

with agricultural operations. No aircraft may be based on a personal-use airport other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Aeronautics Division in specific instances. A personal-use airport lawfully existing as of September 13, 1975, shall continue to be permitted subject to any applicable regulations of the Aeronautics Division; and

(ii) LC 16.212(10)(f) through (g) below.

(e) A facility for the primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in LC 16.090. Such a facility may be approved for a one year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing of a forest product, as used in this section, means the use of a portable chipper or stud mill or other similar methods of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in this section, means timber grown upon a tract where the primary processing facility is located.

(f) A transmission tower over 200 feet in height, not including a telecommunication facility defined by LC 16.264(2), that complies with LC 16.212(10)(f) through (g) below.

(g) Room and board arrangements for a maximum of five unrelated persons in an existing dwelling that comply with LC 16.212(10)(f) through (h) below.

(h) A facility for the primary processing of farm crops that complies with these requirements:

(i) The farm on which the processing facility is located must provide at least one-quarter of the farm crops processed at the facility;

(ii) The building established for the processing facility shall not exceed 10,000 square feet of floor area exclusive of the floor area designated for preparation, storage or other farm use or devote more than 10,000 square feet to the processing activities within another building supporting farm use;

(iii) A processing facility shall comply with applicable requirements in LC 16.212(10)(a) through (e) below. These requirements shall not be applied in a manner that prohibits the siting of the processing facility; and

(iv) A land division of a lot or parcel shall not be approved that separates the processing facility from the farm operation on which it is located.

(i) Utility facilities necessary for public service, including wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height, provided such utility facilities comply with these requirements:

(i) The utility facility shall be necessary for public service if it must be sited in the E-RCP zone in order to provide the service. To demonstrate that a utility facility is necessary, the applicant must show that reasonable alternatives have been considered and that the facility must be sited in the E-RCP zone due to one or more of the following factors:

(aa) Technical and engineering feasibility;

(bb) The proposed facility is locationally dependent. A utility facility is locationally dependent if it must cross land in one or more areas zoned E-RCP in order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;

(cc) Lack of available urban and non-resource lands;

(dd) Availability of existing rights of way;

(ee) Public health and safety; and

(ff) Other requirements of state and federal agencies.

(ii) Costs associated with any of the factors listed in LC 16.212(4)(i)(i) above may be considered, but cost alone may not be the only consideration of determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities and the siting of utility facilities that are not substantially similar.

(iii) The owner of a utility facility approved under LC 16.212(4)(i) above shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in LC 16.212(4)(i) above shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration;

(iv) The Approval Authority shall impose clear and objective conditions on an application for utility facility siting to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farming practices or a significant increase in the cost of farm practices on surrounding farmlands;

(v) In addition to the requirements in LC 16.212(4)(i)(i) through (iv) above, the establishment or extension of a sewer system as defined by OAR 660-011-0060(1)(f) shall be subject to the requirements of OAR 660-011-0060;

(vi) In addition to the requirements in LC 16.212(i)(i) through (iv) above, a utility facility that is a telecommunication facility as defined by LC 16.264(2) shall comply with LC 16.264; and

(vii) The requirements in LC 16.212(4)(i)(i) through (iv) above do not apply to interstate natural gas pipelines and the associated facilities authorized by and subject to regulation by the Federal Energy Regulatory Commission.

(j) Publicly owned parks and playgrounds that comply with these requirements:

(i) LC 16.212(10)(f) through (g) below;

(ii) Public parks shall include only those uses specified under OAR 660-034-0035; and

(iii) A public park may be established consistently with ORS 195.120.

(k) Private parks, playgrounds and campgrounds that comply with these requirements:

(i) Uses described in LC 16.212(4)(k) above are not permitted on high value farm land;

(ii) Except on a lot or parcel contiguous to a lake or reservoir, uses described in LC 16.212(4)(k) above are not permitted within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR 660, Division 4;

(iii) LC 16.212(10)(f) through (g) below;

(iv) A private 'campground' is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes. A private campground:

(aa) Shall be established on a site or be contiguous to lands with a park or other outdoor amenity that is accessible for recreational use by occupants of the campground.

(bb) Shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation and other natural features between campsites;

(cc) Shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations;

(dd) Shall not allow overnight temporary use in the same campground by a camper or camper's vehicle exceeding a total of 30 days during any consecutive 6 month period;

(ee) Shall not provide separate sewer, water or electric service hook-ups to individual campsites except that electric service may be provided to yurts as allowed by LC 16.212(4)(k)(iv)(ff) below;

(ff) May provide campsites to be occupied by a tent, travel trailer, recreational vehicle or yurt. A 'yurt' means a round domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance. The yurt shall be located on the ground or on a wood floor with no permanent foundation. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt; and

(v) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and LC 16.212(4)(k)(i) through (iv) above, lawfully existing facilities described in LC 16.212(4)(k) above that are on high value farm land may be maintained, enhanced or expanded on the same tract if the existing facilities are wholly located in the Exclusive Farm Use (E-RCP) zone and comply with the general provisions and requirements of LC Chapter 16.

(l) Private hunting and fishing preserves that comply with these requirements:

(i) Uses described in LC 16.212(4)(l) above are not permitted on high value farm land;

(ii) LC 16.212(10)(f) through (g) below; and

(iii) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and LC 16.212(4)(l)(i) and (ii) above, lawfully existing facilities described in LC 16.212(4)(l) above that are on high value farm land may be maintained, enhanced or expanded on the same tract if the existing facilities are wholly located in the Exclusive Farm Use (E-RCP) zone and comply with the general provisions and requirements of LC Chapter 16.

(m) On-site filming and activities accessory to onsite filming for more than 45 days. On-site filming and activities accessory to on-site filming include: filming and site preparation, construction of sets, staging, makeup and support services customarily provided for on-site filming; and production of advertisements, documentaries, feature film, television services and other film productions that rely on the rural qualities of an exclusive farm use zone in more than an incidental way. On-site filming and activities accessory to on-site filming does not include: facilities for marketing, editing and other such activities that are allowed only as home occupation; or construction of new structures that requires a building permit. The onsite filming shall comply with LC 16.212(10)(f) through (g) below.

(n) Operations for the extraction and bottling of water that comply with LC 16.212(10)(f) through (g) below.

(o) The following transportation facilities and uses that comply with LC 16.212(10)(f) through (g). Uses listed in LC 16.212(4)(o)(ix) through (xiii) shall also comply with LC 16.212(10)(j).

(i) Reconstruction or modification as defined in LC 15.010 of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels and that complies with LC 16.212(10)(f) through (g) below.

(ii) Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels and that complies with LC 16.212(10)(f) through (g) below.

(iii) Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required but not resulting in the creation of new land parcels and that complies with LC 16.212(10)(f) through (g) below.

(iv) Bikeways, footpaths, and recreation trails not otherwise allowed as a reconstruction or modification project or part of an existing road.

(v) Park and ride lots.

(vi) Railroad mainlines and branchlines.

(vii) Pipelines.

(viii) Navigation channels.

(ix) Realignment as defined in LC 15.010 not otherwise allowed under LC 16.212(3) or LC 16.212(4).

(x) Replacement of an intersection with an interchange.

(xi) Continuous median turn lanes.

(xii) New Roads as defined in LC 15.010 that are County Roads functionally classified as Local Roads or Collectors, or are Public Roads or Local Access Roads as defined in LC 15.010(35) in areas where the function of the road is to reduce local access to or local traffic on a state highway. These roads shall be limited to two travel lanes. Private access and intersections shall be limited to rural needs or to provide adequate emergency access.

(xiii) Transportation facilities, services and improvements other than those listed in LC 16.212 that serve local travel needs. The travel capacity and level of service of facilities and improvements serving local travel needs shall be limited to that necessary to support rural land uses identified in the Rural Comprehensive Plan or to provide adequate emergency access.

(p) Propagation, cultivation, maintenance and harvesting of aquatic or insect species that complies with these requirements:

(i) LC 16.212(10)(f) through (g) below;

(ii) Insect species shall not include any species under quarantine by the State Department of Agriculture or the United States Department of Agriculture; and

(iii) The Director shall provide notice of all applications under this section to the State Department of Agriculture following the procedures for notice in LC 14.300(3) at least 20 days in advance of any administrative decision or initial public hearing on the applications.

(q) Composting facilities for which a permit has been granted by the Department of Environmental Quality under ORS 459.245 and OAR 340-96-020 and that comply with these requirements:

(i) Uses described in LC 16.212(4)(q) above are not permitted on high value farm land;

(ii) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and LC 16.212(4)(q)(i) above and (iv) below, lawfully existing facilities described in LC 16.212(4)(q) above that are on high value farm land may be maintained, enhanced or

expanded on the same tract if the existing facilities are wholly located in the Exclusive Farm Use (E-RCP) zone and comply with the general provisions and requirements of LC Chapter 16;

(iii) Composting facilities allowed on land not defined as high value farmland shall be limited to the composting operations and facilities defined by the Environmental Quality Commission under OAR 340-096-0024(1), (2) or (3). Buildings and facilities used in conjunction with the composting operation shall only be those required for the operation of the subject facility. Onsite sales shall be limited to bulk loads of at least one unit (7.5 cubic yards) in size that are transported in one vehicle; and

(iv) LC 16.212(10)(f) through (g) below.

(r) Churches and cemeteries in conjunction with churches that comply with these requirements:

(i) Uses described in LC 16.212(4)(r) above shall not be approved within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR 660, Division 4;

(ii) Uses allowed by LC 16.212(4)(r) above shall not be permitted on high value farm land;

(iii) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and LC 16.212(4)(r)(i) through (ii) above, lawfully existing facilities described in LC 16.212(4)(r) above may be maintained, enhanced or expanded on the same tract if the existing facilities are wholly located in the Exclusive Farm Use (E-RCP) zone and comply with the general provisions and requirements of LC Chapter 16; and

(iv) If a church, synagogue, temple, mosque, chapel, meeting house or other non-residential place of worship is allowed on real property under LC 16.212(4)(r) above, the reasonable use of real property shall be allowed for activities that are customarily associated with the practices of that religious activity including worship services, religion classes, weddings, funerals, child care and meal programs, but not including private or parochial school education for pre-kindergarten through grade 12 or higher education.

(s) A firearms training (the same as provided in ORS 197.770) shall be allowed to continue operations until such time as no longer used as a firearms training facility, provided the following requirements are met:

(i) The firearms training facility was in existence on September 9, 1995; and

(ii) The firearms training facility is an indoor or outdoor facility that provides training courses and issues certifications required:

(aa) For law enforcement personnel;

(bb) By State department of Fish and Wildlife; or

(cc) By nationally recognized programs that promote shooting matches, target shooting and safety.

(t) A living history museum that complies with these requirements:

(i) "Living History Museum" means a facility designed to depict and interpret everyday life and culture of some past historic period using authentic buildings, tools, equipment and people to simulate past activities and events. As used in LC 16.212(4)(t) above, a living history museum shall be related to resource based activities and shall be owned and operated by a governmental agency or a historical society. A living history museum may include limited commercial activities and facilities that are directly related to the use and enjoyment of the museum and located within authentic buildings of the depicted historic period or the museum administration building, if areas other than an exclusive farm use zone cannot accommodate the museum

and related activities or if the museum administration buildings and parking lot are located within one quarter mile of an urban growth boundary;

(ii) "Local historical society" means the local historical society, recognized as such by the Board and organized under ORS Chapter 65; and

(iii) LC 16.212(10)(f) through (g) below.

(u) The parking of no more than seven log trucks on a lot or parcel and that complies with LC 16.212(10)(f) through (g) below.

(v) A wildlife habitat conservation and management plan pursuant to ORS 215.804 and that complies with LC 16.212(10)(f) through (h) below.

(w) Kennel, Commercial; or Kennel, Commercial Breeding that comply with these requirements:

(i) Uses described in LC 16.212(4)(w) above are not permitted on high value farm land;

(ii) LC 16.212(10)(f) through (g) below; and

(iii) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and LC 16.212(4)(w)(i) through (ii) above, lawfully existing facilities described in LC 16.212(4)(w) above that are on high value farm land may be maintained, enhanced or expanded on the same tract if the existing facilities are wholly located in the Exclusive Farm Use (E-RCP) zone and comply with the general provisions and requirements of LC Chapter 16.

(x) Operations conducted for the mining and processing of geothermal resources as defined in LC 16.212(4)(x)(i) below (the same as defined by ORS 522.005) and oil and gas (the same as defined by ORS 520.005) as defined in LC 16.212(4)(x)(ii) below, not otherwise permitted by LC 16.212(3)(d) above and that comply with these requirements:

(i) "Mining and processing of geothermal resources" includes the natural heat of the earth, the energy, in whatever form, below the surface of the earth present in, resulting from, or created by, or which may be extracted from, the natural heat, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases, and steam, in whatever form, found below the surface of the earth, exclusive of helium or of oil, hydrocarbon gas or other hydrocarbon substances, but including specifically:

(aa) All products of geothermal processes, embracing indigenous steam, hot water and hot brines;

(bb) Steam and other gases, hot water and hot brines, resulting from water, gas or other fluids artificially introduced into geothermal formations;

(cc) Heat or other associated energy found in geothermal formations; and

(dd) Any by-product derived from them;

(ii) "Gas" means all natural gas and all other fluid hydrocarbons not defined as "oil" in LC 16.212(4)(x)(ii) below, including condensate originally in the gaseous phase in the reservoir. "Oil" means crude petroleum oil and other hydrocarbons, regardless of gravity, which are produced in liquid form by ordinary production methods, but does not include liquid hydrocarbons that were originally in a gaseous phase in the reservoir; and

(iii) LC 16.212(10)(f) through (g) below.

(y) Operations conducted for mining more than 1,000 cubic yards of material or excavation preparatory to mining of a surface area more than one acre;

crushing and stockpiling of aggregate and other mineral and other subsurface resources that comply with these requirements:

(i) For the purposes of LC 16.212(4)(y) above, "mining" includes all or part of the process of mining by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse, and the construction of adjacent or off-site borrow pits except those constructed for use as access roads. "Mining" does not include excavations of sand, gravel, clay, rock or similar materials conducted by a land owner or tenant on the landowner or tenant's property for the primary purpose of reconstruction or maintenance of access roads and excavation or grading operations conducted in the process of farming or cemetery operations, on-site road construction or other on-site construction or non-surface impacts of underground mines;

(ii) The site for the mining of aggregate must be included on an inventory in the acknowledged Lane County Rural Comprehensive Plan; and

(iii) LC 16.212(10)(f) through (g) below.

(z) Processing (as defined by ORS 517.750) including, but not limited to, crushing, washing, milling and screening as well as the batching and blending of mineral aggregate into asphalt or Portland cement that comply with these requirements:

(i) LC 16.212(10)(f) through (g) below; and

(ii) New uses that batch and blend mineral and aggregate into asphalt cement may not be authorized within two miles of a planted vineyard. "Planted vineyard" means one or more vineyards totaling 40 acres or more that are planted as of the date the application for batching and blending is filed.

(a-a) Processing of other mineral resource and other subsurface resources that comply with LC 16.212(10)(f) through (g) below.

(b-b) Public or private schools, including all buildings essential to the operation of a school, that comply with these requirements:

(i) Public or private schools are not permitted on high value farm land;

(ii) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and (4)(b-b)(i) above, lawfully existing public or private schools that are on high value farmland and wholly zoned Exclusive Farm Use (E-RCP) may be maintained, enhanced or expanded on the same tract subject to compliance with the general requirements and provisions of LC Chapter 16; and

(iii) On land that is not high value farmland, new public or private schools shall not be approved within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, Division 4.

