

18-02-27 101

DEVELOPED AND COMMITTED LANDS EXCEPTION

see addendum

Map: 18-02-27 & 18-02-24

Plot: 473

Name: PLEASANT HILL SCHOOL

Exception Number: 1

(Consolidated #1 + #2)

- 1. a) Number of tracts: 60 d) Number of residences: 62
- b) Total acreage: 209.1 e) Number of other uses: 3
- c) Average tract size: 3.5 f) Number of vacant tracts: 7

NOTE: SCHOOL SITE = 57.6 ACRES TOTAL -- INCLUDED IN ABOVE FIGURES

2. Landuse distribution patterns:

- a) 52 of the 60 tracts are occupied by single-family residence(s).
- b) of the remaining tracts are occupied by commercial use(s) _____
- c) of the remaining tracts are occupied by industrial use(s) _____
- d) strip; clustered; or scattered development pattern.
- e) 3 of the remaining tracts are occupied by use.
(Refer to Aerial Photo Flight No(s) _____)
(Refer to landuse action file(s) _____)
- f) This area is an extension of the exception on adjacent Map No. _____

3. This area is defined in the County Plan as:

- a) Agricultural land: Agricultural soils capability rating.
Prominent Soil: Class I; Class II; Class III; Class IV; Other.
- b) Forest land: Douglas fir Cubic Foot Site Class (CFSC) Rating.
Prominent CFSC: Class II; Class III; Class IV; Class V; Other.
(Refer to Soils Quad Map LOWELL.)
(Refer to Soils Photo No(s) _____.)

4. Surrounding land uses:

~~North: _____ East: _____~~
 South: A, R West: A

5. The following topographic or human-made conditions inhibit resource use or define the limits of the exception area:

(Refer to USGS Topographical Quad Map _____.)
 (Refer to Aerial Photo Flight No(s) _____.)

6. The following public services are available to the area:

- a) Paved Roadways: Highway 58, Casswell Highway ;
 Surfaced Roadways: BALSTOLL ROAD, GAPP LANE, BUTTERPANE ROAD ;
 Unsurfaced Roadways: _____ ;
 (Refer to the Public Works' Road Surface Listing, page _____.)
- b) School facilities are provided by PLEASANT HILL School District # 1 ;
- c) Police protection is provided by Lane County Sheriff's Office ;
- d) Fire protection is provided by PLEASANT HILL R.F.P.D. ;
- e) Water service is provided by: _____

Map: _____ & _____
Name: _____

Plot: 173
Exception Number: L

7. Contiguous ownership:

There are no ownerships within this area contiguous to tracts of the same ownership outside the area.
 Exceptions to the above including justification: _____

8. Summary:

Small tract sizes, fragmented ownership, current level and/or pattern of development, non-resource soils, proximity to UGB, natural boundaries, neighborhood and regional characteristics, and other relevant factors: _____, commit this area to rural residential and PUBLIC FACILITY use, and unsuitable for agricultural and/or forestry use.

Tracts in this area could not be logically combined with adjacent tracts to form farming or forest management units.

9. Recommendation:

The County General Plan landuse designation should be RUMC
and the area should be zoned RR.

Tracts 1601, 1701, 1900, 2000, 2100+2200 of Map 18-02-34 should be designated PF in the County General Plan and zoned PF.

10. Potential for futher development:

- a) Shape, size and/or public facilities expansion potential are condusive for futher development of additional tracts.
- b) Shape, size, lack of access or lack of expansion potential of public facilities inhibits further development.
- c) This is a known ground-water problem area.

DEVELOPED AND COMMITTED LANDS EXCEPTION

addendum

Map: 18-2-34

Plot: 473

Name: _____

Exception Number: 1

- 1. a) Number of tracts: 62 d) Number of residences: _____
- b) Total acreage: 209.1 + 42.7 e) Number of other uses: _____
- c) Average tract size: 4.06 f) Number of vacant tracts: _____

2. Landuse distribution patterns:

- ___ a) ___ of the ___ tracts are occupied by single-family residence(s).
- ___ b) ___ of the remaining tracts are occupied by commercial use(s) _____.
- ___ c) ___ of the remaining tracts are occupied by industrial use(s) _____.
- ___ d) ___ strip; ___ clustered; or ___ scattered development pattern.
- ___ e) ___ of the remaining tracts are occupied by _____ use.
(Refer to Aerial Photo Flight No(s) _____.)
(Refer to landuse action file(s) _____.)
- ___ f) This area is an extension of the exception on adjacent Map No. _____.

3. This area is defined in the County Plan as:

- ___ a) Agricultural land: Agricultural soils capability rating.
Prominent Soil: ___ Class I; ___ Class II; ___ Class III; ___ Class IV; ___ Other.
- ___ b) Forest land: Douglas fir Cubic Foot Site Class (CFSC) Rating.
Prominent CFSC: ___ Class II; ___ Class III; ___ Class IV; ___ Class V; ___ Other.
(Refer to Soils Quad Map _____.)
(Refer to Soils Photo No(s) _____.)

4. Surrounding land uses:

North: _____ East: _____
South: _____ West: _____

5. The following topographic or human-made conditions inhibit resource use or define the limits of the exception area:

(Refer to USGS Topographical Quad Map _____.)
(Refer to Aerial Photo Flight No(s) _____.)

6. The following public services are available to the area:

- a) Paved Roadways: _____;
- Surfaced Roadways: _____;
- Unsurfaced Roadways: _____;
- (Refer to the Public Works' Road Surface Listing, page _____.)
- b) School facilities are provided by _____ School District # _____;
- c) Police protection is provided by Lane County Sheriff's Office;
- d) Fire protection is provided by _____ R.F.P.D.;
- e) Water service is provided by: _____.

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DEVELOPED AND COMMITTED LANDS EXCEPTION

Map: 18-02-26 & 18-02-25

Plot: 484

Name: SPRINGFIELD - CRESWELL HILLS

Exception Number: 2

- 1. a) Number of tracts: 5 d) Number of residences: 5
- b) Total acreage: 17.2 e) Number of other uses: _____
- c) Average tract size: 3.4 f) Number of vacant tracts: _____

2. Landuse distribution patterns:

- a) 5 of the 5 tracts are occupied by single-family residence(s).
- b) _____ of the remaining tracts are occupied by commercial use(s) _____.
- c) _____ of the remaining tracts are occupied by industrial use(s) _____.
- d) strip; clustered; or scattered development pattern.
- e) _____ of the remaining tracts are occupied by _____ use.
(Refer to Aerial Photo Flight No(s) _____.)
(Refer to landuse action file(s) _____.)
- f) This area is an extension of the exception on adjacent Map No. 473.

3. This area is defined in the County Plan as:

- a) Agricultural land: Agricultural soils capability rating.
Prominent Soil: Class I; Class II; Class III; Class IV; Other.
- b) Forest land: Douglas fir Cubic Foot Site Class (CFSC) Rating.
Prominent CFSC: Class II; Class III; Class IV; Class V; Other.
(Refer to Soils Quad Map LOWELL.)
(Refer to Soils Photo No(s) _____.)

4. Surrounding land uses:

North: A East: A
 South: A West: R

5. The following topographic or human-made conditions inhibit resource use or define the limits of the exception area:

(Refer to USGS Topographical Quad Map _____.)
 (Refer to Aerial Photo Flight No(s) _____.)

6. The following public services are available to the area:

- a) Paved Roadways: SPRINGFIELD - CRESWELL HILLS ;
- Surfaced Roadways: _____ ;
- Unsurfaced Roadways: _____ ;
- (Refer to the Public Works' Road Surface Listing, page _____.)
- b) School facilities are provided by PLEASANT HILL School District # 1 ;
- c) Police protection is provided by Lane County Sheriff's Office;
- d) Fire protection is provided by PLEASANT HILL R.F.P.D.;
- e) Water service is provided by: _____

Map: _____ & _____
Name: _____

Plot: 489
Exception Number: 2

7. Contiguous ownership:

There are no ownerships within this area contiguous to tracts of the same ownership outside the area.

Exceptions to the above including justification:

8. Summary:

Small tract sizes, fragmented ownership, current level and/or pattern of development, non-resource soils, proximity to UGB, natural boundaries, neighborhood and regional characteristics, and other relevant factors: _____, commit this area to rural residential and _____ use, and unsuitable for agricultural and/or forestry use.

Tracts in this area could not be logically combined with adjacent tracts to form farming or forest management units.

9. Recommendation:

The County General Plan landuse designation should be RURAL

and the area should be zoned RR.

Tracts _____ of Map _____ should be designated _____ in the County General Plan and zoned _____.

10. Potential for further development:

a) Shape, size and/or public facilities expansion potential are conducive for further development of additional tracts.

b) Shape, size, lack of access or lack of expansion potential of public facilities inhibits further development.

c) This is a known ground-water problem area.

