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D. M. PENFOLD, Director of the  
Dept. of Records and Elections of Lane CountyBY *Keith R. Rucker*  
DEPUTY

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO. 17-73 )  
 ) Amending Lane Code Chapter 10 (Zoning)  
 ) and Chapter 12 (Comprehensive Plan)

The Board of County Commissioners of Lane County ordains that, for the purpose of eliminating mandatory referrals to the Planning Commissions by the Board of County Commissioners of certain comprehensive plan and comprehensive plan implementation procedures, Lane Code Chapters 10 and 12 are hereby amended by substituting the pages attached hereto as Exhibit "A" and listed below:

- (1) Substitute page 10.315-60(3) - 10.315-65 for existing page 10.315-60 - 10.315-65.
- (2) Substitute Chapter 12 "Table of Contents" for the existing table of contents, changing 12.045 title.
- (3) Substitute page 12.040(1) - 12.055 for existing page 12.040 - 12.055.
- (4) Substitute page 12.170 - 12.300 for the existing identically numbered page.

It is further ordained that, for the sole purpose of correcting miscellaneous clerical errors, non-substantive amendments to Lane Code Chapter 10 be adopted by substituting the pages attached hereto as Exhibit "B", and listed below:

- (1) Substitute page 10.315-65 - 10.315-90 for existing page 10.315-60 - 10.315-90 (correcting page number only);
- (2) For the purpose of amending an incorrect reference (from Lane Code 10.200 to Lane Code 10.195), substitute the following pages for the existing identically numbered pages:
  - (a) 10.105-10 - 10.105-15
  - (b) 10.110-05 - 10.110-10
  - (c) 10.115-05 - 10.115-10
  - (d) 10.130-05 - 10.130-10
  - (e) 10.100-10 - 10.100-20
- (3) To correct an inadvertent omission which occurred during original codification (omitting certain setback requirements in the RG district), substitute pages 10.145-15 - 10.145-23 and 10.145-23 - 10.145-35 for existing page 10.145-15 - 10.145-35.

- (4) To correct a clerical error (erroneously including site plan submission requirements in 10.195 rather than in 10.190), and to clarify the format of 10.195, remove entire existing sections 10.190 (Mobile Home Parks) and 10.195 (Mobile Home Permits), substituting therefor pages 10.190-06 - 10.190-20 to 10.190-49 - 10.190-49 (five pages) and 10.195-10 - 10.195-20 to 10.195-80 - 10.195-80 (three pages), "Mobile Home Parks" and "Mobile Home Permits", respectively.

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.

Enacted this 16TH day of JANUARY, 1974.

*Max E. Ornelas*  
Chairperson, Lane County Board of Commissioners

*Robin Parillo*  
Recording Secretary for this Meeting of the Board

After public hearing this 11th day of December, 1973, the amendments attached hereto as Exhibit "A" were approved by majority vote of the Lane County Planning Commission, and is recommended for enactment.

*Lee Miller*  
Secretary, Lane County Planning Commission

Ordinance No. 17-73

APPROVED AS TO FORM
DATE <i>12-31-73</i>
<i>Raymond J. Beatty</i>
OFFICE OF COUNTY COUNSEL

## Rezoning and Amendments

10.315-60(3)

Lane Code

10.315-65

- (3) Public Hearing by the Board of Commissioners
- (a) Within thirty (30) days of an affirmative Planning Commission recommendation or the filing of an appeal as provided in this Section (LC 10.315), the Board of Commissioners shall hold a public hearing. Such hearing and action by the Board shall be in accord with the provisions of this Section for Planning Commission hearings (LC 10.315-55) and Orders of Intent to Zone or Rezone (LC 10.315-65), Chapter 12 of the Lane Code and the Lane County Charter, and amendments thereto. Prior to the hearing the Planning Director shall forward to the Board of Commissioners a copy of the application, all pertinent data filed with it, and the minutes of the Planning Commission's public hearing on the matter, if applicable.
- (b) Prior to taking any action which would alter or modify a Planning Commission recommendation, the Board of Commissioners may first refer the proposed alteration or modification to the Planning Commission for a recommendation. Failure of the Commission to report within twenty (20) days after the referral, or such longer period as may be designated by the Board, shall be deemed to be approval of the proposed alteration or modification. It shall not be necessary for the Commission to hold a public hearing on the proposed alteration or modification.
- (c) In reversing a recommendation of the Planning Commission, the Board of Commissioners shall indicate by order the basis for its decision.

