

W.S.E.

# SUPPLEMENTAL MATERIAL

## Third Addendum Agenda Cover Memo

**DATE:** April 12, 2005      Third Addendum to Agenda Cover Memo  
April 20, 2005      Deliberations by the Board of Commissioners  
March 30, 2005      Public Hearing

**TO:**      LANE COUNTY BOARD OF COMMISSIONERS

**FROM:** Public Works Department/Land Management Division

**PRESENTED BY:** Bill Sage, Associate Planner

**AGENDA ITEM TITLE:**    **ORDINANCE NO. PA 1211 - IN THE MATTER OF ADOPTING A CONFORMITY DETERMINATION AMENDMENT PURSUANT TO RCP GENERAL PLAN POLICIES – GOAL 2, POLICY 27 a.ii. AND GOAL 4, POLICY 15 TO REZONE 34.2 ACRES FROM NONIMPACTED FOREST LAND (F-1, RCP) TO IMPACTED FOREST LAND (F-2, RCP) FOR A PARCEL IDENTIFIED ON LANE COUNTY ASSESSOR’S MAP 21-01-30 AS TAX LOT 300, AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (File: PA 04- 5252, Everett).**

### I. SUBMITTALS INTO THE RECORD

On April 12, 2005, Jim Mann, agent for the applicant, Earl Everett, submitted revisions to “Exhibit B – Findings of Fact” of Ordinance No. PA 1211. The revisions consist of supplemental findings that are found under **Finding 3, d., 1. and 2.** The text of the supplemental findings are in the last paragraph at the bottom of page two and on page 3 of the revised “Exhibit B.”

Please remove the copy of “Exhibit B” to Ordinance No. PA 1211 that you received in the Agenda Cover Memo dated February 28, 2005, and replace it with the enclosed attachment.

### II. ATTACHMENT

Exhibit “B”. – Findings of Fact for Ordinance No. PA 1211.

**Ordinance No. PA 1211**  
**Exhibit "B"**  
**Findings of Fact**

**Finding 1. Rural Comprehensive Plan – General Plan Policies: Goal Two, Policy 27** provides a conformity determination amendment process for the correction of identified plan or zoning designations in the RCP Official Plan and Zoning Plots resulting from the Official Plan or Zoning Plots not recognizing lawfully existing (in terms of the zoning) uses or from inconsistencies between the Official Plan and Zoning Plots.

**Finding 2. Lane Code 16.252(1):** This section of Lane Code requires that as the Rural Comprehensive Plan for Lane County is implemented, changes in zone and other requirements of this chapter will be by ordinances.

**Finding 3. Lane Code 16.252(2)** requires that rezoning shall be consistent with the specific purposes of the zone classification proposed and Statewide Planning Goals. Based on the findings below, Ordinance No. PA 1211 complies with applicable state laws and Statewide Planning Goals.

- a. Statewide Planning Goal 2 requires, "Opportunities shall be provided for review and comment by citizens during the preparation, review and revision of plans and implementation ordinances." Lane County provided the opportunities identified below for citizens to review and comment on the preparation, review and revision of Ordinance No. PA 1211. These opportunities were adequate to comply with Goal 2.
  - On July 14, 2004, a legal ad was published in *The Register Guard*, providing notice of the Lane County Planning Commission public hearings in Harris Hall of the Lane County Public Service Building on August 3, 2004.
  - On July 15, 2004, LMD mailed to the Oregon Department of Land Conservation and Development (DLCD) a notice of the public hearing and pending adoption, and two copies of the proposed conformity determination amendment.
  - On August 3, 2004, the Lane County Planning Commission (LCPC) conducted a public hearing on the proposed Conformity Determination Amendment (PA 04-5252) Ordinance No. PA 1211 requesting consideration of a change in zoning designation from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP) pursuant to the qualifying criterion of Goal Two, Policy 27.a.ii:
    - ii. *Failure to zone a property Impacted Forest Land (F-2, RCP), where maps used by staff to designate the property Nonimpacted Forest Land (F-1, RCP) zone did not display actual existing legal lots adjacent to or within the subject property, and had the actual parcelization pattern been available to County staff, the Goal 4 policies would have indicated the F-2 zone.*and, the defining characteristics for F-1 and F-2 lands pursuant to RCP General Plan Policies, Goal Four, Policy 15.
  - On October 5, 2004, the Lane County Planning Commission (LCPC) deliberated in a work session on the policy issue of what constituted a "legal lot" for the purposes of land use actions in 1984, which included qualifying for consideration under Rural Comprehensive Plan – General Plan Policy Two - Policy 27.a.ii.
  - On October 5, 2004, the LCPC approved a motion by unanimous vote (7-0) to apply a common sense interpretation to the 1983-1986 definition for "legal lot" in Lane Code Chapter 13 and 16, based on the clarification of ORS 92 with the enactment of HB 2381 in 1985 by the Oregon Legislative Assembly, and Lane County's adoption of three ordinances in 1986 (Ordinance No. 10-86, Ordinance No. 11-86, and

Ordinance PA 921), that contiguous, discrete parcels created lawfully by recorded deeds or real estate contracts prior to the 1983-1986 period were not merged during that period, and were during that period and are today, discrete legal lots.

- On October 5, 2004, the LCPC reviewed the merits of the proposed amendment application pursuant to Goal Two, Policy 27.a.ii. and Goal Four, Policy 15. The LCPC made the following findings and conclusions:
  1. The LCPC determined that the subject parcel, tax lot 300 of TRS map 21-01-30, was a legal lot in 1984 at the time of adoption of the Rural Comprehensive Plan and the designation of the subject property as Nonimpacted Forest Land (F1), and qualified for further review under Goal Four, Policy 15.
  2. Pursuant to Goal Four, Policy 15b.(1) - the record supports a determination that the “ownerships”, subject and/or adjacent, are predominantly developed with residences or nonforest uses, thus F-2 Impacted Land was justified under this characteristic.
  3. Pursuant to Goal four, Policy 15c.(2) - the record supports a determination that the “ownerships”, subject and/or adjacent, are predominantly ownerships 80 acres or less in size, thus F-2 Impacted was justified under this characteristic.
  4. Pursuant to Goal Four, Policy 15c.(3) - the record supports a determination that the subject parcel is contiguous to tracts containing less than 80 acres and residences and adjacent to two developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan, thus Impacted Forest Land (F2) was justified under this characteristic.
  5. Pursuant to Goal Four, Policy 15c.(4) - the record supports a determination that the subject parcel is provided with a level of public facilities and services, and roads, intended primarily for direct services to rural residences. Thus, Impacted Forest Land (F2) was justified under this characteristic.
  6. Based on the findings and conclusions on the legal lot status and for each of the four characteristics of (F2) lands reviewed above pursuant to RCP General Plan Policies - Goal Four, Policy 15 (a) – (c), the Lane County Planning Commission unanimously approved a recommendation to the Board of Commissioners that the predominant characteristics of the subject parcel indicated the parcel should be designated as F2 Impacted Forest Land Zone.
- On March 2, 2005, a legal ad was published in *The Register Guard* providing notice of the BCC public hearing in Harris Hall of the Lane County Public Service Building at 1:30 PM on March 30, 2005.
- On March 30, 2005, the Board of County Commissioners conducted a public hearing on the proposed Conformity Determination Amendment (PA 04-5252) Ordinance No. PA 1211 requesting consideration of a change in zoning designation from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP) pursuant to the qualifying criterion of Goal Two, Policy 27.a.ii. and Goal Four, Policy 15.
- b.** Ordinance No. PA 1211 acknowledges the written testimony and documentation, and citizen comments received during the LCPC public hearings on August 3, 2004, and submitted into the official record thereafter.
- c.** Ordinance No. PA 1211 acknowledges the deliberations of the LCPC on October 5, 2004, and their findings of fact, conclusions, and recommendation to amend the zoning designation of the subject property, tax lot 300 of Lane County Assessor’s Map 21-01-30, from Nonimpacted Forest Land (F1) to Impacted Forest Land (F2), and the Board of County Commissioners adopts the LCPC findings of fact and conclusions as their own.
- d.** Ordinance No. PA 1211 acknowledges citizen testimony and evidence received during the Lane County Board of Commissioners public hearing on March 30, 2005. Based on

the evidence in the record before the Board, the following supplemental findings of fact are included in this Exhibit B:

