

**FILED**

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OCT 23 1995

IN THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

**COUNTY CLERK**

*Pam DeWille*

ORDINANCE NO. 10-95

- ) IN THE MATTER OF AMENDING
- ) CHAPTER 16 OF LANE CODE TO ADD
- ) ARMED FORCES RESERVE CENTERS
- ) LOCATED WITHIN ONE-HALF MILE OF
- ) A COMMUNITY COLLEGE AS A PERMITTED
- ) USE IN THE EXCLUSIVE FARM USE
- ) ZONE (LC 16.212(2)) AND DECLAR-
- ) ING AN EMERGENCY.

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

Chapter 16 of Lane Code is hereby amended by removing and substituting the following page:

REMOVE THIS PAGE

INSERT THIS PAGE

16.212(2) - 16.212(3),  
i.e. 16-79  
(a total of one page)

16.212(2) - 16.212(3),  
i.e. 16.79  
(a total of one page)

Said page is attached hereto and incorporated herein by reference. The purpose of this substitution is to add armed forces reserve centers located within one-half mile of a community college as a permitted use in the exclusive farm use zone in response to revised state law (LC 16.212(2)).

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.

While not part of this Ordinance, findings attached as Exhibit "A" and incorporated herein by this reference are adopted in support of this decision.

Enacted this 17th day of October, 1995.

*Olie Sundi*  
\_\_\_\_\_  
Chair, Lane County Board of Commissioners

*Hannah Bradford*  
\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

RECORDED & INDEXED  
OCT 23 1995  
*Stephanie Unks*  
COUNTY CLERK

IN THE MATTER OF AMENDING CHAPTER 16 OF LANE CODE TO ADD ARMED FORCES RESERVE CENTERS LOCATED WITHIN ONE-HALF MILE OF A COMMUNITY COLLEGE AS A PERMITTED USE IN THE EXCLUSIVE FARM USE ZONE (LC 16.212(2)) AND DECLARING AN EMERGENCY bj/10037

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(i) The proposed housing development will be on a legal lot which is currently managed as part of a farm operation of a size equal to or greater than that described in LC 16.212(6)(d) below, and will be located on a legal lot not smaller than the minimum size allowed for the division of land as described in LC 16.212(7) below.

(ii) The proposed housing development is needed to provide temporary seasonal farm worker housing for the farm operation described in LC 16.212(2)(p)(i) above, such need to be measured by the character and requirements of the specific farm operation as described in written documentation provided by the person applying for the approval.

(iii) The proposed housing development satisfies the provisions of LC 16.257 (Site Review).

(q) Winery, developed only as specifically defined in LC 16.090, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited:

(i) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places;

(ii) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 16.250(2)(a)(vii).

(r) Creation of, restoration of, or enhancement of wetlands.

(s) An armed forces reserve center, if the center is within one-half mile of the main campus of a community college. For purposes of this paragraph, "armed forces reserve center" includes an armory or National Guard support facility.

(t) Uses necessary and accessory to those permitted above.

(3) Special Uses - Director Approval. The following uses are allowed subject to prior submittal of an application pursuant to LC 14.050 and approval of the application by the Director pursuant to LC 14.100 and LC Chapter 16, and subject to conformance with the applicable approval criteria:

(a) A dwelling or mobile home in conjunction with farm use or the propagation or harvesting of a forest product on a legal lot that is managed as part of a farm operation or woodlot if the farm operation or woodlot:

(i) Consists of 20 or more acres.

(ii) Is not smaller than the average farm or woodlot in the County producing at least \$2,500 in annual gross income from the crops, livestock or forest products to be raised on the farm operation or woodlot.

(iii) Does not already have a dwelling or mobile home on it.

Exhibit "A"

Findings In Support of Ordinance No. 10-95.

1. Senate Bill 285, amending ORS 215.213(1), was adopted by the 1995 Legislative Assembly and became effective on September 9, 1995 (Chapter 435, Oregon Laws 1995 (Advance Sheets)).
2. For counties that have adopted marginal lands provisions, ORS 215.213(1) now allows an armed forces reserve center, if the center is within one-half mile of a community college.
3. Lane County adopted marginal lands provisions pursuant to ORS 197.247 in 1983.
4. This amendment to Chapter 16 of Lane Code complies with ORS 215.213(1) as revised by the legislature. (See Brentmar v Jackson County, 321 Or 481 (1995))
5. Lane County declares an emergency in order to implement ORS 215.213 as soon as possible.