LANE COUNTY

SUPPLIMENTARY EXCEPTION FINDINGS

PHYSICALLY DEVELOPED

Plot-Exception # 473-1

I. FACTUAL ANALYSIS

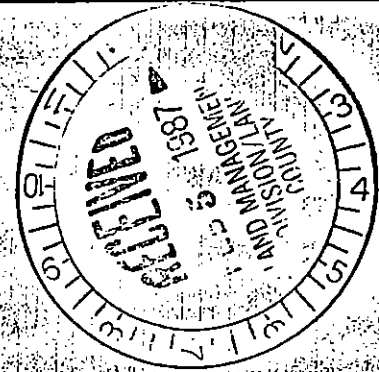
1. Identification of the nature, extent and location of structures, other than those allowed by Goals 3 & 4, on the property: Property presently contains a truck repair facility, which is a use not allowed in the County's Goal 3 and Goal 4 implementing zones.
2. Identification of the nature, extent and location of roads, other than those allowed by Goals 3 & 4, on the property: Springfield-Creswell Highway directly serves the property.
3. Identification of the nature, extent and location of sewer and water facilities other than those allowed by Goals 3 & 4, on the property: On-site facilities which also service residential uses in the area.
4. Identification of the nature, extent and location of utility facilities, other than those allowed by Goals 3 & 4, on the property: See above.

II. CONCLUSION RE PHYSICALLY DEVELOPED

Based upon one or more of the relevant physical development factors identified above, the land is physically developed for uses other than those allowed by Goals 3 and 4 because: Property is now physically developed as an industrial activity (truck repair facility). See attached applicant's documentation.

III. ATTACHMENTS Applicant's documentation.

February 5, 1987



Mr. Michael Copely
Lane County Land Management Division
125 E. 8th Avenue
Eugene, OR 97401

RE: Plan Amendment/Rezone - Map 18-02-27 Taxlot 1003 & 1006
Plot 473

Dear Mr. Copely,

This letter is a request for plan amendment/zone change for the property referenced above through the Errors and Omissions process. The request is for a change from Rural Residential (RR-5) to an Industrial designation with a Light Industrial (M-2) zone. The request is based on the fact that the industrial use has existed on the property for a number of years and has been established as a nonconforming use through PA 3170-86.

The request for plan amendment/zone change is made under Policy 21(d)4. "Failure of the RCP designation/zone to recognize a lawful land use activity or development upon an affected property as of September 13, 1984, with such activity or development being represented by substantial improvements to or uses of the property at that time."

The verification of nonconforming use is provided to show that this property qualifies for the Errors and Omissions procedure under this category and was, as required, a lawful use on September 13, 1984.

Facts pertaining to the use of the property and the request for plan amendment/zone change are provided.

1. The property consists of two taxlots, 1003 and 1006, on Assessors map 18-02-27.
2. Taxlot 1003 contains 6.14 acres, taxlot 1006 contains 4.55 acres for a total of 10.69 acres.



Page two - Michael Copely letter

3. Both taxlots are owned by Christian Logging Company, which has a truck shop on taxlot 1006.

4. All improvements are located on taxlot 1006. Taxlot 1003 has been reserved for possible future expansion.

5. The property has an address of 85019 Springfield-Creswell Highway.

6. The property is currently zoned RR-5 on plot 473 and has a Rural Plan designation.

7. This request is for a plan amendment/zone change to Industrial/ Light Industrial (M-2).

8. Improvements on the property include a machine shop, house, truck repair shop/office building, concrete storage pad, underground fuel storage tanks and truck parking area.

9. The property was first established as a truck shop in 1961 by CR and K Logging.

10. At the time it was established the truck shop use was not prohibited by zoning. Zoning was not applied to the property until Farm Forestry 20 was applied on November 12, 1975.

11. Use of the property has continued as a truck shop since 1961 to the present by the following businesses:

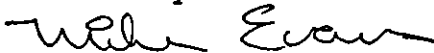
1961-1977, C.R. & K. Logging
1977-1981, L.B. Shakes
1981-1985, Bostick Construction
1985-present, Christian Logging Company

12. The parcel has been assessed by the County Assessor as a truck shop facility since 1972.

In conclusion, the property was under lawfull use as a truck storage and repair shop on September 13, 1984. It therefore is qualified for rezoning under the Errors and Omissions process. The Light Industrial (M-2) zone seems the most appropriate zone to identify the existing use.

Thank you for your consideration of this request. Please inform me if you need any additional information.

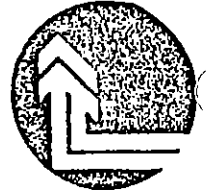
Sincerely



Mike Evans

Enclosure: Verification of Nonconforming Use, PA 3170-86

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Application No. PA 3170-86
 (Applicant) Christian Logging Company
 (Address) 85019 Springfield-Creswell Highway
Pleasant Hill, OR 97455
 (Map & Tax Lot) 18-02-27 / 1003 & 1006

The above referenced application to verify and record the existence of a non-
conforming truck repair and equipment yard within a Rural Residential zone

has been:

approved with the stipulations and conditions stated below.
 denied.

The decision was based on the findings of this office (copy enclosed) in accordance with the provisions of Lane Code 16.251. The decision will become final on 11/10/86 unless appealed to the Hearings Official, via the Planning Division on or before that date. An appeal may be filed by you, your representative, or any other property owner impacted by the decision in accordance with the provisions of Lane Code 14.500. * The appeal is to be filed with this office and must state how the decision is in error. If an appeal is filed, you and the adjacent property owners will be advised of the date, time and place of the hearing before the Hearings Official.


 Janet Currin

*Your appeal must be accompanied by a \$ 195.00 filing fee.

CONDITIONS OF APPROVAL

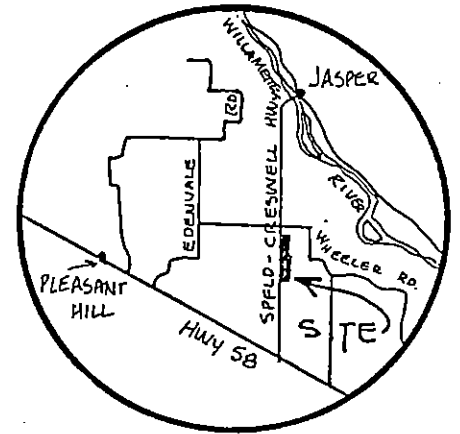
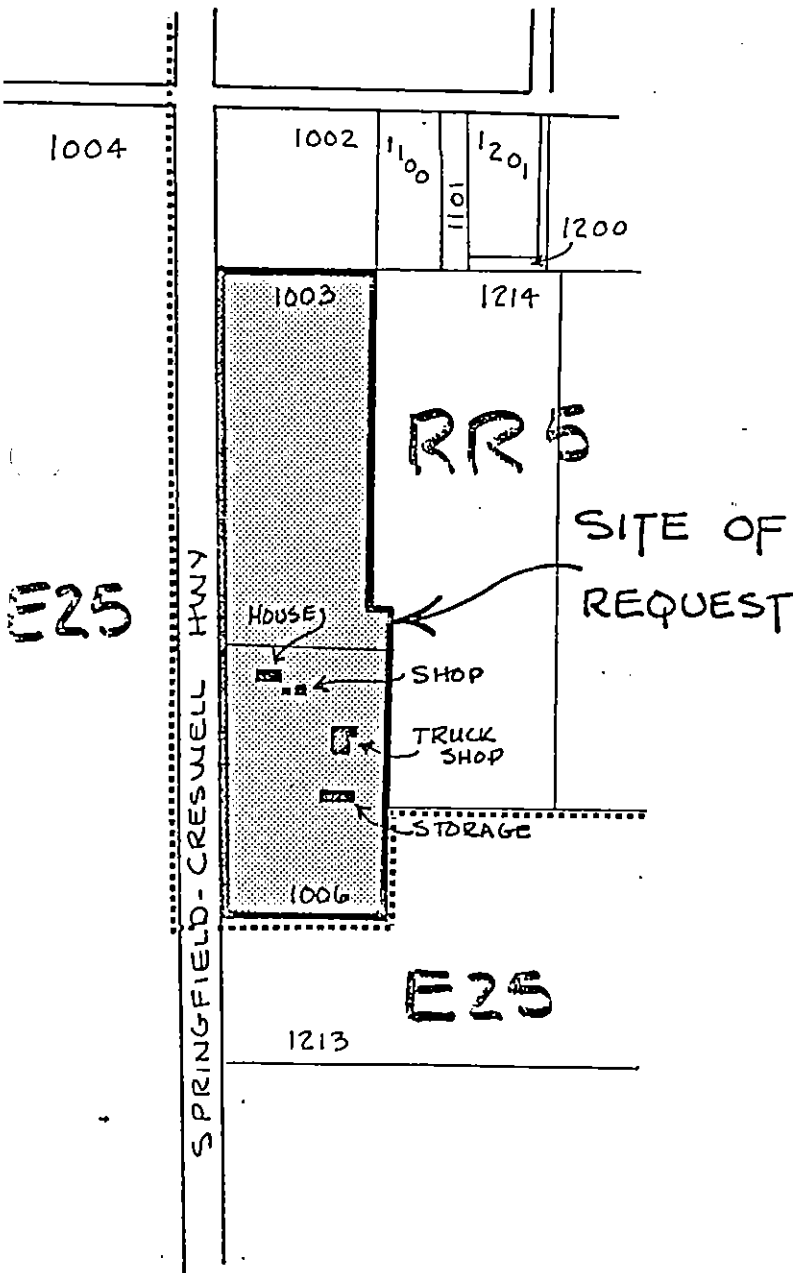
1. This approval is limited to the use existing on tax lot 1006 and as shown on the attached plot plan dated October 2, 1986, submitted by the applicant.