1. For the reasons described by the Lane County Planning Commission and in this finding of fact, the subject property meets F2 zone characteristic (1), "Predominantly ownerships developed by residences or nonforest uses." A residence was built on the subject property in approximately 1920 (as shown in Applicant's Attachment 15) and existed on the subject property in 1978 (as shown by Applicant's Attachment 4) and until it was burned-down in 1981 (as shown by applicant's Attachment 13). On March 14, 1983, Lane County approved land use application DSP 83-036 to, "allow A-2 special permit for a dwelling (replace house that burned in 1981)". This evidence shows that, prior to the subject property being zoned F1 on February 29, 1984, the owners of the subject property had established the residential use of part of the subject property the right a dwelling to replace the house that burned. When the subject property was zoned F1 on February 29, 1984, the following Lane County Goal 2, General Plan Policy, was in effect and is in effect today, "17. Lane County shall recognize and incorporate into the Lane County Comprehensive Plan all prior land use applications approved since January 1980 with respect to Statewide Planning Goals to the extent legally possible." This policy applies to the valid land use permit for the subject property, DSP 83-036 and to this request. In applying this policy to this application, the Board recognizes that the owners of the subject property had maintained their residential use of the subject property with the approval of DSP 83-036 and that the use had not change merely because the house had burned.
2. Evidence in the record demonstrates that on February 29, 1984, when the subject property was zoned F1, the subject property was not developed for forest uses. The 1979 aerial photo in Attachment 4 shows that the subject property had a dwelling on it and was in use as pasture. The 2000 aerial photo in Attachment 4 shows that the subject property is predominantly not in forest use. For the reasons described by the Lane County Planning Commission and in this finding of fact, the subject property meets F2 zone characteristic (3), "Ownerships generally contiguous to tracts containing less than 80 acres and residences and/or adjacent to developed or committed areas for which an exception has been taken in the Rural Comprehensive Plan." The subject property is contiguous to two exception areas. One committed area is the Community of Dorena that is on the opposite side of Row River Road and is contiguous to the subject property on the south side where the adjacent RR5 zoned TL 1500 Row River Baptist church (built in 1945) is located. The other committed area is located on the north side where the adjacent RR10 zoned TL 1401 with an existing dwelling is located. The NE corner of the subject property is adjacent to TL 1400 that is zoned F2 and has a mobile home on it according to the addressing map included as Applicant's Attachment 10. On the south side is TL 1607 that according to Applicant's Attachment 2 is owned by M.L. Kyril and is part of a 2.63 acre and 41.83 acre ownership that includes M3 zoned property with an industrial building and mobile home on it. On the east side the subject property is adjacent to TL 301 owned by Weyerhaeuser Co. that is zoned F1 and is vacant forest land.

# SUPPLEMENTAL MATERIAL

W. S. L.

## SECOND ADDENDUM TO AGENDA COVER MEMO

**DATE:** March 30, 2005 (Public Hearing)  
March 31, 2005 (Second Addendum to Agenda Cover Memo)

**TO:** LANE COUNTY BOARD OF COMMISSIONERS

**FROM:** Public Works Department/Land Management Division

**PRESENTED BY:** Bill Sage, Associate Planner

**AGENDA ITEM TITLE:** ORDINANCE NO. PA 1211 - IN THE MATTER OF ADOPTING A CONFORMITY DETERMINATION AMENDMENT PURSUANT TO RCP GENERAL PLAN POLICIES – GOAL 2, POLICY 27 a.ii. AND GOAL 4, POLICY 15 TO REZONE 34.2 ACRES FROM NONIMPACTED FOREST LAND (F-1, RCP) TO IMPACTED FOREST LAND (F-2, RCP) FOR A PARCEL IDENTIFIED ON LANE COUNTY ASSESSOR'S MAP 21-01-30 AS TAX LOT 300, AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (File: PA 04- 5252, Everett).

### **I. SUBMITTALS INTO THE RECORD**

During the Board of Commissioner's public hearing yesterday, March 30, 2005, on this agenda item, two submittals of written testimony and documentation were received and are part of the official record. Copies of both are attached.

### **II. EXHIBITS**

- "Exhibit 56." March 30, 2005 Submittal at BCC public hearing: Jim Mann, for the applicant (1 page) with six attachments (11 pages).
- "Exhibit 57." March 30, 2005 Submittal at BCC public hearing: Lauri Segel, 1,000 Friends of Oregon.

**James A. Mann LLC**  
*Land Use Planning & Development Permit Services*  
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(541) 514-3051  
jamannllc@comcast.net

RECEIVED 10  
RECORD AT  
BOC PUBLIC  
HEARING  
3-30-05  
LJM

RECEIVED AT HEARING  
P.A. NO. 1211  
DATE 3/30/05 EXHIBIT NO. \_\_\_\_\_

March 30, 2005

Lane County Board of Commissioners  
125 East 8<sup>th</sup> Ave.  
Eugene, OR 97401

RE: PA 04-5252, Everett

Please accept into the record for today's hearing on this matter the following attached information:

1. Lane County Assessment & Taxation Improvement Appraisal for a church with a year built date of 1945 on Map 21-01-30 TL 1500 **2 pages**
2. Lane County Assessment & Taxation Improvement Appraisal for a dwelling with a year built date of 1971 on Map 21-01-19 TL 400 **2 pages**
3. Lane County LMD Permit 2256-84 noting an existing mobile home on Map 21-01-30 Tax lot 1602. Assessment & Taxation Improvement Appraisal for a dwelling with a year built date of 1963 on Map 21-01-19 TL 400 **1 pages**
4. Lane County Goal 2 Policy 17 and approved replacement dwelling for the subject property DSP 83-036 **4 pages**
5. OAR 660-006-0025(4)(a): "(4) The following uses may be allowed on forest lands subject to the review standards in section (5) of this rule: (a) Permanent facility for the primary processing of forest products." See the definition of this term in LC 16.090.
6. Lane County Zoning Map 1978 T21S R1W **2 pages**

Sincerely, .



