

W. S. B.



Memo Date: May 5, 2008
First Reading: May 28, 2008
Second Reading and Public Hearing: June 11, 2008

TO: LANE COUNTY BOARD OF COMMISSIONERS

DEPARTMENT: Public Works Dept./Land Management Division

PRESENTED BY: Keir Miller, Associate Planner

AGENDA ITEM TITLE: 1) ORDINANCE NO. PA 1246 - IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REPLACE OUTDATED OFFICIAL PLAN, ZONE AND COASTAL ZONE MAPS WITH UPDATED MODERN MAPS AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES.

2) ORDINANCE NO. 5-08 - IN THE MATTER OF AMENDING CHAPTER 16 OF LANE CODE TO REVISE AND UPDATE REQUIREMENTS FOR ADOPTING, AMENDING AND MAINTAINING PLAN DESIGNATION AND ZONING MAPS (LC 16.014, 16.015, 16.020, 16.252)

1. REQUESTED MOTIONS

May 28: MOVE FIRST READING OF ORDINANCE NO. PA 1246 AND ORDINANCE NO. 5-08 AND SET SECOND READING AND PUBLIC HEARING FOR JUNE 11, 2008.

June 11: **Adopting each individually in the order listed below. Do not adopt Ordinance No. 5-08 unless first adopting Ordinance No. PA 1246.**

1. MOVE TO ADOPT ORDINANCE NO. PA 1246
2. MOVE TO ADOPT ORDINANCE NO. 5-08

2. AGENDA ITEM SUMMARY

Land Management Division has developed a modern set of color, GIS-based, plan, zone and coastal zone maps. These maps are intended to replace the low quality official black and white maps that are presently in use. The Board of Commissioners is being asked to adopt amendments to the Rural Comprehensive Plan and Lane Code Chapter 16 that would replace the official maps and implement new code language to describe the use and maintenance of the new maps.

3. ISSUE/PROBLEM

Over 1,300 individual "plot maps" depict official zone and plan designations for all areas of Lane County governed by the Rural Comprehensive Plan. These maps were adopted in 1984. Each black and white map is 8.5" x 14" in size and covers a land area of 1 or 2 square miles. Over the years, individual maps have been revised and reproduced

dozens of times. The visual quality and clarity of these maps has gradually degraded. Additionally, reading these maps has become increasingly problematic because basic locator information such as city limits and parcel configurations have changed since the maps originally took effect. Finally, these maps are indexed using a complicated map number scheme which is not intuitive to the general public. Attachment "C" to this memo is a copy of an official zoning map (plot #255) and is typical of the poor quality official maps presently in use.

4. DISCUSSION

4.1 Background

In 2004, staff from Public Works-GIS and Land Management began a multiyear project to migrate hundreds of hardcopy zone and plan designations maps into a modern geographic information system (GIS). The purpose of the project was to convert Lane County's outdated and overly complex official map library into a secure digital format that could be easily maintained and used to produce high quality paper maps for official adoption.

Initial work on the project was funded through a grant from the Department of Land Conservation and Development (DLCD). As a component of the Periodic Review work program, DLCD provided \$35,000 for development of the GIS zoning layer within the Siuslaw and Long Tom watersheds. Work on the project then continued with two consecutive Video-Lottery grants awarded by the Economic Development Standing Committee (EDSC). The EDSC provided \$51,650 during the 2005-2006 fiscal year and an additional \$54,475.00 in the 2006-2007 fiscal year. EDSC funding was used to complete the zoning, plan designation and coastal combining zone layers in the remainder of the county.

In December of 2006, staff completed the data development stage of the project and the following digital map layers were produced:

- RCP Base Zone Layer
- RCP Coastal Combining Zone Layer
- RCP Plan Designation Layer

From each of these layers a series of paper maps was generated. In total, 80 new plan maps, 86 new zone maps and 11 new coastal zone maps were created.

Due to their size and the cost of printing the maps (\$2,655.00 per set) a full size color set of maps has not been printed for each Commissioner's packet. Instead, one complete full size color set has been provided to the Board Office with the original Ordinance No. PA 1246 held by the Recording Secretary for review and possible adoption by the Board. A second complete set will also be available in the Board Office for public viewing. In addition, a complete black and white reduced scale set of maps has been included in each Commissioner's packet as "Exhibits "A"- "C" to their copies of Ordinance No. PA 1246, Attachment "A" to this agenda memo and an electronic copy of all the full size color maps has been provided in .PDF format as "Attachment D" (Map Resource CD) to each agenda packet.

These maps reflect changes in scale, design layout, color scheme, labeling, and location reference indicators such as roads, rivers, and updated tax lot parcels. No changes in the official plan or zone designations were made during the conversion of the maps.

4.2 Map Conversion Procedures

The following procedures were used to convert and review map updates:

a. RCP Zone Maps

GIS software was used to convert 705 official hardcopy zoning maps into a seamless digital layer. This process involved several phases, including; database design and development, data creation and an extensive quality control process. Lane County Public Works GIS (PW-GIS) developed a geodatabase as the data format used to build and maintain the digital data. The geodatabase format provides the option of establishing specific rules that control how the spatial and tabular data is created and promotes data integrity and accuracy. Once the geodatabase was built, staff went through the process of converting the existing paper zone maps into a digital layer by using the new county parcel layer as a base.

The parcel data was created by Lane County Public Works GIS under the direction of the Parcel Mapping Project team. Precise control data was developed by the surveyor team working on the project resulting in parcel data that is accurately tied to survey locations. Parcel data is accurate to within +/- 2 feet in the urban areas, within +/- 5 feet in the developed and committed rural areas, and within +/- 20 feet in the resource lands of the County (and usually much better). In the majority of cases zoning boundaries coincide with parcel boundaries. Where this occurred, the parcel boundaries were copied into the geodatabase to serve as the new zoning boundary. This process assured very accurate zoning boundary location and assured a direct fit with the parcels. In the event the zoning boundaries crossed parcel boundaries, PW-GIS relied on map analysis and the location of other GIS layers (i.e. roads, rivers) to accurately place the zoning boundary.

After all of the maps were converted, the GIS layer went through an extensive quality control / quality assurance (QC/QA) process. Land Management staff examined each zoning map and compared them to the new digital layer. Corrections were sent back to PW-GIS and those changes were made and resubmitted for approval by LMD. A complete, countywide quality control review was conducted by both LMD and PW-GIS staff. Additional review work was performed in more complexly zoned sub areas until the zoning layer was considered complete.

b. RCP Plan Maps

683 plan designation maps were converted to a digital layer through an automated process. Once the entire zoning file was created and proofed for accuracy a programming script was written to convert tracts of similarly zoned

parcels to the correct corresponding plan designations. This process eliminated human error inherent in hand digitizing methods and ensured that the digital plan and zone layers would align exactly. In the limited situations where a correlation between zoning and plan designations could not be inferred, parcel specific research was conducted to determine to correct plan designation. The layer was then adjusted manually.

c. Coastal Combining Zone Maps

To create a digital layer for the coastal combining zones, PW-GIS staff digitized the 51 coastal plot maps. The coastal combining zone boundaries were then compared to the written boundary descriptions found in the official Coastal Resource Management Plan (CRMP). When discrepancies in the plots and the official descriptions were identified staff relied on the written descriptions within the CRMP to create the final layer. Coastal maps were then subjected to a rigorous QC/QA process.

After each of these three digital layers was created a viewing environment was built using ArcReader software. Digital zoning and plan map files were then vetted to the entire LMD planning staff for further review. For several months staff referred to both the digital maps and the hardcopy paper maps during daily research and application review. This process acted as a final test of quality assurance.

The digital zoning data was used to populate a web browser-based map viewing tool. This tool, known as the "Zone and Plan Map Viewer", was demonstrated to the Board of Commissioners on October 31, 2007, and published to the Internet in early November. Since that time, the public has been able to access unofficial zoning information over the Internet. The tool is available at:

<http://www.lanecounty.org/LaneCountyPlanMaps/>

4.3 Ordinance Updates

In conjunction with the adoption of updated plan, zone and coastal zone maps, language in Lane Code must be amended to properly describe how the new maps function and the procedures under which the maps will be maintained. Adoption of Ordinance Number 5-08 accomplishes this requirement. Proposed amendments include changes to the following sections of Lane Code and are included and attached to the Ordinance.

- LC 16.014 - Plan Designation and Zoning Maps.
- LC 16.015 - Amendments to the Lane County Plan Designation and Zoning Maps
- LC 16.020 - Interim Plan Designation and Zoning Maps.
- LC 16.252 - Procedures for Zoning, Rezoning and Amendments to Requirements.

4.4 Policy Issues

There are no administrative policy issues that affect this agenda item.

4.5 Board Goals

Adoption of the new digitally produced zone and plan maps aligns with Lane County Strategic Goals: 1.3.: Service Improvement / Promoting Electronic Access to Public Services and 2.2.: Resources and Planning / Information Technology.

4.6 Financial and /or Resource Considerations

Current methods of map maintenance are labor intensive and prone to error. A GIS-based mapping platform reduces the staff time required to update maps. Additionally, digitally produced maps will greatly enhance the efficiency of staff in permit processing and will be more readily available to the public via the internet. Increased public access will result in fewer trips to the county for information and fewer phone inquires to the Land Management Division.

4.7 Planning Commission/Public Involvement

On February 5, 2008, staff held a work session with the Planning Commission on this item. A public hearing with the PC was conducted on April 15, 2008. No members of the public testified at the April 15 hearing and by a vote of 8-0 (with one member absent) the Planning Commission unanimously recommended that the Board of Commissioners adopt the proposed amendments. Minutes and meeting materials for the Planning Commission work session and public hearing have been included as "Attachment E".

As of the date of this memo, staff have not received any public comments concerning the proposed amendments.

4.8 Analysis

There is no anticipated opposition to the proposed amendments. The current official plan and zone maps have outlived their useful life cycle and updated GIS-based maps are in great demand by staff, the development community and the general public. Staff has thoroughly tested the new maps and found them satisfactory.

5. ACTION

5.1 Alternatives/Options

1. Adopt the proposed ordinances, updated maps and code changes.
2. Adopt the proposed ordinances, updated maps and code changes with revisions.
3. Do not adopt the proposed ordinances, updated maps and code changes.

5.2 Recommendation

Alternative/Option 1 is recommended.

5.3 Timing

An emergency clause is not necessary.

6. IMPLEMENTATION/FOLLOW-UP

If adopted, notification of the amendments will be forwarded to the Department of Land Conservation and Development along with an electronic copy of all newly adopted maps. Land Management will also continue to coordinate with Public Works-GIS to publish an online atlas of downloadable maps.

7. ATTACHMENTS

Attachment A: Ordinance No. PA 1246 with:

- Exhibit A- Official RCP Plan Maps (reduced scale b/w for BCC only)
- Exhibit B- Official Zone Maps (reduced scale b/w for BCC only)
- Exhibit C- Official Coastal Zone Maps (reduced scale b/w for BCC only)
- Exhibit D- Findings and Conclusions in Support of Ordinance No. PA 1246

Attachment B: Ordinance No. 5-08 with amendments to Lane Code: 16.014, 16.015, 16.020 &16.252

Attachment C: Official Zoning Map (Plot # 255) (current form of maps)

Attachment D: Map resource CD containing:

- Folder 1. Electronic RCP Plan Designation Maps
- Folder 2. Electronic RCP Zone Maps
- Folder 3. Electronic RCP Coastal Combining Zone Maps

Attachment E: Lane County Planning Commission Work Session and Public Hearing Minutes and Meeting Materials

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. PA 1246

IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REPLACE OUTDATED OFFICIAL PLAN, ZONE AND COASTAL ZONE MAPS WITH UPDATED MODERN MAPS AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES.

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance PA 884, has adopted Land Use Designations and Zoning for lands within the jurisdiction of the of the Lane County Rural Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance PA 883, has adopted the Lane County General Plan Policies which is a component of the Lane County Rural Comprehensive Plan; and

WHEREAS, Lane Code 12.050, 16.252 and 16.400 set forth procedures for review and adoption of amendments to the Rural Comprehensive Plan and implementing zoning; and

WHEREAS, it is necessary to amend the Rural Comprehensive Plan to replace outdated official plan, zone and coastal zone maps with updated modern maps; and

WHEREAS, the proposal was reviewed at a public hearing with the Lane County Planning Commission on April 15, 2008 and recommended for adoption; and

WHEREAS, the proposal was reviewed at a public hearing with the Lane County Board of Commissioners on June 11, 2008; and

WHEREAS, evidence exists in the record indicting that the proposal meets the requirements of Lane Code Chapters 12 and 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted a public hearing and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

Section 1. The Lane County Rural Comprehensive Plan (RCP) is hereby amended by repealing and deleting the official Lane County RCP Plan Maps (plots 1-1015) and substituting or adding new updated official Lane County RCP Plan Maps as depicted in Exhibit "A" attached and incorporated here by this reference.

Section 2. The Lane County Rural Comprehensive Plan is hereby amended by repealing and deleting the official Lane County Zoning Maps (plots 1-1015) and substituting or adding new updated official Lane County RCP Zoning Maps as depicted in Exhibit "B" attached and incorporated here by this reference.

Section 3. The Lane County Rural Comprehensive Plan is hereby amended by repealing and deleting the official Lane County Coastal Zoning Maps (plots 1-70) and substituting

or adding new official Lane County Coastal Zoning Maps as depicted in Exhibit "C" attached and incorporated here by this reference.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings in support of this action as set forth in Exhibit "D".

The plan and zone diagram designations repealed or changed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation of thereof prior to the effective date of this Ordinance.

If any section, subsection, sentence, clause phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity of the remaining portions thereof.

ENACTED this _____ day of _____, 2008.

Faye Stewart, Chair
Lane County Board of County Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date _____ Lane County

OFFICE OF LEGAL COUNSEL

Exhibits "A", "B" and "C" to Ordinance No. PA 1246: Official Plan Zone and Coastal Zone Maps

In total, 177 new maps have been developed for adoption. Due to their size (36" x 48") and the costs associated with printing the maps, one full color, full size, hardcopy set will be attached to the original Ordinance No. PA 1246 left with Melissa Zimmer in the Board Office. A second complete set will also be available in the Board Office for public viewing. In addition, a complete black and white reduced scale set of maps has been included in each Commissioner's packet as "Exhibits "A" through "C" to their copies of Ordinance No. PA 1246.