See attached findings and plot plan.

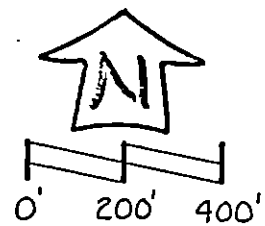
110

Administrative Approval

Applicant: Christian Logging Company; PA 3170-86
Location: 85019 Springfield-Creswell Highway, Pleasant Hill, OR 97455
Plot No.: 473
Map No.: 18-02-27 / 1003 & 1006
Proposal: Verification of a Nonconforming Use: truck repair and equipment yard in a RR-5 zone.



VICINITY MAP



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NOTICE TO MORTGAGEE, LIEN HOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

FOR ANY INFORMATION ON THE PROPOSAL, CONTACT LAND MANAGEMENT DIVISION / COURTHOUSE - PUBLIC SERVICE BUILDING / 125 E. 8TH AVENUE / EUGENE, OREGON 97401 / PHONE (503) 687-4061

APPLICATION FOR NONCONFORMING USE VERIFICATION

Application Date: September 30, 1986

I. PROPOSAL DESCRIPTION

A. Applicant:

Christian Logging Company
%Roger Batson & Everett Christian
85019 Springfield Creswell Highway
Pleasant Hill, OR 97401

B. Agent:

Mike Evans
Land Planning Consultants
209 Q Street
Springfield, OR 97477

C. Proposal:

The applicant requests verification of a nonconforming use within a Rural Residential zone (RR-5).

II. GENERAL INFORMATION

A. Location and Site Description:

Map: 18-02-27 Taxlot 1003 & 1006
Plot No: 473
Zoning: RR-5
Site Address: 85010 Springfield-Creswell Highway

The property consists of two taxlots which total 10.69 acres. It is currently used as a truck repair and equipment yard which use was originally established in 1961.

B. Surrounding Area:

Properties to the North and East are zoned Rural Residential (RR-5). Properties to the South and West are zoned E-25.

C. Services - Code - 1-13

Pleasant Hill Fire District #1
Pleasant Hill School District #1
Emerald Peoples Utility District
Existing individual wells

Existing individual SSDS
Springfield-Creswell State Highway Access
Lane County Sheriff and State Police

III. APPROVAL CRITERIA AND ANALYSIS

A. Plan Designation - Rural Residential

B. Lane Code, Chapter 16.251

1. LC 16.251(1) verification criteria:

(a) To be valid, a nonconforming use must have been lawfully established prior to the enactment of an ordinance restricting or prohibiting the use.

The property's use as a truck shop was originally established in 1961. The first zoning which restricted uses of the property was Farm Forestry FF-20 which was applied on November 12, 1975 by Ordinance No. 564.

(b) The use must have been in actual existence prior to the enactment of an ordinance restricting or prohibiting the use or have proceeded so far toward completion that a right to complete and maintain the use is deemed to have vested in the landowner.

The use had existed 14 years prior to enactment of the restricting FF-20 zoning ordinance.

(c) The nonuse of a nonconforming use of a structure or property for a period in excess of one year will prohibit the resumption of the nonconforming use. The burden of proof for the verification of a nonconforming use is upon the applicant.

The truck shop use was originally established by Ted Rosell and George Collins as CR and K Logging. They continued the use from 1961 until 1977. L.B. Shakes continued the truck shop use until 1981. Bostick Construction used the facility until 1985 when Christian Logging purchased the property. Christian Logging continues the truck shop use. The parcel has maintained continual assessment for the truck shop facilities since at least 1972.

IV. FINAL COMMENTS

A. Findings:

1. This application is for verification of a nonconforming use within the RR-5/RCP zone under the provisions of Lane Code 16.251.

2. The property involved is a 10.69 acre parcel identified as taxlots 1003 and 1006 assessors map 18-02-27, zoned Rural Residential.

3. The nonconforming use is a truck shop which was originally established in 1961 by CR and K Logging.

4. The property includes a truck repair shop with office, an open bay truck storage building, underground fuel storage tanks and pumps, a concrete storage and loading pad, a machine shop, a caretaker residence and a large truck parking area.

5. Current and past use of the property includes truck and component storage and repair, equipment maintenance, dispatching, office and administrative functions.

6. The property has the following use history:

1961-1977 - CR and K Logging
1978-1981 - Lonnie Bagwell/L.B. Shakes
1981-1985 - Bostick Construction
1985- - Christian Logging

7. Assessment and Taxation residential appraisal characteristic sheets show continued use as a truck repair shop since the original appraisal record on September 13, 1972.

8. The property had no zoning which would have restricted the truck shop use until enactment of Ordinance 564 and FF-20 zoning on November 12, 1974.

B. Summary

The subject property is used as a truck storage and repair facility which is nonconforming within the Rural Residential zone. This use was established prior to any restrictive ordinance and has continued without a years interruption to the present time. The use is therefore allowed to continue as it exists within the zone. Increase restoration, alteration or repair of the nonconforming use is allowed after director determination that it meets the following criteria:

LC 16.251(11) criteria for decision:

(a) The change in the use will be of no greater adverse impact to the neighborhood.

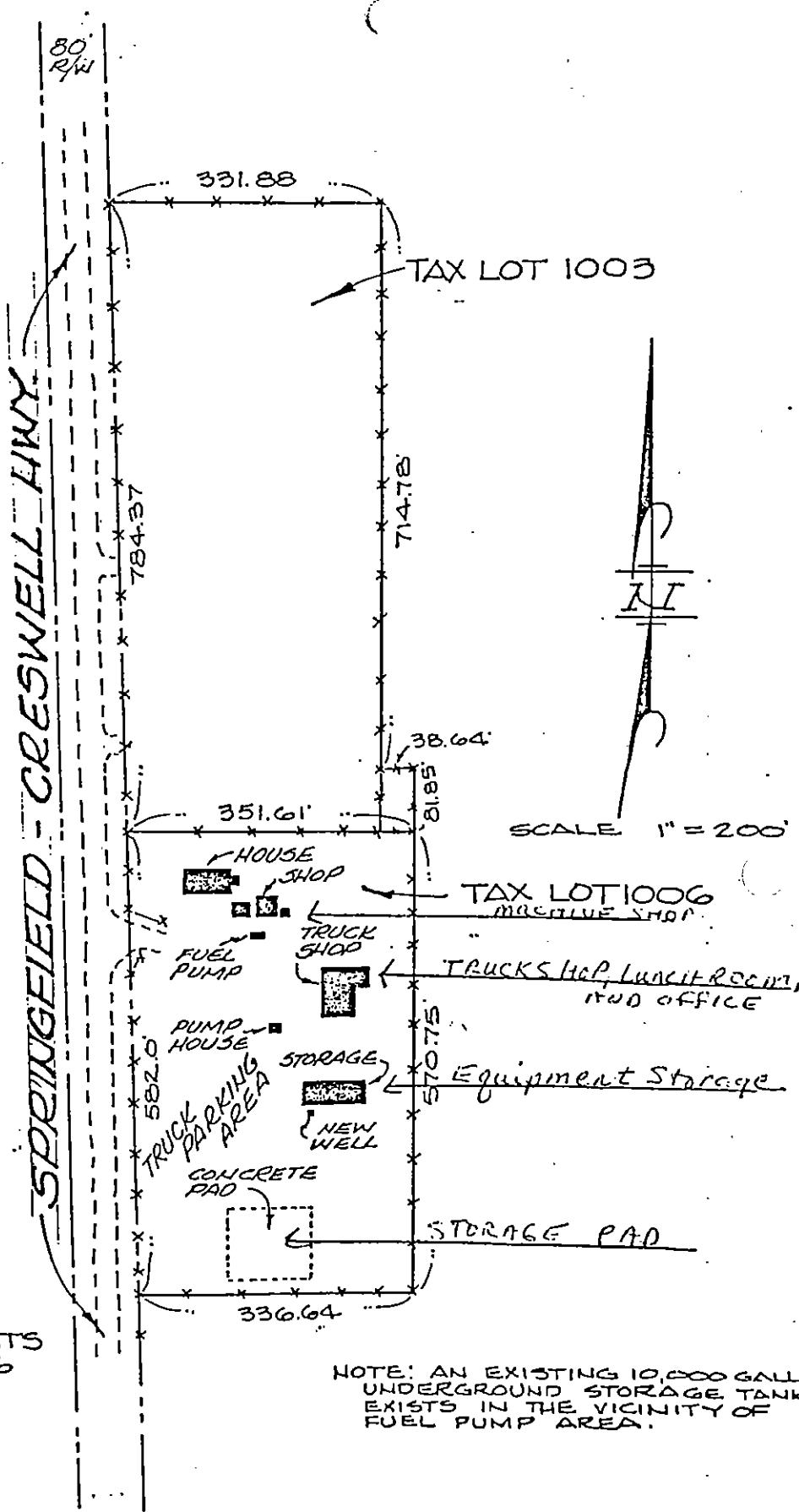
(b) The change in a structure or physical improvements will cause no greater adverse impact to the neighborhood.