-65. Order of Intent to Rezone

- (1) If, from the facts presented as required by this Code, the Board of Commissioners determines that granting a zoning or a rezoning application would comply with the general purpose of this Chapter only if the property in question would be developed as proposed in a reasonable time rather than being in a state of speculative holding, the Board of Commissioners shall indicate its general approval in principle of the zoning or rezoning by the adoption of an "Order of Intent to Zone or Rezone" said property. This Order shall include any conditions, stipulations or limitations which the Board determines are necessary to require in the public interest as prerequisite to final action, including those provisions necessary to prevent speculative holding of the property after zoning or rezoning; and such conditions, stipulations, or limitations shall be incorporated as part of the site plan as provided below.

13-72;7.21.72

Exhibit A

REF

73 296

Lane Code

Chapter 12

COMPREHENSIVE PLANCONTENTS

- 12.005 Purpose.
- 12.010 Scope and Elements.
- 12.015 Adoption of Applicable Law.
- 12.020 Referral to Planning Commission.
- 12.025 Planning Commission - Hearing and Notice.
- 12.030 Planning Commission - Consideration with other Agencies.
- 12.035 Planning Commission - Recommendation and Record.
- 12.040 Board Action - Hearing and Notice.
- 12.045 Board Referral.
- 12.050 Method of Adoption and Amendment.
- 12.055 Validation of Prior Action.

IMPLEMENTATION OF COMPREHENSIVE PLAN

- 12.160 Planning Commission Action.
- 12.165 Form of Action.
- 12.170 Procedure for Making Recommendation.
- 12.175 Board Action.
- 12.180 Board Referral.
- 12.185 Validation of Existing Ordinances.

INTERIM ZONING

- 12.300 Interim Zoning

5-72;3.1.72

Exhibit A

12.040(1)

Lane Code

12.055

portunity to be heard thereon at a public hearing before the board.

(2) Notice of the time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the planning commission as specified in section 12.025(2). The hearing may be continued to another date if not concluded provided notice of the time and place thereof is publicly announced at the hearing or is given by newspaper publication not less than five (5) days prior to the continued hearing.

12.045 Board Referral. Before the board makes any change or additions to a plan or plan amendment recommended by the planning commission, it may first refer the proposed change or addition to the planning commission for an additional recommendation. Failure of the planning commission to report within thirty-five (35) days after the reference, or such longer period as may be designated by the board, shall be deemed to be approval of the proposed change or addition. It shall not be necessary for the planning commission to hold a public hearing on such proposed change or addition.

12.050 Method of Adoption and Amendment.

(1) The adoption of the comprehensive plan or an amendment to such plan shall be by an order of the board.

(2) The board may amend or supplement the comprehensive plan upon a finding of changed circumstances which necessitates an amendment or supplement, so as not to impair the purpose of the plan as established by section 12.005.

12.055 Validation of Prior Action. The adoption of a comprehensive plan or an amendment to such plan under the authority of prior acts is hereby validated and shall continue in effect until changed or amended under the authority of these provisions.

12.170

Lane Code

12.300

county or in a newspaper published in the territory concerned. A hearing may be continued to another date if not concluded, if notice of the time and place thereof is publicly announced at the hearing or is given by newspaper publication not less than five (5) days prior to the continued hearing.

12.175 Board Action. The board may enact, amend, or repeal ordinances dealing with matters contained in section 12.160(2) only after having forwarded such to the planning commission to consider in accordance with section 12.170.

12.180 Board Referral. Before the board makes any changes or additions to the Lane Code dealing with matters contained in section 12.160(2) or adopts or amends special general provisions in an interim zone in accordance with section 12.300, it may first refer the proposed change or addition to the planning commission for a recommendation. Failure of the planning commission to report within twenty (20) days after the reference, or such longer period as may be designated by the board, shall be deemed to be approval of the proposed change or addition. It shall not be necessary for the planning commission to hold a public hearing on the proposed change or addition.

12.185 Validation of Existing Ordinances. All ordinances dealing with the matters contained in section 12.160(2) which are legally adopted under any prior enabling acts, and all actions taken under the authority of any such ordinances, are hereby validated and continued in effect until amended or repealed by action of the board taken under authority of this chapter.