(c-c) Destination resort that is approved consistent with the requirements of Goal 8 and that complies with these requirements:

(i) LC 16.212(10)(f) through (g) below; and

(ii) New destination resorts are not permitted on high value farm land.

(d-d) A site for the disposal of solid waste that has been ordered to be established by the Environmental Quality Commission under ORS 459.049, together with the equipment, facilities or buildings for its operation that complies with these requirements:

(i) Uses allowed by LC 16.212(4)(d-d) above are not permitted on high value farm land; and

(ii) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and LC 16.212(4)(d-d)(i) above, lawfully existing facilities described in LC 16.212(4)(d-d) above that are on high value farm land may be maintained, enhanced or expanded on the same tract if the existing facilities are wholly located in the Exclusive Farm Use (E-RCP) zone and comply with the general provisions and requirements of LC Chapter 16.

(e-e) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment facilities or buildings necessary for its operation. Such a facility shall comply with these requirements:

(i). Uses allowed by LC 16.212(4)(e-e) are not permitted on high value farm land;

(ii) LC 16.212(10)(f) through (g) below; and

(iii) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) and LC 16.212(4)(e-e)(i) through (ii) above, lawfully existing solid waste disposal sites that are located on high value farm land and that are wholly within the Exclusive Farm Use (E-RCP) zone may be maintained, enhanced or expanded on the same tract subject to compliance with the general provisions and requirements of LC Chapter 16.

(f-f) Any gathering, and any part of which is held in open spaces, of more than 3,000 persons which continues or can reasonably be expected to continue for more than 120 hours within any three-month period and that comply with these requirements:

(i) The applicant has complied or can comply with the requirements for an outdoor mass gathering permit set out in ORS 433.750;

(ii) The proposed gathering is compatible with existing land uses;

(iii) The proposed gathering shall not materially alter the stability of the overall land use pattern of the area; and

(iv) The provisions of ORS 433.755 shall apply to the proposed gathering.

(g-g) Armed forces reserve center, if the center is within one half mile of the main campus of a community college. For purposes of this paragraph, "armed forces reserve center" includes an armory or National Guard support facility.

(h-h) Community centers owned by a governmental agency or a nonprofit community organization and operated primarily by and for residents of the local rural community and that comply with LC 16.212(10)(f) through (g) below.

(i-i) Golf courses that comply with these requirements:

(i) "Golf Course" means an area of land with highly maintained natural turf laid out for the game of golf with a series of nine or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards. A "Golf Course" means a 9 or 18 hole regulation golf course or a combination 9 and 18 hole regulation golf course consistent with the following:

(aa) A regulation 18 hole golf course is generally characterized by a site of about 120 to 150 acres of land, has a playable distance of 5,000 to 7,200 yards, and a par of 64 to 73 strokes;

(bb) A regulation 9 hole golf course is generally characterized by a site of about 65 to 90 acres of land, has a playable distance of 2,500 to 3,600 yards, and a par of 32 to 36 strokes;

(cc) Non-regulation golf courses are not allowed uses within these areas. "Non-regulation golf course" means a golf course or golf course-like development that does not meet the definition of golf course in this subsection, including



but not limited to executive golf courses, Par 3 golf courses, pitch and putt golf courses, miniature golf courses and driving ranges;

(dd) Accessory uses provided as part of a golf course shall be limited in size and orientation on the site to serve the needs of persons and their guests who patronize the golf course to golf. An accessory use that provides commercial services (e.g., food and beverage service, pro shop, etc.) shall be located in the clubhouse rather than in separate buildings. An accessory use to a golf course is a facility or improvement that is incidental to the operation of the golf course or that provides goods or services customarily provided to golfers at a golf course. Accessory uses to a golf course may include: parking; maintenance buildings; cart storage and repair; practice range or driving range; clubhouse; restrooms; lockers and showers; food and beverage service; pro shop; a practice or beginners course as part of an 18 hole or larger golf course. Accessory uses to a golf course do not include: sporting facilities unrelated to golfing such as tennis courts, swimming pools, and weight rooms; wholesale or retail operations oriented to the non-golfing public;

(ii) LC 16.212(10)(f) through (g) below;

(iii) Uses allowed by LC 16.212(4)(i-i) above are not allowed on high value farm land;

(iv) Notwithstanding LC 16.212(4)(i-i)(i) and (iii) above, a lawfully existing golf course that is wholly within the E-RCP zone and on high value farmland may be maintained, enhanced or expanded on the same tract consistent with the requirements of LC 16.212(4)(i-i)(ii) above, but shall not be expanded to contain more than 36 holes.

(j-j) Commercial utility facilities for the purpose of generating power for public use by sale that comply with these requirements:

(i) LC 16.212(10)(f) through (g) below;

(ii) On high value farm land, the power generation facility shall not preclude more than 12 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to OAR Chapter 660, Division 4;

(iii) On land that is not high value farm land, a power generation facility shall not preclude more than 20 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to OAR Chapter 660, Division 4; and

(iv) Notwithstanding LC 16.212(4) (the requirements for a special use permit and to provide notice and opportunity for appeal or to conduct a hearing) above, uses described by LC 16.212(4)(j-j) above are allowed subject to compliance with ORS 469.504.

(k-k) The land application of reclaimed water, agricultural process or industrial process water or biosolids for agricultural, horticultural or silvicultural production, or for irrigation in connection with a use allowed by LC 16.212, subject to the issuance of a license, permit or other approval by the Department of Environmental Quality under ORS 454.695, 459.205, 468B.050, 468B.053 or 468B.055, or in compliance with rules adopted under ORS 468B.095, and subject to compliance with these requirements:

(i) Allowable uses include:

(aa) The treatment of reclaimed water, agricultural or industrial process water or biosolids that occurs as a result of the land application;

(bb) The establishment and use of facilities, including buildings, equipment, aerated and non-aerated water impoundments, pumps and other irrigation equipment, that are accessory to and reasonably necessary for the land application to occur on the subject tract;

(cc) The establishment and use of facilities, including buildings and equipment, that are not on the tract on which the land application occurs for the transport of reclaimed water, agricultural or industrial process water or biosolids to the tract on which the land application occurs if the facilities are located within:

(A) A public right of way; or

(B) Other land if the land owner provides written consent and the owner of the facility complies with ORS 215.275(4); and

(dd) The transport by vehicle of reclaimed water or agricultural or industrial process water to a tract on which the water will be applied to the land;

(ii) Uses not allowed include:

(aa) The establishment and use of facilities, including buildings or equipment, for the treatment of reclaimed water, agricultural or industrial process water or biosolids other than those treatment facilities related to the treatment that occurs as a result of the land application; or

(bb) The establishment and use of utility service lines allowed under LC 16.212(3)(r) above; and

(iii) If biosolids are transported by vehicle to a tract on which the biosolids will be applied to the land under a license, permit or approval by the Department of Environmental Quality under ORS 454.695, 459.205, 468B.050, 468B.053 or 468B.055, or in compliance with rules adopted under ORS 468B.095, the transport and the land application are allowed outright, and a state or Lane County license, permit or approval in connection with the use is not a land use decision.

(5) Allowable Residential Uses On High Value Farmland or Land That Is Not High Value Farmland. The following residential uses are allowed on high value farm land or land that is not high value farmland subject to compliance with the general provisions and exceptions specified by this Chapter of Lane Code and compliance with the requirements in LC 16.212(5)(a) through (d) below. Final approval of a non-farm use authorized under LC 16.212(5) below shall not be given unless any additional taxes imposed on the change in use have been paid.

(a) The alteration, restoration, or replacement in the same location of a lawfully established dwelling is an allowed use without the need for notice and the opportunity for appeal subject to compliance with the following requirements:

(i) The property owner provides:

(aa) Building permit or land use application records from the Lane County Land Management Division indicating that the existing dwelling was lawfully constructed or placed on the subject property; or

(bb) Records from the Lane County Assessment and Taxation Office indicating that the structure has existed on the property and been taxed on a continuous annual basis from a date that, as determined by the Director, predates the zoning of the subject property;

(ii) The dwelling has:

(aa) intact exterior walls and roof structure;

(bb) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(cc) interior wiring for interior lights; and

(dd) a heating system;

(iii) In the case of replacement, the new dwelling shall be sited in the same location as the dwelling to be replaced. For the purpose of LC 16.212(5)(a)(iii) above, "the same site" is defined as a square with dimensions of 200 feet which is centered on the footprint of the established dwelling or manufactured dwelling;

(iv) In the case of replacement, the new dwelling to be replaced shall be removed, demolished, or converted to an allowable use within three months of the completion of the replacement dwelling. A dwelling established under this section shall comply with all applicable siting standards in LC Chapter 16. However, the siting standards shall not be applied in a manner that prohibits the siting of the dwelling;

(v) An accessory farm dwelling authorized pursuant to LC 16.212(6)(b) or (7)(e) below may only be replaced by a manufactured dwelling;

(vi) LC 16.212(10)(h) below; and

(vii) Land use approval of a permit described in LC 16.212(5)(a) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.212(5)(a)(vii) above may be made and approved pursuant to LC 14.700(2).

(b) The alteration, restoration, or replacement of a lawfully established dwelling that does not meet the requirements in LC 16.212(5)(a)(i) or (iii) above is allowed subject to prior submittal of an application pursuant to LC 14.050, approval of the application by the Director pursuant to LC 14.100 with the options to conduct a hearing or to provide written notice of the decision and an opportunity for appeal, and compliance with these requirements:

(i) There is objective evidence demonstrating that the existing dwelling was lawfully placed on the subject property. The burden of proof is upon the applicant to provide this evidence to the Director;

(ii) The dwelling has:

(aa) intact exterior walls and roof structure;

(bb) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(cc) interior wiring for interior lights; and

(dd) a heating system;

(iii) The dwelling to be replaced shall be removed, demolished, or converted to an allowable use within three months of the completion of the replacement dwelling. A replacement dwelling may be sited on any part of the same lot or parcel. A dwelling established under this section shall comply with all applicable siting standards in LC Chapter 16. However, the siting standards shall not be applied in a manner that prohibits the siting of the dwelling. If the dwelling to be replaced is located on a portion of a lot or parcel not zoned Exclusive Farm Use, the applicant, as a condition of approval, shall execute and record in the Lane County deed records a deed restriction prohibiting the siting of a dwelling on that portion of the lot or parcel. The restriction imposed shall be irrevocable unless a statement of release is placed by the Director in the Lane County deed records. The release shall be signed by the Director and state that the provisions of this subsection regarding replacement dwellings have changed to allow the siting of another dwelling. The Director shall maintain a record of the lots or parcels that do not qualify for the siting of a dwelling under the provisions of this subsection, including a copy of the deed restrictions and release statements filed under this section;

(iv) An accessory farm dwelling authorized pursuant to LC 16.212(6)(b) or (7)(e) below may only be replaced by a manufactured dwelling;

(v) LC 16.212(10)(h) below; and

(vi) Land use approval of a permit described in LC 16.212(2)(b) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.212(5)(b)(vi) above may be made and approved pursuant to LC 14.700(2).

(c) A dwelling on property used for farm use located on the same lot or parcel as the dwelling of the farm operator, and occupied by relative of the farm operator or the farm operator's spouse which means a child, parent, stepparent, grandchild, grandparent, stepgrandparent, sibling, stepsibling, niece, nephew or first cousin of either, subject to prior submittal of an application pursuant to LC 14.050, approval of the application by the Director pursuant to LC 14.100 with the options to conduct a hearing or to provide written notice of the decision and an opportunity for appeal, and compliance with these requirements:

(i) The dwelling shall be occupied by persons whose assistance in the management and farm use of the existing commercial farming operation is required by the farm operator. The farm operator shall continue to play the predominant role in the management and farm use of the farm. A farm operator is a person who operates a farm, doing the work and making the day-to-day decisions about such things as planting, harvesting, feeding and marketing; and

(ii) LC 16.212(10)(h) below; and

(iii) Notwithstanding LC 16.090 'Partition Land,' 13.010 'Partition Land' or the minimum area requirements in LC 16.212(9) below, if the owner of a dwelling described in LC 16.212(5)(c) above obtains construction financing or other financing secured by the dwelling and the secured party forecloses on the dwelling, the secured party may also foreclose on the homesite, as defined in ORS 308A.250, and the foreclosure shall operate as a partition of the homesite to create a new parcel. Prior conditions of approval for the subject land and dwelling remain in effect. For the purpose of LC 16.212(5)(c)(iii) above, "foreclosure" means only those foreclosures excluded from the definition of partition under ORS 92.010(7)(a).

(d) One manufactured dwelling or park model recreation vehicle in conjunction with an existing dwelling as a temporary use for the term of a medical hardship or hardship due to age or infirmity suffered by the existing resident or relative of the resident is allowed subject to prior submittal of an application pursuant to LC 14.050, approval of the application by the Director pursuant to LC 14.100 with the options to conduct a hearing or to provide written notice of the decision and an opportunity for appeal, and compliance with these requirements:

(i) The manufactured dwelling or park model recreation vehicle shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling.

(ii) The temporary manufactured dwelling or park model recreation vehicle will comply with Oregon Department of Environmental Quality review and removal requirements and with the requirements of the Uniform Building Code;

(iii) LC 16.212(10)(f) through (h) below;

(iv) Except as provided in LC 16.212(5)(d)(v) below, approval of a temporary manufactured dwelling or park model recreation vehicle permit shall be valid until December 31 of the year following the year of original permit approval;

(v) Within 90 days of the end of the hardship situation, the manufactured dwelling or park model recreation vehicle shall be removed from the property or demolished; and

(vi) A temporary manufactured dwelling or park model recreation vehicle approved under LC 16.212(5)(d) above shall not be eligible for replacement under LC 16.212(5)(a) or (b) above.

(e) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in a county inventory as historic property is allowed subject to prior submittal of an application pursuant to LC 14.050, approval of the application by the Director pursuant to LC 14.100 with the options to conduct a hearing

or to provide written notice of the decision and an opportunity for appeal, and compliance with these requirements:

(i) "Historic Property" means real property that is currently listed in the National Register of Historic Places, established and maintained under the National Historic Preservation Act of 1966 (P.L. 89-665);

(ii) The property where the replacement dwelling would be located is used for "farm use;"

(iii) A person who would reside in the replacement dwelling would be employed in conjunction with the farm use of the property where the replacement dwelling would be located; and

(iv) LC 16.212(10)(h) below.

(6) Allowable Residential Uses On High Value Farmland. The following residential uses are allowed on high value farm land subject to the general provisions and exceptions specified by this chapter of Lane Code and subject to prior submittal of an application pursuant to LC 14.050, and approval of the application by the Director pursuant to LC 14.100 with the options to conduct a hearing or to provide written notice of the decision and an opportunity for appeal. Final approval of a non-farm use authorized under LC 16.212(6) below shall not be given unless any additional taxes imposed on the change in use have been paid.

