

Lane Code
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FOREST LAND DISTRICT (F-2)**10.104-05 Purpose.**

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

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

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

10.104-10 Permitted Buildings and Uses.

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

- (1) The management, growing and harvesting of forest products, including Christmas tree raising;
- (2) Farm uses (see farm use definition, LC 10.020);
- (3) Sale of agricultural products and livestock grown or raised on the premises;
- (4) Accessory buildings and uses customarily provided in conjunction with a farm or forest use;
- (5) Facilities for fixed or rotary-winged and lighter-than-air aircraft, provided such facilities are accessory to the management, growing or harvesting of forest crops;
- (6) Commercial activities in conjunction with a farm use, provided such activities are conducted by the owner or operator of the farm use and do not constitute a separate business or enterprise;
- (7) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions);
- (8) Rock sand, gravel or loam excavation and extraction, provided:
 - (a) Materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration;
 - (b) Total excavation and extraction does not exceed 5,000 cubic yards annually;
 - (c) Materials produced are used solely in conjunction with forest or farm use activities.
- (9) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-04, 6.4.04)*

10.104-15 Special Uses - Director Approval.

The following uses subject to approval by the Director pursuant to Type II procedures of LC Chapter 14:

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

(a) Designation of the property by the County Assessor as receiving either forest or farm tax deferral; or

(b) A satisfactory or farm management plan that, if implemented, would qualify the property for forest or farm tax deferral; or

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

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

(a) The addition and location of new structures and improvements, including dwellings, roads, utilities, fences, wells, etc., will not impose limitations upon existing farm or forestry practices in the area;

(b) The use will not detrimentally affect the farm or forestry operations of the area through increased use of roads, interference with farm or forestry uses or practices or demand for public facilities;

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

(4) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83; 10-04, 6.4.04; 19-03, 10.29.19)*

10.104-20 Special Uses - Hearings Official Approval.

The following uses, and no others, subject to approval by the Hearings Official pursuant to Type III procedures of LC Chapter 14:

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

(a) Hop, nut and fruit dryers.

(b) Feed mixing and storage facilities.

(c) Hullers.

(d) Mint distilleries.

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

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

(g) Feed lots.

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

(i) Wine processing.

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

(2) Animal hospitals; kennels.

(3) Churches.

(4) Public and private schools.

- (5) Parks, playgrounds and community centers owned and operated by a governmental agency or a nonprofit community organization.
- (6) Lodges and grange halls.
- (7) Electric transmission facilities transmitting electric current in excess of 150,000 volts in any single cable or line or group of cables or lines.
- (8) Flood control facilities and irrigation projects.
- (9) Radio and television transmission towers; broadcast studios or stations.
- (10) Accessory dwellings for persons employed on the premises.
- (11) Stables, riding academies and commercial riding.
- (12) Airports, heliports or aircraft landing fields.
- (13) Cemeteries.
- (14) Golf courses.
- (15) Rock, sand, gravel and loam excavations, extraction of general resources, with incidental processing which exceed the requirements for an allowable permitted use as provided in LC 10.104-10(9) above.
- (16) Solid waste disposal facilities.
- (17) Sewage treatment facilities.
- (18) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (19) Communication facilities not accessory to a permitted use.
- (20) Dams, water storage areas, electrical generation facilities, canals, flumes, pipelines and other similar facilities.
- (21) Cluster developments may be permitted as a special use as follows:
 - (a) The developer is in accord with all applicable portions of the Lane County Coals and Policies, functional plans and subarea plans.
 - (b) The development is in accord with the criteria of ORS 215.213(3) for each home site or assures the retention of forest lands for forest uses.
 - (c) The development is justified by an exception to the applicable natural resource goal, LCDC Goal 3 or 4, or both such goals, as applicable. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83; 19-03, 10.29.19)*

10.104-25 Special Use Criteria.

Special uses authorized under LC 10.104-15 or 10.104-20 above shall be approved only upon submission of evidence the following criteria are met.