#### Interim Zoning

#### 12.300 Interim Zoning

(1) The board of county commissioners may adopt zoning ordinances involving unzoned areas on an interim basis in furtherance of comprehensive plan studies initiated but not adopted in order to protect the public health, safety, and welfare.

(2) Except for the designation "interim", the provision of an expiration date and appropriate additional or amended requirements, interim ordinances shall be adopted in accordance with the usual procedures set forth in the Lane County Charter and this code.

(3) Interim ordinances may be adopted and extended for no more than a total of three years. Each such ordinance shall clearly indicate in its title and text that it is interim and shall, additionally, in the text set forth the expiration date of the interim zoning.

Rezoning and Amendments

10.315-65

Lane Code

10.315-90

- (2) A site plan shall be required as provided in this Chapter for Site Review Permits and shall be binding upon the property. Upon approval of the Order of Intent by the Board of Commissioners, the property under these provisions shall be plainly marked as "SR" on a map attached as an exhibit to the order and on the zoning map. Any approved site plan may be amended or it may be released from the restrictions of such site plan by Order of the Board after receiving a recommendation from the Planning Commission. No other changes shall be made constituting a departure from the approved site plan except by amendment as herein provided unless the property has been released from the site plan.
- (3) The fulfillment of all conditions, stipulations and limitations contained in the Order of Intent on the part of the applicant shall make the Order a binding commitment upon the Board of Commissioners. Upon completion of compliance action by the applicant, the Board shall, by ordinance, effect such zoning or rezoning. The failure of the applicant to meet any or all conditions, stipulations or limitations contained in the site plan within two (2) years from the date of approval shall render the Order of Intent to Zone or Rezone null and void, unless prior to the expiration of the two (2) year period, extension is granted by the Board after receiving a recommendation from the Planning Commission. Extensions may be granted by the Board upon a showing by the applicant that significant progress has been made in pursuit of the approved conditions, stipulations, and limitations contained herein.

-90. Unofficial Zoning Maps and Official Zone District Boundaries

- (1) The location and geographical boundaries of the various districts shall be shown on zoning maps setting forth the district classifications applicable to the land indicated on the zoning maps. The zoning maps shall be maintained on file in the Planning Department and shall be available at reasonable times for inspection by the public. All amendments to the original zoning maps, either by change to an original map or by the addition of a new map, shall be indicated by an appropriate reference number (e.g., ordinance or journal number) of the amendment somewhere on the face of the revised or new map.

F-F 20

10.105-10

Lane Code

10.105-15

- (g) Feed lots.
- (h) Temporary and portable sawmills, barkers, and chippers.
- (i) Any other similar processing and allied farm commercial activities approved by the Planning Commission.
- (4) Sale of agricultural products and livestock grown or raised on the premises.
- (5) One single-family dwelling per lot or one mobile home per lot in compliance with the general requirements of this Chapter for mobile home permits (LC 10.195).
- (6) Guest house.
- (7) Accessory buildings and uses customarily provided in conjunction with a use permitted in this district.
- (8) Airplane strips and helipads for the private use of owner or operator of the property and private hunting and fishing preserves, provided the area is a minimum of twenty (20) acres.
- (9) Home occupation.
- (10) Public and semi-public buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, and pump stations.
- (11) Kennel, provided the following conditions are satisfied:
  - (a) For more than three (3) dogs over four (4) months of age, there shall be at least five thousand (5000) square feet of lot area for each dog on the lot.
  - (b) Where the lot area is less than twenty (20) acres, the maximum number of dogs over four (4) months of age shall be eight (8).
  - (c) Where lot area is a minimum of twenty (20) acres and when more than eight (8) dogs over four (4) months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight (8) and shall be located at least one hundred (100) feet from an adjoining property.