(a) A dwelling customarily provided in conjunction with farm use is allowed subject to compliance with the following requirements:

(i) The subject tract is currently employed for the farm use, as defined in LC 16.090, that produced at least \$80,000 in gross annual income from the sale of farm products in the last two years or three of the last five years;

(ii) Except as permitted in ORS 215.213(1)(r)(1999 Edition) for seasonal farm worker housing, there is no other dwelling on lands zoned E-RCP owned by the farm operator or on the farm operation;

(iii) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income in LC 16.212(6)(a)(ii) above;

(iv) In determining the gross income required by LC 16.212(6)(a)(i) above, the cost of purchased livestock shall be deducted from the total gross income attributed to the farm operation. Only gross income from land owned, not leased or rented, shall be counted. Gross income earned from a lot or parcel which has been used previously to qualify another lot or parcel for the construction or siting of a primary farm dwelling may not be used. For the purpose of LC 16.212(6)(b)(iv), parcels zoned E-RCP in Lane County or for farm use in counties contiguous with Lane County, not including Deschutes County or Klamath County, may be used to complete the gross income requirements; and

(v) LC 16.212(10)(h) and (i) below.

(b) An "accessory farm dwelling" includes all types of residential structures allowed by applicable state building codes and is allowed subject to compliance with the following requirements:

(i) The accessory farm dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land and whose seasonal or year-round assistance in the management of the farm use such as planting, harvesting, marketing or caring of livestock, is or will be required by the farm operator;

(ii) The accessory farm dwelling will be located:

(aa) On the same lot or parcel as the primary farm dwelling;

or

(bb) On the same tract as the primary farm dwelling when the lot or parcel on which the accessory farm dwelling will be sited is consolidated into a single parcel with all other contiguous lots and parcels in the tract; or

(cc) On a lot or parcel on which the primary farm dwelling is not located, when the accessory farm dwelling is:

(A) Limited to only a manufactured dwelling with a deed restriction. The deed restriction shall be filed in the Lane County deed records and require the manufactured dwelling to be removed when the lot or parcel is conveyed to another party. The manufactured dwelling may remain if it is re-approved pursuant to LC 16.212(6)(b) above; or

(B) Limited to only attached multi-unit residential structures allowed by the applicable state building code or similar types of farm labor housing as existing farm labor housing or the farm operation registered with the Department of Consumer and Business Services, Oregon Occupational Safety and Health Division under ORS 658.750. Lane County shall require all accessory dwellings approved under LC 16.212(6)(b)(ii)(cc)(B) above to be removed, demolished, or converted to a non-residential use when farm worker housing is no longer required; or

(C) Located on a lot or parcel at least the size of the applicable minimum lot size under LC 16.212(9)(a) below and the lot or parcel complies with the gross farm income requirements in LC 16.212(6)(a) above.

(iii) There is no other dwelling on the lands designated for exclusive farm use owned by the farm operator that is vacant or currently occupied by persons not working on the subject farm or ranch and that could reasonably be used as an accessory farm dwelling;

(iv) The primary farm dwelling to which the proposed dwelling would be accessory:

(aa) Is located on a farm or ranch operation that is currently employed for farm use, as defined in LC 16.090, and produced at least \$80,000 in gross annual income from the sale of farm products in the last two years or three of the last five years. In determining the gross income, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract; or

(bb) Is located on a commercial dairy farm. A "commercial dairy farm" is a dairy operation that owns a sufficient number of producing dairy animals capable of earning the gross income required by LC 16.212(6)(b)(iv)(aa) above from the sale of fluid milk, and:

(A) The building permits, if required, have been issued and construction has begun or been completed for the building and animal waste facilities required for a commercial dairy farm; and

(B) The Oregon Department of Agriculture has approved a permit for a "confined animal feeding operation" under ORS 468B.050 and ORS 468B.200 to 468B.230, and a producer license for the sale of dairy products under ORS 621.072.

(v) Lane County shall not approve any proposed division of a lot or parcel for an accessory farm dwelling approved pursuant to LC 16.212(6)(d) above. If it is determined that an accessory farm dwelling satisfies the requirements of a dwelling customarily provided in conjunction with farm use pursuant to LC 16.212(6)(a) above, a parcel may be created consistent with the minimum parcel size requirements in LC 16.212(9) below;

(vi) An accessory farm dwelling approved pursuant to LC 16.212(6)(b) above cannot later be used to satisfy the requirements for a dwelling not provided in conjunction with farm use pursuant to LC 16.212(6)(c) or (d) below; and

(vii) LC 16.212(10)(h) and (i) below.

(c) For land located on the east side of the summit of the Coastal Range, a single family dwelling not provided in conjunction with farm use is allowed subject to compliance with the following requirements:

(i) LC 16.212(10)(f) through (h) below;

(ii) The dwelling will be sited on a lot or parcel that is predominantly composed of Class IV through VIII soils that would not, when irrigated, be classified as prime, unique, Class I or II soils;

(iii) The dwelling will be sited on a lot or parcel created before January 1, 1993. See the definition of "Date of Creation and Existence" in LC 16.212(2)(b) above;

(iv) The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed non-farm dwelling will alter the stability of the land use pattern in the area, the accumulative impact of possible new non-farm dwellings and parcels on other lots or parcels in the area similarly situated shall be considered. To address this standard, the following requirements shall be met:

(aa) Identify a study area for the cumulative impacts analysis.

The study area shall include at least 2,000 acres or a smaller area not less than 1,000 acres, if the smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other, adjacent agricultural areas. Findings shall describe the study area, its boundaries, the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or urban or non-resource uses shall not be included in the study area;

(bb) Identify within the study area the broad types of farm uses (irrigated or non-irrigated crops, pasture or grazing lands), the number, location and type of existing dwellings (farm, non-farm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of non-farm dwellings that could be approved under LC 16.212(6)(c) above and under LC 16.212(7)(f) and (g) below, including the identification of predominant soil classifications, the parcels created prior to January 1, 1993, and the parcels larger than the minimum lot size that may be created for new parcels for non-farm dwellings under LC 16.212(9)(d) below. The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible non-farm dwellings under LC 16.212(6)(c) above and LC 16.212(7)(f) and (g) below;

(cc) Determine whether the approval of the proposed non-farm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential non-farm dwellings will make it more difficult for the existing types of farms in the area to continue operations due to diminished opportunities to expand, purchase of lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area;

(v) The dwelling complies with such other conditions as the Approval Authority considers necessary; and

(vi) Land use approval of a permit described in LC 16.212(6)(c) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of

the timelines for the permit approval described in LC 16.212(6)(c)(vi) above may be made and approved pursuant to LC 14.700(2).

(d) For land located west of the summit of the Coast Range, a single family dwelling not provided in conjunction with farm use is allowed subject to compliance with the following requirements:

(i) LC 16.212(10)(f) through (h) below;

(ii) The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock or merchantable tree species, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land and:

(aa) A lot or parcel shall not be considered "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, it is not "generally unsuitable." A lot or parcel is presumed to be suitable if it is composed predominantly of Class I-IV soils. Just because a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use; or

(bb) If the parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the Forest Practices Rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. If a lot or parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production profitably by itself. If a lot or parcel under forest assessment can be sold, leased, rented or otherwise managed as a part of a forestry operation, it is not "generally unsuitable." If a lot or parcel is under forest assessment, it is presumed suitable if it is composed predominantly of soils capable of producing 50 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found compatible and not seriously interfere with forest uses on surrounding land it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land;

(iii) The dwelling will not alter the stability of the overall land use pattern of the area. In determining whether a proposed non-farm dwelling will alter the stability of the land use pattern in the area, consideration shall be given to the cumulative impact of non-farm dwellings on other lots or parcels in the area similarly situated by applying the standards in LC 16.212(6)(c)(iv)(aa) through (cc) above;

(iv) The dwelling complies with such other conditions as the Approval Authority considers necessary; and

(v) Land use approval of a permit described in LC 16.212(6)(d) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.212(6)(d)(v) above may be made and approved pursuant to LC 14.700(2).

(e) A dwelling customarily provided in conjunction with a commercial dairy farm that complies with these requirements:

(i) As used in LC 16.212(6)(e) above, a "commercial dairy farm" is a dairy operation that owns a sufficient number of producing dairy animals capable of earning at least \$80,000 in gross annual income from the sale of fluid milk;

(ii) The dwelling will be occupied by a person or persons who will be principally engaged in the operation of the commercial dairy farm, such as the feeding,



milking or pasturing of the dairy animals or other farm use activities necessary for the operation of the commercial dairy farm;

(iii) The building permits, if required, have been issued for or construction has begun for the buildings and animal waste facilities required for a commercial dairy farm;

(iv) The Oregon Department of Agriculture has approved the following:

(aa) A permit for a "confined animal feeding operation" under ORS 468B.050 and ORS 468B.200 through 468B.230; and

(bb) A Producer License for the sale of dairy products under ORS 621.072;

(v) The subject tract will be employed as a commercial dairy as defined by LC 16.212(6)(e)(i) above;

(vi) The dwelling is sited on the same lot or parcel as the buildings required by the commercial dairy;

(vii) Except as allowed by ORS 215.213(r) (1999 edition), there is no other dwelling on the subject tract; and

(viii) LC 16.212(10)(h) and (i) below.

(f) A dwelling customarily provided in conjunction with farm use is allowed subject to compliance with these requirements:

(i) Within the previous two years, the applicant owned a farm or ranch operation that earned \$80,000 in gross annual income from the sale of farm products in the last five years or four of the last seven years;

(ii) In determining the gross income required by LC 16.212(6)(f)(i) above:

(aa) The cost of purchased livestock shall be deducted from the total gross income attributed to the tract; and

(bb) Only gross income from land owned, not leased or rented, shall be counted;

(iii) The subject lot or parcel on which the dwelling will be located is:

(aa) Currently employed for farm use, as defined in LC 16.090, that produced \$80,000 in gross farm income in the last two years or three of the last five years; and

(bb) At least the size of the applicable minimum lot size under LC 16.212(9)(a);

(iv) Except as permitted in ORS 215.213(1)(r) (1999 Edition), there is no other dwelling on the subject tract;

(v) The dwelling will be occupied by a person or persons who produced the commodities which gross the income in LC 16.212(6)(f)(iii)(aa) above; and

(vi) LC 16.212(10)(h) and (i) below.

**(7) Allowable Residential Uses On Land That Is Not High Value Farmland.**

The following residential uses are allowed on land that is not high value farm land subject to the general provisions and exceptions specified by this Chapter of Lane Code and subject to prior submittal of an application pursuant to LC 14.050, approval of the application pursuant to LC 14.100 with the options for the Director to conduct a hearing or to provide written notice of the decision and an opportunity for appeal. Final approval of a non-farm use authorized under LC 16.212(7) below shall not be given unless any additional taxes imposed on the change in use have been paid.

(a) A "160 acre parcel" dwelling customarily provided in conjunction with farm use is allowed subject to compliance with the following requirements:

(i) The parcel on which the dwelling is located is at least 160 acres and not designated as rangeland;

(ii) Except as permitted pursuant to LC 16.212(5)(f) above, there is no other dwelling on the subject tract;

(iii) The subject tract is currently employed for farm use as defined in LC 16.090;

(iv) The dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land, such as planting, harvesting, marketing or caring for livestock, at a commercial scale; and

(v) LC 16.212(10)(h) below.

(b) A dwelling customarily provided in conjunction with farm use is allowed subject to compliance with the following requirements:

(i) The subject tract is currently employed for farm use that produced in the last two years or three of the last five years \$32,500 in gross annual income (the midpoint of the median income range of gross annual sales of farms in Lane County with annual sales of \$10,000 or more according to the 1992 Census of Agriculture, Oregon) from the sale of farm products. In determining the gross income required by this subsection, the cost of purchased livestock shall be deducted from the total gross income attributed to the farm operation. Only gross income from land owned, not leased or rented, shall be counted. Gross income earned from a lot or parcel which has been used previously to qualify another lot or parcel for the construction or siting of a primary farm dwelling may not be used. For the purpose of LC 16.212(7)(b)(i), parcels zoned E-RCP in Lane County or for farm use in counties contiguous with Lane County, not including Deschutes County or Klamath County, may be used to meet the gross income requirements;

(ii) The dwelling will be occupied by a person or persons who produced the commodities which grossed the income mentioned in LC 16.212(7)(b)(i) above;

(iii) Except as permitted in ORS 215.213(1)(r)(1999 Edition), there is no other dwelling on lands zoned E-RCP owned by the farm operator or on the farm operation;

(iv) The dwelling will be located on a lot or parcel that is not less than ten (10) acres; and

(vi) LC 16.212(10)(h) and (i) below.

(c) A dwelling in conjunction with farm use or the propagation or harvesting of a forest product on a lot or parcel that is managed as part of a farm operation or woodlot is allowed subject to compliance with the following requirements:

(i) The farm operation or woodlot:

(aa) Consists of 20 or more acres; and

(bb) Is not smaller than the average farm or woodlot in Lane County producing at least \$2,500 in annual gross income from the crops, livestock or forest products to be raised on the farm operation or woodlot;

(ii) The lot or parcel where the farm operation or woodlot is located does not have any dwellings on it; and

(iii) LC 16.212(10)(f) through (i) below.

(d) A dwelling in conjunction with farm use or the propagation or harvesting of a forest product on a farm operation or woodlot that is smaller than required under LC 16.212(7)(d) above is allowed subject to compliance with the following requirements:

(i) The farm operation or woodlot is smaller than the size of the farm operation or woodlot required in LC 16.212(7)(c)(i) above;

- (ii) The lot or parcel where the dwelling will be located:
  - (aa) Is managed as part of the farm operation or woodlot described in LC 16.212(7)(d)(i) above;
  - (bb) Has produced at least \$20,000 in annual gross farm income in two consecutive calendar years out of the three calendar years before the year in which the application for the dwelling was made or is planted in perennials capable of producing upon harvest an average of at least \$20,000 in annual gross farm income; or
  - (cc) Is a woodlot capable of producing an average over the growth cycle of \$20,000 in gross annual income; and
- (iii) LC 16.212(10)(f) through (h) below.
- (e) An "accessory farm dwelling" includes all types of residential structures allowed by applicable state building codes and is allowed subject to compliance with the following requirements:
  - (i) The accessory farm dwelling will be occupied by a person or persons who will be principally engaged in the farm use of the land and whose seasonal or year-round assistance in the management of the farm use such as planting, harvesting, marketing, or caring for livestock, is or will be required by the farm operator;
  - (ii) The accessory farm dwelling will be located on the same lot or parcel as the primary farm dwelling; or
  - (iii) The accessory farm dwelling will be located on:
    - (aa) The same tract as the primary farm dwelling when the lot or parcel on which the accessory farm dwelling will be sited is consolidated into a single parcel with all other contiguous lots and parcels in the tract; or
    - (bb) A lot or parcel on which the primary farm dwelling is not located, when the accessory farm dwelling is:
      - (A) Limited to only a manufactured dwelling with a deed restriction. The deed restriction shall be filed in the Lane County deed records and require the manufactured dwelling to be removed when the lot or parcel is conveyed to another party. The manufactured dwelling may remain if it is re-approved pursuant to LC 16.212(7)(e) above; or
      - (B) Limited to only attached multi-unit residential structures allowed by the applicable state building code or similar types of farm labor housing as existing farm labor housing or the farm operation registered with the Department of Consumer and Business Services, Oregon Occupational Safety and Health Division under ORS 658.750. Lane County shall require all accessory dwellings approved under LC 16.212(7)(e)(iii)(bb)(B) above to be removed, demolished or converted to a nonresidential use when farm worker housing is no longer required; or
      - (C) Located on a lot or parcel at least the size of the applicable minimum lot size under LC 16.212(9)(a) below and the lot or parcel complies with the gross farm income requirements in LC 16.212(7)(b) above.
  - (iv) There is no other dwelling on the lands designated for exclusive farm use owned by the farm operator that is vacant or currently occupied by persons not working on the subject farm or ranch and that could reasonably be used as an accessory farm dwelling;
  - (v) The primary farm dwelling to which the proposed dwelling would be accessory:
    - (aa) Is located on a farm or ranch operation that is currently employed for farm use, as defined in LC 16.090, and produced at least \$32,500 (the midpoint of the median income range of gross annual sales of farms in Lane County with annual sales of \$10,000 or more according to the 1992 Census of Agriculture, Oregon) in gross annual income from the sale of farm products in the last two years or three of the

last five years. In determining the gross income, the cost of purchased livestock shall be deducted from the total gross income attributed to the tract; or

(bb) Is located on a commercial dairy farm. A "commercial dairy farm" is a dairy operation that owns a sufficient number of producing dairy animals capable of earning the gross annual income required by LC 16.212(7)(b) above from the sale of fluid milk; and

(A) The building permits, if required, have been issued and construction has begun or been completed for the buildings and animal waste facilities required for a commercial dairy farm; and

(B) The Oregon Department of Agriculture has approved a permit for a "confined animal feeding operation" under ORS 463B.050 and ORS 468B.200 to 468B.230 and a producer license for the sale of dairy products under ORS 621.072; or

(cc) Is located on a farm operation that meets the standards and requirements of LC 16.212(7)(c) or (d) above.

