

SUMMARY
WILLAMETTE - LONG TOM
SUBAREA PLAN

This Plan was prepared by the Planning Division of LANE COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, George Svoboda, Director. For more information, contact the Planning Division of the Environmental Management Department, 135 East 6th Avenue, Eugene, Oregon 97401, or phone (503) 687-4186.

Introduction

Planning in Lane County has the objectives of identifying and proposing solutions to problems relating to the physical, social and economic character of the County, and guiding the process of change and growth which continually affects the County.

A Plan is public policy which serves as the basis and guide for making decisions relating to land use.

By 1995, Lane County is expected to have a total population of about 350,000 persons, with about 100,000 of these persons living beyond the Eugene-Springfield Metropolitan area in smaller cities, unincorporated communities and the rural areas of the County. The Lane County General Plan is intended to recommend ways of accommodating this population growth while at the same time preserving the unique, natural qualities of the County which make it such a desirable place to live.

Lane County planning is also intended to protect and promote wise use of the County's rich natural resource base: timber, farmland, sand and gravel, and water.

THE COUNTY PLAN

The Lane County General Plan is not the same as the Eugene-Springfield Metropolitan Area 1990 Plan. The County Plan deals with those lands beyond the Eugene-Springfield Metropolitan area. The two separate plans do, however, complement one another at their common boundaries. Where conflicts exist, the County General Plan takes precedence.

The Lane County General Plan also is not a zoning document. Zoning is a separate, detailed regulatory procedure which seeks to implement the broad recommendations of the Plan. The Plan serves as an overall guide to zoning and other development regulations as well as assisting in the planning and programming of other County activities such as the construction of roads and public facilities. The Plan can also assist other public agencies in planning and coordinating their programs with the County. The Lane County General Plan, in its entirety, consists of several separate but related parts:

1. County Goals and Policies - This is a document consisting of general goals and policies for County development beyond the Eugene-Springfield Metropolitan area. The document forms the overall approach to planning in the County.

















2. Subarea Plans - The land area of the County is divided into 12 planning subareas. For each subarea, a detailed study is done which results in a Lane Use Plan document. THIS PAMPHLET IS THE SUMMARY OF ONE OF THOSE 12 SUBAREA PLANS. (The map on the front cover delineates each of the Subareas.)

Legend:

- Agriculture
- Conservation Recreation & Open Space
- Natural Resource: Timber
- Rural Residential
- Rural Woodland & Grazing
- Community Commercial
- Public Facility
- Willamette Greenway Plan Boundary

Map Labels:

- ALVADORE
- CLER LAKE
- GREENHILL
- ROUTE 99
- ROUTE 101
- ROUTE 102
- ROUTE 103
- ROUTE 104
- ROUTE 105
- ROUTE 106
- ROUTE 107
- ROUTE 108
- ROUTE 109
- ROUTE 110
- ROUTE 111
- ROUTE 112
- ROUTE 113
- ROUTE 114
- ROUTE 115
- ROUTE 116
- ROUTE 117
- ROUTE 118
- ROUTE 119
- ROUTE 120
- ROUTE 121
- ROUTE 122
- ROUTE 123
- ROUTE 124
- ROUTE 125
- ROUTE 126
- ROUTE 127
- ROUTE 128
- ROUTE 129
- ROUTE 130
- ROUTE 131
- ROUTE 132
- ROUTE 133
- ROUTE 134
- ROUTE 135
- ROUTE 136
- ROUTE 137
- ROUTE 138
- ROUTE 139
- ROUTE 140
- ROUTE 141
- ROUTE 142
- ROUTE 143
- ROUTE 144
- ROUTE 145
- ROUTE 146
- ROUTE 147
- ROUTE 148
- ROUTE 149
- ROUTE 150
- ROUTE 151
- ROUTE 152
- ROUTE 153
- ROUTE 154
- ROUTE 155
- ROUTE 156
- ROUTE 157
- ROUTE 158
- ROUTE 159
- ROUTE 160
- ROUTE 161
- ROUTE 162
- ROUTE 163
- ROUTE 164
- ROUTE 165
- ROUTE 166
- ROUTE 167
- ROUTE 168
- ROUTE 169
- ROUTE 170
- ROUTE 171
- ROUTE 172
- ROUTE 173
- ROUTE 174
- ROUTE 175
- ROUTE 176
- ROUTE 177
- ROUTE 178
- ROUTE 179
- ROUTE 180
- ROUTE 181
- ROUTE 182
- ROUTE 183
- ROUTE 184
- ROUTE 185
- ROUTE 186
- ROUTE 187
- ROUTE 188
- ROUTE 189
- ROUTE 190
- ROUTE 191
- ROUTE 192
- ROUTE 193
- ROUTE 194
- ROUTE 195
- ROUTE 196
- ROUTE 197
- ROUTE 198
- ROUTE 199
- ROUTE 200
- ROUTE 201
- ROUTE 202
- ROUTE 203
- ROUTE 204
- ROUTE 205
- ROUTE 206
- ROUTE 207
- ROUTE 208
- ROUTE 209
- ROUTE 210
- ROUTE 211
- ROUTE 212
- ROUTE 213
- ROUTE 214
- ROUTE 215
- ROUTE 216
- ROUTE 217
- ROUTE 218
- ROUTE 219
- ROUTE 220
- ROUTE 221
- ROUTE 222
- ROUTE 223
- ROUTE 224
- ROUTE 225
- ROUTE 226
- ROUTE 227
- ROUTE 228
- ROUTE 229
- ROUTE 230
- ROUTE 231
- ROUTE 232
- ROUTE 233
- ROUTE 234
- ROUTE 235
- ROUTE 236
- ROUTE 237
- ROUTE 238
- ROUTE 239
- ROUTE 240
- ROUTE 241
- ROUTE 242
- ROUTE 243
- ROUTE 244
- ROUTE 245
- ROUTE 246
- ROUTE 247
- ROUTE 248
- ROUTE 249
- ROUTE 250
- ROUTE 251
- ROUTE 252
- ROUTE 253
- ROUTE 254
- ROUTE 255
- ROUTE 256
- ROUTE 257
- ROUTE 258
- ROUTE 259
- ROUTE 260
- ROUTE 261
- ROUTE 262
- ROUTE 263
- ROUTE 264
- ROUTE 265
- ROUTE 266
- ROUTE 267
- ROUTE 268
- ROUTE 269
- ROUTE 270
- ROUTE 271
- ROUTE 272
- ROUTE 273
- ROUTE 274
- ROUTE 275
- ROUTE 276
- ROUTE 277
- ROUTE 278
- ROUTE 279
- ROUTE 280
- ROUTE 281
- ROUTE 282
- ROUTE 283
- ROUTE 284
- ROUTE 285
- ROUTE 286
- ROUTE 287
- ROUTE 288
- ROUTE 289
- ROUTE 290
- ROUTE 291
- ROUTE 292
- ROUTE 293
- ROUTE 294
- ROUTE 295
- ROUTE 296
- ROUTE 297
- ROUTE 298
- ROUTE 299
- ROUTE 300
- ROUTE 301
- ROUTE 302
- ROUTE 303
- ROUTE 304
- ROUTE 305
- ROUTE 306
- ROUTE 307
- ROUTE 308
- ROUTE 309
- ROUTE 310
- ROUTE 311
- ROUTE 312
- ROUTE 313
- ROUTE 314
- ROUTE 315
- ROUTE 316
- ROUTE 317
- ROUTE 318
- ROUTE 319
- ROUTE 320
- ROUTE 321
- ROUTE 322
- ROUTE 323
- ROUTE 324
- ROUTE 325
- ROUTE 326
- ROUTE 327
- ROUTE 328
- ROUTE 329
- ROUTE 330
- ROUTE 331
- ROUTE 332
- ROUTE 333
- ROUTE 334
- ROUTE 335
- ROUTE 336
- ROUTE 337
- ROUTE 338
- ROUTE 339
- ROUTE 340
- ROUTE 341
- ROUTE 342
- ROUTE 343
- ROUTE 344
- ROUTE 345
- ROUTE 346
- ROUTE 347
- ROUTE 348
- ROUTE 349
- ROUTE 350
- ROUTE 351
- ROUTE 352
- ROUTE 353
- ROUTE 354
- ROUTE 355
- ROUTE 356
- ROUTE 357
- ROUTE 358
- ROUTE 359
- ROUTE 360
- ROUTE 361
- ROUTE 362
- ROUTE 363
- ROUTE 364
- ROUTE 365
- ROUTE 366
- ROUTE 367
- ROUTE 368
- ROUTE 369
- ROUTE 370
- ROUTE 371
- ROUTE 372
- ROUTE 373
- ROUTE 374
- ROUTE 375
- ROUTE 376
- ROUTE 377
- ROUTE 378
- ROUTE 379
- ROUTE 380
- ROUTE 381
- ROUTE 382
- ROUTE 383
- ROUTE 384
- ROUTE 385
- ROUTE 386
- ROUTE 387
- ROUTE 388
- ROUTE 389
- ROUTE 390
- ROUTE 391
- ROUTE 392
- ROUTE 393
- ROUTE 394
- ROUTE 395
- ROUTE 396
- ROUTE 397
- ROUTE 398
- ROUTE 399
- ROUTE 400
- ROUTE 401
- ROUTE 402
- ROUTE 403
- ROUTE 404
- ROUTE 405
- ROUTE 406
- ROUTE 407
- ROUTE 408
- ROUTE 409
- ROUTE 410
- ROUTE 411
- ROUTE 412
- ROUTE 413
- ROUTE 414
- ROUTE 415
- ROUTE 416
- ROUTE 417
- ROUTE 418
- ROUTE 419
- ROUTE 420
- ROUTE 421
- ROUTE 422
- ROUTE 423
- ROUTE 424
- ROUTE 425
- ROUTE 426
- ROUTE 427
- ROUTE 428
- ROUTE 429
- ROUTE 430
- ROUTE 431
- ROUTE 432
- ROUTE 433
- ROUTE 434
- ROUTE 435
- ROUTE 436
- ROUTE 437
- ROUTE 438
- ROUTE 439
- ROUTE 440
- ROUTE 441
- ROUTE 442
- ROUTE 443
- ROUTE 444
- ROUTE 445
- ROUTE 446
- ROUTE 447
- ROUTE 448
- ROUTE 449
- ROUTE 450
- ROUTE 451
- ROUTE 452
- ROUTE 453
- ROUTE 454
- ROUTE