James A. Mann LLC

**BUILDING RESIDUAL**

**OPERATING EXPENSE SCHEDULE**

ISCOME	INSURANCE	REPAIRS
HEAT		
LIGHTS		
WATER		
SEWERAGE		
TELEPHONE		
SUPPLIES		
<b>TOTAL (A) \$</b>		

**ECONOMIC GROSS INCOME** \$ \_\_\_\_\_

VACANCY \_\_\_\_\_ % = \$ \_\_\_\_\_

**EFFECTIVE GROSS INCOME** \$ \_\_\_\_\_

**EXPENSES**

MANAGEMENT \_\_\_\_\_ % \$ \_\_\_\_\_

CHARGES TO PERS. PROPERTY \$ \_\_\_\_\_ X \_\_\_\_\_ % \$ \_\_\_\_\_

CHARGES TO LAND \$ \_\_\_\_\_ X \_\_\_\_\_ % \$ \_\_\_\_\_

OPERATING EXPENSES (A) \$ \_\_\_\_\_

**TOTAL EXPENSES** \$ \_\_\_\_\_

**NET INCOME IMPUTABLE TO BUILDING** \$ \_\_\_\_\_

**INDICATED BUILDING VALUE**

NET INCOME \$ \_\_\_\_\_ + \_\_\_\_\_ % RATE = \$ \_\_\_\_\_

(TRANSFER TO SUMMARY)

**APPROACH**

**SON**

GROSS RENT MULTIPLIER

ELECTION OF GRM:

**COMPUTATIONS:**

GROSS INCOME \$ \_\_\_\_\_ X GRM = \$ \_\_\_\_\_

LESS PERS. PROPERTY VALUE \$ \_\_\_\_\_

LESS LAND VALUE \$ \_\_\_\_\_

**INDICATED BUILDING VALUE** \$ \_\_\_\_\_

21-01-30-0-0 1500  
45-02 929354

**COMMERCIAL IMPROVEMENT APPRAISAL**

CODE AREA

TL NO.

**RECORD OF LAST APPRAISAL ORS 308.234**

APPR 810 DATE 4/1/79 VALUE 29710

**RECORD OF ADJUSTMENTS**

BY 656 DATE 7/1/79 VALUE 85300

BY 656 DATE 7/1/79 VALUE \_\_\_\_\_

BY \_\_\_\_\_ DATE \_\_\_\_\_ VALUE \_\_\_\_\_

**SALES DATA**

DATE OF SALE \_\_\_\_\_ VERIFIED: YES \_\_\_\_\_ NO \_\_\_\_\_

AMOUNT \_\_\_\_\_ TERMS \_\_\_\_\_

ALLOCATION (BY: OWNER APPR )

LAND \_\_\_\_\_ P.P. \_\_\_\_\_ IMP \_\_\_\_\_

*Row River Valley Church*

21-01-30 TL 1500

INTERIOR INSPECTED: YES  NO  PERSON CONTACTED

NEIGHBORHOOD CHARACTERISTICS			PROPERTY CHARACTERISTICS		
USE	TYPE	TREND	USE	BUILDING	SITE IMPS
RETAIL	CENTRAL CORE	DEVELOP.	STORE	GROUP <u>CHURCH</u>	WATER <input checked="" type="checkbox"/>
OFFICE	URBAN	STATIC <input checked="" type="checkbox"/>	OFFICE	TYPE <u>LC</u>	SEWER <input checked="" type="checkbox"/>
MULTIFAM.	STRIP COM'L	DECLIN.	APT	CLASS <u>D</u>	ELEC <input checked="" type="checkbox"/>
WHOLESALE	BEST COM'L	TRANS	<u>CHURCH</u>		GAS
INDUSTRIAL	SHOPPING CNTR			PROPER IMP. <input checked="" type="checkbox"/>	
<u>RURAL RESID</u>	SUBURBAN			OVER IMP. <input checked="" type="checkbox"/>	PARKING <input checked="" type="checkbox"/>
			PROPER <input checked="" type="checkbox"/>	UNDER IMP.	
			MARGINAL		
<b>ZONING: FF 20</b>			<b>HIGHEST AND BEST USE <input checked="" type="checkbox"/></b>		

REMARKS:

**SUMMARY OF APPROACHES**

COST	INCOME	MARKET
BUILDING D.R.C. \$ <u>29710</u>	BUILDING VALUE \$ _____	BUILDING VALUE \$ _____
YARD AND MISC IMP \$ _____	OTHER IMPS \$ _____	OTHER IMPS \$ _____
TOTAL IMPROVEMENT VALUE \$ <u>29710</u>	TOTAL IMPROVEMENT VALUE \$ _____	TOTAL IMPROVEMENT VALUE \$ _____

**FINAL RECONCILIATION**

AREA COMPUTATION

1ST FELLOWSHIP  
FROM MARKET  
9, OR

25.

28 x 75 = 2100  
8 x 4 = 32  

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2132

ENTRY

IMPROVEMENTS

OR	BASE COST	% QUAL	% INDEX	REPL. COST	% GOOD	DEPRAC. REPL. COST

COST APPROACH

GROUP	CHURCH	TYPE	LC	CLASS	D	BASE FACTOR	
GROUND FLOOR AREA		STORIES	2	GROSS FLOOR AREA	2132		
UNITS		AVE. SIZE		UNITS IN COMPLEX			
FACTOR BOOK	MARSHALL VALUATION	BASE ADJ. FACTORS					
FOUNDATION	CONC. BLK	BRICK		REINF.			
FRAME	BEARING WALL	PILASTERS		COL & BEAMS:	WD CONC STL		
EXTERIOR WALL	HGT 10	WD FR	SGL DBL	COVER:	B/B CONC: POURED TILT-UP BLK		
	BRICK: SOLID VEN			OTHER:	STUCCO MTL & GLASS		
	MTL FR:	BEAM & GIRDER	TRUSS	COVER			
ROOF	CONST	WD FR	CONC STL TRUSS	TYPE:	FLAT SHED GAS		
	COVER:	BUILT-UP	COMPO	SHGL	SHAKE	MTL	
FLOOR	WD FR:	SGL DBL		CONC:	GRADE ELEV. REINF.		
	COVER:	NONE	LINO	H. WD	CARPET VINYL	TILE	
PARTITIONS	CONST	WOOD	MTL MASONRY	COVER:	DRYWALL PLAS	PANEL	
	CEILING:	DRYWALL PLAS	ACCOU. TILE	SUS. SYSTEM	FIRTEX		
INTERIOR COMPONENTS	APPLIANCES:	RANGE		DISHWASHER	HOOD/FAN	GD INTER-COM	
	BUILT-INS:	FIR	H-WD				
	ELEVATOR		ESCALATOR		FIRE	SPKR	
ELECTRICAL	FLUG	UNGEN	SPEC	FEW	SEVERAL	MANY	
EST PLUMBING	TOIL	LAY	URINAL	TUB	SHWR	KIT SINK	SERV. SINK
	2	2				1	1
HEATING-COOLING	HEAT:	FA	ELEC	BB	SUSP		HT WTR
	COOL:	COMB. SYS					UNIT COOLERS
BASEMENT	NONE	FULL		X			WALLS: CONC
	UNFINI	FIN:	WALLS				FLOOR
	USE:						CEIL
UPPER STORIES	NONE	FLOOR:	WD FR	CONC			COVER:
	PARTITIONS:	WD FR	MTL				COVER:
	USE:						HEAT/COOL:
EXT. COMP.	CANOPY		DOCK				
MISC. ADDITIONS							
BUILT 19 45		COST \$					
REMOD. 19		COST \$					
EFFECTIVE AGE							
REMARKS:	WINDOW INSPECTION Y						
SUMMARY OF BUILDING COMPUTATIONS	SUB-TOTALS		+				
	TOTALS		-				
BLDG. AREA	89 FT	UNITS X					