(vi) Lane County shall not approve any proposed division of a lot or parcel for an accessory farm dwelling approved pursuant to LC 16.212(7)(e). If it is determined that an accessory farm dwelling satisfies the requirements of a dwelling customarily provided in conjunction with farm use pursuant to LC 16.212(7)(b) above, a parcel may be created consistent with the minimum parcel size requirements in LC 16.212(9) below;

(vii) An accessory farm dwelling approved pursuant to LC 16.212(7)(e) above cannot later be used to satisfy the requirements for a dwelling not provided in conjunction with farm use pursuant LC 16.212(7)(f) below; and

(viii) LC 16.212(10)(h) below.

(f) A dwelling not provided in conjunction with farm use is allowed subject to compliance with the following requirements:

(i) The soils of the lot or parcel are predominantly in capability classes IV through VIII as determined by the Agricultural Capability Classification System in use by the United States Department of Agriculture, Soil Conservation Service on October 15, 1983;

(ii) LC 16.212(10)(f) through (h) below;

(iii) The dwelling is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of the tract. A lot or parcel will not be considered unsuitable solely because of its size or location if it can reasonable be put to farm use in conjunction with other land;

(iv) Land use approval of a permit described in LC 16.212(7)(f) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.212(7)(f)(iv) above may be made and approved pursuant to LC 14.700(2); and

(v) The dwelling shall comply with such other conditions as the Approval Authority considers necessary.

(g) One dwelling not provided in conjunction with farm use, on a lot or parcel that is not larger than three acres provided it complies with these requirements:

(i) The lot or parcel does not have a single family or multiple family dwelling on it;

(ii) If the lot or parcel is located within the Willamette Greenway, a floodplain or a geological hazard area, the dwelling complies with conditions imposed

by Lane Code relating specifically to the Willamette Greenway, floodplains or geological hazard areas, whichever is applicable;

(iii) The lot or parcel was created between January 1, 1948, and July 1, 1983. See the definition of "Date of Creation and Existence" in LC 16.212(2)(b) above. For the purpose of LC 16.212(7)(g)(iii) above, only one lot or parcel exists if:

(aa) The lot or parcel is contiguous to one or more lots or parcels described in LC 16.212(7)(g)(iii)(aa). "Contiguous" means "lots, parcels or lots and parcels that have a common boundary, including but not limited to, lots, parcels or lots and parcels separated only by a public road"; and

(bb) On July 1, 1983, greater than possessory interests are held in those contiguous lots, parcels or lots and parcels by the same person, spouses or a single partnership or business entity, separately or in tenancy in common;

(iv) LC 16.212(10)(f) through (h) below;

(v) Notice and review of an application under LC 16.212(7)(g) above shall occur in compliance with LC 14.160;

(vi) Land use approval of a permit described in LC 16.212(7)(g) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.212(7)(g)(vi) above may be made and approved pursuant to LC 14.700(2); and

(vii) The dwelling complies with other conditions considered necessary by the Approval Authority.

(h) A dwelling customarily provided in conjunction with a commercial dairy farm that complies with these requirements:

(i) As used in LC 16.212(7)(h) above, a "commercial dairy farm" is a dairy operation that owns a sufficient number of producing dairy animals capable of earning at least \$32,500 (the mid point of the median income range of gross annual sales of farms in Lane County with annual sales of \$10,000 or more according to the 1992 Census of Agriculture, Oregon) in gross annual income from the sale of fluid milk;

(ii) The dwelling will be occupied by a person or persons who will be principally engaged in the operation of the commercial dairy farm, such as the feeding, milking or pasturing of the dairy animals or other farm use activities necessary for the operation of the commercial dairy farm;

(iii) The building permits, if required, have been issued for or construction has begun for the buildings and animal waste facilities required for a commercial dairy farm;

(iv) The Oregon Department of Agriculture has approved the following:

(aa) A permit for a "confined animal feeding operation" under ORS 468B.050 and ORS 468B.200 through 468B.230; and

(bb) A Producer License for the sale of dairy products under ORS 621.072;

(v) The subject tract will be employed as a commercial dairy as defined by LC 16.212(7)(h)(i) above;

(vi) The dwelling is sited on the same lot or parcel as the buildings required by the commercial dairy;

(vii) Except as allowed by ORS 215.213(1)(r) (1999 Edition), there is no other dwelling on the subject tract; and

(viii) LC 16.212(10)(h) and (i) below.

(i) A dwelling customarily provided in conjunction with farm use is allowed subject to compliance with these requirements:

(i) Within the previous two years, the applicant owned a farm or ranch operation that earned \$32,500 in gross annual income from the sale of farm products in the last five years or four of the last seven years;

(ii) In determining the gross income required by LC 16.212(7)(i)(i) above:

(aa) The cost of purchased livestock shall be deducted from the total gross income attributed to the tract; and

(bb) Only gross income from land owned, not leased or rented, shall be counted;

(iii) The subject lot or parcel on which the dwelling will be located is:

(aa) Currently employed for farm use, as defined in LC 16.090, that produced \$32,500 in gross farm income in the last two years or three of the last five years; and

(bb) At least the size of the applicable minimum lot size under LC 16.212(9)(a);

(iv) Except as permitted in ORS 215.213(1)(r) (1999 Edition), there is no other dwelling on the subject tract;

(v) The dwelling will be occupied by a person or persons who produced the commodities which gross the income in LC 16.212(7)(i)(iii)(aa) above; and

(vi) LC 16.212(10)(h) and (i) below.

(8) Farm Operations.

(a) A farm operation is all agricultural activities occurring under a single management. For purposes of this section, it is immaterial whether the activities occur on a single parcel of land, on contiguous parcels of land or on separate parcels of land. It is also immaterial if the operator has less than fee interest in the land on which the agricultural activity occurs.

(b) Farm operations shall be classified into one of the groups set forth in LC 16.212(8)(d) below. In the event a farm operation consists of agricultural activities described by more than one group, the activity that accounts for more than half of the gross revenue of the farm operation shall determine the group classifications.

(c) Farm operations of a size equal to or greater than the size shown for its respective group in LC 16.212(8)(d) below shall be deemed as contributing in a substantial way to the agricultural economy of the County.

<u>Farm Group</u>	<u>Size</u>
Cash grains .....	120 acres
Field crops (includes grass seed production) .....	160 acres
Tree fruit and nuts .....	40 acres
Horticultural specialties.....	20 acres
General farm, primarily crop.....	320 acres
Extensive animal grazing .....	120 acres
Intensive animal husbandry.....	40 acres
Dairy farm .....	240 acres
General farm, primarily livestock .....	80 acres
Berries and grapes .....	20 acres
Vegetables and melons.....	120 acres

(9) Area. Land within the Exclusive Farm Use District shall be designated as E-25, E-30, E-40 or E-60, consistently with Agricultural Lands Policy #10 of the Lane County Rural Comprehensive Plan. The creation of a lot or parcel shall comply with the requirements in LC Chapter 13 for the submittal and approval of tentative plans and plats and with LC 16.212(9)(a) through (l) below.

(a) Except as provided in LC 16.212(9)(b), (c) and (d) below, the minimum area shall be:

E-25 .....	25 acres
E-30 .....	30 acres
E-40 .....	40 acres
E-60 .....	60 acres

(b) A division of land may be allowed down to 20 acres for horticultural specialties, berries and grapes. A farm management plan including the factors identified below shall address and establish the suitability of the land for the intended use:

Land preparation.  
 Ripping and plowing.  
 Fencing.  
 Surveying.  
 Crop cultivation.  
 Irrigation.  
 Herbicide; fungicide and/or fertilizer application.  
 Machinery.  
 Accessory farm buildings.  
 Breeding and livestock raising concerns.  
 Labor.  
 Projected expenses associated with the above.  
 Date by which the farm management plan would be substantially

implemented.

(c) A division of land may be allowed for a non-farm use identified in LC 16.212(4) above, provided:

(i) The parcel for the non-farm use is not larger than the minimum size necessary for the use;  
 (ii) Any additional tax imposed for the change in use has been paid; and

(iii) Notwithstanding LC 16.212(9)(c) above, a division of land shall not be approved for a use allowed by LC 16.212(4)(c), (h), (i), (m), (t), (u), (v), (x), (y), (e-e), (g-g), (i-i), (j-j) and (n-n) above.

(d) For the area of Lane County lying west of the summit of the Coast Range, a division of land to create up to two new parcels smaller than the minimum parcel size required by LC 16.212(9)(a) above, each to contain a dwelling not provided in conjunction with farm use may be approved if these requirements are met:

(i) The property owner shall submit to the Director two completed applications, one application for preliminary partition approval and another application for approval of up to two dwellings not in conjunction with farm use;

(ii) The non-farm dwellings shall comply with the requirements in LC 16.212(7)(f) above;

(iii) The parcels for the non-farm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001. See the definition of "Date of Creation and Existence" in LC 16.212(2)(b) above;

(iv) The remainder of the original lot or parcel that does not contain the dwellings complies with the minimum parcel size established in LC 16.212(9)(a) above;

(v) The parcels for the non-farm dwellings are divided from a lot or parcel that complies with the minimum size established in LC 16.212(9)(a) above;

(vi) The parcels for the non-farm dwellings are generally unsuitable land for the production of farm crops and livestock or merchantable tree

species, considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of the tract. A lot or parcel may not be considered unsuitable solely because of its size or location if it can reasonably be put to farm use in conjunction with other land;

(vii) The parcel approved for a non-farm dwelling shall be disqualified for special assessment at value for farm use and any additional tax imposed as a result of disqualification shall be paid out in compliance with ORS 215.236; and

(viii) The dwelling complies with such other conditions as the Approval Authority considers necessary.

(e) For the area of Lane County lying west of the summit of the Coast Range, a division of land to divide a lot or parcel into two parcels, each to contain one dwelling not provided in conjunction with farm use may be allowed if these requirements are met:

(i) The property owner must submit to the Director two completed applications, one application for preliminary partition approval and another application for approval of the dwellings not in conjunction with farm use;

(ii) The parcels for the non-farm dwellings are divided from a lot or parcel that was lawfully created prior to July 1, 2001. See the definition of "Date of Creation and Existence" in LC 16.212(2)(b) above;

(iii) The parcels for the non-farm dwellings are divided from a lot or parcel that is equal to or smaller than the minimum size required by LC 16.212(9)(a) above but equal to or larger than 40 acres;

(iv) The parcels for the non-farm dwellings are:

(aa) Not capable of producing more than at least 50 cubic feet per acre per year of wood fiber; and

(bb) Composed of at least 90 percent Class VI through VIII soils;

(v) The parcels for the non-farm dwellings do not have established water rights for irrigation;

(vi) The parcels for the non-farm dwellings are generally unsuitable for the production of farm crops and livestock or merchantable tree species considering the terrain, adverse soil or land conditions, drainage or flooding, vegetation, location and size of the tract. A parcel may not be considered unsuitable based solely on size or location if the parcel can reasonably be put to farm or forest use in conjunction with other land;

(vii) The non-farm dwellings shall comply with ORS 215.284(2) or (3);

(viii) The non-farm dwellings comply with LC 16.212(10)(f) through (h); and

(ix) The dwelling complies with other conditions considered necessary by the Approval Authority;

(f) For the area of Lane County lying east of the summit of the Coast Range, a division of land to divide a lot or parcel for a dwelling not provided in conjunction with farm use may be allowed if these requirements are met:

(i) The property owner must submit to the Director two completed applications, one application for preliminary partition approval and another application for approval of the dwellings not in conjunction with farm use;

(ii) The parcels for the non-farm dwellings are divided from a lot or parcel that:

(aa) Is equal to or larger than the minimum size required by LC 16.212(9)(a) above;



- (bb) Is not stocked to the requirements under ORS 527.610 through 527.770;
- (cc) Is composed of at least 95 percent Class VI through VIII soils;
- (dd) Is composed of at least 95 percent soils not capable of producing 50 cubic feet per acre per year of wood fiber; and
- (ee) The new lot or parcel will not be smaller than 20 acres;
- (iii) The dwelling to be sited on the new lot or parcel complies with the requirements for dwellings not in conjunction with farm use in ORS 215.284(3) or (4), 215.236 and OAR 660-033-0130(4).
- (g) Divisions under LC 16.212(9) (a) and (b) above shall require that a statement be placed on the face of the plat disclosing that a dwelling is not guaranteed unless the requirements of LC 16.212(5), (6), or (7) above for a dwelling are met.
- (h) A person who sells or otherwise transfers real property zoned Exclusive Farm Use (E) may retain a life estate in a dwelling on that property and the tract of land under and around the dwelling. Partition approval is not required for the creation of such a life estate.
- (i) A division of land may be allowed to create a parcel with an existing dwelling to be used for historic property provided:
- (i) The parcel is not larger than the minimum size necessary for the use;
- (ii) The dwelling to be used for historic property meets the requirements of LC 16.212(5)(e) above; and
- (iii) Any additional tax imposed for the change in use has been paid.
- (j) A division of land may be allowed to create a parcel with an existing dwelling to be used as a residential home provided:
- (i) The parcel is not larger than the minimum size necessary for the use;
- (ii) The dwelling to be used as a residential home complies with LC 16.212(4)(b) above; and
- (iii) Any additional tax imposed for the change in use has been paid.
- (k) A division of land may be allowed for the purpose of establishing a church, including cemeteries in conjunction with a church provided:
- (i) The church has been approved under LC 16.212(4)(u) above;
- (ii) The newly created lot or parcel is not larger than five acres;
- (iii) The new parcel for the church shall be the minimum size needed to accommodate the use in a manner consistent with other provisions of law except as required for non-farm dwellings authorized by LC 16.212(9)(d) through (f) above.
- (l) Notwithstanding LC 16.212(9)(a) above, a division of land may be approved provided:
- (i) The land division is for the purpose of allowing a provider of public parks or open space, or a not-for-profit land conservation organization, to purchase at least one of the resulting parcels;
- (ii) A parcel created by the land division that contains a dwelling is large enough to support continued residential use of the parcel;
- (iii) A parcel created pursuant to this subsection that does not contain a dwelling;

(aa) Is not eligible for siting a dwelling, except as may be authorized under ORS 195.120;

(bb) May not be considered in approving or denying an application for siting any other dwelling;

(cc) May not be considered in approving a re-designation or rezoning of forestlands except for a re-designation or rezoning to allow a public park, open space or other natural resource use; and

(dd) May not be smaller than 25 acres unless the purpose of the land division is:

(A) To facilitate the creation of a wildlife or pedestrian corridor or the implementation of a wildlife habitat protection plan; or

(B) To allow a transaction in which at least one party is a public park or open space provider, or a not-for-profit land conservation organization, that has cumulative ownership of at least 2,000 acres of open space or park property.