	Agriculture	
	Conservation Recreation & Open Space	
	Natural Resource: Timber	
	Rural Residential	
	Rural Woodland & Grazing	
	Community Commercial	
	Public Facility	
	Willamette Greenway Plan Boundary	

SOURCE: LAKE COUNTY DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT AND LAKE COUNCIL OF GOVERNMENTS

Attachment 5

James A. Mann LLC Report
Map 17-04-16 Tax lot 100

88 622

FILED
AT O'CLOCK

MAY 13 1977

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, OREGON

SEALED BY
JULIA J. ANDERSON

Julia J. Anderson

LAKE COUNTY ZONING AND LAND USE
ORDINANCE NO. 613

) IN THE MATTER OF ZONING AND REZONING
) CERTAIN LANDS IN PORTIONS OF TOWNSHIP
) 15 SOUTH, RANGES 4 AND 5 WEST; TOWNSHIP
) 16 SOUTH, RANGES 3, 4 AND 5 WEST;
) TOWNSHIP 17 SOUTH, RANGES 3, 4 AND 5
) WEST; W.M.

After consideration and review of all Lake County Planning Division Staff Reports, Minutes of the Lake County Planning Commission and Board of County Commissioners, and written testimony and correspondence relating to the zoning and rezoning of the lands zoned by this Ordinance, the Board of County Commissioners of Lake County ordains as follows:

Under authority of the applicable sections of ORS Chapter 215 and Lake Code Chapters 10 and 12, the lands depicted on the Temporary Official Zoning Maps, copies of which are attached hereto as Exhibits "A", "B", "C", "D", "E", "F", "G", "H", and "I", made a part hereof by reference are hereby zoned as set forth on said exhibits, said zoning encompassing in whole or in part Ranges 4 and 5 West, Township 15 South, Ranges 3, 4 and 5 West, Township 16 South, Ranges 3, 4 and 5 West, Township 17 South, in various combinations of the following zoning categories: Exclusive Farm Use-20 (EFU-20) District; Farm Forestry-20 (FF-20) District; General Rural-10 (GR-10) District; Agriculture, Grazing, Timber-Raising (AGT-5) District; Rural Residential-5 (RR-5) District; Rural Residential-2 (RR-2) District; Rural Commercial (CA) District; Neighborhood Commercial (C-2) District; Commercial (C-3) District; Tourist Commercial (CT) District; Light Industrial (M-2) District; Heavy Industrial (H-3) District; Farm Forestry-20/Interim Agriculture (FF-20/IA) District; and Public Reserve (PR) District. The original Temporary Official Zoning Maps are on file in the Planning Division Office.

Enacted this 27 day of April, 1977.

APPROVED AS TO FORM
DATE 5/11/77
[Signature]
OFFICE OF LEGAL COUNSEL

Archie Winton
Chairman, Lake County Board of Commissioners

Julia J. Anderson
Recording Secretary for this Meeting of Board

After public hearing this 8th day of March, 1977, the rezoning and zoning cited in the hereinabove ordinance was approved by the Lake County Planning Commission and is recommended for enactment.

Lu Miller
Secretary, Lake County Planning Comm.

Ordinance No. 613

Commission and is recommended for enactment.