#### -15. Conditional Uses

The following conditional uses, subject to a conditional use permit granted pursuant to the general provisions of this Chapter providing for the granting of conditional use permits (LC 10.320):

- (1) Uses listed in LC 10.105-10 (1)(c), (1)(d), (3) and (8) preceding when the lot area is less than twenty (20) acres.
- (2) The following uses, when such uses are operated as a separate business or enterprise not in conjunction with a farm use in certain locations determined not to be detrimental to the agricultural character of the area and to be of benefit to the community at large; for example, along railroads, major highways, or in small population centers:

10.110-05

Lane Code

10.110-10

AGRICULTURE, GRAZING, TIMBER RAISING DISTRICT (AGT)

-05. Purpose

The Agriculture, Grazing, Timber Raising District is intended to provide areas for rural density residential development and continuation of farm uses and timber production where compatible with each other. It is appropriate to be applied to areas which have, by nature of use and land division activity, already begun a transition from rural to urban use, primarily in the outer portions of the rural-urban fringe areas where public facilities and services will be necessary before intensive urbanization should occur, and in rural lands with marginal suitability for agricultural production.

-10. Permitted Buildings and Uses

In the AGT District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this Section, subject to the general provisions and exceptions set forth in this Chapter:

- (1) The following farm uses:
  - (a) General farming, including but not limited to the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed, and similar food and fibre products.
  - (b) Pastures and grazing.
  - (c) Except as limited by LC 10.110-15(1) following, animal husbandry, including the breeding and raising of cattle, sheep, horses, goats and rabbits; provided that such raising activities are not a part of, nor conducted in conjunction with any livestock sales yard, slaughter house, or animal by-product business; provided further that such uses on lots of less than five (5) acres shall be subject to the area requirements of LC 10.110-42(6).
  - (d) Raising and selling of fur bearing animals.
  - (e) Keeping of honey bees and the production and sale of honey.
- (2) The management, growing, and harvesting of forest products, including Christmas tree raising.
- (3) One single-family dwelling or two-family dwelling per lot or one mobile home per lot in compliance with the general requirements of this Chapter for mobile home permits (LC 10.195).
- (4) Normal accessories for a mobile home, such as, awning, cabana, ramada, patio, carport, garage or storage building, pursuant to an original mobile home use permit or subsequent permit for only accessories.

10.119-05

Lane Code

10.115-10

FARM AND RECREATION 5 DISTRICT (FR 5)-05. Purpose

The Farm and Recreation 5 District is intended to provide areas either for the continued practice of agriculture and/or timber production in conjunction with public and private recreational development compatible to agricultural and timber production activities, or for public and private recreational development appropriate for rural areas of the County. The Farm and Recreation 5 District is not intended to be used for areas which are generally well suited for farming and which should be preserved and maintained for continued, long-term use.

-10. Permitted Buildings and Uses

In the FR 5 District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this Chapter:

- (1) The following farm uses:
  - (a) General farming, including but not limited to the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed, and similar food and fibre products.
  - (b) Pastures and grazing.
  - (c) Except as limited by LC 10.115-15(1) following, animal husbandry, including the breeding and raising of cattle, sheep, horses, goats, and rabbits; provided that such raising activities are not a part of, nor conducted in conjunction with any livestock sales yard, slaughter house, or animal by-product business.
  - (d) Raising and selling of fur bearing animals.
  - (e) Keeping of honey bees and the production and sale of honey.
- (2) The management, growing, and harvesting of forest products, including Christmas tree raising.
- (3) Sale of agricultural products and livestock grown or raised on the premises.
- (4) One single-family dwelling per lot or one mobile home per lot in compliance with the requirements of this chapter for mobile home permits (LC 10.195).
- (5) Guest house.
- (6) Accessory buildings and uses customarily provided in conjunction with a use permitted in this district.
- (7) Animal hospitals; kennels, provided the following conditions are satisfied:
  - (a) The maximum number of dogs over four (4) months of age shall be eight (8).

10.130-05

Lane Code

10.130-10

RURAL RESIDENTIAL DISTRICT (RR)

-05. Purpose

The Rural Residential District is intended to provide for and protect land properly located for persons who desire to live in a single-family dwelling environment but who want and need larger lots. Further, it is intended to be used in areas for which urban services do not exist and are not contemplated in the foreseeable future and on land not particularly suited for agricultural use because of soils capability limitation or, due to the nature of previous development, land uses and divisions have occurred to the extent to preclude continued full-time agricultural production.