- (1) Any building, mobile home or structure used for residential purposes:
 - (a) Shall be sited close to existing access roads or other dwellings, or shall be naturally buffered from adjacent properties where farm and forest uses are practiced, or a natural buffer shall be established and utilized between adjacent forest lands and the proposed dwellings;
 - (b) Shall be located on the least productive portions of the parcel considering soil types, soil constraints such as erosion, drainage, slides, flooding, soil productivity, existing dwellings, structures, access, surrounding land use and existing rural services and facilities;
 - (c) Shall maintain a minimum fuelbreak of 100 feet cleared of flammable material between the dwelling and forest land. Such fuel break shall be continually maintained and may contain ornamental shrubbery, single specimen trees or similar plants used as ground cover; however, the plants should not be a means of rapidly spreading fire;
 - (d) Shall provide a fire suppression system that includes the following:

(i) A pond, stream, tank or sump, with storage of not less than 1,000 gallons or well capable of delivering 20 gallons per minute, provided such well is on an independent power system;

(ii) A water pump capable of pumping not less than 20 gallons per minute;

(iii) Sufficient water outlets, together with serviceable hose not less than three-quarters inch inside diameter and a nozzle to reach the dwelling and nearby improvements;

(iv) The water supply, pump, hose and nozzle shall be maintained as a connected, operating unit ready for immediate use during periods of fire danger.;

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

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

(a) Maintenance of a shaded fuel break within dedicated road rights-of-way;

(b) Grades and turning radii are within the capabilities of emergency equipment serving that locale;

(c) Bridge construction must be adequate to support the gross vehicle weight of emergency equipment serving that locale;

(d) Dead-end roads and streets must provide adequate turnarounds.

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

(4) The proposed use will not alter the stability of the overall land use pattern in the area nor interfere with farm and forest practices and will be compatible with the retention of existing and potential forest uses on the surrounding forest lands considering, among other things, the rating of wildfire potential as set forth in LC 10.104-50 below. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.104-30 Setback Requirements.

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

(2) All buildings shall be setback 100 feet from ordinary high water of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-04, 6.4.04)*

10.104-35 Vision Clearance.

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

10.104-40 Area.

(Also see LC 10.300-20)

(1) Divisions of land shall be approved upon a finding that the division:

(a) Is compatible with forest and farm uses in the area and does not interfere with forest practices as defined and regulated under the Oregon Forest Practices Act or farm use as defined in ORS 215.203.

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

(c) Results in parcels of sufficient size to carry out the intent and purpose of the F-2 District taking into consideration permitted uses, physical characteristics and productive capacity of the land. Is consistent with the forest lands and agricultural lands Goals and Policies of the Lane County Comprehensive Plan.

(2) Where deemed necessary to comply with the requirements of this subsection, evidence similar to that described in LC 10.104-15(1) above may be required. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.104-50 Wildfire Hazard Severity Rates System.

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

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

IF THE POINT TOTAL IS:	THE IMPACT LEVEL IS:
5-6	No Impact
7-11	Minor Impact
12-20	Severe Adverse impact

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

10.104-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.104-05 through -50 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

FARM-FORESTRY 20 DISTRICT (F-F 20)

10.105-05. Purpose.

The Farm-Forestry 20 District (F-F 20) is intended to provide farming, grazing or timber production areas as free as practicable from conflicts with urban and other uses incompatible with farming, grazing or timber production uses, as well as being intended to be used in otherwise remote areas of the County not appropriate for more intensive development than permitted by the regulations of this District. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82; 9-83, 4.29.83)*

10.105-10 Permitted Buildings and Uses.

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

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

- (11) Kennel, provided the following conditions are satisfied:
- (a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.
 - (b) Where the lot area is less than 20 acres, the maximum number of dogs over four months of age shall be eight.
 - (c) Where lot area is a minimum of 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from an adjoining property.
 - (d) All dogs shall be owned by the kennel owner, except those temporarily kept for the purposes of breeding.
- (12) Family day care facility in a permitted residence.
- (13) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been inventoried and designated in the applicable Comprehensive Plan as a historic structure meeting the standards of ORS 358.480.
- (14) Residential Home.
- (15) Winery, developed only as specifically defined in LC 10.020, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited:
- (a) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places;
 - (b) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 10.300-05(2)(a)(vii).
- (16) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead; and operations for the exploration for minerals as defined by ORS 517.750.
- (17) Creation of restoration of, or enhancement of wetlands.
- (18) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 17-73, 1.16.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 3-91, 5.17.91; 10-04, 6.4.04)*

10.105-15 Conditional Uses.

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

- (1) The following uses, when such uses are operated as a separate business or enterprise not in conjunction with a farm use in certain locations determined not to be detrimental to the agricultural character of the area and to be of benefit to the community at large; for example, along railroads, major highways or in small population centers.
- (a) Hop, nut and fruit dryers.
 - (b) Feed mixing and storage facilities.
 - (c) Hullers.
 - (d) Mint distilleries.
 - (e) Seed processing, packing, shipping and storage.
 - (f) Plants for the storage, packing or wholesaling of agricultural products produced on the premises.