Lu Miller
Secretary, Lane County Planning Commission

Ordinance No. 632

For Pages 623 thru 631, See Supplemental Book #2

Change of Ownership

MECL 88 MECL 632

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

MAY 19 1977

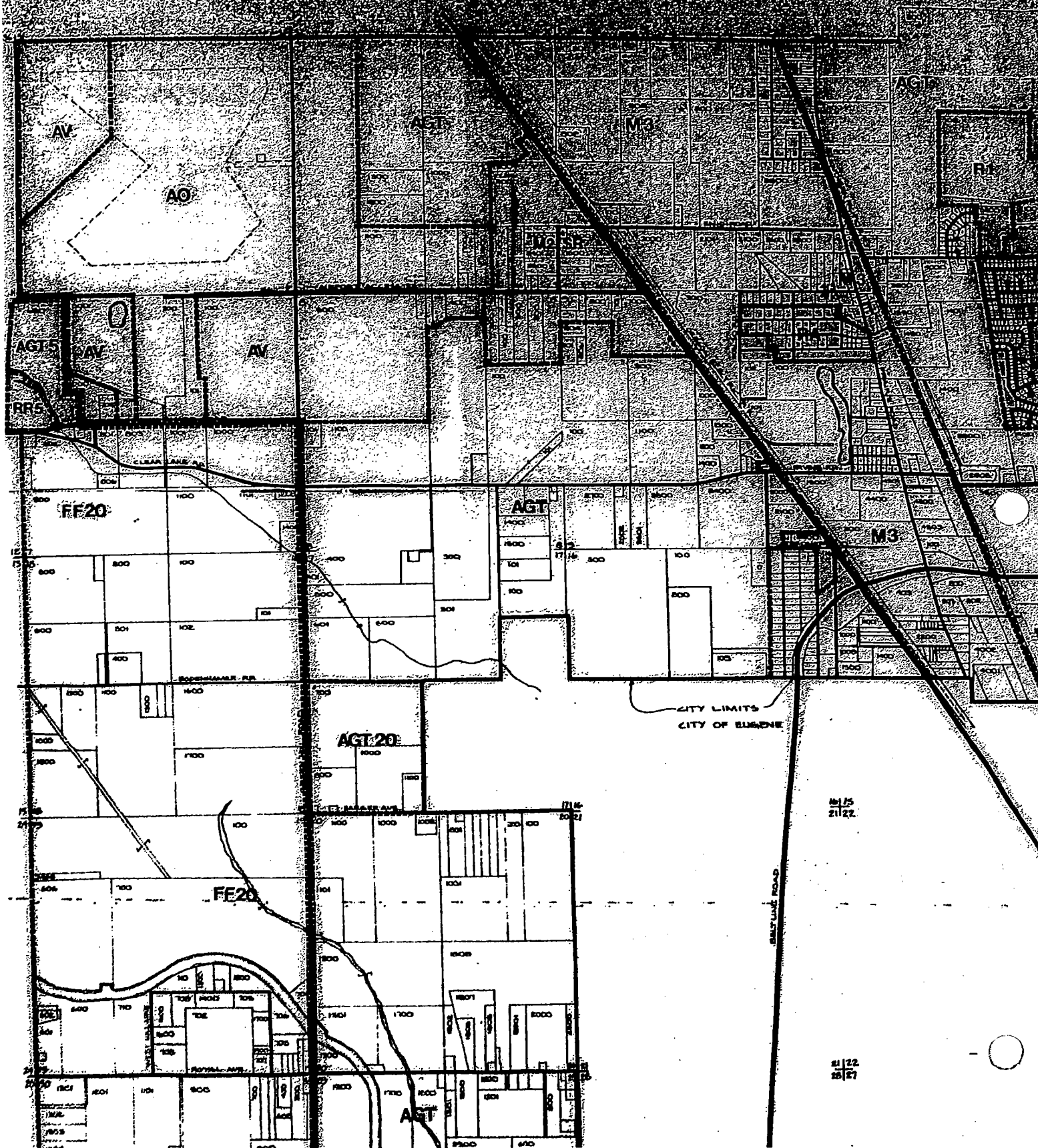
ORDER

77-5-18-13

WHEREAS, the application of Robert L. Bomark and Virginia L. Bomark,

D.B.A. The Ballon House Tavern

for a Change of Ownership Liquor License



(J)

ZC 79-11.

(K)

M-3 TO FF20, 217-035, ORD #613, APR. 27, 1977,
(SUBAREA ZONING E 1/2 OF WILL-LONGTOM.)

(L)

A6T 20 TO GR 10, ORD. # 705, MAR. 4, 1980
ZC 79-451

(M)

A6T 5 TO M-2, ORD. # 701, MAR. 12, 1980
ZC 79-397

(N)

EVERYTHING WEST OF DOUBLE-TAPE
REZONED UNDER ORDINANCE #840,
AUGUST 29, 1980

(O)

SEE RIVER ROAD SANTA CLARA
MAPS # L-3 FOR ZONING

(P)

REZONED AUG. 13, 1982, UNDER METRO
REZONE - ZC 82-51.

(Q)

A6T 5 TO M2/SR, PC 80-9-30-2, OCT. 12, 1980,
17-04-07 # 2300, ZC 80-240.

(R)

NOTE: AREA WEST OF DOUBLE TAPE LINE IS THE
WILLAMETTE-LONGTOM SUBAREA ZONING, ORD. #613

LANE COUNTY ZONING MAP

(FOR MAP STATUS SEE LANE CODE CHAPTER 10)

TOWNSHIP 17 SOUTH. RANGE 04

WM

ORDINANCE NO 613

ADOPTED THIS DAY OF :97

Archie Weinstem

CHAIRMAN LANE COUNTY BOARD OF COMMISSIONERS

Julia J. Anderson

RECORDING SECRETARY

ORD. #613
(4/27/77)
EXHIBIT C

Attachment 6A

James A. Mann LLC Report
Map 17-04-16 Tax lot 100

ZONING ORDINANCE

LANE COUNTY OREGON

AUGUST 1977

Lane Code

Chapter 10

Z O N I N G

N O T I C E

These provisions excerpted from a
copy of the Lane Code updated to
August 12, 1977.
have been provided for your con-
venience only. Care should be
taken to insure that provisions
cited or relied upon are up to
date.

Lane Code

Chapter 10

Z O N I N G

Contents

GENERALLY

10.005	Authority
10.010	Title
10.015	Purpose
10.020	Definitions
10.025	General Provisions

DISTRICTS

10.095	Districts
10.100	Exclusive Farm Use 20 District (EFU 20)
10.101	Natural Resource District (NR)
10.102	Forest Management District (FM)
10.105	Farm-Forestry 20 District (F-F 20)
10.108	General Rural District (FR 10)
10.110	Agriculture, Grazing, Timber Raising District (AGT)
10.115	Recreational Combining District (/R)
10.120	Interim Agriculture Combining District (/IA)
10.125	Public Reserve District (PR)
10.130	Rural Residential District (RR)
10.135	Suburban Residential District (RA)
10.140	Single-Family Residential District (R-1)
10.145	Garden Apartment Residential District (RG)
10.150	Residential-Professional District (RP)
10.154	Rural Commercial District (CA)
10.155	Limited Commercial District (C-1)
10.160	Neighborhood Commercial District (C-2)
10.165	Commercial District (C-3)
10.166	Tourist Commercial District (CT)
10.170	Limited Industrial District (M-1)
10.175	Light Industrial District (M-2)
10.180	Heavy Industrial District (M-3)
10.185	Mobile Home District (MH)
10.190	Mobile Home Parks
10.200	Airport Operations District (AO)
10.201	Airport Vicinity District (AV)
10.205	Sand, Gravel & Gravel Rock Products District (S-G)
10.210	Sand, Gravel & Rock Products-- Controlled Processing District (SG/CP)
10.700	Planned Unit Development (PUD)

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:

		<u>Section</u>
EFU 20	EXCLUSIVE FARM USE 20 DISTRICT-----	10.100
NR	NATURAL RESOURCE DISTRICT-----	10.101
FM	FOREST MANAGEMENT DISTRICT-----	10.102
F-F 20	FARM-FORESTRY 20 DISTRICT-----	10.105
GR 10	GENERAL RURAL DISTRICT-----	10.108
AGT	AGRICULTURE, GRAZING, TIMBER-RAISING DISTRICT--	10.110
/R	RECREATIONAL DISTRICT-----	10.115
/IA	INTERIM AGRICULTURE COMBINING LISTRCT-----	10.120
PR	PUBLIC RESERVE DISTRICT-----	10.125
RR	RURAL RESIDENTIAL DISTRICT-----	10.130
RA	SUBURBAN RESIDENTIAL DISTRICT-----	10.135
R-1	SINGLE-FAMILY RESIDENTIAL DISTRICT-----	10.140
RG	GARDEN APARTMENT RESIDENTIAL DISTRICT-----	10.145
RP	RESIDENTIAL-PROFESSIONAL DISTRICT-----	10.150
CA	RURAL COMMERCIAL DISTRICT-----	10.154
C-1	LIMITED COMMERCIAL DISTRICT-----	10.155
C-2	NEIGHBORHOOD COMMERCIAL DISTRICT-----	10.160
C-3	COMMERCIAL DISTRICT-----	10.165
CT	TOURIST COMMERCIAL DISTRICT-----	10.166
M-1	LIMITED INDUSTRIAL DISTRICT-----	10.170
M-2	LIGHT INDUSTRIAL DISTRICT-----	10.175
M-3	HEAVY INDUSTRIAL DISTRICT-----	10.180
MH	MOBILE HOME DISTRICT-----	10.185
MHP	MOBILE HOME PARKS-----	10.190
AO	AIRPORT OPERATIONS DISTRICT-----	10.200
AV	AIRPORT VICINITY DISTRICT-----	10.201
SG	SAND, GRAVEL & ROCK PRODUCTS DISTRICT-----	10.205
SG/CP	SAND, GRAVEL & ROCK PRODUCTS - CONTROLLED PROCESSING DISTRICT-----	10.210
PUD	PLANNED UNIT DEVELOPMENT SUB-DISTRICT-----	10.700

15-72; 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

AGRICULTURE, GRAZING, TIMBER RAISING DISTRICT (AGT)

-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.

-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, 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 10.110-42(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.

ACT

10.110-10(5)

Lane Code

10.110-15(2)

- (5) Guest house.
- (6) Parks, playgrounds, and community centers owned and operated by a governmental agency.
- (7) Lodges and grange halls.
- (8) 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.
- (9) Sale of agricultural products grown or raised on the premises, provided the sales floor area does not exceed 300 square feet.
- (10) Minor rural home occupations (see LC 10.342 for Rural Home Occupation provisions).
- (11) Accessory buildings and uses customarily provided in conjunction with a use permitted in this district.
- (12) 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 purposes of breeding.

-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 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 rproduction.
 - (c) Dairying.
- (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.

13-72; 7.21.72

9-75; 7.2.75

3-76; 4.7.76

(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 live-stock 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) Accessory dwellings for persons employed on the premises.

(16) Airports, heliports, or aircraft landing fields.

(17) Cemeteries.

(18) Correctional institutions.

(19) Sanitary landfills.

(20) Golf courses.

(21) Jails.

(22) Penal farms.

(23) Radio and TV stations.

(24) Rock, sand, gravel, and loam excavations and 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) Other uses not specifically authorized any place in this Chapter.

13-72; 7.21.72

6-75; 3.26.75

9-75; 7.2.75

3-76; 4.7.76

AGT

10.110-23(1)

Lane Code

10.110-42(2)

- 23. Setback Requirements. (Also see LC 10.300-15 and 15.065 - .095).
(1) Front yard setback shall be 20 feet.
(2) Side yard setback shall be as follows:
(a) Interior yard -- 10 feet for a main building;
five feet for an accessory building or structure.

- 28. Vision Clearance. Vision clearance for corner lots shall be a minimum of 15 feet.

- 35. Off-Street Parking. There shall be at least one permanently reserved parking space, or private garage, on the same lot, or attached to or made a part of the main building. Such parking space shall be not less than eight feet wide and 18 feet long. The parking space or garage shall be provided at the time of the erection of the main building, and it shall have adequate 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 (1c 10.300-05).

- 42. Area. (Also see LC 10.300-20).
(1) Any property zoned AGT after May 14, 1971, shall be designated AGT-5, and the minimum area for division of land for any property so designated shall be five acres; except:

(a) 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 10.110-10(11) above. A special exception to the minimum area requirement for 20 acres may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements".

(b) Division of land for less than five acres is permissible for uses permitted under LC 10.110-10(7) and (8) above and permitted conditionally in the AGT District except under 10.110-15(15) above.

- (2) The minimum area for the division of land for any property zoned AGT prior to May 15, 1971, shall be based upon the Land Capability Classification System of the Soil Conservation Service, U. S. Department of Agriculture:

13-72; 7.21.72

13-74; 1.10.75

6-75; 3.26.75

8-75; 4.23.75

9-75; 7.2.75

3-76; 4.7.76

AGT

10.110-42(2)

Lane Code

10.110-42(3)

095).

- (a) Twenty acres for management units of Class I, IIs, IIw, IIe, IIIel, IIIs, IIIw and IWw.
- (b) Five acres for all other management units.
- (c) Notwithstanding (a) and (b) above:
 - (i) 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 10.110-10(11).
 - (ii) The division of land for less than the required minimum is permissible for uses permitted under LC 10.110-10(7) and (8) and permitted conditionally in AGT District except under LC 10.110-15(15).
- (d) Where any proposed lot has management units described in both subsections (a) and (b) above, the subsection to be applied shall be the one which includes more than 50 percent of the total area of the proposed lot.

- (3) For each accessory dwelling or mobile home unit approved conditionally under LC 10.110-15(15), except for farm labor camps, the lot shall contain a minimum average of five acres per such accessory unit.

(Turn to Next Page)

10.110-42(4)

Lane Code

(4) A single-family dwelling or mobile home only may be established on any lot separately owned as of September 13, 1969, which does not conform to the area requirements provided in LC 10.110-42(1) and (2) above.

(5) The main building and accessory buildings located on any one building site or lot shall not cover in excess of 30 percent of the lot area.

(6) 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.

Cow-----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 be located on the rear half of the property, but not closer than 70 feet from the front property line and no closer than 40 feet from any residence or other property line.

13-72; 7.21.72

15-72; 9.8.72

3-76; 4.7.76

AGT

10.110-42

Lane Code

10.110-90

Animals, chickens, and/or fowl shall be properly 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.

When an AGT District is reclassified to another district, all those animal uses in this paragraph (6) shall be required to comply with the requirements of said other district for such uses within a period of six (6) months from the date of reclassification. [10.110-42(6) to here added by 15-72;9.8.72.]

-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 (1) acre in size shall have the Use regulations and the Signs, Height, Area, and Building Setback requirements of Section 10.135, Suburban Residential District (RA).

13-72;7.21.72
15-72;9.8.72

Attachment 6B

James A. Mann LLC Report
Map 17-04-16 Tax lot 100

ZONING ORDINANCE

LANE COUNTY OREGON

April 1979

Lane Code

Chapter 10

Z O N I N G

N O T I C E

These provisions excerpted from a
copy of the Lane Code updated to
April, 1979

have been provided for your convenience only. Care should be taken to insure that provisions cited or relied upon are up to date.

