

## 02/19/10 Preliminary List of Code Amendments and Policy Issues (RE-GROUPED)

**PROPOSED AMENDMENTS BY GOAL ONE COALITION**

Grouping	Topic	Zone	RCP or LC Citation.	Summary/Problem/Issue	Fix/Notes	
1	D&C Exception	RCP Policy Amendment		RCP Goal 2, Policy 9	Restricts new "developed and committed exceptions"	Remove Developed and Committed Exceptions Process
2	D&C Exception	RCP Policy Amendment		RCP Goal 2, Policy 11	Restricts new "developed and committed exceptions"	Remove Developed and Committed Exceptions Process
3	D&C Exception	RCP Policy Amendment		RCP Goal 2, Policy 12	Restricts new "developed and committed exceptions"	Remove Developed and Committed Exceptions Process
4	D&C Exception	RCP Policy Amendment		RCP Goal 3, Policy 7	Restricts new "developed and committed exceptions"	Remove Developed and Committed Exceptions Process
5	D&C Exception	LC Amendment		16.400 (8)(a)(i)	Restricts new "developed and committed exceptions"	Remove Developed and Committed Exceptions Process
6	Nonresource Land	RCP Policy Amendment		RCP Goal 2, Policy 18	Restricts new "nonresource land" designations	Replacement language requiring exception to state Planning Goals to remove land from a forest or farm designation.
7	Nonresource Land	RCP Policy Amendment		RCP Goal 2, Policy 19	Restricts new "nonresource land" designations	Removes policy 19 regarding residential densities for non-resource lands
8	F-1 / F-2 Zone Changes	RCP Policy Amendment		RCP Goal 2, Policy 27	Amends policies regarding forest land zone changes from F-1 to F-2.	Replaces language regarding "conformity determinations"
9	F-1 / F-2 Zone Changes	RCP Policy Amendment		RCP Goal 2, Policy 27 (a)(ii)	Amends policies regarding forest land zone changes from F-1 to F-2.	Replaces language regarding qualifying circumstances for consideration of conformity determinations
10	F-1 / F-2 Zone Changes	RCP Policy Amendment		RCP Goal 4, Policy 15(a)	Amends policies regarding forest land zone changes from F-1 to F-2.	Replaces policy 15(a), inserts language regarding F-1 and F-2 characteristics.
11	F-1 / F-2 Zone Changes	RCP Policy Amendment		RCP Goal 4, Policy 15	Inconsistency with RCP policies on County website	deletes web version of RCP, Goal 4, Policy 15
12	F-1 / F-2 Zone Changes	LC Amendment		16.090	Amends definition of a "tract"	Replaces current language with statutory language
13	F-1 / F-2 Zone Changes	LC Amendment		16.090; 13.010	Deletes definition of "contiguous"	Deletes definition of "contiguous"
14	F-1 / F-2 Zone Changes	RCP Policy Amendment		RCP Goal 4, Policy 7	Amends policies regarding minimum land division size in forest zone	Removes exceptions to 80 acre minimum
15	Compliance	LC Amendment		14.050(3)(b)	Amends language regarding code compliance	Adds language regarding land use applications on properties containing an alleged violation
16	Home Occupation	LC Amendment		16.090	Amends definition of "home occupation"	Adds standards regarding "home occupations"
17	Home Occupation	LC Amendment	RR	16.290(2)(h)	Removes home occupation as permitted use in RR zone	Requires all home occupations to be subject to director approval, reference 16.290(3).