An electric copy of all maps is included in each copy of the Board packet as Attachment "D". A copy of the CD is available to the public upon request. The maps may also be downloaded by members of the public from the county FTP server at the address below:

ftp://ftp.lanecounty.org/gis/outgoing/Zone_Map_Modernization/

FINDINGS AND CONCLUSIONS IN SUPPORT OF ADOPTION OF ORDINANCE No. PA 1246

The Lane County Board of Commissioners ("Board") finds as follows:

1. The Ordinance to which these findings are attached effects an update to the Lane County Rural Comprehensive Plan ("RCP"). The Board is amending the RCP by replacing outdated official plan, zone and coastal zone maps with modern maps as outlined in Sections 1, 2, and 3 of Ordinance No. PA1246. These changes will be referred to as the "map modernization updates" throughout these findings.
2. Pursuant to Lane Code (LC) 12.050(1), 16.015(1), 16.252(9)(b) and LC 16.400(6)(h)(i), amendments to the Comprehensive Plan and the Rural Comprehensive Plan shall be by ordinance. Adopting Ordinance No. PA 1246 accomplishes these requirements.
3. LC 12.050(2) provides review criteria to adopt the map modernization updates into the County Comprehensive Plan. The criteria are as follows:

LC 12.050

- (2) The Board may amend or supplement the comprehensive plan upon a finding of:***
- (a) an error in the plan; or***
 - (b) changed circumstances affecting or pertaining to the plan; or***
 - (c) a change in public policy; or***
 - (d) a change in public need based on a reevaluation of factors affecting the plan;***
- provided, the amendment or supplement does not impair the purpose of the plan as established by LC 12.005 above.***

The map modernization updates meet the needs of LC 12.050(2) (d). Access to and interpretation of the existing plan and zone maps is burdensome for the general public. Modern maps will help alleviate these problems and will not impair the purpose of Rural Comprehensive Plan.

LC 16.400(6)(h)(iii)(bb) provides similar review criteria for amendments to the Rural Comprehensive Plan, as follows:

LC 16.400(6)(h)(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:

- (bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:***
- (i-i) necessary to correct an identified error in the application of the Plan; OR***
 - (ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; OR***
 - (iii-iii) necessary to comply with the mandate of local, state, or federal policy or law;***
- OR***
- (iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; OR***
 - (v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.***

With regard to these review criteria the Board finds that the map modernization updates are necessary to fulfill an identified public need. This need will be met by enabling the public access to

more readily understandable and accessible official planning documents (zone and plan maps). These updates are also, desirable, appropriate and proper to modernize maps and to make them more accessible to staff and the public.

Based upon these findings, the Board concludes that the proposed map modernization updates are consistent with the review criteria listed above

4. In addition to the requirements in LC 16.400(6)(h)(iii)(bb) listed above, additional findings under LC 16.400(6)(h)(iii)(aa) must be made to adopt the proposed map modernization updates. Specifically, the Board may amend the Rural Comprehensive Plan upon making certain additional findings, as follows:

LC 16.400(6)(h)(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:

(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

The amendment meets applicable requirements of local and state law in that it is being processed as a Plan Amendment pursuant to LC Chapter 14 requirements, and is subject to the approval criteria of LC Chapter 12 and 16, both of which chapters are in compliance with state law as outlined in the statewide planning Goal 2 findings, below. Findings of consistency with the approval criteria in LC 16 are contained herein, including findings of consistency with applicable Statewide Planning Goals and Oregon Revised Statutes:

Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Pursuant to the requirements of Lane Code, citizen involvement occurred in the preparation and review of Ordinance No. PA 1246 and Ordinance No. 5-08 to as follows:

- On March 26, 2008, a legal ad was published in *The Register Guard*, providing notice of the Lane County Planning Commission public hearings in BCC Conference Room of the Lane County Public Service Building on April 15, 2008, at 7:00 P.M.
- On April 15, 2008, the Lane County Planning Commission (LCPC) conducted a public hearing on the proposed map modernization updates. By a vote of 8 to 0, the Planning Commission forwarded a recommendation to the Board of Commissioners to adopt the proposal.
- On May 21, 2008, a legal ad was published in *The Register Guard*, providing notice of the Lane County Board of Commissioners public hearing in the BCC Conference Room of the Lane County Public Service Building on June 11, 2008, at 1:30 P.M.
- On June 11, 2008, the Board of County Commissioners conducted a public hearing on Ordinance No. PA1246 and Ordinance No. 5-08.

The map modernization updates constitute a plan amendment that is subject to the public notification and hearing processes and provisions of LC Chapter 14 and 16. As described above, the public involvement requirements of these chapters have been met and opportunity for public involvement was afforded at all phases of the process. Additionally, the proposed map modernization updates are being implemented to allow for improved citizen involvement. The amendment is therefore consistent with statewide planning Goal 1.

Goal 2 - Land Use Planning: *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Rural Comprehensive Plan (RCP) was acknowledged by the Land Conservation and Development Commission (LCDC) as complying with state planning goals. LC 16.400 and 16.252, adopted and also acknowledged by LCDC specifies the means by which the RCP and implementing zones may be amended. Notice of the public hearing and pending adoption of the map modernization updates was mailed to the Oregon Department of Land Conservation and Development (DLCD) on October 18, 2007. The map modernization updates follow the procedures outlined in Lane Code and these findings provide an adequate factual basis for action. The amendment therefore conforms to the established land use planning process and framework consistent with Goal 2.

Goal 3 - Agricultural Land: *To preserve and maintain agricultural lands.*

Adoption of the map modernization updates will not change the current agricultural land use designations or zoning for any properties. Therefore the amendment is consistent with Goal 3.

Goal 4 - Forest Lands: *To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.*

Adoption of the map modernization updates will not change the current forest land use designations or zoning for any properties. Therefore the amendment is consistent with Goal 4.

Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources: *To conserve open space and protect natural and scenic resources.*

The treatment of resources regulated under Goal 5 will not change as a result of the map modernization updates, and therefore, they are consistent with Goal 5.

Goal 6 - Air, Water and Land Resources Quality: *To maintain and improve the quality of the air, water and land resources of the state.*

The map modernization updates do not include any changes regarding the treatment of the resources protected under this goal, and therefore, the goal is not relevant to this amendment and the RCP remains consistent with this goal.

Goal 7 - Areas Subject To Natural Disasters And Hazards: *To protect life and property from natural disasters and hazards.*

The map modernization updates do not include any changes pertinent natural disaster or hazards, so the goal is not relevant to this amendment and the RCP remains consistent with this goal.

Goal 8 - Recreational Needs: *To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

The map modernization updates do not include any changes related to management of recreational resources, and therefore, the goal is not relevant to this amendment and the RCP remains consistent with this goal.

Goal 9 - Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The map modernization updates do not include any changes related to economic development, and therefore, the goal is not relevant to this amendment and the RCP remains consistent with this goal.

Goal 10 - Housing: *To provide for the housing needs of citizens of the state.*

The map modernization updates do not include any changes related to the housing needs of the state, and therefore, the goal is not relevant to this amendment and the RCP remains consistent with this goal.

Goal 11 - Public Facilities and Services: *to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

The map modernization updates will not change any County requirements related to public facilities and services, so this goal is not relevant to the amendment and the RCP remains consistent with this goal.

Goal 12 - Transportation: *To provide and encourage a safe, convenient and economic transportation system.*

The map modernization updates do not include any changes related to transportation, and therefore, the goal is not relevant to this amendment and the RCP remains consistent with this goal.

Goal 13 - Energy: *To conserve energy.*

The map modernization updates will not change any County requirements related to energy, so this goal is not relevant to the amendment and the RCP remains consistent with this goal.

Goal 14 - Urbanization: *To provide for an orderly and efficient transition from rural to urban land use.*

The map modernization updates will not change any County requirements related to urbanization, so this goal is not relevant to the amendment and the RCP remains consistent with this goal.

Goal 15 - Willamette River Greenway: *To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The map modernization updates will not change any County requirements related to the Willamette River Greenway, so this goal is not relevant to the amendment and the RCP remains consistent with this goal.

Goal 16 - Estuarine Resources: *To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.*

The map modernization updates will not change any County requirements related to the estuarine resources, so this goal is not relevant to the amendment and the RCP and CRMP remains consistent with this goal.

Goal 17 - Coastal Shorelands: *To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-depending uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting form the use and enjoyment of Oregon's coastal shorelands.*

The map modernization updates will not change any County requirements related to coastal shorelands, so this goal is not relevant to the amendment and the RCP and CRMP remains consistent with this goal.

Goal 18 - Beaches and Dunes: *To conserve, protect, where appropriate develop and where appropriate restore the resources and benefits of coastal beach and dune areas; and to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.*

The map modernization updates will not change any County requirements related to beaches and dunes, so this goal is not relevant to the amendment and the RCP and CRMP remains consistent with this goal.

Goal 19 - Ocean Resources: *To conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf. All local, state, and federal plans, policies, projects, and activities which affect the territorial sea shall be developed, managed and conducted to maintain, and where appropriate, enhance and restore, the long-term benefits derived from the nearshore oceanic resources of Oregon. Since renewable ocean resources and uses, such as food production, water quality, navigation, recreation, and aesthetic enjoyment, will provide greater long-term benefits than will nonrenewable resources, such plans and activities shall give clear priority to the proper management and protection of renewable resources.*

The map modernization updates will not change any County requirements related to ocean resources, so this goal is not relevant to the amendment and the RCP and CRMP remains consistent with this goal.

Oregon Revised Statute 197.175 (2)(a) requires counties to “*Prepare, adopt, amend and revise comprehensive plans in compliance with goals approved by the commission*”

The official Lane County Plan, Zone and Coastal Zone Maps are a component of the Lane County Rural Comprehensive Plan. The map modernization updates will amend the RCP in compliance with the goals approved by the commission as outlined under the findings for the nineteen statewide planning goals, above, and incorporated herein by reference. Therefore, the Board finds the updates to be consistent with the applicable ORS.

5. Pursuant to Lane Code 16.252(2):

Zonings, rezonings and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest.

Enactment of Ordinance No. PA 1246 will require that changes be made to the requirements of Lane Code Chapter 16. The specific code language changes will be implemented through Ordinance No. 5-08. These changes are necessary to describe the use and maintenance of updated plan, zone and coastal zone maps being adopted through this Ordinance. As outlined above and incorporated here by reference, the map modernization updates are necessary to fulfill an identified public need and are therefore, desirable, appropriate and not contrary to the public interest.

The “*general purposes*” of Lane Code Chapter 16 are found in LC 16.003 (1)-(14). The map modernization updates achieve the applicable requirements of LC 16.003(1)-(14) as follows:

(1) Insure that the development of property within the County is commensurate with the character and physical limitations of the land and, in general, to promote and protect the public health, safety, convenience and welfare.

The map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan by providing both the public and county staff access to accurate and easily understandable Official Plan, Zone and Coastal Zone Maps. For the same reasons, use of the updated maps will help insure that the development of property within the County is commensurate with the character and physical limitations of the land and, in a general sense, will help to promote and protect the public health, safety, convenience and welfare

(2) Protect and diversify the economy of the County.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(3) Conserve the limited supply of prime industrial lands to provide sufficient space for existing industrial enterprises and future industrial growth.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(4) Conserve farm and forest lands for the production of crops, livestock and timber products.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(5) Encourage the provision of affordable housing in quantities sufficient to allow all citizens some reasonable choice in the selection of a place to live.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(6) Conserve all forms of energy through sound economical use of land and land uses developed on the land.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(7) Provide for the orderly and efficient transition from rural to urban land use.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(8) Provide for the ultimate development and arrangement of efficient public services and facilities within the County.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(9) Provide for and encourage a safe, convenient and economic transportation system within the County.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(10) Protect the quality of the air, water and land resources of the County.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(11) Protect life and property in areas subject to floods, landslides and other natural disasters and hazards.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(12) Provide for the recreational needs of residents of Lane County and visitors to the County.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(13) Conserve open space and protect historic, cultural, natural and scenic resources.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

(14) Protect, maintain, and where appropriate, develop and restore the estuaries, coastal shorelands, coastal beach and dune area and to conserve the nearshore ocean and continental shelf of Lane County.

As discussed under the finding for “general purpose #1”, the map modernization updates will serve to facilitate the accurate and timely implementation of the Rural Comprehensive Plan. Proper implementation of the RCP will serve to achieve this general purpose statement. Therefore, adoption of the map modernization updates will further this general purpose statement.

6. Based upon all of the above findings, the Board concludes that the proposed map modernization updates and the Ordinance adopting them are consistent with the requirements set forth in the applicable approval criteria.

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 5-08

IN THE MATTER OF AMENDING CHAPTER 16 OF LANE CODE TO REVISE AND UPDATE REQUIREMENTS FOR ADOPTING, AMENDING AND MAINTAINING PLAN DESIGNATION AND ZONING MAPS (LC 16.014, 16.015, 16.020, 16.252)

The Board of County Commissioners of Lane County ordains as follows:

Chapter 16 of Lane Code is hereby amended by deleting, substituting, and adding new sections as follows:

DELETE THESE SECTION(S)

16.014 through 16.020
as located on pages 16-7 through 16-9
(a total of 3 pages)

16.252
as located on pages 16-505 through 16-507
(a total of 3 pages)

INSERT THESE SECTION(S)

16.014 through 16.015
as located on pages 16-7 through 16-9
(a total of 3 pages)

16.252
as located on pages 16-505 through 16-507
(a total of 3 pages)

Said sections are attached hereto and incorporated herein by reference. The purpose of this substitution, deletion and addition is to revise and update the requirements for adopting, amending and maintaining Lane County Rural Comprehensive Plan Designation and Zoning Maps (LC 16.014, 16.015, 16.020, 16.252).

ENACTED this _____ day of _____ 2008.

Chair, Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 5-15-2008 Lane County



OFFICE OF LEGAL COUNSEL

16.014 Plan Designation and Zoning Maps.

(1) Official plan designation and zone maps for Lane County shall consist of county-wide maps and detailed township and range-based maps. County-wide maps will indicate plan designation and zoning where an entire township and range is in a single plan designation or zone. Detailed maps shall be maintained for each township and range (i.e., township 18, south, range 05, west) that contains more than one plan or zone designation. The plan designation and zone boundaries depicted on the official maps may be modified in accordance with the procedures set forth in LC 16.015(1) – (3).