(c) Other provisions of this Chapter, such as property development standards, are met.

C. Attachments:

1. Plot Plan
2. Assessors RAC appraisal record

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SKETCH OF IMPROVEMENTS
ON TAX LOTS 1003 & 1006
OF MAP NO. 18-02-27

NOTE: AN EXISTING 10,000 GALLON
UNDERGROUND STORAGE TANK
EXISTS IN THE VICINITY OF
FUEL PUMP AREA.

Oct. 2, 1986
PA 3170-86

STAFF REPORT

RURAL COMPREHENSIVE PLAN REFINEMENT -- "ERRORS & OMISSIONS"

E & O FILE NO.: 2291

A. Applicant: Kermit Carlile

B. Involved Property: 18-07-04/1500. Tract of 145 acres, located south side of Penn Road.

C. Plan Plot: 120.

D. Current Plan designation/zoning: Forest/F-1.

E. Requested Plan Designation/zoning: Agriculture/E-40 for 45-acre portion of property.

F. Evaluation:

1. Compliance with E & O Policy: Appears to comply with section D.(4) of Land Use Planning Policy 21 -- failure of the Plan to recognize a lawful use of/improvement to a property (in this case, agricultural use.)

2. Compliance with Rural Comprehensive Plan standards: RCP Agricultural Land (Goal 3) Policy 1 states, "Encourage agricultural activities by preserving and maintaining agricultural lands through the use of an exclusive agricultural zone which is consistent with ORS 215." Policy 3 mandates the County to "Reserve the use of the best agricultural soils exclusively for agricultural purposes."

The applicant has provided (see attachments) information on farm use of the property. The portion of tax lot 1500 being considered pursuant to this request is open ground generally unsuitable for forest uses but suitable for agricultural purposes. A site examination of the property in 1984, by Western Lane Forestry District, cites 23 acres of land (involved in the request) as "fields and homestead." Air photo analysis indicates open ground -- see also surface photos attached. While the land could be reconverted to forestry, past landowner activities including orchard planting has committed most of it to agricultural purposes.

Two soils on the property, in the portion being requested for Agriculture/E-40, are Nestucca Silt Loam and Nehalem Silt Loam, both with agricultural capability classifications of IIw (the latter also has a timber site index of 180). Other soils on the property also have both timber and agricultural capabilities, a common situation in rural Lane County.

3. Recommended Action: Redesignate from Forest to Agriculture; rezone from F-1 to E-40 (45-acre portion only).

G. Findings:

1. Tax lot 1500, map 18-07-04, currently zoned F-1, consists of 145 acres of undeveloped land located on the south side of Penn Road.

2. A 45-acre portion of the property has been used for farming purposes in the past, including orchard, grazing and farming over the years. That portion, located in the northeast segment of the property along the road, is low, wet land not well-suited for forestry activities. Soils in this area do, however, have a high agricultural capability.

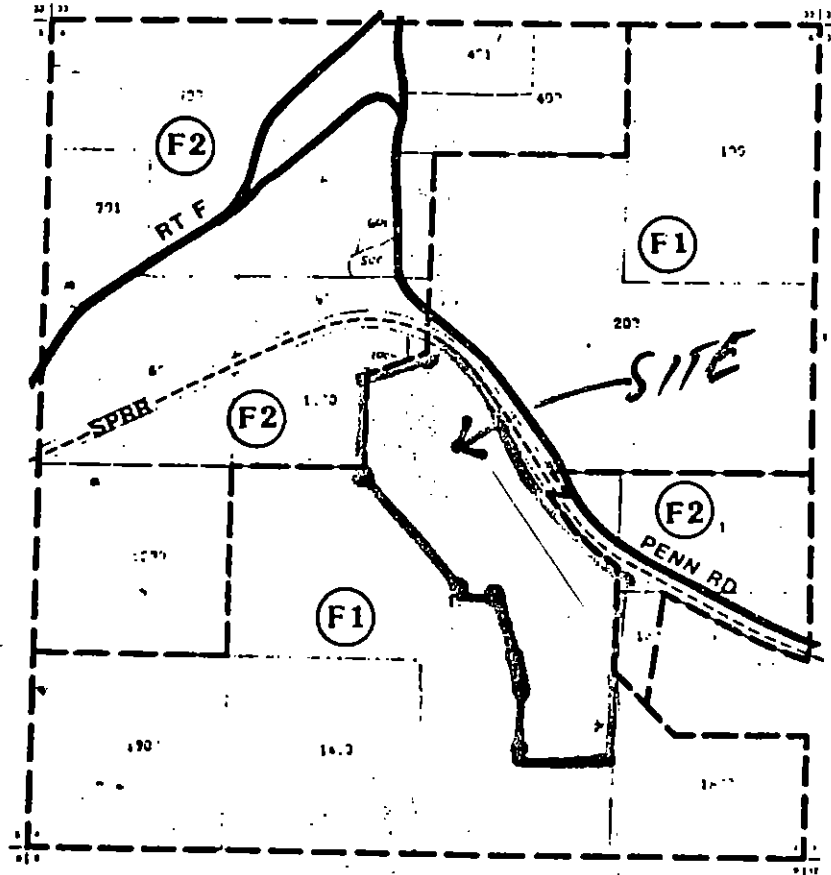
3. A redesignation/rezoning to agricultural for this portion appears to comply with applicable County Agricultural Land Policies, specifically Policies 1 and 3.

H. Materials for the Record:

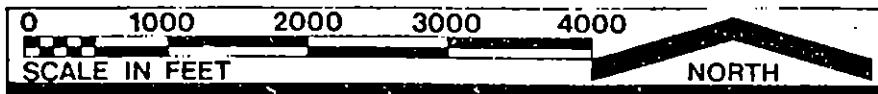
1. Rural Comprehensive Plan Land Use Planning Policy 21, Agricultural Land Policies 1 and 3, Plot 120, and applicant's supporting documentation.