-10. Permitted Buildings and Uses

In the RR District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this Section, subject to the general provisions and exceptions set forth in this Chapter:

- (1) One single-family dwelling or two-family dwelling per lot or one mobile home per lot in compliance with the requirements of this Chapter for mobile home permits (LC 10.195).
- (2) Guest house.
- (3) General farming, including the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, and similar food and fibre products.
- (4) The hatching and raising of poultry and fowl, the raising of rabbits, bees, and the like for family food production, and the keeping of domestic animals except pigs, as an incidental use; provided that:
  - (a) Cows, horses, sheep or goats cannot be kept on lots having an area of less than one (1) acre. The minimum area for the keeping or raising of such animals (other than their young under the age of six (6) months) on less than five (5) acres shall be as follows:
 

Horse . . . . .	One (1) per acre, plus one (1) additional for every 15,000 sq. ft.
Cow . . . . .	One (1) per acre, plus one (1) additional for every 10,000 sq. ft.
Goat or sheep . . . . .	Five (5) per acre, plus one (1) additional for every 2,000 sq. ft.

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10.100-10

Lane Code

10.100-20

- (6) One single-family dwelling per lot or one mobile home per lot in compliance with the general requirements of this Chapter for mobile home permits (LC 10.195).
- (7) Guest house.
- (8) Airplane strips for private use by the owner or operator of the property and private hunting and fishing preserves, provided the area is a minimum of twenty (20) acres, and further provided such use is in conjunction with a farm use as defined by this Chapter (LC 10.020).
- (9) Public and semi-public buildings and structures rendering direct utility service to the public in local areas, such as fire stations, utility substations, and pump stations.
- (10) Kennel, provided the following conditions are satisfied:
  - (a) The maximum number of dogs over four (4) months of age shall be eight (8).
  - (b) For more than three (3) dogs over four (4) months of age, there shall be at least five thousand (5000) square feet of lot area for each dog on the lot.

**-15. Conditional Uses**

The following uses and no others are subject to a conditional use permit granted pursuant to the general provisions of this Chapter providing for the granting of conditional use permits (LC 10.320):

- (1) Uses, listed in LC 10.100-10 (3), (4) and (8) preceding when the lot area is less than twenty (20) acres.
- (2) Churches.
- (3) Public and private schools.
- (4) Parks, playgrounds, or community centers owned by a governmental agency or a non-profit community organization.
- (5) Electric transmission facilities transmitting electric current in excess of 75,000 volts on any single cable or lines.
- (6) Flood control facilities and irrigation projects.
- (7) Accessory dwellings for persons employed on the premises.
- (8) Penal farms.
- (9) Kennels which do not satisfy the requirements for kennels allowed as a permitted use.

**-20. Conflicting Provisions**

No provision of this section shall be construed to authorize any use not included within the definition of farm use or specially authorized as a non-farm use in ORS 215.203 and 215.213.

REF 73 11305

RG

10.145-15

Lane Code

10.145-23

- (b) For more than three (3) dogs over four (4) months of age, there shall be at least five thousand (5,000) square feet of lot area for each dog on the lot.
- (c) All kennel structures and fenced runs accommodating a total of more than three (3) dogs over four (4) months of age shall be maintained at least one hundred (100) feet from an adjoining property.
- (d) All dogs shall be owned by the occupant of the premises, except those temporarily kept for the purpose of breeding.

-21. Height (Also see LC 10.300-10)

No building may extend above the sun exposure plane.

-23. Setback Requirements (Also see LC 10.300-15)

- (1) Front yard setback:
  - (a) Basic structure - 12 feet.
  - (b) Garages, carports and parking spaces with access from the front or side of the property - 20 feet.
- (2) Side yard setback:
  - (a) Basic structure:
    - Interior - 8 feet
    - Alley - 8 feet
    - Street: Regular corner lot - 10 feet
    - Reverse corner lot - 12 feet
  - (b) Garages, carports, or parking spaces with access from:
    - An alley side yard - not less than 14 feet from the alley centerline
    - A street side yard - not less than 20 feet from the property line.
  - (c) Where a utility easement is recorded - not less than the width of the easement.
- (3) Rear yard setback:
  - (a) Basic structure - 8 feet
  - (b) Garages, carports, parking spaces or accessory buildings with access from an alley - not less than 14 feet from the centerline of the alley.
  - (c) Where a utility easement is recorded - not less than the width of the easement, plus an additional five feet.

RG

10.145-23.

Lane Code

10.145-35

- (4) No yard or open space provided for the purpose of complying with the regulations of this Section shall be used for public or private parking areas or garages, or other accessory buildings.

