

MAR 19 1990

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

County Clerk
Lane County, Oregon
Ann DuBois
CLERK

ORDINANCE NO. 3-90

-) IN THE MATTER OF AMENDING CHAPTER 13
-) OF LANE CODE TO ADD LANGUAGE
-) OMITTED BY ORDINANCE NO. 1-90
-) (LC 13.050(5)(a)(ii)) AND DECLARING
-) AN EMERGENCY

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

Chapter 13 of Lane Code is hereby amended by removing and substituting the following page:

REMOVE THESE PAGES

INSERT THESE PAGES

13.050(5) - 13.050(5)
i.e. 13-6
(a total of 1 page)

13.050(5) - 13.050(5)
i.e. 13-6
(a total of 1 page)

Said page is attached hereto and incorporated herein by reference. The purpose of this substitution is to add language omitted by Ordinance No. 1-90 (LC 13.050(5)(a)(ii)).

An emergency is hereby declared to exist and this Ordinance, being enacted by the Board in the exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of the public peace, health and safety, shall take effect immediately upon adoption.

Enacted this 14th day of March, 1990.

Bill Rogers

 Chair, Lane County Board of Commissioners

Judy Haldeman

 Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 2-14-90 Lane county
Stephen J. Vocher

 OFFICE OF LEGAL COUNSEL

1 - IN THE MATTER OF AMENDING CHAPTER 13 OF LANE CODE TO ADD LANGUAGE OMITTED BY ORDINANCE NO. 1-90 (LC 13.050(5)(a)(ii)) AND DECLARING AN EMERGENCY

bcj/3441

13.050(5)

Lane Code

13.050(5)

(ii) There is a legal right appurtenant to the lots or parcels to use the road for ingress and egress. A legal right to use an easement may be evidenced by: 1) an express grant or reservation of an easement in a document recorded with the County Recorder, 2) a decree or judgment issued by a court of competent jurisdiction, 3) an order of the Board establishing a statutory way of necessity or gateway road, or 4) an express easement set forth in an approved and recorded subdivision or partition.

(iii) The road provides actual physical access to the lots or parcels.

(b) County and local access - public roads used as access to lots or parcels shall be designed and developed according to the standards of LC Ch 15 and LM Ch 15.

(c) Easements used as access to lots or parcels shall meet the following criteria:

(i) There shall be no more than four lots, parcels or unsubdivided or unpartitioned tracts of land accessed by any portion of the easement, except that more than four lots in a cluster subdivision may be accessed by an easement. This restriction may be modified through compliance with the variance section of this Chapter.

(ii) Easements shall not be approved if the road is presently needed or is likely to be needed for access to adjacent properties or to be utilized for a County or public road in the normal development of the area.

(iii) The minimum width of easements shall be 20 feet.

(iv) All approved documents creating a private access easement shall provide for the installation, construction maintenance thereof of all public utilities and facilities which are now or may in the future be needed for the area abutting the road and the surrounding area.

(v) The County may require such improvements as are reasonably necessary to provide safe and adequate access to the lot or parcel.

(vi) A lot or parcel abutting a railroad or limited access road right-of-way may require special consideration with respect to its access requirements.

(vii) Any easement approved as a private access easement shall be documented on a form acceptable to the Department and shall contain the minimum

16-83; 9.14.83
1-90; 2.7.90

13-6

WP 1/co/00026/C

13.050(5)

Lane Code

13.050(5)

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