

**PASSED**

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON**

**ORDINANCE NO. PA 1183 ) IN THE MATTER OF AMENDING THE RURAL COMPREHENSIVE  
) PLAN TO REDESIGNATE LAND FROM "RURAL" TO "INDUSTRIAL",  
) REZONE THAT LAND FROM "RR-5/RURAL RESIDENTIAL" TO  
) "M-2/SR" ("LIGHT INDUSTRIAL with SITE REVIEW"); AND ADOPTING  
) SAVINGS AND SEVERABILITY CLAUSES (file PA 01-5162; Walsh)**

**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 February 2001, application no. PA 01-5162 was made for a minor amendment to redesignate tax lots 800 and 900 of map 18-03-14.4, from "Rural" to "Industrial" and concurrently rezone the property from "RR-5/Rural Residential" to "M-2/SR" ("Light Industrial with Site Review"); and

**WHEREAS**, the Lane County Planning Commission reviewed the proposal in a public hearing of June 18, 2002, and recommended approval of the proposed amendment and rezoning; 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 as follows:

Section 1. The Lane County Rural Comprehensive Plan is amended by the redesignation of tax lots 800 and 900 of map 18-03-14.4, from "Rural" to "Industrial", such territory depicted on Plan Plot 413 and further identified as Exhibit "A" attached and incorporated herein.

Section 2. Tax lots 800 and 900 of map 18-03-14.4, is rezoned from "RR-5/Rural Residential" (Lane Code 16.231) to "M-2/SR" ("Light Industrial with Site Review") (Lane Code 16.225 & Lane Code 16.257), such territory depicted on Rural Zoning Plot 413 and further identified as Exhibit "B" attached and incorporated herein. Site Review is to be used as a mechanism to limit any proposed land uses to those which are consistent with the planned function, capacity and level of service of the transportation facility, and to limited uses to that of a caretaker, office, and vehicle parking.


**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.

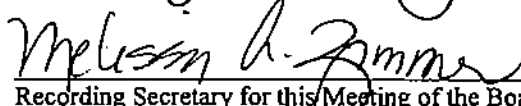
The prior designation and zone repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.


**ORDINANCE NO. PA 1183 – IN THE MATTER OF AMENDING THE RURAL COMPREHENSIVE PLAN TO REDESIGNATE LAND FROM "RURAL" TO "INDUSTRIAL", REZONE THAT LAND FROM "RR-5/RURAL RESIDENTIAL" TO "M-2/SR" ("LIGHT INDUSTRIAL with SITE REVIEW"); AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES (file PA 01-5162; Walsh)**

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 30<sup>th</sup> day of OCTOBER, 2002.