-25. Density (Also see LC 10.300-20)

Where community sewerage facilities are not available, the minimum area required shall be 3,000 square feet per dwelling unit.

-26. Lot Coverage

All structures, excluding garages, carports and parking spaces, shall not occupy more than 30% of the gross area of the lot.

-28. Vision Clearance

- (1) Vision clearance for corner lots shall be a minimum of fifteen (15) feet.
- (2) Vision clearance on alley - street intersections shall be a minimum of seven and one-half (7½) feet.

-35. Off-Street Parking

The number of permanently maintained off-street parking spaces required on the site shall be no less than as set forth in the following, and shall be constructed simultaneously with the construction of the applicable permitted district use. A parking space shall be not less than eight feet wide and eighteen feet long, and shall have provisions for ingress and egress. Groups of three or more parking spaces shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. No off-street parking requirements shall be satisfied within required yard areas.

13-72;7.21.72  
3-73;5.11.73  
13-73;11.21.73

Exhibit B

10.190-06

Lane Code

10.190-20

MOBILE HOME PARKS-06. Criteria for Locating Mobile Home Parks

In addition to the general provisions of this Ordinance for conditional use permits, Mobile Home Park conditional use permits shall have the following additional criteria:

- (1) The site must have its primary direct access to an arterial street as shown on the Master Road Plan (LC Chapter 15).
- (2) The site must not interrupt or interfere with existing or proposed future patterns of development.

-20. Site Plan Submission(1) Preliminary Site Plan Submission Requirements:

In addition to the general conditional use permit application requirements of this Chapter, the application for a conditional use permit to construct a new mobile home park or to expand an existing mobile home park shall be accompanied by a plot plan showing the general layout of the entire mobile home park and drawn to a scale not smaller than one inch representing forty feet. The drawing shall show the following information:

- (a) Name of the person who prepared the plan.
- (b) Name of the mobile home park and address.
- (c) Scale and north point of the plan.
- (d) Vicinity map showing relationship of mobile home park to adjacent properties.
- (e) Boundaries and dimensions of the mobile home park.
- (f) Location and dimensions of each mobile home site; designate each site by number, letter, or name.
- (g) Location and dimensions of each existing or proposed building.
- (h) Location and width of park streets.
- (i) Location and width of walkways.
- (j) Location of each lighting fixture for lighting the mobile home park.
- (k) Location of recreational areas and buildings, and area of recreational space.
- (l) Location and type of landscaping plantings, fence, wall, or combination of any of these, or other screening materials.

## Mobile Home Parks

10.190-20

Lane Code

10.190-34

- (m) Location of point where mobile home park water system connects with public system.
- (n) Location of available fire and irrigation hydrants.
- (o) Location of public telephone service for the park.
- (p) Enlarged plot plan of a typical mobile home site, showing location of the pad, patio, storage space, parking, sidewalk, utility connections, and landscaping.

## (2) Final Site Plan Submission Requirements:

At the time of application for a permit to construct a new mobile home park, or expansion of an existing mobile home park, the applicant shall submit four copies of the following required detailed plans:

- (a) New structures.
- (b) Water supply and sewage disposal systems.
- (c) Electrical systems.
- (d) Road, sidewalk and patio construction.
- (e) Drainage system.
- (f) Recreational area improvements.

-34. Access, Park Streets and Walkways

- (1) Access: A mobile home park shall not be established on any site that does not have frontage on and access to a county or public road which has a minimum right-of-way width of sixty feet.
- (2) Park Streets: A park street shall connect each mobile home site to a public street or road. The park street shall be a minimum of thirty feet in width, with a surface width of twenty feet if no parking is allowed, and thirty feet if parking is allowed.
- (3) Walkways: Walkways of not less than three feet in width shall be provided from each mobile home site to any service buildings and recreation area.
- (4) Paving: Park streets and walkways shall be paved with a crushed rock base and asphaltic or concrete surfacing, according to the structural specifications established by the Department of Public Works.