(2) The official plan designation and zone maps shall be maintained by the Planning Director in the offices of the Land Management Division. A digital layer of the adopted plan and zone maps shall be maintained within the Lane County geographic information system. These digital layers shall be identical to the official adopted paper maps but whenever a discrepancy arises between the digital layers and the adopted paper maps, the paper maps shall be considered the authoritative source.

(3) Official adopted maps will be 46 x 36 inches overall and in full color. The scale of official maps shall be 1":1000'. Working maps may be developed at a different size and scale.

(4) Each adopted official map shall contain the following information:

- (a) Map location reference (i.e. Township 18, South, Range 05, West).
- (b) Location reference map inset.
- (c) North arrow.
- (d) Plan designation or zoning legend.
- (e) Section legend.
- (f) Scale.
- (g) Title (Official Lane County Plan Map; or Official Lane County Zoning Map; or Official Lane County Coastal Zoning Map).
- (h) Adoption/Revision tracking table containing: revision or adoption number, ordinance or order number, planning action number, effective date of map amendment and revision description.

(5) To the maximum extent feasible, plan designation and zone boundaries shall follow features recognizable or reproducible. Line preference shall be given to going from a known point to a known point (i.e., property corner, section corner, etc.). In the event a zone boundary does not or cannot conform to the above, angle points and intersection points of that boundary shall be annotated with the coordinates of the points or with the distance and bearing of the boundary.

(6) Where uncertainty exists as to the boundaries of any zone shown upon the Zoning Map, the following rules shall apply:

- (a) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
- (b) Boundaries indicated as approximately following property lines shall be construed as following such property lines.
- (c) Boundaries indicated as approximately following the city limits shall be construed as following such city limits.
- (d) Boundaries indicated as following railroad lines and public utility easements and right of ways shall be construed to be midway between the main tracks or the utility easements or the right of way, whichever is applicable.
- (e) Boundaries indicated as parallel to or extensions of features indicated in LC 16.014(6)(a) through (d) above shall be so construed.
- (f) Boundaries indicated as following shorelines shall be construed as following the ordinary low waterline, except where the body of water is specifically zoned Natural Estuary (/NE-RCP), Conservation Estuary (/CE-RCP) or Development Estuary (/DE-RCP), in which case the boundary shall be construed as following the

ordinary high waterline. In the event of a change of high or low waterline, the boundary will follow that line no matter how it shifts.

(g) Where zones are separated by a river, lake, reservoir or other body of water, the boundary between the zones shall be construed as being the centerline of such body of water. No matter how such centerline may shift, the boundary shall remain the centerline as shifted.

(h) Except as hereinafter noted, where a zone boundary divides an ownership of property, unless the same is indicated by dimensions, map coordinates or similar notation, the boundary shall be determined by the use of the scale appearing on the Official Zoning Map. In the case of the /SN-RCP, /PW-RCP, /NRC-RCP, /RD-RCP, /MD-RCP, /DMS-RCP and /BD-RCP Zones and the /NE-RCP, /CE-RCP and /DE-RCP Zones, the boundaries shall be determined through interpretation of the Coastal Resources Management Plan.

(i) Where physical features existing on the ground are at variance with those shown on the Zoning Map or in other circumstances not covered by LC 16.014(6)(a) through (h) above, the Planning Director shall interpret the zone boundaries.

(j) Treatment of Vacated Property. Where a public street or alley is officially vacated, the Zone requirements applicable to the property to which the vacated area becomes a part shall apply to the vacated property.

(k) Where zoning boundaries follow the centerline of a public utility easement or railroad right of way that has been officially vacated or conveyed, the Zone requirements applicable to the property to which the vacated or conveyed area becomes a part shall apply to the vacated or conveyed area previously part of the easement or right of way. Adjustments of zone boundaries due to a conveyance described in LC 16.014(6)(k) shall occur only upon the initial conveyance. Future conveyances or property line adjustments shall not change the zone boundaries. *(Revised by Ordinance No. 7-87, Effective 6.17.87)*

16.015 Amendments to the Lane County Plan Designation and Zoning Maps.

(1) All amendments to the Lane County Zoning and Plan Maps shall be made by Ordinance, for legislative matters, and by Order or Ordinance, for quasi-judicial matters, of the Approval Authority as specified in this chapter of Lane Code.

(2) The official adopted plan designation and zone maps shall be amended as follows:

(a) A working copy of the map to be amended shall be modified and annotated to describe the proposed amendments.

(b) Upon the effective date of the adopted amendments, the Planning Director will produce an official paper map. This map will reflect the adopted amendments and will contain the information required in LC 16.015(3). On the same date that the official paper map is created, the Planning Director will also update the corresponding map layer in the Lane County geographic information systems to reflect the amendment.

(c) The Planning Director will maintain an historical digital copy of all zone and plan maps amended pursuant to LC 16.015(1) on permanent media, such as a CD. Metadata for these maps shall be annotated to include the date range that the maps were in effect and the Ordinance or Order number which rendered the maps obsolete.

(d) Outdated and amended paper maps shall be maintained in an historical map reference file in the Land Management Division.

(3) Each time a plan designation or zone map is revised or a new map is created, that action shall be indicated by placing the ordinance or order number, effective date, planning action number and revision description in the revision tracking table of the amended map as shown in the following example:

Revision	Ordinance or Order Number	Date Effective	Planning Action Number	Revision Description
1	Ord. #PA1246	7/11/2008	N/A	Map created (plot maps retired)
2	Ord. #PA1320	11/26/2010	pa10-5218	18-03-27-00-00301 rezoned F2 to ML

(Revised by Ordinance No. 7-87, Effective 6.17.87)

(13) Conditions of Approval. In order to assure compatibility of the proposed development with the surrounding area, any of the following conditions may be imposed as conditions of approval:

- (a) Special yards and spaces.
- (b) Fences and walls.
- (c) Special parking and/or loading provisions.
- (d) Street dedication and improvements or bonds in lieu of improvements.
- (e) Control of points of vehicular ingress and egress.
- (f) Special provisions for signs.
- (g) Landscaping and the maintenance of grounds.
- (h) Control of noise, vibration, odors or other similar nuisances.
- (i) Limitation of time for certain activities.
- (j) A time period in which a proposed use shall be developed.
- (k) A limit of total duration of use. *(Revised by Ordinance 7-87, Effective 6.17.87; 4-91, 5.17.91)*

**PROCEDURES FOR ZONING, REZONING AND AMENDMENTS TO
REQUIREMENTS
RURAL COMPREHENSIVE PLAN**

16.252 Procedures for Zoning, Rezoning and Amendments to Requirements.

(1) Purpose. As the Rural Comprehensive Plan for Lane County is implemented, changes in zone and other requirements of this chapter will be required. Such Amendments shall be made in accordance with the procedures of this section.

(2) Criteria. Zonings, rezonings and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners or the Hearings Official in accordance with the procedures in this section.

(3) Initiation/Application.

(a) By Planning Commission. The zoning of unzoned properties, the rezoning of properties and amendment of this chapter may be initiated by the Planning Commission upon its own motion or upon petition by the Planning Commission upon request of the Board as provided in LC 16.252(3)(b) below.

(b) By Board. The zoning of unzoned properties, the rezoning of properties and the amendment of this chapter may be initiated by the Board in the form of a request to the Planning Commissions that they consider the proposed zoning, rezoning or amendment.

(c) By Applicant. Application for the zoning or rezoning of properties may be made by any person as provided in LC 14.050.

(4) Moratorium on Permits and Applications -- Legislative Matters.

(a) After any matter for zoning, rezoning or amendment to this chapter affecting particular property has received tentative action by the Board, but has not yet become final and effective, no Zoning, Land Division or Building Code Application or request shall be accepted, granted, issued or approved, except as herein provided.

(b) After such final action, granting of subsequent Applications or requests shall be in accordance with the requirements of the zoning classification or requirements as amended by the final action.

(c) The provisions of this subsection shall not be applicable to the issuance of Building, Plumbing Permits, or on-site sewage for normal repairs or corrections, nor shall the provisions apply when the proposed Application or request meets both the requirements of the existing zoning requirement and the proposed change or amendment, or to the approval of a final minor partition, a major partition map or subdivision plant.

(5) Planning Commission Public Hearing and Notice -- Legislative Matters.

(a) The Planning Commission shall hold not less than one public hearing on each proposed legislative zoning or rezoning and amendment to the requirements of this chapter.

(b) Notice of the time and place of hearing shall be given at least 10 days in advance by publication in a newspaper of general circulation in the County or in the territory concerned.

(c) The Planning Commission shall review the Application or proposal and shall receive pertinent evidence and testimony as to why or how the proposed change is inconsistent with the criteria provided in LC 16.252(2) above for zoning, rezoning and amendment to the requirements of this chapter. The Commission shall determine whether the testimony at the hearing supports a finding that the proposal does or does not meet the required criteria, and shall recommend to the Board accordingly that the proposal be adopted or rejected. The Planning Commission and Board may hold one concurrent hearing.

(6) Review Procedures. Applications for zoning or rezoning of specific properties shall be heard by the Hearings Official pursuant to LC 14.300.

(7) Action by the Board.

(a) Unless the Board and Planning Commission hold a concurrent hearing, upon receipt of an affirmative Planning Commission recommendation for legislative matters provided in LC 16.252(6) above, the Board shall schedule a public hearing as provided in LC 16.252(7)(b) below. The Board may schedule such a public hearing in the absence of an affirmative Planning Commission recommendation.

(b) Prior to taking any action which would alter or modify a Planning Commission recommendation or Hearings Official's Order, the Board may first refer the proposed alteration or modification to the Planning Commission or Hearings Official for a recommendation. Failure of the Commission or Hearings Official to report within 20 days after the referral, or such longer period as may be designated by the Board, shall be deemed to be approval of the proposed alteration or modification. It shall not be necessary for the Commission or Hearings Official to hold a public hearing on the proposed alteration or modification.

(8) Conditional Approval. The approving authority may impose reasonable conditions if the application is approved to be completed within one year.

(9) Official Zoning Map.

(a) The location and boundaries of the various zones established by this chapter shall be shown and delineated on maps covering portions of the County. These maps, upon their final adoption, shall be known as the Official Zoning Map.

(b) The Zoning Map shall be established by ordinance. Subsequent amendments to the Official Zoning Maps, either for establishing zoning for previously unzoned property or for rezoning may be made by Ordinance or Order of the Hearing Authority in accordance with the provisions of LC 16.014, LC 16.015, and this section.

(10) Error in Legal Description. Notwithstanding any other provision in this chapter, where the sole basis for a zoning or rezoning, whether initiated by Application, the Planning Commission or the Board, is an error in a legal description in the Ordinance

or Order zoning or intended to zone the property, the zoning or rezoning shall be referred to the Planning Director for investigation and a report. After such investigation and report, the zoning or rezoning shall be considered in accordance with the procedures for hearings provided in LC 16.252(5) and (6) above. *(Revised by Ordinance No. 7-87, Effective 6.17.87)*

16.014 Plan Designation and Zoning Maps.

(1) Official plan designation and zone maps for Lane County shall consist of county-wide maps and detailed township and range-based maps. County-wide maps will indicate plan designation and zoning where an entire township and range is in a single plan designation or zone. Detailed maps shall be maintained for each township and range (i.e., township 18, south, range 05, west) that contains more than one plan or zone designation. The plan designation and zone boundaries depicted on the official maps may be modified in accordance with the procedures set forth in LC 16.015(1) – (3). ~~The Plan Designation and Zoning Maps shall consist of a set of base maps and detailed map sheets. The base maps will cover the entire County and will indicate plan designation and zoning where an entire section is in a single designation and zone. Where more than one plan designation and zone is used within a section, the zoning shall be shown on a detailed map sheet and the base map shall reference the detailed map sheet. The Flood Insurance Rate Maps (FIRM) and Flood Hazard Boundary Maps shall constitute the zone maps for the /FP RCP zone.~~

(2) The official plan designation and zone maps shall be maintained by the Planning Director in the offices of the Land Management Division. A digital layer of the adopted plan and zone maps shall be maintained within the Lane County geographic information system. These digital layers shall be identical to the official adopted paper maps but whenever a discrepancy arises between the digital layers and the adopted paper maps, the paper maps shall be considered the authoritative source. ~~Final maps sheets (i.e., the maps actually adopted) will be 8-1/2 x 14 inches overall. Working maps may be drawn at a larger size and reduced to produce a final map. Scale of the final maps will adhere to a standard engineer's scale to the maximum extent feasible, however, this shall not be an absolute requirement. A graphic representation of map scale must be shown on each map sheet. Final maps are to be on durable material and be of sufficient contrast to allow high quality reproduction through microfilming or standard office equipment.~~

(3) Official adopted maps will be 46 x 36 inches overall and in full color. The scale of official maps shall be 1":1000'. Working maps may be developed at a different size and scale. ~~Each map sheet shall contain the following information:~~

- ~~(a) Sheet number.~~
- ~~(b) Scale.~~
- ~~(c) North Point.~~
- ~~(d) Adoption ordinance number, effective date and file reference number.~~
- ~~(e) Revision number, ordinance or order number and effective date of map amendment.~~
- ~~(f) Title "Lane County Official Plan Designation and Zoning Map".~~

(4) Each adopted official map shall contain the following information:

- (a) Map location reference (i.e. Township 18, South, Range 05, West).
- (b) Location reference map inset.
- (c) North arrow.
- (d) Plan designation or zoning legend.
- (e) Section legend.
- (f) Scale.
- (g) Title (Official Lane County Plan Map; or Official Lane County Zoning Map; or Official Lane County Coastal Zoning Map).

At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

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(b) **Adoption/Revision tracking table containing: revision or adoption number, ordinance or order number, planning action number, effective date of map amendment and revision description.** ~~Base map sheets will be numbered sequentially (i.e., 1, 2, 3, etc.). Detailed map sheets will be numbered with the same numbering system used by the County Assessor (i.e., township, range, section, 1/4 section, 1/4 1/4 section). When two sections are shown on the same sheet, that sheet will be identified by both County Assessor map numbers (i.e., 17-04-06/17-04-07).~~

~~(5) The exterior boundaries of the individual detailed map sheets shall be determined by the polygons used by the County Geographic Data System Parcel File to represent the properties within the sections being displayed.~~

(65) To the maximum extent feasible, plan designation and zone boundaries shall follow features recognizable or reproducible. Line preference shall be given to going from a known point to a known point (i.e., property corner, section corner, etc.). In the event a zone boundary does not or cannot conform to the above, angle points and intersection points of that boundary shall be annotated with the coordinates of the points or with the distance and bearing of the boundary.