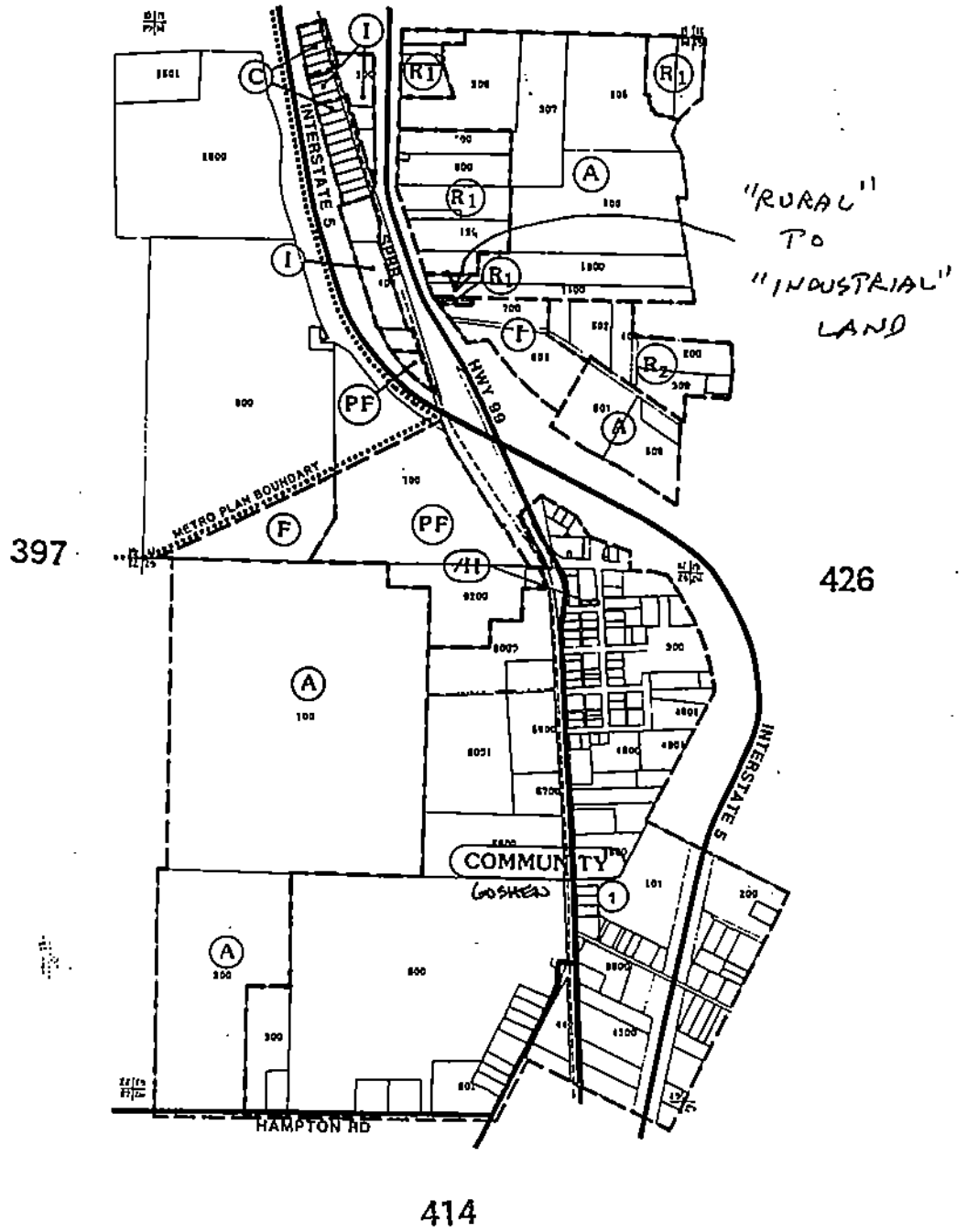
  
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Vice Chair, Lane County Board of County Commissioners

  
\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM  
Date 10-8-2002 Lane County  
  