2. Error & Omission File #2291.

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120A



ane county



OFFICIAL ZONING MAP

PLOT# 120

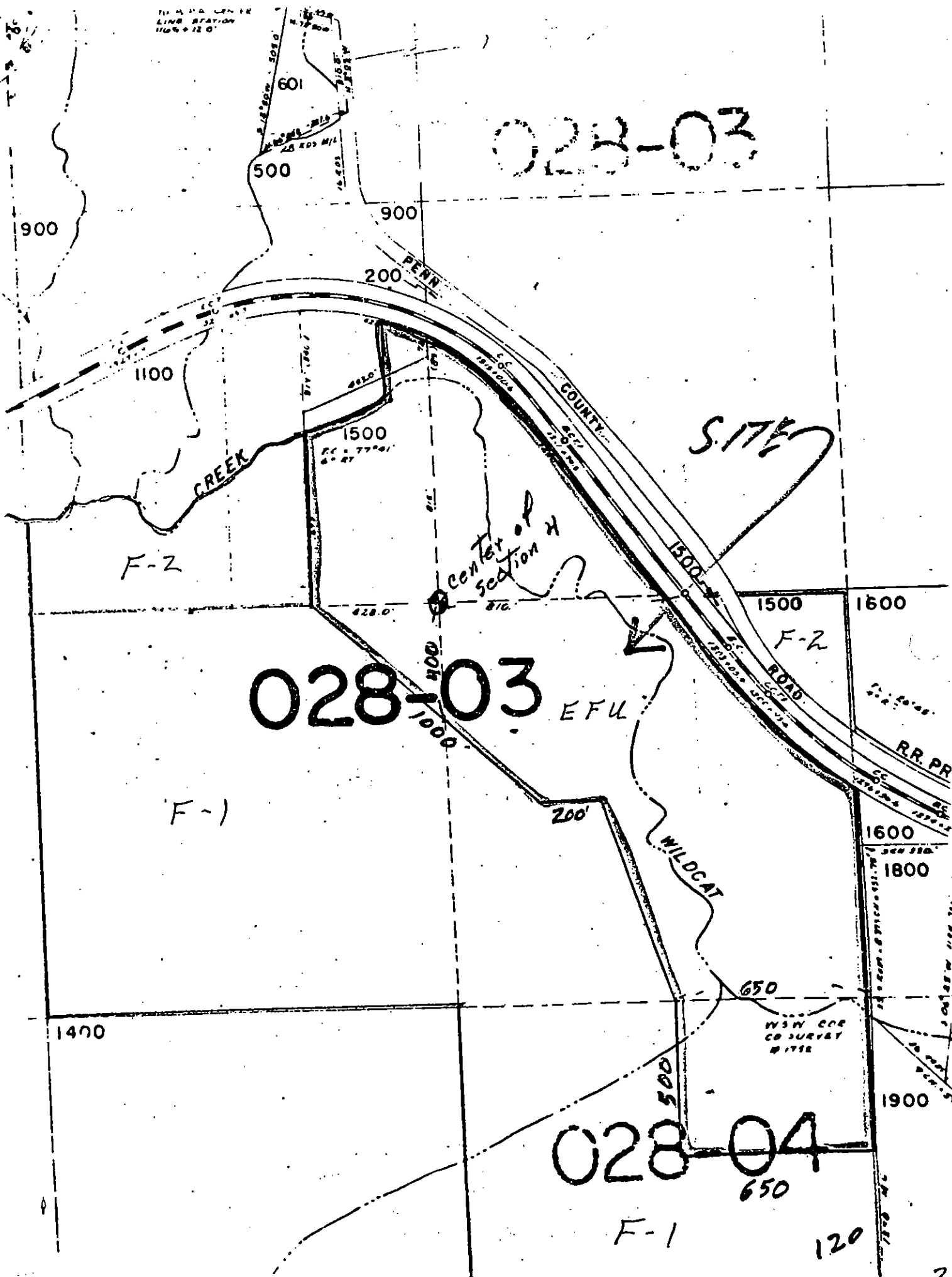
Twnshp Range Section
 18 07 04

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

REVISION # _____ ORD # _____ DATE _____ FILE # 119

TO A.P.D. CENTER
LINE STATION
116° 4' 12 0"

028-03



028-03

EFU

SITE

028-04

F-1

120



LANE COUNTY

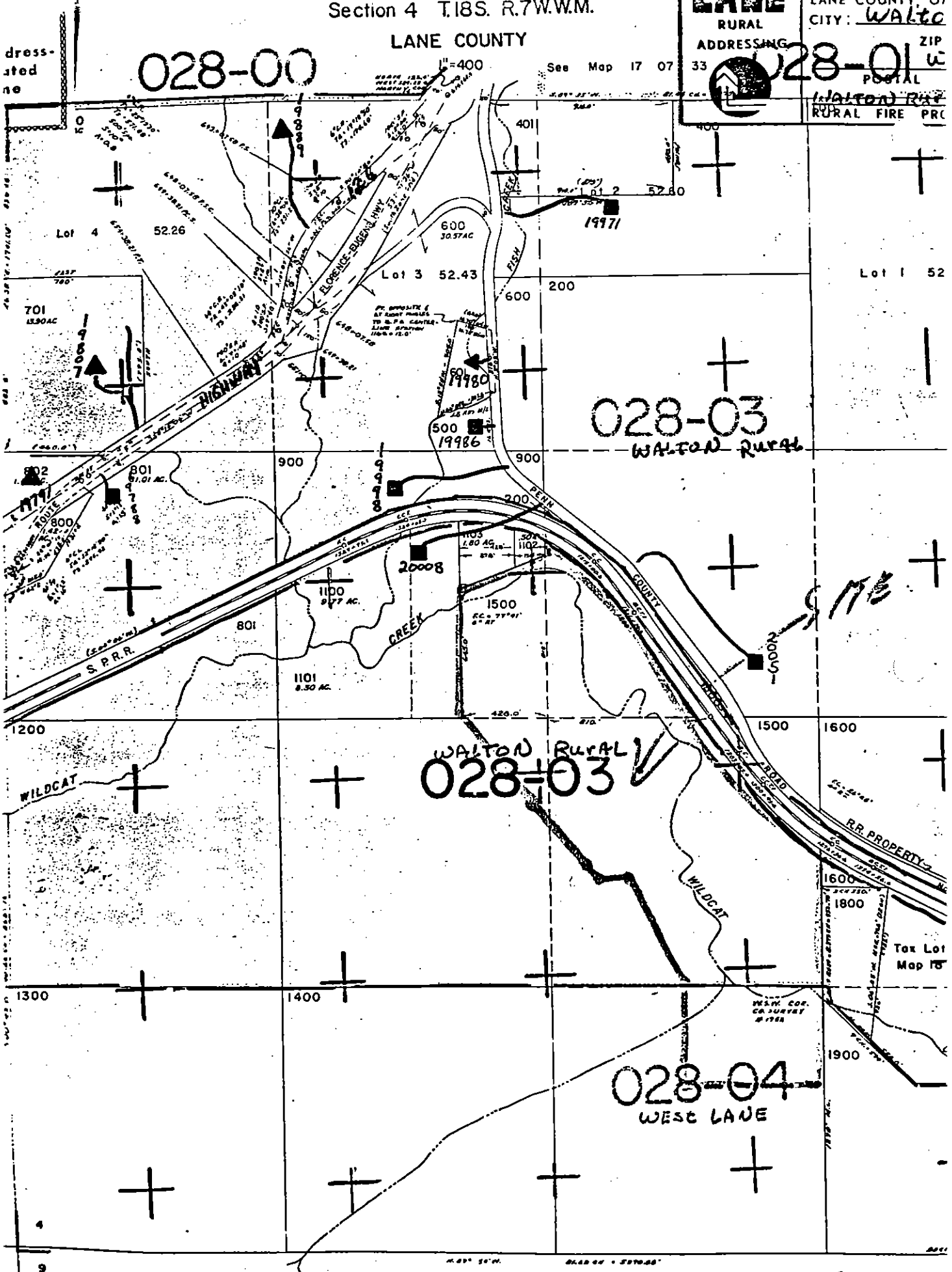
LANE RURAL ADDRESSING

LANE COUNTY, OREGON
 CITY: Walton ZIP: 97146

028-01 W
 POSTAL
 (Walton) RURAL FIRE PROTECTION

028-00

See Map 17 07 33



028-03
WALTON RURAL

028-03

028-04
WEST LANE

122

8

7

0

dress-
sted
ne

701
13.30 AC

Lot 4
52.26

Lot 3
52.43

500
19986

20008

1101
8.30 AC

1100
9.77 AC

1500
CC = 77' 0" 8" R

NOODS-1

WILDCAT

WILDCAT

RR. PROPERTY

Tax Lot
Map 18

W.S.W. CO.
CA SURVEY
1788

9

May 11, 1987

To Whom it may concern:

The following 49 pages verify that a homesite has been recognized, the access has always existed, the soil is satisfactory for septic, the septic permit should have been issued, Ground has been farmed for many years.

Please use some common sense & zone the land as shown EFL a map I prepared (page 2).

We want to start building a Fish Hatchery Building & a house from logs off our place.

We have planted over 100 apple trees & have always intended to farm the place & live there.

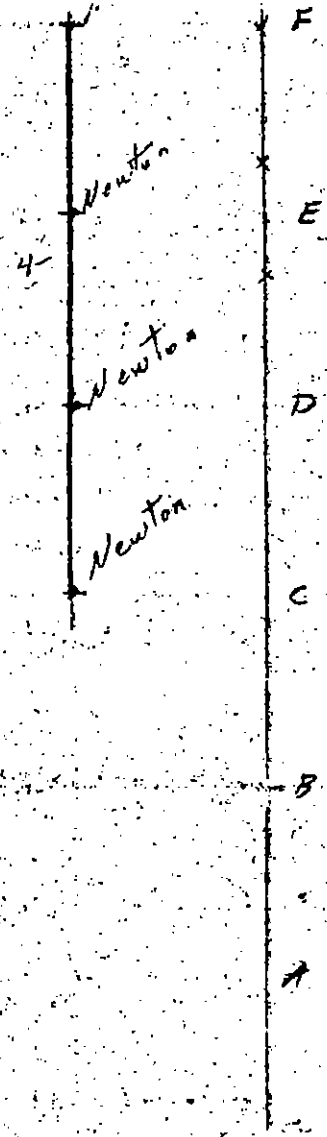
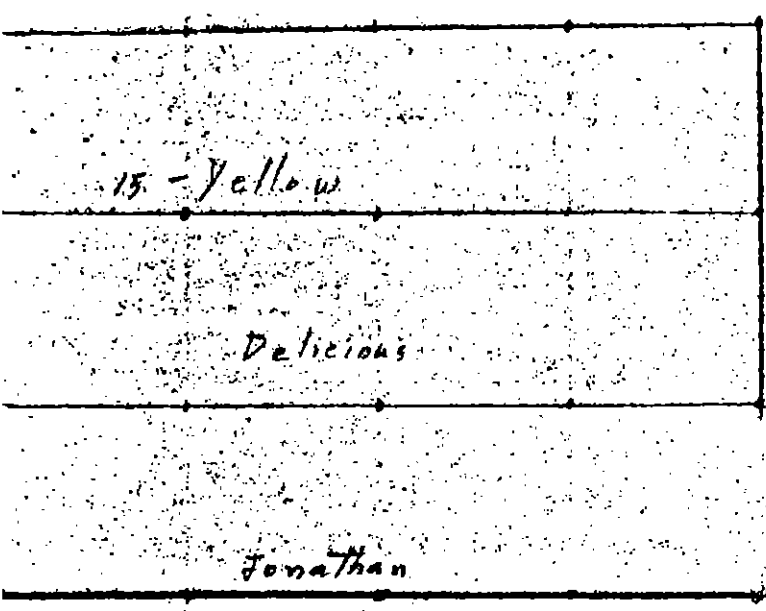
I would appreciate the issuing of the septic permit as it should have been six years ago.