MAP LOT NO. 21 01 19  
 ADDRESS  
 APPR NO. 236  
 CYCLE 5

400

DATE 10-26-78

ACCT. NO. 928 927  
 CODE 45-02  
 CARD OF

PROP CLASS <u>R1-3</u> CLASS <u>R1-3</u> STORIES <u>1</u> SQ FTG 1ST FLOOR <u>912</u> YEAR BUILT 19 <u>63</u> EFFECTIVE AGE REMODELED <input type="checkbox"/> NO <input type="checkbox"/> YEAR 19 <u>    </u> PERMIT NO. <u>    </u> RENTAL \$ <u>    </u> MO. <u>    </u> SOLD 19 <u>    </u> AMOUNT \$ <u>    </u>	STAT CLASS <u>130</u> QUAL ADJ <u>+5</u> % SHAPE ADJ <u>    </u> %	DWELLING SQ FT 1ST FLOOR <u>912</u> SQ FT 2ND FLOOR <u>    </u> SQ FT FIN ATTIC <u>    </u> SQ FT FIN BSMT <u>    </u> TOTAL LIVING AREA <u>912</u> CLASS OF SURR IMPRV <u>    </u> NBRHOOD LOCATION <u>    </u> INT INSPECTED YES <input type="checkbox"/> No <input checked="" type="checkbox"/>	PHYS COND <u>4</u> FUNC UTIL <u>4</u> APPEARANCE <u>4</u> DEPRECIATION <u>7</u> COMPLETE <u>    </u> % NORMAL FUNCTIONAL <u>10</u> % LOCALATIONAL <u>    </u> % PERCENT GOOD <u>90</u> % COST INDEX YEAR 1978 <u>    </u> INDEX <u>125</u> %
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<input checked="" type="checkbox"/> CONCRETE <input type="checkbox"/> CONC BLOCK <input type="checkbox"/> CONC SLAB <input type="checkbox"/> BRICK <input type="checkbox"/> STONE <input type="checkbox"/> FRAME <input type="checkbox"/> WD BLOCK ADJ \$ <u>    </u>	PLASTER DRYWALL COMPO <input checked="" type="checkbox"/> CLD & PA T & G PLYWOOD FUR'D PANELING <input checked="" type="checkbox"/> TRIM: FIR <input checked="" type="checkbox"/> HD WOOD <input type="checkbox"/>	BASE VALUE <u>16200</u> UPPER FLOORS SHAPE ADJ <u>    </u> % NET LUMP SUM <u>610</u> QUALITY ADJ <u>105</u> % TOTAL REPLACEMENT COST <u>17650</u> PERCENT GOOD <u>90</u> % DEPR REPLACEMENT COST <u>15890</u> GARAGE DEPR. REPL COST <u>1020</u> OTHER IMPROVEMENTS DRC <u>8240</u> 1978 COST INDEX <u>125</u> % <u>20650</u> TOTAL DEPRECIATED REPL COST <u>25810</u>
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<input checked="" type="checkbox"/> WOOD FRAME <input type="checkbox"/> DOUBLE <input type="checkbox"/> SINGLE <input type="checkbox"/> SHEATHG ONLY ADJ \$ <u>    </u>	DOUBLE SINGLE FIR HDWOOD TILE CONCRETE CARPET PLYWOOD LINO SUB ONLY ADJ \$ <u>    </u>	CLASS <u>R1-3</u> SQ FT <u>912</u> <input checked="" type="checkbox"/> ELECTRIC <input type="checkbox"/> GAS <input type="checkbox"/> OIL <input type="checkbox"/> HARD FUEL <input type="checkbox"/> CEIL CABLE <input checked="" type="checkbox"/> BSBD/W. UNITS <input type="checkbox"/> NO. WALL UNIT <input type="checkbox"/> HEAT PUMP <input type="checkbox"/> CEN AIR C <input type="checkbox"/> NO. TONS <input type="checkbox"/> F. AIR <input type="checkbox"/> FL/W FURN <input type="checkbox"/> HOT WATER <input type="checkbox"/> GRAVITY <input type="checkbox"/> CEN. HEAT <input type="checkbox"/> CHIMNEY <input type="checkbox"/> PORTABLE <input type="checkbox"/> RENTAL ADJ \$ <u>    </u>	CLASS <u>R1-3</u> <input checked="" type="checkbox"/> CABINETS <input type="checkbox"/> FIR <input type="checkbox"/> HD. WOOD <input type="checkbox"/> METAL <input type="checkbox"/> CAB. TOPS <input checked="" type="checkbox"/> FORMICA <input type="checkbox"/> LINO <input type="checkbox"/> PLASTIC <input type="checkbox"/> VAC CLNR <input type="checkbox"/> INTERCOM ADJ \$ <u>    </u>	CLASS <input type="checkbox"/> GAS <input type="checkbox"/> ELECTRIC <input type="checkbox"/> OVEN-SGL <input type="checkbox"/> OVEN-DBL <input type="checkbox"/> COOKTOP <input type="checkbox"/> RANGE <input type="checkbox"/> DISHWASHER <input type="checkbox"/> GARB DISP <input type="checkbox"/> HOOD & FAN <input type="checkbox"/> FAN - KIT <input type="checkbox"/> FAN - BATH ADJ \$ <u>    </u>
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<input checked="" type="checkbox"/> GABLED <input type="checkbox"/> HIP ADJ \$ <u>    </u>	LIVING <u>    </u> DINING <u>    </u> DINING AREA <u>    </u> KITCHEN <u>    </u> FAM/REC/STUDY <u>    </u> BED ROOMS <u>2</u> FULL BATHS <u>1</u> HALF BATHS <u>    </u> UTILITY ROOM <u>    </u> OTHER <u>    </u> ADJ \$ <u>    </u>	CLASS <u>R1-3</u> <input type="checkbox"/> SEALED <input type="checkbox"/> FULL FINISH CLASS <u>R1-3</u> <input type="checkbox"/> UNFINISHED <input type="checkbox"/> SEALED <input type="checkbox"/> FULL FINISH CLASS <u>R1-3</u> <input type="checkbox"/> TOTAL <input type="checkbox"/> SEALED <input type="checkbox"/> FULL FINISH CLASS <u>R1-3</u> <input type="checkbox"/> TOTAL <input type="checkbox"/> SEALED <input type="checkbox"/> FULL FINISH	CLASS <u>R1-3</u> <input type="checkbox"/> BATHTUB <input type="checkbox"/> SOT <input type="checkbox"/> ST SH CER <input type="checkbox"/> ST SH FIB <input type="checkbox"/> ST SH METAL <input type="checkbox"/> GLS DOOR <input type="checkbox"/> SINK, KIT <input type="checkbox"/> SINK, W. BAR <input type="checkbox"/> WATER HTR <input type="checkbox"/> LAUN FAC <input type="checkbox"/> LAUN TUB ADJ \$ <u>4160</u>	ELABORATE ADJ \$ <u>450</u> <input type="checkbox"/> CONC DRIVE <input type="checkbox"/> B. T. DRIVE <input type="checkbox"/> PORCH <input type="checkbox"/> COVERED <input type="checkbox"/> ENCLOSED <input type="checkbox"/> PATIO <input type="checkbox"/> COVERED <input type="checkbox"/> EXT DECK <input type="checkbox"/> SW. POOL <input type="checkbox"/> BUR. SP. SYS. <input type="checkbox"/> OTHER IMPVTS.
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<input checked="" type="checkbox"/> PAVED ACCESS <input type="checkbox"/> GRAVEL ACCESS <input type="checkbox"/> DIRT ACCESS <input type="checkbox"/> CURBS <input type="checkbox"/> GUTTERS <input type="checkbox"/> SIDEWALKS <input checked="" type="checkbox"/> WATER SERV <input type="checkbox"/> SAN SEWERS <input type="checkbox"/> STORM SEWERS <input type="checkbox"/> UND CABLES <input type="checkbox"/> STREET LIGHTS ADJ \$ <u>    </u>	VIEW <input checked="" type="checkbox"/> NONE <input type="checkbox"/> SL <input type="checkbox"/> MOD <input type="checkbox"/> WID <input type="checkbox"/> PAN <input type="checkbox"/> ZONE CON <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NEIGH TR <input type="checkbox"/> TR <input type="checkbox"/> INT <input type="checkbox"/> ST <input type="checkbox"/> DIS <input type="checkbox"/> NEIGH DES <input type="checkbox"/> HI <input type="checkbox"/> AV <input type="checkbox"/> LOW	STR TYPE <input checked="" type="checkbox"/> MAIN <input type="checkbox"/> SEC <input type="checkbox"/> RES <input type="checkbox"/> CUL <input type="checkbox"/> TRAFFIC <input type="checkbox"/> HVY <input type="checkbox"/> MOD <input type="checkbox"/> MIN <input type="checkbox"/> LOT TYPE <input type="checkbox"/> REAR <input type="checkbox"/> IN <input type="checkbox"/> CNR <input type="checkbox"/> LOT SHAPE <input type="checkbox"/> REG <input type="checkbox"/> I/G <input type="checkbox"/> I/B	CONTOUR <input checked="" type="checkbox"/> POS <input type="checkbox"/> NO EFF <input type="checkbox"/> NEG <input type="checkbox"/> SITE DRAIN <input type="checkbox"/> POOR <input type="checkbox"/> FAIR <input type="checkbox"/> AVE <input type="checkbox"/> GOOD <input type="checkbox"/> LANDSCAPING <input type="checkbox"/> POOR <input type="checkbox"/> FAIR <input type="checkbox"/> AVE <input type="checkbox"/> GOOD	REMARKS <b>IMPROVEMENT VALUE SUMMARY</b> COST APPROACH: D.R.C. <u>25810</u> INCOME APPROACH: IMPROVEMENTS <u>    </u> MARKET APPROACH: IMPROVEMENTS <u>    </u> IMPROVEMENT VALUE CONCLUSION <u>25810</u> AS OF APPRAISAL DATE 1-1-79 <u>    </u>
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CLASS <u>R1-3</u>	FOUN	FLOOR	ROOF	EX WALL	INT WALL	MISC	DIMEN	AREA	LUMP SUM	QUAL INDEX	REPL COST	PHYS % USE % GOOD %	D.R.C.
YR BLT 19 <u>63</u>		<u>CO</u>	<u>Asph</u>	<u>Post</u>									
ATT <input checked="" type="checkbox"/>			SHAKE	DBL	UNFIN	NO. CARS <u>1</u>		<u>15x24</u>	<u>360</u>	<u>1200</u>		<u>85</u>	
DET <input type="checkbox"/>			COMPO	SGL	FIN					<u>100</u>		<u>100</u>	
BSMT <input type="checkbox"/>			WOOD	BEV	DRY/PL						<u>1200</u>	<u>85</u>	
				SHK	LC WB								