18	F-2 Template	LC Amendment	F-2	16.211(5)	Amends language regarding manufactured homes included within a template dwelling application	Specifies that manufactured home must be permanent and in continuous existence since 1993
19	F-2 Template	LC Amendment	F-2	16.211(5)(c)	Amends language regarding the placement of a "square template"	Amends language regarding the orientation of the 'template' and the determination of the center of the property
20	F-2 Template	LC Amendment	F-2	16.211(5)(c)	Amends language regarding the number of dwellings needed to qualify for a template test	Increases the number of dwellings ( from 3 to 5) needed to qualify for a template test, requires that all dwellings must fall within the template
21	F-2 Template	LC Amendment	F-2	16.211 (5)(a)	Amends language regarding a "tract" in a template dwelling application	Adds an ownership date (01/01/10) of the tract
22	F-2 Template	LC Amendment	F-2	16.211(5)(c)	Amends language regarding the "rectangular template"	Adds language regarding the distance the tract must abut a road and the alignment of the rectangular template
23	F-2 Template	RCP Policy Amendment		RCP Goal 4, Policy 8	Amends OAR citation regarding fire safety standards	Clarifies OAR citation
24	F-2 Template	LC Amendment	F-2	16.211(8)(c)	Amends language regarding fire siting standards	Removes language regarding fire siting standards "or their equivalent"

25	New Zone/Plan Designation	RCP Policy Amendment		RCP Goal 2, Policy 25	Adds new plan designation and zone classification "Lands of Critical Importance"	Adds new plan designation and zone classification "Lands of Critical Importance"
26	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 2	Adds new policy 28 regarding greenhouse gas emissions and fossil fuel energy conservation	Adds new policy regarding greenhouse gas emissions and fossil fuel energy conservation
27	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 3	Adds new agricultural policy 17 regarding global warming and fossil fuels	Requires inventory of Agricultural land deemed to be of critical importance
28	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 4	Adds new forest policy 16 regarding global warming and fossil fuels	Requires inventory of Forest land deemed to be of critical importance
29	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 6	Adds new air quality policy 7 regarding greenhouse gas emissions	Sets goals for reducing greenhouse gas emissions
30	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 12	Adds new transportation policy 5 regarding global warming and fossil fuels	Requires transportation system impacts to meet greenhouse gas emission and energy consumption goals and objectives
31	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 13	Adds new energy conservation policy 4 regarding peak oil, peak natural gas, and peak coal	Requires the initiation of mitigation options in advance of peaking
32	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 13	Adds new energy conservation policy 5 regarding the oil depletion protocol	Adds language regarding reducing oil consumption by the world depletion rate
33	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 13	Adds new energy conservation policy 6 regarding minimizing adverse energy consequences of land development and building permit requests	Requires the development of standards for identifying, evaluation and minimizing adverse energy consequences associated with land development and building permits
34	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 13	Adds new energy conservation policy 7 regarding sources of electricity	Requires Lane County electricity to be generated by sources other than coal-fired plants unless carbon emissions are permanently sequestered.
35	Energy Conservation / Global Warming	RCP Policy Amendment		RCP Goal 14	Adds new urbanization policy 18 regarding global warming and fossil fuels	Requires Lane County to meet greenhouse gas emission and energy consumption goals and objectives

