

LANE CODE 16.211 - IMPACTED FOREST LANDS (F-2) ZONE

PROPOSED CITATION	PROPOSED LANGUAGE	CURRENT CITATION	CURRENT LANGUAGE	STAFF NOTES	STATE LAW
(1)	<p>(1) Purpose The purpose of the Impacted Forest Land (F-2) Zone is to protect and maintain forest lands for grazing, and rangeland use and forest use, consistent with existing and future needs for agricultural and forest products. The F-2 zone is also intended to allow other uses that are compatible with agricultural and forest activities, to protect scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water, and land resources of the county. The F-2 zone has been applied to lands designated as Forest in the Comprehensive Plan. The provisions of the F-2 zone reflect the forest land policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-006. The minimum parcel size and other standards established by this zone are intended to promote commercial forest operations.</p>	(1)	<p>(1) Purpose. The purposes of the Impacted Forest Lands Zone (F-2, RCP) are: (a) To implement the forest land policies of the Lane County Rural Comprehensive Plan and the forest land policies of the Eugene/Springfield Metro Area General Plan; and (b) To conserve forest land for uses consistent with Statewide Planning Goal #4, OAR 660-006 and ORS 215.700 through 215.799.</p>	Revised purpose statement	
Table 16.211-1	<p>(2) Use Table Table of Permitted Uses Table 16.211-1 sets forth the uses allowed in the F-2 zone subject to Type I, II, or III approval processes. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require a Type I, II, or, III process, unless otherwise specified on Table 16.211-1. All uses and their accessory buildings are subject to the general provisions, special conditions, additional restrictions, siting standards, fire siting standards, and exceptions set forth in LC 16.211. As used in Table 16.211-1: (a) Use Type: (i) "A" means the use is allowed outright or permitted subject to standards. (ii) "C" means the use is a Conditional Use, subject to Section (4) and other listed criteria. (b) Local Procedure Type: (i) "P" means the use is permitted outright; uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this Chapter. (ii) "AL" means Assembly License, subject to LC 3.995. (iii) Type I uses and activities are permitted subject to the general provisions and exceptions set forth by this chapter of Lane Code. (iv) Type II uses may be allowed provided a land use application is submitted and approved by the Director pursuant to LC Chapter 14. (v) Type III uses may be allowed provided a land use application is submitted and approved by the Hearings Official pursuant to LC Chapter 14. (c) The "Subject To" column identifies any specific provisions of LC</p>			New Use Table	

	<p>16.211 to which the use is subject. All uses and development are subject to the development standards provisions of LC 16.211(5)(b) and (6)(c). Uses, activities, and structures identified as a Type I use that do not comply with LC 16.211(5)(a)(i) are subject to LC 16.211(5)(a)(ii) and must be processed according to Type II procedure.</p>				
		(2)	<p>(2) Permitted Uses. The uses and activities in LC 16.211(2)(a) through (i), (n) and (o)(ii) below are allowed without the need for notice and the opportunity for appeal, subject to compliance with the general provisions and exceptions prescribed by this chapter of Lane Code. A determination by the Director for whether or not a use fits within the classification of uses listed in LC 16.211(2) below may constitute a "permit" as defined by ORS 215.402(4), "...discretionary approval of a proposed development of land..." For such a determination, an owner of land where the use would occur may apply in writing to the Director to provide mailed notice of the determination to nearby owners pursuant to LC 14.100(3) and (4) with the opportunity for appeal pursuant to LC 14.500. The burden of proof in the application shall be upon the owner of land to demonstrate that the proposed use fits within the classification. The Director shall provide a disclosure statement regarding this option for notice and the opportunity for appeal to owners of land applying for land use compatibility statements or permits with Lane County for the uses listed in LC 16.211(2) below.</p>	The Use Table now covers most of this information	
		(3)	<p>(3) Special Uses - Director Review. The uses in LC 16.211(3)(a) through (g-g) below are allowed subject to compliance with the general provisions and exceptions in LC Chapter 16 and with the specific requirements in LC 16.211(3) below. Each use in 16.211(3)(a) through (g-g) below shall require submittal of an application pursuant to LC 14.050, and review and approval of the application pursuant to LC 14.100 with the options for the Director to conduct a hearing or to provide written notice of the decision and an opportunity for appeal. A use in LC 16.211(3)(a) through (s), (z) and (a-a) through (g-g) below may be allowed if it will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands and excluding LC 16.211(3)(f-f) below if it will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel. A use in LC 16.211(3)(t) through (y) below may be allowed if there is adequate information demonstrating that the use fits the use classification in LC 16.211(3)(t) through (y) below. A condition for approval of a use in LC 16.211(3)(c), (j), (n), (o) and (r) below shall be a written statement recorded with the deed or written contract with Lane County is obtained from the landowner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules.</p>	The Use Table now covers most of this information	

1.1	Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals and disposal of slash	(2)(a)	(a) Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of forest tree species, application of chemicals, and disposal of slash.		OAR 660-006-0025(2)(a)
1.2	Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation	(2)(b)	(b) Temporary onsite structures that are auxiliary to and used during the term of a particular forest operation. "Auxiliary" means a use or alteration of a structure or land that provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded.	moved the definition of 'auxiliary' to LC 16.090	OAR 660-006-0025(2)(b)
1.3	Physical alterations to the land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities	(2)(c)	(c) Physical alteration to the land auxiliary to forest practices including, but not limited to those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities. "Auxiliary" means a use or alteration of a structure or land that provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded.	moved the definition of 'auxiliary' to LC 16.090	OAR 660-006-0025(2)(c)
1.4	Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources	(3)(t)	(t) Uses to conserve soil, air, and water quality and to provide for wildlife and fisheries resources.	Currently Director level use in 16.211, changing to Type I review	OAR 660-006-0025(3)(a)
1.5	Farm use as defined in LC 16.090.	(2)(d)	(d) Farm use (see the definition of "Farm Use" in LC 16.090).		OAR 660-006-0025(3)(b); ORS 215.203 Definition
1.6	Uninhabitable structures accessory to fish and wildlife enhancement	(3)(x)	(x) Uninhabitable structures accessory to fish and wildlife enhancement.	Currently Director level use in 16.211, changing to a Permitted Use	OAR 660-006-0025(3)(k)
1.7	Agricultural building	(2)(n)	(n) An agricultural building, as defined in LC 16.090, customarily provided in conjunction with farm use or forest use. A person may not convert an agricultural building authorized by this section to another use. Placement of the structure must comply with LC 16.211(8)(a)(v) and (8)(c)(i)(aa).	Definition is located in LC 16.090	OAR 660-006-0025(3)(r)
1.8	Log scaling and weigh stations	(3)(b)	(b) Log scaling and weigh stations.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(c)
1.9	Forest management research and experimentation facilities as defined by ORS 526.215 or where accessory to forest operations		(s) Forest management research and experimentation facilities described by ORS 526.215 or where accessory to forest operations.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(x)
1.10	Marijuana production	(2)(p)	(p) Marijuana production, subject to Lane Code 16.420.		ORS 475B.370 – marijuana as crop defined in ORS 215.203; OAR 660-006-0025(3)(b);
1.11	Marijuana wholesale distribution	(2)(q)	(q) Marijuana wholesale distribution, subject to Lane Code 16.420.		ORS 475B.370 – marijuana as crop defined in ORS 215.203;

					OAR 660-006-0025(3)(b);
1.12	Marijuana research	(2)(r)	(r) Marijuana research, subject to Lane Code 16.420.		
2.1, (3)(q)	Caretaker residences for public parks and public fish hatcheries. (3)(q) For single-family dwellings, the landowner must sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.	(2)(h)	(h) Caretaker residences for public parks and public fish hatcheries subject to compliance with the siting criteria in LC 16.211(8) below. Land use approval of a permit described in LC 16.211(2)(h) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(5)(d)(ii) and (iii), an application for a two-year extension of the timelines for the permit approval described in LC 16.211(2)(h) above may be made and approved pursuant to LC 14.700(2).	Use Changed from Type I to a Type II review	OAR 660-006-0025(3)(j)
2.2, (3)(a), (3)(q)	Large tract forest dwelling. (3)(a) A large tract forest dwelling may be allowed on a lot or parcel zoned for forest use, but it must comply with other provisions of law, including the following: (i) The tract does not include a dwelling. (ii) The tract is at least 160 contiguous acres or 200 acres in one ownership that are not contiguous but are in the same county or adjacent counties and zoned for forest use. (aa) A tract cannot be considered to consist of less than 160 acres because it is crossed by a public road or a waterway. (iii) Prior to issuance of a building permit, a deed restriction must be filed for all tracts that are used to meet the acreage requirements of this subsection pursuant to: (aa) The applicant must provide evidence that the covenants, conditions, and restrictions form adopted as "Exhibit A" in OAR chapter 660, division 6 has been recorded with the county clerk of the county or counties where the property subject to the covenants, conditions, and restrictions is located. (bb) The covenants, conditions, and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions and restrictions is located. (3)(q) For single-family dwellings, the landowner must sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.	16.211(7)	(7) Large Tract Dwelling. One single family dwelling is allowed subject to prior submittal of an application pursuant to LC 14.050, approval of the application pursuant to LC 14.100 with the options for the Director to conduct a hearing or to provide written notice of the decision and an opportunity for appeal, and compliance with the general provisions and exceptions in LC Chapter 16, LC 16.211(7)(a) through (f) and LC 16.211(8) below. (a) Is sited on a tract that does not contain a dwelling or manufactured home. (b) Is sited on a tract that: (i) Contains at least 160 contiguous acres; or (ii) Contains at least 200 acres in one ownership that are not contiguous but are in the same county or adjacent counties and zoned for forest use. (c) Prior to land use clearance of a building permit for the dwelling when the lot or parcel where the dwelling will be located is part of a tract, the covenants, conditions and restrictions form adopted as Exhibit A in OAR 660-006-027(7)(a) shall be completed and recorded by the property owner in Lane County Deeds and Records and a copy of the recorded instrument provided to the Director. The covenants, conditions and restrictions in the deed restriction: (i) Shall be irrevocable, unless a statement of release is signed by the Director; (ii) May be enforced by the Department of Land Conservation and Development or by Lane County; and (iii) Shall, together with a map or other record depicting any tract which does not qualify for a dwelling, be maintained in the Department records and be readily available to the public. The failure to follow the requirements of LC 16.211(7)(d) above shall not affect the validity of the transfer of property or the legal remedies available to the buyers of the property which is the subject of the covenants, conditions and restrictions required by this subsection. (d) Approval of a dwelling or manufactured dwelling shall comply with the requirements in LC 16.211(7)(d)(i) through (iv) below: (i) The owner of the tract shall plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to		(If a dwelling not allowed under ORS 215.720(1)) ORS 215.740 large tract forest dwelling

			<p>meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules;</p> <p>(ii) The Director shall notify the County Assessor of the above condition at the time the dwelling is approved;</p> <p>(iii) If the lot or parcel is more than ten acres, the property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules; and</p> <p>(iv) If the Department of Forestry determines that the tract does not meet those requirements and notifies the owner and the Assessor that the land is not being managed as forest land, the Assessor will remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.</p> <p>(e) Land use approval of a permit described in LC 16.211(7) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.211(7)(e) above may be made and approved pursuant to LC 14.700(2).</p> <p>(f) The Director shall require as a condition of approval that the landowner for the dwelling sign and record in the Lane County deed records a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.</p>		
2.3, (3)(b), (3)(q), (3)(r)	<p>Lot of record dwelling.</p> <p>(3)(b) A lot of record dwelling may be allowed on a lot or parcel zoned for forest use pursuant to the following:</p> <p>(i) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in paragraph (iv):</p> <p>(aa) Since prior to January 1, 1985; or</p> <p>(bb) By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985;</p> <p>(ii) The tract on which the dwelling will be sited does not include a dwelling;</p> <p>(iii) If the lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of that tract;</p> <p>(iv) For purposes of this subsection, "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or combination of these family members;</p>	16.211(6)	<p>(6) Lot of Record Dwelling. One single family dwelling is allowed subject to prior submittal of an application pursuant to LC 14.050, approval of the application pursuant to LC 14.100 with the options for the Director to conduct a hearing or to provide written notice of the decision and an opportunity for appeal, and compliance with the general provisions and exceptions in LC Chapter 16, LC 16.211(6)(a) through (j) and LC 16.211(8) below.</p> <p>(a) "Owner" includes wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or combination of these family members.</p> <p>(b) "Commercial tree species" means "trees recognized under rules adopted under ORS 527.715 for commercial production."</p> <p>(c) The lot or parcel on which the dwelling will be sited was:</p> <p>(i) Lawfully created; and</p> <p>(ii) Acquired and owned continuously by the present owner since prior to January 1, 1985, or acquired by devise or by interstate succession from a person who acquired the lot or parcel prior to January 1, 1985.</p> <p>(d) The tract on which the dwelling will be sited does not include a</p>		ORS 215.705(1), OAR 660-006-0024(1)(f)

(v) The dwelling must be located on a tract that is composed of soils not capable of producing 5,000 cubic feet per year of commercial tree species and is located within 1,500 feet of a public road as defined in LC Chapter 15 that provides or will provide access to the subject tract. The road must be maintained and either paved or surfaced with rock and cannot be:

(aa) A United States Bureau of Land Management road; or

(bb) A United States Forest Service road unless the road is paved to a minimum width of 18 feet, there is at least one defined lane in each direction and a maintenance agreement exists between the United States Forest Service and landowners adjacent to the road, a local government or a state agency;

(vi) When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract must be consolidated into a single lot or parcel when the dwelling is allowed; and

(vii) When the lot or parcel on which the dwelling will be sited lies within an area designated in the Rural Comprehensive Plan as habitat of big game, the siting of the dwelling must be consistent with the limitations on density upon which the Rural Comprehensive Plan and land use regulations intended to protect the habitat are based.

(3)(q) For single-family dwellings, the landowner must sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

(3)(r) For single-family dwellings, the approval is valid for four years from the date of approval, unless otherwise specified in the approval or by other provisions of Lane Code. Notwithstanding the requirements of LC Chapter 14, an application for a two year extension of the timelines for the permit approval can be made and approved pursuant to LC Chapter 14.

dwelling.

(e) If the lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, then no dwelling exists on another lot or parcel that was part of that tract.

(f) The dwelling will be located on a tract that:

(i) Is composed of soils not capable of producing 5,000 cubic feet per year of commercial tree species;

(ii) Is located within 1,500 feet of a public road that provides or will provide access to the subject tract. The road shall be maintained and either paved or surfaced with rock and shall meet the following requirements:

(aa) A "Public Road" means, "a road over which the public has a right of use that is a matter of public record;"

(bb) Shall not be a United States Bureau of Land Management road; and

(cc) Shall not be a United States Forest Service road unless the road is paved to a minimum width of 18 feet, there is at least one defined lane in each direction and a maintenance agreement exists between the United States Forest Service and landowners adjacent to the road, a local government or a state agency.