(76) Where uncertainty exists as to the boundaries of any zone shown upon the Zoning Map, the following rules shall apply:

(a) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.

(b) Boundaries indicated as approximately following property lines shall be construed as following such property lines.

(c) Boundaries indicated as approximately following the city limits shall be construed as following such city limits.

(d) Boundaries indicated as following railroad lines and public utility **easements and right of ways** shall be construed to be midway between the main tracks or the utility easements or the right of way, whichever is applicable.

(e) Boundaries indicated as parallel to or extensions of features indicated in LC 16.014(76)(a) through (d) above shall be so construed.

(f) Boundaries indicated as following shorelines shall be construed as following the ordinary low waterline, except where the body of water is specifically zoned **Natural Estuary (/NE-RCP), Conservation Estuary (/CE-RCP) or Development Estuary (/DE-RCP)**, in which case the boundary shall be construed as following the ordinary high waterline. In the event of a change of high or low waterline, the boundary will follow that line no matter how it shifts.

(g) Where zones are separated by a **river, lake, reservoir or other** body of water, the boundary between the zones shall be construed as being the centerline of such body of water. No matter how such centerline may shift, the boundary shall remain the centerline as shifted.

(h) Except as hereinafter noted, where a zone boundary divides an ownership of property, unless the same is indicated by dimensions, map coordinates or similar notation, the boundary shall be determined by the use of the scale appearing on the **Official** Zoning Map. In the case of the /SN-RCP, /PW-RCP, /NRC-RCP, /RD-RCP, /MD-RCP, /DMS-RCP and /BD-RCP Zones and the /NE-RCP, /CE-RCP and /DE-RCP Zones, the boundaries shall be determined through interpretation of the Coastal Resources Management Plan.

(i) Where physical features existing on the ground are at variance with those shown on the Zoning Map or in other circumstances not covered by LC 16.014(76)(a) through (h) above, the Planning ~~Commission-Director~~ shall interpret the zone boundaries.

At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

**LEGISLATIVE
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(j) Treatment of Vacated Property. Where a public street or alley is officially vacated, the Zone requirements applicable to the property to which the vacated area becomes a part shall apply to the vacated property.

(k) Where zoning boundaries follow the centerline of a public utility easement or railroad right of way that has been officially vacated or conveyed, the Zone requirements applicable to the property to which the vacated or conveyed area becomes a part shall apply to the vacated or conveyed area previously part of the easement or right of way. Adjustments of zone boundaries due to a conveyance described in LC 16.014(6)(k) shall occur only upon the initial conveyance. Future conveyances or property line adjustments shall not change the zone boundaries.
(Revised by Ordinance No. 7-87, Effective 6.17.87)

16.015 Amendments to the Lane County Plan Designation and Zoning Maps.

(1) All amendments to the Lane County Zoning and Plan Maps shall be made by Ordinance, for legislative matters, and by Order or Ordinance, for quasi-judicial matters, of the Approval Authority as specified in this chapter of Lane Code.

(2) **The official adopted plan designation and zone maps shall be amended as follows:** ~~The Lane County Plan Designation and Zoning Maps shall be amended by:~~

(a) **A working copy of the map to be amended shall be modified and annotated to describe the proposed amendments.** ~~Photocopying the adopted and original plan designation and zone maps.~~

(b) **Upon the effective date of the adopted amendments, the Planning Director will produce an official paper map. This map will reflect the adopted amendments and will contain the information required in LC 16.015(3). On the same date that the official paper map is created, the Planning Director will also update the corresponding map layer in the Lane County geographic information systems to reflect the amendment.** ~~Placing a photocopy of each map in (a) above into the Historical Map Reference File.~~

(c) **The Planning Director will maintain an historical digital copy of all zone and plan maps amended pursuant to LC 16.015(1) on permanent media, such as a CD. Metadata for these maps shall be annotated to include the date range that the maps were in effect and the Ordinance or Order number which rendered the maps obsolete.** ~~Microfilming each map in (b) above and placing the microfilm into the Historical Microfile Reference File.~~

(d) **Outdated and amended paper maps shall be maintained in an historical map reference file in the Land Management Division.** ~~Revising the adopted and original plan designation and zone maps to reflect newly adopted changes.~~

(3) Each time a ~~map~~ **Plan plan Designation designation or Zoning zone mMap** is added or revised or a new map is created, that action shall be indicated by placing the ordinance or order number, effective date, planning action number ~~date of adoption and a revision description in the revision tracking table of the amended map as shown in the following example: number in parenthesis following the map sheet number.~~ **The revision numbers will represent the sequential changes made to that sheet as follows:**

Revision	Ordinance or Order Number	Date Effective	Planning Action Number	Revision Description
1	Ord. #PA1246	7/11/2008	N/A	Map created (plot maps retired)
2	Ord. #PA1320	11/26/2010	pa10-5218	18-03-27-00-00301 rezoned F2 to ML

At right margin indicates changes
Bold indicates material being added
Strikethrough indicates material being deleted

**LEGISLATIVE
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~~Ord. #PA 884 9/12/84 Original Map Sheet 17-04-06/17-04-07~~

~~Ord. #PA 893 3/27/85 1st Revision 17-04-06/17-04-07(1)~~

~~Ord. #PA 903 8/14/85 2nd Revision 17-04-06/17-04-07(2)~~

~~Ord. #PA 909 3/05/86 New Map Sheet Added~~

~~18.05-06/18-05-07(1) (Revised by Ordinance No. 7-87, Effective 6.17.87)~~

~~16.020 Interim Plan Designation and Zoning Maps.~~

~~For legislative plan and zone adoption or amendment proceedings, the maps initially adopted may be on regular paper (8 1/2" x 11"). In addition, CPR change request summaries may be used to modify these maps. Upon adoption, the County shall have 120 days to adopt Plan Designation and zoning Maps in conformity with LC 16.014 above. (Revised by Ordinance No. 7-87, Effective 6.17.87)~~

At right margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted
16.252

**LEGISLATIVE
FORMAT**

Lane Code

16.252

(13) Conditions of Approval. In order to assure compatibility of the proposed development with the surrounding area, any of the following conditions may be imposed as conditions of approval:

- (a) Special yards and spaces.
- (b) Fences and walls.
- (c) Special parking and/or loading provisions.
- (d) Street dedication and improvements or bonds in lieu of improvements.
- (e) Control of points of vehicular ingress and egress.
- (f) Special provisions for signs.
- (g) Landscaping and the maintenance of grounds.
- (h) Control of noise, vibration, odors or other similar nuisances.
- (i) Limitation of time for certain activities.
- (j) A time period in which a proposed use shall be developed.
- (k) A limit of total duration of use. *(Revised by Ordinance 7-87, Effective 6.17.87; 4-91, 5.17.91)*

**PROCEDURES FOR ZONING, REZONING AND AMENDMENTS TO
REQUIREMENTS
RURAL COMPREHENSIVE PLAN**

16.252 Procedures for Zoning, Rezoning and Amendments to Requirements.

(1) Purpose. As the Rural Comprehensive Plan for Lane County is implemented, changes in zone and other requirements of this chapter will be required. Such Amendments shall be made in accordance with the procedures of this section.

(2) Criteria. Zonings, rezonings and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest. In addition, zonings and rezonings shall be consistent with the specific purposes of the zone classification proposed, applicable Rural Comprehensive Plan elements and components, and Statewide Planning Goals for any portion of Lane County which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission. Any zoning or rezoning may be effected by Ordinance or Order of the Board of County Commissioners, ~~the Planning Commission~~ or the Hearings Official in accordance with the procedures in this section.

(3) Initiation/Application.

(a) By Planning Commission. The zoning of unzoned properties, the rezoning of properties and amendment of this chapter may be initiated by the Planning Commission upon its own motion or upon petition by the Planning Commission upon request of the Board as provided in LC 16.252(3)(b) below.

(b) By Board. The zoning of unzoned properties, the rezoning of properties and the amendment of this chapter may be initiated by the Board in the form of a request to the Planning Commissions that they consider the proposed zoning, rezoning or amendment.

(c) By Applicant. Application for the zoning or rezoning of properties may be made by any person as provided in LC 14.050.

(4) Moratorium on Permits and Applications -- Legislative Matters.

(a) After any matter for zoning, rezoning or amendment to this chapter affecting particular property has received tentative action by the Board, but has not yet

become final and effective, no Zoning, Land Division or Building Code Application or request shall be accepted, granted, issued or approved, except as herein provided.

(b) After such final action, granting of ~~pending or~~ subsequent Applications or requests shall be in accordance with the requirements of the zoning classification or requirements as amended by the final action.

(c) The provisions of this subsection shall not be applicable to the issuance of Building, Plumbing Permits, or on-site sewage for normal repairs or corrections, nor shall the provisions apply when the proposed Application or request meets both the requirements of the existing zoning requirement and the proposed change or amendment, or to the approval of a final minor partition, a major partition map or subdivision plant.

(5) Planning Commission Public Hearing and Notice -- Legislative Matters.

(a) The Planning Commission shall hold not less than one public hearing on each proposed legislative zoning or rezoning and amendment to the requirements of this chapter.

(b) Notice of the time and place of hearing shall be given at least 10 days in advance by publication in a newspaper of general circulation in the County or in the territory concerned.

(c) The Planning Commission shall review the Application or proposal and shall receive pertinent evidence and testimony as to why or how the proposed change is inconsistent with the criteria provided in LC 16.252(2) above for zoning, rezoning and amendment to the requirements of this chapter. The Commission shall determine whether the testimony at the hearing supports a finding that the proposal does or does not meet the required criteria, and shall recommend to the Board accordingly that the proposal be adopted or rejected. The Planning Commission and Board may hold one concurrent hearing.

(6) Review Procedures. Applications for zoning or rezoning of specific properties shall be heard by the Hearings Official pursuant to LC 14.300.

(7) Action by the Board.

(a) Unless the Board and Planning Commission hold a concurrent hearing, upon receipt of an affirmative Planning Commission recommendation for legislative matters provided in LC 16.252(6) above, the Board shall schedule a public hearing as provided in LC 16.252(7)(b) below. The Board may schedule such a public hearing in the absence of an affirmative Planning Commission recommendation.

(b) Prior to taking any action which would alter or modify a Planning Commission recommendation or Hearings Official's Order, the Board may first refer the proposed alteration or modification to the Planning Commission or Hearings Official for a recommendation. Failure of the Commission or Hearings Official to report within 20 days after the referral, or such longer period as may be designated by the Board, shall be deemed to be approval of the proposed alteration or modification. It shall not be necessary for the Commission or Hearings Official to hold a public hearing on the proposed alteration or modification.

(8) Conditional Approval. The approving authority may impose reasonable conditions if the application is approved to be completed within one year.

(9) Official Zoning Map.

(a) The location and boundaries of the various zones established by this chapter shall be shown and delineated on maps covering portions of the County. These maps, upon their final adoption, shall be known as the Official Zoning Map.

(b) The Zoning Map shall be established by ordinance. Subsequent amendments to the Official Zoning Maps, either for establishing zoning for previously

unzoned property or for rezoning may be made by Ordinance or Order of the Hearing Authority in accordance with the provisions of LC 16.014, LC 16.015, and this section. Upon final adoption, the Zoning Map and all subsequent amendments thereto shall be filed with the County Recorder.

~~(i) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.~~

~~(ii) Boundaries indicates as approximately following property lines shall be construed as following such property lines.~~

~~(iii) Boundaries indicated as approximately following the city limits shall be construed as following such city limits.~~

~~(iv) Boundaries indicated as following railroad lines and public utility shall be construed to be a midway between the main tracks or utility easements, whichever is applicable.~~

~~(v) Boundaries indicated as parallel to or extensions of features indicated in LC 16.252(9)(b)(i) through (iv) above shall be so construed.~~

~~(vi) Boundaries indicated as following shorelines shall be construed as following the ordinary low waterline, except where the body of water is specifically zoned Natural Estuary (/NE RCP), Conservation Estuary (/CE RCP) or Development Estuary (/DE, RCP) Zones in which case the boundary shall be construed as following the ordinary high waterline. In the event of a change of high or low waterline, the boundary will follow that line no matter how it shifts.~~

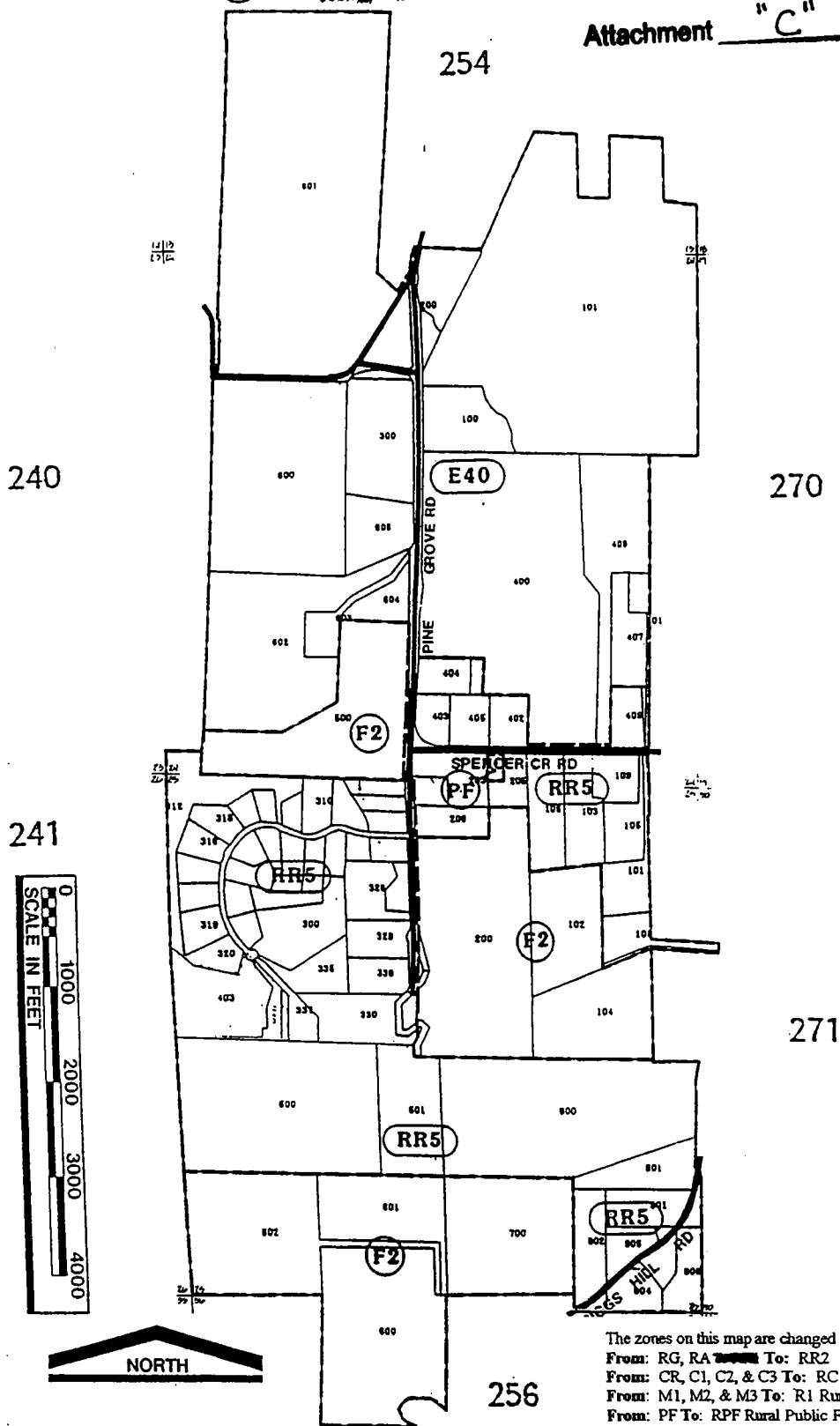
~~(vii) Where zones are separated by a body of water, the boundary between the zones shall be construed as being the centerline of such body of water. No matter how such centerline may shift, the boundary shall remain the centerline as shifted.~~