Lane Code

Chapter 10

Z O N I N G

Contents

GENERALLY

10.005	Authority
10.010	Title
10.015	Purpose
10.020	Definitions
10.025	General Provisions

DISTRICTS

10.095	Districts
10.100	Exclusive Farm Use 20 District (EFU 20)
10.101	Natural Resource District (NR)
10.102	Forest Management District (FM)
10.105	Farm-Forestry 20 District (F-F 20)
10.108	General Rural District (FR 10)
10.110	Agriculture, Grazing, Timber Raising District (AGT)
10.115	Recreational Combining District (/R)
10.120	Interim Agriculture Combining District (/IA)
10.125	Public Reserve District (PR)
10.130	Rural Residential District (RR)
10.135	Suburban Residential District (RA)
10.140	Single-Family Residential District (R-1)
10.145	Garden Apartment Residential District (RG)
10.150	Residential-Professional District (RP)
10.154	Rural Commercial District (CA)
10.155	Limited Commercial District (C-1)
10.160	Neighborhood Commercial District (C-2)
10.165	Commercial District (C-3)
10.166	Tourist Commercial District (CT)
10.170	Limited Industrial District (M-1)
10.175	Light Industrial District (M-2)
10.180	Heavy Industrial District (M-3)
10.185	Mobile Home District (MH)
10.190	Mobile Home Parks
10.200	Airport Operations District (AO)
10.201	Airport Vicinity District (AV)
10.205	Sand, Gravel & Gravel Rock Products District (S-G)
10.210	Sand, Gravel & Rock Products-- Controlled Processing District (SG/CP)
10.220	Quarry and Mine Operations Combining District (/QM)
10.700	Planned Unit Development (PUD)

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:

		<u>Section</u>
EFU 20	EXCLUSIVE FARM USE 20 DISTRICT-----	10.100
NR	NATURAL RESOURCE DISTRICT-----	10.101
FM	FOREST MANAGEMENT DISTRICT-----	10.102
F-F 20	FARM-FORESTRY 20 DISTRICT-----	10.105
GR 10	GENERAL RURAL DISTRICT-----	10.108
AGT	AGRICULTURE, GRAZING, TIMBER-RAISING DISTRICT--	10.110
/R	RECREATIONAL DISTRICT-----	10.115
/IA	INTERIM AGRICULTURE COMBINING DISTRICT-----	10.120
PR	PUBLIC RESERVE DISTRICT-----	10.125
RR	RURAL RESIDENTIAL DISTRICT-----	10.130
RA	SUBURBAN RESIDENTIAL DISTRICT-----	10.135
R-1	SINGLE-FAMILY RESIDENTIAL DISTRICT-----	10.140
RG	GARDEN APARTMENT RESIDENTIAL DISTRICT-----	10.145
RP	RESIDENTIAL-PROFESSIONAL DISTRICT-----	10.150
CA	RURAL COMMERCIAL DISTRICT-----	10.154
C-1	LIMITED COMMERCIAL DISTRICT-----	10.155
C-2	NEIGHBORHOOD COMMERCIAL DISTRICT-----	10.160
C-3	COMMERCIAL DISTRICT-----	10.165
CT	TOURIST COMMERCIAL DISTRICT-----	10.166
M-1	LIMITED INDUSTRIAL DISTRICT-----	10.170
M-2	LIGHT INDUSTRIAL DISTRICT-----	10.175
M-3	HEAVY INDUSTRIAL DISTRICT-----	10.180
MH	MOBILE HOME DISTRICT-----	10.185
MHP	MOBILE HOME PARKS-----	10.190
AO	AIRPORT OPERATIONS DISTRICT-----	10.200
AV	AIRPORT VICINITY DISTRICT-----	10.201
SG	SAND, GRAVEL & ROCK PRODUCTS DISTRICT-----	10.205
SG/CP	SAND, GRAVEL & ROCK PRODUCTS - CONTROLLED PROCESSING DISTRICT-----	10.210
PUD	PLANNED UNIT DEVELOPMENT SUB-DISTRICT-----	10.700

15-72; 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

AGRICULTURE, GRAZING, TIMBER RAISING DISTRICT (AGT)

-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.

-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, 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 10.110-42(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 Occupation 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 purposes of breeding.

-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 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.

(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.

13-72; 7.21.72

9-75; 7.2.75

3-76; 4.7.76

11-78; 8.11.78

- (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 live-stock 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) Accessory dwellings for persons employed on the premises.
- (16) Airports, heliports, or aircraft landing fields.
- (17) Cemeteries.
- (18) Correctional institutions.
- (19) Sanitary landfills.
- (20) Golf courses.
- (21) Jails.
- (22) Parks, playgrounds and community organizations.
- (23) Penal farms.
- (24) Radio and TV stations.
- (25) Rock, sand, gravel, and loam excavations and extraction of mineral resources, with incidental processing.
- (26) Sewage treatment plants.
- (27) Mobile home parks.
- (28) Tourist parks.
- (29) Camping vehicle parks.
- (30) Campgrounds.
- (31) Major rural home occupations (see LC 10.342 for Rural Home Occupation provisions).
- (32) Rental facilities for storing boats and recreational vehicles.
- (33) Sewage treatment facilities.
- (34) Other uses not specifically authorized any place in this Chapter.

13-72; 7.21.72

6-75; 3.26.75

9-75; 7.2.75

2-76. 4.7.76

- 23. Setback Requirements. (Also see LC 10.300-15 and 15.065 - .095).
 (1) Front yard setback shall be 20 feet.
 (2) Side yard setback shall be as follows:
 (a) Interior yard -- 10 feet for a main building;
 five feet for an accessory building or structure.
- 28. Vision Clearance. Vision clearance for corner lots shall be a minimum of 15 feet.
- 35. Off-Street Parking. There shall be at least one permanently reserved parking space, or private garage, on the same lot, or attached to or made a part of the main building. Such parking space shall be not less than eight feet wide and 18 feet long. The parking space or garage shall be provided at the time of the erection of the main building, and it shall have adequate 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).
- 42. Area. (Also see LC 10.300-20).
 (1) Any property zoned AGT after May 14, 1971, shall be designated AGT-5, and the minimum area for division of land for any property so designated shall be five acres; except:
 (a) 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 10.110-10(11) above. A special exception to the minimum area requirement for 20 acres may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements".
 (b) Division of land for less than five acres is permissible for uses permitted under LC 10.110-10(7) and (8) above and permitted conditionally in the AGT District except under 10.110-15(15) above.
 (2) The minimum area for the division of land for any property zoned AGT prior to May 15, 1971, shall be based upon the Land Capability Classification System of the Soil Conservation Service, U. S. Department of Agriculture:

13-72; 7.21.72

13-74; 1.10.75

6-75; 3.26.75

8-75; 4.23.75

9-75; 7.2.75

3-76; 4.7.76

ACT

10.110-42(2)

Lane Code

10.110-42(3)

- (a) Twenty acres for management units of Class I, IIs, IIw, IIe, IIIel, IIIs, IIIw and IVw.
 - (b) Five acres for all other management units.
 - (c) Notwithstanding (a) and (b) above:
 - (i) 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 10.110-10(11).
 - (ii) The division of land for less than the required minimum is permissible for uses permitted under LC 10.110-10(7) and (8) and permitted conditionally in AGT District except under LC 10.110-15(15).
 - (d) Where any proposed lot has management units described in both subsections (a) and (b) above, the subsection to be applied shall be the one which includes more than 50 percent of the total area of the proposed lot.
- (3) For each accessory dwelling or mobile home unit approved conditionally under LC 10.110-15(15), except for farm labor camps, the lot shall contain a minimum average of five acres per such accessory unit.