OFFICE OF LEGAL COUNSEL

412

413



lane county



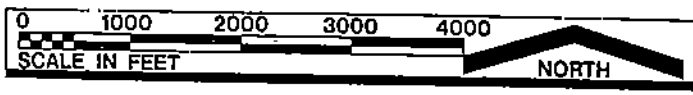
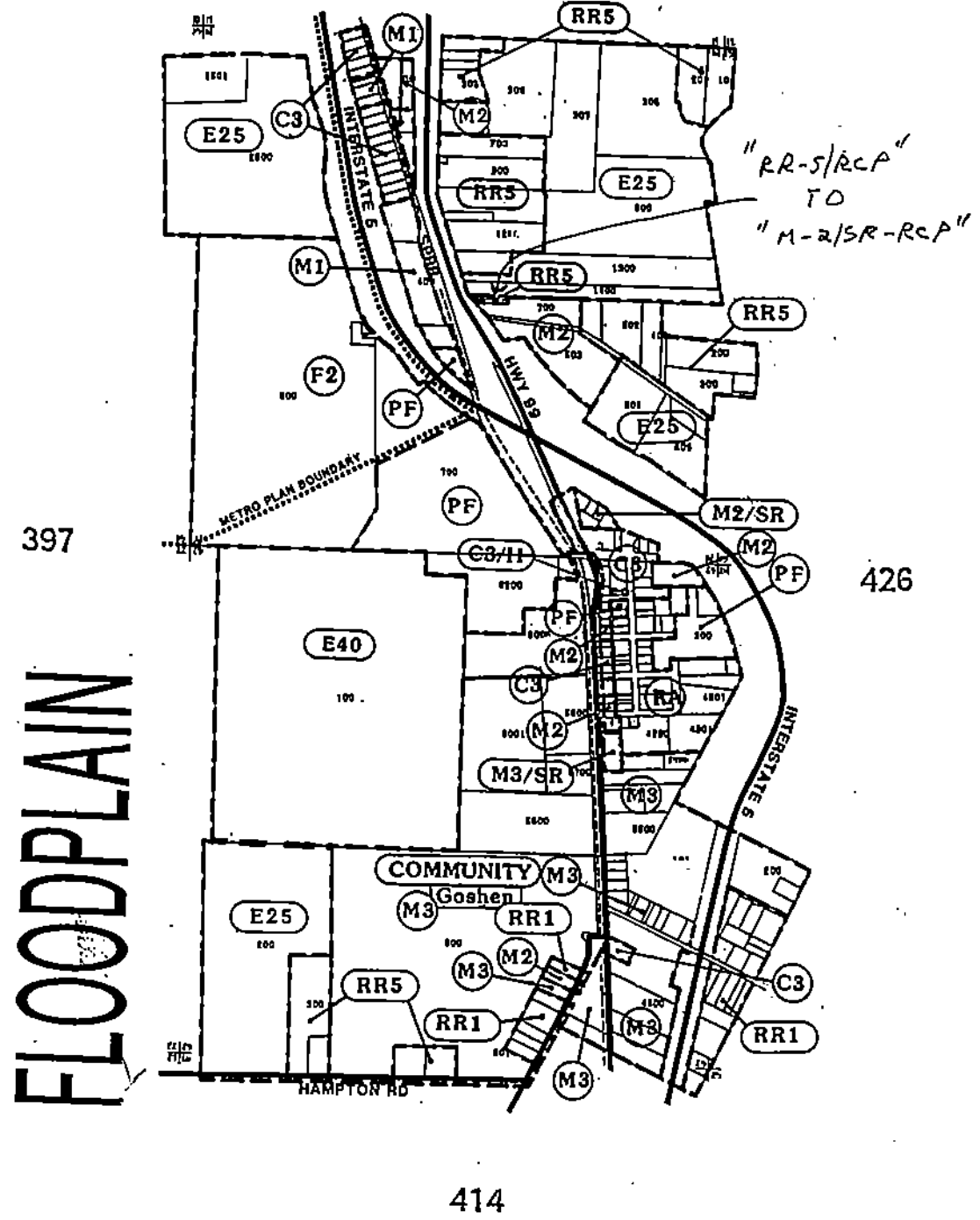
OFFICIAL PLAN MAP

PLOT# 413

Twship Range Section

18 03 14

18 03 23



	<b>OFFICIAL ZONING MAP</b>		<b>PLOT# 413</b>
	Township Range Section 18 03 14 / 18 03 23		
ORIGINAL ORD. # <u>PA 884</u>		DATE <u>2/29/1984</u>	FILE # _____
REVISION # <u>4</u> ORD # <u>PA0198-92</u>		DATE <u>2/21/92</u>	FILE # <u>PA0198-92</u>

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**  
FILE NO. PA 01-5162  
July 18, 2002

The following findings of fact support the decision by the Lane County Board of Commissioners to approve a minor amendment to the Rural Comprehensive Plan from a Rural Designation to Industrial and rezone from RR-5/RCP Rural Residential Zone to M-2/RCP Limited Industrial Zone.

**GENERAL FINDINGS**

**Finding 1.** Subject property is two legal lots, 1.03 Acres located at 86175 Franklin Blvd. North of Twin Buttes Road, in Lane County Oregon, and identified on the Tax Assessor's Map #18-03-14-4 as lots 800 and 900.

**Finding 2.** The Applicant, Walsh Holding LLC, purchased the property in 1985, and is the legal owner of the property as shown and recorded on deed numbers (lot 900), #8439462 and (lot 800) #8854508.

