designed, intended or used to advertise, inform or attract the attention to the public as to: goods, products or services which are not sold, manufactured or distributed on or from the premises on which the sign is located; facilities not located on the premises on which the sign is located; or activities not conducted on the premises on which the sign is located.

(1) The South Lane Tour Route as specifically identified in Ordinance No. 10-99. (Revised by Ordinance No. 10-99, Effective 1.15.00)

**10.090 Compliance with LC Chapter 15, Roads.**

Development subject to the provisions of this chapter shall comply with LC Chapter 15, Roads.

**10.095 Districts.**

In order to carry out the purpose and provisions of this chapter areas within the County may be classified in one or more of the following Districts:

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PUD PLANNED UNIT DEVELOPMENT SUB-DISTRICT.....10.700  
 CAD CONTRACT ZONING DISTRICT.....10.710  
*(Revised by Ordinance 15-72, Effective 9.8.72; 13-73, 11.21.73 (4.17.74); 14-74, 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 7-79, 7.11.79; 15-79, 12.1.79; 2-80, 6.13.80; 17-80, 8.6.80; 20-80, 11.14.80)*

**EXCLUSIVE FARM USE DISTRICT (EFU)**

**10.100-05 Purpose.**

The Exclusive Farm Use District (EFU) is intended to provide areas for the continued practice of agriculture, to permit the establishment of only those new uses compatible to agricultural activities, to provide automatic farm use valuation for farms qualifying under the provisions of ORS Chapter 308, to be applied only in areas generally well suited for farming, to guarantee the preservation and maintenance of areas so classified, and is subject to change only in those instances where there is substantial evidence the land is no longer suitable for agriculture or there are significant changes in the land needs of the County. *(Revised by Ordinance 1-82, As Amended, Effective 4.16.82)*

**10.100-10 Uses.**

Within an EFU District only the following uses and buildings are permitted pursuant to the review process and criteria as specified in Table I below. The number opposite the proposed use under the column describing the land unit under consideration will indicate the appropriate review process described in LC 10.100-12.

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(1) Farm uses (See "Farm Use" definition).	(1)	(1)	(1)	(1)	(1)
(2) Accessory buildings customarily provided in conjunction with a use permitted in this District.	(1)	(1)	(1)	(1)	(1)
(3) One single-family dwelling or one mobile home per land unit in conjunction with a farm use as defined in this chapter.	(1)	(2) <sup>1</sup>	(3)	(4)	N/A
(4) One single-family dwelling or one mobile home per land unit used for persons employed on the premises in conjunction with a farm use.	(1)	(2) <sup>2</sup>	(3) <sup>3</sup>	N/A	N/A

<sup>1</sup> If proposed on a parcel created under the review process specified at LC 10.100-12(7) or LC 10.100-12(8) below, the structure will be considered as a permitted use and not require approval as a special use.

<sup>2</sup> See #1.

<sup>3</sup> See #1.

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(5) Mobile homes in addition to those permitted in (4) above for persons employed on the premises in conjunction with a farm use.	(11)	(11)	(11)	N/A	N/A
(6) One single-family dwelling or one mobile home per land unit not in conjunction with a farm use. Such use shall not be in addition to those permitted under (3), (4) and (5) above or (7) below.	(13)	(13)	(13)	(13)	(13) <sup>4</sup>
(7) One single-family dwelling or one mobile home per land unit occupied by a relative whose assistance on the farm is or will be required by the farm operator.	(1)	(1)	(1)	(1)	N/A
(8) Public and semipublic buildings and structures rendering direct utility service to the public in local areas, such as fire stations, utility substations, electrical transmission facilities transmitting electric current 150,000 volts or less in any single cable or line or group of cables or lines, radio and TV receiving or broadcasting facilities, pump stations and wells; except commercial facilities for the purpose of generating power for public use by sale.	(1)	(1)	(1)	(1)	(1)
(9) The keeping of dogs, accessory to a residence, provided the following conditions are satisfied.					
(a) The maximum number of dogs over four months of age shall be eight.					
(b) For more than three dogs over four months of age there shall be at least 5,000 square feet of lot area for each dog on the lot.					
(c) All dogs shall be owned by the property owners, except those temporarily kept for the purposes of breeding.	(1)	(1)	(1)	(1)	(1)

<sup>4</sup> If proposed on a parcel created under the review process specified at LC 10.100-12(10) below, the structure will be considered as a permitted use and not require approval as a special use.

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(10) Propagation or harvesting of a forest product.	(1)	(1)	(1)	(1)	(1)
(11) Churches.	(1)	(2) <sup>5</sup>	(3)	N/A	(4)
(12) Public and private schools.	(1)	(2) <sup>6</sup>	(3) <sup>7</sup>	N/A	(4)
(13) Operations for the exploration of geothermal resources as defined by ORS 522.005	(1)	(1)	(1)	(1)	(1)
(14) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005.	(5)	(5)	(5)	(5)	(5)
(15) Commercial activities that are in conjunction with a farm use.	(4)	(4)	(4)	(4)	N/A
(16) Parks, playgrounds or community centers owned and operated by a governmental agency or a nonprofit community organization.	(5)	(5)	(5)	(5)	(5)
(17) Private parks, playgrounds, hunting and fishing preserves, and campgrounds, including facilities for recreational vehicles, but specifically excluding mobile home parks.	(5)	(5)	(5)	(5)	(5)
(18) Flood control or irrigation projects and facilities.	(12)	(12)	(12)	(12)	(12)
(19) Electrical generation facilities, canals, flumes, pipelines and similar facilities, including electrical transmission facilities transmitting electrical current in excess of 150,000 volts in any single cable or line or group of cables or lines.	(12)	(12)	(12)	(12)	(12)

<sup>5</sup> See #1.

<sup>6</sup> See #1.

<sup>7</sup> See #1.

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(20) Rock, sand, gravel or loam extraction and extraction provided: (a) Materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration and are used in conjunction with a farm use. (b) Total excavation or extraction does not exceed 5,000 cubic yards annually.	(4)	(4)	(4)	(4)	N/A
(21) Exploration, mining and processing of aggregate or other mineral resources or other subsurface resources which exceed the requirements for a special use as provided for in (19) above.	(5)	(5)	(5)	(5)	(5)
(22) Personal-use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities as defined in ORS 215.213(2)(g).	(12)	(12)	(12)	(12)	(12)
(23) Feedlots.	(5)	(5)	(5)	(5)	(5)
(24) Minor Rural Home Occupations (see LC 10.342-05 through 10.342-25) provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices.	(11)	(11)	(11)	(11)	N/A
(25) Major Rural Home Occupations (see LC 10.342-05 through 10.342-25) provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices.	(12)	(12)	(12)	(12)	N/A
(26) Golf courses.	(12)	(12)	(12)	(12)	(12)



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Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(27) Temporary or portable sawmills, barkers and chippers. Such a use may be approved for a one-year period which is renewable. These facilities are intended for primary processing of a forest product. Forest products means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.	(11)	(11)	(11)	(11)	(11)
(28) Boarding of horses for profit.	(12)	(12)	(12)	(12)	(12)
(29) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment, facilities or buildings necessary for its operation.	(12)	(12)	(12)	(12)	(12)
(30) Land Divisions.	(11)	(11)	(11)	(11)	(11)
(31) <b>Transportation facilities and uses as specified in LC 10.500-15(1) through (13).</b>	(6)	(7)	(8)	(9)	(10) <sup>8</sup>
(32) <b>Transportation facilities and uses as specified in LC 10.500-15(14) through (17).</b>	(1)	(1)	(1)	(1)	(1)
(Revised by Ordinance 13-72, Effective 7.21.72; 1-74, 3.6.74; 9-75, 7.2.75; 3-76, 4.7.76; 5-81, 4.8.81; 1-82, As Amended, 4.16.82)	(11)	(11)	(11)	(11)	(11)

**10.100-12 Review Process.**

For uses listed in Table I above, the following review processes are applicable:

- (1) Permitted Use. Review is limited to determination of qualifications.
- (2) Special Use.

(a) Subject to approval of the Planning Director as provided in LC 10.316, and

(b) The subject property is a unit of contiguous ownership less than that specified in LC 10.360-10 but equal to or greater than the median ownership of farm units within the immediate area. Immediate area shall mean the section in which the subject property is located along with the eight surrounding and adjacent sections, excluding such areas as may lie outside the boundaries of Lane County, Oregon. Farm units shall mean any property having a property classification beginning with the digit "5" or ending with the digit "2" or "3" as shown on the latest approved tax roll.

<sup>8</sup> See #1.

environment for human life. The Natural Resource District may be applied to public and private lands where the Comprehensive Plan requires natural resource site protection. The District is not intended to be applied to other types of resource land, such as agricultural land and forest land. To minimize the potential hazards of pollution, resource conversion and land development resulting from increases in human population, urbanization, income, leisure time and individual mobility, emphasis will be placed on limiting and regulating human activity in those areas where.

(1) The acceptable water quality of streams, lakes, estuaries of the ocean may be endangered;

(2) Watersheds and their streams or lakes are used for domestic water supplies;

(3) Vegetative cover is essential to maintain soil stability and prevent erosion;

(4) Natural conditions are vital for either unique vegetative ecosystems, aquatic or wildlife habitat; and

(5) Scenic quality or vistas or open space is unique and/or irreplaceable.

*(Revised by Ordinance 3-76, Effective 4.7.76; 10-82, 7.9.82)*

#### **10.101-10 Permitted Buildings and Uses.**

In the NR District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this subsection, subject to the general provisions and exceptions set forth in this ordinance:

(1) The following recreational facilities and uses owned by a governmental agency or a nonprofit community organization limited to day use.

(a) Exhibitions of the natural conditions of shorelands, dunelands, forested areas, streams and lakes, marshlands, or similar areas of unique and irreplaceable value, and the vegetation and wildlife supported by such lands and waters, provided that in no event shall such activity destroy, or endanger the relationships between the natural conditions being exhibited.

(b) Picnicking areas, day parks, and playgrounds.

(c) Accessory facilities for outdoor recreation activity such as fishing, clam digging and hunting (provided such activity is conducted only in those areas allowed pursuant to Federal, State, and Local fish and game regulations) and hiking and horseback riding.

(2) Wildlife and aquatic-life sanctuaries or preserves.

(3) Aquaculture.

(4) Other uses similar to the above. *(Revised by Ordinance 3-76, Effective 4.7.76; 10-82, 7.9.82)*

(5) The following transportation facilities and uses, provided no filling or dredging is required:

(a) Operations, maintenance, and repair as defined in LC 15.010 of existing transportation facilities, services, and improvements, including road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals.

