

appropriate classification and minimum established area requirements of the associated division as shown on the following table of "Minimum Dimensional Standards". When area requirements have not been established or specified for an area either by the Comprehensive Plan for Lane County or Lane Code Chapter 10, "Zoning", the minimum parcel or lot area shall be determined by water supply and sewerage facility requirements in which case width and depth requirements shall be based on the closest applicable requirements of the table. These standards shall be in addition to, and consistent with, the minimum area requirements of Lane Code, Chapter 10, "Zoning".

MINIMUM DIMENSIONAL STANDARDS FOR PARCELS AND LOTS

CLASSIFICATION		ESTABLISHED MINIMUM AREA	MIN. AVE. WIDTH	MIN/MAX DEPTH
RESIDENTIAL	URBAN	6000 Sq. Ft. -- with community water system and sewage facility.	60'	Min. of 80' & not more than 2-1/2 times ave. width.
		10,000 Sq. Ft. -- with community water system and indivi- dual sewage facility.	70'	Min. of 100' & not more than 2-1/2 times ave. width.
		1 acre -- with individual sewage and water facilities.	150'	Min. 200' & not more than 3 times ave. width.
	MAJOR & MINOR DEVELOPMENT CENTERS & RURAL SERVICE CENTERS	6000 sq. ft. -- with community water system and sewage facility.	60'	Min. of 80' & not more than 2-1/2 times ave. width.
		1 acre -- with community water system and indivi- dual sewage facility.	150'	Min. of 200' & not more than 3 times ave. width.
		2-5 acres -- with individual sewage & water facilities.	200'	Min. of 250' & not more than 3 times ave. width.
	RURAL	5 Acres --	300'	Not Applicable
		10 Acres --	450'	Not Applicable
		20 Acres --	600'	Not Applicable

Minimum Dimensional Standards for Parcels and Lots

CLASSIFICATION	ESTABLISHED MINIMUM AREA	MIN. AVE. WIDTH	MIN/MAX DEPTH
PLANNED UNIT DEVELOPMENTS (PUD)	The Standards of design of Lane Code, Chapter 10, Zoning, Section 10.700 shall apply to lots or parcels created as part of a Planned Unit Development application, however, the design requirements for lots or parcels of this section shall serve as a general guideline for a PUD.		
COMMERCIAL	The minimum dimensional standards for commercial divisions shall be determined by the county on the basis of the location and type of commercial activity proposed or anticipated. In determining minimum area requirements special emphasis shall be placed on access, circulation, and parking.		
INDUSTRIAL	The minimum dimensional standards for industrial divisions shall be determined by the County on the basis of the type of industrial activity proposed or anticipated. Safe, efficient access, and off street loading, parking and storage shall be required. Large basic lots may be created by the original plat to be partitioned into smaller parcels as specific needs arise.		

(2) Panhandle Divisions. Panhandle parcels or lots shall have excluded from any area or dimensional calculations any portion of the parcel or lot which is used for, or designed to provide access. In addition, minimum parcel or lot design standards may have to be increased for panhandle divisions to assure adequate space between buildings and additional parking spaces.

(3) Special Requirements. In addition to the minimum dimensional requirements of the above table, the County shall also evaluate proposed parcels or lots in terms of efficiency in the use of land and space, protection of natural environmental features, and whether they form a pleasing, convenient, and functional design, and may prescribe additional requirements in accordance with the standards of established professional subdivision planning and design.

(4) Redividable Parcels and Lots. When parcels and lots are created which are substantially larger in area than required by this Chapter, Lane Code, Chapter 10, "Zoning", or the Comprehensive Plan, and it is determined that the lots or parcels may be divided into smaller lots or parcels in the future, the County may require that boundary lines and other design details be such that redivision may readily take place without violation of the requirements of this Code. The County may require that special development recommendations and/or restrictions on the location of buildings be made a matter of public record when it is deemed necessary to ensure that redivision may take place in conformity with the purpose of this chapter. If the restrictions are considered permanent, they shall be recorded by separate document.

13.075 Sewerage Facilities. All lots and parcels in any division shall be served by either an approved public or community sewerage facility or be suitable for an approved individual sewage disposal facility. Methods of sewage disposal shall be in accordance with and subject to applicable provisions of Oregon Revised Statutes Chapter 199.410 to 199.514; Oregon Revised Statutes Chapter 454.010 to 454.785 as well as all appropriate rules, regulations and policies promulgated under authority of these Oregon Revised Statutes and all appropriate County ordinances and policies.

(1) Public or Community Sewerage Facilities.

(a) In accordance with the subsurface sewage disposal regulations contained in ORS Chapter 340, 71-015(5), when a division is located within a reasonable distance of an existing satisfactorily operating and available sewerage system, and it is practical and feasible to connect with and be sewerred by said system, the division shall connect to that system. Should the existing facilities be unable to service the division or development, individual sewage disposal systems may be considered if soil and other conditions are suitable for their use.

(b) When a new public or community sewerage system is proposed for the division, there shall be submitted for approval a preliminary plan for the sewage collection and disposal system to the Lane County Water Pollution Control Division and State Department of Environmental Quality. The preliminary plan shall include at least the following:

(i) A conceptual plan for sewage collection, treatment and disposal facilities.

(ii) A conceptual plan for providing that the system be under the control of a city or other legal entity which has been formed in compliance with ORS, Chapter 450 or 451.

(iii) A preliminary economic feasibility report.

(2) Individual Sewage Facilities. When a division is to be served by individual sewage disposal systems, there shall be furnished reasonable proof that each proposed parcel or lot can accommodate an individual sewage disposal system and at least one acceptable replacement area which meets the criteria established by OAR, Chapter 340-71-005 to -045. In addition, if the division is located within an area with an adopted detailed master sewerage plan and implementation schedule which shows the location and depth of community sewers which will eventually serve the division, then the division shall be provided with a dryline sewage connection system which is constructed in accordance with plans which have been approved by the Oregon Department of Environmental Quality and the Water Pollution Control Division.

13.080 Water Supply. All lots and parcels in any division shall be served by either an approved public or community water system or be capable of being served by an approved individual water system. Water systems shall be in accordance with and subject to applicable provisions of Oregon Revised Statutes, as well as all appropriate rules, regulations and policies promulgated under authority of these statutes and Lane Code and Manual, Chapter 9, "Environment and Health".

(1) Public or Community Water System. The County may require that a new community or public water system be developed to serve a division when no existing public or community water system is available or suitable for use by the division, and individual water systems are not feasible due to the density of the division and/or the possibility of problems concerning the long term availability of adequate quantities of suitable water.

(2) Individual Water Systems. When a division is to be served by individual water systems, sufficient evidence shall be submitted to show that each parcel or lot will have available at time of development an adequate supply of potable water which will meet minimum County standards for drinking water. Such evidence may include but is not limited to existing well logs and geologist reports for the surrounding area, in addition, production test wells shall be required

as follows for any subdivision that is proposed to be located in an area previously designated by the County as having potential or known problems in the quantity or quality of available water:

(a) When production test wells are required, they shall be completed prior to approval of subdivision tentative plan. The wells shall be in sufficient number and distribution pattern to represent the total area of the subdivision. The pattern used for the test wells shall be approved by the Director of the Environmental Health Division prior to drilling and the minimum number of test wells shall be as follows:

<u>Average Lot Size</u>	<u>Required Number of Test Wells</u>	<u>Round all</u>
1 to 4 acres	Total Number of Lots $\div$ 8	fractions
5 to 10 acres	Total Number of Lots $\div$ 12	to next
over 10 acres	As may be required by Environmental Health Division.	higher number

A tentative plan may be considered for conditional approval prior to the actual construction or testing of the required wells so that the location or possible need for the wells may be better determined.

(b) No construction or development work shall be started following conditional approval of a tentative plan or partition map until all required water tests are completed and approved.

13.085 Dangerous Areas. Any area known to be dangerous for road or building development by reasons of geological conditions, unstable subsurface conditions, groundwater or seepage conditions, flood plain, inundation or erosion or any other dangerous condition shall not be divided or used for development except under special consideration and restriction. Areas which are located within a designated floodway shall be restricted from any building development or the installation of any permanent structure. The County may require that special development recommendations and/or restrictions as to location of building or other development be made a matter of public record when it is deemed necessary to insure proper disposition of the dangerous area. If the restrictions are considered permanent they shall be shown on the plat or map, and if temporary in nature they shall be recorded by separate document by the partitioner or subdivider prior to the recording of the plat or map.

13.090 Grading, Excavation and Clearing. Grading and clearing of any portion of a division by mechanical equipment for road and/or development purposes may be restricted or regulated either at the time of tentative plan approval or final approval if there is a finding that

such grading or clearing presents a real threat of pollution, contamination, silting of water bodies or water supplies, erosion and slide damage, or alteration of natural drainage patterns in the area. In all cases, excessive grading, excavation and clearing shall be avoided when detrimental to soil stability and erosion control. The character of soils for fills and the characteristics of parcels or lots made usable by means of fill shall be suitable for the intended purpose.

13.095 Land for Public Purpose. When the County, a school district, or other public agency has expressed a definite interest in acquiring a specified portion of a proposed division for a needed public purpose and there is reasonable assurance that steps will be taken to acquire the land, then the County may require that those portions of the division be reserved for public acquisition at a negotiated price for a period not to exceed 6 months from date of Chairman's approval of a subdivision tentative plan.

13.100 Preparation, Survey and Monumentation of Division

(1) All tentative subdivision plans, subdivision plats and surveys, and monumentation thereof shall be made by a qualified surveyor who is an Oregon registered engineer or an Oregon licensed land surveyor. However, the lot design and layout portion of a tentative subdivision plan may be made by a qualified architect or a landscape architect, licensed by the State of Oregon.

(2) All major partition maps, and surveys and monumentation thereof, shall be made by a qualified surveyor who is an Oregon registered engineer or an Oregon licensed land surveyor.

(3) A minor partition map may be prepared by the owner or his authorized agent. If the County determines that the location or dimensions of the boundary lines are in question or critical to the status of the partition or adjoining lands, it may conditionally approve the partition subject to a survey of the parcels or, if appropriate, verification of the original boundary lines shown on the map. Such work shall be completed by a qualified surveyor who is an Oregon registered engineer or an Oregon licensed land surveyor. When verification of the boundaries is a condition of approval, the verification may be based on a field survey of the land or it may be based on appropriate filed data, if available.

(4) All survey monumentation, and delayed monumentation work shall be as required by ORS, Chapter 92 and as may be reasonably required by the County Surveyor. All survey work shall be subject to inspection and approval by the County Surveyor.

13.105 Tentative Plan, Map, and Plat Specifications

(1) Partition Tentative Plans and Maps. Tentative plans and maps for major or minor partitions shall be clearly and legibly drawn to a standard engineer's scale in a manner which may be microfilmed without

loss of detail. The drafting material and the lettering and drawing shall have characteristics of adequate strength and permanency as well as suitability for binding as may be specified by the County Surveyor. The overall size of the plan or map shall be 11 inches by 17 inches, or two sheets 8½ inches by 11 inches. The format of the plan or map shall be in accordance with specifications established by the Planning Division. The Planning Division shall provide suitable materials for plans or maps upon request.