**Finding 3.** Subject property is bordered by Franklin Blvd on the west side, which serves as access to this property. It is located north of the Community of Goshen, north of I-5. Highway 99 becomes Franklin Boulevard just north of I-5, and south of the subject property. Adjacent to the South and East, and under the same ownership, is the existing Mack Truck Dealer site that has a Rural Comprehensive Plan (RCP) land use designation of Light Industrial and a County zoning classification of M-2. To the north is a seldom-used pastureland area and residence which is zoned Exclusive Farm Use and is zones E-25 (Farm 25-acre minimum size). Land to the west of Franklin Blvd. has a RCP designation of Limited Industrial and a zoning classification of M-1. The land to the south of Twin Buttes Road continues RCP designation of Light Industrial with an M-2 zoning.

The property is located outside of any unincorporated Community, and is outside of the boundaries of the *Metro Area General Plan*.

**Finding 4.** The zoning for these two lots Rural Residential, RR-5/RCP, on the official Zoning Map Plot #413 for Lane County.

**Finding 5.** The County on May 23, 2000, PA 00-5481 and PA 00-5482 have verified legal lot status for these two lots. Records can be found for tax lot 800, on reel 62-55D/60730 and for tax lot 900 on reel 79-56D/84866.

**Finding 6.** This application was submitted prior to the current revisions, which became effective may 1, 2002. Therefore the regulations applicable to 2001, when this

application was submitted were utilized for this review. With approval the property will be rezoned to M-2/SR/RCP (LC 16.225 & LC 16.257)

**Finding 7.** This property is subject to review as a Minor Amendment pursuant to Lane Code 16.400(6)(h) and involves a rezoning subject to LC 16.252. No exception to resource goals is required, as the property is already within a “Developed and Committed” area.

**Finding 8.** This property is adjacent to tax lot #701 which has a history of being owned and operated as a truck sales and repair business and the subject lots #800 and #900 will be used as accessory use to this operation. The existing residence on lot #900 will be utilized as a security night watch-man residence and could function as an overflow office, should the need arise. It is anticipated that lot #800 will be paved and retained as either an employee parking area or additional parking for the truck sales business, which are allowed uses in the M-2 zone, per LC 16.225(1)(b) (and in turn, LC 16.224(1)(c)), & (e).

**Finding 9.** The existing driveways to the two lots will be closed with development and access will be from the existing access point on lot #701. The residence on lot #900 will maintain its current driveway.

**Finding 10.** The Planning Commission held a public hearing to consider this application and subsequently voted 7-0 to recommend approval on June 18, 2002

**Finding 11.** The Planning Commission accepted a Site Review suffix (LC 16.257) was added to ensure that any future uses beyond that approved (caretaker residence, office, truck parking) for tax lots 800 and 900 will require another Plan Amendment application and a through Goal 12/ Transportation Rule analysis.

#### FINDINGS RELATED TO APPROVAL CRITERIA

**Finding 12.** The criteria for RCP amendments are identified in LC 16.400(6)(h)(iii).

According to LC 16.400(6)(h)(iii), the proposed amendment must be at least one of the five following tests:

- (i-i) necessary to correct an identified error in the application of the Plan; OR*
- (ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; OR*
- (iii-iii) necessary to comply with the mandate of local, state or federal policy or law; OR*
- (iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; OR*

**(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.**

The proposed amendment meets (iv-iv) above since it is *necessary to provide for the implementation of adopted Plan policy or elements*, as described under findings related to specific RCP Goals and Policy below. The proposal also meets (v-v) above, as the Board of Commissioners finds that it is *desirable, appropriate, or proper*.

**Finding 13.** Conformity with RCP Goals and Policies is required according to LC 16.400(6)(h)(iii)(cc), which states:

***For Minor Amendments... the Plan amendment or component does not conflict with adopted Policies of the Rural Comprehensive Plan, and if possible, achieves policy support.***

Applicable RCP Goals include Goal #2 (Land Use Planning), Goal #9 (Economy), Goal #10 (Housing) and Goal #11 (Public Facilities and Services, and Goal #14 (Urbanization. Discussion about compliance with each of these goals, and their applicable policies, follows.