- (g) Feed lots.
 - (h) Temporary and portable sawmills, barkers and chippers.
 - (i) Wine processing.
 - (j) Any other similar activities or other allied farm commercial activities.
- (2) Animal hospitals; kennels which do not satisfy the requirements for kennels allowed as a permitted use in LC 10.105-10(11) above.
 - (3) Churches.
 - (4) Public and private schools.
 - (5) Parks, playgrounds and community centers.
 - (6) Lodges and grange halls.
 - (7) Electric transmission facilities transmitting electric current in excess of 75,000 volts in any single cable or line or group of cables or lines.
 - (8) Flood control facilities and irrigation projects.
 - (9) Radio and TV transmission towers.
 - (10) Stables, riding academies and commercial riding; provided such activities are contained on the property authorized for Conditional Use Permits approval.
 - (11) Airports, heliports or aircraft landing fields.
 - (12) Cemeteries.
 - (13) Golf courses.
 - (14) Penal farms.
 - (15) Radio and TV stations.
 - (16) Rock, sand, gravel and loam excavations, extraction of mineral resources, with incidental processing.
 - (17) Sanitary landfills.
 - (18) Tourist parks.
 - (19) Camping vehicle parks.
 - (20) Campgrounds.
 - (21) Rental facilities for storing boats and recreational vehicles.
 - (22) Sewage treatment facilities.
 - (23) Other uses not specifically authorized any place in this chapter.
 - (24) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
 - (25) Seasonal farm worker housing.
 - (26) Room and board arrangements for a maximum of five unrelated persons in an existing dwelling otherwise permitted by this district, and also provided that such a facility will not force a significant change in accepted farm or forest practices on surrounding lands devoted to forest use, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm and forest use.
 - (27) Subsurface resource recovery operations as follows:
 - (a) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted by LC 10.105-10(16) above.
 - (b) Mining of aggregate and other mineral and other subsurface resources to an amount exceeding 1,000 total cubic yards of material or excavation preparatory to mining a surface area of more than one acre.
 - (c) Processing, as defined in ORS 517.750, of aggregate into asphalt or portland cement; provided such processing does not take place within two air miles of a vineyard planted at the time the initial processing application is made.
 - (d) Processing of other mineral resource and other subsurface resources.

(28) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 17-73, 1.16.74; 6-75, 3.26.75; 9-75, 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78; 5-81, 4.8.81; 3-91, 5.17.91; 10-04, 6.4.04)*

10.105-20 Accessory Dwellings.

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

10.105-23 Setback Requirements.

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

- (1) Front yard setback shall be 20 feet.
- (2) Side yard setback shall be as follows:
 - (a) Interior yard -- 15 feet for a main building; five feet for an accessory building or structure.
 - (b) Street side yard -- 20 feet.
- (3) Rear yard setback shall be 20 feet for a main building; five feet for an accessory building or structure. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 6-75, 3.26.75; 3-76, 4.7.76)*

10.105-28 Vision Clearance.

Vision clearance for corner lots shall be a minimum of 15 feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.105-42 Area.

(Also see LC 10.300-20.)

- (1) The minimum area for the division of land shall be 20 acres, except that the division of agricultural land by lease or rental for any farm use purpose is permitted, provided however, that no structure or building may be erected appurtenant to such division of land except those permitted under LC 10.105-10(7) above, and except further, division of land for less than 20 acres is permissible for uses permitted under LC 10.105-10(10) above and permitted conditionally in the F-F 20 District.
- (2) For each accessory dwelling or mobile home unit approved under LC 10.105-10 above, except farm labor camps, the lot shall contain a minimum average of five acres per such accessory unit.
- (3) A special exception to the minimum area requirements of this section may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements."
- (4) A division of land may be allowed to create a parcel with an existing historic property inventoried and designated within the applicable Comprehensive Plan and meeting the standards of ORS 358.480, provided the parcel is not larger than the minimum size necessary for the use and if the division would not conflict with the purpose of this zone.
- (5) A division of land may be allowed to create a parcel with an existing Residential Home, provided the parcel is not larger than the minimum size necessary for the use and if the division would not conflict with the purpose of this zone. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 9-75, 7.2.75; 3-76, 4.7.76; 5-81, 4.8.81; 3-91, 5.17.91)*

10.105-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.105-05 through -42 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway

Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

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ARE RESERVED FOR FUTURE EXPANSION