(g) If the lot or parcel where the dwelling will be located is part of a tract, then prior to land use clearance of the permit for the dwelling on this tract, the tract shall be consolidated into a single lot or parcel.

(h) Approval of a dwelling shall comply with LC 16.211(6)(i)(i) through (iv) below.

(i) The owner of the tract shall plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules;

(ii) The Director shall notify the County Assessor of the above condition at the time the dwelling is approved;

(iii) If the lot or parcel is more than ten acres, the property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules; and
(iv) If the Department of Forestry determines that the tract does not meet those requirements and notifies the owner and the Assessor that the land is not being managed as forest land, the Assessor will remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

(i) Land use approval of a permit described in LC 16.211(6) above shall be valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two-year extension of the timelines for the permit approval described in LC 16.211(6)(j) above may be made and approved pursuant to LC 14.700(2).

(j) The Director shall require as a condition of approval that the landowner for the dwelling sign and record in the Lane County deed records a document binding the landowner, and the landowner's

			successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.	
2.4, (3)(c), (3)(q), (3)(r)	<p>Template Dwelling.</p> <p>(3)(c) A single family “template” dwelling authorized on a lot or parcel located within a forest zone pursuant to the following:</p> <p>(i) If the lot or parcel is predominantly composed of soils that are:</p> <p>(aa) Capable of producing zero to 49 cubic feet per acre per year of wood fiber if:</p> <p>(A) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and</p> <p>(B) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.</p> <p>(bb) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:</p> <p>(A) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and</p> <p>(B) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.</p> <p>(cc) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:</p> <p>(A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and</p> <p>(B) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.</p> <p>(ii) Lots or parcels within urban growth boundaries cannot be used to satisfy the eligibility requirements of subsection (i) above;</p> <p>(iii) A dwelling, as used in subsection (i) above, is considered to be in the 160-acre template if any part of the parcel is in the 160-acre template;</p> <p>(iv) Except as provided by subsection (v) below, if the subject tract abuts a road that existed on January 1, 1993, the measurement required in (i) above may be made by creating a 160 acre rectangle that is one mile long and 1/4 mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road;</p> <p>(v) The following applies where a tract 60 acres or larger abuts a road or perennial stream:</p> <p>(aa) The measurement must be made in accordance with paragraph (iv). However, one of the three required dwellings must be on the same side of the road or stream as the tract, and:</p> <p>(A) Be located within a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and</p>	16.211(5)	<p>(5) Template Dwelling. One single-family dwelling is allowed subject to prior submittal of an application pursuant to LC 14.050, approval of the application pursuant to LC 14.100 with the options for the Director to conduct a hearing or to provide written notice of the decision and an opportunity for appeal, and compliance with the general provisions and exceptions in LC Chapter 16, LC 16.211(5)(a) through (f) and LC 16.211(8) below.</p> <p>(a) The tract upon which the dwelling will be located has no other dwellings on it.</p> <p>(b) The lot or parcel upon which the dwelling will be located was lawfully created.</p> <p>(c) The lot or parcel upon which the dwelling will be located:</p> <p>(i) Is predominantly composed of soils that are capable of producing zero to 49 cubic feet per acre per year of wood fiber; and</p> <p>(aa) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract measured and counted as follows:</p> <p>(A) If the subject tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road;</p> <p>(B) If the subject tract is 60 acres or larger and abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract that is to the maximum extent possible, aligned with the road or stream;</p> <p>(C) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements in LC 16.211(5)(c)(i)(aa) above.</p> <p>(bb) At least three dwellings or existed on January 1, 1993, and continue to exist on the other lots or parcels described in LC 16.211(5)(c)(i)(aa) above. If the measurement is made pursuant to LC 16.211(5)(c)(i)(aa)(B) above and if a road crosses the subject tract, then at least one of the three required dwellings or shall be located:</p> <p>(A) On the same side of the road as the proposed residence; and</p> <p>(B) On the same side of the road or stream as the subject tract and located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center on the subject tract that is to the maximum extent possible aligned with the road or stream and within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle; or</p> <p>(ii) Is predominantly composed of soils that are capable of producing 50 to 85 cubic feet per acre per year of wood fiber; and</p> <p>(aa) All or part of at least seven other lots or parcels that existed on</p>	ORS 215.750

that is, to the maximum extent possible aligned with the road or stream; or

(B) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160 acre rectangle, and on the same side of the road or stream as the tract; and

(bb) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings must be on the same side of the road as the proposed dwelling;

(vi) A proposed "template" dwelling under this section is not allowed:

(aa) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan, Lane Code, or other provisions of law;

(bb) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under paragraph (3)(a)(iii) for the other lots or parcels that make up the tract are met; or

(cc) If the tract on which the dwelling will be sited includes a dwelling;

(vii) Where other lots or parcels that make up a tract in Subsection (vi):

(vi):

(aa) The applicant must provide evidence that the covenants, conditions, and restrictions form adopted as "Exhibit A" in OAR chapter 660, division 6 has been recorded with the county clerk of the county or counties where the property subject to the covenants, conditions, and restrictions is located;

(bb) The covenants, conditions, and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions, and restrictions is located;

(viii) The county planning director shall maintain a copy of the covenants, conditions, and restrictions filed in the county deed records pursuant to this section and a map or other record depicting tracts do not qualify for the siting of a dwelling under the covenants, conditions, and restrictions filed in the county deed records pursuant to this section. The map or other record required by this subsection shall be readily available to the public in the county planning office.

(3)(q) For single-family dwellings, the landowner must sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

(3)(r) For single-family dwellings, the approval is valid for four years from the date of approval, unless otherwise specified in the approval or by other provisions of Lane Code. Notwithstanding the requirements of LC Chapter 14, an application for a two year extension of the timelines for the permit approval can be made and

January 1,1993, are within a 160 acre square centered on the center of the subject tract measured and counted as follows:

(A) If the subject tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road;

(B) If the subject tract is 60 acres or larger and abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract that is to the maximum extent possible, aligned with the road or stream;

(C) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements in LC 16.211(5)(c)(ii)(aa) above.

(bb) At least three dwellings existed on January 1, 1993, and continue to exist on the other lots or parcels described in LC 16.211(5)(c)(ii)(aa) above. If the measurement is made pursuant to LC 16.211(5)(c)(ii)(aa)(B) above and if a road crosses the subject tract, then at least one of the three required dwellings shall be located:

(A) On the same side of the road as the proposed residence; and

(B) On the same side of the road or stream as the subject tract and located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center on the subject tract that is to the maximum extent possible aligned with the road or stream and within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle; or

(iii) Is predominantly composed of soils that are capable of producing 85 cubic feet per acre per year of wood fiber; and

(aa) All or part of at least eleven other lots or parcels that existed on January 1,1993, are within a 160 acre square centered on the center of the subject tract measured and counted as follows:

(A) If the subject tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road;

(B) If the subject tract is 60 acres or larger and abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract that is to the maximum extent possible, aligned with the road or stream;

(C) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements in LC 16.211(5)(c)(iii)(aa) above.

(bb) At least three dwellings existed on January 1, 1993, and continue to exist on the other lots or parcels described in LC 16.211(5)(c)(iii)(aa) above. If the measurement is made pursuant to LC 16.211(5)(c)(iii)(aa)(B) above and if a road crosses the subject tract, then at least one of the three required dwellings shall be located:

approved pursuant to LC Chapter 14.

(A) On the same side of the road as the proposed residence; and
(B) On the same side of the road or stream as the subject tract and located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center on the subject tract that is to the maximum extent possible aligned with the road or stream and within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle.

(d) Approval of a dwelling shall comply with the requirements in LC 16.211(5)(d)(i) through (iv) below:

(i) The owner of the tract shall plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules;

(ii) The Director shall notify the County Assessor of the above condition at the time the dwelling is approved;

(iii) If the lot or parcel is more than ten acres, the property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules; and
(iv) If the Department of Forestry determines that the tract does not meet those requirements and notifies the owner and the Assessor that the land is not being managed as forest land, the Assessor will remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

(e) Prior to land use clearance of a building permit for the dwelling, when the lot or parcel on which the dwelling will be located is part of a tract, the remaining portions of the tract shall be consolidated into a single lot or parcel and a deed restriction using the form provided in OAR 660-06-027(7), "Exhibit A," shall be completed and recorded with Lane County Deeds and Records. The covenants, conditions and restrictions in the deed restriction:

(i) Shall be irrevocable, unless a statement of release is signed by the Director;

(ii) May be enforced by the Department of Land Conservation and Development or by Lane County;

(iii) Shall, together with a map or other record depicting any tract that does not qualify for a dwelling, be maintained in the Department records and be readily available to the public; and

(iv) The failure to follow the requirements of LC 16.211(5)(e) above shall not affect the validity of the transfer of property or the legal remedies available to the buyers of the property that is the subject of the covenants, conditions and restrictions required by LC 16.211(5)(e) above.

(f) Land use approval of a permit described in LC 16.211(5) above shall be valid for four years from the date of the approval.

Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.211(5)(f) above may be made and approved pursuant to LC 14.700(2).

			(g) The Director shall require as a condition of approval that the landowner for the dwelling sign and record in the Lane County deed records a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.	
2.5, (3)(d), (3)(q), (q)(r)	<p>Alteration, restoration, or replacement of a lawfully established dwelling.</p> <p>(3)(d) Alteration , restoration, or replacement of a lawfully established dwelling, subject to the following: (i) The dwelling was lawfully established; (ii) The lawfully established dwelling: (aa) Has intact exterior walls and roof structures; (bb) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system; (cc) Has interior wiring for interior lights; and (dd) Has a heating system; (iii) In the case of replacement, is removed, demolished, or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling.</p> <p>(3)(q) For single-family dwellings, the landowner must sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.</p> <p>(3)(r) For single-family dwellings, the approval is valid for four years from the date of approval, unless otherwise specified in the approval or by other provisions of Lane Code. Notwithstanding the requirements of LC Chapter 14, an application for a two year extension of the timelines for the permit approval can be made and approved pursuant to LC Chapter 14.</p>	16.211(4)	<p>(4) Alteration, Restoration Or Replacement Of A Lawfully Established Dwelling Or Manufactured Dwelling.</p> <p>(a) The alteration, restoration, or replacement of a lawfully established dwelling or manufactured dwelling is an allowed use without the need for notice and the opportunity for appeal subject to compliance with the general provisions and exceptions in LC Chapter 16, LC 16.211(8) below and with these requirements: (i) The property owner provides: (aa) Building permit or land use application records from the Lane County Land Management Division indicating that the existing dwelling or manufactured dwelling was lawfully constructed or placed on the subject property; or (bb) Records from the Lane County Assessment and Taxation Office indicating that the structure has existed on the property and been taxed on a continuous, annual basis from a date that, as determined by the Director, predates zoning that would restrict or regulate the establishment of a dwelling on the subject property. (ii) The dwelling or manufactured dwelling has: (aa) intact exterior walls and roof structure; (bb) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system; (cc) interior wiring for interior lights; and (dd) a heating system. (iii) An alteration or replacement of a dwelling allowed by LC 16.211(4)(a) above shall be located on the same site as the existing dwelling. For the purpose of LC 16.211(4)(a)(iii) above, "the same site" is defined as a square with dimensions of 200 feet which is centered on the footprint of the established dwelling.; (iv) For a replacement, the dwelling to be replaced must be removed, demolished, or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling; (v) Land use approval of a permit described in LC 16.211(4)(a) above is valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.211(4)(a)(v) above may be made and approved pursuant to LC 14.700(2); (vi) A temporary manufactured dwelling or park model recreation vehicle approved under LC 16.211(3)(o) above is not eligible for replacement under LC 16.211(4)(a) above; and (vii) The Director shall require as a condition of approval that the landowner for the dwelling sign and record in the Lane County deed</p>	OAR 660-006-0025(3)(o)/ORS 215.755

			<p>records a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.</p> <p>(b) The alteration, restoration, or replacement of a lawfully established dwelling that does not meet the requirements in LC 16.211(4)(a)(i) or (iii) above is allowed subject to prior submittal of an application pursuant to LC 14.050, approval of the application pursuant to LC 14.100 with the options for the Director to conduct a hearing or to provide written notice of the decision and an opportunity for appeal, and compliance with the general provisions and exceptions in LC Chapter 16, LC 16.211(8) below and with these requirements:</p> <p>(i) There is objective evidence demonstrating that the existing dwelling was lawfully placed on the subject property. The burden of proof is upon the applicant to provide this evidence to the Director;</p> <p>(ii) The dwelling or manufactured dwelling has: (aa) intact exterior walls and roof structure;</p> <p>(bb) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;</p> <p>(cc) interior wiring for interior lights; and (dd) a heating system.</p> <p>(iii) For a replacement, the dwelling to be replaced must be removed, demolished, or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling;</p> <p>(iv) Land use approval of a permit described in LC 16.211(4)(b) above is valid for four years from the date of the approval. Notwithstanding the requirements in LC 14.700(2)(d)(ii) and (iii), an application for a two year extension of the timelines for the permit approval described in LC 16.211(4)(b)(iv) above may be made and approved pursuant to LC 14.700(2);</p> <p>(v) A temporary manufactured dwelling or park model recreation vehicle approved under LC 16.211(3)(o) above is not eligible for replacement under LC 16.211(4)(b) above; and</p> <p>(vi) The Director shall require as a condition of approval that the landowner for the dwelling sign and record in the Lane County deed records a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.</p>		
2.6, (3)(e)	<p>Temporary hardship dwelling.</p> <p>(3)(e) A temporary hardship dwelling is subject to the following:</p> <p>(i) One manufactured dwelling (MH) or recreational vehicle (RV) may be allowed in conjunction with an existing dwelling as a temporary use for the term of the hardship suffered by the existing resident or relative, subject to the following:</p>	(3)(o)	<p>(o) One manufactured home or recreational vehicle in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the resident or a relative of the resident subject to compliance with these requirements:</p> <p>(i) As used in LC 16.211(3)(o) above, "hardship" means, "a medical hardship or hardship for the care of an aged or infirm person or persons;"</p>	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(t); defined in ORS 215.213