~~(viii) Except as hereinafter noted, where a zoning boundary divides an ownership of property, unless the same is indicated by dimensions, map coordinates, or digitized boundary or similar notation, the boundary shall be determined by the use of the scale appearing on the Zoning Map. In case of the /SN RCP; /PW RCP; /NRC RCP; /RD RCP; /MD RCP; /DMS RCP and /BD RCP Combining Zones, and the /NE RCP; /CE RCP and /DE RCP Zones, the boundaries shall be determined through interpretation of the Coastal Resources Management Plan.~~

~~(ix) Where physical features existing on the ground are at variance with those shown on the Zoning Map, or in other circumstances not covered by LC 16.252(8)(b)(i) through (viii) above, the Planning Commission shall interpret the zone boundaries.~~

~~(10) Treatment of Vacated Property. Where a public street or alley is officially vacated, the Zone requirements applicable to the property to which the vacated area becomes a part shall apply to the vacated property.~~

~~(11) Error in Legal Description. Notwithstanding any other provision in this chapter, where the sole basis for a zoning or rezoning, whether initiated by Application, the Planning Commission or the Board, is in an error in a legal description, if applicable in the Ordinance or Order zoning or intended to zone the property, the zoning or rezoning shall be referred to the Planning Director for investigation and a report. After such investigation and report, the zoning or rezoning shall be considered in accordance with the procedures for hearings provided in LC 16.252(5) and (6) above.~~
(Revised by Ordinance No. 7-87, Effective 6.17.87)



The RR zones on this map are changed as follows:
 FROM: RR LC 16.231 TO: RR LC 16.290
 The RR zone parcel size remains the same.

The zones on this map are changed as follows:
 From: RG, RA ~~XXXX~~ To: RR2
 From: CR, C1, C2, & C3 To: RC Rural Commercial
 From: M1, M2, & M3 To: R1 Rural Industrial
 From: PF To: RPF Rural Public Facility
 From: PR To: RPR Rural Park & Recreation

ine county



OFFICIAL ZONING MAP

PLOT # 255

Township Range Section

18 05 24

18 05 25

ORIGINAL ORD. # _____ PA 884 _____ DATE 2/29/1984 FILE # _____

REVISION # _____ ORD # _____ DATE _____ FILE # _____

MINUTES

Lane County Planning Commission
Board of Commissioners Conference Room—125 East 8th Avenue
Eugene, Oregon

February 5, 2008
5:30 p.m.

PRESENT: John Sullivan, Chair; Ed Becker, Steve Dignam, Todd Johnston, Nancy Nichols, Jozef Siekiel-Zdzienicki, Lane County Planning Commissioners; Kent Howe, Stephanie Schulz, Keir Miller, Lane County Land Management Division.

ABSENT: Lisa Arkin, Vice Chair; Jim Carmichael, Howard Shapiro, Lane County Planning Commissioners.

Mr. Sullivan convened the meeting of the Lane County Planning Commission (LCPC) at 5:30 p.m. He added approval of the November 6, 2007 minutes to the agenda and announced the agenda order would be revised to accommodate the attendance of several guests at the meeting. Commissioners and staff introduced themselves.

WORK SESSION

1. Adoption of June 5, 2007 Minutes (Work session and public hearing)

Mr. Siekiel-Zdzienicki, seconded by Mr. Johnston, moved to approve the minutes from the November 6, 2007 work session.
The motion passed 5:0.

Mr. Johnston, seconded by Mr. Siekiel-Zdzienicki, moved to approve the minutes from the November 6, 2007 public hearing.
The motion passed 5:0.

2. Public Comment

There was no one wishing to offer public comment on any item not on the agenda.

3. Planning Commission Participation

Mr. Sullivan stated he had not participated in the public hearing on one of the agenda items but had been briefed by staff.

Mr. Dignam arrived at 5:35 p.m.

4. Lane County Planning Commission (LCPC) Annual Report—Review and Acknowledgement of 2007 Activities and Adoption of the Commission’s Work Plan for Submission to the Board by mid-February 2008.

Mr. Howe provided the staff report. He said he had electronically distributed a revised work plan to Commission members that iterated the Commission’s collective priorities. He said Ms. Arkin had submitted comments for consideration by the Commission and Laurie Siegel had submitted an e-mail upon which Mr. Howe would comment.

Mr. Howe stated Ms. Siegel had proposed the following:

- Regarding Lane Code (LC) Chapter 13—Related to Goal 1, to bring into compliance with H.B. 2723, amendments that would require County review and approval of property line adjustments. Mr. Howe stated there was proposed legislation before the Special Session of the Oregon State Legislature in February 2008 regarding this issue. He recommended deferring any action until the Legislature had acted. At that time, Lane County would act accordingly with the directive from the State Legislature.
- Regarding Lane Code (LC) Chapter 14—Related to the Goal 1, application of the review and appeal procedures for permits and zone changes. Mr. Howe explained the decision and appeal criteria and process. He said the County had the authority in Lane Code to elevate any applications to a public hearing that were potentially contentious, rather than using a Planning Director administrative process that could be appealed. A public hearing was in the interest of the citizens because they could be heard before a decision was made. Mr. Howe said Ms. Seigel preferred a Lane County Planning Director decision to limit the appellant’s appeal costs. Mr. Howe asserted this avenue did not allow for cost recovery by Lane County if a decision was appealed. He asked what was more valuable—a lower appeal fee that did not allow public participation or a higher appeal fee that allowed the public to participate. He opined by allowing a public hearing, there would be an opportunity for everyone to understand clearly what the application was and to provide input for consideration by the Planning Director in making a decision.

Responding to a question from Mr. Becker, Mr. Howe said any party of record could appeal a Planning Director or Board of County Commissioners (BCC) decision to a hearings official.

Responding to a question from Mr. Johnston, Mr. Howe said going through a Hearings Official’s process was costly. He said there were approximately 36 appeals annually, and Lane County had been affirmed by the Land Use Board of Appeals (LUBA) on all but one appeal during the last two years.

Mr. Dignam asserted although the cost issue was relevant, the commission should consider what the best way to accomplish the task was. Since the Planning Director had the option between administrative decision by the Planning Director or public hearing, there was an opportunity for a more efficient process and for more public participation, which were important goals.

In response to a question from Mr. Becker, Mr. Howe said special use permit decisions were made at the Planning Director level. The Hearings Official had a higher level of special use permit authority. Anything that would amend the plan would come to the Planning Commission.

Mr. Becker concurred with Mr. Dignam that the Planning Director should have the latitude to make decisions that were the most efficient and cost effective for the County.

Referring to Ms. Siegel's e-mail, Mr. Howe said she identified several other issues that had been addressed at the January 29, 2008 Planning Commission meeting.

- Hearings Official decision regarding a replacement dwellings without a permit—she asked why this decision that was applicable to a single planning action being considered as a work program item. Mr. Howe said on the list because one of the BCC had asked that it be on the list.
- Update of Lane County Development Code Chapters 10 and 16—she asked by this was necessary in 2008 given the other tasks required by state law. Mr. Howe said the update of Chapters 10 and 16 was for the purpose of streamlining and rewriting the code to bring it into the 21st century. The project was a huge one for which Mr. Howe doubted funding would be available. He said it was on the list because the work was needed, noting there had not been a significant review since the early 1980's. It had been edited following each legislative session resulting in revised statutes, but a comprehensive review had not taken place. This was a three year project with a consultant and a budget of about \$300,000.

Mr. Howe said Ms. Siegel had raised a question related to S.B. 1011, by which the Portland metropolitan area counties were required to look at preservation of farm and forest lands, and having rural reserves. He opined there was an interest that Goal 1 and Land Watch may be interested in a similar proposal in Lane County.

Mr. Sullivan asserted it would be unnecessary for the BCC to accelerate any future action at the state level.

Mr. Howe stated the BCC would benefit from learning about the process if it considered a similar action in the future.

Mr. Howe addressed an e-mail the Planning Commission had received from Judy Hobbs regarding the farmland inventory. Mr. Howe had reviewed the information and identified three requests:

- GIS base complete inventory and analysis of high value agriculture soils outside of the Urban Growth Boundary (UGB)—Mr. Howe said Lane County could provide a map identifying that information.
- Zoning designations outside of the UGB identifying those zoned exclusively for farming.—Mr. Howe said Lane County could provide a map identifying that information.
- Identifying land currently used for farming and differentiate food and non-food producing land.—Mr. Howe said Lane County did not have the expertise to do that work. The BCC and Planning Commission could contract with an agency such as the Farm Bureau, the Extension Service, and Oregon State University (OSU) through the Agricultural Census information if they determined this was necessary.

Mr. Sullivan said information identifying land currently used for farming and differentiating food and non-food producing land had been compiled by the United States Department of Agriculture (USDA) National Agricultural Statistical Service in 2002 and was scheduled again in 2009 from 2006 data.

Mr. Howe said he had included the Planning Commission's top areas needing future attention in the draft annual report before it was submitted to the BCC:

- How well community needs were being met.
- Periodic review of citizen participation.
- Work program for 2008.

Mr. Sullivan stated there had been some interest on the part of several Planning Commissioners to include information about farmland inventory in the report to the BCC. He said there were several members of the public present who had an interest in this topic and invited them to address the Commission.

Jude Hobbs, representing Willamette Farm and Food Coalition, the Food Policy Council, and herself and family as a consumer, stated the inventory was important because she wanted a sense of where good quality farmland was located, where food could be locally grown for local consumption. She distributed a handout of a February 4, 2008 letter she had written to Kent Howe and a flyer entitled, *Can We Feed Ourselves?*

Responding to a question from Mr. Becker, Mr. Howe said the maps Ms. Hobbs wanted were available through the Lane Council of Governments (LCOG).

Linda Kelly, identified herself as a member of the board of Willamette Farm and Food Coalition and the Agency Relations manager for Food for Lane County (FFLC). She saw food insecurity on a daily basis, noting 77,000 food boxes had been distributed in Lane County in 2007. She was interested in finding out what currently existed, was the information current, and how could they be used to see what was available, what was important to save and protect, and what would be the impact of changes to the UGB. Through her work, she had seen people who used to work in local food processing businesses lose their jobs as the work went away, who now ate at the soup kitchens.

David Piercy, identified himself as a member of the Food Policy Council and an employee of LCOG as a cartographer. He said the Food Policy Council could request maps, but they needed more than a set of maps. They were also interested in a tabular relation of the information and statistics of the types of land and zoning designations, as well as the capability to produce food and livelihood from the land.

Mr. Sullivan thanked Ms. Hobbs, Ms. Kelly and Ms. Piercy for their participation.

Mr. Sullivan directed Commissioners to the plan they worked on last week noting four areas had been identified as future attention and facilitated a review of:

- Riparian protection regulation review.
- Marginal land application process review.
- Farmland inventory.
- Water quality regulation reviews.

Riparian protection regulation review

Mr. Siekiel-Zdzienicki said the Planning Commission overwhelmingly passed several stringent riparian protection measures in collaboration with the McKenzie Watershed Council in 2000 which the BCC defeated 4:1 because it did not want to restrict land use of anyone living along a riparian corridor as a result of Ballot Measure 7. The issue had been on the annual report since 2000.

Mr. Becker said it was difficult to assess the significance of the issue without knowing what had occurred in the past.

Mr. Dignam said this was a priority for the Planning Commission.

Mr. Sullivan noted unanimous support to include riparian protection regulation on the priority list.

Marginal lands application process review

Mr. Becker stated this was extremely important and his number one priority.

Mr. Siekiel-Zdzienicki said this was very important and expressed concern that the BCC had denied a number of requests that the Planning Commission had denied.

Mr. Johnston asked if the Planning Commission was looking for a local remedy to a State statute.

Mr. Becker said Lane County was the only county in the state with a marginal lands process, thus noting the need for the County to have a very clear process.

Mr. Howe said the regulations on the marginal lands application process were statutory and there were significant limits on qualifying for marginal lands designation.

Mr. Becker said the current problem was regardless of the Planning Commission's recommendation, the BCC would go with the credentialed experts who had visited the site because they found findings of fact provided by the consultant to be the most accurate. The problem was in the implementation of the statute, the applicant paid for the consultant to provide the only information that was site reviewable to the exclusion of everyone else, which set up a conflict of interest. He saw the problem as the implementation of the process which could be greatly improved with some expeditious policies.

Mr. Johnston wanted to see something more current than a twenty year old letter from the BCC for use in the process. He opined it would be worth it for the BCC to look at it since there had been so much activity and public participation. He did not know that having a third party, unbiased opinion would work.

Mr. Siekiel-Zdzienicki concurred with Mr. Becker. He added anecdotal evidence from residents who lived in an area for many years should be taken into consideration. The peer review should be implemented into the policy.

Mr. Sullivan noted consensus to include marginal lands application process review on the priority list.

