

# MINUTES & NOTICE OF BOARD ACTION

BOOK 146 PAGE 0634

APPROVED 10-30-90

## LANE COUNTY BOARD OF COMMISSIONERS



*This document, upon approval in a public meeting by the Board of County Commissioners, serves as official minutes of such meetings as required under the Open Meetings Law, ORS 192.650.*

Pursuant to notice made by mailing agendas to news media, a selected list of jurisdictions and individuals in Lane County, a meeting of the Board of County Commissioners was held.

Questions should be directed to The Board Office Specialist 3, ext. 4203.

October 11, 1990  
2:00 p.m.

SPECIAL MEETING  
BOARD OF COUNTY COMMISSIONERS

Commissioners'  
Conference Room

Chair Bill Rogers presided with Steve Cornacchia, Ellie Dumdi and Jerry Rust present. Jack Roberts excused. Judy Haldeman, Recording Secretary.

Continued from October 10, 1990.

### 11. COMMISSIONERS' ANNOUNCEMENTS

Cornacchia asked to have an update from Public Works regarding the projects on Highway 58.

### 12. PUBLIC HEARINGS

- a. **SECOND READING AND PUBLIC HEARING/Ordinance No. 12-90/In the Matter of Amending Chapter 16 of Lane Code to Comply with Statewide Planning Goal 4 and OAR 660, Division 6 by Adding an Agriculture/Forest Zone (AF, RCP) (LC 16.005, 16.012 and 16.209); Adding "Forest Operation" and Revising "Farm Use" Definitions (LC 16.090); Including Special Notice Requirements (LC 16.100); Revising the Nonimpacted Forest Lands (F-1, RCP), Impacted Forest Lands (F-2, RCP), and Park and Recreation (PR, RCP) Zones (LC 16.210, 16.211 and 16.215); Adopting a Severability Clause and Declaring an Emergency**
- b. **SECOND READING AND PUBLIC HEARING/Ordinance No. PA 989/In the Matter of Amending the Lane County Rural Comprehensive Plan to Comply with Statewide Planning Goal 4 and OAR 660, Division 6 by Adding Policies for an Agriculture/Forest Zone (AF, RCP) (Goal 2/Policy 26., Goal 4/Policies 8. and 10., Goal 11/Policy 6.c.); Adding a Policy for the Park and Recreation Zone (PR, RCP) (Goal 3/Policy 16); Revising or Deleting Goal 4 Forest Lands Policies (1. and 4. - 12) and Adding New Policies (1., 5., 7., 9., 11. and 12); Adopting a Severability Clause; and Declaring an Emergency**
- c. **SECOND READING AND PUBLIC HEARING/Ordinance No. PA 990/In the Matter of Amending the Eugene-Springfield Metro Area General Plan, Environmental Resources Element, to Comply with Statewide Planning**

Goal 4 and OAR 660, Division 6 by Revising or Deleting Forest Land Policies 41.a., c. -l.; Adding Forest Land Policies 41.a., c., - l., q., and r.; Adopting a Severability Clause; And Declaring and Emergency

- d. SECOND READING AND PUBLIC HEARING/Ordinance No. 13-90/In the Matter of Amending Chapter 16 of Lane Code to Comply with the Land Conservation and Development Commission (LCDC) Amended Order 88-CONT-380 In-Order-To-Comply Directives #3, #4 and #5 Dated June 15, 1989, by Adding an Impacted Forest Lands/Rural Zone (F-2/R, RCP) (LC 16.005, 16.012 and 16.208); Adding "Forest Operation" and Revising "Farm Use" Definitions (LC 16.090); Including Special Notice Requirements (LC 16.100); Revising the Minimum Area Requirements of the Nonimpacted Forest Lands Zone (F-1, RCP) (LC 16.210); and Adopting a Severability Clause
- e. SECOND READING AND PUBLIC HEARING/Ordinance No. PA 991/In the Matter of Amending the Lane County Rural Comprehensive Plan to Comply with the Land Conservation and Development Commission In-Order-To-Comply Directives #3, #4 and #5 of the Acknowledgment and Continuance Order Dated June 15, 1989 by Revising Goal 2/Policy 26.; Revising Goal 4 Forest Lands Policies 7. and 12.; Revising Goal 11/Policy 6.b and Adding Policy 6.c.; and Adopting a Severability Clause

These items taken together.

Bill Van Vactor, County Counsel, presented these items to the Board. He stated that an evaluation must be conducted if the County is to retain the acknowledged F-2 division standards in order to come up with substantial evidence. He stated that it would be critical to have the assistance of well-qualified foresters to verify that these standards have in fact been met. Van Vactor concluded that there were two solid theories on which the existing standard can be maintained: 1) it is acknowledged and 2) the numeric standard has been met. He stated that he believed that the Board has the legal discretion to delete the 80-acre minimum and essentially stay with the F-2 division standard that the County currently has.

MOTION: Adoption of Ordinance PA 989. Cornacchia MOVED, Rust SECONDED. Rust stated that he agreed with the rationale that had been placed in the record by County Counsel and asked that this be made a part of the deliberative action of the Board. VOTE: Cornacchia, Dumdi, Rogers and Rust AYE.

MOTION: Adoption of Ordinance PA 990. Cornacchia MOVED, Dumdi SECONDED. Rust asked that his comments from Ordinance PA 989 be incorporated in this ordinance as well. VOTE: Cornacchia, Dumdi, Rogers and Rust AYE.

Cornacchia was excused from the meeting at 2:26 p.m.

Stephen Vorhes, Assistant County Counsel, commented that there were changes made to Ordinance 12-90 based on suggestions from the Department of Forestry, Western Lane District. In 16.210(3)(a) and 16.211(3)(a) a word was removed between logging and equipment to allow the sentence to read more accurately. In 16.210(6)(a)(1), 16.211(8)(a)(1) and 16.215(10)(a)(1) the language was changed as follows: near existing roads on the least suitable portion of the track and away from slopes in excess of forty percent. Primary safety zone language and secondary field break language was added as recommended by the Department of Forestry, Western Lane District at 16.210(6)(c)(1), 16.211(8)(c)(1) and 16.215(10)(c)(1). The word "days" was added to the computation of the period of time that the Department of Forestry has to review forest management plans for forest dwellings in 16.211(6)(b). The division area was changed to delete the reference to 80 acres and retain language in what is currently 16.211(7) with the addition of the substance of 16.211(3)(c).

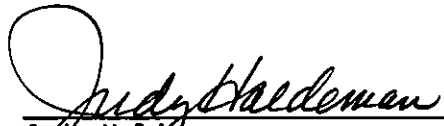
MOTION: Adoption of Ordinance 12-90. Dumdi MOVED, Rust SECONDED.  
VOTE: Dumdi, Rogers and Rust AYE. Rogers expressed his appreciation to staff for their hard work in getting this put together and thanked those who have assisted from outside the County. Van Vactor stated that he would draft a letter to the volunteer group accepting their offer of help.

MOTION: To discontinue proceedings on Ordinance PA 991 and Ordinance 13-90. Rust MOVED, Dumdi SECONDED. VOTE: 3-0.

Van Vactor thanked Cora Barde and the staff in Word Processing and Betty Julian for their work the past two days on these ordinances.

Roy Burns, Land Management Manager, reported that staff had been reviewing the Florence Brown property issues and that a memorandum had been prepared for the information of the Board. Van Vactor suggested to the Board that the Public Hearings be held at the First Reading when there are large sets of changes to be made.

There being no further business, this meeting adjourned at 2:34 p.m.

  
 Judy Haldeeman  
 Recording Secretary