(b) Preservation as defined in LC 15.010, and rehabilitation activities and projects as defined in LC 15.010 for existing transportation facilities, services, and improvements, including road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals. *(Revised by Ordinance 3-76, Effective 4.7.76; 10-82, 7.9.82)*

#### **10.101-12 Special Uses - Planning Director Approval.**

The following uses are subject to approval by the Planning Director as provided for in LC 10.316:

(1) Single-family dwelling(s) or mobile home(s) for residential purpose for watchman, caretaker, or operator in conjunction with use permitted in the district. *(Revised by Ordinance 10-82, Effective 7.9.82)*

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provisions for ingress and egress by standard-sized automobiles. For parking space requirements for buildings other than dwellings, see the general Off-Street Parking Section (LC 10.300-05). *(Revised by Ordinance 3-76, Effective 4.7.76)*

**10.101-42 Area.**

(Also see LC 10.300-10). The minimum area for the division of land for a single-family dwelling or mobile home shall be 20 acres. *(Revised by Ordinance 3-76, Effective 4.7.76)*

**10.101-95 Telecommunication Towers.**

Notwithstanding the requirements in LC 10.101-05 through -42 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance 4-02, Effective 4.10.02)*

**FOREST MANAGEMENT DISTRICT (FM)**

**10.102-05 Purpose.**

The Forest Management District (FM) is intended to preserve and protect lands for continued timber production, harvesting and related uses.

The District is also to preserve and protect watersheds, wildlife habitats and other such uses associated with the forest. Although the District is intended primarily for timber usage, it would provide for the orderly and planned development of both public and private recreation and other uses compatible with the primary intent of the District. Use of land not associated with the management and development of forests and mineral exploration shall be discouraged to minimize the potential hazards of damage from fire, pollution and other conflicts caused by such use of land. The FM District is intended for application to rural timbered areas having natural resource and recreational value. The FM District is intended to carry out these purposes:

(1) Recognize that the commercial forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and, as such, are beneficial to the economy of the County and to the welfare of its people.

(2) Encourage the management of commercial forest lands for the continued growing, harvesting and processing of forest crops. *(Revised by Ordinance 1-82, As Amended, Effective 4.16.82)*

**10.102-10 Permitted Buildings and Uses.**

In the FM District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter.

(1) The management, growing and harvesting of forest crops, accessory structures to be used for equipment maintenance, communications, office use and watchmen, and those structures and facilities incidental to each such activity, such as mobile processing or harvesting facilities and equipment and seasonal mobile homes, for harvesting purposes.

(2) Facilities and test plots for experimental and research activities associated with forest management or forest products.

(3) The following farm uses.

(a) General farming, including but not limited to the growing and raising of trees, vines, shrubs, berries, vegetables nursery stock, hay, grains, seed and similar food and fibre products.

(b) Pastures and grazing.

(c) Animal husbandry, including the breeding and raising of cattle, sheep, horses, goats, pigs and rabbits: provided that such raising activities are not part of, nor conducted in conjunction with, any livestock sales yard, slaughter house or animal by-product business, and further provided goats, sheep and pigs shall be physically contained on the subject property by use of fencing or other similar means.

(d) Poultry ranching, provided the lot area is a minimum of 20 acres.

(e) Dairying, provided the lot area is a minimum of 20 acres.

(f) Raising and selling of furbearing animals.

(g) Keeping of honey bees and the production and sale of honey.

(4) Fish and game management, including accessory facilities.

(5) Recreation trails; public or private camping and picnic facilities, provided the total number of camping or picnic facility units located on a lot:

(a) Does not exceed 10 units, and

(b) If the lot is 10 acres or less in size, the number of facility units located thereon shall not exceed the number of acres.

(6) Public or private hunting and fishing preserves.

(7) Airplane strips, helipads and balloon bedding areas accessory to a permitted use.

(8) Rock quarries, including crushing, screening and stockpiling of materials, provided the location shall be at least 1,000 feet from any Zone District that is not an F-F 20, M-3, S-G or S-G/GP District for any excavation for which the amount exceeds 10,000 cubic yards annually.

(9) Mineral exploration, provided the following standards are not exceeded.

(a) A result of 500 yards of surface mining refuse annually, as defined in ORS 517.750(12); and

(b) One acre of area for the exploration, including all accessory buildings and access facilities.

(10) Disposal sites for waste materials generated through the production, harvesting or manufacturing of forest crops, excepting where such activities are located within 1,000 feet of any Zone District that is not an EFU, F-F 20, M-3, S-G, or SF/CP District.

(11) One single-family dwelling, one two-family dwelling, or one mobile home per lot.

(12) Kennel, provided the following conditions are satisfied:

(a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(b) Where lot area is less than 20 acres, the maximum number of dogs over four months of age shall be eight.

(c) Where lot area is a minimum of 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from an adjoining property.

(d) All dogs shall be owned by the kennel owner, except those temporarily kept for purposes of breeding.

(13) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).

**(14) Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** *(Revised by Ordinance No. 14-74, Effective 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

#### **10.102-15 Conditional Uses.**

The following uses are allowed, if first approved in compliance with the conditional use permit criteria of LC 10.320.

(1) Group quarters, transient lodgings or other residential buildings customarily provided in conjunction with permitted uses, including mobile homes for the owner's operator or employees (not to be defined as mobile home park).

(2) Public or private recreational uses which do not satisfy the requirements for camping and picnic uses allowed as a permitted use in LC 10.102-10(5) above.

(3) Disposal sites for waste materials not meeting the requirements for a permitted use in LC 10.102-10(10) above.

(4) Dams, water storage areas, power transmission stations, substations and other similar facilities, electric transmission facilities transmitting electricity in excess of 75,000 volts in any single cable or line or group of cables of lines, canals, flumes and pipelines and other communication facilities not allowed as permitted use in LC 10.102-10(1) above.

(5) Rock, sand, gravel and loam excavation which does not satisfy the requirements for an allowable permitted use as provided in LC 10.102-10(8) above.

(6) Mining operations which do not satisfy the requirements for an allowable permitted use as provided in LC 10.102-10(9) above.

(7) Signs which do not conform to the sign provisions of LC 10.102-36 below.

(8) Forest crop processing facilities not otherwise allowed as a permitted use in LC 10.102-10(1) above.

(9) Kennels which do not satisfy the requirements for kennels allowed as a permitted use in LC 10.102-10(11) above.

(10) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).

(11) Other uses similar to those listed in LC 10.102-10 and -15 above.

(12) **Transportation facilities and uses as specified in LC 10.500-15(14) through (17).**

(123) Other uses not specifically authorized any place in this chapter. *(Revised by Ordinance No. 14-74, Effective 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83)*

#### **10.102-23 Setback Requirements.**

(Also see LC 10.300-15 and 15.065 - .095). Front yard setback shall be 20 feet. *(Revised by Ordinance No. 14-74, Effective 12.27.74; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

#### **10.102-36 Signs.**

The following restrictions shall apply only within areas within 200 feet of a street other than an approved private easement:

(1) Identification signs each not exceeding 200 square feet in area and not exceeding one sign per each one-half mile distance.

(2) One sign not exceeding 20 square feet in area pertaining to the sale or rental of property.

(3) Signs shall pertain to uses conducted within the contiguous boundaries of the FM District.

Signs in excess of these requirements may be provided by special use as provided in LC 10.102-20(7) above. *(Revised by Ordinance No. 14-74, Effective 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82)*

#### **10.102-42 Area.**

(1) The minimum area for the division of land shall be 40 acres; except that the division of forest land by lease or rental for any forest land purpose is permitted,

demonstration that existing and potential forest uses will be retained and protected.  
(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)

#### **10.103-10 Permitted Buildings and Uses.**

The following nonresidential uses and activities and their accessory building and uses are permitted:

- (1) The management, growing and harvesting of forest crops; accessory structures to be used for equipment maintenance, communications, office use and watchmen, and those storage areas, structures and facilities incidental to each such activity, such as mobile processing on harvesting facilities and equipment and seasonal mobile homes for harvesting purposes.
- (2) Facilities and test plots for experimental and research activities associated with forest management or forest products.
- (3) Farm uses (see farm use definition, LC 10.020).
- (4) Fish and game management, including accessory facilities.
- (5) Recreation trail; public or private camping and picnic facilities, provided the total number of camping or picnic facility units located on a lot:
  - (a) Does not exceed 10 units.
  - (b) If the lot is 10 acres or less in size, the number of facility units located thereon shall not exceed the number of acres.
- (6) Public or private hunting and fishing preserves.
- (7) Facilities for fixed or rotary-winged and lighter-than-air aircraft, provided such facilities are accessory to the management, growing or harvesting of forest crops.
- (8) Rock, sand, gravel and loam extraction, quarries, including crushing, screening and stockpiling of materials, provided the location shall be at least 1,000 feet from any Zone District that is not an EFU, A-1, A-2, F-2, M-3, S-G or S-G/CP District for any excavation for which the amount exceeds 10,000 cubic yards annually, and provided further that materials produced are used solely in conjunction with forest or farm use activities.
- (9) Mineral exploration, provided the following standards are not exceeded:
  - (a) One acre of area for exploration, including all accessory buildings, access facilities and surface mining refuse.
  - (b) A result of 500 cubic yards annually of surface mining refuse such as waste materials, soil, rock, liquid vegetation and other materials resulting from or displaced by surface mining operations.
- (10) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (11) Emergency forest protection facilities such as fire towers, temporary fire suppression crew quarters, fire attacking landing strips for airplanes, or other similar uses.
- (12) **Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** (Revised by Ordinance No. 16-80, Effective 9.27.80)

#### **10.103-15 Special Uses - Director Approval.**

The following uses are subject to approval by the Director pursuant to LC 14.100.

- (1) One single-family dwelling or mobile home per lot in conjunction with uses permitted under LC 10.103-10(1) through (3) above. Such use of the property must be documented by:
  - (a) Designation of the property by County Tax Assessor as receiving either forest or farm tax deferral; or
  - (b) A satisfactory forest or agricultural management plan that, if implemented, would qualify the property for forest or farm tax deferral;

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**Bold** indicates material being added

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(c) A cooperative or lease agreement with another owner of forest or farmland for management of the property.

(2) Group quarters or transient lodging in conjunction with uses permitted under LC 10.103-10 above.

(3) Disposal sites for waste materials generated through the production, harvesting or manufacturing of forest crops, provided, however, such sites are not within 1,000 feet of any Zone District that is not an EFU, A-1, A-2, F-2, M-3, S-G or SG/CP District.

(4) **Transportation facilities and uses as specified in LC 10.500-15(14) through (17).** *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83)*

#### **10.103-20 Special Uses - Hearings Official's Approval.**

The following uses are subject to approval by the Hearings Official pursuant to LC 14.300.

(1) Public or private recreational uses which exceed the requirements for camping and picnic uses allowed as a permitted use in LC 10.103-10(5) above.

(2) Disposal sites for waste materials not meeting the requirements for a permitted use in LC 10.103-15(3) above.

(3) Dams, water storage areas, electrical generation facilities power transmission stations, substations and other similar facilities, electric transmission facilities transmitting electricity in excess of 150,000 volts in any single cable or line or group of cables or lines, canals, flumes and pipelines and other communication facilities not allowed as a permitted use in LC 10.103-10(1) above.