(2) Subdivision Tentative Plans and Plats

(a) Tentative plans for subdivisions shall be clearly and legibly drawn to a standard engineer's scale in a manner which may be microfilmed without loss of detail. The plans shall be drawn on a transparent material suitable for reproduction. The drawings shall be on standard size sheets 18 inches by 27 inches with the format being in accordance with specifications established by the Planning Division.

(b) Plats shall be clearly and legibly drawn to a standard engineer's scale in a manner which may be microfilmed without loss of detail. The drafting material and the lettering and drawing thereon shall have characteristics of adequate strength and permanency as well as suitability for binding and copying as specified by the County Surveyor. The overall size of plats shall be 18 inches by 27 inches. The County Surveyor may establish the format to use for plats.

REVIEW COMMITTEE13.110 Land Development Review Committee.

(1) Establishment of Review Committee. The Land Development Review Committee is established to act in a technical review capacity for the Planning Commission and Board of Commissioners, and is authorized to perform such functions as provided for in the Lane Code and Lane Manual. The Review Committee shall consist of the following members or their duly authorized representatives:

(a) Director, Planning Division, who shall serve as Chairman.

(b) Director, Department of Transportation.

(c) Director, Construction Permits and Inspection Division.

(d) Director, Water Pollution Control Division.

(d) Director, Environmental Health Division.

(2) Responsibility of Review Committee. The Review Committee shall have the responsibility to examine all plan, map, and plat applications for compliance with the requirements of this Chapter and prepare appropriate written statements with respect to any matter or information deemed necessary for the applicant's or public's benefit. All written statements so prepared should be submitted to the Planning Director and applicant at least two days prior to any scheduled or anticipated official action on the application. In addition to the preparation of the individual written statements on an application, the members of the Review Committee shall also meet as a committee at a regularly scheduled public meeting to consider the application and form a committee recommendation thereon. The applicant and/or designated representative and all other parties or public agencies with an interest in the application shall be given notice, encouraged to attend the meeting and participate in the discussion. The Review Committee may schedule additional meetings on the application as may be necessary to obtain additional information.

(3) Responsibility of Chairman, Review Committee. The Chairman of the Review Committee is authorized to take action on all matters relating to the approval, conditional approval, or disapproval of minor partition maps, tentative plans, major partition maps, and subdivision plats, and any modifications thereof as may be provided for in this Chapter. Prior to any final action, the Chairman shall review all pertinent information including, but not limited to, the individual written statements of the members of the Committee and the Committee's joint recommendation. Should approval involve implications of new or modified standards of policy, the Chairman may refer the matter to the Planning Commission for public hearing.



APPLICATIONS13.120 Applications and Fees for Partitions and Subdivisions.

(1) Applications. All applications for the partitioning or subdividing of land shall be submitted to the Planning Division as required by this Chapter. Prior to any applications, it is recommended that the person proposing the division submit to the Planning Division a sketch of the proposed division which may be used for the purpose of discussion in order to properly determine the type and classification of the division and to allow the Planning Division the opportunity to provide or request any additional information deemed helpful or necessary.

(2) Fees.

(a) For the purpose of partially defraying expenses involved in processing land division applications, the Planning Division shall collect fees in the amounts established by order of the Board of Commissioners for the following applications:

- (i) minor partition maps
- (ii) major partition tentative plans
- (iii) subdivision tentative plans

(b) All fees provided for above are non-refundable except in cases when the processing of an application was terminated prior to the incurring of any substantial administrative expenses. Refunds shall be made at the direction of the Director of the Planning Division.

(c) At the time of filing a subdivision plat with the County Recorder, the applicant shall pay the fee of the County Surveyor, as provided in ORS 92.100 and the filing fee as provided in ORS 205.350.

PARTITION PROCEDURE

13.125 Minor Partition Map Procedure.

(1) Application - Minor Partition Map. An application for a minor partition map shall be submitted to the Director of the Planning Division by the owner or an authorized agent on the form prescribed by section 13.105 of this Chapter and the Planning Division. The application shall contain the following information:

- (a) The name and addresses of the owner and the person preparing the application and map.
- (b) An accurate map describing the boundaries of all contiguous land in the same ownership.
- (c) The date, north point and scale of the map and, if needed, a sufficient written description to define the location and boundaries of the map area.
- (d) The location, name, and width of existing roads.
- (e) The location of existing or projected right-of-way lines as shown on the Master Road Plan.
- (f) The width and location of all existing or projected drainage and utility easements.
- (g) The existing use or uses of the property, including the location of all existing structures to remain on the property.
- (h) The approximate location of areas subject to inundation or storm water overflow, and the location and direction of flow of all water courses and drainage ways.
- (i) The parcel lines and dimensions of all proposed parcels.
- (j) The proposed method of sewage disposal. If the parcels are to be served by individual sewage disposal systems the following information shall be submitted:
  - (i) Date and application number of a site feasibility study prepared by Water Pollution Control Division.
  - (ii) Location of each approved test hole showing distance from nearest side parcel line and distance from either front or rear parcel line.
- (k) The proposed method for obtaining water. If the parcels are to be served by individual wells the following information shall be submitted:
  - (i) Sufficient evidence to show that each parcel will have available at the time of development an adequate water supply.
  - (ii) Location of each existing and proposed well showing distance from nearest side parcel line and distance from either front or rear parcel line.

(1) An overall conceptual plan for the entire property if the proposed partition may be further divided at a future time.

(2) Review Committee Consideration - Minor Partition Map.

(a) Distribution and Report. Within two working days after a minor partition map is submitted, according to the provisions of this Code, the Planning Division shall distribute copies thereof to the members of the Review Committee and to other appropriate departments, agencies, or individuals for review, comment, and recommendations. The referral shall state the anticipated date for Review Committee consideration of the partition. Members of the Review Committee and other interested parties may submit to the Chairman of the Review Committee and the applicant a written report at least two days prior to the meeting at which the Committee is scheduled to consider the partition.

(b) Committee Recommendation. The Review Committee shall consider the minor partition application at a regular public meeting not less than seven full days after the partition is submitted to the Planning Division. At this meeting the Committee shall either form its joint recommendations concerning the partition and its conformance with this Chapter or delay action for not more than fifteen days for additional information or review. The time limit may be extended upon mutual consent of the applicant and the Committee.

(3) Chairman's Consideration - Minor Partition Map. The Chairman of the Review Committee shall consider the minor partition application and the reports and recommendations thereon from the Review Committee and others not more than five days after the Committee forms its recommendation. The Chairman shall approve or conditionally approve the minor partition unless there is a specific finding that the partition does not conform to one or more of the requirements of this Chapter or other applicable laws and regulations. Unless appealed, the Chairman's action shall become effective fifteen days after such action.

(4) Final Disposition of Minor Partition Map.

(a) Notification of Applicant. The Chairman of the Review Committee shall notify the applicant of any final action taken on a minor partition application within five days of such action and shall note the nature of the action and the date thereof on the partition map. If approved, the partition map shall be appropriately endorsed.

(b) Conditional Approvals. If a partition has received conditional approval, the notification of action shall contain a listing of such conditions. All conditions must be performed or complied with in the time period specified in the conditional approval. When the conditions have been fulfilled, the partition map shall be appropriately endorsed and a copy

forwarded to the applicant. In the case of conditions relating to improvements, a performance agreement or improvement agreement which has been accepted by the Board of Commissioners shall be considered as adequate fulfillment of said conditions. Upon failure to perform the conditions within the specified time, the Chairman shall forward the unapproved map to the applicant without further action. No further action thereafter on the application shall be permitted until a new application is submitted as required by this Chapter. Unless said action by the Chairman of the Review Committee is appealed, the Chairman's action shall become final fifteen days after such action. The County is not bound by its prior determination.

(c) Recording. Following approval, the Chairman of the Review Board shall promptly deliver to the office of the County Recording Officer an approved copy of the minor partition and offer such for filing. All filing fees shall be paid by the applicant.

13.130 Major Partition Procedure.

(1) Application - Major Partition Tentative Plan. An application for a major partition tentative plan shall be submitted to the Director of the Planning Division by the owner or an authorized agent on the form prescribed by section 13.105 of this chapter and the Planning Division. This application shall contain information on the following:

(a) The name and addresses of the owner and the person preparing the application.

(b) An accurate map describing the boundaries of all contiguous land in the same ownership.

(c) The date, north point and scale of the map, and, if needed, a sufficient written description to define the location and boundaries of the map area.

(d) The location, name, and width of existing roads.

(e) The location of existing or projected right-of-way lines as shown on the Master Road Plan.

(f) The width and location of all existing or projected drainage and utility easements.

(g) The existing use or uses of the property, including the location of all existing structures to remain on the property.

(h) The approximate location of areas subject to inundation or storm water overflow, and the location and direction of flow of all watercourses and drainage ways.

(i) The parcel lines and dimensions of all proposed parcels.

(j) The design of all proposed public and private roads including location, width, typical cross section, grades, radius of curves and names, as appropriate.

(k) The design of all proposed private access easements or access strips (panhandle parcels) including locations, width, and typical improvements.

(l) The draft of all documents relating to establishment and maintenance of private facilities.

(m) The proposed method of sewage disposal. If the parcels are to be served by individual sewage disposal systems, the following information shall be submitted:

(i) Date and application number of a site feasibility study prepared by Water Pollution Control Division.

(ii) Location of each approved test hole showing distance from nearest side parcel line and distance from either front or rear parcel line.

(n) The proposed method for obtaining water. If the parcels are to be served by individual wells, the following information shall be submitted:

(i) Sufficient evidence to show that each parcel will have available at the time of development an adequate water supply.

(ii) Location of each existing and proposed well showing distance from nearest side parcel line and distance from either front or rear parcel line.

(o) An overall conceptual plan for the entire property if the proposed partition may be further divided at a future time.

(p) The proposed use of any parcel which is not intended for single-family residential use.

(2) Review Committee Consideration - Major Partition Tentative

Plan.

(a) Distribution and Report. Within two working days after a major partition tentative plan application is submitted according to the provisions of this Code, the Planning Division shall distribute copies thereof to the members of the Review Committee and to other appropriate departments, agencies, or individuals for review, comment and recommendations. The referral shall state the anticipated date for Review Committee consideration of the partition. Members of the Review Committee and other interested parties may submit to the Chairman of the Review Committee and the applicant, a written report at least two days prior to the meeting at which the Committee is scheduled to consider the partition.

(b) Committee Recommendation. The Review Committee shall consider the major partition tentative plan application at a regular public meeting not less than seven full days

after the partition is submitted to the Planning Division. At this meeting the Committee shall either form its joint recommendation concerning the tentative plan and its conformance with this Chapter, or delay action for not more than 15 days for additional information or review. The time limit may be additionally extended upon mutual consent of the applicant and the Committee.

(3) Chairman's Consideration - Major Partition Tentative Plan. The Chairman of the Review Committee shall consider the major partition tentative plan application and the reports and recommendations thereon from the Review Committee and others not more than five days after the Committee forms its recommendation. The Chairman shall approve or conditionally approve the tentative plan application unless there is a specific finding that the application does not conform to one or more of the requirements of this Chapter or other applicable laws and regulations.