(Turn to Next Page)

(4) A single-family dwelling or mobile home only may be established on any lot separately owned as of September 13, 1969, which does not conform to the area requirements provided in LC 10.110-42(1) and (2) above.

(5) The main building and accessory buildings located on any one building site or lot shall not cover in excess of 30 percent of the lot area.

(6) 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.

Cow-----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 be located on the rear half of the property, but not closer than 70 feet from the front property line and no closer than 40 feet from any residence or other property line.

13-72; 7.21.72

15-72; 9.8.72

3-76; 4.7.76

Animals, chickens, and/or fowl shall be properly 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.

When an AGT District is reclassified to another district, all those animal uses in this paragraph (6) shall be required to comply with the requirements of said other district for such uses within a period of six (6) months from the date of reclassification. [10.110-42(6) to here added by 15-72;9.8.72.]

-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 (1) acre in size shall have the Use regulations and the Signs, Height, Area, and Building Setback requirements of Section 10.135, Suburban Residential District (RA).

Attachment 6C

James A. Mann LLC Report
Map 17-04-16 Tax lot 100



LAND

LAND

DIVISIONS

Lane County Oregon

Oct. 1976

Lane Code

Chapter 13

L A N D D I V I S I O N S

N O T I C E

THESE PROVISIONS EXCERPTED FROM A COPY OF
THE LANE CODE UPDATED TO OCTOBER, 1978
HAVE BEEN PROVIDED FOR YOUR CONVENIENCE
ONLY. CARE SHOULD BE TAKEN TO ENSURE THAT
PROVISIONS CITED OR RELIED UPON ARE UP TO
DATE.

LANE CODE

CHAPTER 13

L A N D D I V I S I O N S

CONTENTS

GENERAL PROVISIONS, DEFINITIONS, ENFORCEMENT

13.005	General Purpose
13.010	Definition - Subdivision and Partition
13.015	Classification of Divisions
13.020	Definitions - General
13.025	Approval of Partitions and Subdivisions Required
13.030	Interrelationship with Other County Codes, Orders and Policies
13.040	Notice of Violation

DESIGN AND DEVELOPMENT STANDARDS

13.050	Design and Development Standards - General
13.055	Roads
13.060	Utility and Watercourse Easements
13.065	Pedestrian and Bicycle Ways
13.070	Parcels and Lots
13.075	Sewerage Facilities
13.080	Water Supply
13.085	Dangerous Areas
13.090	Grading, Excavation, and Clearing
13.095	Land for Public Purpose
13.100	Preparation, Survey and Monumentation of Divisions
13.105	Plan, Map, and Plat Specifications

CONTENTS, continued

REVIEW COMMITTEE

- 13.110 Land Development Review Committee

APPLICATIONS

- 13.120 Application and Fees for Partitions and Subdivisions

PARTITION PROCEDURE

- 13.125 Minor Partition Procedure
13.130 Major Partition Tentative Plan Procedure
13.135 Major Partition Map Procedure

SUBDIVISION PROCEDURE

- 13.140 Subdivision Tentative Plan Procedure
13.145 Subdivision Plat Procedure

MODIFICATIONS, APPEALS AND PENALTIES

- 13.150 Modification of Standards and Requirements
13.155 Appeal to, and Hearings by, the Board of Commissioners
13.995 Penalties

APPENDICES

- Appendix "A" Summary of Road Definitions and Minimum General Road Requirements from Lane Code, Chapter 15, Roads
1. Definitions
 2. Public Roads, Minimum Requirements
 3. Private Roads, Minimum Requirements
 4. Private Access Easements, Minimum Requirements
- Appendix "B" Summary of General Road and Access Policies and Minimum General Road Standards from Lane Manual, Chapter 15, Roads
1. General Road and Access Policies
 2. Minimum General Road Standards for Urban Residential Divisions
 3. Minimum General Road Standards for Major/Minor Development Center and Rural Service Center Residential Divisions

CONTENTS, continued

4. Minimum General Road Standards for Rural Area
Residential Divisions

- Appendix "C" Generalized Map of the "Urban Area"
- Appendix "D" Listing of Major/Minor Development Centers and Rural
Service Centers as Designated in the Preliminary County-
Wide Policies Element of the Lane County Plan
- Appendix "E" Summary of Water Supply Definitions from Lane Code,
Chapter 9, "Environment and Health"

L A N D D I V I S I O N SGENERAL PROVISIONS, DEFINITIONS, ENFORCEMENT

13.005 General Purpose. The general purpose of this Chapter is to define a subdivision and partition and related terms; to prescribe the form and content of subdivision plats and partition maps and the procedures to be followed in their development and approval and to designate those authorized to give such approval; to establish the minimum requirements and standards necessary for efficient, safe, and attractive subdivisions and partitions consistent with the natural resources of the County; and to provide penalties for violations. It is intended that this Chapter be consistent with ORS, Chapter 92 and 215, and the Lane County Charter.

It is further the purpose of this Chapter:

(1) To ensure that land be subdivided or partitioned in a manner which will promote the public health, safety, convenience, and general welfare.

(2) To aid in the implementation of the Comprehensive Plan for Lane County and any element thereof.

(3) To protect, emphasize and preserve the natural assets of the County by providing the means for encouraging orderly development of the wide variety of natural environments in the County by relating the number, design, and distribution of lots or parcels to existing topographical, ecological, hydrological, and other natural conditions.

(4) To minimize, through proper design and layout, the danger to life and property by the hazards of fire, flood, water pollution, soil erosion, and land slippage.

(5) To ensure that proper consideration be given for adequate light and air, prevention of the overcrowding of land and provisions for education and recreational opportunities.

(6) To provide lots, parcels, and development sites of sufficient size and appropriate shape and character for the purpose for which they are to be used.

(7) To provide for adequate water supply, sewage disposal, storm drainage, and other utilities needed for the public health, safety, and convenience.

(8) To provide adequate provisions for transportation, including the provisions for roads, bicycle ways, and pedestrian ways, each being designed to handle the anticipated usage and to ensure that they minimize safety hazards and adverse impact on the neighboring area and the environment.

(9) To ensure that the costs of providing rights-of-way and improvements for vehicular and pedestrian traffic, utilities and public areas serving new developments be substantially borne by the benefited persons rather than by the people of the County at large.

(10) To encourage new concepts and innovations in the arrangement of building sites, lots and parcels within divisions. Deviations from the traditional approaches of dividing lands may be considered for approval when such deviations will facilitate the ultimate development of the land in a unique manner that will be compatible with the purpose of this Chapter and which utilizes advances in living patterns and technology.

13.010 Definitions - Subdivision and Partition.

(1) Division. To divide or separate an area or tract of land by sale, lease, or separate building development and, when used herein, refers collectively to both partitions and subdivisions; provided that the following types of transactions shall not constitute division of land:

(a) Leasing or financing of apartments, offices, stores, or similar spaces within an apartment building, industrial building, or commercial building.