	<p>(aa) The MH or RV must use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If a public sanitary sewer system is available, the MH or RV may connect to the public system and not use a subsurface sewage disposal system;</p> <p>(bb) Except as provided in (3)(e)(i)(cc) below, approval of a temporary MH or RV permit is valid until December 31 of the year following the year of original permit approval and may be renewed once every two years until the hardship situation ceases or unless in the opinion of the Lane County Sanitarian the on-site sewage disposal system no longer meets DEQ requirement;</p> <p>(cc) Within 90 days of the end of the hardship situation, the MH or RV must be removed from the property, converted to an allowable nonresidential use or demolished; and</p> <p>(dd) The temporary MH or RV will comply with Oregon Department of Environmental Quality review and removal requirements;</p> <p>(ii) As used in this section "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons; and</p> <p>(iii) A temporary MH or RV approved under (3)(e) above cannot be eligible for replacement under (3)(d) above.</p>		<p>(ii) As used in LC 16.211(3)(o) above, "relative of the resident" means, "a child, parent, stepparent, grandchild, grandparent, step grandparent, sibling, stepsibling, niece, nephew or first cousin of the existing residents;"</p> <p>(iii) The manufactured home or recreational vehicle must use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling.</p> <p>(iv) The temporary manufactured home or recreational vehicle will comply with Oregon Department of Environmental Quality review and removal requirements;</p> <p>(v) Except as provided in LC 16.211(3)(o)(vi) below, approval of a temporary manufactured home or recreational vehicle permit is valid until December 31 of the year following the year of original permit approval and may be renewed once every two years until the hardship situation ceases or unless in the opinion of the Lane County Sanitarian the on-site sewage disposal system no longer meets DEQ requirements;</p> <p>(vi) Within 90 days of the end of the hardship situation, the manufactured home or recreational vehicle must be removed from the property, converted to an allowable nonresidential use, or demolished; and</p> <p>(vii) A temporary manufactured home or recreational vehicle approved under LC 16.211(3)(o) above shall not be eligible for replacement under LC 16.211(4) below.</p>		
3.1	Temporary portable facility for the primary processing of forest products	(3)(v)	(v) Temporary portable facility for the primary processing of forest products.	Changing use from Type II to Type I review	OAR 660-006-0025(3)(d)
3.2	Temporary forest labor camps	(3)(y)	(y) Temporary forest labor camps.	Changing use from Type II to Type I review	OAR 660-006-0025(3)(l)
3.3	Private hunting and fishing operations without any lodging accommodations	(2)(e)	(e) Private hunting and fishing operations without any lodging accommodations.		OAR 660-006-0025(3)(e)
3.4	Parking of up to seven dump trucks and trailers			New Use, subject to conditional use review criteria	OAR 660-006-0025(3)(q); ORS 215.311(4)-(6); (4)(a) and (4)(b) per ORS 215.311(6)
3.5, (3)(g)	<p>(3)(g) An in-home commercial activity must comply with the following requirements:</p> <p>(i) Meets the criteria under Section (3)(f)(i), (ii), (iii), (v), and (vi);</p> <p>(ii) Is operated by no more than five employees, who all reside in the dwelling;</p> <p>(iii) Is conducted within a dwelling or one accessory structure;</p> <p>(iv) Does not occupy more than 25 percent of the combined floor area of the dwelling or accessory structure, including attached garage and one accessory structure;</p> <p>(v) Does not serve clients or customers on-site;</p> <p>(vi) Does not include the on-site advertisement, display or sale of stock in trade, other than vehicle or trailer signage; and</p>			New use, suggested by the Model Code, tweaked by staff	

	(vii) Does not include the outside storage of materials, equipment, or products.				
3.6, (3)(f)	<p>(3)(f) A home occupation must:</p> <p>(i) Be operated by a resident or employee of a resident of the property on which the business is located;</p> <p>(ii) Employ on the site no more than five full-time or part-time persons at any given time;</p> <p>(iii) Be operated substantially in the dwelling or other buildings normally associated with uses permitted in the F-1 Zone;</p> <p>(iv) Not unreasonably interfere with other uses permitted on nearby lands;</p> <p>(v) Comply with sanitation and building code requirements prior to start of Home Occupation; and</p> <p>(vi) Not be used as a justification for a zone change.</p>	(3)(n)	<p>(n) Home occupations that comply with these requirements:</p> <p>(i) Shall be operated by a resident of the property on which the business is located;</p> <p>(ii) Shall employ on the site no more than five full-time or part-time persons</p> <p>(iii) Shall be operated substantially in the dwelling, or other existing buildings normally associated with uses permitted by LC 16.211(2) above;</p> <p>(iv) No structure shall be constructed for the home occupation that would not otherwise be allowed by LC 16.211(2) above;</p> <p>(v) Shall not unreasonably interfere with uses permitted by the zoning of nearby lands or with uses allowed by LC 16.211(2) above;</p> <p>(vi) Shall comply with sanitation and building code requirements;</p> <p>(vii) Shall not be used as a justification for a zone change;</p> <p>(viii) Shall comply with any additional conditions of approval established by the Approval Authority; and</p> <p>(ix) Approved applications for home occupations shall be valid until December 31 of the year following the year that the application was initially approved or until December 31 of the year for which an extension of the approval was granted by the Director as provided in LC 16.212(3)(n)(ix) below. Prior to December 31 of the year that the approval expires, the property owner or applicant who received initial approval, or a renewal pursuant to LC 16.212(3)(n)(ix), shall provide the Director with written request for renewal of the home occupation and written information sufficient to allow the Director to determine if the Conditions of Approval and other approval criteria have been satisfied. The Director shall review this information for each approved home occupation to determine if it continues to comply with the conditions of approval. Home occupations which continue to comply with the conditions of approval shall receive a two-year extension of approval to December 31 of the following year, and such extension shall be put in writing by the Director and mailed to the owner of the property upon which the home occupation is located. Home occupations which do not comply with the conditions of approval, or for which a request for renewal is not received pursuant to this section, shall not receive extended approval by the Director, and the Director shall mail written notice of the decision not to extend the approval to the owner of the property upon which the home occupation is located.</p>	Policy change. Current LC prohibits new buildings to be constructed. Subject to the new conditions use review criteria.	OAR 660-006-0025(4)(s); ORS 215.448
3.7, (3)(l)	<p>Permanent facility for the primary processing of forest products.</p> <p>(3)(l) Permanent facility for the primary processing of forest products.</p> <p>(i) Located in a building or buildings that do not exceed 10,000 square feet in total floor area; or</p> <p>(ii) Located in an outdoor area that does not exceed one acre</p>	(3)(z)	<p>(z) Permanent facility for the primary processing of forest products that shall not significantly conflict with the existing uses on adjacent and nearby lands.</p>	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(a)

	excluding laydown and storage yards; or (iii) Located in a proportionate combination of indoor and outdoor areas described in Sections (3)(l)(i) and (ii); and (iv) Adequately separated from surrounding properties to reasonably mitigate noise, odor, and other impacts generated by the facility that adversely affect forest management and other existing uses, as determined by Lane County.				
3.8	Permanent logging equipment repair and storage	(3)(a)	(a) Permanent logging equipment repair and storage.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(b)
3.9 (3)(h)	Private seasonal accommodations for fee hunting operations. (3)(h) Private seasonal accommodations for fee hunting operations are subject to the following requirements: (i) Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; (ii) Only minor incidental and accessory retail sales are permitted; and (iii) Accommodations are occupied temporarily for the purpose of hunting during either or both game bird or big game hunting seasons authorized by the Oregon Fish and Wildlife Commission.	(3)(d-d)	(d-d) Private seasonal accommodations for fee hunting operations may be allowed subject to LC 16.211(8), and these requirements: (i) Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; (ii) Only minor incidental and accessory retail sales are permitted; (iii) Accommodations are occupied temporarily for the purpose of hunting during game bird or big game hunting seasons, or both, authorized by the Oregon Fish and Wildlife Commission; and (iv) The use does not significantly conflict with the existing uses on adjacent and nearby lands.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(p)
3.10, (3)(i)	Private accommodations for fishing occupied on a temporary basis. (3)(i) Private accommodations for fishing occupied on a temporary basis are subject to the following requirements: (i) Accommodations limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; (ii) Only minor incidental and accessory retail sales are permitted; (iii) Accommodations occupied temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and (iv) Accommodations must be located within one-quarter mile of fish-bearing Class I waters.	(3)(r)	(r) Private accommodations for fishing occupied on a temporary basis may be allowed provided the Oregon Department of Fish and Wildlife (hereafter ODF&W) is consulted by the Planning Director at least ten working days prior to the initial permit decision. Approval of the seasonal use and facility shall comply with LC 16.211(8) below, and these requirements: (i) Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; (ii) Only minor incidental and accessory retail sales are permitted; (iii) Accommodations are occupied temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and (iv) Accommodations are located within one-quarter mile of fish bearing Class I waters.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(w)
3.11	Marijuana processing, provided an on-site dwelling is present	(3)(g-g)	(g-g) Marijuana processing with a special use permit provided a dwelling is present, subject to Lane Code 16.420.	LC 16.090; Interpretation made by Board and part of adopted and acknowledged Lane Code 16.420. Subject to the new conditions use review criteria	
4.1	Exploration for aggregate resources as defined in ORS chapter 517	(3)(w)	(w) Exploration for mineral and aggregate resources as defined in ORS Chapter 517.	Use changed from Type II to Type I review	OAR 660-006-0025(3)(e)
4.2	Exploration for and production of geothermal, gas, oil and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head	(2)(i)	(i) Exploration for and production of geothermal, gas, oil, and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head.		OAR 660-006-0025(3)(m)

4.3	Mining and processing of oil, gas or other subsurface resources, as defined in ORS chapter 520, and not otherwise permitted by 4.2 above (e.g. compressors, separators, and storage servicing multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS chapter 517	(3)(b-b)	(b-b) Mining and processing of oil, gas, or other subsurface resources, as defined in ORS chapter 520, and not otherwise permitted under LC 16.211(2)(i) above (e.g., compressors, separators and storage serving multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS chapter 517 that shall not significantly conflict with the existing uses on adjacent and nearby lands.	Use Changed from Type II to a Type III review per Model Code suggestion, these uses usually get elevated to a hearing.	OAR 660-006-0025(4)(g)
4.4	Temporary asphalt and concrete batch plants as accessory uses to specific highway projects	(3)(m)	(m) Temporary asphalt and concrete batch plants as accessory uses to specific highway projects. Within 30 days of the temporary asphalt and concrete batch plants no longer being used as accessory uses to specific highway projects, the site shall be restored to its condition prior to placement of the temporary asphalt and concrete batch plants.	Subject to the new conditions use review criteria	OAR 660-006-0025(4) [®]
5.1	Climbing and passing lanes within the right of way existing as of July 1, 1987	(2)(m)(i)	(m) Widening of roads within existing rights-of-way and the following: (i) Climbing and passing lanes within the right-of-way existing as of July 1, 1987;		OAR 660-006-0025(3)(h); ORS 215.213(1)(j)
5.2	Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result	(2)(m)(ii)	(ii) Reconstruction or modification as defined in LC 15.010 of public roads and highways, including channelization as defined in LC 15.010, the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result;		OAR 660-006-0025(3)(h); ORS 215.213(1)(k)
5.3	Temporary public road and highway detours that will be abandoned and restored to condition or use in effect prior to construction of the detour at such time as no longer needed	(2)(m)(iii)	(iii) Temporary public road and highway detours that will be abandoned and restored to the condition or use in effect prior to construction of the detour at such time as no longer needed; or		OAR 660-006-0025(3)(h); ORS 215.213(1)(L)
5.4	Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways	(2)(m)(iv)	(iv) Minor betterment of existing public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, within right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.		OAR 660-006-0025(3)(h); ORS 215.213(1)(m)
5.5	Operations, maintenance, and repair as defined in LC 15.010 of existing transportation facilities, services, and improvements, including road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals	(2)(m)(v)	(v) Operations, maintenance, and repair as defined in LC 15.010 of existing transportation facilities, services, and improvements, including road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals.		OAR 660-0012-0045(1)(a)(A)
5.6	Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards	(2)(m)(vi)	(vii) Dedication and acquisition of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are otherwise allowable and consistent with clear and objective dimensional standards.		OAR 660-0012-0045(1)(a)(B)
5.7	Preservation as defined in LC 15.010, and rehabilitation activities and projects as defined in LC 15.101 for existing transportation facilities, services, and improvements, including road bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals	(2)(m)(vii)	(vi) Preservation as defined in LC 15.010, and rehabilitation activities and projects as defined in LC 15.010 for existing transportation facilities, services, and improvements, including road, bicycle, pedestrian, port, airport and rail facilities, and major regional		

			pipelines and terminals.		
5.8	Changes in the frequency of transit, rail and airport services	(2)(m)(viii)	(viii) Changes in the frequency of transit, rail and airport services.		OAR 660-0012-0045(1)(a)(D)
5.9	Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels	(3)(q)(i)	(q) Transportation facilities and uses described as follows: (i) Construction of additional passage and travel lanes requiring the acquisition of right-of-way but not resulting in the creation of new land parcels;	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(v); ORS 215.213(2)(p)
5.10	Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels	(3)(q)(ii)	(ii) Reconstruction or modification as defined in LC 15.010 of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels;	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(v); ORS 215.213(2)(q)
5.11	Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required but not resulting in the creation of new land parcels	(3)(q)(iii)	(iii) Improvement of public roads and highway-related public facilities such as maintenance yards, weigh stations and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels;	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(v); ORS 215.213(2)(r)
5.12	Bikeways, footpaths, and recreation trails not otherwise allowed as a modification or part of an existing road	(3)(q)(iv)	(iv) Bikeways, footpaths, and recreation trails not otherwise allowed as a reconstruction or modification project or part of an existing road.	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(h)
5.13	Park and ride lots	(3)(q)(v)	(v) Park and ride lots.	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(i)
5.14	Railroad mainlines and branch lines	(3)(q)(vi)	(vi) Railroad mainlines and branchlines.	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(j)
5.15	Pipelines	(3)(q)(vii)	(vii) Pipelines.	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(k)
5.16, (3)(m)	Navigation channels (3)(m) Certain transportation facilities and uses must comply with the following: (i) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer; (ii) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and (iii) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.	(3)(q)(viii)	(viii) Navigation channels.	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(l)
5.17, (3)(m)	Realignment as defined in LC 15.010 not otherwise permitted pursuant to this chapter.	(3)(q)(ix)	(ix) Realignment as defined in LC 15.010 not otherwise allowed under LC 16.211(2) or 16.211(3), and subject to LC 16.211(13).	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(d)