(4) Final Disposition - Major Partition Tentative Plan.

(a) Notification of Applicant. The Chairman of the Review Committee shall notify the applicant of the final action taken on the major partition tentative plan within five days of such action. Any conditions of approval shall be listed upon the tentative plan.

(b) Conditional Approvals. A major partition tentative plan may be conditionally approved subject to the satisfactory completion of specified tests or requirements, in which case the Chairman shall withhold completion of final action until the tests or requirements are completed. The Chairman shall take final action on the tentative plan within five days of notification of the completion of the tests or requirements. If the tests or requirements are satisfactorily met, the Chairman shall give final approval to the tentative plan.

(c) Effective Date. Unless the action by the Chairman of the Review Committee is appealed, the Chairman's action shall become final 15 days after such action.

(d) Effect of Approval. Following approval of a major partition tentative plan, the applicant may proceed with final preparation of the major partition map, including surveying, map preparations, and construction of associated improvements.

13.135 Major Partition Map Procedure.

(1) Application - Major Partition Map. An application for a major partition map shall be submitted to the Director of the Planning Division by the owner or an authorized agent. The application shall be made no later than one year after the date on which the major partition tentative plan was approved. No major partition may be submitted for consideration and approval unless a tentative plan for the described area has previously been duly submitted and approved by the County as provided in this Chapter. The application shall contain the following information:

(a) A major partition map which complies with the form prescribed by LC 13.105 above and the Planning Division, containing the following:

(i) The seal and signature of the surveyor who did the major partition map and the survey work.

(ii) The date, north point, and scale of the drawing.

(iii) A sufficient description to define the location and boundaries of the map area.

(iv) The parcel lines for all parcels within the map area with dimensions in feet and hundredths of feet.

(v) The location and dimensions of all existing and proposed public or private roads and names, as appropriate.

(vi) The description and location of all permanent reference monuments.

(vii) The width and location of all existing or proposed public utility easements.

(viii) A designation of all areas being reserved for common use and the conditions being imposed thereon.

(ix) A designation of all areas covered by water and the location, width, and direction of flow of all water-courses or drainage ways.

(x) A designation of any area being dedicated by the applicant, including its purpose and an effective written dedication thereof.

(xi) A designation of any special notice, requirement, or restriction required by the County as a condition of approval.

(b) A title report issued by a title insurance company verifying ownership of all property that is to be dedicated to the public.

(c) Transverse computation sheets for a major partition map which is intended to create a public or private road.

(d) A copy of all documents relating to special notice, requirements or restrictions required by the County as a condition of approval.

(2) Review Committee Consideration - Major Partition Map.

Within five working days after a major partition map application and map are submitted according to the provisions of this Code, the Planning Division shall distribute copies thereof to the members of the Review Committee and to other appropriate departments, agencies, or individuals for review, comment, and recommendations. The referral shall state the anticipated date for the Chairman's consideration of the map. Members of the Review Committee and other interested parties may submit to the Chairman of the Review Committee and the applicant a written report within fifteen days.

(3) Chairman's Consideration - Major Partition Map. The Chairman of the Review Committee shall consider the major partition map application and the reports and recommendations thereon from the Review Committee members and other interested parties. The Chairman shall approve or conditionally approve the major partition map unless there is a specific finding that the map does not substantially conform to the approved tentative plan or to one or more of the requirements of this Chapter or other applicable laws or regulations. Either:

(a) All improvements as required by this Chapter have been completed and a certificate of such fact has been filed with the Chairman by the Director of the Department of Transportation; or,

(b) A performance agreement or improvement agreement approved by the Board of Commissioners has been submitted to the Chairman in sufficient amount to ensure completion of all required improvements.

(4) Delivery of Major Partition Map to County Surveyor.

Following the approval and signing of the major partition map by the Chairman of the Review Committee, the map and all pertinent data shall be delivered to the County Surveyor for appropriate action.

(5) Notification of Applicant. The Chairman of the Review Committee shall notify the applicant of the action taken on the major partition map within five days of such action and shall note the nature of the action.

(6) County Surveyor Consideration - Major Partition Map. The County Surveyor shall review the major partition map and accompanying material to ensure the sufficiency of affidavits, acknowledgements, and dedications, the correctness of surveying data, the accuracy of mathematical data and computations, the County Surveyor shall approve the major partition map unless there is a specific finding that the map does not comply to one or more of the above stated requirements. Following approval of the map, the County Surveyor shall prepare all necessary orders and other documents to accompany the map and shall:



(a) In the case of a major partition map which contains the dedication of a public road or the creation of a new private road, forward the map and all pertinent data to the Board of Commissioners for their final action at the Board's next regular meeting. The major partition map shall be approved by the Board unless a majority of the Board makes a specific finding that the partition does not conform to one or more of the requirements of this Chapter or other applicable laws and regulations. Following final action by the Board, the County Surveyor shall notify the applicant of the action within five (5) days of such action.

(b) In the case of a major partition map which does not include the dedication or creation of a public or private road, the County Surveyor shall notify the applicant of the action within five (5) days of such action.

(c) Following the required notification, the County Surveyor shall promptly deliver the map to the office of the County Clerk for recording. All filing fees shall be paid by the applicant.

(7) Expiration of Approvals - Major Partition Map. A major partition map shall be filed within one year of the Chairman's approval. A new application must be submitted as provided for in Section 13.135 prior to reconsideration of a map for which approval has expired. If, in the opinion of the Chairman of the Review Committee, conditions have changed to a sufficient degree to warrant reconsideration of the tentative plan, an application for tentative plan approval shall be resubmitted and approved prior to map application submittal and reconsideration.

(8) Distribution of Map Copies. Following the recording of the major partition map, the County Surveyor shall furnish and distribute a copy of the map to each member of the Review Committee, the Department of Assessment and Taxation, and the Construction Division of the Environmental Management Department.

SUBDIVISION PROCEDURE13.140 Subdivision Tentative Plan.

(1) Application - Subdivision Tentative Plan. An application for a subdivision tentative plan shall be submitted to the Director of the Planning Division by the owner or an authorized agent on the form prescribed by Section 13.105 of this Chapter and the Planning Division. The application shall contain the following information:

(a) The name and addresses of the owner and the person preparing the application.

(b) An accurate map describing the boundaries of all contiguous land in the same ownership.

(c) The date, north point, and scale of the map and, if needed, a sufficient written description to define the location and boundaries of the map area.

(d) The location, name, and width of existing roads.

(e) The location of existing or projected right-of-way lines as shown on the Master Road Plan.

(f) The width and location of all existing or projected drainage and utility easements.

(g) The existing use or uses of the property, including the location of all existing structures to remain on the property and the type of subdivision proposed as to use.

(h) The approximate location of areas subject to inundation or storm water overflow, and the location and direction of flow of all watercourses and drainageways.

(i) Contour lines sufficient to show the direction and general grade of land slope, having the following intervals:

(i) one-foot contour intervals for ground slopes up to 5%;

(ii) two-foot contour intervals for ground slopes between 5% and 10%;

(iii) five-foot contour intervals for ground slopes exceeding 10%.

(j) The lot lines and dimensions of all proposed lots.

(k) The design of all proposed public and private roads including location, width, typical cross section, grades, radius of curves and names, if appropriate.

(l) The design of all proposed private access easements or access strips (panhandle parcels) including location, width, and typical improvements.

(m) The draft of all documents relating to establishment and maintenance of private facilities.

(n) The proposed method of sewage disposal. If the lots are to be served by individual sewage disposal systems, the following information shall be submitted:

(i) Date and application number of a site feasibility study prepared by Water Pollution Control Division.

(ii) Location of each approved test hole showing distance from nearest side lot line and distance from either front or rear lot line.

(p) The proposed use of any lot which is not intended for single-family residential use.

(2) Review Committee Consideration - Subdivision Tentative

Plan.

(a) Distribution and Report. Within two working days after a subdivision tentative plan application is submitted according to the provisions of this Code, the Planning Division shall distribute copies thereof to the members of the Review Committee and to other appropriate departments, agencies, or individuals for review, comment, and recommendations. The referral shall state the anticipated date for Review Committee consideration of the plan. Members of the Review Committee and other interested parties shall submit to the Chairman of the Review Committee and the applicant a written report at least two days prior to the meeting at which the Committee is scheduled to consider the tentative plan.

(b) Committee Recommendation. The Review Committee shall consider the subdivision tentative plan application at a regular public meeting not less than seven full days after the tentative plan is submitted to the Planning Division. At this meeting the Committee shall either form its joint recommendations concerning the tentative plan and its conformance with this Chapter or delay action for not more than fifteen (15) days for additional information or review. The time limit may be additionally extended upon mutual consent of the applicant and the Committee.

(3) Chairman's Consideration - Subdivision Tentative Plan.

The Chairman of the Review Committee shall consider the subdivision tentative plan application and the reports and recommendations thereon from the Review Committee and others not more than five days after the Committee forms its recommendation. The Chairman shall approve or conditionally approve the subdivision tentative plan unless there is a specific finding that the plan does not conform to one or more of the requirements of this Chapter or other applicable laws and regulations.

(4) Final Disposition - Subdivision Tentative Plan.

(a) Notification of Applicant. The Chairman of the Review Committee shall notify the applicant of the final action taken on the subdivision tentative plan. Any conditions of approval shall be listed upon the tentative plan.

(b) Conditional Approvals. A subdivision tentative plan may be conditionally approved subject to the satisfactory completion of specified tests or requirements in which case the Chairman shall withhold completion of final action until the test or requirements are completed. The Chairman shall take final action on the tentative plan within five days of notification of the completion of the test or requirements. If the test or requirements are satisfactorily met, the Chairman shall approve the tentative plan.

(c) Effective Date. Unless the action by the Chairman of the Review Committee is appealed or the Board of Commissioners elects to hold a hearing on the tentative plan, the Chairman's action shall become final 15 days after such action.

(d) Effect of Approval. Following approval of a subdivision tentative plan, the applicant may proceed with final preparation of the subdivision plat including surveying, map preparations, and construction of improvements.

13.145 Subdivision Plan Procedure.

(1) Application - Subdivision Plat. An application for a subdivision plat approval shall be submitted to the Director of the Planning Division by the owner or an authorized agent. The application shall be made no later than one year after the date on which the subdivision tentative plan was approved. No subdivision plat may be submitted for consideration and approval unless a tentative plan for the described area has previously been duly submitted and approved by the County as provided for in this Chapter. The application shall contain the following information:

(a) A subdivision plat and exact reproducible transparency which complies with the form required by LC 13.105 above containing the following:

(i) The affidavit of the surveyor who did the plat and survey work.

(ii) The date, north point, and scale of the drawing.

(iii) A sufficient description to define the location and boundaries of the plat area.

(Go to Next Page)

(iv) The lot lines for all lots within the plat area with dimensions in feet and hundredths of feet and their metric equivalent.

(v) The location and dimensions of all existing and proposed public or private roads and names, as appropriate.

(vi) The description and location of all permanent reference monuments.

(vii) The width and location of all existing or proposed public utility easements.

(viii) A designation of all areas being reserved for common use and the conditions being imposed thereon.

(ix) A designation of all areas covered by water and the location, width, and direction of flow of all water-courses.