This Area has been used for grazing & farming for 40+ years that I personally know of

Sincerely

Kermit H. Carlilo

Kermit H. Carlilo
Professional Land Surveying
Oregon - Washington
Rt. 3, Box 278-M 625-7046 125-2546
Sherwood, Oregon 97140



5 4 3 2 1

- 31 - Gravenstein
 - 11 - King
 - 15 - Red Del.
 - 15 - Yellow "
 - 8 - Rome
 - 5 - Jonathan
 - 4 - Newton
 - 2 - Melrose
-
- 111

Apple Trees Planted
Spring 1982

Most destroyed
by Cows

-
- 1000 Redwood Planted
 - 500 Birch "
 - 375 Turkish Fir "
- 124

1912
Tree
Map

125

5603

3073

3156

3458

4869

621

150

PRESENT STAND CONDITION

<u>TYPE #</u>	<u>ACRES</u>	<u>SPECIES</u>	<u>AGE</u>	<u>STOCKING</u>	<u>REMARKS</u>
1	94	Douglas-fir	40-50	well	Site Class II
2	4	Douglas-fir	60-70	medium	Site Class II <i>farm Area</i>
3	23	Hardwoods	30-40	poor	Wetter Areas <i>Part farm Area</i>
4	23	Agriculture	---	--	----- <i>farm Area</i>
5					
6					
7					
8					
9					
10					

STAND SUMMARY

Type 1 This type consists of a medium to well stocked stand of 40 year old Douglas-fir. Diameters range from 10-18 inches. Two pockets of root rot were identified as noted on type map.

Type 2 These are four small pockets of older Douglas-fir. Stand ranges from 60-70 years in age.

Type 3 Mostly hardwoods, this type is located along the major drainages on the property. Alder 10"-16" in diameter and maple comprise this stand.

Type 4 These areas are fields and an old homestead.

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RECOMMENDATIONS BY PRIORITY

<u>Type #</u>	<u>Acres</u>	<u>Year</u>	<u>Stand Treatments</u>
<u>1</u>	<u>94</u>	<u>1984-87</u>	<u>Commercially thin the stand removing poorer quality trees. Scattered, older residuals should also be removed along with hardwoods.</u>
<u>2</u>	<u>4</u>	<u>1985</u>	<u>Clear-cut these areas in conjunction with the management activities in type #1. Replant to Douglas-fir.</u>
<u>3</u>	<u>23</u>	<u>---</u>	<u>Remove hardwoods in conjunction with harvesting operations in types 1 and 2. Replant areas to fir.</u>
<u>4</u>	<u>23</u>	<u>--</u>	<u>If these sites are not being used for agriculture, plow areas and replant to Douglas-fir.</u>

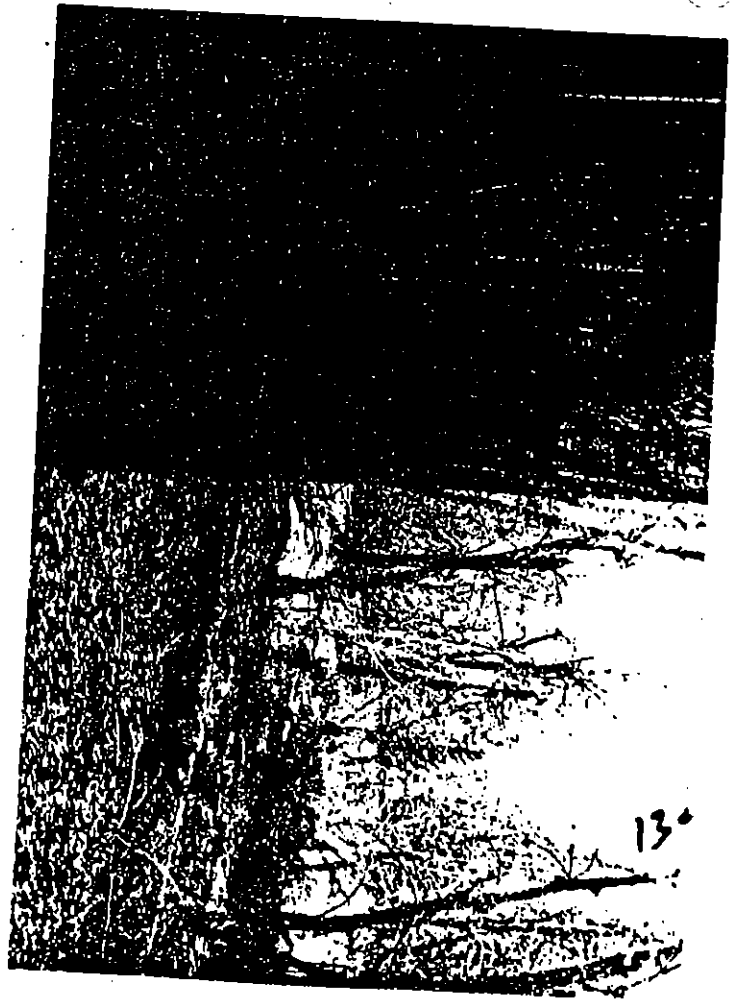
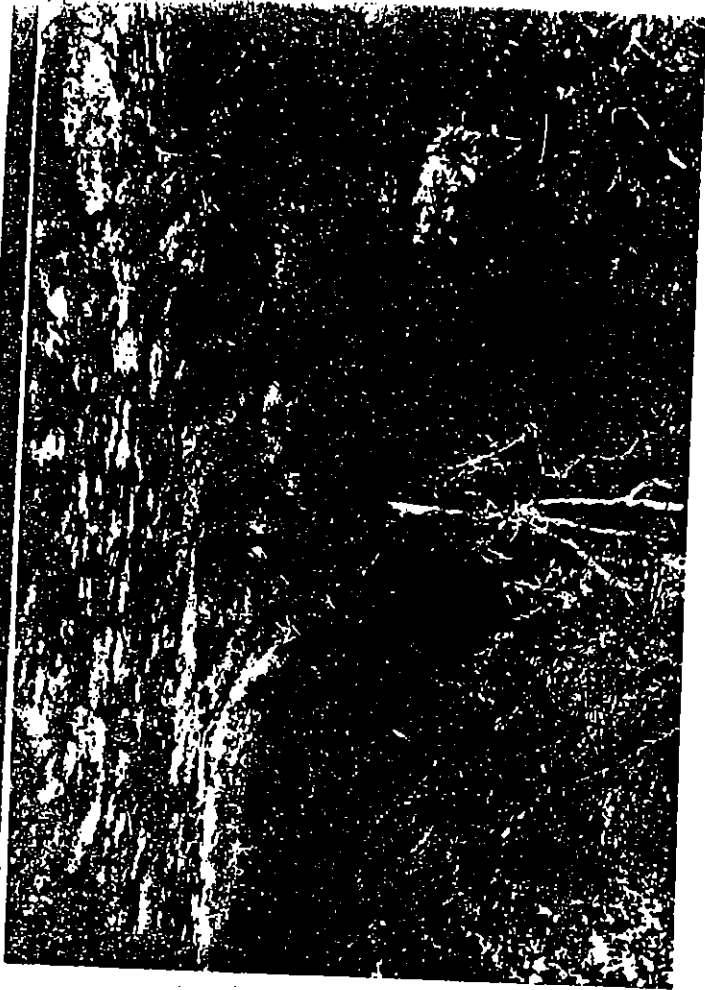
SUMMARY AND CONCLUSIONS

Both hardwood conversion and planting of fields would qualify for cost sharing. (Note bulletin in appendix of this plan.)

Two root rot pockets were identified and noted on the type map. These sites should be managed so as to control the spread of this disease. (Note information in appendix.)

Land is currently under the Western Oregon Small Tract Optional Tax.

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STAFF REPORT

RURAL COMPREHENSIVE PLAN REFINEMENT -- "ERRORS & OMISSIONS"

E & O FILE NO.: 2292

A. Applicant: Land Planning Consultants

B. Involved Property: Map 17-05-32.1, tax lots 1301 (1 acre), 1400 (1 acre) and 1401 (1 acre); map 17-05-32.2, tax lots 1300 (3-acre portion) and 1400 (4 acres), which total 10 acres of land. Six acres are presently in active use as rural commercial activities, and four acres (tax lot 1400, map 17-05-32.2) is a tract occupied by a house but bracketed on east and west by commercial uses, on the north by East Broadway and on the south by Hy. 126.