(4) Rock, sand and gravel and loam extraction, quarries, including processing and stockpiling, which does not satisfy the requirements for an allowable permitted use as provided in LC 10.103-10(8) above.

(5) Mining operations which do not satisfy the requirements for an allowable permitted use as provided in LC 10.103-10(9) above.

(6) Forest crop processing facilities not otherwise allowed as a permitted use in LC 10.103-10(1) and (2) above.

(7) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).

(8) Geothermal development, including site development generation facilities, transmission lines or pipes, substations and communication facilities. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83)*

#### **10.103-25 Special Use Criteria.**

Special uses authorized by LC 10.103-15 and 10.103-20 above shall be approved only upon submission of evidence the following criteria are met:

(1) Any building, mobile home or structure used for residential purposes.

(a) Shall not be located within 500 feet of forest or agricultural lands not owned by the applicant, except in such circumstances when the existing ownership pattern, natural features of a parcel, the location of access roads, other dwelling units or the surrounding land use would permit clustering of dwellings so as to preserve larger contiguous forested areas and buffering from forestry or agricultural operations.

(b) Shall be located on the least productive portions of the parcel, considering soil productivity, existing dwelling and structures, natural hazards, access and the surrounding land use.

(c) Shall be located a compatible distance from a forest product processing facility.

(d) Shall maintain a minimum fuel break of 100 feet cleared of flammable material between the dwelling and forest land. Such fuel break shall be

continually maintained and may contain ornamental shrubbery, single specimen trees or similar plants used as ground cover, however, the plants should not be a means of rapidly spreading fire.

- (e) Shall provide a fire suppression system that includes the following:
  - (i) A pond, stream, tank, or sump with storage of not less than 1,000 gallons or well capable of delivering 20 gallons per minute, provided such well is on an independent power system.
  - (ii) A water pump capable of pumping not less than 20 gallons per minute.
  - (iii) Sufficient water outlets, together with serviceable hose not less than three-quarter inch inside diameter and a nozzle to reach the dwelling and nearby improvements.
  - (iv) The water supply, pump, hose and nozzle shall be maintained as a connected, operating unit ready for immediate use during periods of fire danger.

(f) Shall clearly demonstrate the necessity for siting the residential structure on the property as opposed to other areas not zoned for resource purposes.

(2) In addition to other applicable requirements set forth in LC Chapter 15 and LM Chapter 15, the following requirements for appropriate access and egress of emergency firefighting equipment shall be observed.

- (a) Maintenance of a shaded fuel break within dedicated road rights-of-way.
- (b) Grades and turning radii are within the capabilities of emergency equipment serving that locale.
- (c) Bridge construction must be adequate to support the gross vehicle weight of emergency equipment serving that locale.
- (d) Dead-end roads and streets must provide adequate turnarounds.

(3) When a use is proposed in an area designated as an important or sensitive site or winter range on the Lane County Wildlife Inventory, the Oregon Department of Fish and Wildlife shall be notified and allowed opportunity to comment.

(4) The proposed use does not interfere with farm or forest activities in the area and will be compatible with the retention of existing and potential forest uses on the surrounding forest lands considering, among other things, the rating of wildfire potential as set forth in LC 10.103-60 below. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

### **10.103-30 Signs.**

The following restrictions shall apply only to areas within 200 feet of a street other than an approved easement.

- (1) Identification signs, each not exceeding 200 square feet in area and not exceeding one sign per each one-half mile distance.
- (2) One sign not exceeding 32 square feet in area pertaining to the sale or rental of property.
- (3) Signs shall pertain to uses conducted within the contiguous boundaries of the ownership. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

### **10.103-35 Vision Clearance.**

Vision clearance for all corner lots shall be a minimum of 15 feet. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 9-83, 4.29.83)*

### **10.103-40 Setback Requirements.**

(1) Building setbacks from all property lines, **and** public or private rights-of-way ~~and planned rights-of-way~~ shall be as provided in LC 15.065 through 15.095.



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(2) All buildings shall be set back 100 feet from ordinary high water of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

**10.103-50 Area.**

Divisions of land shall be approved upon satisfactory findings that the division:

(a) Is compatible with forest uses in the area, and does not interfere with forest practices as defined and regulated under the Oregon Forest Practices Act (ORS 527.610 to 527.730).

(b) Is consistent with the forest land Goals and Policies of the Lane County Comprehensive Plan.

(c) Does not materially alter the stability of the overall land use pattern in the area.

(d) Results in parcels of sufficient size to carry out the intent and purpose of the F-1 District, taking into consideration permitted uses, physical characteristics and productive capacity of the land.

(2) Where deemed necessary to comply with the requirements of this subsection, evidence similar to that described in LC 10.103-15(1) above may be required. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

**10.103-60 Wildfire Hazard Severity Rates System.**

The physical characteristics of a proposed development which have the most impact on fire severity have been identified along the top of the chart. Four dangers of fire hazards are shown below each criterion. The left column provides a numerical rating for each fire hazard. Place the appropriate rating number in the blank at the bottom of each column. Add these five ratings together to determine the point total. The impact level determined by the point total can then be read from the box below the chart.

Rating	Slope	Aspect	Response Time from Forestry Dept.	Vegetation	Response Time from Rural Fire Dept.
1	Flat 0-5%	North	15 min.	Old Growth Timber	5 min.
2	Gentle 5-20%	East	30 min.	2 <sup>nd</sup> Growth Timber	10 min.
3	Moderate 20-40%	West	45 min.	Brush and/or Reproduction	15 min.
4	Steep 40%	South	60 min.	Slash/Grass	20 min.
<b>Subtotal</b>					
<b>Total of points assigned to all columns</b>					

IF THE POINT TOTAL IS:

5-6

7-11

12-20

THE IMPACT LEVEL IS:

No Impact

Minor Impact

Severe Adverse impact

*(Revised by Ordinance No. 16-80, Effective 9.27.80)*

**10.103-95 Telecommunication Towers.**

Notwithstanding the requirements in LC 10.103-05 through -50 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

**FOREST LAND DISTRICT (F-2)**

**10.104-05 Purpose.**

The Forest Land District (F-2) is intended to carry out the following purposes:

- (1) To encourage forestry and agriculture as the dominant uses of such lands;
- (2) To allow non-forest and non-farm uses only upon a finding that such uses will assure the retention of forest lands for forest uses and are consistent with those uses permitted in LC 10.106 and 10.107;
- (3) To preserve such lands for the production of forest and agricultural products and ensuring that conversion of such lands to non-forest and non-farm uses, when necessary and appropriate, occurs in an orderly and compatible manner;
- (4) To be used in remote areas of the County not appropriate for more intensive development than permitted by the regulation of this District.

It is County's policy to protect forestry and agricultural operations from conflicting land uses. Nothing in this chapter is intended to interfere with normal forestry or agricultural management or practices that might result in conditions such as noise, dust or smoke, visual impacts or odors for temporary periods of time. Existing or proposed non-forest or non-farm uses (i.e., dwellings) within the Forest Land District (F-2) must recognize that the intent of the District is to protect resource management activities and that in the event of conflict between residential uses and normal forestry or agricultural practices, this chapter will be interpreted in favor of resource management practices. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

**10.104-10 Permitted Buildings and Uses.**

The following types of nonresidential buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- (1) The management, growing and harvesting of forest products, including Christmas tree raising;
- (2) Farm uses (see farm use definition, LC 10.020);
- (3) Sale of agricultural products and livestock grown or raised on the premises;
- (4) Accessory buildings and uses customarily provided in conjunction with a farm or forest use;
- (5) Facilities for fixed or rotary-winged and lighter-than-air aircraft, provided such facilities are accessory to the management, growing or harvesting of forest crops;
- (6) Commercial activities in conjunction with a farm use, provided such activities are conducted by the owner or operator of the farm use and do not constitute a separate business or enterprise;
- (7) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions);
- (8) Rock sand, gravel or loam excavation and extraction, provided:

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**Bold** indicates material being added  
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(a) Materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration;  
(b) Total excavation and extraction does not exceed 5,000 cubic yards annually;  
(c) Materials produced are used solely in conjunction with forest or farm use activities.

**(9) Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

#### **10.104-15 Special Uses - Director Approval.**

The following uses subject to approval by the Director pursuant to LC 14.100:

(1) One single-family dwelling or one mobile home per lot in conjunction with uses permitted under LC 10.104-10(1) and (2) above. Such use of the property shall be documented by:

(a) Designation of the property by the County Assessor as receiving either forest or farm tax deferral; or  
(b) A satisfactory or farm management plan that, if implemented, would qualify the property for forest or farm tax deferral; or  
(c) A cooperative or lease agreement with another owner of forest or farmland for management of the subject property.

(2) One single-family dwelling or one mobile home per lot not in conjunction with uses permitted under LC 10.104-10(1) and (2) above or a lot or parcel created for such purpose, provided that:

(a) The addition and location of new structures and improvements, including dwellings, roads, utilities, fences, wells, etc., will not impose limitations upon existing farm or forestry practices in the area;  
(b) The use will not detrimentally affect the farm or forestry operations of the area through increased use of roads, interference with farm or forestry uses or practices or demand for public facilities;

(3) Public and semipublic buildings and structures rendering a direct service to the public in local areas such as fire stations or utility substations--.

**(4) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).** *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83)*

#### **10.104-20 Special Uses - Hearings Official Approval.**

The following uses, and no others, subject to approval by the Hearings Official pursuant to LC 14.300.

(1) The following uses, when such uses are operated as a separate business or enterprise not in conjunction with a farm use in certain locations determined not to be detrimental to the forest or agricultural character of the area and to be of benefit to the community at large, for example, along railroads, major highways or in small population centers:

(a) Hop, nut and fruit dryers.  
(b) Feed mixing and storage facilities.  
(c) Hullers.  
(d) Mint distilleries.  
(e) Seed processing, packing, shipping and storage.  
(f) Plants for the storage, packing or wholesaling of agricultural products produced on the premises.  
(g) Feed lots.  
(h) Temporary and portable sawmills, barkers and chippers.  
(i) Wine processing.