(x) A designation of any area being dedicated by the applicant, including its purpose and an effective written dedication thereof.

(xi) A designation of any special notice, requirement, or restriction required by the County as a condition of approval.

(b) A title report issued by a title insurance company verifying ownership of all property that is to be dedicated to the public.

(c) Tranverse computation sheets for all boundary lines and of all lot lines.

(d) A copy of all documents relating to establishment and maintenance of private facilities.

(e) A copy of any documents relating to special notice, requirement or restriction required by the County as a condition of approval.

(2) Review Committee Consideration - Subdivision Plat.

Within five working days after a subdivision plat application is submitted according to the provisions of this Chapter, the Planning Division shall distribute copies thereof to the members of the Review Committee and to other appropriate departments, agencies, or individuals for review, comment, and recommendations. The referral shall state the anticipated date for the Chairman's consideration of the plat. Members of the Review Committee and other interested parties shall submit to the Chairman of the Review Committee and the applicant a written report within fifteen days.

(3) Chairman's Consideration - Subdivision Plat. The Chairman of the Review Committee shall consider the subdivision plat application and the reports and recommendations thereon from the Review Committee members and other interested parties. The Chairman shall approve or conditionally approve the subdivision plat unless there is a specific finding that the map does not substantially conform to the

approved tentative plan or to one or more of the requirements of this Chapter or other applicable laws and regulations; and either:

(a) All improvements as required by this Chapter have been completed and a certificate of such fact has been filed with the Chairman by the Director of the Department of Transportation; or,

(b) A performance agreement or improvement agreement has been submitted to the Chairman in sufficient amount to ensure completion of all required improvements.

(4) Delivery of Subdivision Plat to County Surveyor.

Following the approval and signing of the subdivision plat by the Chairman of the Review Committee, the plat and all pertinent data shall be delivered to the County Surveyor for appropriate action.

(5) Notification of Applicant. The Chairman of the Review Committee shall notify the applicant of the Chairman's action taken on the subdivision plat within five days of such action and shall note the nature of the action.

(6) County Surveyor Consideration - Subdivision Plat. The County Surveyor shall review the subdivision plat and accompanying material to ensure the sufficiency of affidavits, acknowledgments, and dedications, the correctness of surveying data, the accuracy of mathematical data and computations, and whether the requirements of this Chapter and ORS Chapter 92 have been complied with. The County Surveyor shall approve the subdivision plat unless there is a specific finding that the plat does not comply to one or more of the above stated requirements. Following approval of the plat, the County Surveyor shall prepare all necessary orders and other documents to accompany the map, obtain appropriate approval of the County Assessor as required by ORS Chapter 92.095, and shall forward the plat and all pertinent data to the Board of Commissioners for their action at the Board's next regular meeting.

(7) Board of Commissioner's Consideration - Subdivision Plat. If a majority of the Board determines that the plat is in conformity with the requirements of this Chapter, the plat shall be approved and signed. Following final action by the Board, the County Surveyor shall notify the applicant of the action within five days of such action. Following such notification, the County Surveyor, in the presence of the applicant or at the request of the applicant, shall promptly deliver the plat to the office of the County Clerk, to be offered for record.

(8) Expiration of Approvals - Subdivision Plat. A subdivision plat shall be filed within one year from date of the Chairman's approval. A new application must be submitted as provided for in Section 13.145 prior to reconsideration of a plat for which approval has expired. If, in the opinion of the Chairman of the Review Committee, conditions have changed to a sufficient degree to warrant reconsideration of the tentative plan, an application for tentative plan approval shall be resubmitted, and approved prior to plat application submittal and reconsideration.

13.145

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13.145

(9) Distribution of Subdivision Plat Copies. Following the recording of the subdivision plat, the County Surveyor shall furnish and distribute a copy of the plat to each member of the Review Committee, the Department of Assessment and Taxation, and the Construction Division of the Environmental Management Department.

MODIFICATIONS, APPEALS AND PENALTIES

13.150 Modification of Standards and Requirements.

(1) Application. Concurrently with submitting a partition or subdivision tentative plan, a partition map, or subdivision plat application to the Planning Division or at any time during the consideration of the application, an applicant may submit a request for a modification to the design and development standards or to the application requirements of this Chapter. The request shall include statements relating to the following:

- (a) The exact provision sought to be modified.
- (b) Verification that the provision, if strictly applied, would cause unique and unnecessary hardship to the applicant in dividing the subject area.
- (c) Statement of fact showing that the modification of such provision would not be contrary to the purpose of this Chapter for the reason that:
  - (i) where the requested modification is for any provision relating to the design and development standards, unusual topographic conditions or the previous layout or development of the partition or subdivision area or neighboring area reasonably requires such modification and such modification will not be substantially injurious to the best use and value of property in the neighboring area; and
  - (ii) where the requested modification is for any provision relating to tentative plan, map, or plat application requirements, the purpose of such provision may be fulfilled without a strict adherence to the provision thereof, and the interest of the public in efficient transaction of public business will best be served by such modification.

(2) Consideration of Application. The request for a modification shall be reviewed and acted upon in the same manner as the partition or subdivision tentative plan, partition map, or subdivision plat application. If, from the evidence submitted, it is determined necessary and competent that the circumstances specified above have been shown to exist, the modification referred to in the application may be granted to such extent and on such terms and conditions as may be considered proper in accordance with the purpose of this Chapter. Any approval of a modification request is also contingent upon approval of the tentative plan, map, or plat application.

(3) Notification of Applicant. Notification of final action on a modification request shall be included with the required notification relating to action on a division application, and is final unless appealed in the same manner as a division appeal.



(4) Appeal. The procedure for appeal of the action on a modification request shall be the same as provided for appeals to partition or subdivision applications.

13.155 Appeals to and Hearings by the Board of Commissioners.

(1) Appeal. An appeal may be made to the Board of Commissioners by an interested person or County Official within ten days of the following actions or conditions:

(a) The appellant is dissatisfied with the final action of the Chairman of the Review Committee on an application for a tentative plan, map or plat, or a modification request;

(b) The Chairman of the Review Committee does not take action on a duly submitted application for a tentative plan, map, or plat, or a modification request within forty-five days after such application is so submitted; or

(c) The County Surveyor does not take action on a major partition map or subdivision plat within twenty-five days after such map or plat is so submitted by the Chairman of the Review Committee.

The appeal notice shall be filed in written form with the Planning Division and shall include a concise statement of the grounds upon which the appellant claims the action appealed from was erroneous.

(2) Procedure for Appeals and Hearings. No later than twenty (20) days after notice of appeal has been filed and upon at least five (5) days notice of the time and place of the hearing mailed to the appellant, the Board shall hear the appeal in public session. At the hearing the Board shall hear the matter in accordance with its adopted rules for the conduct of land use hearings and may consider evidence presented by the appellant, the tentative plan, map, plat or modification request, any reports, comments or information with respect thereto from any public office, the minutes of the Review Committee meeting, and any other relevant evidence.

(3) Based upon the hearing, the tentative plan, map, plat or modification request shall be approved or disapproved by a majority of the entire membership of the Board.

(4) Notification of Action on Appeals. Within ten (10) days following consideration by the Board on an appeal, the appellant shall be notified of the Board's action by the Board.

13.995 Penalties. Violation of any provision of Section 13.025 of this Chapter is punishable, upon conviction, by a fine of not less than fifty dollars nor more than five thousand dollars, or by imprisonment in the County Jail for a period not to exceed six months, or by both.

A P P E N D I C E S

## APPENDIX "A"

### SUMMARY OF ROAD DEFINITIONS AND MINIMUM GENERAL ROAD REQUIREMENTS FROM LANE CODE, CHAPTER 15, ROADS

#### 1. DEFINITIONS:

Access. The means by which a lot, parcel, area or tract directly obtains safe, adequate and useable ingress and egress.

Road. The terms road, street, or highway shall include the entire area between the right-of-way lines of any public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, including a private way that is created to provide ingress or egress to land in conjunction with the use of such land for forestry, mining, or agricultural purposes. Roads shall be further classified by their expected level of service and function as follows:

(1) Principal Arterial. A road which provides for through traffic between major centers of activity in the urban, suburban and rural areas.

(2) Minor Arterial. A road which provides for intracommunity traffic and serves as a direct connection from communities to principal arterials.

(3) Collector. A road which is used primarily as a connector from or through local areas or districts to one or more arterials.

(4) Local Road. A road which is used primarily for providing access to abutting properties.

(5) Frontage Road. A road which is parallel to and adjacent to an arterial or other limited access road or a railroad right-of-way and which provides access to abutting properties.

(6) Cul-de-sac. A local or limited local road having only one outlet with a turn-around at the opposite end and which is not intended to be extended or continued.

(7) Stubbed Road. A road having only one outlet but which is intended to be extended or continued to serve future development on adjacent lands.

(8) County Road. A County Road is a road which is part of the County Road system and which road has been given a County Road number as provided for in ORS Chapter 368, has a description on file in the office of the Department of Transportation and the road itself is maintained by the County.

(9) Public Road. A public road is a State Highway or road or any road which has been dedicated to the use of the public for road purposes either by good and sufficient deed or by a major partition map or a subdivision plat which documents have been presented to and accepted by the Board of County Commissioners and placed on record, said road being held in trust for the public by the County, but shall specifically exclude private roadway or access easements

or agreements, Forest Service Roads, Bureau of Land Management Roads, any Gateway or Way of Necessity as defined by ORS Chapter 376 and any other road which has nominally or judicially gained a "public character" by prescriptive or adverse use. A public road is not normally maintained by the County, but the County can regulate its use.

(10) Private Road. A private road or way that is created to provide ingress or egress to one or more lots, parcels, areas or tracts of land and which road or way has been approved for access purposes by the County. A private road shall also be considered as to include that portion of a panhandle or flag lot or parcel that is used for access purposes or an access road in which the underlying fee belongs to two or more persons, association, corporation, firm, club, partnership or other similar entity having the right of administration and/or ownership thereof.

(11) Private Access Easement. A private, nonexclusive easement that is intended to provide for ingress and egress to one or more lots, parcels, areas or tracts of land and which easement has been approved for access purposes by the County.

2. MINIMUM REQUIREMENTS FOR PUBLIC ROADS: The following minimum requirements shall apply to any action relating to the approval of a public road in order to ensure that the road will reasonably conform with the stated purpose of this chapter.

(1) A public road which is part of a major partition or subdivision shall also comply with the general requirements for roads of Lane Code, Chapter 13, Land Divisions.

(2) All public roads shall be designed and developed in accordance with current proper engineering practice.

(3) Public roads, rather than private roads or private access easements, shall be considered as the ordinary standard recommended for major partitions and subdivisions except as may be dictated by special circumstances.

(4) The location and design of public roads shall, as far as practical, conform to the Master Road Plan and the Comprehensive Plan for Lane County or any element thereof.

(5) As far as is feasible, roads shall be in alignment with existing or appropriate projections of existing roads by continuations of the centerline thereof.

(6) When necessary to give access to or permit a satisfactory future division of adjoining lands, roads shall be extended to the boundary of a major partition or subdivision or development. A temporary turn-around may be required for the resulting dead-end road.