	<p>(3)(m) Certain transportation facilities and uses must comply with the following:</p> <p>(i) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;</p> <p>(ii) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and</p> <p>(iii) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.</p>				
5.18, (3)(m)	<p>Replacement of an intersection with an interchange.</p> <p>(3)(m) Certain transportation facilities and uses must comply with the following:</p> <p>(i) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;</p> <p>(ii) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and</p> <p>(iii) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.</p>	(3)(q)(x)	(x) Replacement of an intersection with an interchange, subject to LC 16.211(13).	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(e)
5.19, (3)(m)	<p>Continuous median turn lanes.</p> <p>(3)(m) Certain transportation facilities and uses must comply with the following:</p> <p>(i) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;</p> <p>(ii) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and</p>	(3)(q)(xi)	(xi) Continuous median turn lanes subject to LC 16.211(13).	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(f)

	(iii) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.				
5.20, (3)(m)	<p>New roads as defined in LC 15.010 that are County Roads functionally classified as Local Roads or Collectors, or are Public Roads or Local Access Roads as defined in LC 15.010(35) in areas where the function of the road is to reduce local access to or local traffic on a state highway.</p> <p>(3)(m) Certain transportation facilities and uses must comply with the following:</p> <p>(i) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;</p> <p>(ii) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and</p> <p>(iii) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.</p>	(3)(q)(xii)	(xii) Subject to LC 16.211(13), New Roads as defined in LC 15.010 that are County Roads functionally classified as Local Roads or Collectors, or are Public Roads or Local Access Roads as defined in LC 15.010(35) in areas where the function of the road is to reduce local access to or local traffic on a state highway. These roads shall be limited to two travel lanes. Private access and intersections shall be limited to rural needs or to provide adequate emergency access.	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(g)
5.21, (3)(m)	<p>Transportation facilities, services, and improvements other than those listed in LC 16.211 that serve local travel needs.</p> <p>(3)(m) Certain transportation facilities and uses must comply with the following:</p> <p>(i) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;</p> <p>(ii) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and</p> <p>(iii) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.</p>	(3)(q)(xiii)	(xiii) Subject to LC 16.211(13), transportation facilities, services and improvements other than those listed in LC 16.211 that serve local travel needs. The travel capacity and level of service of facilities and improvements serving local travel needs shall be limited to that necessary to support rural land uses identified in the Rural Comprehensive Plan or to provide adequate emergency access.	Subject to the new conditions use review criteria	OAR 660-012-0065(3)(o)
5.22	Expansion of lawfully existing airports	(3)(p)	(p) Expansion of lawfully existing airports.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(u)
6.1	Local distribution lines (e.g. electric, telephone, natural gas) & accessory equipment (e.g. electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment that	(3)(u)	(u) Local distribution lines (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment that	Changing use from Type II to Type I review	OAR 660-006-0025(3)(c)

	provides service hookups, including water service hookups		provide service hookups, including water service hookups.		
6.2	Water intake facilities, canals and distribution lines for farm on and ponds	(2)(g)	(g) Water intake facilities, canals and distribution lines for farm irrigation and ponds.		OAR 660-006-0025(3)(i)
		(2)(j)	(j) Disposal site for solid waste that has been ordered established by the Environmental Quality Commission under ORS 459.049, together with the equipment, facilities or buildings necessary for its operation.	Not applicable in Lane County	ORS 459.049
6.3	Disposal site for solid waste approved by the governing body of a city or county or both and for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation;	(3)(a-a)	(a-a) Disposal site for solid waste approved by the Lane County Board of Commissioners or a city council or both for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation and that shall not significantly conflict with the existing uses on adjacent and nearby lands.		OAR 660-006-025(4)(d)
6.4	Television , microwave and radio communication facilities and transmission towers	(3)(e)	(e) Television, microwave, and radio communication facilities and transmission towers. In addition to the requirements in LC 16.211(3) above, a communication facility that is a telecommunications facility as defined by LC 16.264(2) shall comply with LC 16.264.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(h)
6.5	New electric transmission lines with right-of-way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g. gas, oil, geothermal, telephone, fiber optic cable) with rights-of-way 50 feet or less in width	(3)(l)	(l) New electric transmission lines with right-of-way widths of up to 100 feet as specified in ORS 772.210; and new distribution lines (e.g., electrical, gas, oil, geothermal, telephone, fiber optics cables) with rights-of-way 50 feet or less in width.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(q)
6.6	Water intake facilities, related treatment facilities, pumping stations and distribution lines	(3)(i)	(i) Water intake facilities, related treatment facilities, pumping stations, and distribution lines.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(l)
6.7	Reservoirs and water impoundments	(3)(i)	(j) Reservoirs and water impoundment.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(m)
6.8, (3)(j)	Commercial utility facilities for the purpose of generating power. (3)(j) A commercial utility facility for the purpose of generating power cannot preclude more than 10 acres from use as a commercial forest operation, unless an exception is taken pursuant to OAR 600, Division 4.	(3)(g)	(g) Commercial utility facilities for the purpose of generating power that do not preclude more than 10 acres from use as a commercial forest operation unless an exception is taken pursuant to OAR 660, division 4.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(j)
6.9	Telecommunication tower changeout		Section (12)	Existing policy in acknowledged LC 16.264	
6.10	Collocation to an existing telecommunication tower: Spectrum Act exemption eligible		Section (12)	Changing use from Type II to Type I review	2009 FCC declaratory ruling & Section 6409(a) of Spectrum Act
6.11	Collocation to an existing telecommunication tower		Section (12)	Subject to the new conditions use review criteria	LC 16.264
6.12	New telecommunication tower or replacement tower	16.211(12)	(12) Telecommunication Facilities. Telecommunication facilities are allowed subject to compliance with the requirements of LC 16.264 and with applicable requirements elsewhere in LC Chapter 16 including but not necessarily limited to: the riparian vegetation protection standards in LC 16.253; Floodplain Combining Zone (LC	Subject to the new conditions use review criteria	1996 Telecom Act

			<p>16.244); Willamette Greenway Development Permits (LC 16.254); the Coastal Resource Management Combining Zones (LC 16.234, 16.235, 16.236, 16.237, 16.238, 16.239, 16.240, 16.241, 16.242, or 16.243); Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state; the Commercial Airport Safety Combining Zone (LC 16.245) and the Airport Safety Combining Zone (LC 16.246); and the Sensitive Bird Habitat protection Standards and Criteria in LC 16.005(4).</p> <p>(13) Transportation facilities and uses listed in LC 16.211(3)(q)(ix) through</p> <p>(xiii) shall comply with the following:</p> <p>(a) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;</p> <p>(b) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and</p> <p>(c) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.</p>	
7.1	Towers and fire stations for forest fire protection	(2)(f)	(f) Towers and fire stations for forest fire protection.	OAR 660-006-0025(3)(g)
7.2, (3)(n)	<p>(3)(n) Youth Camps</p> <p>(i) The purpose of a youth camp is to provide for the establishment of a youth camp that is generally self-contained and located on a parcel suitable to limit potential impacts on nearby and adjacent land and to be compatible with the forest environment. Changes to or expansions of youth camps established prior to June 14, 2000, are subject to the provisions of ORS 215.130.</p> <p>(ii) An application for a proposed youth camp must comply with the following:</p> <p>(aa) The number of overnight camp participants that may be accommodated must be determined by Lane County, based on the size, topography, geographic features and any other characteristics of the proposed site for the youth camp. Except as provided by paragraph (3)(n)(ii)(bb) a youth camp cannot provide overnight accommodations for more than 350 youth camp participants, including staff.</p> <p>(bb) Lane County may allow up to eight (8) nights during the calendar year when the number of overnight participants may exceed the total number of overnight participants allowed under paragraph (3)(n)(ii)(aa).</p> <p>(cc) Overnight stays for adult programs primarily for individuals over</p>	(3)(f-f)	<p>(f-f) A youth camp that complies with LC 16.211(11) below. A "youth camp" is a facility either owned or leased, and operated by a state or local government, or a nonprofit corporation as defined under ORS 65.001, to provide an outdoor recreational and educational experience primarily for the benefit of persons 21 years of age and younger. Youth camps do not include any manner of juvenile detention center or juvenile detention facility. Changes to or expansions of youth camps established prior to June 14, 2000, shall be subject to the provisions of ORS 215.130.</p> <p>(11) Youth Camps. The purpose of LC 16.211(11) below is to provide for the establishment of a youth camp that is generally self-contained and located on a parcel suitable to limit potential impacts on nearby and adjacent land and to be compatible with the forest environment. A "youth camp" is a facility either owned or leased, and operated by a state or local government, or a nonprofit corporation as defined under ORS 65.001, to provide an outdoor recreational and educational experience primarily for the benefit of persons 21 years of age and younger. Youth camps do not include any manner of juvenile detention center or juvenile detention facility. Changes to or expansions of youth camps established prior to June 14, 2000, shall be subject to the provisions of ORS</p>	ORS 215.457; OAR 660-006-0031

21 years of age, not including staff, cannot exceed 10 percent of the total camper nights offered by the youth camp.

(dd) The use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

(ee) A campground as described in Subsection (3)(k) cannot be established in conjunction with a youth camp.

(ff) A youth camp cannot be allowed in conjunction with an existing golf course.

(gg) A youth camp cannot interfere with the exercise of legally established water rights on adjacent properties.

(iii) The youth camp must be located on a lawful parcel that is:

(aa) Suitable to provide a forested setting needed to ensure a primarily outdoor experience without depending upon the use or natural characteristics of adjacent and nearby public and private land. This determination is based on the size, topography, geographic features and any other characteristics of the proposed site for the youth camp, as well as, the number of overnight participants and type and number of proposed facilities.

(bb) Is at least 40 acres in size.

(cc) Suitable to provide a protective buffer to separate the visual and audible aspects of youth camp activities from other nearby and adjacent lands. The buffers must consist of forest vegetation, topographic or other natural features as well as structural setbacks from adjacent public and private lands, roads, and riparian areas. The structural setback from roads and adjacent public and private property is 250 feet unless the governing body, or its designate sets a different setback based upon the following criteria that may be applied on a case-by-case basis:

(A) The proposed setback will prevent conflicts with commercial resource management practices;

(B) The proposed setback will prevent a significant increase in safety hazards associated with vehicular traffic; and

(C) The proposed setback will provide an appropriate buffer from visual and audible aspects of youth camp activities from other nearby and adjacent resource lands.

(dd) Suitable to provide for the establishment of sewage disposal facilities without requiring a sewer system as defined in OAR 660-011-0060(1)(f). Prior to granting final approval, the governing body or its designate must verify that a proposed youth camp will not result in the need for a sewer system.

(iv) A youth camp may provide for the following facilities:

(aa) Recreational facilities limited to passive improvements, such as open areas suitable for ball fields, volleyball courts, soccer fields, archery or shooting ranges, hiking and biking trails, horseback riding or swimming that can be provided in conjunction with the site's natural environment. Intensively developed facilities such as tennis courts, gymnasiums, and golf courses are not allowed. One swimming pool may be allowed if no lake or other water feature suitable for

215.120. An application for a youth camp shall comply with these requirements:

(a) The number of overnight camp participants that may be accommodated shall be determined by the Approval Authority based on the size, topography, geographic features and any other characteristics of the proposed site for the youth camp. Except as provided by LC 16.211(11)(b) below, a youth camp shall not provide overnight accommodations for more than 350 youth camp participants, including staff;

(b) The Approval Authority may allow up to eight (8) nights during the calendar year when the number of overnight participants may exceed the total number of overnight participants allowed under LC 16.211(11)(a) above;

(c) Overnight stays for adult programs primarily for individuals over 21 years of age, not including staff, shall not exceed 10 percent of the total camper nights offered by the youth camp;

(d) A campground as described in LC 16.211(3)(c) shall not be established in conjunction with a youth camp;

(e) A youth camp shall not be allowed in conjunction with an existing golf course;

(f) A youth camp shall not interfere with the exercise of legally established water rights on adjacent properties;

(g) A youth camp shall be located on a lawful parcel that is:

(i) Suitable to provide a forested setting needed to ensure a primarily outdoor experience without depending upon the use or natural characteristics of adjacent and nearby public and private land. This determination shall be based on the size, topography, geographic features and any other characteristics of the proposed site for the youth camp, as well as, the number of overnight participants and type and number of proposed facilities. A youth camp shall be located on a parcel containing at least 40 acres;

(ii) Suitable to provide a protective buffer to separate the visual and audible aspects of youth camp activities from other nearby and adjacent lands. The buffers shall consist of forest vegetation, topographic or other natural features as well as structural setbacks from adjacent public and private lands, roads, and riparian areas. The structural setback from roads and adjacent public and private property shall be 250 feet unless the governing body, or its designate sets a different setback based upon the following criteria that may be applied on a case-by-case basis:

(aa) The proposed setback will prevent conflicts with commercial resource management practices;

(bb) The proposed setback will prevent a significant increase in safety hazards associated with vehicular traffic; and

(cc) The proposed setback will provide an appropriate buffer from visual and audible aspects of youth camp activities from other nearby and adjacent resource lands.

(iii) Suitable to provide for the establishment of sewage disposal facilities without requiring a sewer system as defined in OAR 660-011-

aquatic recreation is located on the subject property or immediately available for youth camp use.

(bb) Primary cooking and eating facilities must be included in a single building. Except in sleeping quarters, the governing body, or its designate, may allow secondary cooking and eating facilities in one or more buildings designed to accommodate other youth camp activities. Food services are limited to the operation of the youth camp and provided only for youth camp participants. The sale of individual meals may be offered only to family members or guardians of youth camp participants.

(cc) Bathing and laundry facilities except that they cannot be provided in the same building as sleeping quarters.

(dd) Up to three camp activity buildings, not including primary cooking and eating facilities.

(ee) Sleeping quarters including cabins, tents, or other structures. Sleeping quarters may include toilets, but, except for the caretaker's dwelling, cannot include kitchen facilities. Sleeping quarters can be provided only for youth camp participants and must not be offered as overnight accommodations for persons not participating in youth camp activities or as individual rentals.

(ff) Covered areas that are not fully enclosed.

(gg) Administrative, maintenance, and storage buildings; permanent structure for administrative services, first aid, equipment and supply storage, and for use as an infirmary if necessary or requested by the applicant.

(hh) An infirmary may provide sleeping quarters for the medical care provider (e.g. Doctor, Registered Nurse, Emergency Medical Technician, etc.).

(ii) A caretaker's residence may be established in conjunction with a youth camp, if no other dwelling exists on the subject property.

(v) A proposed youth camp must comply with the following fire safety requirements:

(aa) The fire siting standards in Section (6).

(bb) A fire safety protection plan must be developed for each youth camp that includes the following:

(A) Fire prevention measures;

(B) On site pre-suppression and suppression measures; and

(C) The establishment and maintenance of fire safe area(s) in which camp participants can gather in the event of a fire.