The tax lots are located within adopted Developed & Committed Exception Area 200-1, which consists of 803 acres of land in 306 tracts, including 9 commercial uses and 282 residences. This area is a physical extension of the City of Veneta, which is located about a quarter-mile to the west. Several other D&C areas exist contiguous to or nearby 200-1.

C. Plan Plot: 200.

D. Current Plan designation/zoning: Rural/RR-2.

E. Requested Plan Designation/zoning: Rural Commercial/CR.

F. Evaluation:

1. Compliance with E & O Policy: Complies with section D(5) -- inappropriate zoning within an adopted D&C area based on an evaluation of past zoning, land use and other similar factors.

2. Compliance with Rural Comprehensive Plan standards: The area complies with Land Use Planning Policy 11(b), governing the application of Commercial zoning, in that it is land presently used for industrial purposes (and was so used at the time of Plan adoption).

3. Compliance with Goals: A modification to D&C Exception 200-1

will be required, to account for the addition of ten acres of commercial land in place of an equal amount of residential land. Supplementary Exception Findings are attached to this Staff Report, and related Findings issues are reported in the Findings section below.

4. Recommended Action: Redesignate from Rural to Commercial; Rezone from RR-2 to CR; Adopt Supplementary D&C Exception findings to Goals 3 and 4, as well as the Findings below.

G. Findings:

1. Involved property is ten acres in five tax lots, four now in use as commercial properties and containing commercial structures.

2. The property is part of a 800-acre D&C area (200-1), which contains a large number of residential uses and several commercial uses.

2. The addition of ten acres of commercial land, most of which now physically developed for commercial purposes, constitutes a "use of the same type and intensity as the existing types of land use on the exception site" per OAR 660-04-018. Non-redesignation of the commercial property (retention of the erroneous RR-2 zoning) would not change the fact that the properties are now (and have been for many years) in use as commercial operations. Converting the four-acre residential tract to commercial use would authorize the development of commercial structures on a previously-residential parcel.

3. A Goal 14 Exception has not been taken for this area, nor is one necessary because (a) the amount of land involved in this request is about 1% of the total area, meaning that a redesignation from Rural to Rural Commercial would have a negligible impact on the overall area; (b) most of the property has been and is now actively developed and in use for commercial purposes, and (c) the requested Rural Commercial zoning is applied only to properties outside of Urban Growth Boundaries and thus is a zoning district which does not promote "urban" uses outside of urban areas.

4. The applicant has provided extensive supplementary findings, including responses to OAR 660-04-018, which are attached to this Report and identified here for adoption as part of it.

H. Materials for the Record:

1. Rural Comprehensive Plan Land Use Planning Policies 11 and 2, Plots 200 and D&C Exception Areas 200-1.

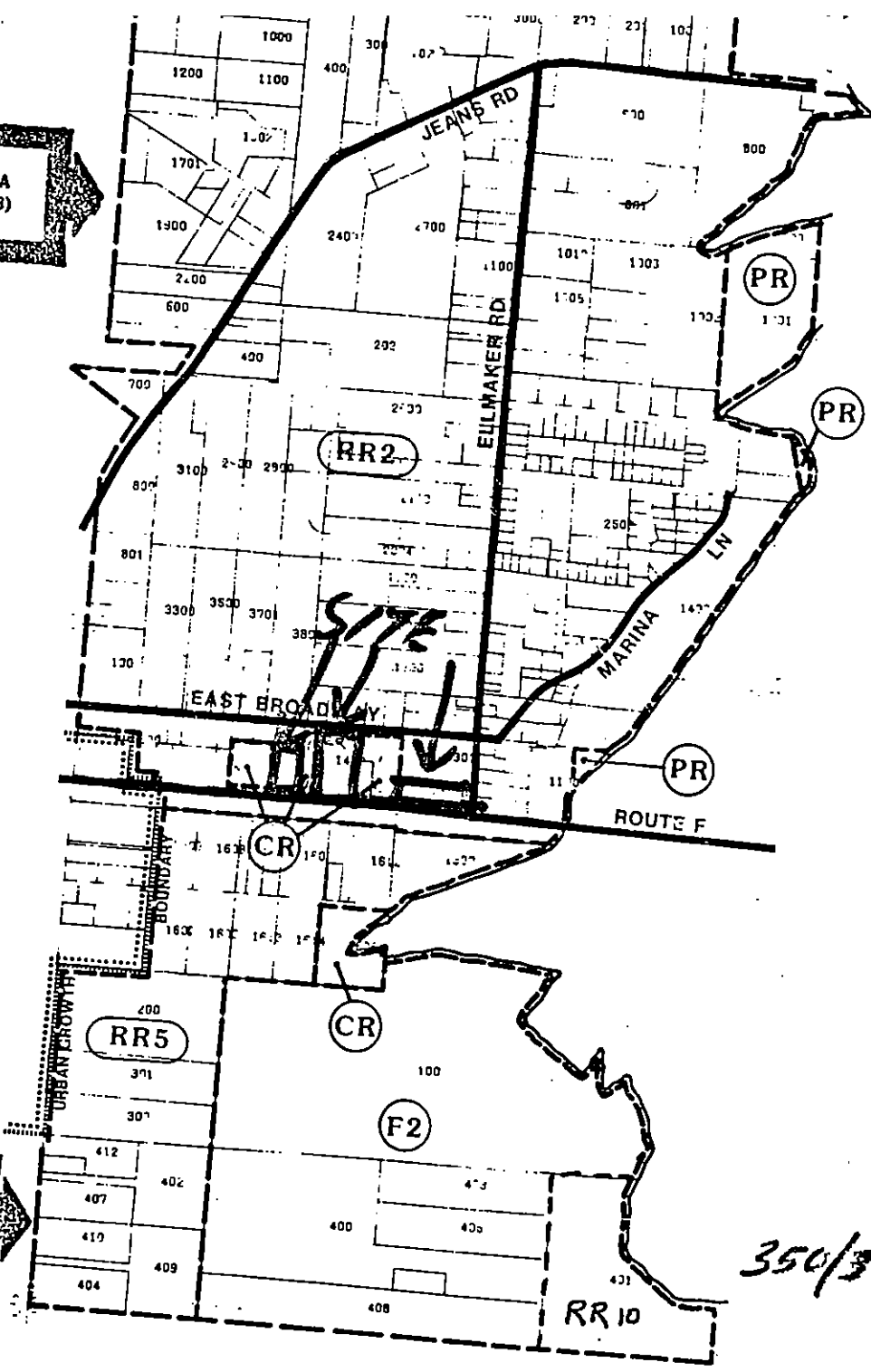
2. Assessor's Map and Air Photo for 17-05-32.1 and 17-05-32.2.

3. Supplementary Findings form for D&C Area 200-1.

4. Error & Omission File #2292.

5. Applicant's supporting documentation including photos of existing uses.

ATTENTION
WATER LIMITED AREA
Lane Code 13.050 (13)
16.004 (4)

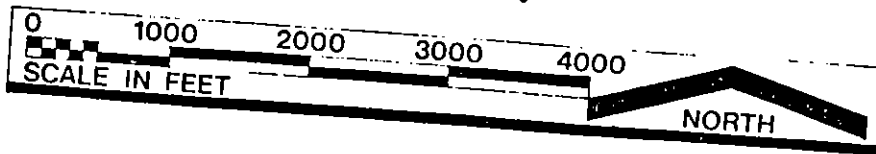


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ATTENTION
WATER LIMITED AREA
Lane Code 13.050 (13)
16.004 (4)

211
350/340
FLOODPLAIN

201



ie county



OFFICIAL ZONING MAP

PLOT# 200

Twnshp Range Section
17 05 29

17 05 32

(134)