(7) In order to effect separation of through and local traffic, frontage roads or reverse frontage parcels or lots may be required by the County when a proposed parcel or lot would otherwise abut an arterial or collector road. In addition, screening or other treatments may be required along arterial and collectors in

order to provide adequate noise and visual protection of adjacent properties.

(8) Whenever a proposed division or development is intended to abut an arterial or collector, the County shall restrict or limit as to location and number, vehicular access points unless specifically exempted in any approval thereof.

(9) Where a cut or fill road slope is outside the normal right-of-way, a slope easement shall be required of sufficient width to permit maintenance of the cut or fill.

(10) All public roads shall be constructed in accordance with the construction specifications of Lane Manual, Chapter 15, "Roads".

3. MINIMUM REQUIREMENTS FOR PRIVATE ROADS: The following minimum requirements shall apply for any action relating to the approval of a private road as may be deemed necessary to ensure that the road will reasonably provide access that conforms with the stated purposes of this chapter:

(1) Private roads shall be intended to provide access only for a limited number of abutting lots or parcels or dwelling units, and not for other roads or areas.

(2) Private roads shall not be approved if the road is presently needed or is likely to be needed within twenty years for extension to adjacent property or to be utilized for public road purposes in the normal development of the area.

(3) The minimum right-of-way for a private road shall be fifty feet except that a private road serving four or fewer lots may be a minimum of thirty feet wide.

(4) The County may require that at the entrance to a private road the applicant post a sign stating the name of the private road and the words "Private Road, Not Dedicated for Public Use or Maintained by Lane County".

(5) A lot or parcel abutting a railroad or limited access road right-of-way may require special consideration with respect to its access requirements.

(6) Any private road approved as access shall be approved as to form by the County Counsel prior to final action by the Planning Director.

(7) The County may require such improvements as are reasonably necessary to provide safe and adequate access to the lot or parcel.

(8) If the County determines that the access and transportation needs of the public would be better served if the private road being considered would be established as a public road, it may require that a public road dedication be made along the entire frontage of the applicant's ownership to a width deemed sufficient by the Department of Transportation.

(9) All approved documents creating a private road shall provide for the installation, construction and maintenance thereof of all public utilities and facilities which are now or may in the future be needed for the area abutting the road and the surrounding area.

4. MINIMUM REQUIREMENTS FOR PRIVATE ACCESS EASEMENTS: The following minimum requirements shall apply for any action relating to the approval of a private access easement as may be deemed necessary to ensure that the road will reasonably provide access that conforms with the stated purposes of this chapter:

(1) A private access easement shall be intended to provide access only to four or less lots or parcels or dwelling units, whichever the case may be.

(2) A private access easement shall be considered suitable access only for a lot or parcel twenty acres or more in area and which lot or parcel is intended for no more than one single-family or duplex dwelling unit.

(3) Private roads shall not be approved if the road is presently needed or is likely to be needed for access to adjacent properties or to be utilized for public road purposes in the normal development of the area.

(4) The minimum width for a private access easement shall be of a width determined by the County suitable for the intended use, but in no case less than twenty feet.

(5) All approved documents creating a private access easement shall provide for the installation, construction and maintenance thereof of all public utilities and facilities which are now or may in the future be needed for the area abutting the road and the surrounding area.

(6) The County may require such improvements as are reasonably necessary to provide safe and adequate access to the lot or parcel.

(7) A lot or parcel abutting a railroad or limited access road right-of-way may require special consideration with respect to its access requirements.

(8) Any easement approved as a private access easement shall be an affirmative easement appurtenant to and contain at a minimum the names of grantor and grantee, the description of dominant and servient tenements, the description of the land covered by the easement, description of the intent or purpose of the easement and a statement of maintenance responsibility. All approved easements shall be recorded.

(9) The County may require that at the entrance to a private access easement the applicant post a sign stating the name of the private road and the words "Private Access Easement, Not Dedicated for Public Use or Maintained by Lane County".

(10) If the County determines that the access and transportation needs of the public would be better served if the private access easements being considered would be established as a public road, it may require that a public road dedication be made along the entire frontage of the applicant's ownership to a width deemed sufficient by the Department of Transportation.

## 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

Purpose. The statements set forth herein are for the purpose of establishing the minimum criteria to be used in Lane County for the evaluation of the appropriateness of proposed roads that are intended to provide access to lots or parcels. This criteria shall form the basis for determining what requirements may be necessary to ensure that there will be adequate provisions available now and in the future to provide for the transportation and utilities needs of lots, parcels, or developments.

#### Criteria.

(1) The necessity for being able to travel to and from a permanent residential dwelling is a basic requirement for development except in very rare circumstances.

(2) It is in the public interest to require adequate, safe and legally assured access to all developments which is as free as possible from restrictions, and which will not cause undue public costs.

(3) The costs of providing right-of-way and improvements for roads needed to directly serve new or existing developments should be substantially borne by the benefited persons, usually the subdivider or developer, rather than by the people of the County at large.

(4) A road must serve, in most situations, as the means of access for the following public or semi-public services:

- (a) Fire Service
- (b) Ambulance Service
- (c) Police Service
- (d) Mail Service
- (e) School and Bus Service
- (f) Public Transit Service
- (g) Delivery Service
- (h) Solid Waste Disposal Service
- (i) Means of addressing to allow others to find dwelling.

(5) A road, besides serving as the means for vehicular access, must also provide the land needed for the following possible utilities:

- (a) Drainageways
- (b) Electrical Power Lines
- (c) Telephone Lines
- (d) Water Lines

- (e) Fire Control Outlets
- (f) Sewer Lines
- (g) Natural Gas Lines

(6) Roads which are dedicated to but not maintained by the public, while not as desirable as maintained roads, are still preferable to any type of private road or any form of easement arrangement for most development.

(7) There is within Lane County a number of different types or forms of access used to gain ingress and egress to a particular property development. These are listed below in estimated order of decreasing desirability, for meeting the normal access needs of developments:

- (a) County Roads
- (b) State Highways
- (c) Public Roads (that are not public maintained)
- (d) Private Access Strips (panhandle lots)
- (e) Way of Necessity (Gateway Road)
- (f) Forest Service Roads - NFR (if jointly approved by the Forest Service and Lane County for access to developments)
- (g) Other public agency roads (Corps of Engineers, EWEB)
- (h) Private Roads
- (i) Private Road Easements
- (j) Bureau of Land Management Roads (when established by easement)
- (k) Access ways acquired adversely or prescriptively
- (l) Forest Service Special Use Permit Roads
- (m) Private Logging Roads
- (n) Water Access and Trails

(8) Roads which are dedicated to and maintained by the public (e.g., County roads) are generally the most satisfactory form of access.

(9) Private drives (panhandle lots) can be used effectively in special situations if carefully regulated and they do not hinder future development of the surrounding area. If more than two panhandle lots are used together, they should be established through a formal subdivision or partitioning procedure.

(10) Any private road works best if it serves a predetermined, limited amount of development.

(11) It is important that privately maintained roads which in any way could be mistaken for publicly maintained roads be clearly posted as not subject to County maintenance.

(12) The access needs of industrial and commercial land uses and activities are different than those for residential uses in some aspects and may require special consideration.

(13) A general plan and zoning on a countywide basis will provide a degree of predictability for land development which is now lacking in many parts of the County, therefore, existing regulations



and policies may have to be changed or modified after the adoption of a countywide plan and zoning.

(14) Paved roads are, all other things being equal, more safe to travel than gravel roads, have a lower maintenance cost, and have a lower nuisance value (dust, noise, etc.).

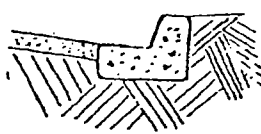
(15) Road requirements should not, if at all possible, hamper or prevent the development of new concepts and innovations for the development of land or hamper the continuation or extension of a complete transportation network.

# APPENDIX "B" (PART 2)

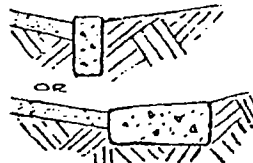
## MINIMUM GENERAL ROAD STANDARDS FOR URBAN RESIDENTIAL DIVISIONS

ROAD				CLASSIFICATION				Minimum General Requirements
Public Road				Private Road				
Collector	Local	Local Frontage	Cul-de Sac	Local	Local Frontage	Cul-de Sac	Panhandle Access Strips	
60' - 70'	50' - 60'	30'	50' 45' Rad.	30' or 50'	30'	30' 45' Rad.	20'	Right-of-Way Width
36' - 48'	32'	22'	28' 36' Rad.	22 <sup>(1)</sup>	22 <sup>(1)</sup>	16' 36' Rad.	16'	Road Way Width
Standard Curb	Standard Curb	Standard Curb	Standard Curb	Valley Gutter or Mod. Curb	Valley Gutter or Mod. Curb	Valley Gutter or Mod. Curb	Not Required	Curbs, Gutters, or Shoulders
AC	AC	AC	AC	AC	AC	AC	AC	Surfacing
12%	12%	16%	16%	16%	20%	20%	25%	Maximum % Grade
200'	100'	100'	100'	100'	100'	100'	50'	Center Line Radius
Standard County Sign (2)	Standard County Sign (2)	Standard County Sign (2)	Standard County Sign (2)	Private Sign (3)	Private Sign (3)	Private Sign (3)	Not Required	Road Name Signs
Required Building Permit	Required Building Permit	Required Building Permit	Required Building Permit	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Sidewalks

1. Separate parking areas may be required by Department of Transportation.
2. Road name signs installed by County-initial cost assessed to developer.
3. At intersection of private roads with public roads, road name signs installed by County-initial cost assessed to developer.
4. Separate pedestrian ways may be required by Department of Transportation.



Standard Curb



Modified Curb



Valley Gutter



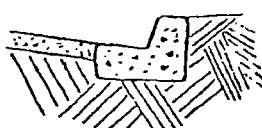
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# APPENDIX "B" (PART 3)

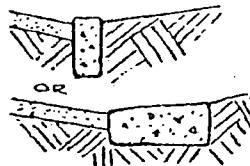
## MINIMUM GENERAL ROAD STANDARDS FOR MAJOR/MINOR DEVELOPMENT CENTERS AND RURAL SERVICE CENTER RESIDENTIAL DIVISIONS

ROAD				CLASSIFICATION				Minimum General Requirements
Public Road				Private Road				
Collector	Local	Local Frontage	Cul-de Sac	Local	Local Frontage	Cul-de Sac	Panhandle Access Strips	
60' - 70'	50' - 60'	30'	50' 45' Rad.	30' or 50'	30'	30' 45' Rad.	20'	Right-of- Way Width
48'- 32'	24' - 32'	22'	24' - 28' 36' Rad.	22(1)	22(1)	16' 36' Rad.	16'	Road Way Width
Variable	Valley Gutter	Valley Gutter	Valley Gutter	Valley Gutter or Mod. Curb	Valley Gutter or Mod. Curb	Valley Gutter or Mod. Curb	Not Required	Curbs, Gutters, or Shoulders
AC	AC	AC	AC	AC	AC	AC	Gravel	Surfacing
12%	16%	16%	16%	16%	20%	20%	25%	Maximum % Grade
200'	100'	100'	75'	100'	75'	50'	50'	Center Line Radius
Standard County Sign (2)	Standard County Sign (2)	Standard County Sign (2)	Standard County Sign (2)	Private Sign (3)	Private Sign (3)	Private Sign (3)	Not Required	Road Name Signs
Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Sidewalks

1. Separate parking areas may be required by Department of Transportation.
2. Road name signs installed by County-initial cost assessed to developer.
3. At intersection of private roads with public roads, road name signs installed by County-initial cost assessed to developer.
4. Separate pedestrian ways may be required by Department of Transportation.