(cc) Except as determined under paragraph (3)(n)(v)(dd), a youth camp's on-site fire suppression capability must at least include:

(A) A 1000 gallon mobile water supply that can access all areas of the camp;

(B) A 30 gallon-per-minute water pump and an adequate amount of hose and nozzles;

(C) A sufficient number of fire-fighting hand tools; and

(D) Trained personnel capable of operating all fire suppression equipment at the camp during designated periods of fire danger.

(dd) An equivalent level of fire suppression facilities may be

0060(1)(f). Prior to granting final approval, the Approval Authority shall verify that a proposed youth camp will not result in the need for a sewer system.

(h) A youth camp may provide for the following facilities:

(i) Recreational facilities limited to passive improvements, such as open areas suitable for ball fields, volleyball courts, soccer fields, archery or shooting ranges, hiking and biking trails, horse back riding or swimming that can be provided in conjunction with the site's natural environment. Intensively developed facilities such as tennis courts, gymnasiums, and golf courses shall not be allowed. One swimming pool may be allowed if no lake or other water feature suitable for aquatic recreation is located on the subject property or immediately available for youth camp use;

(ii) Primary cooking and eating facilities shall be included in a single building. Except in sleeping quarters, the governing body, or its designate, may allow secondary cooking and eating facilities in one or more buildings designed to accommodate other youth camp activities. Food services shall be limited to the operation of the youth camp and shall be provided only for youth camp participants. The sale of individual meals may be offered only to family members or guardians of youth camp participants;

(iii) Bathing and laundry facilities except that they shall not be provided in the same building as sleeping quarters;

(iv) Up to three camp activity buildings, not including primary cooking and eating facilities;

(v) Sleeping quarters including cabins, tents or other structures. Sleeping quarters may include toilets, but, except for the caretaker's dwelling, shall not include kitchen facilities. Sleeping quarters shall be provided only for youth camp participants and shall not be offered as overnight accommodations for persons not participating in youth camp activities or as individual rentals;

(vi) Covered areas that are not fully enclosed;

(vii) Administrative, maintenance and storage buildings; permanent structure for administrative services, first aid, equipment and supply storage, and for use as an infirmary if necessary or requested by the applicant;

(viii) An infirmary may provide sleeping quarters for the medical care provider, (e.g. Doctor, Registered Nurse, Emergency Medical Technician, etc.);

(ix) A caretaker's residence may be established in conjunction with a youth camp if no other dwelling exists on the subject property.

(i) A proposed youth camp shall comply with the following fire safety requirements:

(i) The fire siting standards in LC 16.211(8)(c) and (e) above;

(ii) A fire safety protection plan shall be developed for each youth camp that includes the following:

(aa) Fire prevention measures;

(bb) On site pre-suppression and suppression measures; and (cc) The establishment and maintenance of fire safe area(s) in which camp

	<p>determined by the governing body, or its designate. The equivalent capability must be based on the Oregon Department of Forestry's (ODF) Wildfire Hazard Zone rating system, the response time of the effective wildfire suppression agencies, and consultation with ODF personnel if the camp is within an area protected by ODF and not served by a local structural fire protection provider.</p> <p>(ee) The provisions of paragraph (3)(n)(v)(dd) may be waived by the governing body, or its designate, if the youth camp is located in an area served by a structural fire protection provider and that provider informs the governing body in writing that on-site fire suppression at the camp is not needed.</p> <p>(vi) The Director, or its designate, requires as a condition of approval of a youth camp, that the land owner of the youth camp sign and record in the deed records for the county a document binding the land owner, or operator of the youth camp if different from the owner, and the land owner's or operator's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.</p>		<p>participants can gather in the event of a fire.</p> <p>(iii) Except as determined under LC 16.211(11)(i)(iv) below, a youth camp's on-site fire suppression capability shall at least include:</p> <p>(aa) A 1,000-gallon mobile water supply that can access all areas of the camp;</p> <p>(bb) A 30-gallon-per-minute water pump and an adequate amount of hose and nozzles;</p> <p>(cc) A sufficient number of fire fighting hand tools; and</p> <p>(dd) Trained personnel capable of operating all fire suppression equipment at the camp during designated periods of fire danger.</p> <p>(iv) An equivalent level of fire suppression facilities may be determined by the Approval Authority. The equivalent capability shall be based on the Oregon Department of Forestry's (ODF) Wildfire Hazard Zone rating system, the response time of the effective wildfire suppression agencies, and consultation with ODF personnel if the camp is within an area protected by the ODF and not served by a local structural fire protection provider;</p> <p>(v) The provisions of LC 16.211(11)(i)(iv) above may be waived by the Approval Authority if the youth camp is located in an area served by a structural fire protection provider and that provider informs the governing body in writing that on-site fire suppression at the camp is not needed.</p> <p>(j) The Approval Authority shall require as a condition of approval of a youth camp, that the land owner of the youth camp sign and record in the deed records for the county a document binding the land owner, or operator of the youth camp if different from the owner, and the land owner's or operator's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.</p>		
7.3	Aids to navigation and aviation	(3)(h)	(h) Aids to navigation and aviation.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(k)
7.4	Firearms training facility as provided in ORS 197.770	(3)(c-c)	(c-c) Firearms training facility that shall not significantly conflict with the existing uses on adjacent and nearby lands.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(n)
7.5	Fire stations for rural fire protection	(3)(f)	(f) Fire stations for rural fire protection.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(i)
7.6	Cemeteries	(3)(k)	(k) Cemeteries.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(o)
7.7	Public parks and public campgrounds, including those uses specified under OAR 660-034-0035 or OAR 660-034-0040	(3)(d)	(d) Public parks including those uses specified under OAR 660-034-0035	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(f)
7.8, (3)(k)	<p>Private parks and private campgrounds.</p> <p>(3)(k) Private Parks and Private Campgrounds.</p> <p>(i) Campgrounds in private parks may be permitted, subject to the following:</p> <p>(aa) Except on a lot or parcel contiguous to a lake or reservoir,</p>	(3)(c)	<p>(c) Private parks and campgrounds that comply with these requirements:</p> <p>(i) Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR 660, division 4;</p>	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(e)

	<p>campgrounds are not allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4;</p> <p>(bb) A campground must be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites;</p> <p>(cc) Campgrounds authorized by this rule cannot include intensively developed recreational uses such as swimming pools, tennis courts, retail stores, or gas stations;</p> <p>(dd) Overnight temporary use in the same campground by a camper or camper's vehicle cannot exceed a total of 30 days during any consecutive six-month period;</p> <p>(ee) Campsites may be occupied by a tent, travel trailer, yurt, or recreational vehicle. Separate sewer, water, or electric service hook-ups cannot be provided to individual camp sites except that electrical service may be provided to yurts allowed by Section (3)(k)(i)(ff); and</p> <p>(ff) A private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt must be located on the ground or on a wood floor with no permanent foundation.</p>		<p>(ii) A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground;</p> <p>(iii) A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites;</p> <p>(iv) Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. A 'yurt' means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance. The yurt shall be located on the ground or on a wood floor with no permanent foundation. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt;</p> <p>(v) Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except that electrical service may be provided to yurts allowed for by LC 16.211(3)(c)(iv) above;</p> <p>(vi) Campgrounds authorized by LC 16.211(3)(c) above shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations; and</p> <p>(vii) Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive six month period.</p>		
7.9, (3)(o)	<p>West of the summit of the Coast Range and not for private use, storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones.</p> <p>(3)(o) Storage structures for emergency supplies located west of the summit of the Coastal Range to serve communities and households located in tsunami inundation zones, as depicted on tsunami inundation maps prepared by Department of Geology and Mineral Industries (DOGAMI):</p> <p>(i) Areas within an urban growth boundary cannot reasonably accommodate the structures;</p> <p>(ii) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by Department of Geology and Mineral Industries (DOGAMI);</p> <p>(iii) Sites where the structure could be co-located with an existing use approved under this section are given preference for consideration;</p> <p>(iv) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served;</p> <p>(v) The structures are managed by a local government entity for the single purpose of providing for the temporary emergency support needs of the public; and</p>			New Use, Subject to the new conditions use review criteria	OAR 660-006-0025(4)(z)

	(vi) Notice of application for proposed storage structures is provided according to LC Chapter 14 to Lane County Emergency Management.				
8.1	An outdoor gathering of fewer than 3,000 persons, that is not anticipated to continue for more than 120 hours in any three-month period	(2)(k)	(k) An outdoor mass gathering as defined in ORS 433.735 or other gathering of fewer than 3,000 persons that is not anticipated to continue for more than 120 hours in any three month period is not a "land use decision" as defined in ORS 197.015(10) or subject to review under LC 16.211(3)(e-e) below.		OAR 660-006-0025(3)(p)
8.2	An outdoor mass gathering of more than 3,000 persons, that is not anticipated to continue for more than 120 hours in any three-month period, and which is held primarily in open spaces and not in any permanent structure as provided in ORS 433.735-760		see (2)(k)		ORS 433.750
8.3, (3)(p)	Any outdoor gathering of more than 3,000 persons that is anticipated to continue for more than 120 hours in any three-month period is subject to review by the Planning Commission under ORS 433.763, notwithstanding Type III Hearings Official review. (3)(p) Any outdoor gathering of more than 3,000 people for more than 120 hours within any three-month period must comply with the following requirements: (i) The applicant has complied or can comply with the requirements for an outdoor mass gathering permit set out in ORS 433.750; (ii) The proposed gathering is compatible with existing land uses; (iii) The proposed gathering shall not materially alter the stability of the overall land use pattern of the area; and (iv) The provisions of ORS 433.755 shall apply to the proposed gathering.	(3)(e-e)	(e-e) An outdoor mass gathering, and any part of which is held in open spaces, of more than 3,000 persons that continues or can reasonably be expected to continue for more than 120 hours within any three-month period subject to compliance with the following requirements: (i) The application has or can comply with the requirements for an outdoor mass gathering permit set out in ORS 433.750; (ii) The proposed gathering is compatible with existing land uses; (iii) The proposed gathering shall not materially alter the stability of the overall land use pattern of the area; and (iv) The provisions of ORS 433.755 shall apply to the proposed gathering.	Subject to the new conditions use review criteria	OAR 660-006-0025(4)(y)
9.1	Uses and buildings accessory to existing uses and development permitted by LC 16.211.	(2)(o)	(o) Uses and development accessory to existing uses and development, subject to the following (i) 'Same Site' development area is defined as a square with dimensions of 200 square feet which is centered on the footprint of the primary structure to which the proposed use or development is accessory. (ii) If the proposed accessory development is located partially or entirely within the 'same site' development area, the accessory development is subject to the following clear and objective siting standards: LC 16.211(8)(a)(iv) & (v), (c)(i)(aa), and (c)(iii); or (iii) If the proposed accessory development is located outside of the 'same site' development area, the accessory development is subject to the following discretionary siting standards: LC 16.211(8)(a), (b), (c)(i)(aa), (c)(iii), and (e). Notice is required pursuant to LC 14.100(3) and (4) with the opportunity for appeal pursuant to LC 14.500.		
9.2, (3)(s)	Guest house and conversion of lawfully existing dwelling into a guest house. (s) A guest house must accessory to a lawfully existing dwelling. It is a structure that contains area for residential use or occupancy, that includes a toilet or bathroom, and that complies with these requirements: (i) The total floor area of the structure or residential portion of the			Codify existing practice, allowed as an accessory structure. Same standards as the RR zone (LC 16.290(2)(u))	

	<p>structure is no more than 850 square feet;</p> <p>(ii) The structure does not contain a kitchen;</p> <p>(iii) The structure is located on a lot or parcel that has a lawfully existing dwelling on it and that does not have two or more permanent dwellings, a guest house or another accessory residential structure on it;</p> <p>(iv) Sewage disposal for the structure is connected to the same onsite sewage disposal system, or community or public sewer connection, and the same electrical meter as the existing dwelling on the same lot or parcel; and</p> <p>(v) The structure cannot have an address; and</p> <p>(vi) The property owner must sign a covenant with the Lane County Clerk disclosing that a kitchen sink or cooking facilities cannot be placed in the guest house and that it is an accessory residential use that cannot be separated from the remainder of the parcel that contains the dwelling.</p> <p>(vii) The conversion of a lawfully existing dwelling into a guest house must comply with the following:</p> <p>(aa) The dwelling for the conversion must be a lawful dwelling existing on the date of the adoption of this requirement;</p> <p>(bb) The kitchen sink and cooking facilities must be removed from the existing dwelling and not replaced. When, the kitchen sink is removed, the plumbing must be capped-off at the wall, and the kitchen sink cannot be replaced. When the cooking facilities are removed, the power source must be removed. Any 220 circuits used for the cooking facilities must be disconnected at the circuit box and approval of any required electrical permits for the disconnection must be obtained, and the electrical circuit and cooking facilities cannot be replaced. Except for a bathroom and/or a laundry sink, a sink or cooking facilities cannot be located elsewhere in the guest house structure;</p> <p>(cc) The address must be removed from the guesthouse and not replaced;</p> <p>(q)(dd) The property owner must sign a covenant with the Lane County Clerk disclosing that a kitchen sink or cooking facilities cannot be placed in the guest house and that it is an accessory residential use that cannot be separated from the remainder of the parcel that contains the dwelling.</p>				
		(2)(l)	(l) A wildlife habitat conservation and management plan pursuant to ORS 215.804.	Provision repealed in 2003 by c.539 §33	ORS 215.804
16.211	<p>(4) Conditional Use Review Criteria</p> <p>A Conditional Use listed in Table 16.210-1 of this zone that references this section may be allowed provided the following requirements are satisfied. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands.</p> <p>(a) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices</p>	16.211(3)	(3) ..."A use in LC 16.211(3)(a) through (s), (z) and (a-a) through (g-g) below may be allowed if it will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands and excluding LC 16.211(3)(f-f) below if it will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel."	Additional review criteria to help determine if the use is compatible with the surrounding area and won't be a nuisance.	OAR 660-006-0025(5)(a), (b), & (c)

	<p>on agriculture or forest lands.</p> <p>(b) The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.</p> <p>(c) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for Use 2.6, Use 3.6, Use 3.10, Use 6.6, and Use 7.8.</p> <p>(d) The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this Chapter and the following general criteria:</p> <p>(i) The use is consistent with the goals and policies of the Comprehensive Plan applicable to the proposed use;</p> <p>(ii) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;</p> <p>(iii) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;</p> <p>(iv) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and</p> <p>(v) The use is compatible with existing uses and other allowable uses on adjacent and nearby lands; or</p> <p>(vi) Where necessary, measures are taken to minimize potential negative impacts on adjacent and nearby lands.</p>				
(5)(a)(i)	<p>(i) Clear and objective standards: Dwellings and structures must be sited as follows or approved in accordance with the siting standards in (ii) below:</p> <p>(aa) Cluster Requirements:</p> <p>(A) Any new structure must be placed within 150 feet from an existing residential structure or within 150 feet from an existing road or driveway. If no existing residential structure, any new structure must be placed within 150 feet from an existing structure or within 150 feet from an existing road or driveway;</p> <p>(B) Within 500 feet of any dwelling or residential accessory structure on an adjacent property; or</p> <p>(C) For vacant parcels, within 500 feet of an existing road or driveway.</p> <p>(bb) At least 100 feet from adjoining F-2, EFU, or residentially developed F-1 zoned properties or no closer than an existing structure; whichever is less.</p> <p>(cc) At least 500 feet from adjoining vacant F-1 zoned properties or no closer than an existing residential structure, whichever is less.</p> <p>(dd) If the subject property has more than one soil type as mapped by the Natural Resources Conservation Service (NRCS) and these soil types have different soil farm or forest productivity ratings as designated in the "Lane County Soil Ratings" manual dated August</p>	16.211(8)	(8) Siting Standards for Dwellings, Structures and Other Uses. The following siting standards shall apply to all new dwellings, manufactured dwellings and structures, and other uses as specified above in LC 16.211(2)(h), (2) (j), and (2)(o), and in LC 16.211(3) through (7) above. These standards are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. The standards in LC 16.211(8)(a)-through(b) below shall be weighed together with the requirements in LC 16.211(8)(c) and (e) below to identify the building site.	The Board directed staff to come up with clear and objective siting standards for the farm and forest zones, this is staff's proposal.	