(10) Development Requirements. Uses or activities allowed by LC 16.212(3) through (9) above, except farm use, shall comply with the requirements in LC 16.212(10)(a) through (d) below. Uses or activities allowed by LC 16.212(4) through (9) above shall comply with the development requirements in LC 16.212(10)(f) through (h) or (j) below when compliance is expressly required by LC 16.212(4) through (9) above.

(a) For approval of a use or activity allowed by LC 16.212(4) through (9) above that requires notice and the opportunity for appeal or a hearing, the Approval Authority shall balance the setback requirements of LC 16.212(10)(a) below with the applicable special use approval requirements in LC 16.212(4) through (9) in order to minimize adverse impacts upon nearby farm and forest uses or to assure optimal siting of proposed dwellings to minimize adverse impacts on nearby farm and forest lands.

(i) Dwellings to be sited upon tracts located within an area designated by the Department of Fish and Wildlife Habitat Maps as "Major" shall be sited as follows:

(aa) Near dwellings on other tracts.

(bb) With minimal intrusion into forest areas undeveloped by non-forest uses.

(cc) Where possible, when considering LC 16.212(10)(a)(i)(aa) and (bb) above and the dimensions and topography of the tract, at least 500 feet from the adjoining lines of property zoned F-1 and 100 feet from the adjoining lines of property zoned F-2 or EFU.

(ii) Dwellings to be sited upon all other tracts shall be sited as follows:

(aa) Where possible, in consideration of the dimensions and topography of the tract, at least 500 feet from adjoining lines of property zoned F-1 and 100 feet from adjoining lines of property zoned F-2 or EFU.

(bb) On the least valuable farm or forest areas of the tract or located near dwellings on other tracts.

(b) Property Line Setbacks. No structure other than a fence or sign shall be located closer than:

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

(ii) 10 feet from all other property lines except as provided below.

(c) Riparian Setback Area. Except for property located between the Eugene-Springfield Metropolitan Area General Plan Boundary and the Eugene and Springfield Urban Growth Boundaries, where setbacks are provided for in LC 16.253(6), the riparian setback area shall be the area between a line 100 feet above and parallel to

the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence shall be located closer than 100 feet from the ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) or LC 16.253(6), as applicable, are met.

(d) Maintenance, Removal and Replacement of Indigenous Vegetation within the Riparian Setback Area. Maintenance, removal and replacement of indigenous vegetation within the riparian setback area designated for riparian vegetation protection by the comprehensive plan must comply with the provisions of LC 16.253(2) or LC 16.253(6), as applicable.

(e) Signs.

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

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

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

(f) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use.

(g) Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.

(h) The Director shall require as a condition of approval that the landowner for the dwelling sign and record in the Lane County deed records a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

(i) Prior to final approval for a dwelling that requires one or more contiguous or non-contiguous lots or parcels of a farm operation to comply with the gross income requirements, the applicant shall provide evidence to the Director that the covenants, conditions and restrictions form adopted April 26, 2002 and effective May 22, 2002 as part of OAR 660, Division 33, has been recorded with the county recorder or clerk of Lane County or other counties where the property subject to the covenants, conditions and restrictions is located. The covenants, conditions and restrictions shall be recorded for each lot or parcel subject to the application for the primary farm dwelling and:

(i) Shall preclude all future rights to construct a dwelling except accessory farm dwellings, relative assistance dwellings, temporary hardship dwellings or replacement dwellings allowed by ORS 215 or LC 16.212, 16.211 or 16.214; and

(ii) Shall preclude the use of any gross farm income earned on the lots or parcels to qualify another lot or parcel for a farm dwelling;

(iii) The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions and restrictions is located. The Director has the authority to sign for Lane County.

(iv) The Director shall maintain a copy of the covenants, conditions and restrictions filed in the Lane County Recorder's Office, pursuant to LC 16.212(10)(i) above, and OAR 660-033-0135(9) and a map or other record depicting the lots and parcels subject to LC 16.212(10)(i) above and OAR 660-033-0135(9). The map or other record shall be readily available to the public in the county planning office.

(j) Transportation facilities and uses listed in LC 16.212(4)(o)(ix) through (xiii) shall comply with the following:

(i) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;

(ii) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and

(iii) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.

(11) Telecommunication Facilities. Telecommunication facilities are allowed subject to compliance with the requirements of LC 16.264, OAR 660-033 and with applicable requirements elsewhere in LC Chapter 16 including but not necessarily limited to: the riparian vegetation protection standards in LC 16.253; Floodplain Combining Zone (LC 16.244); Willamette Greenway Development Permits (LC 16.254); the Coastal Resource Management Combining Zones (LC 16.234, 16.235, 16.236, 16.237, 16.238, 16.239, 16.240, 16.241, 16.242, or 16.243); Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state; the Commercial Airport Safety Combining Zone (LC 16.245) and the Airport Safety Combining Zone (LC 16.246); and the Sensitive Bird Habitat protection Standards and Criteria in LC 16.005(4). *(Revised by Ordinance No. 7-87, Effective 6.17.87; 3-91, 5.17.91; 10-92, 11.12.92; 10-95, 10.17.95; 4-02, 4.10.02; 5-02, 8.28.02; 10-04, 6.4.04; 5-04, 7.1.04)*

PAGES 16-185 THROUGH 16-210  
ARE RESERVED FOR FUTURE EXPANSION

## **ATTACHMENT 14**

**(OPINION OF VALUE REDUCTION /  
APPRAISAL)**



**Prudential**

**Prudential Real Estate Professionals**  
497 Oakway Rd. Suite 400. Eugene, Oregon 97401  
Bus (541) 485-1400. Fax: (541) 485-7136  
Website [www.PrudentialHomeFinder.com](http://www.PrudentialHomeFinder.com)

June 26, 2007

Mr. and Mrs. Miller

RE: Letter of Opinion of Value for 31944 Coburg Bottom Loop Road

Dear Mr. and Mrs. Miller,

My name is Randy Downing. I am a Real Estate Broker with Prudential Real Estate Professionals in Eugene Oregon. I specialize in rural property and have been in Real Estate for 7 years. I am also a life long resident of the Coburg area, and very familiar with your property.

A 5 acre parcel located on Coburg Bottom Loop Road would sell in today's market for between 300,000 and 350,000 dollars, with projected development costs for utilities to the property, septic, and the creation of an easement and driveway, of 17,000 to 25,000 dollars. Also a lot of approximately 4 tenths of an acre with road frontage would sell for between 100,000 and 150,000 dollars, with development costs for septic, well, utilities, and access of 10,00 to 15,000 dollars. The remaining 6.5 acres and home would have a value of between 250,000 and 300,000 dollars, based on current market activity of homes of that age, square footage, and acreage in the Coburg area.

Your property as it is today has a real market value determined by Lane County to be 358,255 dollars, which I believe to be accurate.

It is therefore my opinion that the restrictive zoning currently in place on this property is the reason for the decrease in value of at least 251,775 dollars.

Sincerely,

A handwritten signature in cursive script that reads "Randy Downing".

Randy Downing, Broker  
Prudential Real Estate Professionals

# **COMPARATIVE MARKET ANALYSIS**

**CLIFF AND CLAUDIA MILLER  
MEASURE 37 CLAIM**

**COBURG BOTTOM LOOP ROAD  
EUGENE, OREGON**

**SUBJECT PROPERTY “AS IS” WITH EXISTING  
DWELLING AND OUTBUILDINGS THAT IS  
SUBJECT TO CURRENT ZONING THAT DOES  
NOT PERMIT PARTITION AND CREATION  
OF TWO ADDITIONAL PARCELS FOR  
RESIDENTIAL DEVELOPMENT**



## **Comparative Market Analysis**

for

**Cliff & Claudia Miller**

# **SUBJECT PROPERTY**

**31944 Coburg Bottom Loop Road  
Eugene , Or**

**4 Bedrooms ♦ 2 Bathrooms**

**Suggested Price: \$360,000**

Prepared By:

**Randall Downing  
Prudential R.E. Professionals**

**8/14/2007**



*This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.*

## Comparables to Your Home

<b>29096 CARTNEY DR</b>	<b>RES</b>	<b>ACT</b>	<b>\$450,000</b>
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**ML#:** 7054274  
**MLS Area:** 240  
**County:** Linn  
**Neighborhood:**  
**Zip Code:** 97446  
**T/Guide:** 0A0  
**Tax Id #:** 0317160

**Bedrooms:** 5  
**Bathrooms:** 1.1  
**Sub-Type:** DETACHD  
**Style:** FARMHSE, 2STORY  
**Year Built:** 1880  
**Total SF:** 1864  
**Tax per Year:** 1083.14

**Directions:** HWY 99E TO CARTNEY DR. TO THE RIVER

**Remarks:** 11+ ACRES OF WILLAMETTE RIVER FRONTAGE, 1880 FARMHOUSE W/5 LARGE LARGE BDRMS, LOTS OF LIVING SPACE, 5 BAY SHOP APRX. 40X80 W/220 POWER, SOME CHRISTMAS TREES, STRAWBERRIES & HAY GROUND, VERY PEACEFUL RELAXING SETTING.

<b>91955 TERRITORIAL HWY</b>	<b>RES</b>	<b>SLD</b>	<b>\$269,900</b>
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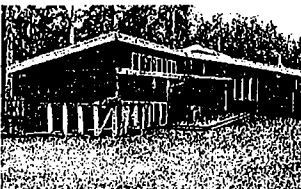
**ML#:** 6068500  
**MLS Area:** 237  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97448  
**T/Guide:** 4B8  
**Tax Id #:** 1079423

**Bedrooms:** 4  
**Bathrooms:** 2  
**Sub-Type:** RES-MFG  
**Style:** DBL-WDE  
**Year Built:** 1980  
**Total SF:** 1810  
**Tax per Year:** 848

**Directions:** CLEAR LAKE RD TO TERRITORIAL, NORTH 3 MILES

**Remarks:** NICE PIECE OF ACREAGE WITH 16 ACRES, HAS 30 X 30 BARN, 40 X 60 SHOP WITH 2, 12 FT DOORS. 1980 MANF DBL, 4 BEDROOMS, 2 BATHS, FORCED AIR HEAT W/HEAT PUMP. EXCELLENT FOR FARMING OR ANIMALS, FENCED AND CROSS FENCED. CLOSE TO FERN RIDGE LAKE.

<b>25563 HALL RD</b>	<b>RES</b>	<b>SLD</b>	<b>\$325,000</b>
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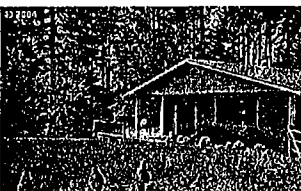
**ML#:** 5046179  
**MLS Area:** 237  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97448  
**T/Guide:** 4B8  
**Tax Id #:** 1005170, 1373586

**Bedrooms:** 2  
**Bathrooms:** 1  
**Sub-Type:** DETACHD  
**Style:** CONTEMP  
**Year Built:** 1972  
**Total SF:** 1848  
**Tax per Year:** 961.34

**Directions:** HWY 36 TO HALL ROAD

**Remarks:** CREEK-FRONT MINI-FARM; HOUSE W/ LOVELY RUSTIC APPEAL. 100S OF GRAPES AND BLUEBERRIES, + APPLES, PEARS AND PLUMS. 50'X36' SHOP/BARN, 24'X14' LOAFING SHED IN LEVEL HORSE-FENCED PASTURE. SPRING-FED POND. 5 ACRES OF TIMBER. 14'X11' WOODSHED + 2ND WTR HTR PLUMBED FOR WOODSTOVE HOOKUP.

<b>23421 Hwy 36</b>	<b>RES</b>	<b>SLD</b>	<b>\$385,000</b>
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**ML#:** 4028072  
**MLS Area:** 237  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97419  
**T/Guide:** 2B6  
**Tax Id #:** 1429560

**Bedrooms:** 2  
**Bathrooms:** 2  
**Sub-Type:** DETACHD  
**Style:** CONTEMP  
**Year Built:** 1975  
**Total SF:** 1819  
**Tax per Year:** 1879.32


**Directions:** CLEAR LAKE RD STRAIGHT TO LAWRENCE RD, L ON HWY 36 JUST PAST POODLE ON R  
**Remarks:** CONTEMPORARY IN PRIVATE, PARK-LIKE SETTING W/TREES, PASTURE & HUGE SHOPS! 64X40'  
SHOP, INSULATED, DRYWALLED W/AN OFFICE, 9 1/2' DOOR, CEMENT FLOOR. HOME HAS  
SKYLIGHTS, TILE & HARDWOOD FLOORS, VAULTS, DECKING. GREAT KITCHEN W/ISLAND.  
BONUS RM USED AS 3RD BED/UTILITY RM. TIMBER CRUISE AVAIL

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SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.  
SCHOOL AVAILABILITY SUBJECT TO CHANGE.