Standard  
Curb



Modified  
Curb



Valley  
Gutter



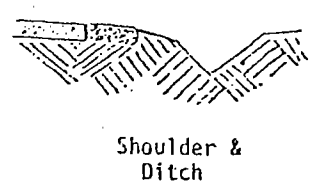
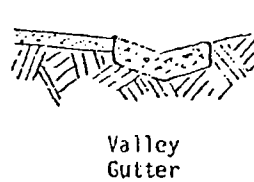
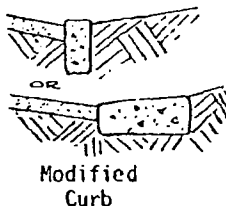
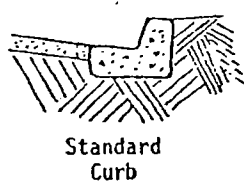
Shoulder &  
Ditch

# APPENDIX "B" (PART 4)

## MINIMUM GENERAL ROAD STANDARDS FOR RURAL AREA RESIDENTIAL DIVISIONS

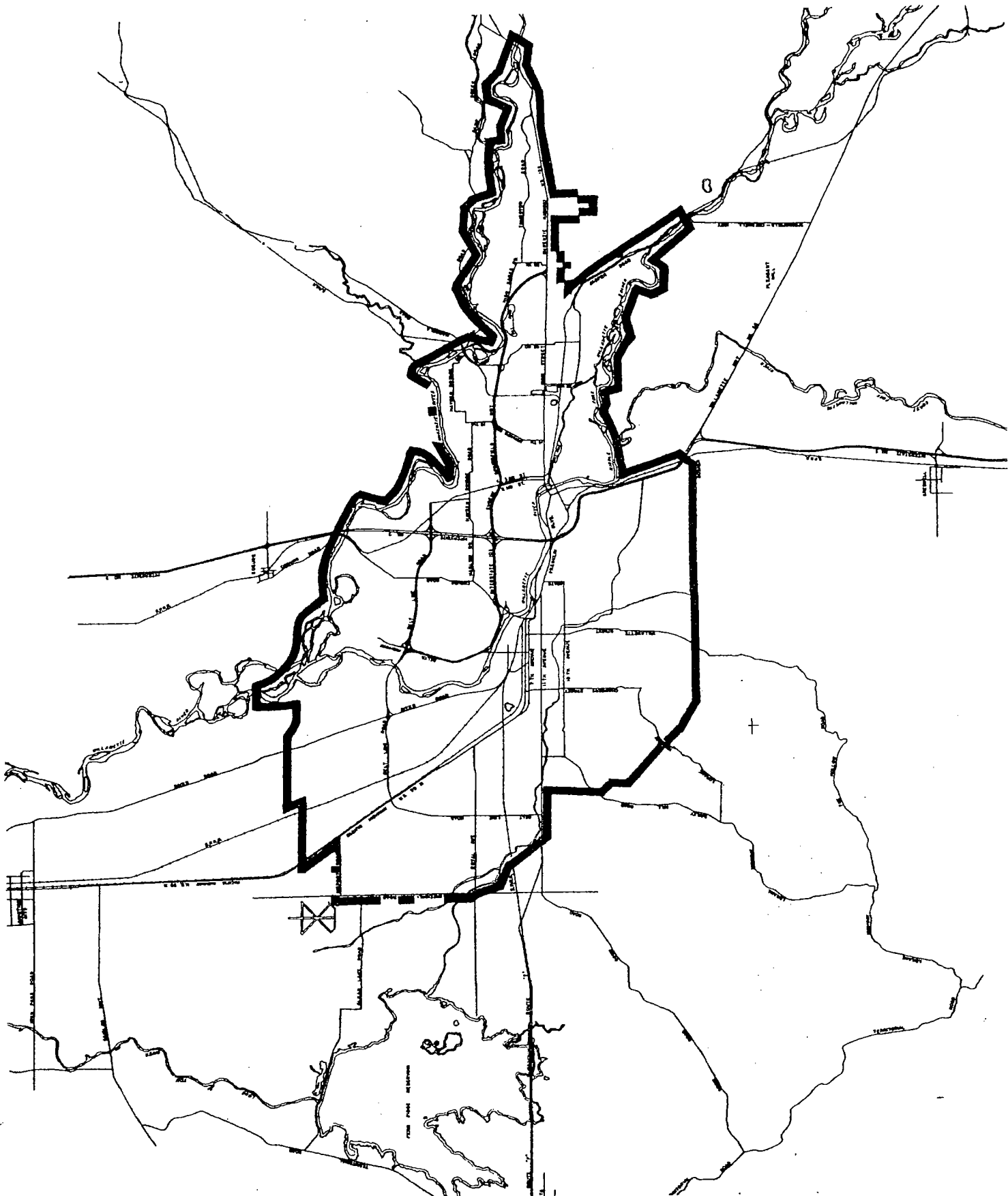
ROAD				CLASSIFICATION				Minimum General Requirements
Public Road				Private Road				
Collector	Local	Local Frontage	Cul-de Sac	Local	Local Frontage	Cul-de Sac	Panhandle Access Strips	
60'	50'	30'	50' 45' Rad.	30' or 50'	30'	30' 45' Rad.	20'	Right-of-Way Width
30' - 36'	24'	16'	24'	24'	16'	24'	16'	Road Way Width
Shoulder & Ditch	Shoulder & Ditch	Shoulder & Ditch	Shoulder & Ditch	Shoulder & Ditch	Shoulder & Ditch	Shoulder	Not Required	Curbs, Gutters, or Shoulders
AC	AC	AC	AC	Gravel	Gravel	Gravel	Not Required	Surfacing
12%	16%	16%	16%	16%	16%	16%	16%	Maximum % Grade
200'	100'	100'	50'	100'	50'	50'	50'	Center Line Radius
Standard County Sign (2)	Standard County Sign (2)	Standard County Sign (2)	Standard County Sign (2)	Private Sign (3)	Private Sign (3)	Private Sign (3)	Not Required	Road Name Signs
Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Not Required (4)	Sidewalks

1. Separate parking areas may be required by Department of Transportation.
2. Road name signs installed by County-initial cost assessed to developer.
3. At intersection of private roads with public roads, road name signs installed by County-initial cost assessed to developer.
4. Separate pedestrian ways may be required by Department of Transportation.



APPENDIX "C"

GENERALIZED MAP OF "URBAN AREA"



APPENDIX "D"

LISTING OF MAJOR/MINOR DEVELOPMENT CENTERS AND RURAL SERVICE CENTERS  
AS DESIGNATED IN THE PRELIMINARY COUNTYWIDE POLICIES ELEMENT  
OF THE LANE COUNTY GENERAL PLAN

- (1) Major Development Centers. Cottage Grove, Creswell, Florence, Junction City, Oakridge, and Veneta-Elmira.
- (2) Minor Development Centers. Blue River, Coburg, Dunes City, Lowell, and Mapleton.
- (3) Rural Service Centers. Alvadore, Cheshire, Crow, Culp Creek, Dexter, Goshen, Leaburg, Lorane, Marcola, McKenzie Bridge, Noti, Swisshome, Triangle Lake, Vida, and Walterville.

NOTE: Additional development centers and rural service centers may be identified in the subarea plans of the County General Plan. For current information, please contact the Lane County Planning Division.

# Attachment 7A

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

APPROVED

FILED

AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M

OCT 20 1980

D.M. FENNER, Director of  
General Services of Lane County

BY *[Signature]* DEPUTY

REEL 103 PAGE 1190

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 9-80-A ) IN THE MATTER OF AMENDING  
 ) ORDINANCE NO. 9-80 BY DELETING  
 ) FROM IT APPENDICES F, G, H AND I  
 ) AND DECLARING AN EMERGENCY

WHEREAS, the Board of County Commissioners enacted Ordinance No. 9-80 on August 27, 1980, and now, after due reconsideration, wish to amend the Ordinance by deleting approximately 900 acres of land commonly referred to as the southern 900 acres of the Industrial Triangle, now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY ORDAINS as follows:

That Ordinance No. 9-80 be amended by deleting Appendices F, G, H and I.

An emergency is hereby declared to exist and this ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately.

Enacted this 15 day of October, 1980.

*[Signature]*  
Chairman, Lane County Board of  
Commissioners

*[Signature]*  
Recording Secretary for this Meeting  
of the Board

In the Matter of Amending Ordinance No. 9-80 by Deleting from it Appendices F, G, H and I and Declaring an Emergency

APPROVED AS TO FORM

DATE 9/30/80 Security

*[Signature]*  
OFFICE OF LEGAL COUNSEL



## IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 9-80

) IN THE MATTER OF ADOPTING THE EUGENE-  
 ) SPRINGFIELD METROPOLITAN AREA GENERAL  
 ) PLAN, AN ELEMENT OF THE COMPREHENSIVE  
 ) PLAN FOR LANE COUNTY, AND AMENDING THE  
 ) FOLLOWING SUBAREA PLANS FOR DELETION OF  
 ) PORTIONS THEREOF AND FOR INCLUSION IN  
 ) THE METROPOLITAN AREA GENERAL PLAN; LOWER  
 ) MIDDLE FORK SUBAREA PLAN, WILLAMETTE-LONG  
 ) TOM SUBAREA PLAN

WHEREAS, the Board of County Commissioners has received from the Lane County Planning Commission a letter of transmittal, dated May 1, 1980, of record herein, recommending consideration of the Plan known as the Eugene-Springfield Metropolitan Area General Plan; and

WHEREAS, the Board of County Commissioners has received and considered the Eugene-Springfield Metropolitan Area General Plan, Second Draft, dated April, 1980, public testimony, Plan findings and correspondence relating thereto; and

WHEREAS, the Board of County Commissioners has performed its public hearing and other duties in accordance with applicable law, including conducting public hearings with the Eugene and Springfield City Councils, now, therefore,

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

That the Eugene-Springfield Metropolitan Area General Plan, Second Draft, dated April, 1980 (copy attached hereto and indicated as Appendix "A"), as amended by further action of the Board (text changes attached and collectively indicated as Appendix "B"; map changes concerning the Urban Growth Boundary of the Cities of Eugene and Springfield attached and indicated as Appendix "C"), also including that area to be included in the Metropolitan Plan formerly included in the Lower Middle Fork Subarea Plan (copy of map attached hereto and indicated as Appendix "D"), and also including those areas to be included in the Metropolitan Plan formerly included in the Willamette-Long Tom Subarea Plan (copy of maps attached hereto and indicated as Appendices "E" and "F"), as amended by further action

In the Matter of Adopting the Eugene-Springfield Metropolitan Area General Plan, an Element of the Comprehensive Plan for Lane County, and Amending the Following Subarea Plans for Deletion of Portions Thereof and for Inclusion in the Metropolitan Area General Plan; Lower Middle Fork Subarea Plan, Willamette-Long Tom Subarea Plan.

of the Board (text changes attached in a memo from staff to the Board, dated August 12, 1980 and identified as Appendix "G"), and including the entire record of the current Board action concerning the area commonly known as the "Industrial Triangle", located between Ambrey Road on the south, US Highway 99 on the west, the Junction City Urban Growth Boundary on the north, and the Southern Pacific Railroad tracks on the east, this area lying northeast of Eugene, and a portion of which is intended to be included within the Metropolitan Area General Plan (such record attached and known collectively as Appendix "H"), also including a report called "Eugene's Economy, 1979 Update," prepared for the City of Eugene by Ed Whitelaw, and especially referencing page 29 (copy included and indicated as Appendix "I"), be ADOPTED.