	<p>2011, then any new structure must be located on an area mapped with a soil type that is least suitable for farm and forest use, unless the least suitable soil type is located within a water body, mapped wetland, floodway or floodplain, riparian setback area, or other protected Goal 5 resource area in which case the new structure should be sited on the next least valuable soil type. This provision applies only to mapped soil types that are over ½ acre in size. If the subject property has all one soil type, has multiple soil types with the same rating, or has a mapped soil area that is less than ½ acre in size, then this criteria will not apply and the other siting criteria will regulate the placement of the proposed structure.</p> <p>(ee) No more than one acre of land may be disturbed for creating a new access road or driveway and service corridors for utilities to serve the proposed development.</p> <p>(ff) No more than one acre of land area may be disturbed for locating new structures (not including a new road, driveway, or drainfield areas).</p>				
(5)(a)(ii), (iii)	<p>(ii) Dwellings and structures that do not comply with section (i) above must be processed using Type II procedures according to LC Chapter 14 and comply with the following:</p> <p>(aa) They have the least impact on nearby or adjoining forest or agricultural lands.</p> <p>(bb) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized.</p> <p>(cc) The amount of forest lands used to site access roads, service corridors, the dwelling, and structures is minimized.</p> <p>(dd) The risks associated with wildfire are minimized.</p> <p>(ee) Where possible, when considering (5)(a)(ii)(aa) through (5)(a)(ii)(bb) above and the dimensions and topography of the tract, at least 500 feet from the adjoining lines of vacant property zoned F-1 and 100 feet from the adjoining lines of property zoned F-2, EFU, or residentially developed F-1.</p> <p>(iii) Siting criteria satisfying Section (a)(ii) may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.</p>	(8)(a)	<p>(a) Setbacks. Residences, dwellings or manufactured dwellings and structures shall be sited as follows:</p> <p>(i) Near dwellings or manufactured dwellings on other tracts, near existing roads, on the most level part of the tract, on the least suitable portion of the tract for forest use and at least 30 feet away from any ravine, ridge or slope greater than 40 percent;</p> <p>(ii) With minimal intrusion into forest areas undeveloped by non-forest uses; and</p> <p>(iii) Where possible, when considering LC 16.211(8)(a)(i) and (ii) above and the dimensions and topography of the tract, at least 500 feet from the adjoining lines of property zoned F-1 and 100 feet from the adjoining lines of property zoned F-2 or EFU; and</p> <p>(iv) Except for property located between the Eugene-Springfield Metropolitan Area General Plan Boundary and the Eugene and Springfield Urban Growth Boundaries, where setbacks are provided for in LC 16.253(6), the riparian setback area shall be the area between a line 100 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence shall be located closer than 100 feet from ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) or LC 16.253(6), as applicable, are met; and LC 16.211(8)(b) The amount of forest lands used to site access roads, service corridors and structures shall be minimized.</p>		OAR 660-006-0029(1)
(5)(b)	<p>(b) Setbacks. Structures other than a fence or sign cannot be located closer than:</p> <p>(i) 20 feet from the right-of-way of a state road, County road, or a local access public road specified in LC Chapter 15.</p> <p>(ii) 30 feet from all property lines other than those described in</p>	(8)(a)(v), (9)(a)	<p>(v) Structures other than a fence or sign shall not be located closer</p> <p>(aa) 20 feet from the right-of-way of a state road, County road or a local access public road specified in Lane Code LC Chapter 15; and</p> <p>(bb) 30 feet from all property lines other than those described in LC 16.211(8)(a)(v)(aa) above; and</p>		

	<p>Section (5)(b)(i). (iii) The minimum distance necessary to comply Sections (5)(a) and (6). (iv) Riparian Setback Area. A riparian setback area applies to the area between a line that is 100 feet from and parallel to the ordinary high water of a Class I stream designated in the Rural Comprehensive Plan. No structure other than a fence may be located closer than 100 feet from the ordinary high water of a Class I stream unless a riparian modification application is approved in accordance with LC 16.253(3). Vegetation maintenance, removal, and replacement standards and exceptions to these setbacks are found in LC 16.253.</p>		<p>(cc) The minimum distance necessary to comply with LC 16.211(8)(a) above and LC 16.211(8)(b) through (d) below. (9) Other Development Standards. (a) Maintenance, Removal and Replacement of Indigenous Vegetation within the Riparian setback area. Maintenance, removal and replacement of indigenous vegetation within the riparian setback area designated for riparian vegetation protection by the comprehensive plan must comply with the provisions of LC 16.253(2) or LC 16.253(6), as applicable.</p>	
(5)(c)	<p>(c) Domestic Water Supplies. For new dwellings and non-farm structures on vacant land, evidence must be provided that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices Rule, OAR Chapter 629. If the water supply is unavailable from public sources or sources located entirely on the property, then the applicant must provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners. For purposes of LC 16.211(5)(c) above, evidence of domestic water supply means: (i) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; (ii) A water use permit issued by the Water Resources Department for the use described in the application; or (iii) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant must submit the well constructor's report to the Director upon completion of the well.</p>	(8)(b)	<p>(d) Domestic Water Supplies. Evidence shall be provided that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices Rule, OAR Chapter 629. If the water supply is unavailable from public sources or sources located entirely on the property, then the applicant shall provide evidence that a legal easement has been obtained permitting domestic water lines to cross the properties of affected owners. For purposes of LC 16.211(8)(d) above, evidence of domestic water supply means: (i) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; (ii) A water use permit issued by the Water Resources Department for the use described in the application; or (iii) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the Department upon completion of the well.</p>	OAR 660-006-0029(3)
(5)(d)	<p>(d) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant must provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.</p>			OAR 660-006-0029(4)
(5)(e)	<p>(e) Approval of a dwelling is subject to the following requirements: (i) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules. (ii) The Director must notify the County Assessor of the above condition at the time the dwelling is approved. (iii) Stocking survey report:</p>			OAR 660-006-0029(5)

	(aa) If the lot or parcel is more than ten acres, the property owner must submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules; and (bb) Upon notification by the Assessor, the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, that department will notify the owner and the Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax.				
(5)(f)	(f) Signs. (i) Signs cannot extend over a public right-of-way or project beyond the property line; (ii) Signs cannot be flashing, blinking, contain scrolling images, or capable of movement; and (iii) Signs are to be limited to 200 square feet in area.	(9)(b)	(b) Signs. (i) Signs shall not extend over a public right-of-way or project beyond the property line. (ii) Signs shall not be illuminated or capable of movement. (iii) Signs shall be limited to 200 square feet in area.	Now allow signs to be illuminated	
(6)	(6) Fire-Siting Standards for Dwellings and Structures. The following fire-siting standards or their equivalent apply to new residences, dwellings, manufactured dwellings, or structures allowed in Lane Code 16.211:				OAR 660-006-0035
(6)(a)	(a) The dwelling must be located upon a parcel within a fire protection district or must be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant must provide evidence that the applicant has asked to be included within the nearest such district. If the Director determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the dwelling must comply with the following fire safety plan requirements: (i) The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions; (ii) If a water supply is required for fire protection, it must be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second; (iii) The applicant must provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; (iv) Road access must be provided to within 15 feet of the water's edge for firefighting pumping units. The road access must accommodate the turnaround of firefighting equipment during the fire season. Permanent signs must be posted along the access route to indicate the location of the emergency water source; and (v) A 100-foot wide primary safety zone and a 100-foot wide secondary safety zone surrounding the perimeter of the dwelling or manufactured dwelling structures must be provided and maintained	(8)(a)(ii)	(ii) Structural Fire Protection. The dwelling or manufactured dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection as evidenced by a long term contract with a fire protection district (FPD) recorded in Lane County Deeds and Records. If the dwelling or manufactured dwelling are not within a FPD, the applicant shall provide evidence that the applicant has submitted a written request for a long term services contract with the nearest FPD and to be annexed into the FPD boundaries. If the FPD and the Planning Director determine that inclusion within a FPD or contracting for residential fire protection is impracticable, the Planning Director shall require as a condition of approval for the dwelling or manufactured dwelling that the property owner implement and maintain a Fire Protection Plan as an alternative means for protecting the dwelling or manufactured dwelling from fire hazards, consistent with the following standards: (aa) Implementation and maintenance in perpetuity of a 100- foot wide primary safety zone surrounding the perimeter of the dwelling or manufactured dwelling structures in compliance with the standards in LC 16.211(c)(i)(aa) above; and (bb) An external, fire protection system as a component to the equivalent Fire Protection Plan to mitigate the threat to the dwelling and residential structures by a seasonal wildfire or the threat to the forest resource base from a fire originating on the parcel in compliance with the following standards: (A) Provide a minimum of two all-weather, one-inch valve, fire hydrants and two fire hose reels with sufficient length of fire suppression hose at each hydrant to reach around fifty percent of the		

	<p>in perpetuity in compliance with the standards in (6)(c).</p>		<p>exterior of the dwelling and residential accessory structures. The hose reels shall be installed between 50-75 feet</p> <p>from the structure foundations. The minimum fire hose interior diameter shall be one- inch;</p> <p>(B) Provide a fire nozzle with each fire hose with multiple settings to allow stream, spray and fog applications of water on the exterior of the structures and landscape;</p> <p>(C) Provide and annually maintain a water supply and pumping system connected to the fire hydrants in compliance with the following minimum requirements: a swimming pool, pond, lake or similar body of water that at all times contains a minimum of 4,000 gallons of water; or a stream that has a continuous year-round flow of at least one cubic foot per second; or a 1,500-gallon storage tank, e.g., concrete septic tank connected to an operating groundwater well for refilling; or a high- yield groundwater well with a minimum yield of 30 gallons per minute for one hour; and a pump system capable of maintaining 80 psi line pressure to the two fire hydrants.</p> <p>(cc) The property owner shall provide verification from the Water Resources Department that any permits or registrations required for water diversions have been obtained or that such permits or registrations are not required under state law for the use; and</p> <p>(dd) Road or driveway access to within 15 feet of the water supply shall be provided for pumping units. The road or driveway access shall accommodate the turnaround of fire fighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.</p>		
(6)(b)	<p>(b) Fire Safety Design Standards for Roads and Driveways.</p> <p>(i) Private driveways, roads or bridges accessing only commercial forest uses are not subject to compliance with these fire safety design standards for roads and driveways. The route of access for fire fighting equipment, from the fire station to the destination point, across public roads, bridges, private roads or private access easements and driveways must comply with the standards specified below. Evidence of compliance with the standards specified in (6)(b) should include objective information about the fire fighting equipment, the physical nature of the access route, the nature of any proposed improvements to the access route, and it may also include a written verification of compliance from the agency providing fire protection, or a written certification of compliance from an Oregon Registered Professional Engineer. As used herein, "road" means a way of access used for more than one use and accessory uses dwelling or manufactured dwelling. As used herein, "driveway" means a way of access used for only one dwelling or manufactured dwelling.</p> <p>(ii) Road and Driveway Surfaces. Roads must have unobstructed</p>		<p>(e) Fire Safety Design Standards for Roads and Driveways. Private driveways, roads or bridges accessing only commercial forest uses are not subject to compliance with these fire safety design standards for roads and driveways. The route of access for fire fighting equipment, from the fire station to the destination point, across public roads, bridges, private roads or private access easements and driveways shall comply with the standards specified below in LC 16.211(8)(e). Evidence of compliance with the standards specified in LC 16.211(8)(e) below should include objective information about the fire fighting equipment, the physical nature of the access route, the nature of any proposed improvements to the access route, and it may also include a written verification of compliance from the agency providing fire protection, or a written certification of compliance from an Oregon Registered Professional Engineer. As used herein, "road" means a way of access used for more than one use and accessory uses dwelling or manufactured dwelling. As used herein, "driveway" means a way of access used for only one dwelling or manufactured dwelling.</p> <p>(i) Road and Driveway Surfaces. Roads shall have unobstructed widths</p>		

widths of at least 20 feet including: travel surfaces with widths of at least 16 feet constructed with gravel to a depth sufficient to provide access for fire fighting vehicles and containing gravel to a depth of at least six-inches or with paving having a crushed base equivalent to six inches of gravel, an unobstructed area two feet in width at right angles with each side of the constructed surface, curve radii of at least 50 feet, and a vertical clearance of at least 13 feet 6 inches. Driveways must have: constructed widths of at least 12 feet with at least six inches of gravel or with paving having a crushed base equivalent to six inches of gravel and must have a vertical clearance of 13 feet 6 inches.