ISSUES IDENTIFIED BY LMD STAFF

Grouping	Topic	Zone	RCP or LC Citation.	Summary/Problem/Issue	Fix/Notes	Staff Resource Requirements	Expected Level of Controversy	
36	"Housekeeping"	Code Organization/Streamlining		Ch. 16 Table of Contents	Headings are misleading	Specifically, not all zones listed under a heading relate to that heading, i.e. "NONCONFORMING USES", "CONSERVATION ESTUARY ZONE...", and "NONIMPACTED FOREST LANDS ZONE"	Low	Low
37	"Housekeeping"	Text/Citation Error - /BD Preliminary Investigation	/BD	16.243(10)	"Any proposal for development, with the exception of minimal development or timber harvesting zone is combined, shall require a Preliminary Investigation..."	"...or timber harvesting zone is combined, ..." does not make sense. Strike "zone is combined"	Low	Low
38	"Housekeeping"	Text Clarification - Parking		16.250(4)(d)	"... and the parking lot shall be six feet in height."	Should read "and the ornamental fence, wall or hedge enclosing the parking area shall be six feet in height."	Low	Low
39	"Housekeeping"	Text Clarification - Replacement Rights	F-2; EFU; RR	16.211(4)(a)(i)(bb); 16.212(5)(a)(i)(bb); 16.290(2)(b)(ii)	"...predates the zoning of the subject property."	should read "predates zoning that would restrict or regulate dwelling use on the subject property"	Low	Low
40	"Housekeeping"	Text Clarification - RR Livestock	RR	16.290(4)(a)	"More feeding, breeding and management of livestock, poultry or fur bearing animals, stables, riding academies and commercial riding than allowed in LC 16.290(2)(i) above."	Unclear, (2)(i) relates to the number of animals and not stables and riding academies. Should read: "Feeding, breeding and management of livestock, poultry or fur bearing animals in excess of the standards in LC 16.290(2)(i) above, as well as stables, riding academies, and commercial riding."	Low	Low
41	"Housekeeping"	Text Clarification - RR Septic System	RR	16.290(4)(g)	"An onsite sewage disposal system for nearby property in a rural zone."	Should be "... for a nonresidential use on nearby property."	Low	Low
42	"Housekeeping"	Text Clarification - Dwellings	F-2; EFU; RR	16.211(5), (8), (10); 16.212(5), (6), (7)	References to "dwellings and manufactured dwellings" are redundant. The definition of dwelling includes manufactured homes. There is no definition of "manufactured dwelling".	Remove references to "...and manufactured dwellings"	Low	Low
43	"Housekeeping"	Text/Citation Error		16.090 Farm Use. (4)	ORS 321.267(1)(e) or 321.415(5)	These ORS citations have changed	Low	Low
44	"Housekeeping"	Text/Citation Error	F-2	16.211(2)(k)	"... subject to review under LC 16.211(3)(f-f) below."	(f-f) should be (e-e)	Low	Low
45	"Housekeeping"	Text/Citation Error	EFU	16.212(3)(w)	"... subject to review under LC 16.212(4)(i-i) below."	(i-i) should be (f-f)	Low	Low
46	"Housekeeping"	Text/Citation Error	EFU	16.212(7)(d)(i)	"... or woodlot required in LC 16.212(7)(c)(i) above"	16.212(7)(c)(i) should be 16.212(7)(c)(i)(a-a)	Low	Low
47	"Housekeeping"	Text/Citation Error	NR	16.213(4)	"Special Uses - Director Official Approval."	'Director' should be 'Hearings'	Low	Low
48	"Housekeeping"	Text/Citation Error	ML	16.214(2)(b)	"... requirements of LC 16.214(6) below."	(6) should be (7); (7) is development standards	Low	Low
49	"Housekeeping"	Text/Citation Error	/H	16.233 Title [also in Table of Contents]	"HISTORIC STRUCTURES OF SITES COMBINING ZONE"	"OF" should be "OR" or "AND" in order to be consistent with the language in the Purpose statement.	Low	Low
50	"Housekeeping"	Text/Citation Error	/PW	16.238(6)(f)	"... setback area specified by LC 16.238(8)"	(8) should be (7); (7) has additional setback requirements	Low	Low
51	"Housekeeping"	Text/Citation Error	/AS	16.246(5)(c)	"A horizontal plan 150 feet above..."	'plan' should be 'plane'	Low	Low
52	"Housekeeping"	Text/Citation Error	CLWP	16.258(7)(d)	"... roofed structures regulated by the Uniform Building Code shall..."	Uniform Building Code' should be 'International Building Code or International Residential Code, as amended by the State of Oregon."	Low	Low