**Goal #2, Land Use Planning, Policy 11(a):**

**A Rural Residential (Industrial- see 11(c)) designation shall be applied to lands, which are devoted to rural housing (Industrial) uses as evaluated by the following criteria:**

**11(c) An Industrial designation of limited, medium or medium/heavy shall be applied to existing uses and/or tracts presently zoned for industrial activities addressing the same criteria as listed for the rural residential designation.**

The first line of policy 11(c) is time specific, in that it refers to the rezoning of the uses that existed in 1984 during the Rural Comprehensive Plan acknowledgement process. Otherwise, the remainder of the policy should be addressed.

According to Policy 11(c), the determination of the appropriate use of the subject property is to be determined, in part, by compliance with the same criteria applied to the Rural Residential designation in Policy 11(a). Policy 11(a) requires that the zoning designation be evaluated by the following criteria:

**i. existing development pattern and density;**

The area surrounding the property is zoned as follows;

The land to the North has a RCP designation of Exclusive Farm Use and is zoned E-25 (Farm 25-acre minimum size). The land to the east has a RCP designation of

industrial and is zoned M-2. The land to the west is situated along the west side of Highway 99 (Franklin Boulevard). The land has a RCP designation of Limited Industrial and a zoning classification of M-1. The land to the south of the subject site has a RCP designation of Light Industrial with an M-2 zoning and is the owner of the subject site, and is developed as a Truck Sales & Service facility, which will utilize these two lots.

**ii. on-site sewage disposal suitability, or community sewerage:**

The site has on-site septic sewage disposal for the structure on lot 900.

**iii. Domestic water supply availability:**

Domestic water is provided through an on-site well and distribution System. (A well log is on file with the area State Water Master and a copy was provided to Lane County)

**iv. Access:**

Current access to the residence is a private drive from Franklin Blvd (99E). The proposed use would have the private drive way closed and access provided through the existing adjacent truck sales and repair facility access.

**v. Public Services:**

All public services are available as identified below

Fire.....	Goshen Fire Protection District
Police.....	Lane County Sheriff & State Police
Schools.....	Eugene School District
Access.....	Highway 99 (Franklin Boulevard)
Electric.....	Emerald People's Utilities District
Telephone.....	U.S. West Communications
Sewer.....	Individual Septic and Drain field
System/Site	
Water.....	Individual Well/Site

**vi. Lack of natural hazards:**

The site has been cleared and no natural hazards are present.

**vii. Effect on resource lands.**

The site, which is zoned RR-5, is adjacent to agricultural zoned land (E-25) on the north. The property to the North is basically pasture land and has not been utilized for either row-crops or field crops. It has been utilized from time to time for cattle

grazing. The impact of this proposal will have no impact on that continued use.

### **Goal #9, Economy of the State**

**Policy 1: Within the framework of these policies, the County shall encourage the diversification and growth of the local economy. Primary efforts will be in the following areas:**

**(c) Establishment of land use policies that provide a supportive environment for industrial and commercial activities.**

Lane County has already identified the importance of industrial activity in the area by zoning the adjacent property to the East, West and South as Industrial. Industrial enterprise has also recognized the importance of the location by constructing and operating a truck sales and repair facility since 1985 on the adjacent lot and utilizing the subject site as an accessory use in the support of the Industrial activity. This request will allow the existing adjacent business to expand with needed future growth.

**Policy 7: New industrial development shall normally take place within adopted Urban Growth Boundaries, unless such development:**

**b. Is necessary for the continuation of existing industrial operations, including plan or site expansion;**

This RCP amendment and concurrent zone change is necessary for the continuation of existing industrial operations by the applicant. The addition of 1.03 acres will provide parking and serve as on-site office space and caretakers residence for evening security office.

**c. Will be located in an area either built upon or committed to non-resource use where necessary services can be provided;**

The subject site is currently built upon and is committed to non-resource use. The subject site is found within Exception area 413-2 (Goshen North). The subject two lot site has an existing dwelling and has a total of 1.03 acres (lots 800 and 900). All public services are currently provided.