## Adjustments to Comparables

SUBJECT PROPERTY				
Address	31944 Coburg Bo...	29096 CARTNEY DR	91955 TERRITOR...	25563 HALL RD
City	Eugene , Or	Harrisburg	Junction City	Junction City
MLS#		7054274	6068500	5046179
Status		ACT	SLD	SLD
Price	\$/Sqft \$360,000 \$182	\$450,000 \$241	\$269,900 \$149	\$325,000 \$176
Sold Price	\$/Sqft		\$269,900 \$149	\$325,000 \$176
Sale Date			11/22/2006	8/3/2005
DOM			16	8
		\$ Adj	\$ Adj	\$ Adj
Bedrooms	4	5	4	2
Bathrooms	2	1.1	2	1
Area		240	237	237
Zip	97408	97446	97448	97448
Type	DETACHD	DETACHD	RES-MFG	DETACHD
Style	RANCH	FARMHSE,...	DBL-WDE	CONTEMP
Total Sqft	1976	1864	1810	1848
Year Built	1939	1880	1980	1972
Lot Size	10-19.99AC	10-19.99AC	10-19.99AC	10-19.99AC
Elem School	Coburg	HARRISBURG	TERRITORIAL	TERRITORIAL
High School	Sheldon	HARRISBURG	JUNCTION...	JUNCTION...
Garage		DETACHD		
Heating		FOR-AIR	FOR-AIR	HT-PUMP,...
Ext Desc	WOOD	ALUM	VINYL	T-111
Other Adjustments				
Total Adjustments:				
Adjusted Price:	\$360,000	\$450,000	\$269,900	\$325,000

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 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.  
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

		<b>SUBJECT PROPERTY</b>			
<b>Address</b>		31944 Coburg Bo...		23421 Hwy 36	
<b>City</b>		Eugene , Or		Cheshire	
<b>MLS#</b>				<b>4028072</b>	
<b>Status</b>				SLD	
<b>Price</b>	<b>\$/Sqft</b>	\$360,000	\$182	\$399,500	\$220
<b>Sold Price</b>	<b>\$/Sqft</b>			\$385,000	\$212
<b>Sale Date</b>				10/29/2004	
<b>DOM</b>				118	
					<b>\$ Adj</b>
<b>Bedrooms</b>		4		2	
<b>Bathrooms</b>		2		2	
<b>Area</b>				237	
<b>Zip</b>		97408		97419	
<b>Type</b>		DETACHD		DETACHD	
<b>Style</b>		RANCH		CONTEMP	
<b>Total Sqft</b>		1976		1819	
<b>Year Built</b>		1939		1975	
<b>Lot Size</b>		10-19.99AC		10-19.99AC	
<b>Elem School</b>		Coburg		TERRITORIAL	
<b>High School</b>		Sheldon		JUNCTION...	
<b>Garage</b>				CARPORT	
<b>Heating</b>				FOR-AIR	
<b>Ext Desc</b>		WOOD		LAP	
<b>Other Adjustments</b>					
<b>Total Adjustments:</b>					
<b>Adjusted Price:</b>		\$360,000		\$385,000	

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

## Summary of Comparables

### Active

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	DETACHD	31944 COBURG BOTTOM LOOP ROAD			4	2	1976	\$360,000
7054274	8 DETACHD	29096 CARTNEY DR	Harrisburg	240	5	1.1	1864	\$450,000

### Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	DETACHD	31944 COBURG BOTTOM LOOP ROAD			4	2	1976	\$360,000
6068500	6 RES-MFG	91955 TERRITORIAL HWY	Junction City	237	4	2	1810	\$269,900
5046179	8 DETACHD	25563 HALL RD	Junction City	237	2	1	1848	\$325,000
4028072	6 DETACHD	23421 Hwy 36	Cheshire	237	2	2	1819	\$385,000

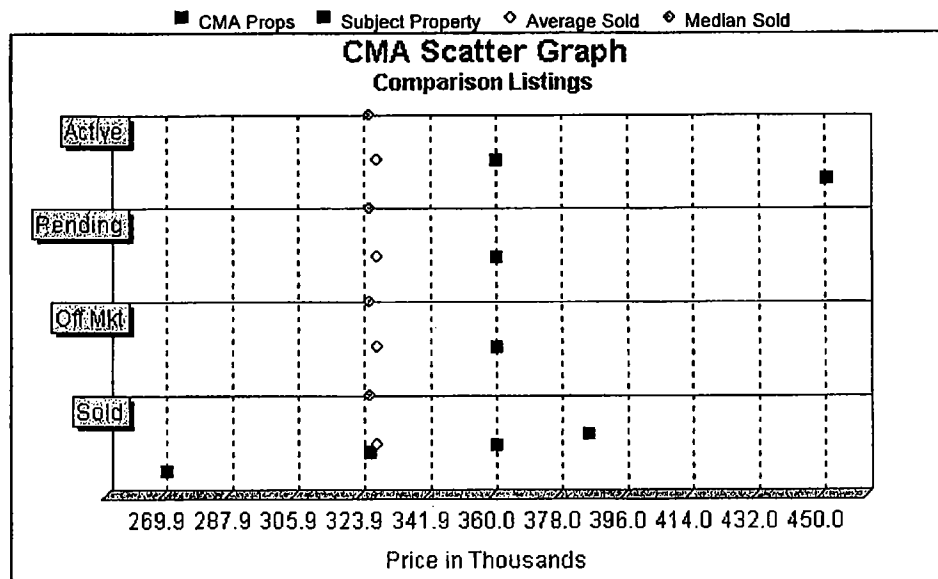
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 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO.  
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

## Pricing Your Home

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$/Sqft
Active	1	\$450,000	\$450,000	\$450,000	1864	\$241
Sold	3	\$326,633	\$269,900	\$385,000	1826	\$179
Total Listings	4	Sold Properties closed averaging 98.54% of their Final List Price. This reflects a 1.46% difference between Sale Price and List Price. If SNL status is included, the Sold Price to List Price ratio will be affected because the ratio is always 100% for SNL listings.				

	Amount	\$/Sqft
Average Sales Price	\$326,633	\$179
Min. List Price	\$269,900	\$149
Max. List Price	\$399,500	\$220
Suggested List Price	\$360,000	\$182

### How the Suggested Price Looks in the Market



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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

# **COMPARATIVE MARKET ANALYSIS**

**CLIFF AND CLAUDIA MILLER  
MEASURE 37 CLAIM**

**COBURG BOTTOM LOOP ROAD  
EUGENE, OREGON**

**APPROXIMATELY 6.5-ACRE PARCEL  
WITH EXISTING DWELLING AND OUTBUILDINGS  
CREATED BY A THREE PARCEL PARTITION  
WHICH WOULD HAVE BEEN PERMITTED WHEN  
APPLICANTS ACQUIRED THE SUBJECT  
PROPERTY**



# **Comparative Market Analysis**

for

Cliff Miller

## **SUBJECT PROPERTY**

**Coburg Bottom Loop Road  
Eugene, Oregon**

**4 Bedrooms ♦ 3 Bathrooms**

**Suggested Price: \$300,000**

Prepared By:

**Randall Downing  
Prudential R.E. Professionals**

**7/13/2007**



*This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained*

Randall Downing  
541-984-2510  
Prudential R.E. Professionals  
541-485-1400  
7/13/2007 11:43:16 AM

**Search Criteria**

Property Categories=Residential  
MLS Area=237, 240, 243, 244, 245, 248  
Status=ACT,BMP,PEN,SLD (9 months back)  
Lot Size=5-9.99AC  
High School=CHURCHILL or NORTH EUGENE or SHELDON or SOUTH EUGENE

## Comparables to Your Home

28500 GIMPL HILL RD	RES	ACT	\$354,900
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**ML#:** 7038730  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97402  
**T/Guide:** 35L4  
**Tax Id #:** 734846

**Bedrooms:** 3  
**Bathrooms:** 2  
**Sub-Type:** DETACHD  
**Style:** RANCH  
**Year Built:** 1952  
**Total SF:** 1332  
**Tax per Year:** 2011 29

**Directions:**BAILEY HILL TO GIMPL HILL

**Remarks:** VERY MOTIVATED SELLERS! CLOSE IN COUNTRY HOME ON OVER 8 ACRES OF FLAT PASTURE. FENCED AND CROSS FENCED. 4 STALL BARN & OUTBUILDING. INDOOR RIDING ARENA NEXT DOOR. MANY PLACES TO RIDE. NEWER ROOF, LAMINATE FLOORS, MARBLE COUTERTOPS, OAK CABINETS. 4J SCHOOLS. NEW SAND FILTER SEPTIC. EXCELLENT HORSE PROPERTY!

86220 N MODESTO DR	RES	ACT	\$374,500
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**ML#:** 7057103  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97402  
**T/Guide:** 35L4  
**Tax Id #:** 734077

**Bedrooms:** 4  
**Bathrooms:** 2  
**Sub-Type:** RES-MFG  
**Style:** DBL-WDE  
**Year Built:** 1993  
**Total SF:** 1809  
**Tax per Year:** 1100

**Directions:**BAILEY HILL TO GIMPL HILL TO N MODESTO

**Remarks:** IMMACULATE 4 BEDROOM HOME ON ALMOST 10 ACRES. VAULTED CEILINGS. LARGE LIVING AREAS. KITCHEN WITH ISLAND AND SKYLIGHT. NEW SEPTIC. ROOF, PAINT AND VERY HIGH OUTPUT WELL. SEASONAL CREEK AND TRAILS FOR WALKING OR HORSEBACK RIDING. ROOM FOR BARN, STALLS, ARENA, ETC. 4J SCHOOLS. NOT A DRIVE BY!!

84747 LAUGHLIN RD	RES	SLD	\$260,000
-------------------	-----	-----	-----------



**ML#:** 6067675  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 1A1  
**Tax Id #:** 740157

**Bedrooms:** 2  
**Bathrooms:** 2.2  
**Sub-Type:** RES-MFG  
**Style:** MANUFHHS  
**Year Built:** 1977  
**Total SF:** 1400  
**Tax per Year:** 818.58

**Directions:**TAKE PEACEFUL VALLEY , TO LARSEN TO LAUGHLIN

**Remarks:** A BEAUTIFUL 7.19 ACRE PARCEL JUST SOUTHWEST OF EUGENE AWAITS YOUR DREAM HOME OR NEW MFH.REALLY A NICE PEACEFUL PLACE FOR A HOME. JUST REDUCED BY MOTIVATED SELLER! RECENT FLOW TEST IS 9.8 GPM.

85327 MCBETH RD	RES	SLD	\$278,000
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**ML#:** 6084198  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 48N7  
**Tax Id #:** 736981

**Bedrooms:** 2  
**Bathrooms:** 1  
**Sub-Type:** DETACHD  
**Style:** RANCH  
**Year Built:** 1962  
**Total SF:** 1086  
**Tax per Year:** 1131.91


**Directions:**(S) ON CHAMBERS, (W) ON LORANE, (S) ON MCBETH, 1.5 MILES TO 85327

**Remarks:** CLOSE-IN COUNTRY PROPERTY. SOLID 2-BEDROOM HOME ON APPROXIMATELY 7 USEABLE GENTLY SLOPING ACRES; CLEARED 5 ACRES COULD BE PASTURE, CROPS, OR ? SOME HARDWOOD FLOORS; INSIDE UTILITY. ADD YOUR COSMETICS. 30X30 SHOP WITH 220V POWER.

## Adjustments to Comparables

							
<b>SUBJECT PROPERTY</b>							
<b>Address</b>		Coburg Bottom L...		28500 GIMPL HI...		86220 N MODESTO DR	
<b>City</b>		Eugene, Oregon		Eugene		Eugene	
<b>MLS#</b>				7038730		7057103	
<b>Status</b>				ACT		ACT	
<b>Price</b>	<b>\$/Sqft</b>	\$300,000	\$152	\$354,900	\$266	\$374,500	\$207
<b>Sold Price</b>	<b>\$/Sqft</b>						
<b>Sale Date</b>						11/8/2006	
<b>DOM</b>						69	
				<b>\$ Adj</b>		<b>\$ Adj</b>	
<b>Bedrooms</b>		4		3		4	
<b>Bathrooms</b>		3		2		2	
<b>Area</b>				244		244	
<b>Zip</b>		97408		97402		97402	
<b>Type</b>		DETACHD		DETACHD		RES-MFG	
<b>Style</b>		RANCH		RANCH		DBL-WDE	
<b>Total Sqft</b>		1976		1332		1809	
<b>Year Built</b>				1952		1993	
<b>Lot Size</b>		5-9.99AC		5-9.99AC		5-9.99AC	
<b>Elem School</b>		Coburg		TWIN OAKS		TWIN OAKS	
<b>High School</b>		Sheldon		CHURCHILL		CHURCHILL	
<b>Garage</b>				DETACHD		DETACHD	
<b>Heating</b>				WALL, WO...		FOR-AIR	
<b>Ext Desc</b>				T-111		MANMADE	
<b>Other Adjustments</b>							
<b>Total Adjustments:</b>							
<b>Adjusted Price:</b>		\$300,000		\$354,900		\$374,500	\$260,000

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE

		<b>SUBJECT PROPERTY</b>			
<b>Address</b>		Coburg Bottom L...		85327 MCBETH RD	
<b>City</b>		Eugene, Oregon		Eugene	
<b>MLS#</b>				6084198	
<b>Status</b>				SLD	
<b>Price</b>	<b>\$/Sqft</b>	\$300,000	\$152	\$300,000	\$276
<b>Sold Price</b>	<b>\$/Sqft</b>			\$278,000	\$256
<b>Sale Date</b>				2/12/2007	
<b>DOM</b>				85	
					<b>\$ Adj</b>
<b>Bedrooms</b>		4		2	
<b>Bathrooms</b>		3		1	
<b>Area</b>				244	
<b>Zip</b>		97408		97405	
<b>Type</b>		DETACHD		DETACHD	
<b>Style</b>		RANCH		RANCH	
<b>Total Sqft</b>		1976		1086	
<b>Year Built</b>				1962	
<b>Lot Size</b>		5-9.99AC		5-9.99AC	
<b>Elem School</b>		Coburg		TWIN OAKS	
<b>High School</b>		Sheldon		CHURCHILL	
<b>Garage</b>				OVRSIZE	
<b>Heating</b>				FOR-AIR,...	
<b>Ext Desc</b>				OTHER	
<b>Other Adjustments</b>					
<b>Total Adjustments:</b>					
<b>Adjusted Price:</b>					
			\$300,000	\$278,000	

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

## Summary of Comparables

### Active

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	DETACHD	COBURG BOTTOM LOOP ROAD			4	3	1976	\$300,000
7038730	8 DETACHD	28500 GIMPL HILL RD	Eugene	244	3	2	1332	\$354,900
7057103	8 RES-MFG	86220 N MODESTO DR	Eugene	244	4	2	1809	\$374,500

### Sold

MLS#	P Type	Address	City	Area	Bed	Bath	APX SQFT	Price
	DETACHD	COBURG BOTTOM LOOP ROAD			4	3	1976	\$300,000
6067675	8 RES-MFG	84747 LAUGHLIN RD	Eugene	244	2	2.2	1400	\$260,000
6084198	8 DETACHD	85327 MCBETH RD	Eugene	244	2	1	1086	\$278,000

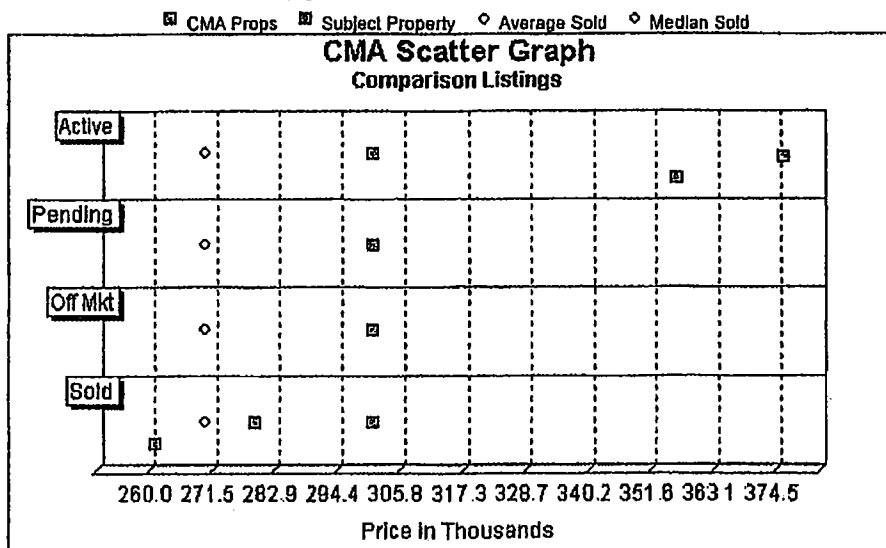
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 SQUARE FOOTAGE IS APPROXIMATE & MAY INCLUDE BOTH FINISHED & UNFINISHED AREAS - CONSULT BROKER FOR INFO  
 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

## Pricing Your Home

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$/Sqft
Active	2	\$364,700	\$354,900	\$374,500	1570	\$232
Sold	2	\$269,000	\$260,000	\$278,000	1243	\$216
Total Listings	4	Sold Properties closed averaging 91.19% of their Final List Price. This reflects a 8.81% difference between Sale Price and List Price. If SNL status is included, the Sold Price to List Price ratio will be affected because the ratio is always 100% for SNL listings.				

