

MAR 3 - 1983

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 2-83

) IN THE MATTER OF AMENDING CHAPTER 10
) OF LANE CODE TO REVISE INTERIM
) URBANIZING COMBINING DISTRICT (/U) BY
) INCLUDING PROVISIONS FOR MINIMUM LOT
) OR PARCEL SIZE FOR LAND DESIGNATED
) LIMITED SERVICE AREA BY THE FLORENCE
) COMPREHENSIVE PLAN

County Clerk
 For Lane County, Oregon
Patricia A. Bostel
 DEPUTY

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

Chapter 10 of Lane Code is hereby amended by removing and substituting the following pages:

REMOVE THESE PAGES

INSERT THESE PAGES

10.122-05 - 10.122-25 to
 10.122-45(2) - 10.122-50(6)
 (a total of four pages)

10.122-05 - 10.122-25 to
 10.122-50(1) - 10.122-50(6)
 (a total of five pages)

Said pages are attached hereto and incorporated herein by reference. The purpose of these substitutions is to revise Interim Urbanizing Combining District (/U) by including provisions for minimum lot or parcel size for land designated Limited Service Area by the Florence Comprehensive Plan.

Enacted this 2nd day of March, 1983.

Gerald H. Rust, Jr.
 Chairman, Lane County Board of Commissioners

Debbie Mahr
 Recording Secretary for this Meeting of the Board

In the Matter of Amending Chapter 10 of Lane Code to Revise Interim Urbanizing Combining District (/U) by Including Provisions for Minimum Lot or Parcel Size for Land Designated Limited Service Area by the Florence Comprehensive Plan

APPROVED AS TO FORM
 DATE 2/4/83 Lane County
William A. ...
 OFFICE OF LEGAL COUNSEL

10.122-05

Lane Code

10.122-25

INTERIM URBANIZING COMBINING DISTRICT (/U)

- 05 Purpose. The Interim Urbanizing Combining District (/U) is intended to be applied to those lands which are currently nonurban in nature, however, are:
- (1) Within an area designated as an urban growth area by the Comprehensive Plan of Lane County, and
 - (2) Lands recognized by the Plan as suitable for conversion from urbanizable to urban uses at some future date. The /U Combining District must be used in conjunction with another primary district to establish land use standards. It may be used where appropriate in conjunction with any other district in accordance with the specific Comprehensive Plan provisions relating to the respective city urban growth boundary.
- 10 Permitted Buildings and Uses. All buildings and uses permitted in the respective district with which the /U District is combined.
- 13 Special Uses--Planning Director Review. All buildings and uses subject to the approval of the Planning Director, as provided for in LC 10.316, in the respective district with which the /U District is combined.
- 14 Special Uses--Hearings Official's Approval. All buildings and uses subject to the approval of the Hearings Official, as provided for in LC 10.317, in the respective district with which the /U District is combined.
- 15 Conditional Uses. All buildings and uses permitted conditionally in the respective district with which the /U District is combined.
- 20 Site and Development Requirements. The requirements for yards, setbacks, coverage, vision clearance, height and parking shall be the same as provided in the respective district with which the /U District is combined, except as herein specifically modified.

Florence Urban Growth Boundary

- 25 Location. The /U Combining District is for the purpose of reviewing land within those areas that are considered transitional and/or marginal; conditions which could either restrict and/or limit urban and semiurban uses.

15-79; 12.1.79
10-82; 7.9.82

10-117

WP 36547-LC6-13

(/U)

10.122-30(1)

Lane Code

10.122-30(3)

-30 Lot Area.

(1) For land served by a community water supply and community sewerage system, the minimum lot area shall be as provided by the respective district with which the /U District is combined.

(2) For land not served by a community water system and community sewerage system, the minimum lot area shall be 10 acres, except that smaller lot areas may be permitted where:

(a) Initial connection to a community sewerage system is not feasible.

(b) The proposed parcel size, configuration and number will be consistent with the long-range sewerage plan for the area where such plans exist.

(c) The proposed land division will be adequately served by interim sewerage disposal facilities and will not adversely affect other properties by causing water pollution.

(d) The design and operation of the proposed land division or development will allow for later conversion to urban densities in an orderly and efficient manner and not otherwise preempt the subject property and other properties from:

(i) Later inclusion into a community sewerage system.

(ii) Inclusion into the City of Florence.

(iii) The orderly provision of other community services and facilities.

(3) For land designated Limited Service Area by the Florence Comprehensive Plan, the minimum lot or parcel size shall be 10 acres. A lot of less than 10 acres may be approved if, on the basis of findings contained in a site investigation report, the following conditions are met in addition to any other applicable criteria:

(a) The site investigation report shall determine the carrying capacity, as defined by the Statewide Planning Goals, of the site. The report shall demonstrate that the proposed development would be in conformance with the Florence Comprehensive Plan and the Coastal Resources Management Plan.

(b) The development will be served by a public water system and sewerage system which meets the standards of the State Department of Environmental Quality.