### **Goal #11, Public Services and Facilities**

No additional or increase of public services or facilities are anticipated.

**Goal #14, Urbanization**

**Policy 1. The County shall encourage new residential, commercial and industrial development to locate within existing incorporated cities or rural communities. Any growth outside Urban Growth Boundaries must:**

- a. Be restricted to committed or developed areas including approved new development centers; or**
- b. Under certain specified conditions set forth in this plan, industrial, commercial and residential development is appropriate outside of developed and committed areas *provided* a valid exception is taken and/or all Statewide Goal requirements are met.**
- c. Any community designated in the plan that does not have an adequate Urban Growth Boundary, or any addition to such community that may be proposed, shall be justified by a valid exception pursuant to Statewide Goal 2, Part II.**

This has been classified as developed and committed land within Exception area 413-2 (Goshen North). Thus this request complies with #a. above.

The requested zoning, M-2, will allow for the proposed utilization of this site. LC16.225 Limited Industrial Zone (M-2, RCP) states in part, (1) Permitted Building and Uses.

“(e) Contractor’s equipment storage yards, light and heavy equipment sales, rental or repair.”

“(b) Any use permitted in the M-1, RCP Zone (LC 16.224(2).)”

16.224 Limited Industrial Zone (M-1 RCP) states in part;

(c) Single-family dwelling or mobile home for **residential purposes for watchman**, caretaker or operator to be located on the premise of the associated use.

The owner has proposed and the Planning Commission has agreed to a site review suffix to this proposal to limit uses for those requested in this proposal. That being, accessory use to the adjacent Truck sales and service business as a residence for the watchman, as an overflow office, or potential additional parking should the existing business continue to grow.

**Finding 14.** This proposal meets the Plan Amendment Criteria

**a. LC 16.400(6)(h) Method of Adoption and Amendment**

**(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:**

**(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan Amendment is:**

**(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements.**

Approval of this Minor Rural Comprehensive Plan Amendment and concurrent zone change, from "Rural" to "Industrial" land and from "Rural Residential/RR-5" to "Light Industrial/M-2" (with Site Review) is necessary to provide for the implementation of adopted Plan policy. Goal #9 in the Lane County Rural Comprehensive Plan states a number of different goal polices (see discussion under Policy Goal 9) concerning industrial use and development in Lane County. Goal #9 is pertinent as it involves industrial development in areas outside Urban growth Boundaries (UGB), and meets the requirements of Lane Code 16.400(6)(h)(iii)(bb)(iv-iv). Other discussions were previously discussed within Goals #2, #11, & #14.

**Finding 15.** This proposal meets the OAR 660-04-18 requirements for Planning and Zoning for an Exception Area.

**Section 197.732, Oregon Revised Statutes (ORS), and Section 660-04-028(6), Oregon Administrative Rules (OAR) specify the criteria and procedures for designating exceptions to State Planning Goals.**

**OAR 660-004-0018(1) & (2)**

This portion of the Administrative Rules governs the zoning of exception areas. It reads as follows:

*Planning and Zoning for Exception Areas*

*(1) Purpose. This rule explains the requirements for adoption of plan and zone designations for exceptions. Exceptions to one goal or a portion of one goal do not relieve a jurisdiction from remaining goal requirements and do not authorize uses, densities, public facilities and services, or activities other than those recognized or justified by the applicable exception. Physically developed or irrevocably committed exceptions under OAR 660-004-0025 and 660-004-0028 are intended to recognize and allow continuation of existing types of development in the exception area. Adoption of plan and zoning provisions that would allow changes in existing types of uses, densities, or services requires the application of the standards outlined in this rule.*

*(2) For "physically developed" and "irrevocably committed" exceptions to goals, plan, and zone designations shall authorize a single numeric*

*minimum lot size and shall limit uses, density, and public facilities and services to those:*