(b) Renting or leasing of spaces within a mobile home park, vacation (recreational) trailer park, motel, tourist court, or campground.

(c) Minerals, oil, or gas leases.

(d) Any adjustment of a lot or parcel property line by the relocation of a common boundary where an additional lot or parcel is not created, the existing lot or parcel reduced in size by the adjustment is not, after such reduction, smaller than the minimum lot or parcel size established under Chapter 10, "Zoning", the resulting lots or parcels are not otherwise in conflict with the Lane Code and no existing public utility easement is affected.

(e) Divisions of land resulting from the creation of cemetery lots.

(f) A lease for agricultural purposes.

(2) Lot. A unit of land that is created by a subdivision of land.

(3) Parcel. A unit of land that is created by a partitioning of land.

(4) Parcel Map. A final diagram and other documentation relating to a major or minor partition prepared pursuant to this Chapter.

(5) Partition. Either an act of partitioning land or an area or tract of land partitioned. Partitions shall be divided into the following two types:

(a) Major Partition. A partition which includes the creation of a road.

(b) Minor Partition. A partition that does not include the creation of any road.

(6) Partition Land. Divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. Partition land does not include divisions of land resulting from the creation of cemetery lots; and partition land does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by any applicable zoning ordinance. Partition land does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner.

(7) Plat. A final map and other documents relating to a subdivision.

(8) Subdivide Land. To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

(9) Subdivision. Either an act of subdividing land or an area or a tract of land subdivided as defined in this section.

13.015 Classification of Divisions. Divisions shall be classified with respect to their location within the County and in addition, by the type of or intended use of the development in order to determine appropriate design and development standards. The classifications are as follows:

(1) Classification of Division by Location Within County.

(a) Major/Minor Development Center Divisions. A division located within the existing or potential service area of any major or minor development center as designated by the Comprehensive Plan.

(b) Rural Area. A division located within a rural area of the County as designated by the Comprehensive Plan and includes all areas not within the urban area and not within major/minor centers, and rural service centers.

(c) Rural Service Center Division. A division located within a rural service center of the County as designated by the Comprehensive Plan.

(d) Urban Area Division. A division located within the Eugene-Springfield Metropolitan Urban Area. Such area shall be defined in accordance with the boundaries and districts of the U. S. Bureau of Census, 1970 Census of Housing, Block Statistics Final Report H C (3) 194, Eugene, Oregon. Urbanized Area, and shall include the following census tracts: numbers 19 - 43 inclusive; numbers 45 - 54 inclusive; number 18, excluding enumeration districts 154 and 155; and number 44, excluding enumeration district number 145.

(2) Classification of Division by Type of Intended Use.

(a) Commercial Division. A division generally intended for commercial uses.

(b) Industrial Division. A division generally intended for industrial uses.

(c) Planned Unit Development. A division developed in connection with a Planned Unit Development application of Chapter 10, "Zoning".

(d) Residential Division. A division generally intended for residential uses.

13.020 Definitions - General. For the purposes of this Chapter, the following words and phrases shall mean:

Area, Lot or Parcel. The total horizontal net area within the property lines of a lot or parcel, but not including that area within a road right-of-way.

Building Site. That portion of the lot or parcel of land upon which the building and appurtenances are to be placed, or are already existing, including adequate areas for sewage disposal, light, air clearances, proper drainage, appropriate easements, and, if applicable, other items required by the Lane Code.

Control Strip. A strip of land contiguous to a road which land is deeded or dedicated to the County for the purposes of controlling access to or use of a lot or parcel.

Depth, Lot or Parcel. The distance between the mid-points of straight lines connecting the foremost points of the side lot lines in the rear, excluding any strip of land used primarily for access purposes.

Flood or Flooding. As designated by the National Flood Insurance Act of 1968, the general and temporary condition of partial or complete inundation of normally dry land areas (a) from the overflow of streams, rivers or other inland water, or (b) from tidal surges, abnormally

high tidal water, tidal waves, or rising coastal waters resulting from severe storms, or (c) from impounded water, or (d) from mudslides caused or precipitated by the accumulation of water on or under the ground.

Flood Plain. (Flood Prone Area) As designated by the National Flood Insurance Act of 1968, an area: (a) which has been in the past or can reasonably be expected in the future to be covered temporarily by flood, or (b) subject to unstable surface soil in which the history of instability, the nature of the geology, the structure of the soil, and the climate indicate a relatively high potential for mudslides (caused by the action of surplus water accumulated above or below the ground) to inundate normally dry land surfaces.

Floodway. As designated by the National Flood Insurance Act of 1968, the minimum areas of a riverine flood plain reasonably required for passage of flood water so the limits of the floodway vary according to conditions within the flood plain.

Improvement Agreement. An agreement that under prescribed circumstances may be used in lieu of required improvements or a performance agreement. It is a written agreement that is executed between the County and a developer, in a form approved by the Board of County Commissioners, in which the developer agrees to sign at a time any and all petitions, consents, etc., and all other documents necessary to improve an abutting road or other required improvements to County standards and to waive all rights or remonstrances against such improvements, in exchange for which the County agrees that the execution of the improvement agreement will be deemed to be compliance with the improvement requirements of the Code.

Lot/Parcel Width, Average. The average width of a lot or parcel determined by dividing the area of the lot or parcel by its depth.

Negotiate. Any activity preliminary to the execution of a binding agreement for the sale of land in a subdivision or partition, including but not limited to advertising, solicitation and promotion of the sale of such land.

Performance Agreement. A written agreement executed by a subdivider or partitioner in a form approved by the Board of Commissioners and accompanied by a security also approved by the Board. The security shall be of sufficient amount to ensure the faithful performance and completion of all required improvements in a specified period of time.

Roads. As defined in Lane Code, Chapter 15, "Roads".

Sale or Sell. Every disposition or transfer of land in a subdivision or partition or an interest or estate therein.

Sewerage Facility or Sewage Facility. The sewers, drains, treatment and disposal works and other facilities useful or necessary in the collection, treatment or disposal of sewage, industrial waste, garbage or other wastes.

Sewerage Facility, Community. A sewerage facility, whether publicly or privately owned, which serves more than one parcel or lot.

Sewerage Facility, Individual. A privately owned sewage facility which serves a single parcel or lot for the purpose of disposal of domestic waste products.

Sewerage Facility, Public. A sewerage facility, whether publicly or privately owned, which serves a sole user for the purpose of disposal of sewage and which facility is provided for or is available for public use.

Water Supply. As defined in Lane Code, Chapter 9, "Environment and Health".

13.025 Approval of partitions and Subdivisions Required.

(1) No person shall divide land, except after approval of such division pursuant to this Chapter.

(Go To Next Page)

(2) No person shall sell any lot in any subdivision for which approval is required by this Chapter:

(a) Until such approval is obtained, and

(b) The plat of the subdivision has been acknowledged and recorded with the recording officer of the County.

No person shall negotiate to sell any lot in a subdivision until a tentative plan has been approved.

(3) No person shall sell any lot in any subdivision by reference to or exhibition or other use of a plat of such subdivision before the plat for such subdivision has been so recorded. In negotiating to sell a lot in a subdivision under LC 13.025(1) above, a person may use the approved tentative plan for such subdivision.