53	"Housekeeping"	Text/Citation Error		16.264(2) Changeout.	"... LC 163.264(3)(h)."	should be 16.264(3)(h)	Low	Low
54	"Housekeeping"	Text/Citation Error	RR	16.290(4)(o)(i)	"the local rural area; or"	'or' should be 'and'	Low	Low
55	"Housekeeping"	Text/Citation Error	RI	16.292(3)	"... requirements of LC 16.292(4)(a) through (g)..."	(g) should be (j)	Low	Low
56	"Housekeeping"	Text/Citation Error	RI	16.292(3)(f)	"requirements of LC 16.292(6)(d)"	should be 16.292(2)(b)(iv)	Low	Low
57	"Housekeeping"	Text/Citation Error		13.010(4) Cluster Subdivision.	"... cluster subdivision Policy #24 set forth under Goal 2..."	#24 should be #23	Low	Low
58	"Housekeeping"	Text Clarification - Telecom Fire Siting Interpretation		16.264(3)(i)	16.264(3)(i)(i) fuelbreaks for new generators, 16.264(3)(i)(ii) road standards for new towers	Revise language to reflect this	Med	Low
59	"Housekeeping"	Text Clarification - Home Occupations	F-2	16.211(3)(n)(ix) [all home oc. provisions]	"...or until December 31 of the year for which an extension of the approval was granted by the Director as provided in LC 16.212(3)(n)(ix) below."	The language in this subsection is confusing and seems contradictory to the two year provision later in the subsection. Could be broken into two subsections, one for initial expiration and one for extensions.	Med	Med - Related to Goal One Issue

60	Clarifications requiring direction	Policy Clarification - HO Determination		16.264(c)(ii)(C)	"Documentation in the form of lease agreements for a minimum of two collocations..."	Language needs to be updated to reflect HO determination in PA 07-6830 that this provision is inconsistent with federal law.	Low	Low
61	Clarifications requiring direction	Policy Clarification - Telecom Director Hearing		16.264(4)(a)	"An application for placement of a transmission tower requires submittal of an application in accordance with LC 14.050 and a hearing with the Director in accordance with LC 14.300..."	Director Hearings were removed from 14. This should be changed to either a Director Approval per 14.100 or an HO Approval per 14.300(b).	Low	Low
62	Clarifications requiring direction	Text Clarification - Temp Medical Hardships	F-2; EFU; RR	16.211(3)(o)(ii); 16.212(5)(d); 16.290(2)(d)	TMH language inconsistent between sections	Standardize language across zones.	Low	Low
63	Clarifications requiring direction	Text (Policy?) Clarification - F-1 Replacement Rights	F-1	16.210	No standards for replacement dwellings in F1	Add codified standards.	Low	Low
64	Clarifications requiring direction	Text Clarification - Tract Definition	F-2	16.090 Tract; 16.211(5)(a); 16.211(6)(b); 16.211(7)(a);	Definition in 16.090 does not make sense and needs to be clarified; definitions in other sections are inconsistent with each other	"Unit of land comprised of adjacent lots, parcels, or units of land under the same ownership." (?)	Low	Med - Related to Goal One Issue
65	Clarifications requiring direction	Text Clarification - F-1 Fire Siting Standards (Legislative Update?)	F-1	16.210(6); 16.211(8)(e)	The fire siting standards are different in the F1 and the F2. They also mix terms and do not indicate clearly if they apply to structures or dwellings.	Update F-1 standards to be consistent with F-2.	Low	Med - Related to Goal One Issue
66	Clarifications requiring direction	Policy Clarification - Guesthouse/Accessory Structure in resource zones	F-1; F-2; EFU	16.210; 16.211; 16.214	Director Interpretation allows accessory structure or accessory residential structure (guest house) in resource zones	Need codified standards	Med	Med
67	Clarifications requiring direction	Policy Clarification - 'Development Area' for residential accessory structures	F-1; F-2; EFU	16.210; 16.211; 16.212	Director Interpretation that residential accessory structures must be in same 'development area' for resource zones (within 142 feet, based on same site replacement provision)	Need codified standards	Med	Med