COST = MKT

SEP 22 1989 367

45-02  
 928927

CAAS FIELD DOCUMENT

Map: 21 01 19 00 00400 000 Imp: 1 1 of 1  
 Status: FOREST, FIRE, SADJ  
 Factor Year: 1989 Neighborhood: 5501D  
 Eff Yr Blt: Situs: 37389 ROW RIVER RD DOR

Appr: <sup>432</sup> 236 Inspected: <sup>6/12/90</sup> 10/26/78 Interior: <sup>6/12/90</sup> Yr Imp Appraised: <sup>1979</sup> 1979  
 Stat: 130 Qual Adjust: <sup>1.05</sup> Shape Adjust: 1.00 Percent Complete: 100  
 Prop: 461 Market % Good: 100 Func: 100 Econ: 100 Remodeled:

Sale Price: New Permit: Taims Land: 29200 CAAS Land: <sup>65,890</sup>  
 Sale Date: Call Back: Taims Impr: 31640 CAAS Impr: <sup>56,300</sup>  
 Rej: CAAS Tot: <sup>122,190</sup>

Area		Area
First Floor: <sup>912</sup> 1809	Foundation: CO	
Second Floor:	Ext Material: <sup>WSBE</sup>	Brick:
Finished Attic:	Roof Type: GA Roof Cover: CM	
Low Cost Attic:	Partition A: CM Partition B: PA	
Finished Basement:	Floor A: TI Floor B: CO	
Low Cost Basement:	Heat A: BS	
Total Living Area: <sup>912</sup> 1809	Heat B:	
Unfinished Attic:	Built Ins	
Unfinished Basement:	Cabinets: PG Counters: FO	
Total Basement Area:	Other:	

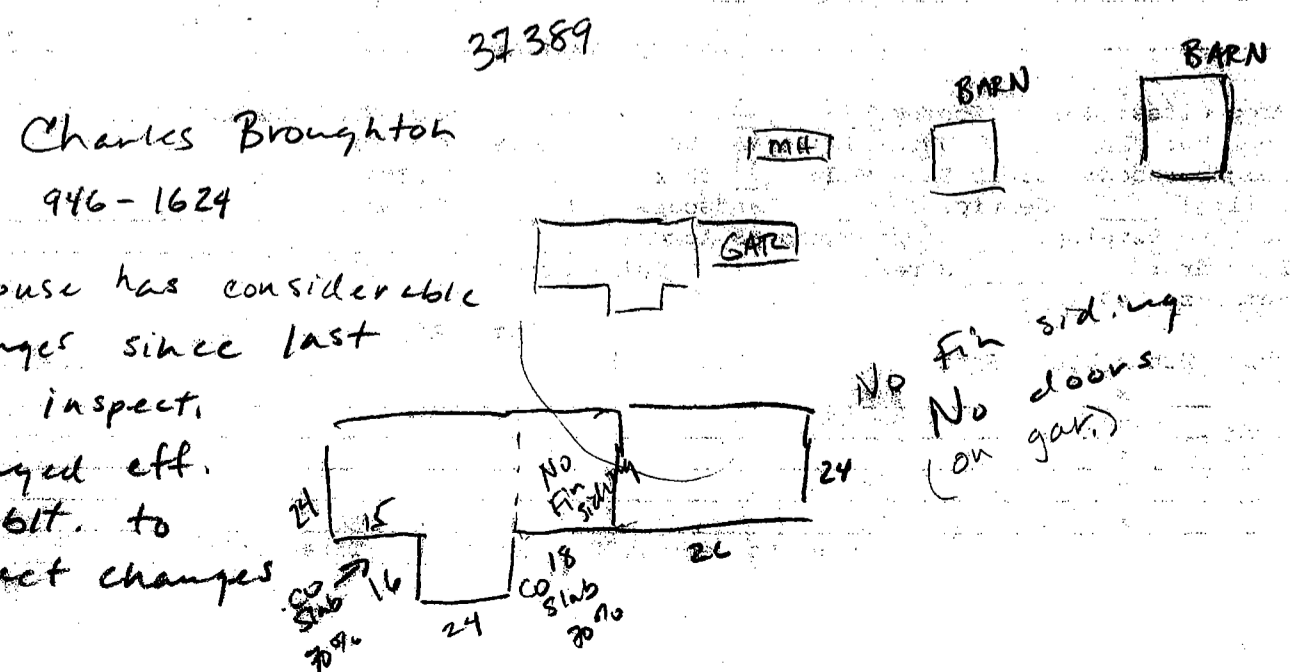
Bedrooms: <sup>3</sup> Full Baths: <sup>2</sup> Half Baths:  
 Plumbing Stat: 130 Tub: <sup>2</sup> Tub Surround a: <sup>PL</sup> b: <sup>PL</sup>  
 Tile Shower: Fiberglass Shower: Metal Shower: Lavatory: <sup>X2</sup>  
 Toilet: <sup>2</sup> Bidet: Kitchen Sink: 1 Bar Sink:  
 Water Heater: 1 Laundry Tub:

Appliance Stat: 130 Range: Oven sgl: Oven dbl:  
 Cooktop: Cooktop w/ built-in Exhaust & Grill: Hood & Fan: <sup>I</sup>  
 Dishwasher: <sup>L</sup> Microwave: Disposal:  
 Trash Compactor: Other:

Fireplace Stat: 130 Single: 1 Backed: Stacked:  
 See thru: Pre-fab: Flue & Backing: <sup>I</sup>

Gar/Port: <sup>GAR</sup> Stat: <sup>130</sup> Cls: <sup>140</sup> Type: ATT Yrblt: <sup>1984</sup> Eff Yrblt: <sup>1984</sup>  
 Area: <sup>260</sup> <sup>L24</sup> Attic area:  
 Found: CO Floor: CO Mkt % good: 87  
 Rooftype: <sup>OPGA</sup> Roofcover: <sup>ST CM</sup> % Use: 100  
 Openers: Extwall: <sup>DO PL</sup> % Econ: 100  
 Intwall: <sup>WF</sup> % Good: 87  
 Appr Adjust: Appr drc:

No.	%gd	Area	Factor	Adj
2 Drive: CO	70	x <sup>5240</sup> x	1.64 = <sup>606</sup>	Drive:
Patio:	x	x		Patio:
Deck:	x	x		Deck:
Screen/Field				Remark





# Lane County Authorization for:

8/15

## Woodstove Installation

FOR OFFICE USE ONLY

Application/Permit # 2256-84

- Two Copies of Plans
- Three Copies of Plot Plans
- Mech/Plumbing Checklist
- Legal Interest Document
- Plan Check Info Sheet

TOWNSHIP <u>21</u>	RANGE <u>01</u>	SECTION <u>30</u>	TAX LOT <u>1602</u>	<input type="checkbox"/> OUT OF
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SUBDIVISION/PARTITION (if applicable) <u>Not Applicable</u>	LOT/PARCEL <u>0</u>	BLOCK <u>0</u>
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LOCATION ADDRESS <u>37583 Row River Road</u>	STREET <u>Cottage Gr</u>	CITY <u></u>	ZIP <u></u>
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STRUCTURES CURRENTLY ON PROPERTY  
Existing Mobile Home

PROPOSED USE OF PROPERTY

- Residential  Industrial
- Commercial  Public

DIRECTIONS TO SITE  
East on Row River Road, 14+ miles to Row River Store, first mobile home on the left

DESCRIPTION OF PROPOSED WORK - BE SPECIFIC  
Installation of Woodstove

# OF BEDROOMS <u>n.d.</u>	# OF STORIES <u>one</u>	# OF EMPLOYEES <u>none</u>	WATER SUPPLY <u>existing</u>	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Existing
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OWNER'S NAME AND ADDRESS  
Michael L. Kirkpatrick Ext # 66

TELEPHONE NUMBER  
946-1511

CONTRACTOR'S NAME AND OSR #  
37583 Row River Rd.

TELEPHONE NUMBER  
946-1331

PERMIT TO BE MAILED TO (NAME AND ADDRESS)  
Cottage Grove, Oregon 97424

TELEPHONE NUMBER

I HAVE CAREFULLY EXAMINED THE COMPLETED APPLICATION FOR PERMIT, and do hereby certify that all information hereon is true and correct, and that I have the following legal interest in the property:  owner of record;  contract purchaser;  authorized agent with evidence of authority attached. I further certify that any and all work performed shall be done in accordance with the Ordinances of Lane County and the Laws of the State of Oregon pertaining to the work described herein, and that NO OCCUPANCY will be made of any structure without the permission of the Building Division. I further certify that registration with the Builder's Board is in full force and effect as required by ORS 701.055, that if exempt the basis for exemption is noted hereon, and that only subcontractors and employees who are in compliance with ORS 701.055 will be used on this project. I HAVE READ AND CHECKED THIS APPLICATION THOROUGHLY.

Received by mail August 1984 CP

NAME (please print) \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

READ THIS SECTION CAREFULLY. YOUR AUTHORIZATION HAS BEEN BASED ON THE FOLLOWING CONDITIONS:

PLANNING/ZONING: Zone \_\_\_\_\_ Partition # \_\_\_\_\_ Parcel # \_\_\_\_\_ Parcel Size \_\_\_\_\_

Minimum Setbacks: <sup>C</sup>L, front \_\_\_\_\_ <sup>C</sup>L, side \_\_\_\_\_ interior \_\_\_\_\_ rear \_\_\_\_\_

COMMENTS: No special planning action

Date: Aug. 14, 1984

SANITATION: S. I. # \_\_\_\_\_ B. P. # \_\_\_\_\_ Installation Record Issued?  Yes  No

Installation Specifications: \_\_\_\_\_ Gallon Tank \_\_\_\_\_ Lineal Feet of Drainfield \_\_\_\_\_ Maximum Depth of Trenches \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLANS EXAMINATION: Type \_\_\_\_\_ Group \_\_\_\_\_ Use WOOD STOVE

COMMENTS: CALL FOR REG. INSP

Date: 8-20-84 676P.

Recreation resorts are one method to promote recreation and tourism in the McKenzie Valley and should be allowed in compliance with the requirements in LC 16.

- b. Lane County recommends that the approximate federal floodplain elevations for the community of Blue River and nearby developed and committed lands in the McKenzie watershed be updated with more specific and surveyed flood elevations and Federal Emergency Management Agency (FEMA) maps.
  - c. Lane County recommends that plans be developed and implemented for the maintenance and repair of the existing on-site sewage disposal systems in the community of Marcola and for the downtown area of the community of Blue River. A more aggressive and long term alternative to the development of such plans would be development of public facility plans for public sewers and updating these community plans to comply with the requirements of the Community Rule for urban unincorporated communities. Another more aggressive and long term alternative would be for these communities to incorporate and to perform the land use planning as cities in compliance with Goal 14.
  - d. The former veneer mill site in Blue River (map 29-16-4E, tl 202) is vacant land and, until Lane County's year 2000 periodic review, was designated industrial and zoned Light Industrial, M-2. The industrial designation and M-2 zone allowed the veneer mill to operate as a permitted use and allowed the operation of other industries. The industrial designation and industrial zoning on this land shall be maintained but does not preclude a future change of plan designation and zoning for this land. Any division of this land for the creation of parcels or lots shall demonstrate that the soil of the lots or parcels does not contain any contaminants that pose a hazard to its use.
  - e. New rural public facility, commercial, and industrial development within the McKenzie Watershed shall be located inside unincorporated rural communities or outside of unincorporated rural communities in developed and committed areas that were planned and zoned for public facility, commercial or industrial purposes on April 17, 2002.
16. New rural public facility, commercial, and industrial development within the Siuslaw Watershed and the Long Tom Watershed shall be located inside unincorporated communities or outside of unincorporated communities in developed and committed areas that were planned and zoned for public facility, commercial or industrial purposes on February 18, 2004. An exception to this policy shall be for plan amendments or zone changes adopted pursuant to Policy 27 – Errors or Omission, and legislative actions adopted by the Board of County Commissioners during a Periodic Review Work Program. New rural industrial development that requires a rural location in order to process a rural resource may be located in a developed and committed area outside of a community. This policy shall be implemented in part through the application of zoning regulations in LC 16 that place greater limits on rural development outside of communities than on rural development inside of communities. Amendments to the Rural Comprehensive Plan to designate new areas for rural commercial, industrial and public facility development shall occur in nodes with similar existing development.
17. Lane County shall recognize and incorporate into the Lane County Comprehensive Plan all prior land use applications approved since January 1980 with respect to the Statewide Planning Goals to the extent legally possible.