- (d) Shall provide a fire suppression system that includes the following:
  - (i) A pond, stream, tank or sump, with storage of not less than 1,000 gallons or well capable of delivering 20 gallons per minute, provided such well is on an independent power system;
  - (ii) A water pump capable of pumping not less than 20 gallons per minute;
  - (iii) Sufficient water outlets, together with serviceable hose not less than three-quarters inch inside diameter and a nozzle to reach the dwelling and nearby improvements;
  - (iv) The water supply, pump, hose and nozzle shall be maintained as a connected, operating unit ready for immediate use during periods of fire danger.;
  - (e) Shall clearly demonstrate the necessity for siting the residential structure on the property as opposed to other areas not zoned for resource purposes.
- (2) In addition to other applicable requirements set forth in LC Chapter 15 and LM Chapter 15, the following requirements for appropriate access and egress of emergency firefighting equipment shall be observed:
  - (a) Maintenance of a shaded fuel break within dedicated road rights-of-way;
  - (b) Grades and turning radii are within the capabilities of emergency equipment serving that locale;
  - (c) Bridge construction must be adequate to support the gross vehicle weight of emergency equipment serving that locale;
  - (d) Dead-end roads and streets must provide adequate turnarounds.
- (3) When a use is proposed in an area designated as an important or sensitive site or winter range on the Lane County Wildlife Inventory, the Oregon Department of Fish and Wildlife shall be notified and allowed opportunity to comment.
- (4) The proposed use will not alter the stability of the overall land use pattern in the area nor interfere with farm and forest practices and will be compatible with the retention of existing and potential forest uses on the surrounding forest lands considering, among other things, the rating of wildfire potential as set forth in LC 10.104-50 below. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

#### **10.104-30 Setback Requirements.**

- (1) Building setbacks from all property lines, **and** public or private rights-of-way ~~or planned rights-of-way~~ shall be as provided for in LC 15.065 through 15.095.
- (2) All buildings shall be setback 100 feet from ordinary high water of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

#### **10.104-35 Vision Clearance.**

Vision clearance for corner lots shall be a minimum of 15 feet. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 9-83, 4.29.83)*

#### **10.104-40 Area.**

(Also see LC 10.300-20)

- (1) Divisions of land shall be approved upon a finding that the division:
  - (a) Is compatible with forest and farm uses in the area and does not interfere with forest practices as defined and regulated under the Oregon Forest Practices Act or farm use as defined in ORS 215.203.
  - (b) Does not alter the stability of the overall land use pattern in the area.
  - (c) Results in parcels of sufficient size to carry out the intent and purpose of the F-2 District taking into consideration permitted uses, physical

development than permitted by the regulations of this District. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82; 9-83, 4.29.83)*

**10.105-10 Permitted Buildings and Uses.**

In the F-F 20 District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- (1) The following farm uses:
  - (a) General farming, including, but not limited to, the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fibre products.
  - (b) Pastures and grazing.
  - (c) The raising, tending or breeding of cattle, horses, sheep, goats, bees, swine, fowl or furbearing animals; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock yard, slaughter house or animal by-product business.
  - (d) Dairying.
- (2) The management, growing and harvesting of forest products, including Christmas tree raising.
- (3) The following uses, when such uses are operated on the same property as, by the owner or operator of, and customarily provided in conjunction with a use permitted in LC 10.105-10(1) and (2) above, and are not a separate business or enterprise.
  - (a) Hop, nut and fruit driers.
  - (b) Feed mixing and storage facilities.
  - (c) Hullers.
  - (d) Mint distilleries.
  - (e) Seed processing, packing, shipping and storage.
  - (f) Plants for the storage or packing of agricultural products produced on the premises.
  - (g) Wine processing.
  - (h) Temporary and portable sawmills, barkers and chippers.
  - (i) Any other similar processing and allied farm commercial activities approved by the Planning Commission.
- (4) Sale of agricultural products and livestock grown or raised on the premises.
- (5) One single-family dwelling per lot or one mobile home per lot.
- (6) Guest house.
- (7) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.
- (8) Airplane strips and helipads for the private use of owner or operator of the property and private hunting and fishing preserves.
- (9) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (10) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.
- (11) Kennel, provided the following conditions are satisfied:
  - (a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.
  - (b) Where the lot area is less than 20 acres, the maximum number of dogs over four months of age shall be eight.
  - (c) Where lot area is a minimum of 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from an adjoining property.

(d) All dogs shall be owned by the kennel owner, except those temporarily kept for the purposes of breeding.

(12) Family day care facility in a permitted residence.

(13) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been inventoried and designated in the applicable Comprehensive Plan as a historic structure meeting the standards of ORS 358.480.

(14) Residential Home.

(15) Winery, developed only as specifically defined in LC 10.020, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited:

(a) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places;

(b) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 10.300-05(2)(a)(vii).

(16) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead; and operations for the exploration for minerals as defined by ORS 517.750.

(17) Creation of restoration of, or enhancement of wetlands.

**(18) Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** *(Revised by Ordinance No. 13-72, Effective 7.21.72; 17-73, 1.16.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 3-91, 5.17.91)*

### 10.105-15 Conditional Uses.

The following conditional uses, subject to a Conditional Use Permit granted pursuant to the general provisions of this chapter providing for the granting of Conditional Use Permits (LC 10.320).

(1) The following uses, when such uses are operated as a separate business or enterprise not in conjunction with a farm use in certain locations determined not to be detrimental to the agricultural character of the area and to be of benefit to the community at large; for example, along railroads, major highways or in small population centers.

(a) Hop, nut and fruit dryers.

(b) Feed mixing and storage facilities.

(c) Hullers.

(d) Mint distilleries.

(e) Seed processing, packing, shipping and storage.

(f) Plants for the storage, packing or wholesaling of agricultural products produced on the premises.

(g) Feed lots.

(h) Temporary and portable sawmills, barkers and chippers.

(i) Wine processing.

(j) Any other similar activities or other allied farm commercial activities.

(2) Animal hospitals; kennels which do not satisfy the requirements for kennels allowed as a permitted use in LC 10.105-10(11) above.

(3) Churches.

(4) Public and private schools.

(5) Parks, playgrounds and community centers.

(6) Lodges and grange halls.

- (7) Electric transmission facilities transmitting electric current in excess of 75,000 volts in any single cable or line or group of cables or lines.
- (8) Flood control facilities and irrigation projects.
- (9) Radio and TV transmission towers.
- (10) Stables, riding academies and commercial riding; provided such activities are contained on the property authorized for Conditional Use Permits approval.
- (11) Airports, heliports or aircraft landing fields.
- (12) Cemeteries.
- (13) Golf courses.
- (14) Penal farms.
- (15) Radio and TV stations.
- (16) Rock, sand, gravel and loam excavations, extraction of mineral resources, with incidental processing.
- (17) Sanitary landfills.
- (18) Tourist parks.
- (19) Camping vehicle parks.
- (20) Campgrounds.
- (21) Rental facilities for storing boats and recreational vehicles.
- (22) Sewage treatment facilities.
- (23) Other uses not specifically authorized any place in this chapter.
- (24) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (25) Seasonal farm worker housing.
- (26) Room and board arrangements for a maximum of five unrelated persons in an existing dwelling otherwise permitted by this district, and also provided that such a facility will not force a significant change in accepted farm or forest practices on surrounding lands devoted to forest use, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm and forest use.
- (27) Subsurface resource recovery operations as follows:
  - (a) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted by LC 10.105-10(16) above.
  - (b) Mining of aggregate and other mineral and other subsurface resources to an amount exceeding 1,000 total cubic yards of material or excavation preparatory to mining a surface area of more than one acre.
  - (c) Processing, as defined in ORS 517.750, of aggregate into asphalt or portland cement; provided such processing does not take place within two air miles of a vineyard planted at the time the initial processing application is made.
  - (d) Processing of other mineral resource and other subsurface resources.
- (28) **Transportation facilities and uses as specified in LC 10.500-15(14) through (17).** *(Revised by Ordinance No. 13-72, Effective 7.21.72; 17-73, 1.16.74; 6-75, 3.26.75; 9-75, 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78; 5-81, 4.8.81; 3-91, 5.17.91)*

#### **10.105-20 Accessory Dwellings.**

Accessory dwellings are allowed as specified in LC 10.370. *(Revised by Ordinance No. 5-81, Effective 4.8.81)*

#### **10.105-23 Setback Requirements.**

(Also see LC 10.300-15 and LC 15.065-.095.)

- (1) Front yard setback shall be 20 feet.
- (2) Side yard setback shall be as follows:
  - (a) Interior yard -- 15 feet for a main building; five feet for an accessory building or structure.

- (1) Land having soils of Class I, II, III or IV as identified by the US Soil Conservation Service or lands suitable for farm use pursuant to LCDC Goal 3; and
- (2) Land where the predominant activity is commercial agriculture and where application of this District is necessary for the continuation of such activities, and
- (3) Land in an area that is relatively free from non-farm uses; and
- (4) Land in an area where the predominant soils are of the type classified as "prime" or "soils of local importance" by the United States Department of Agriculture Soil Conservation Service. Other surrounded or adjacent lands may also be included in the Important Agricultural Land District where such inclusion is necessary to preserve and protect the integrity of commercial agriculture.

It is County's policy to protect forestry and agricultural operations from conflicting land uses. Nothing in this chapter is intended to interfere with normal forestry or agricultural management or practices that might result in conditions such as noise, dust or smoke, visual impacts or odors for temporary periods of time. Existing or proposed non-forest or non-farm uses (i.e., dwellings) within the Important Agricultural Land District (A-1) must recognize that the intent of the District is to protect resource management activities and that, in the event of conflict between residential uses and normal forestry or agricultural practices, this chapter will be interpreted in favor of resource management practices. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

**10.106-10 Uses.**

Within an A-1 District only the following uses and buildings are permitted pursuant to the review process and criteria as specified in Table I below. The number opposite the proposed use under the column describing the land unit under consideration will indicate the appropriate review process described in LC 10.106-12.

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(1) Farm uses (See "Farm Use" definition.)	(1)	(1)	(1)	(1)	(1)
(2) Accessory buildings customarily provided in conjunction with a use permitted in this District.	(1)	(1)	(1)	(1)	(1)
(3) One single-family dwelling or one mobile home per land unit in conjunction with a farm use as defined in this chapter.	(1)	(2) <sup>9</sup>	(3) <sup>10</sup>	(4) <sup>11</sup>	N/A
(4) One single-family	(1)	(2) <sup>12</sup>	(3) <sup>13</sup>	N/A	N/A

<sup>9</sup> If proposed on a parcel created under the review process specified at LC 10.106-12(2) or LC 10.106-12(3), the structure will be considered as a permitted use and not require approval as a special use.

<sup>10</sup> See #9.

<sup>11</sup> If proposed on a parcel created under the review process specified at LC 10.106-12(9) below, the structure will be considered as a permitted use and not require approval as a special use.

<sup>12</sup> See #9.

<sup>13</sup> See #9.



Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
dwelling or one mobile home per land unit used for persons employed on the premises in conjunction with a farm use.					
(5) Mobile homes in addition to those permitted in (4) above for persons employed on the premises in conjunction with a farm use.	(11)	(11)	(11)	N/A	N/A
(6) One single-family dwelling or one mobile home per land unit not in conjunction with a farm use. Such use shall not be in addition to those permitted under (3), (4) and (5) above or (7) below.	(13)	(13)	(13)	(13)	(13) <sup>14</sup>
(7) One single-family dwelling or one mobile home per land unit occupied by a relative whose assistance on the farm is or will be required by the farm operator.	(1)	(1)	(1)	(1)	N/A
(8) Public and semi-public buildings and structures rendering direct utility service to the public in local areas, such as fire stations, utility substations, electrical transmission facilities transmitting electric current 150,000 volts or less in any single cable or line or group of cables or lines, radio and TV receiving or broadcasting facilities, pump stations and wells, except commercial facilities for the purpose of generating power for public use by sale.	(1)	(1)	(1)	(1)	(1)
(9) Commercial activities that are in conjunction with a farm use.	(4)	(4)	(4)	(4)	(4)
(10) Propagation or harvesting of a forest product.	(1)	(1)	(1)	(1)	(1)
(11) Flood control or irrigation projects and facilities.	(12)	(12)	(12)	(12)	(12)
(12) Rock, sand, gravel or loam extraction and extraction provided:					
(a) Materials produced are for the sole use of the owner or	(4)	(4)	(4)	(4)	N/A

<sup>14</sup> See #11.

Table I

Buildings & Uses

Land Unit  
(See LC 10.100-40)

NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed	Com-	Com-	Special	Special	Non-
	mercial Farm	mercial Farm Unit I	Commer- cial Farm Unit II	Special Farm Unit	Farm Unit
operator and are not offered for sale or remuneration and are used in conjunction with a farm use.					
(b) Total excavation or extraction does not exceed 5,000 cubic yards annually.					
(13) Electrical generation facilities, canals, flumes, pipelines and similar facilities, including electrical transmission facilities transmitting electric current in excess of 150,000 volts in any single cable or line or group of cables or lines.	(12)	(12)	(12)	(12)	(12)
(14) Minor Rural Home Occupations (see LC 10.342-05 through LC 10.342-25) provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices.	(11)	(11)	(11)	(11)	N/A
(15) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment, facilities or buildings necessary for its operation.	(11)	(11)	(11)	(11)	(11)
(16) Land Divisions.	(6)	(7)	(8)	(9)	(10)
(17) Family day care facility in an existing residence or a residence established in accordance with the applicable review processes set forth above.	(1)	(1)	(1)	(1)	(1)
(18) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been inventoried and designated in the applicable Comprehensive Plan as a historic structure meeting the standards of ORS 358.480.					
					Refer to 10.106-10(3) above.
(19) Seasonal farm worker housing.	(11)	(11)	(11)	(11)	N/A

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(20) Residential Home in an existing residence or a residence established in accordance with the applicable review processes set forth above.	(1)	(1)	(1)	(1)	(1)
(21) Winery, developed only as specifically defined in LC 10.020, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited: (a) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places; (b) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 10.300-05(2)(a)(vii).	(1)	(1)	(1)	(1)	N/A
(22) Room and board arrangements for a maximum of five unrelated persons in an existing dwelling otherwise permitted by this district, and also provided that such a facility will not force a significant change in accepted farm or forest practices on surrounding lands devoted to forest use, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm and forest use.	(11)	(11)	(11)	(11)	N/A
(23) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other cust-	(1)	(1)	(1)	(1)	(1)

At right margin indicates changes  
**Bold** indicates material being added  
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 10.106-1210.101-12

Table I

Buildings & Uses

Land Unit  
 (See LC 10.100-40)

NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed

Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
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primary production equipment for an individual well adjacent to the well-head; and operations for the exploration for minerals as defined by ORS 517.750.

(24) Subsurface resource recovery operations as follows:

(a) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted by LC 10.106-10(23) above.

(b) Mining of aggregate and other mineral and other subsurface resources to an amount exceeding 1,000 total cubic yards of material or excavation preparatory to mining a surface area of more than one acre.

(c) Processing, as defined in ORS 517.750, of aggregate into asphalt or portland cement; provided such processing does not take place within two air miles of a vineyard planted at the time the initial processing application is made.

(d) Processing of other mineral resource and other subsurface resources.

(25) Creation of, restoration of, or enhancement of wetlands.

(26) **Transportation facilities and uses as specified in LC 10.500-15(1) through (13).**

(27) **Transportation facilities and uses as specified in LC 10.500-15(14) through (17).**

*(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 3-91, 5.17.91)*

(5)	(5)	(5)	(5)	(5)
(1)	(1)	(1)	(1)	(1)
(1)	(1)	(1)	(1)	(1)
(11)	(11)	(11)	(11)	(11)

**10.106-12 Review Process.**

For uses listed in Table I above, the following review processes are applicable:

- (1) Permitted Use. Review is limited to determination of qualifications.

(b) The division of land by lease or rental for any farm use purpose is permitted and shall not be subject to the provisions of LC Chapter 13. No structure or building may be erected appurtenant to such a division, except those permitted under LC 10.106-10(2).

(c) A division of land may be allowed to create a parcel with an existing historic property inventoried and designated within the applicable Comprehensive Plan and meeting the standards of ORS 358.480, provided the parcel is not larger than the minimum size necessary for the use and if the division would not conflict with the purpose of this zone.

(d) A division of land may be allowed to create a parcel with an existing Residential Home, provided the parcel is not larger than the minimum size necessary for the use and if the division would not conflict with the purpose of this zone. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 3-91, 5.17.91)*

### **10.106-20 Land Units.**

For purposes of using Table I (LC 10.106-10), the following shall apply:

(1) Commercial Farm Unit is a contiguous ownership meeting the area requirements of LC 10.360-10.

(2) Special Commercial Farm Unit I is a contiguous ownership meeting the area requirements set forth in LC 10.106-12(2).

(3) Special Commercial Farm Unit II is a contiguous ownership meeting the requirements set forth in LC 10.106-12(3).

(4) Farm Unit is any contiguous ownership used for farm use as defined by this chapter and not meeting the requirements of LC 10.106-20(1), (2) or (3) above.

(5) Non-farm Unit is any parcel of land not used for farm purposes as defined by this chapter. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82)*

### **10.106-30 Nonconforming Uses and Use of Preexisting Parcels.**

(1) A legally established non-farm use existing at the time zone is applied and is unintentionally destroyed by fire, other casualty or natural disaster may be reestablished to its previous nature and extent, but the reestablishment shall meet all building, plumbing, sanitation, State Building Code and LC Chapter 15, Setback Requirements.

(2) If a preexisting parcel meets the minimum area requirements of this section for a commercial farm parcel, uses may be established as provided in this section.

(3) Except as provided in LC 10.106-30(1) above, if a preexisting parcel does not meet the minimum area requirements of this section for a commercial farm parcel, the parcel is deemed a non-farm lot and any proposed single-family dwelling, mobile home and accessory building shall be deemed a non-farm use. Any other use listed in LC 10.106-10 above may be established in accordance with procedures and criteria in LC 10.106-10. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82)*

### **10.106-40 Setback Requirements.**

(1) Building setbacks from all property lines, ~~and public or private rights-of-way and planned rights-of-way~~ shall be as provided in LC 15.065 through LC 15.095.

(2) All buildings or structures shall be set back 100 feet from ordinary high waterline of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

**AGRICULTURAL LAND DISTRICT (A-2)**

**10.107-05 Purpose.**

The Agricultural Land District (A-2) is to define areas suitable for some agricultural activities, but are not well suited for commercial agriculture due to poorer soil conditions, presence of potentially incompatible land uses, inefficient parcel sizes and configurations or similar constraints. It is adopted as an Exclusive Farm Use District as provided for by ORS 215.203 through ORS 215.263.

The Agricultural Lands District (A-2) is to be applied to lands:

- (1) Having soils of Class I, II, III or IV as identified by the US Soil Conservation Service, or
- (2) Having suitability for farm use; or
- (3) Necessary to permit farm practices on adjacent or nearby lands although having soils other than Class I through IV; and
- (4) Not deemed suitable for designation as Important Agricultural Land (A-1), but otherwise defined as agricultural land by Statewide Goal 3.

It is County's policy to protect forestry and agricultural operations from conflicting land uses. Nothing in this chapter is intended to interfere with normal forestry or agricultural management or practices that might result in conditions such as noise, dust or smoke, visual impacts or odors for temporary periods of time. Existing or proposed non-forest or non-farm uses (i.e., dwellings) within the Agricultural Land District (A-2) must recognize that the intent of the District is to protect resource management activities and that in the event of conflict between residential uses and normal forestry or agricultural practices, this chapter will be interpreted in favor of resource management practices. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82)*

**10.107-10 Uses.**

Within an A-2 District only the following uses and buildings are permitted pursuant to the review process and criteria as specified in Table I below. The number opposite the proposed use under the column describing the land unit under consideration will indicate the appropriate review process described in LC 10.107-12.

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(1) Farm uses (See "Farm Use" definition).	(1)	(1)	(1)	(1)	(1)
(2) Accessory buildings customarily provided in conjunction with a use permitted in this District.	(1)	(1)	(1)	(1)	(1)

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(3) One single-family dwelling or one mobile home per land unit in conjunction with a farm use as defined in this chapter.	(1)	(2) <sup>1</sup>	(3) <sup>2</sup>	(4) <sup>3</sup>	N/A
(4) One single-family dwelling or one mobile home per land unit used for persons employed on the premises in conjunction with a farm use.	(1)	(2) <sup>4</sup>	(3) <sup>5</sup>	N/A	N/A
(5) Mobile homes in addition those permitted in (4) above for persons employed on the premises in conjunction with a farm use.	(11)	(11)	(11)	N/A	N/A
(6) One single-family dwelling or one mobile home per land unit not in conjunction with a farm use. Such use shall not be in addition to those permitted under (3), (4) and (5) above or (7) below.	(13)	(13)	(13)	(13)	(13) <sup>6</sup>
(7) One single-family dwelling or one mobile home per land unit occupied by a relative whose assistance on the farm is or will be required by the farm operator.	(1)	(1)	(1)	(1)	N/A

<sup>1</sup> If proposed on a parcel created under the review process specified at LC 10.107-12(7) or LC 10.107-12(8) below, the structure will be considered as a permitted use and not require approval as a special use.

<sup>2</sup> See #1.

<sup>3</sup> If proposed on a parcel created under the review process specified at LC 10.107-12(9) or LC 10.107-12(10) below, the structure will be considered as a permitted use and not require approval as a special use.

<sup>4</sup> See #1.

<sup>5</sup> See #1.

<sup>6</sup> If proposed on a parcel created under the review process specified at LC 10.107-12(10) below, the structure will be considered as a permitted use and not require approval as a special use.