- (a) Which are the same as the existing land uses on the exception site; or*
- (b) Which meet the following requirements:*
  - (A) The rural uses, density, and public facilities and services will maintain the land as "Rural Land" as defined by the goals and are consistent with all other applicable Goal requirements; and*
  - (B) The rural uses, density, and public facilities and services will not commit adjacent or nearby resource land to non-resource use as defined in OAR 660-004-0028; and*
  - (C) The rural uses, density, and public facilities and services are compatible with adjacent or nearby resource uses.*

Subsection 2 is the applicable section and this proposal meets the criteria identified in subsection (a). It is the intent of the owner of Tax Lot #701, zoned industrial, to expand his current industrial business and these two lots will facilitate that need. As noted above, they are identified within Exception area #413-2.

**Finding 16.** The proposed zone change is consistent with the “general purposes” of Lane Code Chapter 16. Specifically, this proposal complies with the criteria for (8) Additional Amendment Provisions

**(8) Additional Amendment Provisions. In addition to the general procedures set forth in LC 16.400(6) above, the following provisions shall apply to any amendment of Rural Comprehensive Plan components.**

**(a) Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:**

**(i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring an exception to Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or is irrevocably committed to other uses not allowed by the applicable.**

The requested plan amendment takes place in an area already acknowledged as developed and committed to nonresource use, and therefore does not require an exception and is limited to changing the Plan and zoning designation from residential to industrial use.

**(b) Amendment proposals, either minor or major, may be initiated by the County or by individual application. Individual applications shall be subject to a fee established by the Board and submitted pursuant to LC 14.050.**

The application was initiated by the legal owner of the subject site and the adjacent lot to the south. The owner has paid required fees.

**(c) Minor amendment proposals initiated by an applicant shall provide adequate documentation to allow complete evaluation of the proposal to determine if the findings required by LC 16.400(6)(h) above can be affirmatively made unless waived in writing by the Planning Director, the applicant shall supply documentation concerning the following**

**(i) A complete description of the proposal and its relationship to the Plan.**

This application contains a complete description of the proposal and its relationship to the Plan.

**(ii) An analysis responding to each of the required findings of LC 16.400(6)(h) above.**

The analysis has been provided for all findings.

**iii) An assessment of the probable impacts of implementing the proposed amendment, including the following:**

**(aa) Evaluation of land use and ownership patterns of the area of the amendment;**

The adjacent lots to the south and east are owned by the applicant and zoned Industrial. The adjacent lot to the west is zoned Industrial and the adjacent lot to the north is Agricultural and zoned EFU-25.

**(cc) Availability of public and/or private facilities and services to the area of the amendment, including transportation, water supply and sewage disposal;**

The subject site is served by public utilities. The site accesses State Highway 99E with direct access to I-5. Water supply and sewage is on site with a storm water run off collection system and an oil-water collection system on the adjacent industrial lot. The proposed use of this site will entail paving of the lots and connection to the existing storm water system.

**(dd) Impact of the amendment on proximate natural resources, resource lands or resource sites, including a Statewide Planning Goal “ESEE” conflict analysis where applicable.**

The adjacent lot to the north is zoned agricultural (EFU-25) and is currently used in low intensity (grazing) agricultural. The subject site has been used as an accessory use to the industrial site since 1985. No impacts on the agricultural activity have been documented. The proposed use would not change from the past practices.

**(ee) Natural hazards affecting or affected by the proposal;**

There are no natural hazards that either affect or are affected by the subject site.

**(ff) For a proposed amendment to a nonresidential, nonagricultural or nonforest designation, an inventory of reasonable alternative sites now appropriately designated by the Rural Comprehensive Plan, within the jurisdictional area of the Plan and located in the general vicinity of the proposed amendment.**

This is an expansion of an existing industrial classified business adjacent to these sites. Expansion to an adjacent site is the most reasonable alternative, both from a location as well as economic sense.

**Finding 17.** This proposal must meet the zone change criteria (LC 16.252)

**A. Concurrent Considerations:**

**LC 16.400(6)(iv) A change of zoning to implement a proposed Plan amendment may be considered concurrently with such amendment. In such case, the Board shall also make the final zone change decision, and the Hearings Official consideration need not occur.**

The applicant requested that the Board make a concurrent decision to the proposed Plan Amendment and zone change.