March, 3, 1983

lane county

Application No. DSP 83-036  
(Applicant) Lavern Holmes  
(Address) General Delivery, Dorena OR 97434  
(Map & Tax Lot) 21-01-30/300



The above referenced application to allow A-2 special permit for a dwelling (replace house that burned in 1981).

has been:

approved with the stipulations and conditions stated below.  
 denied.

The decision was based on the findings of this office (~~copy enclosed~~) in accordance with the provisions of Lane Code 10.107. The decision will become final on 3/14/83 unless appealed to the Hearings Official, via the Planning Division on or before that date. An appeal may be filed by you, your representative, or any other property owner impacted by the decision in accordance with the provisions of Lane Code 14.010. \* The appeal is to be filed with this office and must state how the decision is in error. If an appeal is filed, you and the adjacent property owners will be advised of the date, time and place of the hearing before the Hearings Official.

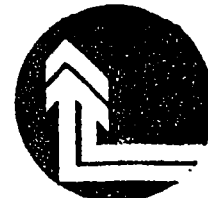
David H. Krogh, Planner

\*Your appeal must be accompanied by a \$ 195.00 filing fee.

cc: Map & Tax Lot File

CONDITIONS OF APPROVAL

1. Proper permits for construction/sanitation shall be obtained prior to development.



Application No. DSP 83-036

(Applicant) Lavern Holmes

(Address) General Delivery, Dorena OR 97434

(Map & Tax Lot) 21-01-30/300

The above referenced application to allow A-2 special permit for a dwelling (replace house that burned in 1981).

has been approved for the property indicated above, subject to the conditions and stipulations listed below. This decision was based on the findings of this office (~~copy enclosed~~) in accordance with the provisions of Lane Code 10.107.

According to our records, your property is within a legally specified distance of the subject property. If, in your opinion, the granting of this request adversely affects your property, you have the right to appeal this action to the Hearings Official, via the Planning Division. If not appealed on or before 3/14/83 the approval will become final.

An appeal may be filed by you, your representative, or any other property owner impacted by the decision in accordance with the provisions of Lane Code 14.010.\* The appeal is to be filed with this office and must state how the decision is in error. If an appeal is filed, you and other adjacent property owners will be advised of the date, time, and place of the hearing before the Hearings Official. If you have any questions on this matter please contact this office.

*David H. Krogh*

David H. Krogh, Planner

\*Your appeal must be accompanied by a \$ 195.00 filing fee.

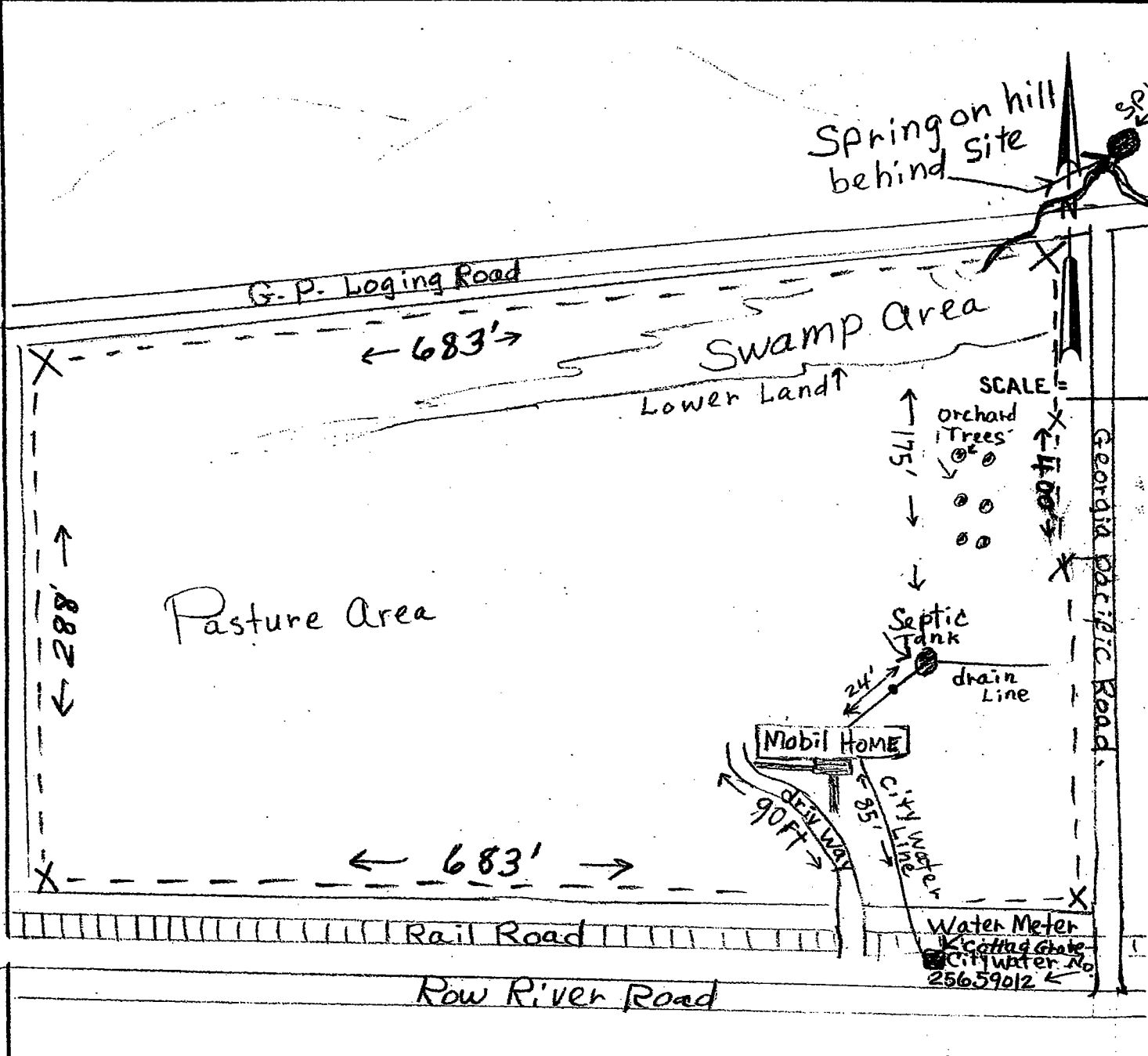
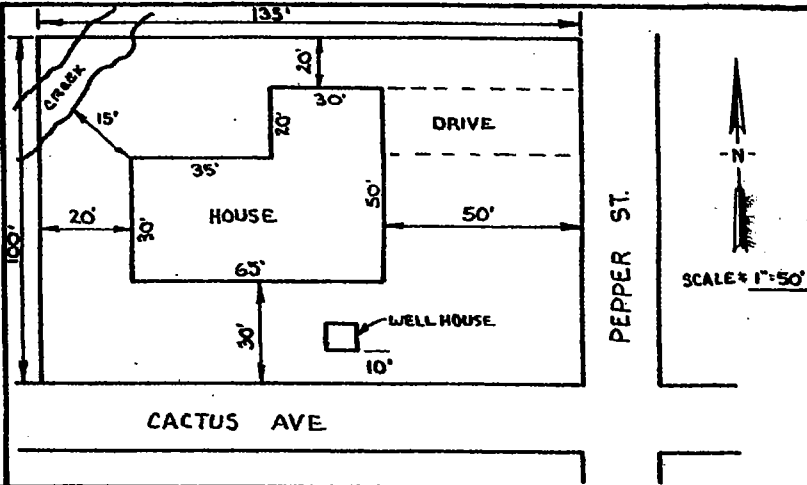
CONDITIONS OF APPROVAL