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(8) Public and semipublic buildings and structures rendering direct utility service to the public in local areas, such as fire stations, utility substations, electrical transmission facilities transmitting electric current 150,000 volts or less in any single cable or line or group of cables or lines, radio and TV receiving or broadcasting facilities, pump stations and wells, except commercial facilities for the purpose of generating power for public use by sale.	(1)	(1)	(1)	(1)	(1)
(9) The keeping of dogs, accessory to a residence, provided the following conditions are satisfied.					
(a) The maximum number of dogs over four months of age shall be eight.					
(b) For more than three dogs over four months of age there shall be at least 5,000 square feet of lot area for each dog on the lot.					
(c) All dogs shall be owned by the property owners, except those temporarily kept for purposes of breeding.	(1)	(1)	(1)	(1)	(1)
(10) Propagation or harvesting of a forest product.	(1)	(1)	(1)	(1)	(1)
(11) Churches.	(1)	(2) <sup>7</sup>	(3) <sup>8</sup>	N/A	(4)
(12) Public and private schools.	(1)	(2)	(3)	N/A	(4)
(13) Operations for the exploration of geothermal resources as defined by ORS 522.005.	(1)	(1)	(1)	(1)	(1)
(14) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005.	(5)	(5)	(5)	(5)	(5)
(15) Commercial activities that are in conjunction with a farm use.	(4)	(4)	(4)	(4)	N/A

<sup>7</sup> See #1.

<sup>8</sup> See #1.



||At right margin indicates changes  
**Bold** indicates material being added  
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**10.107-1010.165-35** Lane Code

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Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(16) Parks, playgrounds or community centers owned and operated by a governmental agency or a nonprofit community organization.	(5)	(5)	(5)	(5)	(5)
(17) Private parks, playgrounds, hunting and fishing preserves, and campgrounds, including facilities for recreational vehicles, but specifically excluding mobile home parks.	(5)	(5)	(5)	(5)	(5)
(18) Flood control or irrigation projects and facilities.	(12)	(12)	(12)	(12)	(12)
(19) Electrical generation facilities, canals, flumes, pipelines and similar facilities, including electrical transmission facilities transmitting electric current in excess of 150,000 volts in any single cable or line of cables or lines.	(12)	(12)	(12)	(12)	(12)
(20) Rock, sand, gravel or loam extraction and extraction provided:					
(a) Materials produced are for the sole purpose of the owner or operator and are not offered for sale or remuneration and are used in conjunction with a farm use.					
(b) Total excavation or extraction does not exceed 5,000 cubic yards annually.	(4)	(4)	(4)	(4)	N/A
(21) Exploration, mining and processing of aggregate or other mineral resources or other subsurface resources which exceed the requirements for a special use as provided for in (19) above.	(5)	(5)	(5)	(5)	(5)
(22) Personal-use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities as defined in ORS 215.213(2)(g).	(12)	(12)	(12)	(12)	(12)
(23) Feed lots.	(5)	(5)	(5)	(5)	(5)

||At right margin indicates changes  
**Bold** indicates material being added  
~~Strikethrough~~ indicates material being deleted  
 10.107-1010.165-35 Lane Code

**LEGISLATIVE  
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 10.107-1010.165-35

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(24) Minor Rural Home Occupations (see LC 10.342-25 through 10.342-25), provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within the accessory buildings that have a primary function of supporting farming practices.	(11)	(11)	(11)	(11)	N/A
(25) Major Rural Home Occupations see (LC 10.342-05 through 10.342-25), provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices.	(12)	(12)	(12)	(12)	N/A
(26) Golf courses.	(12)	(12)	(12)	(12)	(12)
(27) Temporary or portable sawmills, barkers and chippers. Such a use may be approved for a one-year period which is renewable. These facilities are intended for primary processing of a forest product. Forest products means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.	(11)	(11)	(11)	(11)	(11)
(28) Boarding of horses for profit.	(12)	(12)	(12)	(12)	(12)
(29) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment, facilities or buildings necessary for its operation.	(11)	(11)	(11)	(11)	(11)
(30) Land Divisions.	(6)	(7)	(8)	(9)	(10)

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(31) Family day care facility in an existing residence or a residence established in accordance with the applicable review processes set forth above	(1)	(1)	(1)	(1)	(1)
(32) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been inventoried and designated in the applicable Comprehensive Plan as a historic structure meeting the standards of ORS 358.480.			Refer to 10.107-10(3) above.		
(33) Seasonal farm worker housing.	(11)	(11)	(11)	(11)	N/A
(34) Residential Home in an existing residence established in accordance with the applicable review processes set forth above.	(1)	(1)	(1)	(1)	(1)
(35) Winery, developed only as specifically defined in LC 10.020, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited:					
(a) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places;					
(b) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 10.300-05(2)(a)(vii).	(1)	(1)	(1)	(1)	N/A

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(36) Room and board arrangements for a maximum of five unrelated persons in an existing dwelling otherwise permitted by this district, and also provided that such a facility will not force a significant change in accepted farm or forest practices on surrounding lands devoted to forest use, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm and forest use.	(11)	(11)	(11)	(11)	N/A
(37) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead; and operations for the exploration for minerals as defined by ORS 517.750.	(1)	(1)	(1)	(1)	(1)
(38) Subsurface resource recovery operations as follows:					
(i) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted by LC 10.107-10(37) above.					
(ii) Mining of aggregate and other mineral and other subsurface resources to an amount exceeding 1,000 total cubic yards of material or excavation preparatory to mining a surface area of more than one acre.					

Table I

Buildings & Uses	Land Unit (See LC 10.100-40)				
	Com- mercial Farm	Com- mercial Farm Unit I	Special Commer- cial Farm Unit II	Special Farm Unit	Non- Farm Unit
NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed					
(iii) Processing, as defined in ORS 517.750, of aggregate into asphalt or portland cement; provided such processing does not take place within two air miles of a vineyard planted at the time the initial processing application is made.					
(iv) Processing of other mineral resource and other subsurface resources.	(5)	(5)	(5)	(5)	(5)
(39) Creation of, restoration of, or enhancement of wetlands.	(1)	(1)	(1)	(1)	(1)
(40) <b>Transportation facilities and uses as specified in LC 10.500-15(1) through (13).</b>	(1)	(1)	(1)	(1)	(1)
(41) <b>Transportation facilities and uses as specified in LC 10.500-15(14) through (17).</b>	(11)	(11)	(11)	(11)	(11)

*(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 3-91, 5.17.91)*

**10.107-12 Review Process.**

For uses listed in Table I above, the following review processes are applicable:

- (1) Permitted Use. Review is limited to determination of qualifications.
- (2) Special Use.

(a) Subject to approval of the Planning Director pursuant to LC 14.100, and

(b) The subject property is a unit of contiguous ownership less than that specified in LC 10.360-10 but equal to or greater than the median ownership of farm units within the immediate area. Immediate area shall mean the section in which the subject property is located along with the eight surrounding and adjacent sections, excluding such areas as may lie outside the boundaries of Lane County, Oregon. Farm units shall mean any property having a property classification beginning with the digit "5" or ending with the digit "2" or "3" as shown on the latest approved tax roll. Ownerships of less than 10 acres shall not be included in the calculations of the median area.

- (3) Special Use.

(a) Subject to approval of the Planning Director pursuant to LC 14.100, and

(b) The subject property, although smaller in size than other commercial farm units in the immediate area:

(i) Is unique in that the types of products produced, while following accepted farming practice, are not found in the immediate area, and

(ii) Will contribute in a substantial way to the agricultural economy of the County, and

- (vii) Will not cause hazardous conditions.
- (viii) Where the dwelling or mobile home is proposed on land valued at true cash value for farm use under ORS 308.370, evidence has been submitted that the lot or parcel upon which the dwelling or mobile home is proposed has been disqualified for valuation at true cash value for farm use under ORS 308.370.

The above-listed criteria are intended to be consistent with those provided in ORS 215.213(3). *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82; 16-83, 9.14.83)*

#### **10.107-20 Land Division Requirements.**

Land with the Limited Agricultural Land District (A-2) shall be subject to the following provisions in addition to the requirements of LC Chapter 13.

(1) Land divisions shall be effected only by partition as defined by LC 13.010(5). Subdivision of land as defined by LC 13.011(9) is expressly prohibited.

(2) The exclusion of lands subject to the provisions of LC Chapter 13, set for in LC 13.010(1)(d) shall not apply to lands within the Limited Agricultural Land District (A-2).

(3) The division of land within the Limited Agricultural Land District (A-2) by lease or rental for any farm purpose is permitted and shall not be subject to the provisions of LC Chapter 13. No structure or building may be erected appurtenant to such a division, except those permitted under LC 10.107-10(2) above.

(4) A division of land may be allowed to create a parcel with an existing historic property inventoried and designated within the applicable Comprehensive Plan and meeting the standards of ORS 358.480, provided the parcel is not larger than the minimum size necessary for the use and if the division would not conflict with the purpose of this zone.

(5) A division of land may be allowed to create a parcel with an existing Residential Home, provided the parcel is not larger than the minimum size necessary for the use and if the division would not conflict with the purpose of this zone. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 3-91, 5.17.91)*

#### **10.107-30 Land Units.**

For purposes of using Table I (LC 10.107-10), the following shall apply:

(1) Commercial Farm Unit is a contiguous ownership meeting the area requirements of LC 10.360-10.

(2) Special Commercial Farm Unit I is a contiguous ownership meeting the area requirements set forth in LC 10.107-12(2).

(3) Special Commercial Farm Unit II is a contiguous ownership meeting the requirements set for in LC 10.107-12(3).

(4) Farm Unit is any contiguous ownership used for farm use as defined by this chapter and not meeting the requirements of LC 10.107-30(1), (2) or (3) above.

(5) Non-Farm Unit is any parcel of land not used for farm purposes as defined by this chapter. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82)*

#### **10.107-40 Setback Requirements.**

(1) Setbacks from all property lines, **and** public or private rights-of-way ~~and planned rights-of-way~~ shall be as provided in LC 15.065 through 15.095.

(2) All buildings or structures shall be set back 100 feet from ordinary high waterline of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

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### **10.108-10 Permitted Buildings and Uses.**

In the General Rural District, the following types of structures and uses are permitted as described in this section and subject to the general provisions and exceptions set forth in this chapter:

- (1) The following farm uses:
  - (a) General farming, including, but not limited to, the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fibre products.
  - (b) Pastures and grazing.
  - (c) Except as limited by LC 10.108-15(1), the raising, tending or breeding of cattle, horses, sheep, goats or bees for the primary purpose of selling animals or animal products for profit, or for the primary purpose of personal, domestic use; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughterhouse or animal by-product business.
  - (d) The raising, tending, or breeding of swine, fowl or furbearing animals for the primary purpose of personal domestic use. Such use shall include, but not be limited to, the raising of animals for shows, competitions or projects sponsored or directed by a school, club or other social or educational organization.
- (2) The management, growing and harvesting of forest products, including Christmas trees.
- (3) Sale of agricultural products grown or raised on the premises, provided that the sales floor area does not exceed 300 square feet.
- (4) One single-family dwelling or two-family dwelling per lot, or one mobile home per lot.
- (5) Guest houses.
- (6) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.
- (7) Minor Rural Home Occupation. (See LC 10.342)
- (8) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.
- (9) Kennels, provided the following conditions are satisfied:
  - (a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.
  - (b) Where the lot area is 20 acres or less, the maximum number of dogs over four months of age shall be eight.
  - (c) Where lot area exceeds 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from any adjoining property.
  - (d) All dogs shall be owned by the kennel owner except those temporarily kept for purposes of breeding.
- (10) **Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** *(Revised by Ordinance No. 9-75, Effective 7.2.75; 3-76, 4.7.76)*

### **10.108-15 Conditional Uses.**

The following types of buildings and uses may be allowed, subject to the granting of a Conditional Use Permit in accordance with the general provisions of this chapter regarding such permits (LC 10.320), and subject to the general provisions and exceptions set forth in this chapter.

