



LAND MANAGEMENT DIVISION

TEMPORARY STORAGE ON WILDFIRE-AFFECTED PROPERTIES

PUBLIC WORKS DEPARTMENT 3050 NORTH DELTA HIGHWAY, EUGENE OR 97408
PLANNING: 541-682-3577 BUILDING: 541-682-4651 SANITATION: 541-682-3754

This handout outlines land use laws and Building Codes concerning temporary storage sites in the Rural Residential Zone (RR-RCP), Rural Commercial Zone (RC-RCP), and Rural Industrial Zone (RI-RCP) after the Holiday Farm Fire. This guide is for informational purposes only and is not to be considered a substitute for the language of state or local regulations.

TEMPORARY STORAGE/STAGING

On July 22, 2021, the Oregon Land Conservation and Development Commission (LCDC) adopted revisions to a series of Oregon Administrative Rules (OAR) pertaining to rural lands affected by the 2020 wildfires. The new rules create opportunities for counties to approve staging sites and storage buildings for non-hazardous debris or construction equipment and materials needed for wildfire recovery.

OAR 660-004-0040 (14) / OAR 660-004-0050 (3) allow for a temporary storage site for nonhazardous debris, construction materials and equipment, logs, or other materials resulting from recovery efforts or otherwise associated with damage caused by a wildfire identified in an Executive Order issued by the Governor in accordance with the Emergency Conflagration Act, ORS 476.510 through 476.610.

Lane County may approve temporary storage or staging sites on lands zoned Rural Residential (RR), Rural Commercial (RC), or Rural Industrial (RI) in areas outside of unincorporated communities. A Type II application will be required in order to approve the temporary use. As part of the Type II application, a temporary building may be proposed for the temporary storage or staging use.

If the Type II application is approved, applicants must then obtain building permits from Lane County and complete all necessary inspections. When inspections are complete, the building will be given a Temporary Certificate of Occupancy (TCO). The requirement for a building permit would be made a condition of approval of the Type II land use decision.

Pursuant to the State rules, approval of temporary storage uses is allowed through September 8, 2023 with allowances for two 12-month extensions. If the Type II land use proposal is approved and a TCO is issued, **temporary buildings must be removed or converted to an allowable use by September 8, 2023.** This can be extended to 2023 or 2024 depending if one year extensions are obtained.

CONVERSION / REMOVAL

A temporary storage/staging structure may be converted to an allowable use with approvals and payment of necessary permit fees.

If the owner builds a primary dwelling, it may be possible for the temporary structure to be converted to an accessory structure if it meets all land use and building code requirements in effect at that time. If you intend to convert the temporary structure into a permanent structure in the future, please consult with Planning and Building staff about the requirements for the future use. You may want to ensure that the temporary structure does not conflict with future planned development, including dwellings, septic systems, wells, or other desired property features. Additionally, the allowances for conversion will be based on zoning and development standards in effect at the time of conversion. Please work closely with Planning and Building staff to confirm which standards will apply at that time. Please note that approval of the Type II application will not guarantee that conversion will be guaranteed in the future and separate permitting processes may be necessary.

If you do not place a dwelling by September of 2025, the temporary structure must be removed. You must obtain a demolition permit and pay the necessary permit fees to Lane County by September 8, 2025. Failure to do so may result in compliance actions.

If the property is sold, the same restrictions for the use and timeline of the temporary structure apply to the new owners.

LAND USE REQUIREMENTS

Temporary storage/staging structures must meet all applicable land use regulations, including setbacks from property lines, roads, and other structures; and setbacks from environmental features such as riparian areas and floodplains. If a storage building is proposed inside the floodplain, a floodplain development permit will be required before the structure can be placed.

A planner can help you determine whether your property is eligible for a temporary storage structure. See office hours and locations at the end of this handout.

Version 11/2021

BUILDING CODE REQUIREMENTS

Temporary structures follow the same building code requirements as those that apply for a Residential Accessory Structure (RACC), including:

- The structure must be built in compliance with current Oregon Residential Specialty Code.
- The structure must be for an allowed use, and must meet all access requirements and fire code requirements.
- Square footage is limited to 2,000 sq.ft. without a geotechnical report for properties with geotechnical risks, and 3,000 sq. ft. area limitation as per R328.4 ORSC 2021.

If the building will be converted to an allowable use, the property owner must meet with Planning, Sanitation, and Building department representatives for approval to convert the temporary structure to an allowed RACC use after the issuance of a building permit for the Single Family Dwelling. (see more discussion above).

Once the approval from Planning, Sanitation, and Building has been obtained, the Building Official will remove the Temporary Certificate of Occupancy and grant the final Certificate of Occupancy for the structure as a permanent RACC building.

FOR MORE INFORMATION

Please visit with the Planner on Duty and the Builder on Duty if you have questions about these rules or wish to apply for a temporary storage site.

The Planner on Duty can be reached at 541-682-3577; the Builder on Duty can be reached at 541-682-4651.

You may also visit in person at the locations and times listed below:

Upriver Locations - drop in

Lane County staff are at the McKenzie School new gym (51187 Blue River Dr.) each Tuesday between 10 a.m. and 3 p.m., and at the Leaburg Fire Station (42870 McKenzie Hwy) each Thursday between 9:30 a.m. and 12:00 p.m.

Customer Service Center - drop in

The Customer Service Center (3050 N. Delta Highway, Eugene) is also open for drop-in consultations for all customers from 9:00 a.m. to 3:00 p.m., Monday-Friday.