

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE PA 1099

JUN 11 1997

COUNTY CLERK

( IN THE MATTER OF AMENDING THE RURAL COMPREHENSIVE PLAN  
( TO REDESIGNATE LAND FROM "FOREST" TO "NONRESOURCE" AND  
( REZONING THAT LAND FROM "F-2/IMPACTED FOREST LAND" TO "RR- 10/  
( RURAL RESIDENTIAL 10", AND ADOPTING SAVINGS AND SEVERABILITY  
( CLAUSES (file PA 3889-96; Starr)

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance PA 884, has adopted Land Use Designations and Zoning for lands within the planning jurisdiction of the Lane County Rural Comprehensive Plan; and

WHEREAS, Lane Code 16.400 sets forth procedures for amendment of the Rural Comprehensive Plan, and Lane Code 16.252 sets forth procedures for rezoning lands within the jurisdiction of the Rural Comprehensive Plan; and

WHEREAS, in November 1996, application no. PA 3889-96 was made for a minor amendment to redesignate tax lot 103, map 16-03-34, from "Forest" to "NonResource" with a concurrent request to rezone the property from "F-2/Impacted Forest land" to "RR-5/Rural Residential 5"; and

WHEREAS, the Lane County Planning Commission reviewed the proposal in public hearing of January 21, 1997, and recommended approval of the proposed amendment with a rezoning to "RR-10/Rural Residential 10" instead of the applicant-requested "RR-5/Rural Residential 5", an action agreed to by the applicant in a subsequent revision of the rezoning request from "RR-5/Rural Residential 5" to "RR-10/Rural Residential 10"; and

WHEREAS, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapter 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted public hearings and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County Ordains:

Section 1. The Lane County Rural Comprehensive Plan is amended by the redesignation of tax lot 103, map 16-03-34, from "Forest" to "NonResource," such territory depicted on Plan Plot 394A and further identified as Exhibit "A" attached and incorporated herein.

Section 2. Tax lot 103, map 16-03-34, is rezoned from "F-2/Impacted Forest Land" (Lane Code 16.211) to "RR-10/Rural Residential 10" (Lane Code 16.231), such territory depicted on Rural Zoning Plot 394A and further identified as Exhibit "B" attached and incorporated herein.

FURTHER, although not a part of this Ordinance, the Board of County Commissioners adopts Findings as set forth in Exhibit "C" attached, in support of this action.

The prior designation and zone repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity to the remaining portions hereof.

ENACTED this 4<sup>th</sup> day of June, 1997.

Cindy Wealdrey  
Chair, Lane County Board of County Commissioners

Zoe J. Staley  
Recording Secretary for this Meeting of the Board

APPROVED AND FORWARDED:  
Date 6-16-97  
Stephen L. Walker  
County Clerk