- (1) The following animal husbandry uses where such uses are intended for the primary purpose of selling animals or animal products for profit.
  - (a) Raising, tending or breeding of swine.
  - (b) Raising, tending or breeding of furbearing animals.

- (c) Feed lots.
- (d) Raising, tending or breeding of fowl for meat or egg production.
- (2) The following uses, when such uses constitute a separate business or enterprise not incidental or accessory to a farm use:
  - (a) Hop, nut and fruit driers.
  - (b) Feed mixing and storage facilities.
  - (c) Hullers.
  - (d) Mint distilleries.
  - (e) Seed processing, packing, shipping and storage.
  - (f) Plants for the storage or packing of agricultural products.
  - (g) Temporary and portable sawmills, barkers and chippers.
  - (h) Other similar processing and farm commercial activities.
- (3) Airports, heliports or aircraft landing fields.
- (4) Animal hospitals.
- (5) Campgrounds.
- (6) Camping vehicle parks.
- (7) Cemeteries.
- (8) Churches.
- (9) Correctional institutions.
- (10) Dams, water storage areas, power transmission stations, substations and other similar facilities; electric transmission facilities transmitting electricity in excess of 75,000 volts in any single cable or line or group of cables or lines; canals, flumes and pipelines.
- (11) Day nurseries and kindergartens.
- (12) Flood-control facilities and irrigation projects.
- (13) Golf courses.
- (14) Group care homes.
- (15) Hospitals.
- (16) Hunting and fishing lodges.
- (17) Kennels which do not satisfy the requirements for kennels allowed as a permitted use.
- (18) Lodges and grange halls.
- (19) Major Rural Home Occupations. (See LC 10.342)
- (20) Nursing homes.
- (21) Parks, playgrounds and community centers.
- (22) Penal farms.
- (23) Public and private schools.
- (24) Radio and TV stations.
- (25) Radio and TV transmission towers.
- (26) Rock, sand, gravel and loam excavations, extraction of mineral resources, with incidental processing.
- (27) Sanitariums.
- (28) Solid waste disposal facilities.
- (29) Stables, riding academies and commercial riding.
- (30) Tourist parks.
- (31) Rental facilities for storing boats and recreational vehicles.
- (32) Sewage treatment facilities.
- (33) **Transportation facilities and uses as specified in LC 10.500-15(14) through (17).**
- (334) Other uses not specifically authorized anywhere in this chapter. *(Revised by Ordinance No. 9-75, Effective 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78; 5-81, 4.8.81)*



**10.108-20 Accessory Dwellings.**

Accessory dwellings are allowed as specified in LC 10.370. *(Revised by Ordinance No. 5-81, Effective 4.8.81)*

**10.108-23 Setback Requirements.**

The minimum setback distances for any main or accessory building in a General Rural District shall be those specified in LC 15.065 through 15.095. *(Revised by Ordinance No. 9-75, Effective 7.2.75)*

**10.108-42 Area.**

(Also see LC 10.300-20)

(1) The minimum area for the division of land shall be 10 acres, except that the division of agricultural land by lease or rental for any farm use purpose is permitted, provided however, that no structure or building may be erected appurtenant to such division of land except those permitted under LC 10.108-10(6) above, and except further, division of land for less than 10 acres is permissible for uses permitted under LC 10.108-10(8) above and permitted conditionally in the GR 10 District.

(2) For each accessory dwelling or mobile home unit approved under LC 10.108-20 above, the lot shall contain an average area of five acres per such accessory unit.

(3) A special exception to the minimum area requirements of this section may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements." *(Revised by Ordinance No. 9-75, Effective 7.2.75; 3-76, 4.7.76; 5-81, 4.8.81)*

**10.108-95 Telecommunication Towers.**

Notwithstanding the requirements in LC 10.108-05 through -42 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

**AGRICULTURE, GRAZING, TIMBER RAISING DISTRICT (AGT)**

**10.110-05 Purpose.**

The Agriculture, Grazing, Timber Raising District is intended to provide areas for rural density residential development and continuation of farm uses and timber production where compatible with each other. It is appropriate to be applied to areas which have, by nature of use and land division activity, already begun a transition from rural to urban use, primarily in the outer portions of the rural-urban fringe areas where public facilities and services will be necessary before intensive urbanization should occur, and in rural lands with marginal suitability for agricultural production. *(Revised by Ordinance 13-72, Effective 7.21.72)*

**10.110-10 Permitted Buildings and Uses.**

In the AGT District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter.

(1) The following farm uses:

(a) General farming, including, but not limited to, the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fibre products.

(b) Pastures and grazing.

(c) The raising, tending or breeding of cattle, horses, sheep, goats or bees for the primary purpose of selling animals or animal products for profit, or for the primary purpose of personal, domestic use; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughterhouse or animal by-product business, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.110-42(6) below.

(d) The raising, tending or breeding of swine, fowl or fur-bearing animals for the primary purpose of personal domestic use. Such use shall include, but not be limited to, the raising of animals for shows, competitions or projects sponsored or directed by a school, club or other social or educational organization, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.110-42(6) below.

(2) The management, growing and harvesting of forest products, including Christmas tree raising.

(3) One single-family dwelling or two-family dwelling per lot or one mobile home per lot.

(4) Normal accessories for a mobile home, such as awning, cabana, ramada, patio, carport, garage or storage building, pursuant to an original Mobile Home Use Permit or subsequent permit for only accessories.

(5) Guest house.

(6) Lodges and grange halls.

(7) Public and semipublic buildings and structures essential to the physical and economic welfare of an area, such as, fire stations, substations, pump stations and wells, provided that interior yards shall be a minimum of 25 feet, and no stockpiling or storage of materials shall be allowed.

(8) Sale of agricultural products grown or raised on the premises, provided the sales floor area does not exceed 300 square feet.

(9) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupations provisions).

(10) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.

(11) Kennel, provided the following conditions are satisfied:

(a) The maximum number of dogs over four months of age shall be eight.

(b) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(c) All dogs shall be owned by the occupant of the premises, except those temporarily kept for purpose of breeding.

(12) **Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** (*Revised by Ordinance 13-72, Effective 7.21.72; 9-75, 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78*)

#### **10.110-15 Conditional Uses.**

The following conditional uses, subject to Conditional Use Permit granted pursuant to the general provisions of this chapter providing for the granting of Conditional Use Permits (LC 10.320);

(1) The following animal husbandry uses, where such uses are intended for the purpose of selling animals or animal products for profit:

(a) Raising, tending or breeding of swine.

(b) Raising, tending or breeding of fowl for meat or egg production.

- (c) Dairying.
- (d) Raising, tending or breeding of rabbits.
- (2) The following uses:
  - (a) Hop, nut and fruit driers.
  - (b) Feed mixing and storage facilities.
  - (c) Hullers.
  - (d) Mint distilleries.
  - (e) Seed processing, packing, shipping and storage.
  - (f) Plants for the storage or packing of agricultural products produced on the premises.
  - (g) Temporary and portable sawmills, barkers and chippers.
  - (h) Any other similar processing and allied farm commercial activities.
- (3) Sale of agricultural products raised on the premises where the sales floor area exceeds 300 square feet; the sale of livestock grown and raised on the premises.
- (4) Animal hospitals, kennels which do not satisfy the requirements for kennels allowed as a permitted use.
- (5) Churches.
- (6) Schools.
- (7) Day nurseries.
- (8) Group care homes.
- (9) Hospitals, nursing homes and sanitariums.
- (10) Stables, riding academies and commercial riding; provided such activities are contained on the property authorized for Conditional Use Permit approval.
- (11) Radio and TV transmission towers.
- (12) Stadiums.
- (13) Electric transmission facilities transmitting electric current in excess of 75,000 volts on any single cable or line or group of cables or lines.
- (14) Flood control facilities and irrigation projects.
- (15) Airports, heliports or aircraft landing fields.
- (16) Cemeteries.
- (17) Correctional institutions.
- (18) Sanitary landfills.
- (19) Golf courses.
- (20) Jails.
- (21) Parks, playgrounds and community organizations.
- (22) Penal farms.
- (23) Radio and TV stations.
- (24) Rock, sand, gravel and loam excavations, extraction of mineral resources, with incidental processing.
- (25) Sewage treatment plants.
- (26) Mobile home parks.
- (27) Tourist parks.
- (28) Camping vehicle parks.
- (29) Campgrounds.
- (30) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (31) Rental facilities for storing boats and recreational vehicles.
- (32) Sewage treatment facilities.
- (33) **Transportation facilities and uses as specified in LC 10.500-15(14) through (17).**
- (334) Other uses not specifically authorized any place in this chapter. *(Revised by Ordinance 13-72, 7.21.72; 6-75, 3.26.75; 9-75, 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78; 2-81, 4.10.81; 5-81, 4.8.81)*

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**10.110-90 Site Development Requirements for Subdivision Lots Recorded Prior to September 13, 1969.**

Any lot in a major or minor subdivision plat that was recorded as of September 13, 1969, and which is less than one acre in size shall have the use regulations and the signs, height, area and building setback requirements of LC 10.135, "Suburban Residential District (RA)." (*Revised by Ordinance No. 13-72, Effective 7.21.72, 5-81, 4.8.81*)

**10.110-95 Telecommunication Towers.**

Notwithstanding the requirements in LC 10.110-05 through -90 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. (*Revised by Ordinance No. 4-02, Effective 4.10.02*)

**GENERAL RURAL I DISTRICT (GR-I)**

**10.112-05 Purpose.**

The General Rural I District (GR-I) is intended to define and protect areas suitable for mixed grazing, agriculture, limited timber production, and low-intensity development compatible with the rural environment. It is appropriate for areas with the following characteristics.

(1) The land is not well-suited for full-time commercial agriculture or timber production because of:

(a) Marginal or poor soil conditions, erosion potential, slope, lack of groundwater, or similar physical constraints, or

(b) The presence of potentially incompatible uses or inefficient lot sizes and configurations; and

(2) The area lacks the services and facilities required to support more intensive development, or

(3) Land that is built upon or committed to other use to the degree it is no longer available for resource purposes. (*Revised by Ordinance No. 16-80, Effective 9.27.80*)

**10.112-10 Permitted Buildings and Uses.**

In the GR-I District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

(1) The following farm uses:

(a) General farming, including, but not limited to the growing and raising of trees, Christmas trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fiber products.

(b) Pastures and grazing.