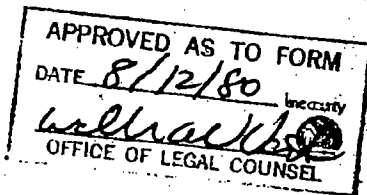
FURTHER, it is the intent of the Board of County Commissioners that those areas included in neither the Eugene-Springfield Metropolitan Area General Plan, Second Draft, as amended, nor in an adjacent Subarea Plan, remain under the jurisdiction of the Eugene-Springfield Metropolitan Area 1990 General Plan, as amended, April 1976, until such time as further action should place such areas under the jurisdiction of another duly adopted plan.

An emergency is hereby declared to exist and this ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health, and safety, shall take effect immediately. Findings of Fact are incorporated as integral components of the Plan.

Enacted this 27th day of August , 1980.

  
Chairman, Lane County Board of Commissioners

  
Recording Secretary for this Meeting of the Board



In the Matter of Adopting the Eugene-Springfield Metropolitan Area General Plan, an Element of the Comprehensive Plan for Lane County, and Amending the Following Subarea Plans for Deletion of Portions Thereof and for Inclusion in the Metropolitan Area General Plan; Lower Middle Fork Subarea Plan, Willamette-Long Tom Subarea Plan.

FILE 112 90-5 1316

FILED

AT 0'CLOCK

FEB 08 1982

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

BY *[Signature]*  
DEPUTY

ORDINANCE NO. 856

) IN THE MATTER OF AMENDING THE  
) EUGENE-SPRINGFIELD METROLOLITAN  
) AREA GENERAL PLAN, AN ELEMENT  
) OF THE GENERAL PLAN FOR LANE  
) COUNTY

WHEREAS, the Board of County Commissioners adopted the Eugene-Springfield Metropolitan Area General Plan on August 27, 1980 (Ordinance No. 9-80) and amended said Plan on October 15, 1980 (Ordinance No. 9-80A); and

WHEREAS, the Oregon State Land Conservation and Development Commission reviewed the Eugene-Springfield Metropolitan Area General Plan for compliance with Statewide Goals and on September 24, 1981 granted Lane County, along with the City of Eugene and the City of Springfield, a 150-day continuance in order to complete necessary revisions to the Plan; and

WHEREAS, the Board of County Commissioners has received from the Lane County Planning Commission a resolution dated December 8, 1981, of record herein, recommending certain amendments to the Eugene-Springfield Metropolitan Area General Plan; and

WHEREAS, the Board of County Commissioners has received and considered the Eugene-Springfield Metropolitan Area General Plan, as adopted on August 27, 1980 and revised on October 15, 1980; proposed Metropolitan Plan Amendments (Copy attached hereto and indicated as Revised Appendix "B"); and public testimony and correspondence relating hereto; and

WHEREAS, the Board of County Commissioners has performed its public hearing and other duties in accordance with applicable law, including conducting public hearings with the Eugene and Springfield City Councils, and, therefore,

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

That the Eugene-Springfield Metropolitan Area General Plan as adopted and amended by Ordinance No.'s 9-80 and 9-80A, respectively (copy attached hereto and indicated as Appendix "A"), as amended by further action of the Board (text and diagram changes attached and indicated as Revised Appendix "B"), and also including exceptions to Statewide Goals No. 3 and 4 as presented in Appendix "C", and findings in support of the amendments contained in Appendix "D", be ADOPTED.

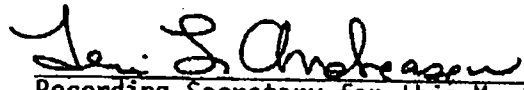
In the Matter of Amending the Eugene-Springfield Metropolitan Area General Plan, An Element of the General Plan for Lane County

Further intended that the following documents (Working Papers), on file in the Lane County Planning Division Offices, be recognized as supportive technical information used in the preparation of the Plan Amendments: Agricultural Lands Addendum, Forest Land Revision, Natural Resource Areas, Noise, Groundwaters, Economy Addendum, Emergency Medical Services, River Road/Santa Clara Facilities Plan, Willamette River Greenway Addendum, Natural Resource Areas: Conflict Resolution for Significant Areas.

This Ordinance shall take effect thirty (30) days from enactment hereof.

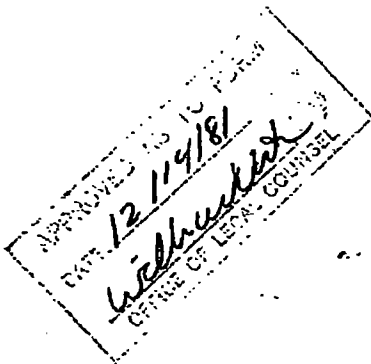
ENACTED this 3 rd day of February, 1982.

  
Chairman, Board of County Commissioners

  
Recording Secretary for this Meeting of  
the Board

After public hearing of December 8, 1981, the amendment cited in the hereinabove Ordinance was considered by the Lane County Planning Commission.

  
Secretary, Lane County Planning Commission

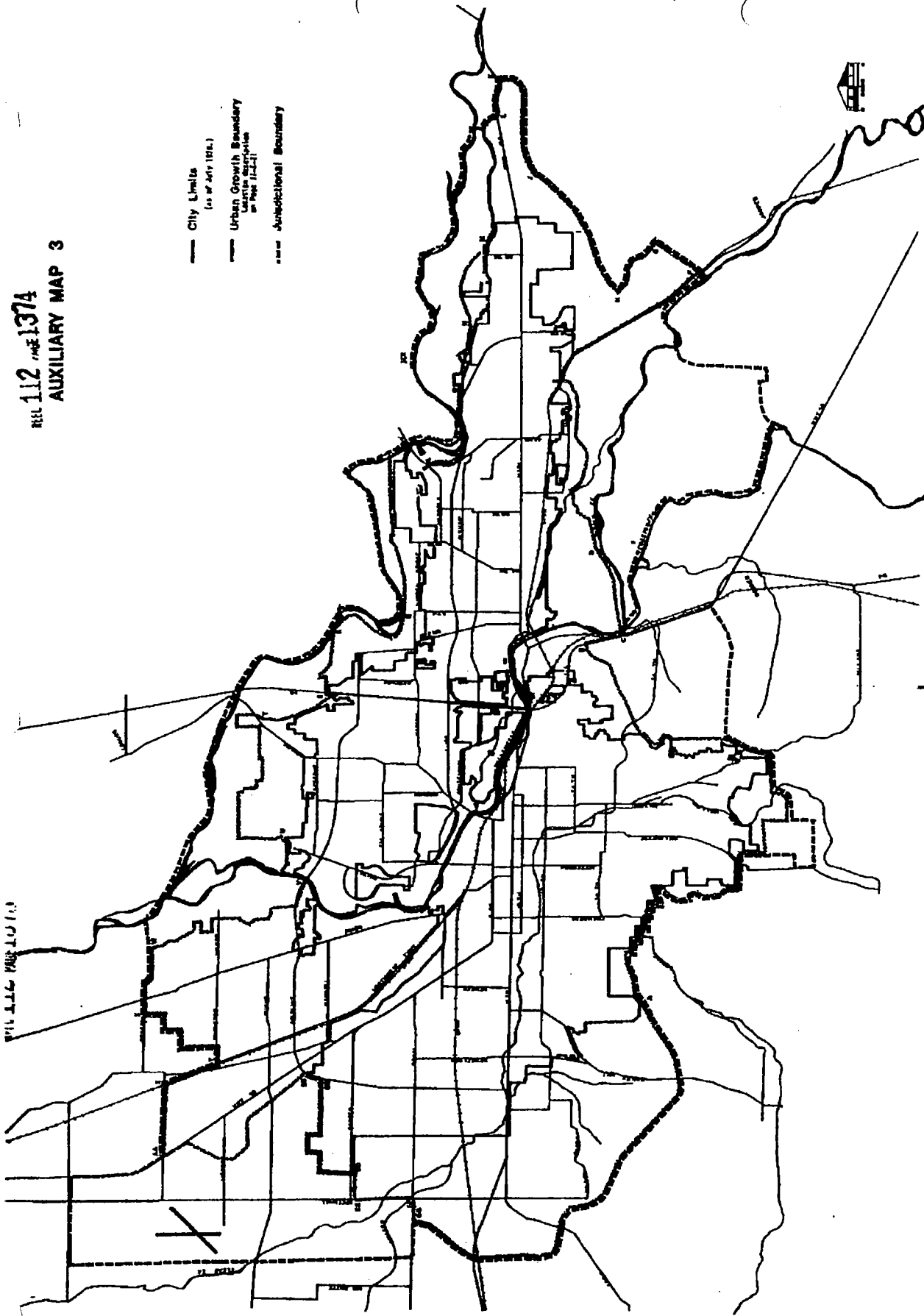


In the Matter of Amending the Eugene-Springfield Metropolitan Area General Plan, An Element of the General Plan for Lane County

REC 112 1374

AUXILIARY MAP 3

- City Limits  
(to 4 July 1954.)
- Urban Growth Boundary  
(to 4 July 1954.)
- Jurisdictional Boundary



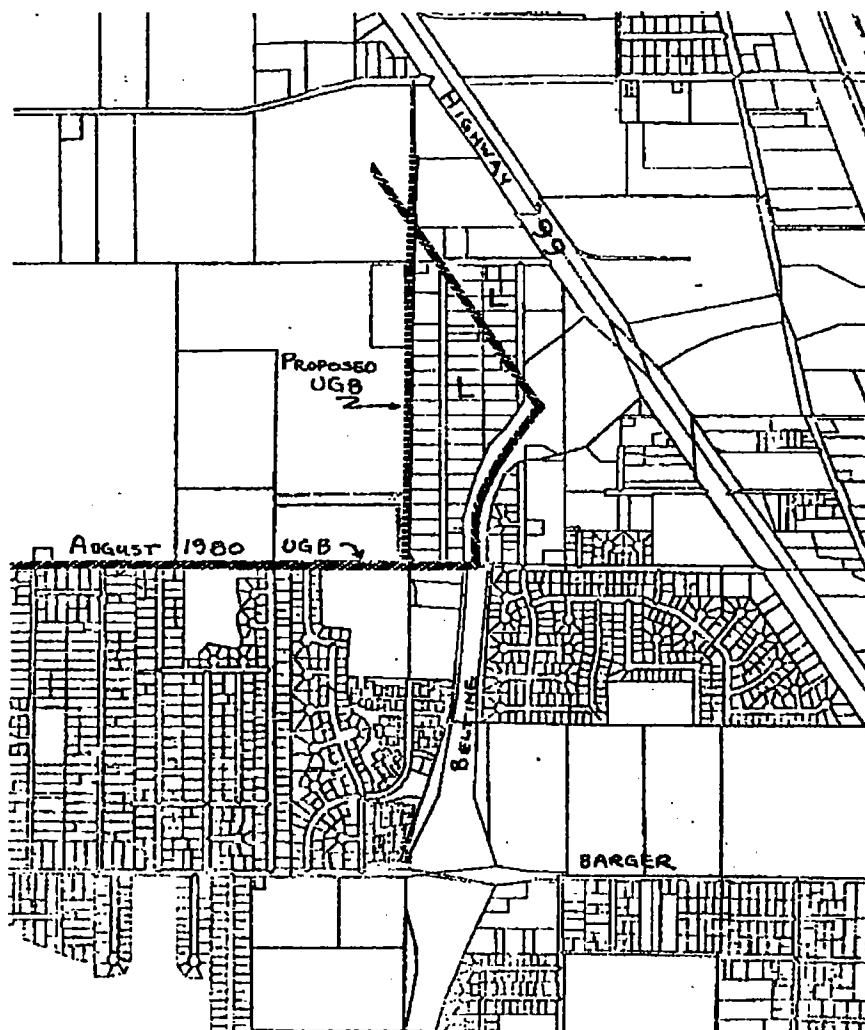
16. Change the "heavy industrial" designation for the Gregory Lumber Mill site to "light-medium industrial" (LMI).