68	Clarifications requiring direction	Policy Clarification - Guesthouse/Accessory Residential Structures	RR [F-1, F-2, EFU]	16.090; 16.290(2)(4); 16.290(2)(t)	Accessory structure/residential structure/guesthouse language inconsistent	Clarify what constitutes 'accessory residential structure' (i.e.. 'habitable space' or heated space) versus shop or storage space ; clarify standards for 'mixed' structures (habitable space over garage); conversion standards between different types of structures.	Med	Med
69	Clarifications requiring direction	Policy Clarification - Guesthouse/Accessory Residential Structures	RR [F-1, F-2, EFU]	16.090; 16.290(2)(4); 16.290(2)(t)	Accessory structure/residential structure/guesthouse size and scale	Clarify size and scale for accessory structures in resource and nonresource zones	Med	Med
70	Clarifications requiring direction	Policy Clarification - BCC Interpretation	RR	16.290(4)(r)	RV & boat storage facilities in the rural residential zone	Language needs to be updated to reflect BCC interpretation in PA 07-6721	Med	Med
71	Clarifications requiring direction	Text Clarification - Coastal Overlays	Coastal overlays	16.235; 16.236; 16.237; 16.237; 16.238, 16.239; 16.240; 16.241; 16.243	coastal overlay zones need steep slope criteria, not reliance on 16.005(2) "Grading, Excavation and Clearing"	Develop standards that clarify when geotech analysis required	Med	Med
72	Clarifications requiring direction	Text Clarification - Signs		Most zones	Some language inconsistency between sections	Clarify lighting restrictions, lumens, include "moving" definition	Med	Med
73	Clarifications requiring direction	Text Clarification - Home Occupations	F-2; EFU; RR	16.090; 16.211; 16.212; 16.290	Home Occupation & Rural Home Business definitions and language inconsistent	Use one term/definition for Director Approval use in RR, F-2, and EFU, and one term/definition for permitted use in RR.	Med	Med - Related to Goal One Issue
74	Clarifications requiring direction	Code Organization/Streamlining		CH 16	Standardize the names and definitions of uses; consistent use of terms; comprehensive list of definitions in one section	Review entire code for standard definitions and use of terms; definitions in one place rather than multiple definitions for the same term or use. Statutory construction may complicate consolidation of definitions.	High	Low
75	Clarifications requiring direction	Code Organization/Streamlining		CH 16	Improve code organization to make more user friendly	Group base zones (F-1, F-2, EFU, RR, etc.); group overlay zones (/PW, /NRC, /BD, /H, etc.); group regulations that apply to all zones (Riparian, Greenway, parking, telecom, etc.); group admin procedures (rezoning, plan amendments, enforcement, variances, etc.)	High	Low

76	Clarifications requiring direction	Code Organization/Streamlining		CH 16	Repetitive lists of uses in each zone.	Use matrix for uses (all uses in rows, zones in columns, notation for allowed/AA/DA/HO approval). Use matrices allow at-a-glance cross-zone comparisons of permitted uses. Statutory construction, especially for the different methods for getting dwellings in resource zones, and overlay zones may complicate a use matrix. See Jackson County.	High	Med
77	Clarifications requiring direction	Code Organization/Streamlining	C-1; M-1; M-3; IWP; RA; RG; C-2; C-3; C-R; M-2; RR (16.231)	16.220; 16.221; 16.222; 16.223; 16.224; 16.225; 16.226; 16.227; 16.229; 16.230; 16.231; 16.012; RCP Policies	Eliminate unused and remnant zoning designations that predate the last periodic review	Confirm no parcels currently zoned C-1; M-1; M-3; RA; or RG. Where remnant zones are still in use, redesignate to comparable acknowledged rural zones created during periodic review. Coordinate with cities where appropriate.	High	High
78	Clarifications requiring direction	Code Organization/Streamlining		CH 10	Ch 10 is antiquated, hasn't been updated to reflect changes in statutes, rules, and policies	Modernize standards for development within UGBs.	High	High