(4) No person may sell any parcel in a partition for which approval is required by this Chapter until such approval is obtained and the partition recorded, however, a person may negotiate to sell a parcel in a partition prior to the required approval of the partition.

(5) No person shall create a street or road for the purpose of partitioning or subdividing an area or tract of land without the appropriate approval of the County.

(6) No instrument dedicating land to public use shall be accepted for recording unless such instrument bears the approval of the County.

13.030 Interrelationship With Other County Codes, Orders and Policies.

(1) Comprehensive Plan for Lane County. A subdivision or partitioning shall be in conformity with the Comprehensive Plan for Lane County where applicable.

(2) Lane Code, Chapter 9, "Environment and Health". A subdivision or partition shall be subject to all applicable requirements of Chapter 9, "Environment and Health".

(3) Lane Code, Chapter 10 "Zoning". A subdivision or partitioning shall conform to all applicable requirements of Chapter 10, "Zoning".

(4) Lane Code, Chapter 11, "Buildings". An application for a permit for the construction of a building shall not be approved for any lot or parcel created, subdivided or partitioned in violation of this Chapter or its preceding ordinances unless or until the Director of the Planning Division finds that creating such permit would not be inconsistent with the basic purpose of this Chapter. In making such findings, the Director shall give consideration to:

(a) Whether the owner of the lot or parcel can rescind the agreement by which the lot or parcel was acquired and recover the consideration paid therefore.

(b) Whether the lot or parcel meets other applicable Lane Code requirements.

(c) Whether approval would be detrimental to the orderly development of the surrounding area and the purpose of this Code.

(d) Whether there exist unusual uses, title limitations, or limitations imposed by the arrangements of contiguous or adjacent lots or parcels.

(e) Whether the general public would materially benefit by requiring full compliance with this chapter.

(f) Reasonable conditions may be imposed in connection with approval in order to secure the purpose of this Chapter including but not limited to road dedications and improvements.

(5) Lane Code, Chapter 15, "Roads". A subdivision or partitioning shall be subject to all applicable requirements of Chapter 15, "Roads".

(6) Whenever any department of the County finds that the provisions of the Chapter have apparently been or may be violated by any person, the Director of said department shall report such finding to the Director of the Planning Division for investigation and enforcement.

(7) The Department of Assessment and Taxation shall make no segregation of an existing tax lot when the requested segregation is for the purpose of, or due to, the transfer of ownership and the resulting division would appear to be in violation of the provisions of this chapter. The Department of Assessment and Taxation shall promptly notify the Director of the Planning Division and the appropriate property owner(s) of its determination to not allow the requested segregation.

13.040 Notice of Violation. Whenever the Director of the Planning Division determines that property has been partitioned or subdivided in violation of the provisions of this Chapter, the Director may prepare a report describing the nature of the violation, the legal description of the property and the name of the owner. Upon review of the report and concurrence by the Office of Legal Counsel, the Director of the Planning Division shall record the report with a statement that no building permits will be issued for the described property, in the Lane County Records of Deeds. The Director shall promptly forward a copy of the recorded report to the owner(s) of record of the subject property. At such time as the violation ceases to exist or is changed, the Director of the Planning Division shall record an appropriate statement setting forth the current status of the property insofar as its relationship to the provisions of this Chapter is concerned. Nothing in this section shall be deemed to require such recording as a condition precedent to the enforceability of any other provision of this Chapter.

DESIGN AND DEVELOPMENT STANDARDS

13.050 Design and Development Standards. All partitions and subdivisions shall conform to the design and development standards specified in the following sections. The standards so specified shall be considered as the minimum appropriate for normal partition or subdivision development and are not intended to limit the partitioner or subdivider from using higher standards of design and development. The County may require appropriate higher design and development standards than the minimum required by this section upon a finding by the Director of the Planning Division that the division is located in an area possessing natural conditions which require special consideration or the division is intended for especially intensive development. All divisions shall be evaluated in terms of efficiency in the use of land, protection of natural features, and pleasing, convenient and functional design. Requirements not otherwise contained in this section may be prescribed when needed to ensure that established criteria and standards of professional subdivision design are maintained in the County.

13.055 Roads. The location, design and improvement of roads for major partitions and subdivisions shall provide for the transportation and access needs of the community and the division in a safe, pleasant and convenient manner with the least possible adverse environmental effect. Consideration should be given to surrounding existing and planned roads, to topographical and other natural conditions, to public convenience and safety, and to the proposed scope and use of the development served by the road.

(1) Standards. Roads shall be developed in accordance with the requirements of Lane Code, Chapter 15, "Roads", and Lane Manual, Chapter 15, "Roads". The classification of a division, as determined by the locations and intended use, shall establish the appropriate general road standards for the division.

(2) Private Roads and Private Access Easements. Private roads and private access easements shall be permitted only when the residents of the division will be adequately served and the road will not be needed for the proper development of the surrounding subarea; and the public welfare will not be impaired through the use of such roadways or the type of improvements thereon. Private roads and private access easements shall be shown and clearly designated as a private road on the map or plat.

(3) Control Strip. The County may require that a strip of land contiguous to a road be dedicated or deeded to the public for the purpose of controlling access to or the use of a lot or parcel for any of the following reasons:

(a) To prevent access to abutting land at the end of a road in order to assure the proper extension of the road pattern and the orderly division of land lying beyond the road.

(b) To prevent access to the side of a road where additional width or improvement is required or future partition or subdivision action is needed.

(c) To prevent access to the side of a road from abutting property that is not part of the division until proportional road construction costs are conveyed to the appropriate developer.

(d) To prevent access to land unsuitable for development.

(e) To prevent or limit access to roads classified as arterials and collectors.

13.060 Utility and Watercourse Easements.

(1) Utility Easements. The dedication of easements for the placement of overhead or underground utilities, including but not limited to electric power, communication facilities, sewer lines, water lines, and gas lines shall be required where necessary. Such easements shall be clearly labeled for their intended purpose on all maps and plats and may be located along or centered on parcel or lot lines or elsewhere as determined necessary by the County to provide needed facilities for the present or future development of the area.

(2) Watercourses. When a partition or subdivision is traversed by a watercourse such as a drainage way, channel, or stream, there shall be provided a storm water or drainage easement conforming substantially with the lines of the watercourse, and of such design and development as may be deemed necessary to accommodate reasonable anticipated future development within the drainage area.

13.065 Pedestrian and Bicycle Ways. When necessary for public convenience, safety, or as may be designated on an adopted master bike plan, the County may require that pedestrian or bicycle ways be improved and dedicated to the public. Such pedestrian and bicycle ways may be in addition to any standard sidewalk requirements of Lane Code, Chapter 15, Roads. Pedestrian and bicycle ways shall be not less than six feet in width and be paved with asphaltic concrete or portland cement concrete.

13.070 Parcels and Lots. The area, width, dept and layout of all parcels and lots shall meet or exceed the minimum requirements of this section. Such requirements represent minimum design standards for conditions of average natural conditions and development and may be increased or otherwise modified by the County when such standards are found to be inappropriate to a particular division or situation.

(1) Dimensional Standards. The minimum average width and minimum/maximum depth for parcels and lots shall be determined by the