(iii) Turnarounds. Any dead-end road over 200 feet in length and not maintained by Lane County must meet these standards for turnarounds. Dead-end roads must have turnarounds spaced at intervals of not more than 500 feet. Turnarounds must comply with these design and construction standards:

(aa) Hammerhead Turnarounds. Hammerhead turnarounds (for emergency vehicles to drive into and back out of to reverse their direction on the road) must intersect the road as near as possible at a 90 degree angle and extend from the road at that angle for a distance of at least 20 feet. They must be constructed to the standards for driveways in LC 16.211(6)(b)(i) above and must be marked and signed by the applicant as "NO PARKING." Such signs must be of metal or wood construction with minimum dimensions of 12 inches by 12 inches; or

(bb) Cul-de-sac Turnarounds. Cul-de-sac turnarounds must have a right-of-way width with a radius of at least 45 feet and an improved surface with a width of at least 36 feet and must be marked and signed by the applicant as "NO PARKING." Such signs must be of metal or wood construction with minimum dimensions of 12 inches by 12 inches; and

(cc) No cul-de-sacs or hammerhead turnarounds must be allowed to cross any slope which will allow chimney-effect draws unless the dangerous effects of the chimney-effect draws have been mitigated by the location of the road and, where necessary, by the creation of permanent fire breaks around the road.

(iv) Bridges and Culverts. Bridges and culverts must be constructed to sustain a minimum gross vehicle weight of 50,000 lbs. and to maintain a minimum 16-foot road width surface or a minimum 12-foot driveway surface. The Planning Director may allow a single-span bridge utilizing a converted railroad flatcar as an alternative to the road and driveway surface width requirements, subject to verification from an engineer licensed in the State of Oregon that the structure will comply with the minimum gross weight standard of 50,000 lbs.

(v) Road and Driveway Grades. Road and driveway grades cannot exceed 16 percent except for short distances when topographic conditions make lesser grades impractical. In such instances, grades up to 20 percent may be allowed for spans not to exceed 100 feet. An applicant must submit information from a Fire Protection District

of at least 20 feet including: travel surfaces with widths of at least 16 feet constructed with gravel to a depth sufficient to provide access for fire fighting vehicles and containing gravel to a depth of at least six-inches or with paving having a crushed base equivalent to six inches of gravel, an unobstructed area two feet in width at right angles with each side of the constructed surface, curve radii of at least 50 feet, and a vertical clearance of at least 13 feet 6 inches. Driveways shall have: constructed widths of at least 12 feet with at least six inches of gravel or with paving having a crushed base equivalent to six inches of gravel and shall have a vertical clearance of 13 feet 6 inches.

(ii) Turnarounds. Any dead-end road over 200 feet in length and not maintained by Lane County shall meet these standards for turnarounds. Dead-end roads shall have turnarounds spaced at intervals of not more than 500 feet. Turnarounds shall comply with these design and construction standards:

(aa) Hammerhead Turnarounds. Hammerhead turnarounds (for emergency vehicles to drive into and back out of to reverse their direction on the road) shall intersect the road as near as possible at a 90 degree angle and extend from the road at that angle for a distance of at least 20 feet. They shall be constructed to the standards for driveways in LC 16.211(8)(e)(i) above and shall be marked and signed by the applicant as "NO PARKING." Such signs shall be of metal or wood construction with minimum dimensions of 12 inches by 12 inches; or

(bb) Cul-de-sac Turnarounds. Cul-de-sac turnarounds shall have a right-of-way width with a radius of at least 45 feet and an improved surface with a width of at least 36 feet and shall be marked and signed by the applicant as "NO PARKING." Such signs shall be of metal or wood construction with minimum dimensions of 12 inches by 12 inches; and

(cc) No cul-de-sacs or hammerhead turnarounds shall be allowed to cross any slope which will allow chimney-effect draws unless the dangerous effects of the chimney-effect draws have been mitigated by the location of the road and, where necessary, by the creation of permanent fire breaks around the road.

(iii) Bridges and Culverts. Bridges and culverts shall be constructed to sustain a minimum gross vehicle weight of 50,000 lbs. and to maintain a minimum 16-foot road width surface or a minimum 12-foot driveway surface. The Planning Director may allow a single-span bridge utilizing a converted railroad flatcar as an alternative to the road and driveway surface width requirements, subject to verification from an engineer licensed in the State of Oregon that the structure will comply with the minimum gross weight standard of 50,000 lbs.

(iv) Road and Driveway Grades. Road and driveway grades shall not exceed 16 percent except for short distances when topographic conditions make lesser grades impractical. In such instances, grades up to 20 percent may be allowed for spans not to exceed 100 feet. An applicant must submit information from a Fire Protection District or

	<p>or engineer licensed in the State of Oregon demonstrating that road and driveway grades in excess of eight percent are adequate for the fire fighting equipment of the agency providing fire protection to access the use, fire fighting equipment and water supply.</p> <p>(vi) Identification. Roads must be named and addressed in compliance with LC 15.305 through 15.335.</p> <p>(vii) Driveway Vehicle Passage Turnouts. Driveways in excess of 200 feet must provide for a 20-foot long and eight-foot wide passage space (turn out) with six inches in depth of gravel and at a maximum spacing of 400 feet. Shorter or longer intervals between turnouts may be authorized by the Planning Director where the Director inspects the road and determines that topography, vegetation, corners or turns obstruct visibility.</p> <p>(viii) Modifications and Alternatives. The standards in (6)(b)(i) through (6)(b)(vii) above may be modified by the Approval Authority provided the applicant has submitted objective evidence demonstrating that an alternative standard would insure adequate access for fire fighting equipment from its point of origination to its point of destination.</p>		<p>engineer licensed in the State of Oregon demonstrating that road and driveway grades in excess of eight percent are adequate for the fire fighting equipment of the agency providing fire protection to access the use, fire fighting equipment and water supply.</p> <p>(v) Identification. Roads shall be named and addressed in compliance with LC 15.305 through 15.335.</p> <p>(vi) Driveway Vehicle Passage Turnouts. Driveways in excess of 200 feet shall provide for a 20-foot long and eight-foot wide passage space (turn out) with six inches in depth of gravel and at a maximum spacing of 400 feet. Shorter or longer intervals between turnouts may be authorized by the Planning Director where the Director inspects the road and determines that topography, vegetation, corners or turns obstruct visibility.</p> <p>(vii) Modifications and Alternatives. The standards in LC 16.211(8)(e)(i) through (vi) above may be modified by the Approval Authority provided the applicant has submitted objective evidence demonstrating that an alternative standard would insure adequate access for fire fighting equipment from its point of origination to its point of destination.</p>	
	<p>(c) Fuel-Free Breaks. The owners of dwellings and structures must maintain a primary safety zone surrounding all structures and clear and maintain a secondary safety zone on land surrounding the dwelling that is owned or controlled by the owner in compliance with these requirements.</p> <p>(i) Primary Safety Zone. The primary safety zone is a fire break extending a minimum of 30 feet in all directions around dwellings, manufactured dwellings and structures, unless otherwise specifically stated in LC 16.211. The goal within the primary safety zone is to exclude fuels that will produce flame lengths in excess of one foot. Vegetation within the primary safety zone could include green lawns and low shrubs (less than 24 inches in height). Trees must be spaced with greater than 15 feet between the crown and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles, and other dead vegetation must be removed from beneath trees. Nonflammable materials (i.e., rock) instead of flammable materials (i.e., bark mulch) must be placed next to the house.</p> <p>(aa) As slope increases, the primary safety zone must increase away from the house, parallel to the slope and down the slope, as shown in the table and figure below:</p>	(8)(c)(i)	<p>(c) Fire Siting Standards. The following fire-siting standards or their equivalent shall apply to new residences, dwellings, manufactured dwellings or structures:</p> <p>(i) Fuel-Free Breaks. The owners of dwellings, manufactured dwellings and structures shall maintain a primary safety zone surrounding all structures and clear and maintain a secondary fuel break on land surrounding the dwelling or manufactured dwelling that is owned or controlled by the owner in compliance with these requirements.</p> <p>(aa) Primary Safety Zone. The primary safety zone is a fire break extending a minimum of 30 feet in all directions around dwellings, manufactured dwellings and structures. The goal within the primary safety zone is to exclude fuels that will produce flame lengths in excess of one foot. Vegetation within the primary safety zone could include green lawns and low shrubs (less than 24 inches in height). Trees shall be spaced with greater than 15 feet between the crown and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles, and other dead vegetation shall be removed from beneath trees. Nonflammable materials (i.e., rock) instead of flammable materials (i.e., bark mulch) shall be placed next to the house.</p> <p>As slope increases, the primary safety zone shall increase away from the house, parallel to the slope and down the slope, as shown in the table below:</p>	
(6)(b) table 2	<p>Table 16.211-2 Minimum Primary Safety Zone</p> <p>Slope / Feet of Primary Safety Zone / Feet of Additional Primary Safety Zone Down Slope</p> <p>0% / 30 / 0 10% / 30 / 50</p>	(8)(c)(i)	<p>Size of the Primary Safety Zone by Percent Slope</p> <p>% Slope / Feet of Primary Safety Zone / Feet of Additional Safety Zone Down Slope</p> <p>0 / 30 / 0 10 / 30 / 50 20 / 30 / 75</p>	

	20% / 30 / 75 25% / 30 / 100 40% / 30 / 150		25 / 30 / 100 40 / 30 / 150 Dwellings or manufactured dwellings shall not be sited on a slope greater than 40 percent.		
(6)(b)(ii)	(ii) Secondary Safety Zone. The secondary safety zone is a fuel break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of the secondary safety zone is to reduce fuels so that the overall intensity of any wildfire would be lessened and the likelihood of crown fires and crowning is reduced. Vegetation within the secondary safety zone must be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees must be removed to prevent spread of fire up into the crowns of the larger trees. Dead fuels must be removed.		(bb) Secondary Fuel Break. The secondary fuel break is a fuel break extending a minimum of 100 feet in all directions around the primary safety zone. The goal of the secondary fuel break is to reduce fuels so that the overall intensity of any wildfire would be lessened and the likelihood of crown fires and crowning is reduced. Vegetation within the secondary fuel break shall be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees shall be removed to prevent spread of fire up into the crowns of the larger trees. Dead fuels shall be removed.		
(6)(d)	(d) The dwelling must have a fire retardant roof.	(8)(a)(iii)	(iii) Chimneys and Roofs. Dwellings, manufactured dwellings or structures with any chimneys shall have a spark arrestor on the chimneys. All habitable roofed structures shall be regulated by the State of Oregon Structural Specialty Code or the State of Oregon One and Two Family Specialty Code. Roofing for dwellings and manufactured dwellings shall be asphalt shingles in accordance with Section 903, slate shingles in accordance with Section 904, metal roofing in accordance with Section 905, tile, clay or concrete shingles in accordance with Section 907 and other approved roofing which is deemed to be equivalent to Class C rated roof covering. Wood shingles and shake roofs are not permitted. When 50 percent or more of the roof covering of any one or two family dwelling or manufactured dwelling is repaired or replaced in one year, the roof covering shall be made to comply with this section.		
(6)(e)	(e) Dwellings or manufactured dwellings must be sited at least 30 feet away from a ravine, ridge, or any slope greater than 40 percent slope.				
(6)(f)	(f) If the dwelling has a chimney or chimneys, each chimney must have a spark arrestor.		see (iii) above		
(7)(a)	(7) Land Divisions (a) The minimum area requirement for the creation of new or adjusted lots or parcels for land designated as Impacted Forest Land (F-2) is 80 acres. The creation of a new or adjusted lot or parcel must comply with LC Chapter 13.	16.211(10)	(10) Area. The creation of a new lot or parcel must comply with LC Chapter 13 for the submittal and approval of tentative plans and plats and with the following requirements: (a) The minimum area requirement for the creation of new lots or parcels for land designated as Impacted Forest Land (F-2) is 80 acres. An exception to this area requirement may be made pursuant to LC 16.211(10)(b)-(g) below;		
(7)(b)(i)	(b) New land divisions or adjustments less than the parcel size in Subsection (a) may be approved in accordance with LC Chapter 13 for any of the following circumstances: (i) The following uses in Table 16.211-1 may be approved pursuant to the criteria in Section (4) and provided that the parcel created from the division is the minimum size necessary for the use: (aa) Use 4.1. Exploration for and production of geothermal, gas, oil	(10)(c)	(c) New land divisions less than the 80 acre parcel size required by LC 16.211(10)(a) above are allowed for the uses listed in LC 16.211(2)(i) and (j), LC 16.211(3)(a) through (k), LC 16.211(3)(z) through (b-b) above, in compliance with these requirements: (i) Such uses have been approved pursuant to LC 16.211(2)(i) and (j), LC 16.211(3)(a) through (k) and LC 16.211(3)(z) through (b-b) above; (ii) The parcel created for such use is the minimum size necessary for		

	<p>and other associated hydrocarbons (bb) Use 1.4. Log scaling and weigh stations (cc) Use 3.7. Permanent facility for the primary processing of forest products. (dd) Use 3.8. Permanent logging equipment repair and storage. (ee) Use 4.3. Mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520, and not otherwise permitted, and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517. (ff) Use 6.2. Water intake facilities, related treatment facilities, pumping stations, and distribution lines. (gg) Use 6.3. Television, microwave and radio communication facilities and transmission towers. (hh) Use 6.6. Reservoirs and water impoundments (ii) Use 6.7. Commercial power generating facilities (jj) Use 7.3. Aides to navigation and aviation (kk) Use 7.4. Firearms training facilities (ll) Use 7.5. Fire stations for rural fire protection (mm) Use 7.6. Cemeteries. (nn) Use 7.7. Public parks (oo) Use 7.8. Private parks and campgrounds</p>		<p>the use; (iii) A landowner allowed a land division under LC 16.211(10)(b) above shall sign a statement that shall be recorded with the Lane County Clerk declaring that the landowner will not in the future complain about accepted farming or forest practices on nearby lands devoted to farm or forest use; (iv) LC Chapter 13 for submission, review and approval of preliminary and final partition or subdivision plans.</p>		
(7)(b)(ii)	<p>(ii) For the establishment of a parcel for a dwelling that has existed since before June 1, 1995, subject to the following requirements: (aa) The parcel established may not be larger than five acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel cannot be larger than 10 acres; and (bb) The parcel that does not contain the dwelling is not entitled to a dwelling unless subsequently authorized by law or goal and the parcel either: (A) Meets the minimum land division standards of the zone; or (B) Is consolidated with another parcel, and together the parcels meet the minimum land division standards of the zone. (cc) Restrictions (A) An application for the creation of a parcel pursuant to paragraph (7)(b)(ii) or (iii) must provide evidence that a restriction on the remaining parcel, not containing the dwelling, has been recorded with the county clerk. The restriction must prohibit dwellings unless authorized by law or goal on land zoned for forest use except as permitted under Subsection (b). (B) A restriction imposed under this subsection is irrevocable unless a statement of release is signed by the county planning director of the county where the property is located indicating that the comprehensive plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to statewide planning goals pertaining to agricultural land or forest land.</p>	(10)(d)	<p>(d) A division by partition of a lot or parcel for an existing dwelling subject to compliance with these requirements: (i) The parcel created for the existing dwelling cannot be larger than five acres, except as necessary to recognize physical features such as roads or streams, in which case the parcel cannot be larger than 10 acres; (ii) The existing dwelling lawfully existed prior to June 1, 1995; (iii) The parcel that does not contain the dwelling is not entitled to a dwelling unless subsequently authorized by law or goal and the parcel either: (aa) contains at least 80 acres; or (bb) is consolidated with another parcel, and together the parcels contain at least 80 acres. (iv) An application for the creation of a parcel pursuant to LC 16.211(10)(c) above must provide evidence that a restriction on the remaining parcel, not containing the dwelling, has been recorded with Lane County Deeds and Records. The restriction allows for no dwellings or unless authorized by law or goal on land zoned for forest use except as allowed under LC 16.211(10)(c) above. This restriction is irrevocable unless a statement of release is signed by the Planning Director indicating that the Lane County Rural Comprehensive Plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to statewide planning goals pertaining to agricultural land or forest land; (v) A landowner allowed a land division under LC 16.211(10)(c) above must sign a statement that shall be recorded with Lane County Deeds and Records declaring that the landowner will not in the future complain about accepted farming or forest practices on nearby lands</p>		OAR 660-006-0026(2)(b)