(c) The raising, tending or breeding of cattle, horses, sheep, goats or bees for the primary purpose of selling animals or animal products for profit or personal, domestic use; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughter house or animal by-product business, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.112-40(4) below.

(d) The raising, tending or breeding of swine, fowl or fur-bearing animals for the primary purpose of personal domestic use. Such use shall include, but not be limited to, the raising of animals for shows, competitions or projects sponsored or

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directed by a school, club or other social or educational organization, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.112-40(4) below.

- (2) The management, growing and harvesting of forest products.
- (3) Sale of agricultural products grown or raised on the premises, provided that the sales floor area does not exceed 300 square feet.
- (4) One single-family dwelling per lot or one mobile home per lot.
- (5) Guest houses.
- (6) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.
- (7) Minor Rural Home Occupation. (See LC 10.342)
- (8) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.
- (9) Kennels, provided the following conditions are satisfied:
  - (a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.
  - (b) Where the lot area is 20 acres or less, the maximum number of dogs over four months of age shall be eight.
  - (c) Where lot area exceeds 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from any adjoining property.
  - (d) All dogs shall be owned by the kennel owner, except those temporarily kept for purposes of breeding.
- (10) **Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

#### **10.112-15 Special Uses-Planning Director Approval.**

- (1) The following uses subject to approval by the Planning Director pursuant to LC 14.100:
  - (a) Commercial activities in conjunction with a farm or forest use, provided that such activities are conducted by the owner or operator of the farm or forest use and provided further that they do not constitute a separate business or enterprise.
  - (b) The following animal husbandry uses where such uses are intended for the primary purpose of selling animals or animal products for profit.
    - (i) Raising, tending or breeding of swine.
    - (ii) Raising, tending or breeding of furbearing animals.
  - (c) Raising, tending or breeding of fowl for meat or egg production.
  - (d) Accessory dwellings for persons employed on the premises.
- (2) Special uses shall be approved by the Planning Director unless there is a specific finding the use or activity will result in one of the following:
  - (a) The use will be incompatible with existing uses in the area and with uses permitted in surrounding Zoning District(s).
  - (b) The use is not consistent with the purpose of the GR-1 District.
  - (c) The use will interfere with accepted farming or forestry practices on lands in the surrounding area that are devoted to such use.
  - (d) The use will be adversely affected by known natural hazards, such as floods, slides, erosion.
  - (e) The use will create a hazardous natural condition such as erosion, landslide, flooding. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

**10.112-20 Special Uses-Hearings Official Approval.**

(1) The following uses subject to approval by the Hearings Official pursuant to LC 14.300:

- (a) Animal hospitals.
- (b) Campgrounds, camping vehicle parks, tourist parks.
- (c) Cemeteries.
- (d) Churches.
- (e) Dams, water storage facilities, power generation or transmission facilities, substations and similar facilities; electric transmission facilities transmitting electricity in excess of 150,000 volts in any single cable or line or group of cables or lines; canals, flumes and pipe lines; flood control facilities and irrigation projects.
- (f) Day Care nurseries.
- (g) Golf courses.
- (h) Group care homes.
- (i) Kennels which do not satisfy the requirements for kennels as a permitted use.

- (j) Lodges and grange halls.
- (k) Major Rural Home Occupations.
- (l) Nursing homes.
- (m) Parks, playgrounds and community centers.
- (n) Public and private schools.
- (o) Radio and television transmission facilities.
- (p) Rock, sand, gravel, loam, excavation, extraction of mineral resources with incidental processing.
- (q) Solid waste disposal facilities.
- (r) Stables, riding academies and commercial riding.
- (s) Storage facilities for boats and recreational vehicles.
- (t) Sewage treatment facilities.

**(u) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).**

(uv) Other uses similar to the above and not specifically authorized anywhere in this chapter.

(2) Special uses shall be approved by the Hearings Official unless there is a specific finding that the proposed use or activity will result in one of the following:

(a) Will adversely affect the livability or appropriate development of abutting properties and the surrounding vicinity, taking into consideration, among other things, the anticipated density, bulk and noise level of the use or activity.

(b) Be adversely affected by existing or reasonably anticipated uses and the surrounding vicinity.

(c) Be unduly potentially affected by natural hazards, such as floods, slides or faults.

(d) Result in a substantial adverse effect on existing uses and on the natural resources or scenic character in the general vicinity.

(e) Result in significant undue water or air pollution. In making this determination, at least the following may be considered.

(i) The relation of flood plains.

(ii) The nature of soil and subsoil and their ability to adequately support waste disposal.

(iii) The slope of the land and its effect on effluents.

(iv) The availability of streams approved or capable of being approved for the disposal of treated effluents.

(v) Applicable climatological conditions.

(vi) The applicable water and air regulations.

(f) Not have water of sufficient quantity and quality available for the reasonably foreseeable needs of the subdivision or development.

(g) Cause an unreasonable burden on existing or future community facility systems.

(h) Cause unreasonable soil erosion or reduction in the capacity of the land to hold water which would result in a dangerous, unhealthy or otherwise undesirable condition.

(i) Cause unreasonable road congestion or unsafe conditions with respect to use of existing or proposed roadways.

(j) Place an unreasonable burden on the ability of local governmental agencies to provide public services. (*Revised by Ordinance No. 16-80, Effective 9.27.80; 16-83, 9.14.83*)

#### **10.112-30 Setback Requirements.**

The minimum setback distances for any main or accessory building in the General Rural-1 District shall be those specified in LC 15.065 through LC 15.095. (*Revised by Ordinance No. 16-80, Effective 9.27.80*)

#### **10.112-40 Area.**

(1) The minimum area for the division of land shall be five acres except that a division of land for less than five acres is permissible for uses permitted under LC 10.112-10(8) and uses approved under LC 10.112-20.

(2) For each accessory dwelling or mobile home unit approved conditionally under LC 10.112-15(1)(c) above, the lot shall contain an average area of five acres per such accessory unit.

(3) A special exception to the minimum area requirements of this section may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements."

(4) The following animal use area regulations shall apply on lots of less than five acres:

(a) Cows, horses, sheep, goats or swine cannot be kept on lots having an area of less than one acre. The minimum area for such animals (other than their young under the age of six months) on less than five acres shall be as follows:

Horses	One per acre, plus one additional for every 15,000 square feet.
Cows	One per acre, plus one additional for every 10,000 square feet.
Goat or sheep	Five per acre, plus one additional for every 2,000 square feet.
Swine	One per acre. The area of a property may be utilized one time only for the computation of the above allowable animal usage.

(b) The number of chickens, fowl and/or rabbits (over the age of six months) shall not exceed one for each 500 square feet of property. The number of young chickens, fowl and/or rabbits (under the age of six months) allowed on the property at any time shall not exceed three times the allowable number of chickens, fowl and/or rabbits over the age of six months.

(c) The number of colonies of bees allowed on a lot shall be limited to one colony for each 2,000 square feet of lot area.

(d) Animal runs, stables, barns, corrals of less than one-half acre, chicken or fowl pens and colonies of bees shall not be located closer than 100 feet from any residence on adjacent properties.

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**Bold** indicates material being added  
~~Strikethrough~~ indicates material being deleted

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(e) Animals, chickens and/or fowl shall be appropriately contained, caged or housed and proper sanitation shall be maintained at all times. All animal and poultry food shall be stored so as to be rodent proof. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

#### **10.112-95 Telecommunication Towers.**

Notwithstanding the requirements in LC 10.112-05 through -40 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

### **GENERAL RURAL II DISTRICT (GR-II)**

#### **10.113-05 Purpose.**

The General Rural II District (GR-II) is intended to define and protect areas suitable for mixed grazing, agriculture, limited timber production, and low-intensity development compatible with the rural environment. It is appropriate for areas with the following characteristics:

(1) The land is not well-suited for full-time commercial agriculture or timber production because of:

(a) Marginal or poor soil conditions, erosion potential, slope, lack of groundwater or similar physical constraints, or

(b) The presence of potentially incompatible uses or inefficient lot sizes and configurations.

(2) The area lacks the services and facilities required to support more intensive development.

(3) Areas designated as Rural II by the Comprehensive Plan. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

#### **10.113-10 Permitted Buildings and Uses.**

In the GR-II District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter.

(1) The following farm uses.

(a) General farming, including, but not limited to, the growing and raising of trees, Christmas trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fiber products.

(b) Pastures and grazing.

(c) The raising, tending or breeding of cattle, horses, sheep, goats, bees, swine, fowl or fur-bearing animals; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughter house or animal by-product business.

(d) Dairying.

(2) The management, growing and harvesting of forest products.

(3) Sale of agricultural products grown or raised on the premises, provided that the sales floor area does not exceed 300 square feet.

(4) One single-family dwelling per lot or one mobile home per lot.

(5) Guest houses.

(6) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.



- (7) Minor Rural Home Occupation. (See LC 10.342)
- (8) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.
- (9) Kennels, provided the following conditions are satisfied:
  - (a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.
  - (b) Where the lot area is 20 acres or less, the maximum number of dogs over four months of age shall be eight.
  - (c) Where lot area exceeds 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from any adjoining property.
  - (d) All dogs shall be owned by the kennel owner except those temporarily kept for purposes of breeding.
- (10) Commercial activities in conjunction with a farm or forest use, provided that such activities are conducted by the owner or operator of the farm or forest use and provided further that they do not constitute a separate business or enterprise.
- (11) Rock, sand, gravel or loam excavation or extraction, provided materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration and provided further the total excavation or extraction does not exceed 5,000 cubic yards annually.
- (12) **Transportation facilities and uses as specified in LC 10.500-15(1) through (13).** *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

#### **10.113-15 Special Uses - Planning Director Approval.**

- (1) The following uses subject to approval by the Planning Director pursuant to LC 14.100:
  - (a) Accessory dwellings for persons employed on the premises.
- (2) Special Uses shall be approved by the Planning Director, unless there is a specific finding that use or activity will result in one of the following:
  - (a) The use will be incompatible with existing uses in the area and with uses permitted in surrounding Zoning Districts.
  - (b) The use is not consistent with the purpose of the GR-II District.
  - (c) The use will interfere with accepted farming or forestry practices on lands in the surrounding area that are devoted to such use.
  - (d) The use will be adversely affected by known natural hazards, such as floods, slides, erosion.
  - (e) The use will create a hazardous natural condition such as erosion, landslide, flooding. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

#### **10.113-20 Special Uses - Hearings Official Approval.**

- (1) The following uses subject to approval by the Hearings Official pursuant to LC 14.300:
  - (a) Animal hospitals.
  - (b) Campgrounds, camping vehicle parks, tourist parks.
  - (c) Cemeteries.
  - (d) Churches.
  - (e) Dams, water storage facilities, power generation or transmission facilities, substations and similar facilities; electric transmission facilities transmitting electricity in excess of 150,000 volts in any single cable or line or group of cables or lines; canals, flumes and pipelines; flood control facilities and irrigation projects.
  - (f) Day care nurseries.
  - (g) Golf courses.