	Amount	\$/Sqft
Average Sales Price	\$269,000	\$216
Min. List Price	\$290,000	\$207
Max. List Price	\$300,000	\$276
Suggested List Price	\$300,000	\$152

### How the Suggested Price Looks in the Market



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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

# **COMPARATIVE MARKET ANALYSIS**

**CLIFF AND CLAUDIA MILLER  
MEASURE 37 CLAIM**

**COBURG BOTTOM LOOP ROAD  
EUGENE, OREGON**

**APPROXIMATELY FIVE-ACRE  
UNIMPROVED PARCEL THAT QUALIFIES  
FOR THE SITING OF A DWELLING**

**CREATED BY A THREE PARCEL PARTITION  
WHICH WOULD HAVE BEEN PERMITTED WHEN  
THE APPLICANTS ACQUIRED THE  
SUBJECT PROPERTY**



# **Comparative Market Analysis**

for

Cliff Miller

## **SUBJECT PROPERTY**

**Coburg Bottom Loop Road  
Eugene, Oregon**

**Suggested Price: \$300,000**

Prepared By:

**Randall Downing  
Prudential R.E. Professionals**

**7/13/2007**



*This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.*

**Randall Downing**

**541-984-2510**

**Prudential R.E. Professionals**

**541-485-1400**

**7/13/2007 11:06:11 AM**

**Search Criteria**

**Property Categories=Lots&Land**

**MLS Area=236, 237, 240, 243, 244, 245, 248**

**Status=ACT,BMP,PEN,SLD (9 months back)**

**Lot Size=3-4.99AC or 5-9.99AC**

**High School=CHURCHILL or NORTH EUGENE or SHELDON or SOUTH EUGENE**

## Comparables to Your Home

SPENCER HOLLOW RD	LND	ACT	\$285,000
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**ML#:** 7057471  
**MLS Area:** 243  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 000  
**Tax Id #:** 692143

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 542.92

**Directions:** FOX HOLLOW TO SPENCER HOLLOW (JUST BEFORE 85107 ON LEFT).

**Remarks:** TWO BUILDING SITES TO CHOOSE FROM ON 5+ ACRES. GREAT LOCATION. TREES COULD BE CLEARED TO EXPOSE A VIEW OF CITY LIGHTS. WELL ALREADY ESTABLISHED.

Mt. Baldy (lot 2)	LND	ACT	\$295,000
-------------------	-----	-----	-----------



**ML#:** 7051391  
**MLS Area:** 243  
**County:** Lane  
**Neighborhood:** Hidden Meadows  
**Zip Code:** 97405  
**T/Guide:** 50M11  
**Tax Id #:** 1716834

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 1304.85

**Directions:** DILLARD, LEFT ON HIDDEN MEADOWS, LEFT ON MT. BALDY

**Remarks:** INCREDIBLE PICTURESQUE PROPERTY IN SOUTH EUGENE, A MERE 12 MINUTES FROM DOWNTOWN. GATED COMMUNITY OF ESTATE QUALITY HOMES. FABULOUS SOUTHERN EXPOSURE AND VIEWS TO THE SOUTH. JUST OUTSIDE CITY LIMITS AND IN THE 4J SCHOOL DISTRICT. ABUTS CITY PARK AND RIDGELINE TRAIL.

15 Hidden Meadows	LND	ACT	\$335,000
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**ML#:** 7014133  
**MLS Area:** 243  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 50M11  
**Tax Id #:** 1716933

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 1276.49

**Directions:** E. AMAZON TO DILLARD (1.4 MILES) LEFT HIDDEN MEADOWS, RT ON ALLBRITAIN

**Remarks:** FANTASTIC BUILDING SITE ON 5.06 ACRES IN SOUTHEAST EUGENE. VIEWS, PRIVACY, ELEVATED HOMESITE, BACKS TO FORESTED LAND. COMMUNITY OF HIGH END HOMES. WITHIN A FEW MILES OF SHOPPING, ETC... 4J SCHOOLS.

27392 ERICKSON RD	LND	ACT	\$289,900
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**ML#:** 6097803  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97402  
**T/Guide:** 34L1  
**Tax Id #:** 750586

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 836.77

**Directions:** PINE GROVE OR CROW ROAD TO ERICKSON

**Remarks:** MOTIVATED SELLER REDUCES THE PRICE! CASH TALKS! A GREAT QUIET BUILDING SITE W/ VALLEY VIEWS FROM THIS 4J SCHOOL COUNTRY SETTING ONLY MINUTES TO TOWN! THE LAND OFFERS OPEN PASTURE AND BUILDING SITES FOR THE SUN SEEKERS PLUS IT'S READY TO GO WITH A WELL, SEPTIC SYSTEM AND POWER PLUS A GRAVEL DRIVEWAY AND BUILDING PAD.

<b>86530 SANFORD RD</b>	<b>LND</b>	<b>ACT</b>	<b>\$298,500</b>
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**ML#:** 7049624  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97402  
**T/Guide:** 35L3  
**Tax Id #:** 734358

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 1051.53

**Directions:** BAILEY HILL RD. TO GIMPL HILL RD. ( PAST MILEPOST # 3 ) TO SANFORD RD.

**Remarks:** BEAUTIFUL QUIET 5 ACRE PARCEL JUST MINUTES FROM CITY LIMITS. TWO IDEAL POTENTIAL BUILDING SITES, GENTLE ROLLING HILLS, WINTER CREEKS, WATER, POWER AND SEPTIC. (WELL 7 GALLONS PER MINUTE.) HOME OF NO VALUE (1961 MANUFACTURED WITH ADDITION - NOT FINANCEABLE.) A VERY NICE HARD TO FIND CLOSE-IN PRIME LOCATION READY FOR YOUR NEW CONSTRUCTION. MUST SEE THIS SPECIAL PROPERTY!

<b>Lorane HWY</b>	<b>LND</b>	<b>ACT</b>	<b>\$309,900</b>
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**ML#:** 7052134  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 37K8  
**Tax Id #:** 1762226

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 728.34

**Directions:** S. ON CHAMBERS, W. ON LORANE, 1/2 MILE TO PROPERTY, S. SIDE OF RD.

**Remarks:** RARE 5.3 ACREAGE OPPORTUNITY IN THE SOUTH HILLS OF EUGENE. VIEWS, PRIVATE, WILDLIFE AND SOME TIMBER. CITY WATER & POWER AVAILABLE AT LORANE HWY. SEPTIC APPROVAL FOR CLEARED BUILDING SITE. BUILDER AVAILABLE. MOTIVATED SELLER.

<b>4188 BLANTON RD</b>	<b>LND</b>	<b>PEN</b>	<b>\$325,000</b>
------------------------	------------	------------	------------------



**ML#:** 7017753  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:** Ridgewood Acres  
**Zip Code:** 97405  
**T/Guide:** 37L8  
**Tax Id #:** 1001195

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 1499.83

**Directions:** SOUTH ON WILLAMETTE, WEST ON CREST, S. ON STOREY, S. ON BLANTON TO PROP.

**Remarks:** COME BUILD YOUR DREAM HOME. RARE 5+ ACRE PARCEL (CLOSE IN COUNTRY). PROPERTY HAS A "CIRCA 1860" 700 SQ. FT. HOUSE AND OUTBUILDINGS THAT HAVE NO VALUE. ACROSS THE STREET FROM BLANTON RIDGE PARK AND THE EUGENE RIDGELINE TRAILHEAD. PROPERTY GENTLY SLOPES FROM FRONT TO BACK.

<b>Lot 9 Hidden Meadows</b>	<b>LND</b>	<b>SLD</b>	<b>\$300,000</b>
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**ML#:** 5015628  
**MLS Area:** 243  
**County:** Lane  
**Neighborhood:** Hidden Meadows  
**Zip Code:** 97405  
**T/Guide:** 0Z0  
**Tax Id #:** 1716818

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 682.97




**Directions:** E. AMAZON SOUTH TO DILLARD RD., 2 MI. UP DILLARD ON LEFT.

**Remarks:** GORGEOUS VIEW BUILDING SITE ON 5 ACRES IN GATED SUBDIVISION OF UPSCALE HOMES. JUST OUTSIDE CITY LIMITS WITH QUICK ACCESS. ALL 4J SCHOOLS. READY TO BUILD WITH YOUR OWN BUILDER. 2000 SQFT MIN. HOME SIZE.


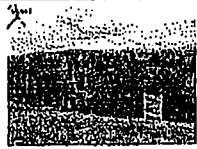
## Adjustments to Comparables

	SUBJECT PROPERTY			
Address	Coburg Bottom L...	SPENCER HOLLOW RD	Mt. Baldy (lot 2)	15 Hidden Mead...
City	Eugene, Oregon	Eugene	Eugene	Eugene
MLS#		7057471	7051391	7014133
Status		ACT	ACT	ACT
Price	\$/Sqft \$300,000	\$ \$285,000	\$295,000	\$335,000
Sold Price	\$/Sqft			
Sale Date				
DOM				
		\$ Adj	\$ Adj	\$ Adj
AREA		243	243	243
ZIP	97408	97405	97405	97405
PROP TYPE	RESID	RESID	RESID	RESID
ZONING			RR5	
# ACRES	5	5	5.22	5.06
# LOTS			1	
LOT SIZE	5-9.99AC	5-9.99AC	5-9.99AC	5-9.99AC
LOT DESC	PASTURE	MRCHTIM,...	COMMONS,...	
RD SURFACE		GRAVLRD	PAVEDRD	
RD FRONTAGE		Y	Y	
ELE SCHOOL	Coburg	EDGEWOOD	PARKER	ELLIS PA...
HIGH SCHOOL	Sheldon	SOUTH EU...	SOUTH EU...	SOUTH EU...
WATERFRONT			N	
SOIL TYPE	NATIVE	NATIVE	NATIVE	
Other Adjustments				
Total Adjustments:				
Adjusted Price:	\$300,000	\$285,000	\$295,000	\$335,000

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

SUBJECT PROPERTY				
Address	Coburg Bottom L...	27392 ERICKSON RD	86530 SANFORD RD	Lorane HWY
City	Eugene, Oregon	Eugene	Eugene	Eugene
MLS#		6097803	7049624	7052134
Status		ACT	ACT	ACT
Price	\$/Sqft \$300,000	\$ \$289,900	\$298,500	\$309,900
Sold Price	\$/Sqft			
Sale Date				
DOM				
AREA		244	244	244
ZIP	97408	97402	97402	97405
PROP TYPE	RESID	RESID	RESID	RESID
ZONING		rr5	RR10	RR5
# ACRES	5	5.49	5	5.21
# LOTS				
LOT SIZE	5-9.99AC	5-9.99AC	5-9.99AC	5-9.99AC
LOT DESC	PASTURE	PASTURE,...	PRIVATE,...	MRCHTIM,...
RD SURFACE			PAVEDRD	PAVEDRD
RD FRONTAGE			Y	
ELE SCHOOL	Coburg	TWIN OAKS	TWIN OAKS	CREST DRIVE
HIGH SCHOOL	Sheldon	CHURCHILL	CHURCHILL	CHURCHILL
WATERFRONT			N	
SOIL TYPE	NATIVE	NATIVE	NATIVE	NATIVE
Other Adjustments				
Total Adjustments:				
Adjusted Price:	\$300,000	\$289,900	\$298,500	\$309,900

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SUBJECT PROPERTY			
Address	Coburg Bottom L...	4188 BLANTON RD	Lot 9 Hidden Me...
City	Eugene, Oregon	Eugene	Eugene
MLS#		7017753	5015628
Status		PEN	SLD
Price	\$/Sqft \$300,000	\$ \$325,000	\$350,000
Sold Price	\$/Sqft		\$300,000
Sale Date			12/6/2006
DOM		91	617
		\$ Adj	\$ Adj
AREA		244	243
ZIP	97408	97405	97405
PROP TYPE	RESID	RESID	RESID
ZONING		RR 5	RR5
# ACRES	5	5.07	5
# LOTS		1	
LOT SIZE	5-9.99AC	5-9.99AC	5-9.99AC
LOT DESC	PASTURE	BRUSH, P...	PRIVATE,...
RD SURFACE		PAVEDRD	PAVEDRD
RD FRONTAGE		Y	Y
ELE SCHOOL	Coburg	CREST DRIVE	PARKER
HIGH SCHOOL	Sheldon	CHURCHILL	SOUTH EU...
WATERFRONT		N	
SOIL TYPE	NATIVE	TEST-RQ	NATIVE
Other Adjustments			
Total Adjustments:			
Adjusted Price:	\$300,000	\$325,000	\$300,000

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE

## Summary of Comparables

### Active

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	COBURG BOTTOM LOOP ROAD			5	\$300,000
7057471	4	RESID	SPENCER HOLLOW RD	Eugene	243	5	\$285,000
7051391	8	RESID	Mt. Baldy (lot 2)	Eugene	243	5.22	\$295,000
7014133	4	RESID	15 Hidden Meadows	Eugene	243	5.06	\$335,000
6097803	8	RESID	27392 ERICKSON RD	Eugene	244	5.49	\$289,900
7049624	8	RESID	86530 SANFORD RD	Eugene	244	5	\$298,500
7052134	6	RESID	Lorane HWY	Eugene	244	5.21	\$309,900

### Pending

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	COBURG BOTTOM LOOP ROAD			5	\$300,000
7017753	8	RESID	4188 BLANTON RD	Eugene	244	5.07	\$325,000

### Sold

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	COBURG BOTTOM LOOP ROAD			5	\$300,000
5015628	2	RESID	Lot 9 Hidden Meadows	Eugene	243	5	\$300,000

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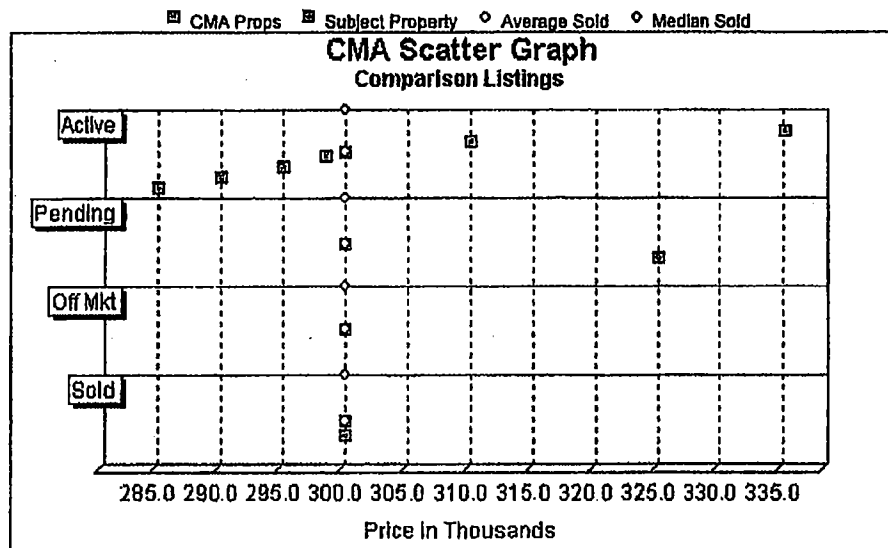


## Pricing Your Home

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$Sqft
Active	6	\$302,217	\$285,000	\$335,000	0	\$0
Pending	1	\$325,000	\$325,000	\$325,000	0	\$0
Sold	1	\$300,000	\$300,000	\$300,000	0	\$0
Total Listings	8	Sold Properties closed averaging 85.71% of their Final List Price. This reflects a 14.29% difference between Sale Price and List Price. If SNL status is included, the Sold Price to List Price ratio will be affected because the ratio is always 100% for SNL listings.				