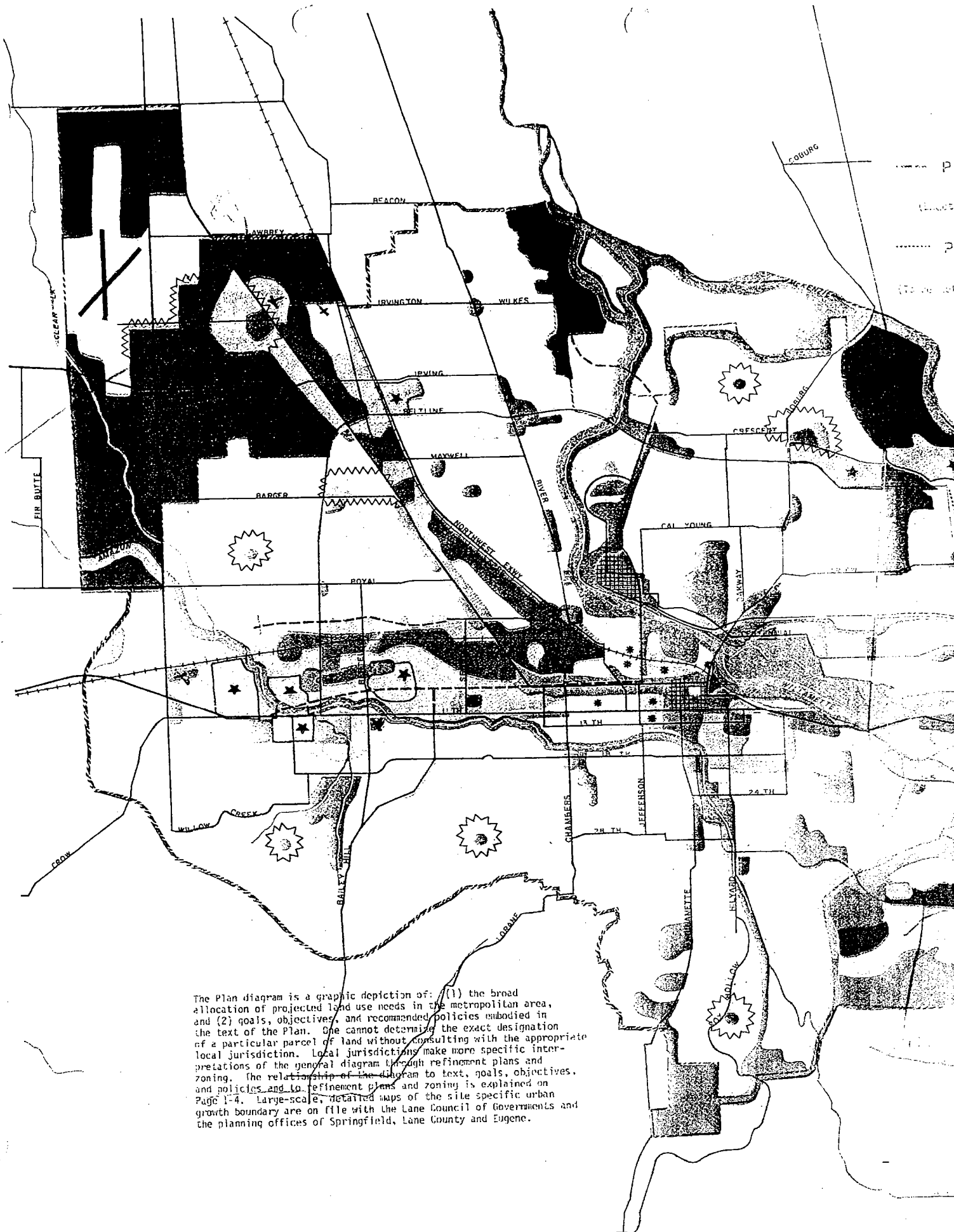
The mill has been removed. Removal of heavy industrial use and redesignation as LMI in the West Eugene industrial corridor would be more compatible with planned light-medium and special light industrial uses planned for west Eugene.

17. Amend the urban growth boundary (UGB) to include "Irvingdale"

This area can be served by the City of Eugene and the existing commitment to nonresource use through subdivision makes this area difficult to justify as agricultural land. See the map below for details on location of UGB.

This area should be designated low density residential.

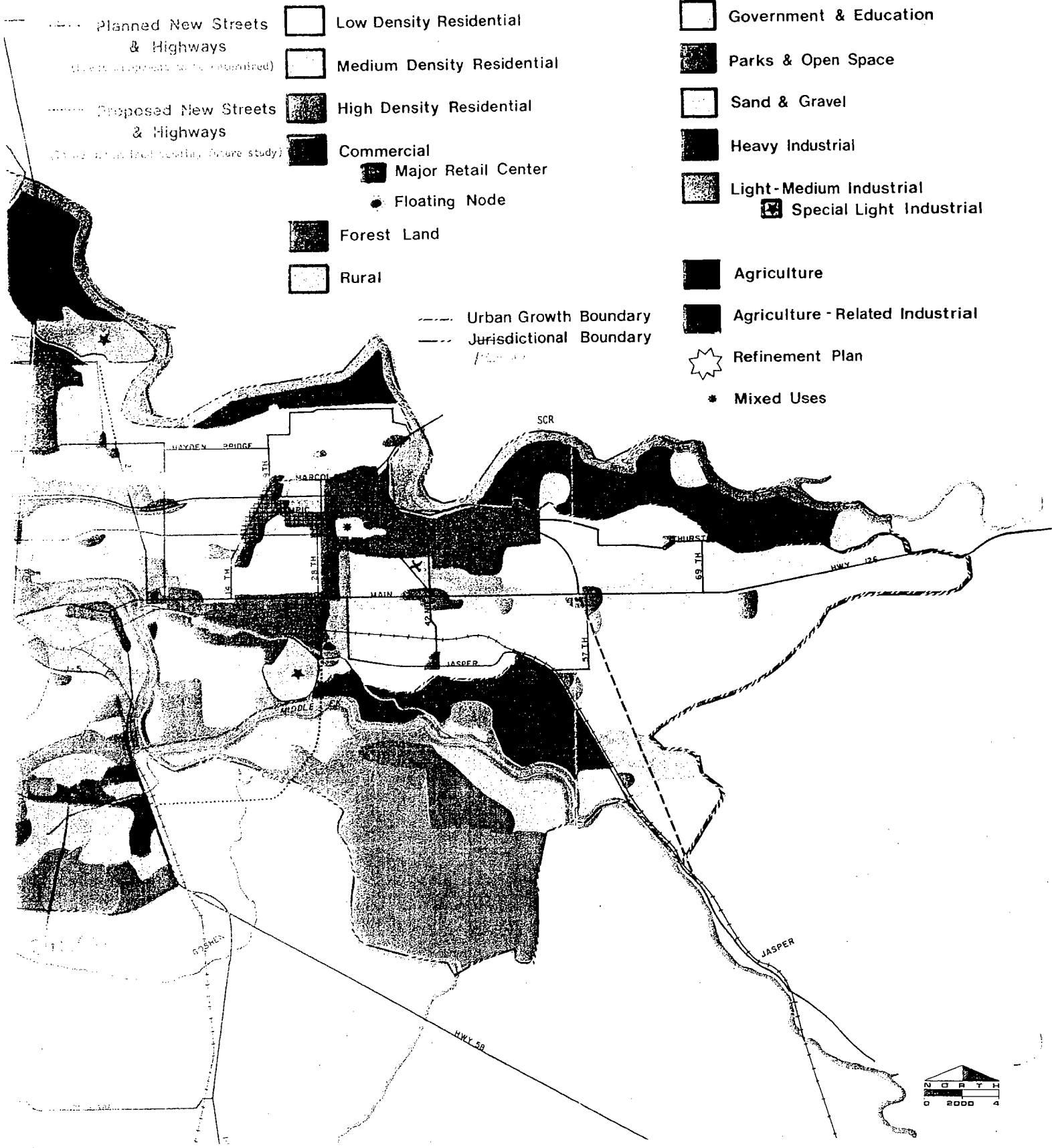




The Plan diagram is a graphic depiction of: (1) the broad allocation of projected land use needs in the metropolitan area, and (2) goals, objectives, and recommended policies embodied in the text of the Plan. One cannot determine the exact designation of a particular parcel of land without consulting with the appropriate local jurisdiction. Local jurisdictions make more specific interpretations of the general diagram through refinement plans and zoning. The relationship of the diagram to text, goals, objectives, and policies and to refinement plans and zoning is explained on Page 1-4. Large-scale, detailed maps of the site specific urban growth boundary are on file with the Lane Council of Governments and the planning offices of Springfield, Lane County and Eugene.

# EUGENE - SPRINGFIELD ADOPTED METROPOLITAN AREA GENERAL PLAN PLAN DIAGRAM

(The purposes and role of the Plan diagram and the descriptions of the land uses and symbols shown are contained in Chapter II-E.)





The Plan diagram is a graphic depiction of: (1) the broad allocation of projected land use needs in the metropolitan area, and (2) goals, objectives, and recommended policies embodied in the text of the Plan. One cannot determine the exact designation of a particular parcel of land without consulting with the appropriate local jurisdiction. Local jurisdictions make more specific interpretations of the general diagram through refinement plans and zoning. The relationship of the diagram to text, goals, objectives, and policies and to refinement plans and zoning is explained on Page 1-4. Large-scale, detailed maps of the site specific urban growth boundary are on file with the Lane Council of Governments and the planning offices of Springfield, Lane County and Eugene.