			<p>devoted to farm or forest use;</p> <p>(vi) LC Chapter 13 for submission, review and approval of preliminary and final partition or subdivision plans; and</p> <p>(vii) The Planning Director is required to maintain a record of parcels that do not qualify for the siting of a new dwelling or manufactured dwelling under restrictions imposed by LC 16.211(10)(c) above. The record shall be readily available to the public.</p>	
(7)(b)(iii)	<p>(iii) To allow a division of forest land to facilitate a forest practice as defined in ORS 527.620 that results in a parcel that does not meet the minimum area requirements of Subsection (a). Approvals are based on findings that demonstrate that there are unique property specific characteristics present in the proposed parcel that require an amount of land smaller than the minimum area requirements of Subsection (a) in order to conduct the forest practice. Parcels created pursuant to this paragraph:</p> <p>(aa) Are not eligible for siting of a new dwelling;</p> <p>(bb) May not serve as the justification for the siting of a future dwelling on other lots or parcels;</p> <p>(cc) May not, as a result of the land division, be used to justify redesignation or rezoning of resource lands; and</p> <p>(dd) May not result in a parcel of less than 35 acres, unless the purpose of the land division is to:</p> <p>(A) Facilitate an exchange of lands involving a governmental agency; or</p> <p>(B) Allow transactions in which at least one participant is a person with a cumulative ownership of at least 2,000 acres of forest land.</p>	(10)(b)	<p>(b) A parcel containing less than 80 acres may be created by partition to facilitate a forest practice as defined in ORS 527.620 subject to compliance with the following requirements:</p> <p>(i) There are unique property specific characteristics present in the proposed parcel that require an amount of land smaller than 80 acres in order to conduct the forest practice;</p> <p>(ii) The parcel is not eligible for siting a new dwelling;</p> <p>(iii) The parcel cannot serve as the justification for the siting of a future dwelling on other lots or parcels;</p> <p>(iv) Does not result in a parcel of less than 35 acres, unless the purpose of the land division is to:</p> <p>(aa) Facilitate an exchange of lands involving a governmental agency; or</p> <p>(bb) Allow transactions in which at least one person has a cumulative ownership of at least 2,000 acres of forest land located in Lane County or a county adjacent to Lane County;</p> <p>(v) The land division cannot be used to justify the re-designation or rezoning of resource lands; and</p> <p>(vi) A landowner allowed a land division under LC 16.211(10)(a) above signs a statement that is recorded with the Lane County Clerk declaring that the landowner will not in the future complain about accepted farming or forest practices on nearby lands devoted to farm or forest use.</p> <p>(vii) LC Chapter 13 for submission, review and approval of preliminary and final partition or subdivision plans.</p>	OAR 660-006-0026(2)(c)
(7)(b)(iv)	<p>(iv) To allow a division of a lot or parcel zoned for forest use if:</p> <p>(aa) At least two dwellings lawfully existed on the lot or parcel prior to November 4, 1993;</p> <p>(bb) Each dwelling complies with the criteria for a replacement dwelling under paragraph (3)(d)(ii);</p> <p>(cc) Except for one parcel, each parcel created under this paragraph is between two and five acres in size;</p> <p>(dd) At least one dwelling is located on each parcel created under this paragraph; and</p> <p>(ee) The landowner of a parcel created under this paragraph provides evidence that a restriction prohibiting the landowner and the landowner's successors in interest from further dividing the parcel has been recorded with the county clerk of the county in which the parcel is located. A restriction imposed under this paragraph is irrevocable unless a statement of release is signed by the county planning director of the county in which the parcel is located</p>	(10)(e)	<p>(e) A division by partition of a lot or parcel for at least two existing dwellings or manufactured dwellings subject to compliance with these requirements:</p> <p>(i) At least two dwellings or manufactured dwellings lawfully existed on the lot or parcel prior to November 4, 1993;</p> <p>(ii) Each dwelling or manufactured dwelling complies with the requirements for a replacement dwelling or manufactured dwelling in LC 16.211(4)(a) or</p> <p>(b) above;</p> <p>(iii) Except for one lot or parcel, each lot or parcel created under LC 16.211(10)(d) above is between two and five acres in size;</p> <p>(iv) At least one dwelling or manufactured dwelling is located on each lot or parcel created under LC 16.211(10)(d) above;</p> <p>(v) A lot or parcel may not be divided under Lane Code 16.211(10)(d) if an existing dwelling on the lot or parcel was approved under a statute, an administrative rule or a land use regulation as defined in</p>	OAR 660-006-0026(2)(d)

	<p>indicating that the comprehensive plan or land use regulations applicable to the parcel have been changed so that the parcel is no longer subject to statewide planning goals protecting forestland or unless the land division is subsequently authorized by law or by a change in a statewide planning goal for land zoned for forest use.</p> <p>(ff) A lot or parcel may not be divided if an existing dwelling on the lot or parcel was approved under a statute, an administrative rule or a land use regulation as defined in ORS 197.015 that required removal of the dwelling or that prohibited subsequent division of the lot or parcel.</p>		<p>ORS 197.015 that required removal of the dwelling or that prohibited subsequent division of the lot or parcel;</p> <p>(vi) A landowner allowed a division under LC 16.211(10)(d) shall sign a statement that shall be recorded with Lane County Deeds and Records declaring that the landowner and the landowner's successors in interest will not in the future complain about accepted farm or forest practices on nearby lands devoted to farm or forest use;</p> <p>(vii) The land owner of a lot or parcel created under LC 16.211(10)(d) above shall provide evidence that a restriction prohibiting the landowner and the landowner's successors in interest from further dividing the lot or parcel has been recorded with Lane County Deeds and Records. This restriction shall be irrevocable unless a statement of release signed by the Planning Director indicating that the Lane County Rural Comprehensive Plan or land use regulations applicable to the lot or parcel have been changed in such a manner that the lot or parcel is no longer subject to statewide planning goals protecting forest land or unless the land division is subsequently authorized by law or by a change in a statewide planning goal for land zoned for forest use or mixed farm and forest use; and</p> <p>(viii) The Planning Director shall maintain a record of lots and parcels that do not qualify for division under restrictions imposed by LC 16.211(10)(d)(vii) above. The record shall be readily available to the public.</p>		
(7)(b)(v)	<p>(v) A division of a lot or parcel if the proposed division of land is for the purpose of allowing a provider of public parks or open space, or a not-for-profit land conservation organization, to purchase one of the resulting parcels as provided in (aa) through (dd) below:</p> <p>(aa) A parcel created by the land division that is not sold to a provider of public parks or open space or to a not-for-profit land conservation organization must comply with the following:</p> <p>(A) If the parcel contains a dwelling or another use allowed under LC 16.211, the parcel must be large enough to support continued residential use or other allowed use of the parcel;</p> <p>(B) If the parcel does not contain a dwelling, the parcel is eligible for siting a dwelling as may be authorized under ORS 195.120 or as may be authorized under ORS 215.705, based on the size and configuration of the parcel.</p> <p>(bb) Before approving a proposed division of land under this section, the Planning Director must require as a condition of approval that the provider of public parks or open space, or the not-for-profit conservation organization, present for recording in Lane County Deeds and Records, an irrevocable deed restriction prohibiting the provider or organization and their successors in interest from:</p> <p>(A) Establishing a dwelling on the parcel or developing the parcel for any use not authorized in LC 16.211 except park or conservation uses; and</p> <p>(B) Pursuing a cause of action or claim of relief alleging an injury from farming or forest practices for which a claim or action is not allowed</p>	(10)(f)	<p>(f) A division of a lot or parcel by partition if the proposed division of land is for the purpose of allowing a provider of public parks or open space, or a not-for-profit land conservation organization, to purchase one of the resulting parcels as provided in LC 16.211(10)(e)(i)-(iv), below:</p> <p>(i) A parcel created by the land division that is not sold to a provider of public parks or open space or to a not-for-profit land conservation organization must comply with the following:</p> <p>(aa) If the parcel contains a dwelling or another use allowed under LC 16.211, the parcel must be large enough to support continued residential use or other allowed use of the parcel; or</p> <p>(bb) If the parcel does not contain a dwelling, the parcel is eligible for siting of a dwelling as may be authorized under LC 16.211(5)-(7), based on the size and configuration of the parcel.</p> <p>(ii) Before approving a proposed division of land under this section, the Planning Director shall require as a condition of approval that the provider of public parks or open space, or the not-for-profit conservation organization, present for recording in Lane County Deeds and Records, an irrevocable deed restriction prohibiting the provider or organization and their successors in interest from:</p> <p>(aa) Establishing a dwelling on the parcel or developing the parcel for any use not authorized in LC 16.211 except park or conservation uses; and</p> <p>(bb) Pursuing a cause of action or claim of relief alleging an injury from farming or forest practices for which a claim or action is not</p>		OAR 660-006-0026(2)(e)

	<p>under ORS 30.936 or 30.937.</p> <p>(cc) If a proposed division of land under (7)(b)(v) results in the disqualification of a parcel for a special assessment described in ORS 308A.718 or the withdrawal of a parcel from designation as riparian habitat under ORS 308A.365, the owner must pay additional taxes as provided under ORS 308A.371 or 308A.700 to 308A.733 before the Planning Director may approve the division.</p> <p>(dd) The Planning Director is required to maintain a record of lots and parcels that do not qualify for development of the property under restrictions imposed by (7)(b)(v)(aa)(B) above. The record must be readily available to the public.</p>		<p>allowed under ORS 30.936 or 30.937.</p> <p>(iii) If a proposed division of land under LC 16.211(10)(e) results in the disqualification of a parcel for a special assessment described in ORS 308A.718 or the withdrawal of a parcel from designation as riparian habitat under ORS 308A.365, the owner must pay additional taxes as provided under ORS 308A.371 or 308A.700 to 308A.733 before the Planning Director may approve the division.</p> <p>(iv) The Planning Director shall maintain a record of lots and parcels that do not qualify for development of the property under restrictions imposed by LC 16.211(10)(e)(ii)(aa) and (bb) above. The record shall be readily available to the public.</p>		
(7)(b)(vi)	<p>(vi) A division of a lawfully established unit of land may occur along an acknowledged urban growth boundary where the parcel remaining outside the urban growth boundary is zoned as F-2 and is smaller than 80 acres, provided that:</p> <p>(aa) If the parcel contains a dwelling, it must be large enough to support continued residential use.</p> <p>(bb) If the parcel does not contain a dwelling, the parcel:</p> <p>(A) Is not eligible for siting a dwelling, except as may be authorized under ORS 195.120;</p> <p>(B) May not be considered in approving or denying an application for siting any other dwelling; and</p> <p>(C) May not be considered in approving a redesignation or rezoning of forest lands, except to allow a public park, open space, or other natural resource use.</p>	(10)(g)	<p>(g) A division of a lot or parcel by partition when a portion of the parcel has been included within an urban growth boundary (UGB) and subject to the following:</p> <p>(i) The portion of the parcel within the UGB has been re-designated for uses under the applicable acknowledged comprehensive plan; and</p> <p>(ii) The portion of the parcel that remains outside the UGB is smaller than 80 acres; and</p> <p>(iii) The parcel must be divided along the UGB boundary line; and</p> <p>(iv) If the parcel outside of the UGB contains a dwelling, the parcel must be large enough to support continued residential use.</p> <p>(v) If the parcel outside of the UGB does not contain a dwelling, the parcel:</p> <p>(aa) Is not eligible for siting a dwelling, except as authorized in conjunction with a state or local public park;</p> <p>(bb) May not be considered in approving a re-designation or rezoning of forestlands, except to allow a public park, open space, or other natural resource use.</p> <p>(vi) A landowner allowed a land division under LC 16.211(10)(g) above shall sign and record in the Lane County deed records a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.</p>		ORS 215.785/OAR 660-006-0026(8)
(7)(c)	<p>(c) A landowner allowed a land division under Subsection (b) must record with the county clerk an irrevocable deed restriction prohibiting the owner and all successors in interest from pursuing a cause of action or claim of relief alleging injury from farming or forest practices for which a claim or action is not allowed under ORS 30.936 or 30.937.</p>				
(7)(d)	<p>(d) The Approval Authority or its designate may not approve a property line adjustment of a lot or parcel in a manner that separates a temporary hardship dwelling or home occupation from the parcel on which the primary residential use exists.</p>				
(8)	<p>(8) Telecommunication Facilities. Telecommunication facilities are allowed subject to compliance with the requirements of LC 16.264 and applicable requirements</p>	(12)	<p>(12) Telecommunication Facilities. Telecommunication facilities are allowed subject to compliance with the requirements of LC 16.264 and with applicable requirements elsewhere in LC Chapter 16</p>		

	elsewhere in LC Chapter 16.		including but not necessarily limited to: the riparian vegetation protection standards in LC 16.253; Floodplain Combining Zone (LC 16.244); Willamette Greenway Development Permits (LC 16.254); the Coastal Resource Management Combining Zones (LC 16.234, 16.235, 16.236, 16.237, 16.238, 16.239, 16.240, 16.241, 16.242, or 16.243); Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state; the Commercial Airport Safety Combining Zone (LC 16.245) and the Airport Safety Combining Zone (LC 16.246); and the Sensitive Bird Habitat protection Standards and Criteria in LC 16.005(4).		
		(13)	(13) Transportation facilities and uses listed in LC 16.211(3)(q)(ix) through (xiii) shall comply with the following: (a) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer; (b) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and (c) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.	Not included as a separate section in new code	