(c) The report shall address any development hazards inventoried in the comprehensive plan; the proposal shall be allowed only when the report demonstrates that any hazards and constraints can be mitigated or do not exist on the specific property.

(/U)

10.122-35

Lane Code

10.122-40(1)

Eugene-Springfield Urban Growth Boundary

-35 Location. The /U Combining District is to be applied to urbanizable properties designated for residential use in the Eugene-Springfield Metropolitan Area General Plan which are undeveloped or which are wholly or partially underdeveloped. In situations where property is zoned /U on the periphery of the urban growth boundary and the growth boundary may bisect the property by generally following a physical feature, such as a ridge line, the actual interpretation of the growth boundary location is necessary. For the purposes of this District it will be determined by application of the requirements of LC 10.122-40 below in the absence of interpretation by means of a refinement planning process for the property. Land zoned /U and which is thereafter interpreted as being outside the urban growth boundary shall not be considered as urbanizable and shall not be subject to the requirements of LC 10.122-40 and -45 below.

-40 Lot Area. The minimum area for the division of land shall be as provided by the respective district with which the /U District is combined, except as may be further restricted by the following requirements:

(1) Any proposed new lot less than 10 acres, but not less than five acres, shall require the agreement of the adjacent city and Lane County that such lot size would be appropriate for the area, utilizing the following standards:

(a) The approval of a conceptual plan for ultimate development at urban densities in accord with the Metropolitan Area and applicable refinement plans and policies; where the property is redivisible into smaller parcels consistent with the Metropolitan Area Plan, the conceptual plan shall be accomplished by Lane County in accordance with the redivision plan procedures and requirements of LC 13.070(4).

(b) Proposed land uses and densities conform to the Metropolitan Area and applicable refinement plans and policies; and

(c) The owner of the property has signed an agreement with the adjacent city which provides:

(i) The owner and his or her successors in interest are obligated to support annexation proceedings should the city, at its option, initiate annexation.

(ii) The owner and his or her successors in interest agree not to challenge any annexation of the subject property.

(U)

10.122-40(1)

Lane Code

10.122-50

(iii) The owner and his or her successors in interest will acquire city approval for any subsequent new use, change of use or substantial intensification of use of the property. The city will not withhold approval of the use arbitrarily if it is in compliance with applicable plans, policies and standards as interpreted by the city as well as the conceptual plan approved under LC 10.122-40(a) above.

(d) The agreement required in LC 10.122-40(c) above shall be recorded in the Lane County Deed Records.

(2) Any proposed new lot less than five acres shall also require, in addition to the requirements of LC 10.122-40(1), above:

(a) The property will be owned or operated by a governmental agency or public utility; or

(b) A majority of parcels located within 100 feet of the property are smaller than five acres.

-45 Siting of Residential Uses.

(1) The placement, expansion or relocation of a dwelling structure or mobile home shall be sited so as to allow future division and/or other future, more intensive use of the property consistent with the designation of use for the property in the Eugene-Springfield Metropolitan Area General Plan.

(2) The applicable onsite sewage disposal facility or building construction permit or mobile home placement shall be conditional and made a part of such permit as is necessary to achieve the requirements of LC 10.122-45(1) above, in the following manner:

(a) Approval of a conceptual plan for the property to achieve ultimate densities provided in the Metropolitan Area Plan, which may include a redivision plan in a manner described in LC 13.070(4).

(b) Special development restrictions in addition to those otherwise required by the provisions of this chapter, on the location of buildings and onsite sewage disposal facilities to reserve land for future development consistent with LC 10.122-45(2)(a) above.

(3) The waiver or modification of the requirements of LC 10.122-45(2) above, as applied to construction permits and mobile home placement permits, may be granted only in the manner provided in LC 10.330, Variances.

-50 Conceptual Plan Considerations. The determination of the proper conceptual plan for achieving ultimate densities provided in Metropolitan Area Plan, as required by LC 10.122-40(1)(a) and LC 10.122-45(2)(a), above, shall include consideration of the following:

15-79; 12.1.79
10-82; 7.9.82

10-118b

WP 37028-LC6-46

(U)

10.122-50(1)

Lane Code

10.122-50(6)

(1) The ultimate density proposed for the property in the Eugene-Springfield Metropolitan Area Plan.

(2) The existing character of the property and its potential for more intensive development.

(3) The existing and potential future development of adjacent properties, as designated in the Metropolitan Area Plan, and any redivision plans for such properties approved in accordance with LC 13.070(4).

(4) Existing long-range plans to provide public facilities to the area.

(5) A basic standard of 6,000 square feet in area per dwelling unit for determination of ultimate densities in areas designated "Low Density Residential" in the Metropolitan Area Plan.

(6) Provision for achieving an average gross density of greater than 10 dwelling units per acre for areas designated "Medium Density Residential" in the Metropolitan Area Plan.

10.122-05

Lane Code

10.122-25

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