Farmland inventory

Mr. Sullivan said the genesis of including this issue was to request that the BCC do an inventory of all farmland by acreage and location both inside outside of the UGB.

Ms. Nichols questioned the role of the Planning Commission on this issue.

Mr. Johnston said it was important to work through, noting the Commission had heard from the public on the issue. He suggested those members of the public could develop information for consideration by the Commission, but he did not know that the Commission would be able to address it in the near future.

Mr. Siekiel-Zdzienicki stated it was an important issue, noting there had been rezoning of several farmland parcels during his tenure on the Commission. The farmland inventory was decreasing and it was important to develop a long range plan. Discussions about a green belt between Junction City and Eugene had been occurring with LCOG, BCC, City of Eugene, Junction City for a long time, and needed to be brought forth for action.

Mr. Dignam did not support development of a farmland inventory as an area needing future attention because it did not rise to the level of the other three items on the list for consideration to forward to the BCC. Additionally, it appeared that all of the data was available and there was already a UGB process that addressed the issue directly. Finally, he did not see what the impact would be and how it was the business of the Lane County Planning Commission.

Mr. Sullivan had looked at the 1000 Friends of Oregon website to get a sense of the issue by those most concerned about it. It appeared they were not interested in an inventory of acres, but wanted to strengthen the State farm laws regarding BFU zones because, by their calculations, there were 40 to 50 exceptions to BFU. The 1000 Friends were pushing for a rural reserve at the State level on a statewide basis. He said the Planning Commission should not be asking the BCC for an inventory but rather expressing concern about BFU being rezoned without diligent review.

Mr. Becker said the information was public domain and available to members of the public to access. He said a request for tabular or statistical analysis, such as posited by Mr. Richie, went beyond what County staff had the capacity to produce.

Mr. Howe added that LCOG could provide the information requested by Mr. Richie, Ms. Kelly and Ms. Hobbs for a nominal fee.

Mr. Sullivan noted a lack of consensus to include farmland inventory as an area needing future attention.

Water quality regulation reviews

Mr. Dignam stated he had raised water quality regulation review issues because there had potentially been a large impact on those issues related to Ballot Measure 37. He opined although

it may not now be as big an issue, increased development in rural Lane County would continue to have an impact on water quality and quantity and should be addressed.

Mr. Siekiel-Zdzienicki said this tied into the marginal lands issue.

Mr. Howe said the current code looked at whether there was adequate water for the use on the subject property. When Lane County was processing Ballot Measure 37 claims for huge subdivisions, there was concern about what would happen to the surrounding properties. The current ordinance and pump tests did not look at how developments would impact surrounding wells, but if there was adequate water for the subject property. Benton County recently adopted an ordinance that looked at both adequate water for the use on the subject property as well as the impact on surrounding wells. The issue was still relevant. Water providers, including Eugene Water and Electric (EWEB), Springfield Utility Board (SUB), as well as the special water districts, may have funding to help Lane County with the project.

Mr. Sullivan noted consensus to include water quality regulation review on the priority list.

Planning Commission Training Issues Carryover from 2006 Work Plan

There was consensus to carry this item forward on the list.

Mr. Dignam, seconded by Mr. Johnston, moved to adopt the Lane County Planning Commission 2007 Annual Report, to direct staff to update it, bring it to the next Planning Commission meeting, and forward to the Board of County Commissioners (BCC) at the earliest convenience. The motion passed unanimously, 6:0.

Mr. Howe distributed a handout entitled *Lane County Planning Commission Recommendations—Date: February 5, 2008.*

Responding to a question from Mr. Sullivan, Mr. Howe agreed to follow up on per diem reimbursements for Commission members.

The Planning Commission took a short break.

5. Deliberation—Ordinance No ____-08 In the matter of amending Lane Code Chapters 14 and 16 to add and revise definitions and regulations to be consistent with Oregon Revised Statutes (ORSs) and Oregon Administrative Rules (OARs). (LC 14.015, LC 14.050, LC 14.170, LC 14.800, LC 16.090, LC 16.211, LC 16.212 and LC 16.292)

Ms. Schulz provided the staff report and facilitated a discussion on proposed revisions. State law mandated that Lane County adopt regulations implementing ORS and OAR definitions and regulations. The intent in most cases of the proposed revisions was to incorporate housekeeping changes and other edits that ensured the enrolled version of the guiding State Law was used for code updates.

ATTACHMENT 'A'

Lane Code 14.110

Mr. Dignam noted the notification distance had been changed from 500 feet to 750 by the State and no public comment had been received on the issue. He opined if the system was not broken, changing it would be arbitrary. He supported the 750 foot distance.

Responding to a question from Ms. Nichols, Mr. Howe said the algorithm for developing a mailing list for a specific distance was very efficient, but it would be more difficult to identify a specific number of properties.

Mr. Siekiel-Zdzienicki stated 1500 feet was a relatively short distance, equivalent to about two city blocks.

Mr. Becker asserted if the public had not asked for more distance and the information was available through other means, such as public notices and legal notices in the newspaper, he concurred with Mr. Dignam that the system was not broken. Increasing the distance would add cost to the applicant.

Mr. Sullivan disclosed that he had not listened to the recording of the Planning Commission public hearing but had discussed the public hearing with Ms. Schulz. He would honor a request not to vote if the Commission wished.

Mr. Howe said from the staff perspective if Commissioners were unbiased, informed and could make good decisions, they were eligible to vote.

There were no objections to Mr. Sullivan voting on any related motions.

Mr. Siekiel-Zdzienicki, seconded by Ms. Nichols, Siekiel-Zdzienicki moved to revise Lane Code 14.110 and Lane Code 14.300 to increase the radius for notice to surrounding property owners around a subject parcel or tract in a farm or forest zone from 500 feet to 1500 feet. The motion failed on a vote of 2:4, with Commissioners Siekiel-Zdzienicki and Nichols voting in favor, and Commissioners Becker, Dignam, Sullivan and Johnston voting in opposition to the motion.

Responding to a question from Mr. Siekiel-Zdzienicki, Mr. Howe stated State law allowed a total of 365 days for all extensions.

ATTACHMENT 'C'

Lane Code 16.090—Biofuel and Biomass

Referring to an e-mail from Commissioner Arkin, Mr. Sullivan suggested it was not necessary to add Ms. Arkin's comments since they had been addressed, but Ms. Arkin did not have the benefit of tonight's discussion prior to submitting her comments.


Commissioners discussed several scenarios related to production, storage and use of biofuels. Mr. Sullivan stated the BCC needed to know the Planning Commission was concerned about who was responsible for supervising and regulating the commercial and farm biofuel use.

ATTACHMENT 'H'

Commissioners briefly discussed applicable amendments to the Marginal Lands Zone (ML).

Mr. Dignam moved for approval by the Planning Commission of the ordinance in the matter of amending Lane Code Chapters 14 and 16, including feedback regarding the biomass discussion. Mr. Johnston offered a friendly amendment to include Mr. Siekiel-Zdzienicki's concerns regarding Attachment F, Lane Code 16.212(3)(p) "Farm stands." Mr. Johnston seconded the motion. The motion passed unanimously 6:0.

Mr. Sullivan questioned how the personal e-mail addresses of Commissioners had been provided to members of the public. He was concerned about *ex parte* contacts. Mr. Howe agreed to follow up on the issue.

 6. Ordinance No. PA _____ and Ordinance No. ____-08- In the matter of amending the Lane County Rural Comprehensive Plan (RCP) to replace outdated official plan, zone and coastal zone maps with modern maps and updating ordinance provisions describing the use and maintenance of new maps (LC 16.014, LC 16.015, LC 16.020, LC 10.315-90 and LC 10.315-91)

Mr. Miller offered the staff report. He said Land Management staff was wrapping up a multi-year effort to modernize zoning maps. He circulated a map of Plot 255 as an example of the new mapping. He said the Planning Commission would need to adopt the maps as an amendment to the Comprehensive Plan. A public hearing would take place on April 1, 2008.

Mr. Dignam commended staff for their work on the project.

With no further business, the meeting adjourned at 8:05 p.m.

(Recorded by Linda Henry)

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Memo Date: December 10, 2007
Work Session Date: February 5, 2007



TO: LANE COUNTY PLANNING COMMISSION

DEPARTMENT: Public Works Dept./Land Management Division

PRESENTED BY: Keir Miller, Associate Planner

AGENDA ITEM TITLE: 1) ORDINANCE NO. PA___-IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) TO REPLACE OUTDATED OFFICIAL PLAN, ZONE AND COASTAL ZONE MAPS WITH MODERN MAPS

2) ORDINANCE NO. ___-08- IN THE MATTER OF AMENDING LANE CODE TO UPDATE ORDINANCE PROVISIONS DESCRIBING THE USE AND MAINTENANCE OF NEW ZONE PLAN AND COASTAL ZONE MAPS (LC16.014, LC16.015, LC16.020, LC10.315-90 AND LC10.315-91)

1. PROPOSED MOTION

None Requested. This is a work session item only.

2. AGENDA ITEM SUMMARY

At a future public hearing, the Planning Commission will be asked to recommend to the Board of Commissioners amendments to the Rural Comprehensive Plan and Lane Code Chapters 10 and 16. These amendments will replace outdated official plan, zone and coastal zone maps with modern maps and amend corresponding ordinance provisions that describe the use and maintenance of new maps. The purpose of this agenda item is to familiarize the Planning Commission with this project.

3. ISSUE/PROBLEM

The current official zone and plan designation maps for Lane County were developed between 20 and 30 years ago. These aging maps remain in effect today but have become increasingly difficult to use and maintain. Two types of maps are presently in use. These include: small city Urban Growth Boundary (UGB) zoning "mylars" and Rural Comprehensive Plan (RCP) zone and plan designation "plot maps".

Maps depicting the Lane Code Chapter 10 (small city Urban Growth Boundary) zoning were created between 1976 and 1979. These maps, which are made of mylar and zipatone tape, are physically deteriorating. Day-to-day handling of the mylars causes them damage. Furthermore, reading these mylars is problematic because basic locator information such as city limits and parcel configuration has changed since they originally took effect.

In addition to the UGB mylars maps, over 1,300 individual plot maps depict official zone and plan designations for all areas of the Lane County governed by the Rural Comprehensive Plan. These maps were adopted in 1984. Each black and white map is 8.5" x 14" in size and covers a land area of 1 or 2 square miles. Over the years, individual maps have been revised and reproduced dozens of times. The visual quality and clarity of these maps has gradually degraded. Additionally, these maps face the same limitations of outdated parcel, road and city limits reference data as the UGB mylars. Finally, these maps are indexed using a complicated map number scheme which is not intuitive to the general public.

4. DISCUSSION

4.1 Background

In 2004, staff from Public Works-GIS and Land Management began a multiyear project to migrate the hundreds of hardcopy zone and plan designations maps and mylars into a modern geographic information system (GIS). The purpose of the project was to convert Lane County's outdated and overly complex official map library into a secure digital format that could be easily maintained and used to produce high quality paper maps for official adoption.

Initial work on the project was funded through a grant from the Department of Land Conservation and Development (DLCD). As a component of the Periodic Review work program, DLCD provided \$35,000 for development of the GIS zoning layer within the Siuslaw and Long Tom watersheds. Work on the project then continued with two consecutive Video-Lottery grants awarded by the Economic Development Standing Committee (EDSC). The EDSC provided \$51,650 during the 2005-2006 fiscal year and an additional \$54,475.00 in the 2006-2007 fiscal year. EDSC funding was used to complete the zoning, plan designation and coastal combining zone layers in the remainder of the county.

In December of 2006, staff completed the data development stage of the project and the following digital map layers were produced:

- RCP Base Zone Layer
- RCP Coastal Combining Zone Layer
- RCP Plan Designation Layer
- Small City Urban Growth Boundary Zone Layer

From each of these layers a series of paper maps was created. In total, 80 new plan maps, 86 new zone maps, 11 new coastal zone maps and 6 UGB maps were created. The entire set of maps is provided in .PDF format as Attachment C – Map Resource CD. These maps reflect changes in scale, design layout, color scheme, labeling, and location reference indicators such as roads, rivers, and updated tax lot parcels. No changes in the official plan or zone designations were made during the conversion of the maps.

4.2 Map Conversion Procedures

The following procedures were used to convert and review map updates:

a. RCP Zone Maps

GIS software was used to convert 705 official hardcopy zoning maps into a seamless digital layer. This process involved several phases, including; database design and development, data creation and an extensive quality control process. Lane County Public Works GIS (PWGIS) developed a geodatabase as the data format used to build and maintain the digital data. The geodatabase format provides the option of establishing specific rules that control how the spatial and tabular data is created and promotes data integrity and accuracy. Once the geodatabase was built, staff went through the process of converting the existing paper zone maps into a digital layer by using the new county parcel layer as a base.

The parcel data was created by Lane County Public Works GIS under the direction of the Parcel Mapping Project team. Precise control data was developed by the surveyor team working on the project resulting in parcel data that is accurately tied to survey locations. Parcel data is accurate to within +/- 2 feet in the urban areas, within +/- 5 feet in the developed and committed rural areas, and within +/- 20 feet in the resource lands of the County (and usually much better). In the majority of cases zoning boundaries coincide with parcel boundaries. Where this occurred, the parcel boundaries were copied into the geodatabase to serve as the new zoning boundary. This process assured very accurate zoning boundary location and assured a direct fit with the parcels. In the event the zoning boundaries crossed parcel boundaries, PWGIS relied on map analysis and the location of other GIS layers (i.e. roads, rivers) to accurately place the zoning boundary.

After all of the maps were converted, the GIS layer went through an extensive quality control / quality assurance (QC/QA) process. Land Management staff examined each zoning map and compared them to the new digital layer. Corrections were sent back to PWGIS and those changes were made and resubmitted for approval by LMD. A complete, countywide quality control review was conducted by both LMD and PWGIS staff. Additional review work was performed in more complexly zoned sub areas until the zoning layer was considered complete.

b. RCP Plan Maps

683 plan designation maps were converted to a digital layer through an automated process. Once the entire zoning file was created and proofed for accuracy a programming script was written to convert tracts of similarly zoned parcels to the correct corresponding plan designations. This process eliminated human error inherent in hand digitizing methods and ensured that the digital plan and zone layers would align exactly. In the limited situations where a correlation between zoning and plan designations could not be inferred, parcel specific research was conducted to determine to correct plan designation. The layer was then adjusted manually.

c. Coastal Combining Zone Maps

To create a digital layer for the coastal combining zones, PWGIS staff digitized the 51 coastal plot maps. The coastal combining zone boundaries were then compared to the written boundary descriptions found in the official Coastal Resource Management Plan (CRMP). When discrepancies in the plots and the official descriptions were identified staff relied on the written descriptions within the CRMP to create the final layer. Coastal maps were then subjected to a rigorous QC/QA process.

d. Urban Growth Boundary Zone Maps

Zoning information within the urban growth boundaries of Coburg, Cottage Grove, Creswell, Florence, Junction City, Oakridge and Westfir was digitized from seven separate zoning mylars. The process used to convert the UGB zoning was identical to that used to convert the RCP zoning plots. The digital UGB layer was then proofed for accuracy and vetted to the Lane County Boundary Commission to ensure that parcel-UGB spatial adjustment work was accurate.