**B. Consistency With Purpose of Code**

**LC 16.252(2) Criteria. Zonings, rezoning and changes in the requirements of this Chapter shall be enacted to achieve the general purpose of this Chapter and shall not be contrary to the public interest. In addition, zonings and rezoning shall be consistent with the specific purposes of the zone classification proposed, applicable Rural Comprehensive Plan elements and**

**components, and Statewide Planning Goals for any portion of Lane County, which has not been acknowledged for compliance with the Statewide Planning Goals by the Land Conservation and Development Commission.**

The public interest is served by the continued use of non-resource land in an accessory association with an industrial zoned and operated site. The continued use of the subject site and growth of the adjacent industrial operation meets the criteria and requirements of State Goal #9.

**Finding 18.** This proposal must meet the requirements and intent of LC 16.003 in coordinating the Lane County regulations with the Lane Rural Comprehensive Plan.

**16.003 Purpose.** This Chapter is designed to provide and coordinate regulations in Lane County governing the development and use of lands to implement the Lane Rural Comprehensive Plan. To these ends, it is the purpose of this Chapter to:

- (1) Insure that the development of property within the County is commensurate with the character and physical limitations of the land and, in general, to promote and protect the public health, safety, convenience and welfare.**

The subject site has adjacent lots on the East, West and South that have been designated industrial in the Lane County RCP. This area has received an exception for resource use and is committed to industrial and commercial uses. The physical limitations for its continued use as residential are the continued development of adjacent industrial uses and its isolation from other residential lots.

- (2) Protect and diversify the economy of the County:**

The re-zoning of the subject lots would help continue an industrial/commercial activity necessary to the statewide trucking industry and the increasing use of I-5 as a heavy trucking corridor.

- (3) Conserve the limited supply of prime industrial lands to provide sufficient space for existing industrial enterprises and future industrial growth:**

The re-zoning of the subject site would assist in providing additional land to an existing industrial activity and provide additional land for its growth.

- (4) Conserve farm and forestlands for the production of crops, livestock and timber products.**

The subject site is non-resource.

- (5) Encourage the provision of affordable housing in quantities sufficient to allow all citizens some reasonable choice in the selection of a place to live.**

The existing residence will be occupied by the caretaker and thus provide continued housing in the County.

**(6) Conserve all forms of energy through sound economical use of land and land uses developed on the land.**

No increase in energy requirements are projected with the proposed use.

**(7) Provide for the orderly and efficient transition from rural to urban land use:**

An expansion of an existing business on the adjacent lot to the south, and all services will be provided from the business.

**(8) Provide for the ultimate development and arrangement of efficient public services and facilities within the County.**

All public services are available on site.

**(9) Provide for and encourage a safe, convenient and economic transportation system within the County.**

The transportation system is developed and is one of the primary reasons for locating a heavy truck sales and maintenance facility at this site. Both ODOT and County Transportation staff have concluded that this proposal will have no significant impact to the traffic system, provided that allowable uses are limited to those proposed, and that access on the subject property is closed, and that the existing access on tax lot 701 is utilized.

**(10) Protect the quality of the air, water and land resources of County:**

All environmental regulations will be complied with.

**(11) Protect life and property in areas subject to floods, landslides and other natural disasters and hazards:**

The site contains no natural hazards.

**(12) Provide for the recreational needs of residents of Lane County and visitors to the County:**

Not applicable to the request to re-zone from residential to industrial.

**(13) Conserve open space and protect historic, cultural, natural and scenic resources.**

Not applicable to this re-zone request.

**(14) Protect, maintain, and where appropriate, develop and restore the estuaries, coastal shore lands, coastal-beaches and dune area and to conserve the near shore ocean and continental shelf of Lane County.**

Not applicable to this re-zone request.

This proposal meets both the intent and the requirements of Lane County and the State of Oregon for a Plan Amendment and a change of zoning from Rural Residential 5 Acre minimum (RR-5) to Light Industrial (M-2)