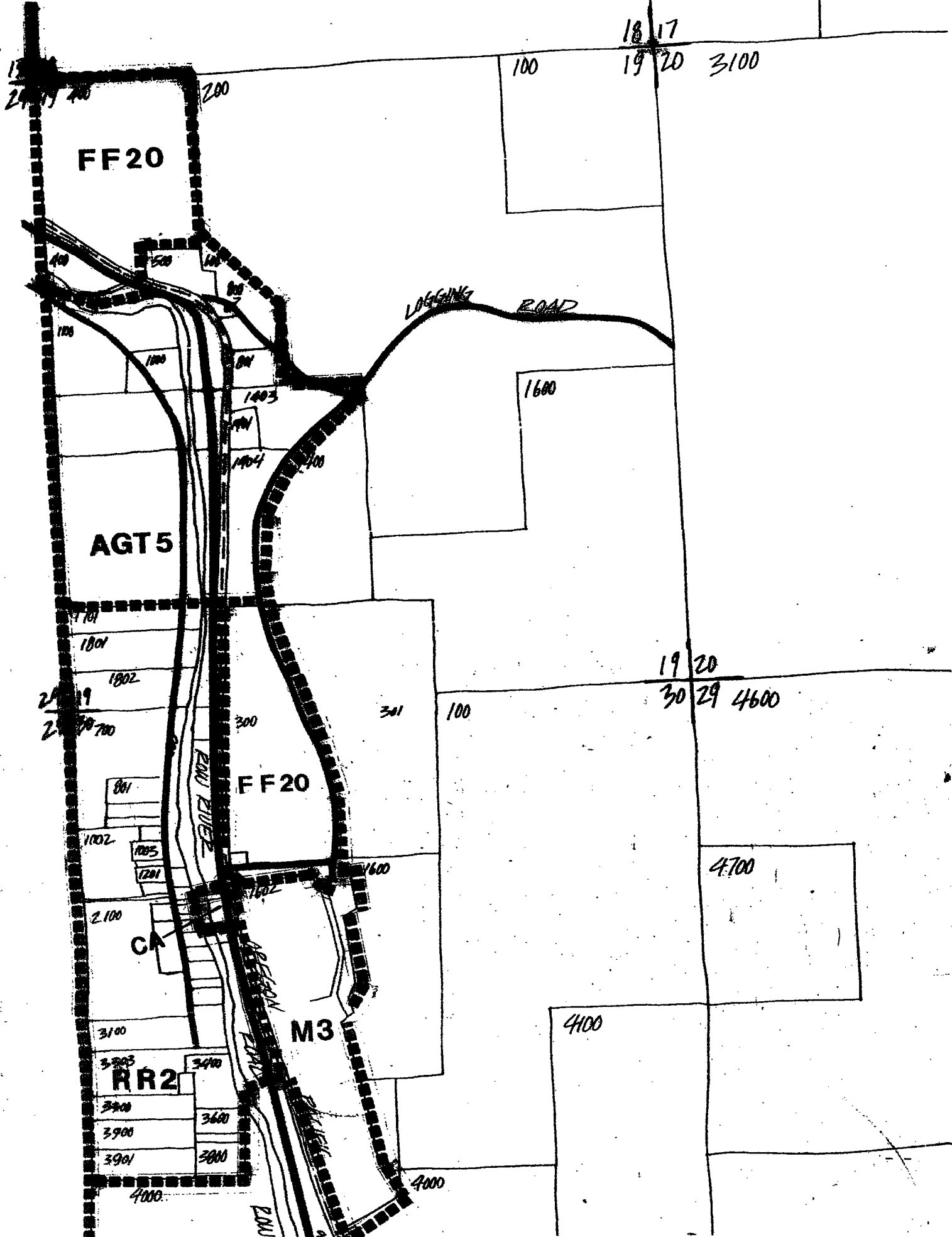
1. Proper permits for construction/sanitation shall be obtained prior to development.

BUILDING & TOPOGRAPHICAL FEATURE LOCATION PLAN

Information Needed: Drawn to scale showing the actual shape and dimensions of the subject property, the sizes and shapes of the existing and proposed structures, location of existing or proposed roads, distinguishing vegetation, and outstanding topographical features.

If necessary to give the necessary detail, a separate drawing containing the above information may be attached.









534 SW Third Avenue, Suite 300, Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org  
 Southern Oregon Office • P.O. Box 2442 • Grants Pass, OR 97528 • phone/fax (541) 474-1155  
 Willamette Valley Office • 388 State Street, Suite 604 • Salem, OR 97301 • (503) 371-7261 • fax (503) 371-7596  
 Lane County Office • 1192 Lawrence • Eugene, OR 97401 • (541) 431-7059 • fax (541) 431-7078  
 Central Oregon Office • P.O. Box 8813 • Bend, OR 97708 • (541) 382-7557 • fax (541) 382-7552

REC'D 3-30-05

RECEIVED A1 HEARING

P.A. NO. 1211  
 DATE 3/30/05 EXHIBIT NO. 57

March 30, 2005

Lane County Board of Commissioners  
 125 East 8<sup>th</sup> Avenue  
 Eugene, OR 97401

**RE: PA 04-5252, Everett**

Commissioners:

This request is to redesignate 34.29 acres identified as Map 21-01-30 TL 401 from Nonimpacted Forest Land (F-1, RCP) to Impacted Forest Land (F-2, RCP). The owner of the subject property, Mr. Everett, purchased the property in 2003 from McDougal Bros., Inc., a timber and forest products company.

In 1984 when the county-wide legislative zoning was done, the subject property was owned by Bohemia Lumber Company and was part of a large contiguous acreage under Bohemia Lumber Company ownership. Bohemia later became Willamette Industries, which was in turn purchased by Weyerhaeuser in 2002. The Bohemia Lumber Company ownership was zoned F-1 except for a part containing a mill that was zoned industrial.

The proposed zone change is a Minor Amendment subject to LC 16.400(6)(h) criteria and LC 16.252 processes. Staff has identified the provisions of Goal 2 Policy 27 and Goal 4 Policy 15 as applicable to the zone change request.

Staff is incorrect in stating that the inquiry is or can be limited to only two issues. Staff misstates the second question, implying that the question is whether the subject property *now* more closely resembles F-1 or F-2 characteristics. As the inquiry asks whether an *error or omission* was made when zoning was first assigned, the relevant question is whether the subject property *in 1984* had characteristics more closely resembling those of F-1 or F-2 lands.

Further, assuming that four parcels were created by the recording of a deed in 1921, it appears that the contiguous Bohemia ownerships were subsequently consolidated. Further, the question of whether the subject property was a "legal lot" is not determinative, as the required inquiry is to *ownerships*, not "legal lots." It is undisputed that the subject property was under one, much larger ownership at the time zoning was applied in 1984. Even if four legal lots rather than one are found to exist, parcelization in itself is not relevant and would not have dictated that the subject land be zoned F-2 rather than F-1.

The characteristics of the subject property correspond more closely to F-1 lands rather than F-2 lands, considering either those characteristics as they existed in 1984 or as they exist currently. Therefore this request to rezone the subject lands from F-1 to F-2 must be rejected.

1000 Friends of Oregon requests copies of any notice of decision, decision and findings in this matter.

Respectfully  
 Mauri Seal  
 Lane County Planning Administrator