After each of these four digital layers was created a viewing environment was built using ArcReader software. Digital zoning and plan map files were then vetted to the entire LMD planning staff for further review. For several months staff referred to both the digital maps and the hardcopy paper maps during daily research and application review. This process acted as a final test of quality assurance.

In December of 2007, the digital zoning data was used to populate a web browser-based map viewing tool. This tool, known as the "Zone and Plan Map Viewer", enables the public to access unofficial zoning information over the Internet. The tool is available at: <http://www.lanecounty.org/LaneCountyPlanMaps/>

4.3 Ordinance Updates

In conjunction with the adoption of updated plan and zone maps, language in Lane Code must be amended to properly describe how the new zone maps function and the procedures under which the maps will be maintained. These amendments include changes to the following sections of Lane Code and are included as attachments to this memo:

- LC 10.315-90 (Attachment A)
- LC 10.315-91 (Attachment A)
- LC 16.014 (Attachment B)
- LC 16.020 (Attachment B)
- LC 16.015 (Attachment B)

4.4 Policy Issues

There are no administrative policy issues that affect this agenda item.

4.5 Board Goals

Adoption of the new digitally produced zone and plan maps aligns with the Lane County Strategic Goals: 1.3.: Service Improvement / Promoting Electronic Access to Public Services and 2.2.: Resources and Planning / Information Technology.

4.6 Financial and /or Resource Considerations

Current methods of map maintenance are labor intensive and prone to error. A GIS-based mapping platform reduces the staff time required to update maps. Additionally, digitally produced maps will greatly enhance the efficiency of staff in permit processing and will be more readily available to the public via the internet. Increased public access will result in fewer trips to the county for information and fewer phone inquires to the Land Management Division.

4.7 Analysis

There is no anticipated opposition to the proposed amendments. The current official plan and zone maps have outlived their useful life cycle and updated GIS-based maps are in great demand by staff, the development community and the general public. Staff has thoroughly tested the new maps and found them satisfactory.

5. ACTION

None requested at this time.

6. FOLLOW-UP

Staff will bring this item back to the Planning Commission for a public hearing at a future date.

7. ATTACHMENTS

A: Proposed Amendments to Lane Code 10.315-90 & 10.315-91

B: Proposed Amendments to Lane Code 16.014, 16.015 & 16.020

C: Map resource CD containing:

Folder 1.	RCP Official Plan Designation Maps
Folder 2.	RCP Official Zone Maps
Folder 3.	RCP Coastal Combining Zone Maps
Folder 4.	UGB Official Zone Maps

MINUTES

Lane County Planning Commission
Board of Commissioners Conference Room—125 East 8th Avenue
Eugene, Oregon

April 15, 2008
7:00 p.m.

PRESENT: John Sullivan, Chair; Lisa Arkin, Vice Chair; Steve Dignam, Todd Johnston, Nancy Nichols, Ed Becker, Jozef Siekiel-Zdzienicki, Howard Shapiro, Lane County Planning Commissioners; Kent Howe, Stephanie Schulz, Kier Miller, Lane County Land Management Division; Celia Barry, Transportation Planning Division; Petra Schuetz, Lane Council of Governments; David Clyne, City of Junction City; Ed Moore, Department of Lane Conservation and Development.

Mr. Sullivan convened the meeting of the Lane County Planning Commission and those present introduced themselves. He noted that a decision was not required

PUBLIC HEARING: Ordinance No. PA 08-____/ Co-adoption of the Junction City – Highway 99 Refinement Plan, an Amendment to the Junction City Transportation System Plan. Applicant: City of Junction City

Mr. Sullivan opened the public hearing and called for the staff report, which would be provided by staff and the applicant's representative.

Ms. Barry reviewed the procedural background of the Junction City – Highway 99 Refinement Plan. She said a draft plan was developed following an extensive local public involvement process as described in materials provided at the Commission's previous work session on the plan. She said the Lane County Roads Advisory Committee held a work session on the plan, reviewing it for transportation-related issues as opposed to land use issues, and had forwarded it to the Lane County Planning Commission with a unanimous recommendation for adoption. She said the Junction City Planning Committee held a public hearing at which it unanimously voted to recommend adoption; the Junction City Council would also hold a public hearing after it heard the results of the Planning Commissions' public hearings. She said the Commission would be taking testimony at this hearing in order to formulate a recommendation to the Board of County Commissioners regarding co-adoption of the plan. She reviewed notification procedures and noted that the location of the hearing had been incorrectly identified as Harris Hall. She said signs had been posted directing people to the Conference Room. She acknowledged the work of Petra Schuetz and assistance of Stephanie Schulz.

Mr. Sullivan invited representatives of the applicant and other interested parties to speak to the plan.

Petra Schuetz, Lane Council of Governments, stated that Junction City's 2000 Transportation System Plan (TSP) indicated a refinement plan to Highway 99 was required in order to have a comprehensive transportation facilities plan. She said the refinement plan scope of work included an operational analysis of Highway 99, an access management plan and implementation strategy and a TSP policy audit to maintain consistency with the refinement plan. She said a technical advisory committee included a wide range of representation and concurrent citizen advisory committee was comprised of interested parties ranging from bike and pedestrian interest to the business community. She said an existing conditions

analysis of the road identified problems and formed the basis for technical brainstorming of potential alternatives.

Ms. Schuetz said the first set of alternatives included no build, local improvements only, a Holly/Ivy streets couplet, an Ivy/Juniper streets couplet and a bypass option. Reviews by the committees and public participation events resulted in the determination that three options should move forward for additional analysis: the Holly/Ivy couplet, the Ivy/Juniper couplet and a bypass option. She said further analysis based on evaluation criteria for a solution developed during the process identified the Holly/Ivy couplet as the most cost effective and highest rated alternative. She noted that Ivy Street was Highway 99. She mentioned that both committees endorsed the Holly/Ivy couplet as the preferred alternative and at an open house attended by over 90 community participants, 95 percent concurred with that selection in an informal vote.

Ms. Schuetz indicated that an access management plan was included in the refinement plan and only Policy 39 in the TSP would require revision. She reviewed the preferred alternative implementation strategy, which broke the project into five phases:

1. North couplet with Highway 99 the southbound portion and Holly Street the northbound portion
2. Local facility improvements, including the Prairie Road extension to River Road and Pitney Lane improvements
3. Improvements between Highway 99 and Pitney Lane on Highway 36
4. Highway 99/Prairie Road improvements
5. South couplet and local facility improvements

Ms. Schuetz cited a response from the Junction City planning director to the Commission's concerns about the impact of local improvements outside the urban growth boundary (UGB) on encouraging development. The response stated that improvements were a technical engineering solution to a traffic problem. This is a 20-year concept. She said in order to make those improvements there would need to be incorporation into the UGB or acknowledgement of a goal exception. She said those actions were identified in the plan as necessary prior to building the related project elements and that covered the City's concept. She said the refinement plan would also need to be acknowledged by the Oregon Transportation Commission and Lane County. She said the Oregon Department of Transportation (ODOT) had indicated the desire and willingness to reevaluate the First Street intersection to determine if there was an engineering solution that would be completely within the UGB, although the City preferred to move forward with the plan.

Mr. Sullivan asked what action the City was looking for from the Planning Commission.

David Clyne, Junction City administrator, echoed Ms. Schuetz's remarks regarding moving forward. He said the City had gone through an extensive process and by acknowledging the options for incorporating within the UGB or a goal exception had met its legal requirements. He said the new prison and hospital that would be built in Junction City made it important that a plan was in place to assure their financial contributions to its success. He encouraged the Commission to finalize the plan as presented with staff recommendations.

Ed Moore, Department of Land Conservation and Development, said he had previously worked for ODOT and in that capacity had been involved in the technical advisory committee for the project. He agreed that the City's options were limited and felt the plan tried to provide a balanced approach. He thought it was likely that some minimal improvements to some County facilities would be required to

provide safe access into and out of western Junction City. He felt the Prairie Road extension would be incorporated into the UGB fairly soon and the plan, when adopted, would play a role in the City's decision-making process with respect to any UGB expansion. He said the State was reluctant to see improvements to a rural road that benefited an urban area but was not certain there were any other alternatives. He felt the plan was solid and did not think that further study of the First Street intersection would result in any significant changes. He said ODOT would support a couplet and the plan included the necessary safeguards to assure additional planning work on any County road improvements.

Mr. Sullivan determined there were no other individuals present who wished to testify either for or against the plan and called for questions and comments from Commission members.

Mr. Johnston found language addressing rural-urban interface issues to be too vague, specifically use of the term "anticipated" with regard to not implementing certain improvements until the UGB was expanded. He hoped for a greater degree of confidence and stronger language in the plan. He said the language he referred to was in Chapter 7, page 15, third paragraph.

Ms. Nichols asked if the expanded UGB would include only the small strip of Pitney Road or the entire adjacent area. Ms. Schuetz said that if it a ugb expansion was warranted, the determination would be made during the next step when the City conducted its urbanization analysis as part of the customized periodic review.

In response to comments from Mr. Johnston and Mr. Siekiel-Zdzienicki, Ms. Barry clarified that the County code addressed Transportation Planning Rule requirements and widening of rural roads to rural standards could occur without a goal exception and without a UGB expansion; the extension of the new road could not and could only occur if the ugb was expanded or a goal exception was approved..

Mr. Moore observed that the language had been left vague because the need for a UGB expansion had not been determined. He said the City's customized periodic review would address issues raised by construction of the hospital and prison, which would consume an extensive amount of land designated as industrial. He said the periodic review would include an economic opportunities analysis, buildable lands inventory and residential lands needs assessment, adopting new 20-year population projections and identifying suitable areas for growth.

Ms. Arkin asked if public input had influenced the development of the phasing plan. Ms. Schuetz replied that the technical and citizen advisory committees both reviewed and commented on phasing, but implementation of the concept began after the public process. She said all of the alternatives, which were subjected to significant public process, identified all of the options for each alternative to demonstrate that the entire system would require more than one highway improvement. Mr. Clyne clarified that the proposed phasing was presented to the public during the Junction City Planning Commission public hearing process with the three alternatives selected for further analysis.

Mr. Becker asked why both portions of the couplet were not being built in the same phase. Ms. Schuetz said there were two primary reasons for constructing the couples in separate phases: one was the marketability of project costs by presenting it in phases and the second reason was that the plan was a 20-year solution and the most critical elements with the highest priority were in the first phases. She said elements in the later phases were least in danger of failing. Mr. Clyne explained that it fundamentally came down to financing.

Mr. Becker asked if there would need to be reconstruction of the northern couplet when the southern couplet was constructed. Mr. Clyne said the City would prefer to solve all of the problems at once if the resources were available, but financial constraints required a phased approach.

Mr. Dignam cited language from statewide land use Goal 12 prohibiting the planning or development of major transportation facilities outside urban boundaries on Class 1 and Class 2 agricultural land, unless no feasible alternative existed. He said it appeared that a major transportation facility was being planned outside an urban boundary and asked why that would not be in direct opposition to Goal 12.

Mr. Moore said it was a balancing act within the framework of the Statewide Planning Goals and for Junction City Goal 12 was one of 19 goals. He said the City had to develop a plan that balanced all of the goals and provided the best fit for the community. He said in looking at the transportation system in Junction City and the surrounding area and the City's growth it was clear there would be some urban "spillovers" that would require minimal improvements to County facilities to make them safe. He said that was why there was a process for an exception and the City would need to meet the test that there were no feasible alternatives.

Mr. Dignam reiterated his concern that the prohibition was also against planning and whether the plan was in compliance with that provision of Goal 12. Ms. Schuetz said the word "feasible" was a subjective term that could be defined in terms of political, financial, engineering or land use feasibility, etc. She said the City's solution was a balance that used those evaluation criteria to consider all feasible areas within the UGB and the preferred alternative was the most feasible solution with all those things considered. She noted that ODOT had responded to the Commission's concern on the issue by offering to conduct additional analysis to look at a technical solution completely within the UGB, but whether the impact on the community was acceptable was another issue.

Ms. Nichols asked whether the entire length of Pitney Lane shown in blue and red on Figure 4 would be new road, outside the ugb. Ms. Schuetz explained that the blue line on Figure 7.4 was existing road and indicated it would be widened to meet rural standards, and the red line indicated that portion of the road that would be new road, the capacity building portion of the project.

Mr. Dignam clarified that his question was not related to any future expansion of the UGB. His intent was to assure the plan was in compliance with Statewide Planning Goals. Mr. Moore said at this point the plan was consistent with planning goals and County road connections had to be considered in order to meet highway mobility standards.

Mr. Siekiel-Zdzienicki asked if the refinement plan should be postponed until the customized periodic review was completed. He asked if Junction City's Transportation System Plan was up-to-date. Mr. Moore replied that the City's plan was up-to-date, but the City was being impacted by two significant State facilities and that was why the City requested customized periodic review. He said there was no need to put the refinement plan on hold. Ms. Schuetz added that all planning inherently is subject to change and does not occur at the same time, and the Highway 99 concept would be used as a planning tool for future comprehensive planning and TSP updates.

Mr. Siekiel-Zdzienicki commented that adding 400 jobs to the community would change the traffic impact analysis. Ms. Schuetz noted that the hospital and prison had been considered in the Refinement Plan analysis. Mr. Clyne added that the City recognized there would be impacts and that was why they had requested the state provide funding to do comprehensive planning.

Mr. Johnston noted a typographical area in Attachment 2. He clarified that the Commission was being asked to accept the concept, not adopt or agree with the phasing or implementation of the project. Ms. Barry suggested the Commission incorporate those types of qualifiers in any motion and recommendation.

