

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 5-08

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

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

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

DELETE THESE SECTION(S)

INSERT THESE SECTION(S)

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

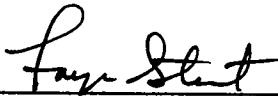
16.014 through 16.015
as located on pages 16-7 through 16-9
(a total of 3 pages)

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

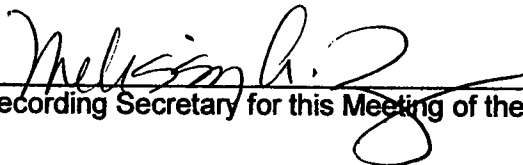
16.252
as located on pages 16-505 through 16-507
(a total of 3 pages)

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

ENACTED this 11th day of June 2008.



Chair, Lane County Board of Commissioners



Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 5-15-2008 Lane County



OFFICE OF LEGAL COUNSEL

16.014 Plan Designation and Zoning Maps.

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

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

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

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

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

(g) Title (Official Lane County Plan Map; or Official Lane County Zoning Map; or Official Lane County Coastal Zoning Map).

(h) Adoption/Revision tracking table containing: revision or adoption number, ordinance or order number, planning action number, effective date of map amendment and revision description.

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

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

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

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

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

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

(e) Boundaries indicated as parallel to or extensions of features indicated in LC 16.014(6)(a) through (d) above shall be so construed.

(f) Boundaries indicated as following shorelines shall be construed as following the ordinary low waterline, except where the body of water is specifically zoned Natural Estuary (/NE-RCP), Conservation Estuary (/CE-RCP) or Development Estuary (/DE-RCP), in which case the boundary shall be construed as following the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16.252 Procedures for Zoning, Rezoning and Amendments to Requirements.

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

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

(3) Initiation/Application.

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

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

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

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

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

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

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

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

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

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

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

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

(7) Action by the Board.

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

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

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

(9) Official Zoning Map.

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

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

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

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

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

LEGISLATIVE
FORMAT

16.01416.014

Lane Code

16.01416.014

16.014 Plan Designation and Zoning Maps.

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

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

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

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

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

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

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

LEGISLATIVE
FORMAT

16.01416.014

Lane Code

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**LEGISLATIVE
 FORMAT**

~~16.01516.01516.014~~

Lane Code

~~16.01516.01516.014~~

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

(k) Where zoning boundaries follow the centerline of a public utility easement or railroad right of way that has been officially vacated or conveyed, the Zone requirements applicable to the property to which the vacated or conveyed area becomes a part shall apply to the vacated or conveyed area previously part of the easement or right of way. Adjustments of zone boundaries due to a conveyance described in LC 16.014(6)(k) shall occur only upon the initial conveyance. Future conveyances or property line adjustments shall not change the zone boundaries.

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

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

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

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

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

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

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

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

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

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

At right margin indicates changes
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**LEGISLATIVE
FORMAT**

~~16.020~~16.014

Lane Code

~~16.020~~16.014

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

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

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

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

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

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

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

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

**LEGISLATIVE
FORMAT**

16.252

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

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

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

16.252 Procedures for Zoning, Rezoning and Amendments to Requirements.

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

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

(3) Initiation/Application.

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

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

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

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

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

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

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

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

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

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

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

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

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

(7) Action by the Board.

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

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

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

(9) Official Zoning Map.

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

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

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

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

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

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

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

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

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

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

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

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

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

(4110) Error in Legal Description. Notwithstanding any other provision in this chapter, where the sole basis for a zoning or rezoning, whether initiated by Application, the Planning Commission or the Board, is in an error in a legal description; if applicable in the Ordinance or Order zoning or intended to zone the property, the zoning or rezoning shall be referred to the Planning Director for investigation and a report. After such investigation and report, the zoning or rezoning shall be considered in accordance with the procedures for hearings provided in LC 16.252(5) and (6) above.

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