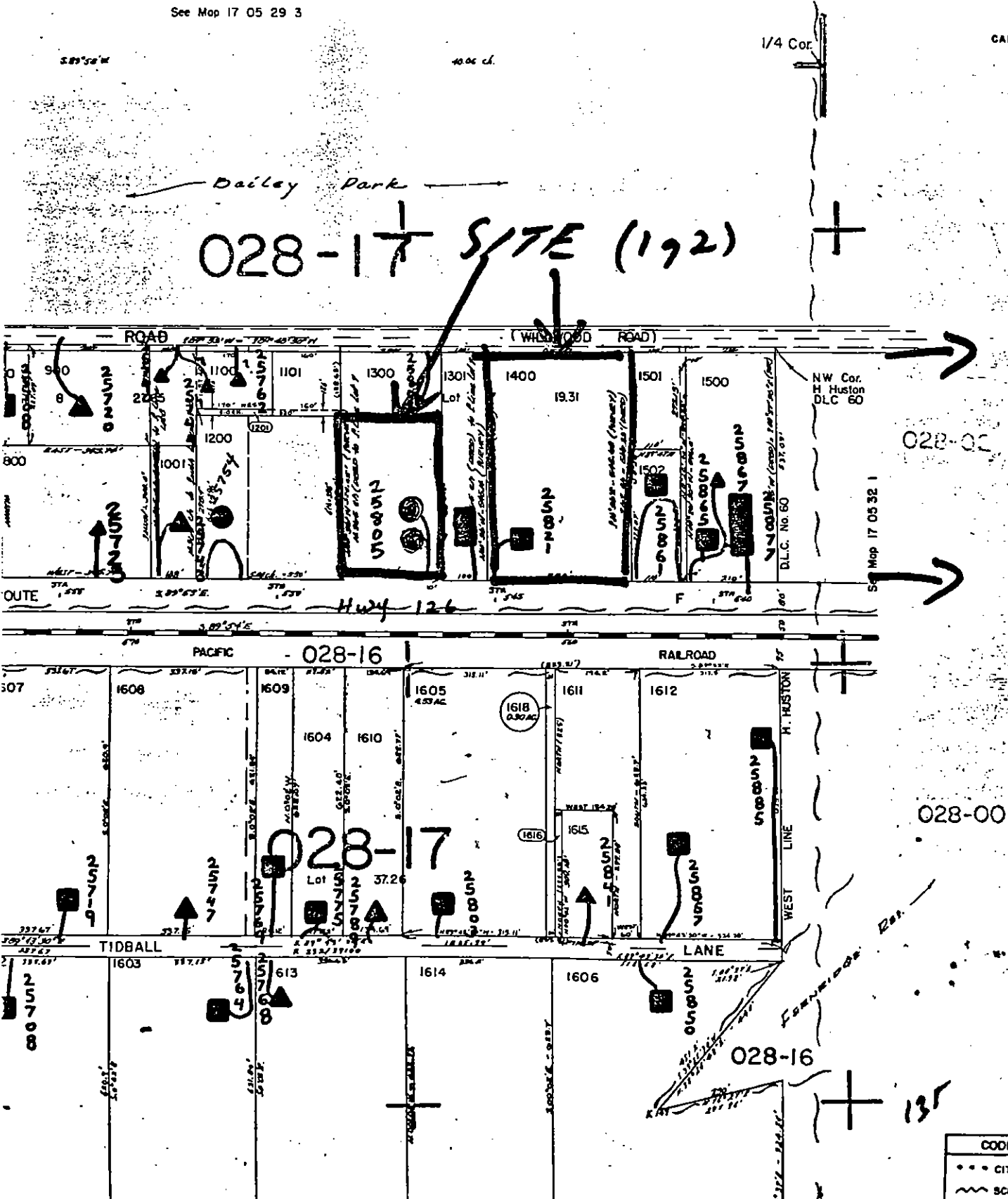
NW1/4 Sec. 32 T.17S. R.5 W.W.M.
LANE COUNTY

1" = 200'



T.R.S.: 17 05 29 3
LANE COUNTY, OREGON
CITY: VENETA
ZIP: 97487
OTE 3
POSTAL ROUTE
VENETA RURAL
RURAL FIRE PROTECTION DIST.

See Map 17 05 29 3



028-17 SITE (192)

028-17

028-02

028-00

028-16

135

CODE
••• CITY
~ SCK



LANE COUNTY

SUPPLEMENTARY EXCEPTION FINDINGS

IRREVOCABLY COMMITTED

Plot-Exception # 200-1

Tax lot 1400, map 17-05-32.2

I. FACTUAL ANALYSIS

1. Description of existing and adjacent uses: Site used for residence
~~Bracketed by commercial uses on both east and west, and by roads north and south. See attached documentation.~~
2. Description of public facilities and services: See attached.
3. Description of parcel size and ownership patterns of the exception area and adjacent lands and how the parcelization occurred (Using the Dept's parcelization map, what % of the parcelization was pre-Goal or what % were the Goals addressed?): Parcel is pre-Goal.
4. Description of neighborhood & regional characteristics: See attached.
5. Description of any relevant natural boundaries or other buffers separating the exception area from adjacent resource land: Hy. 126, East Broadway
6. Description of physical development (extent and location of existing development, make use of the addressing map & any other relevant data for this purpose): See attached.
7. Description of any other relevant factors: See attached.

LANE COUNTY
SUPPLIMANTARY EXCEPTION FINDINGS
PHYSICALLY DEVELOPED

Plot-Exception # 200-1

Map 17-05-32.1, tax lots 1301, 1400, 1401; map 17-05-32.2, tax lot 1300

I. FACTUAL ANALYSIS

1. Identification of the nature, extent and location of structures, other than those allowed by Goals 3 & 4, on the property: Properties are now physically developed with commercial uses -- see documentation attached.

2. Identification of the nature, extent and location of roads, other than those allowed by Goals 3 & 4, on the property: See attached.

3. Identification of the nature, extent and location of sewer and water facilities other than those allowed by Goals 3 & 4, on the property: See attached.

4. Identification of the nature, extent and location of utility facilities, other than those allowed by Goals 3 & 4, on the property: See attached.

II. CONCLUSION RE PHYSICALLY DEVELOPED

Based upon one or more of the relevant physical development factors identified above, the land is physically developed for uses other than those allowed by Goals 3 and 4 because: See attached.

III. ATTACHMENTS Applicant's detailed Findings

II. CONCLUSION RE IRREVOCABLE COMMITMENT

Based upon one or more of the relevant commitment factors it is impracticable to apply Goal 3 or 4 to the particular area or situation because:

~~Property is developed with homesite, is located in midst of commercial strip and is surrounded by nonresidential and nonresource (commercial and road) uses. See attached.~~

III. ATTACHMENTS

1. Department parcelization map
2. Addressing map
3. Air Photo
4. Applicant's detailed findings
5. _____
6. _____
7. _____
8. _____

DEVELOPED AND COMMITTED LANDS EXCEPTION

(2268)

Map: 17-05-29 & 17-05-32

Plot: 200

Name: Ellmaker Road - Huston Road Exception Number: 1

- 1. a) Number of tracts: 306 d) Number of residences: 282
- b) Total acreage: 803.3 e) Number of other uses: 10
- c) Average tract size: 2.6 f) Number of vacant tracts: 20

2. Landuse distribution patterns:

- a) 276 of the 306 tracts are occupied by single-family residence(s).
- b) of the remaining tracts are occupied by commercial use(s) as tail stores, restaurant, lumber sales, repair shop, roller skate rink,
- c) 1 of the remaining tracts are occupied by industrial use(s) wrecking yard
- d) strip; clustered; or scattered development pattern.
- e) 1 of the remaining tracts are occupied by a church use.
(Refer to Aerial Photo Flight No(s) .)
(Refer to landuse action file(s) .)
- f) This area is an extension of the exception on adjacent Map No. 17-05-20 +
17-05-30 +
17-05-31 +
18-05-05

3. This area is defined in the County Plan as:

- a) Agricultural land: Agricultural soils capability rating.
Prominent Soil: Class I; Class II; Class III; Class IV; Other.
- b) Forest land: Douglas fir Cubic Foot Site Class (CFSC) Rating.
Prominent CFSC: Class II; Class III; Class IV; Class V; Other.
(Refer to Soils Quad Map Elmura.)
(Refer to Soils Photo No(s) .)

4. Surrounding land uses:

North: Rural development East: Fern Ridge Reservoir
 South: Rural development West: Rural development

5. The following topographic or human-made conditions inhibit resource use or define the limits of the exception area:

Fern Ridge Reservoir forms the east margin for
portion of this area
 (Refer to USGS Topographical Quad Map .)
 (Refer to Aerial Photo Flight No(s) .)

6. The following public services are available to the area:

- a) Paved Roadways: Highway 126, Leana Road, Ellmaker Road, East
 Surfaced Roadways: Murtha Drive, England Loop, Wildwood Drive, Broadview
 Unsurfaced Roadways: Chuckas Lane, Lynette Lane, Wiggins Road
 (Refer to the Public Works' Road Surface Listing, page .)
- b) School facilities are provided by Fern Ridge School District # 28;
- c) Police protection is provided by Lane County Sheriff's Office;
- d) Fire protection is provided by Veneta R.F.P.D.;
- e) Water service is provided by .

Vista Drive
Vera Drive

ball lane ->

Map: _____ & _____
Name: _____

Plot: _____
Exception Number: _____

7. Contiguous ownership:

- There are no ownerships within this area contiguous to tracts of the same ownership outside the area.
 Exceptions to the above including justification: _____

8. Summary:

- Small tract sizes, fragmented ownership, current level and/or pattern of development, non-resource soils, proximity to UGB, natural boundaries, neighborhood and regional characteristics, and other relevant factors: _____, commit this area to rural residential and _____ use, and unsuitable for agricultural and/or forestry use.
 Tracts in this area could not be logically combined with adjacent tracts to form farming or forest management units.

9. Recommendation:

The County General Plan landuse designation should be Rural
and the area should be zoned RR.

Tracts 1321, 1422, 1401, 1520 of Map 17-05-32-10 should be designated C in the County General Plan and zoned CR.

10. Potential for further development:

- a) Shape, size and/or public facilities expansion potential are conducive for further development of 60 additional tracts.
 b) Shape, size, lack of access or lack of expansion potential of public facilities inhibits further development.
 c) This is a known ground-water problem area.