Ms. Schuetz said that the text could be amended to replace the term “anticipated” with stronger language.

Mr. Johnston asked if the plan could be determined to be in compliance with Goal 12 before ODOT had completed further analysis and reached a conclusion. If that was not possible, could the plan continue to move forward if the Commission made it’s decision contingent on ODOT’s determination that there was no feasible solution within the UGB. Ms. Schuetz said the Commission could make a decision with that contingency, but ODOT did not direct the Planning Commission to endorse additional analysis and there was no consensus among stakeholders that the analysis was necessary.

Ms. Barry referred to Goal 12 language “...unless no feasible alternative exists” and said that one could argue that the consultant’s work was by definition an alternatives analysis, and therefore the analysis to date had already made that determination as to whether a feasible alternative exists inside the ugb, and that while additional analysis could be done, there was a strong possibility that impacts on properties within the ugb would render those alternatives “unfeasible”, so based upon all those considerations she would assert that the decision that no feasible alternative existed had already been made.

Mr. Shapiro said that considering the construction of two large State facilities and Junction City’s failing streets and safety concerns, he felt the City had done a good job of planning by considering alternatives and involving the community. He would not want to cause harm by strict interpretation of a planning goal.

Ms. Arkin appreciated the fact that the plan took into account the growth that would result from siting to two State facilities in Junction City. Her concern was that while the plan was being developed the scenario in the State was changing and the governor was emphasizing transportation planning that acknowledged reduction of vehicle miles traveled and increase public transportation capacity. She asked where in the plan was the intent to increase public transportation capacity, increase bus stops, establish park and ride facilities and other strategies to take pressure of City streets through alternative modes. Mr. Clyne stated that LTD was a member of the technical advisory committee and the City was working closely with them regarding routing at the new facilities and adjustments to better serve the community.

Ms. Arkin asked if there were specific parts of the plan that put into place bus stops, park and rides and dedicated bus lanes. Mr. Clyne said that bus stops were planned at the State facilities. Ms. Schuetz added that there was no where near the demand for dedicated bus lanes.

Ms. Arkin urged thinking ahead of the curve to how things would be different in 20 years. Mr. Moore felt the plan had done a good job of providing a better pedestrian environment, providing bike lanes where currently there were none and meeting the mobility needs of motorists while allowing transit to move along the main street and have stops in areas where service was now limited. Ms. Schuetz noted that the current TSP had a transportation demand management (TDM) component with a bicycle/pedestrian circulation plan, a park and ride analysis and other TDM elements. She said her specialty was in demand management and she would not readily endorse a plan that did not have some TDM consideration. She said the solution was consistent with the downtown plan by providing two corridors that included pedestrian amenities and protection for bicyclists. She said the plan included significant infrastructure that supported other modes on a State facility that was also a freight route.

Ms. Arkin indicated she could be supportive of the plan with the caveat that in the future mandatory attention was paid to taking pressure off the area west of Highway 99 from anticipated development so that so much agricultural land and riparian areas were not impacted.

In response to a question from Mr. Sullivan, Ms. Barry said the City was requesting action by the Planning Commission to recommend co-adoption of the Junction City Highway 99 refinement plan to the Board of County Commissioners. She said the Commission could add language to the motion if it wished.

Mr. Sullivan determined that the applicant was not requesting an extension of the hearing. Mr. Siekiel-Zdzienicki asked if recommending a delay until ODOT had completed additional analysis would leave the hearing open. Mr. Sullivan said it would not; that action would reject the applicant's request. He said the Commission's options were to accept the plan as submitted, accept the plan with amendments or reject the plan.

Mr. Sullivan closed the public hearing and called for discussion.

Mr. Johnston, seconded by Mr. Dignam, moved to recommend co-adoption of the Junction City Highway 99 Refinement Plan as an amendment to the Junction City Transportation System Plan as submitted.

Mr. Johnston stated he was confident based on the Commission's discussions with the applicant that there were no feasible alternatives and there was no evidence in the record that further analysis by ODOT would contradict that. He felt the plan was well thought through and should move forward.

Mr. Dignam stated he would support the motion as his concerns regarding a feasible alternative had been satisfied by staff and the applicant. He said the plan provided good balance between meeting the needs of the pedestrian and bicycle community, motorists, transit and freight issues.

Mr. Siekiel-Zdzienicki stated he continued to be concerned with issues such as Prairie Road paralleling the railroad tracks, then veering to the northeast and crossing the UGB. He was concerned that a large section of prime farmland would be taken. He was not concerned with upgrading roads to rural standards, but was troubled by the construction of a new road through extension of Prairie Road. He wanted to see Class 1 and Class 2 soils protected and would not support the plan until the results of ODOT's additional analysis was included in the record. He said there had already been a UGB expansion to accommodate County Coach that some Planning Commission members had opposed.

Mr. Becker stated he would support the motion, but took exception to the concept of feasibility. He said the screening analysis in the plan consisted primarily of "checks" and "pluses" to support the argument there was no feasible alternative to the preferred alternative.

Ms. Arkin felt the motion as stated ignored much of the Commission's discussion, particularly the need to recognize what was ahead for the community and emphasize less vehicular traffic. She was pleased by the pedestrian and bicycle amenities added to rural roads.

Ms. Arkin offered a friendly amendment to approve the plan and encourage as the plan developed greater attention to public transportation and alternative modes, such as pedestrian and bicycle transportation.

Mr. Johnston declined to accept the friendly amendment.

Mr. Johnston explained that he felt alternative modes were important, but felt the plan did address that issue with pedestrian and bicycle improvements and was confident that the City would continue to give attention to that issue. He preferred not to attach a number of requirements to the motion.

Ms. Nichols stated she supported the motion as her concerns had been addressed during the discussion.

Mr. Shapiro emphasized the importance of considering alternative transportation modes and stated he would support the motion.

Ms. Arkin reiterated her interest in adding language to the motion to address future planning issues.

Mr. Johnston felt the record was clear in that regard and there was value in keeping the Planning Commission's recommendation simple.

Mr. Dignam stated he would support the motion as stated and believed that the plan already contained concepts regarding attention to public transportation and alternative modes of transportation.

The motion passed, 6:2; Ms. Arkin and Mr. Siekiel-Zdzienicki voting in opposition.

Ms. Arkin stated she wished to submit a minority report to call out the desire for public transportation.

Mr. Siekiel-Zdzienicki said he voted in opposition because he wanted the record to remain open until completion of ODOT's study.

Mr. Sullivan said that Ms. Arkin could submit her comments to the Board of County Commissioners and her objections would be reflected in the minutes, but a minority report would not be part of the record of the public hearing.

PUBLIC HEARING: Ordinance No. ____-08 and Ordinance No. PA ____-/ In the matter of amending the Lane County Rural Comprehensive Plan (RCP) and Lane Code Chapter 16 to replace outdated official plan, zone and coastal zone designation maps with modern maps and to amend corresponding ordinance provisions that describe the use and maintenance of new maps. (LC16.-14, LC16.015, LC16.020)

Mr. Sullivan opened the public hearing and noted that no members of the public were present. He called for the staff presentation.

Mr. Miller stated that the update concerned amendments to the Lane Code and Rural Comprehensive Plan to modernize the official zone plan and coastal designation maps. He said the need for the update and technical procedures were outlined at the commission's previous work session and that information was included in the staff report. He said little had changed since that work session with the exception that changes to the UGB maps were no longer included in the recommendation. He said legal counsel had advised that coordination with small cities was required to make even cosmetic changes to their UGB maps. He said that would occur in a separate process. He reviewed the public notice procedures and said

no public comments had been received with the exception of an inquiry about the nature of the amendment from the Goal 1 Coalition that did not include any substantive comment.

In response to a question from Mr. Becker, Mr. Miller said the maps would be available to the public on the County's website.

Mr. Siekiel-Zdzienicki pointed out a typographical error in the second sentence of the last paragraph of Finding 4 in Attachment C. Mr. Miller agreed that the sentence should be deleted. He said Attachment C pagination should indicate there were five pages in the document.

Mr. Siekiel-Zdzienicki asked for a definition of the word "conveyance" in Section 16.014(6)(k) in Attachment D. Mr. Miller said that subsection (k) was a new clause that was added to clarify interpretation of zone boundaries and avoid split zoning when a right-of-way was vacated and sold. He used a diagram to illustrate an example. He said conveyance meant to transfer ownership of property.

Mr. Siekiel-Zdzienicki asked if the original maps were deemed the authoritative guides because they were more precise. Mr. Miller said the reference was to the use of paper maps as the authoritative source and the new GIS maps would be adopted in paper format, with additional data available on the website.

Mr. Sullivan determined there was no one wishing to speak either in support or opposition. He closed the public hearing and called for discussion.

Mr. Becker observed that the update with new technology was necessary.

Mr. Siekiel-Zdzienicki said access to the maps online was a benefit to the public and the County.

Ms. Arkin, seconded by Mr. Johnston, moved that the Planning Commission recommend that the Lane County Board of Commissioners adopt amendments to the Rural Comprehensive Plan and Lane Code Chapter 16 to replace outdated official plan, zone and coastal zone maps with modern maps and to amend the corresponding ordinance provisions that describe the use and maintenance of new maps, as amended in the work session. The motion passed unanimously, 8:0.

The meeting adjourned at 8:55 p.m.

(Recorded by Lynn Taylor)

Memo Date: April 3, 2007
Public Hearing Date: April 15, 2007



TO: LANE COUNTY PLANNING COMMISSION
CC: DEPT. OF LAND CONSERVATION AND DEVELOPMENT

DEPARTMENT: Public Works Dept./Land Management Division

PRESENTED BY: Keir Miller, Associate Planner

AGENDA ITEM TITLE: ORDINANCE NO. __-08 AND ORDINANCE NO. PA__- IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) AND LANE CODE CHAPTER 16 TO REPLACE OUTDATED OFFICIAL PLAN, ZONE AND COASTAL ZONE DESIGNATION MAPS WITH MODERN MAPS AND TO AMEND CORRESPONDING ORDINANCE PROVISIONS THAT DESCRIBE THE USE AND MAINTENANCE OF NEW MAPS (LC16.014, LC16.015, LC16.020)

1. PROPOSED MOTION

The Planning Commission recommends that the Lane County Board of Commissioners adopt amendments to the Rural Comprehensive Plan and Lane Code Chapter 16 to replace outdated official plan, zone and coastal zone maps with modern maps and to amend corresponding ordinance provisions that describe the use and maintenance of new maps.

2. AGENDA ITEM SUMMARY

Land Management has developed a modern set of color, GIS-based, plan, zone and coastal zone maps. These maps are intended to replace the low quality official black and white maps that are presently in use. The Planning Commission is being asked recommend that the Board of Commissioners adopt amendments to the Rural Comprehensive Plan and Lane Code Chapter 16 that would replace the official maps and implement new ordinance provisions to describe the use and maintenance of the new maps.

3. BACKGROUND

On February 5, 2008 staff held a work session with the Planning Commission on this item. Due to the extended timeline between the work session and the public hearing, Chair Sullivan asked that staff include a copy of the work session materials with the packet for this public hearing. The staff report from the February 5 work session has been included as "Attachment E". The February 5 staff report provides background documenting the need for modern maps and also includes a detailed synopsis of the technical map conversion procedures used to develop the new maps.

4. DISCUSSION / ANALYSIS

The current proposed amendments do not differ from those outlined in the work session staff report with the one exception, outlined below.

Staff had intended on including as part of this amendment new zone maps applicable in the areas outside the city limits but within the urban growth boundaries of Coburg, Cottage Grove, Creswell, Florence, Junction City, Westfir and Oakridge. The initial proposal also provided for new language in Lane Code Chapter 10 (Small Cities Urban Growth Boundaries) that pertained to the maintenance and use of to the proposed UGB zone maps.

It has recently been determined that adoption of new maps applicable within the small city UGBs will require coordination with the affected small cities. Order No. 02-1-16-04, enacted on January 16, 2002, requires that the County notify small cities of certain actions within their "areas of interests". Though it appears unlikely that proposed cosmetic map changes have any substantive impact on the small cities or their areas of interest, the County is required to coordinate this activity with the small cities. For this reason adoption new UGB maps will be processed separately from this action in order to allow for sufficient coordination with the small cities.

The current proposed amendments would:

1. Replace the Official Lane County Plan Maps (plots 1-1015) with exact hardcopy reproductions of the maps contained in folder 1 of the Map Resources CD (previously distributed to the LCPC as "Attachment C" to the 2/5 staff report)
2. Replace the Official Lane County Zoning Maps (plots 1-1015) with exact hardcopy reproductions of the maps contained in folder 2 of the Map Resources CD (previously distributed to the LCPC as "Attachment C" to the 2/5 staff report)
3. Replace the Official Lane County Coastal Zone Maps (plots 1-70) with exact hardcopy reproductions of the maps contained in folder 3 of the Map Resources CD (previously distributed to the LCPC as "Attachment C" to the 2/5 staff report)
4. Amend Lane Code Chapter 16.014 and 16.015 and by deleting and replacing said sections with revised sections contained in "Attachment A" to this memo.
5. Amend Lane Code Chapter 16 by deleting section 0.20 (Interim Plan Designation and Zoning Maps)

Please Note: all of the proposed maps that were originally included on the resource CD are now available for download and review from the County FTP sever at:

ftp://ftp.lanecounty.org/gis/outgoing/Zone_Map_Modernization/

As stated in the February 5 work session memo, there is no anticipated opposition to the proposed amendments. The current official plan and zone maps have outlived their useful life cycle and updated GIS-based maps are in great demand by staff, the development community and the general public. Staff has thoroughly tested the new maps and found them satisfactory.

5. ACTION

5.1 Alternatives/Options

Option 1: Recommend that the Board of Commissioners adopt new official plan, zone and coastal zone designation maps and related ordinance provisions to reflect changes in map format and design.

Option 2: Recommend that the Board of Commissioners not adopt new official plan, zone and coastal zone designation maps and related ordinance provisions to reflect changes in map format and design.

5.2 Recommendation

Staff recommends option 1

6. FOLLOW-UP

Staff will forward the recommendation of the Planning Commission to the Board of Commissioners and a public hearing will be held on this matter later this spring.

7. ATTACHMENTS

A: Ordinance No PA__

B: Ordinance No __-08

C: Preliminary Findings of Fact in support of Ordinance No. PA__

D: Proposed Amendments to LC 16.014, LC 16.015 and LC, 16.020

E: February 2, 2008, LCPC staff report