	Amount	\$/Sqft
Average Sales Price	\$300,000	\$0
Min. List Price	\$350,000	\$0
Max. List Price	\$350,000	\$0
Suggested List Price	\$300,000	\$

### How the Suggested Price Looks in the Market



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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

# **COMPARATIVE MARKET ANALYSIS**

**CLIFF AND CLAUDIA MILLER  
MEASURE 37 CLAIM**

**COBURG BOTTOM LOOP ROAD  
EUGENE, OREGON**

**APPROXIMATELY .4-ACRE  
UNIMPROVED PARCEL THAT QUALIFIES  
FOR THE SITING OF A DWELLING**

**CREATED BY A THREE PARCEL PARTITION  
WHICH WOULD HAVE BEEN PERMITTED WHEN  
THE APPLICANTS ACQUIRED THE  
SUBJECT PROPERTY**

# **Comparative Market Analysis**

for

Cliff Miller

## **SUBJECT PROPERTY**

**Coburg Bottom Loop Road  
Eugene, Oregon**

**Suggested Price: \$150,000**

Prepared By:

**Randall Downing  
Prudential R.E. Professionals**

**7/13/2007**



*This report is not intended to meet the requirements set out in the Uniform Standards of Appraisal Practice and is not intended as an appraisal. If an appraisal is desired, the services of a competent professional licensed appraiser should be obtained.*

**Randall Downing**

**541-984-2510**

**Prudential R.E. Professionals**

**541-485-1400**

**7/13/2007 11:24:59 AM**

**Search Criteria**

**Property Categories=Lots&Land**

**MLS Area=236, 237, 240, 243, 244, 245, 248**

**Status=ACT,BMP,PEN,SLD (9 months back)**

**Lot Size=15K-19,999SF**

**High School= CHURCHILL or NORTH EUGENE or SHELDON or SOUTH EUGENE**

## Comparables to Your Home

<b>Wendell LN</b>	<b>LND</b>	<b>ACT</b>	<b>\$235,000</b>
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**ML#:** 7012424  
**MLS Area:** 243  
**County:** Lane  
**Neighborhood:** SPRING KNOLL IV  
**Zip Code:** 97403  
**T/Guide:** 39L11  
**Tax Id #:** Not Found

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 0

**Directions:** TAKE AGATE OR SPRING BLVD UP TO EAST 43RD TO WENDELL LANE  
**Remarks:** SPRING KNOLL P.U.D. PHASE IV RESIDENTIAL BUILDING LOTS; NEW SUBDIVISION 13 VACANT LOTS AVAILABLE WITH ANOTHER 13 AVAILABLE SUMMER 2007; LOT PURCHASE AND CONSTRUCTION FINANCING AVAILABLE.

<b>4 Rockridge LOOP</b>	<b>LND</b>	<b>ACT</b>	<b>\$124,900</b>
-------------------------	------------	------------	------------------



**ML#:** 7012051  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:** Rockridge PUD  
**Zip Code:** 97405  
**T/Guide:** 38L9  
**Tax Id #:** 1512852

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 945.5

**Directions:** WILLAMETTE R ON ROCKRIDGE LOOP-JUST N OF 127 ROCKRIDGE LOOP  
**Remarks:** WONDERFUL BUILDING LOT IN THE SOUTH HILLS OF EUGENE.

<b>McLean BLVD</b>	<b>LND</b>	<b>SLD</b>	<b>\$150,000</b>
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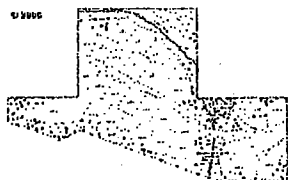


**ML#:** 7039410  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 37K18  
**Tax Id #:** 728624

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 800.8

**Directions:** CHAMBERS, RIGHT ON MCLEAN TO 2ND CULDESAC  
**Remarks:** PC3110 LARGE BUILDABLE LOT IN DESIRABLE SOUTHWEST HILLS CULDESAC LOCATION. NO OFFERS WILL BE ENTERTAINED UNTIL THE SALE OF 2164 MCLEAN WHICH IS CURRENTLY ON MARKET #7040612.

<b>9 Mountain Ash BLVD</b>	<b>LND</b>	<b>SLD</b>	<b>\$152,500</b>
----------------------------	------------	------------	------------------



**ML#:** 6098240  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 37J7  
**Tax Id #:** Not Found

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 0

**Directions:** HAWKINS, RIGHT ON HALLMARK TO AERIE PARK PLACE SUBDIVISION  
**Remarks:** ENTERED FOR INFORMATIONAL PURPOSES ONLY.

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.

<b>10 Mountain Ash BLVD</b>	<b>LND</b>	<b>SLD</b>	<b>\$152,500</b>
-----------------------------	------------	------------	------------------



**ML#:** 6098243  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97405  
**T/Guide:** 37J7  
**Tax Id #:** Not Found

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 0

**Directions:** HAWKINS, RIGHT ON HALLMARK TO AERIE PARK PLACE SUBDIVISION  
**Remarks:** ENTERED FOR INFORMATIONAL PURPOSES ONLY.

<b>27 Blue Spuce DR</b>	<b>LND</b>	<b>SLD</b>	<b>\$169,000</b>
-------------------------	------------	------------	------------------



**ML#:** 6098281  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:** Aerie Park Place  
**Zip Code:** 97405  
**T/Guide:** 37J7  
**Tax Id #:** Not Found

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 0

**Directions:** HAWKINS, RIGHT ON HALLMARK TO AERIE PARK PLACE SUBDIVISION  
**Remarks:** SOUGHT AFTER SOUTH HILLS SUBDIVISION! AMAZING TERRITORIAL VIEWS! SECLUDE YOURSELF WITH PRIVACY AND LUXURY IN THIS ONE OF A KIND PROPERTY. FINAL PLAT APPROVED AND READY FOR YOUR NEW HOME! TAXES NOT YET ASSESSED. LOTS ACTUAL IS 19,995 SQ. FEET.

<b>101 W 39TH AVE</b>	<b>LND</b>	<b>SLD</b>	<b>\$190,000</b>
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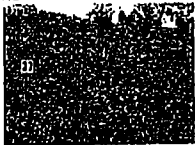


**ML#:** 6067103  
**MLS Area:** 244  
**County:** Lane  
**Neighborhood:**  
**Zip Code:** 97401  
**T/Guide:** 38K9  
**Tax Id #:** 643450

**Bedrooms:**  
**Bathrooms:**  
**Sub-Type:** RESID  
**Style:**  
**Year Built:**  
**Total SF:**  
**Tax per Year:** 3406.89




**Directions:** SOUTH ON WILLAMETTE. RIGHT ON W. 39TH  
**Remarks:** SUBJECT TO FINAL LOT LINE ADJUSTMENT IN PROCESS. LARGE (16,270 SQ FT) LOT WITH 2 BAY RV GARAGE 40' X 25'. TWO BAYS, ONE WITH 12' HIGH DOOR. BUILD YOUR HOME WITH YOUR BUILDER OR THE OWNER, MARK ADKINS OF LEGACY HOMES CAN BUILD ONE FOR YOU. ADJACENT HOME AVAILABLE MLS 6066406 AT \$579,000.

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE

## Adjustments to Comparables

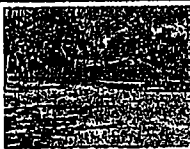
SUBJECT PROPERTY				
Address	Coburg Bottom L...	Wendell LN	4 Rockridge LOOP	McLean BLVD
City	Eugene, Oregon	Eugene	Eugene	Eugene
MLS#		7012424	7012051	7039410
Status		ACT	ACT	SLD
Price	\$/Sqft \$150,000	\$ \$235,000	\$124,900	\$135,000
Sold Price	\$/Sqft			\$150,000
Sale Date				6/5/2007
DOM				18
		\$ Adj	\$ Adj	\$ Adj
AREA		243	244	244
ZIP	97408	97403	97405	97405
PROP TYPE	RESID	RESID	RESID	RESID
ZONING		res	R-1	R-1
# ACRES	.4	0.39	0.35	0.35
# LOTS		37	1	2
LOT SIZE	15K-19,999SF	15K-19,9...	15K-19,9...	15K-19,9...
LOT DESC	PASTURE	CORNER		CULDSAC
RD SURFACE		PAVEDRD	PAVEDRD	
RD FRONTAGE		Y	Y	
ELE SCHOOL	Coburg	PARKER	EDGEWOOD	CREST DRIVE
HIGH SCHOOL	Sheldon	SOUTH EU...	SOUTH EU...	CHURCHILL
WATERFRONT			N	
SOIL TYPE	NATIVE			
Other Adjustments				
Total Adjustments:				
Adjusted Price:	\$150,000	\$235,000	\$124,900	\$150,000

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SUBJECT PROPERTY				
Address	Coburg Bottom L...	9 Mountain Ash...	10 Mountain As...	27 Blue Spuce DR
City	Eugene, Oregon	Eugene	Eugene	Eugene
MLS#		6098240	6098243	6098281
Status		SLD	SLD	SLD
Price	\$/Sqft \$150,000	\$ \$159,000	\$159,000	\$169,900
Sold Price	\$/Sqft	\$152,500	\$152,500	\$169,000
Sale Date		2/23/2007	2/23/2007	12/5/2006
DOM		41	41	4
		\$ Adj	\$ Adj	\$ Adj
AREA		244	244	244
ZIP	97408	97405	97405	97405
PROP TYPE	RESID	RESID	RESID	RESID
ZONING				
# ACRES	.4			
# LOTS				
LOT SIZE	15K-19,999SF	15K-19,9...	15K-19,9...	15K-19,9...
LOT DESC	PASTURE	CLEARED	CLEARED	CLEARED
RD SURFACE		PAVEDRD	PAVEDRD	PAVEDRD
RD FRONTAGE		Y	Y	Y
ELE SCHOOL	Coburg	MCCORNACK	MCCORNACK	MCCORNACK
HIGH SCHOOL	Sheldon	CHURCHILL	CHURCHILL	CHURCHILL
WATERFRONT		N	N	N
SOIL TYPE	NATIVE	OTHER	OTHER	OTHER
Other Adjustments				
Total Adjustments:				
Adjusted Price:	\$150,000	\$152,500	\$152,500	\$169,000

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE



		<b>SUBJECT PROPERTY</b>				
<b>Address</b>		Coburg Bottom L...		101 W 39TH AVE		
<b>City</b>		Eugene, Oregon		Eugene		
<b>MLS#</b>				6067103		
<b>Status</b>				SLD		
<b>Price</b>	<b>\$/Sqft</b>	\$150,000	\$	\$230,000		
<b>Sold Price</b>	<b>\$/Sqft</b>			\$190,000		
<b>Sale Date</b>				3/21/2007		
<b>DOM</b>				118		
					<b>\$ Adj</b>	
<b>AREA</b>				244		
<b>ZIP</b>		97408		97401		
<b>PROP TYPE</b>		RESID		RESID		
<b>ZONING</b>						
<b># ACRES</b>		.4				
<b># LOTS</b>						
<b>LOT SIZE</b>		15K-19,999SF		15K-19,9...		
<b>LOT DESC</b>		PASTURE				
<b>RD SURFACE</b>				PAVEDRD		
<b>RD FRONTAGE</b>				Y		
<b>ELE SCHOOL</b>		Coburg		ELLIS PA...		
<b>HIGH SCHOOL</b>		Sheldon		SOUTH EU...		
<b>WATERFRONT</b>						
<b>SOIL TYPE</b>		NATIVE				
<b>Other Adjustments</b>						
<b>Total Adjustments:</b>						
<b>Adjusted Price:</b>		\$150,000		\$190,000		

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 SCHOOL AVAILABILITY SUBJECT TO CHANGE

## Summary of Comparables

### Active

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	COBURG BOTTOM LOOP ROAD			.4	\$150,000
7012424	4	RESID	Wendell LN	Eugene	243	0.39	\$235,000
7012051	6	RESID	4 Rockridge LOOP	Eugene	244	0.36	\$124,900

### Sold

MLS#	P	Type	Address	City	Area	Acres	Price
		RESID	COBURG BOTTOM LOOP ROAD			.4	\$150,000
7039410	2	RESID	Mclean BLVD	Eugene	244	0.35	\$150,000
6098240	4	RESID	9 Mountain Ash BLVD	Eugene	244		\$152,500
6098243	4	RESID	10 Mountain Ash BLVD	Eugene	244		\$152,500
6098281	3	RESID	27 Blue Spuce DR	Eugene	244		\$169,000
6067103	4	RESID	101 W 39TH AVE	Eugene	244		\$190,000

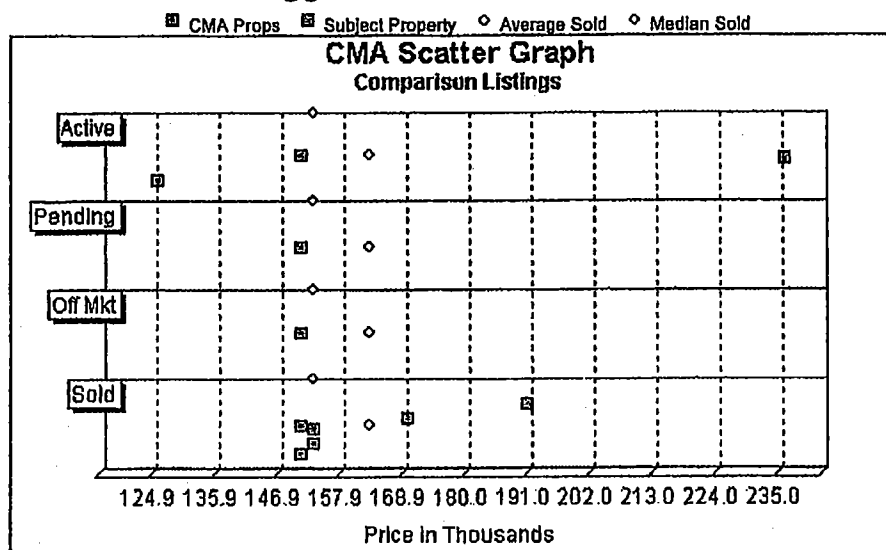
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 SCHOOL AVAILABILITY SUBJECT TO CHANGE

## Pricing Your Home

Status	#	Average	Minimum	Maximum	Avg Sqft	Avg \$Sqft
Active	2	\$179,950	\$124,900	\$235,000	0	\$0
Sold	5	\$162,800	\$150,000	\$190,000	0	\$0
Total Listings	7	Sold Properties closed averaging 95.44% of their Final List Price. This reflects a 4.56% difference between Sale Price and List Price. If SNL status is included, the Sold Price to List Price ratio will be affected because the ratio is always 100% for SNL listings.				

	Amount	\$/Sqft
Average Sales Price	\$162,800	\$0
Min. List Price	\$135,000	\$0
Max. List Price	\$230,000	\$0
Suggested List Price	\$150,000	\$

### How the Suggested Price Looks in the Market



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 SCHOOL AVAILABILITY SUBJECT TO CHANGE.