## Mobile Home Parks

10.190-35

Lane Code

10.190-37

**-35. Off-Street Parking**

- (1) A parking space shall be provided for each mobile home site, either on the site or within two hundred feet thereof in the mobile home park, which shall be not less than nine by twenty feet in size and paved with asphaltic macadam or concrete surfacing.
- (2) Guest parking shall also be provided in every mobile home park, based on a ratio of one parking space for each four mobile home sites. Such parking shall be paved with asphaltic macadam or concrete surfacing, and shall be clearly defined and identified.

**-36. Signs**

Signs may be installed as follows:

- (1) One sign not exceeding eighteen square feet in area, which will be allowed on a tract of land under one ownership to designate the name of the mobile home park. The sign may be indirectly lighted, but shall be non-flashing. Said sign shall conform to the setbacks designated for structures in the zone in which it is located, or as is otherwise required under the conditional use permit.
- (2) Incidental signs for the information and convenience of tenants and the public, relative to parking, traffic movement, office, lavatories, etc., are allowed, provided such signs do not exceed three square feet in size.
- (3) No nameplates or advertising signs of any other character shall be permitted.

**-37. Fencing and Landscaping**

- (1) Every mobile home park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/ planting along all boundaries of the mobile home park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress.
- (2) Walls or fences shall be six feet in height. Where walls or fences are required along boundaries that abut on public roads, said walls or fences shall set back from the property lines to conform with setbacks for structures in the zoning district, or as is otherwise required in the conditional use permit. Evergreen planting shall not be less than five feet in height, and shall be maintained in a healthy living condition

## Mobile Home Parks

10.190-37

Lane Code

10.190-49!

for the life of the mobile home park. All walls, fences and evergreen planting shall be approved by the Planning Commission.

- (3) There shall be suitable landscaping provided within the front and side yard setback areas, and all open areas in the mobile home park not otherwise used.

-42. Area

- (1) Size of Mobile Home Park Site: No mobile home park should be created on a lot or parcel of land of less than five acres in area.
- (2) Mobile Home Sites: There should be an average area of all mobile home sites within a mobile home park of not less than three thousand square feet, but in no case shall any one mobile home site be less than twenty-five hundred square feet.
- (3) Setbacks: No mobile home or accessory thereto shall be located any closer than twenty-five feet from a park property line abutting on a public street or road, ten feet from all other park property lines and ten feet from any such areas as a park street, a common parking area, or a common walkway.
- (4) Spacing: A mobile home and accessories thereto shall be separated from an adjoining mobile home and its accessories by a minimum of ten feet.
- (5) Overnight spaces: Not more than 5 percent of the total mobile home park area may be used to accommodate persons wishing to park their mobile homes or camping vehicles overnight.

-49. Other Site Requirements

- (1) Recreational Area: It is desirable that two hundred square feet of recreational area be provided for each mobile home site. This area may be in one or more locations in the park, and shall be suitably improved and maintained for recreational purposes.
- (2) Pad Improvements: Mobile home pads or stands shall be paved with asphaltic or concrete surfacing, or with crushed rock contained with concrete curbing.

HEE1 73 1811

Mobile Home Parks

10.190-49

Lane Code

10.190-49

- (3) Accessories: Structures located on a mobile home site, in addition to the mobile home, shall be limited to the normal accessories, such as an awning, cabana, ramada, patio, carport, garage or storage building. No other structural additions shall be built onto or become part of any mobile home, and no mobile home shall support any building in any manner.
- (4) State Requirements: Rules and regulations governing mobile home facilities as contained in Oregon Revised Statutes, Chapter 446, and "Rules and Regulations Governing the Construction and Statutory Operation of Travelers' Accommodations and Tourist Parks", adopted by the Oregon State Board of Health, shall be applicable in the development and operation of a mobile home park, provided, however, that the provisions of this ordinance shall prevail where said provisions are more stringent than those imposed by state law, rules or regulations.

REF 73-1812

10.195-10

Lane Code

10.195-20

MOBILE HOME PERMIT

-10. Prohibiting Mobile Homes in Other Districts - Exceptions - Temporary Permits

No person shall maintain a mobile home for residential purposes in any other zoning district of the county, except as follows:

- (1) Mobile homes in an EFU 20, F-F 20, AGT, FR-5, or RR District (LC 10.100, .105, .110, .115, and .130), pursuant to a mobile home use permit.
- (2) Mobile homes in a permitted mobile home park.
- (3) Mobile homes temporarily located on a building site or lot pursuant to one-year mobile home use permits issued under the following circumstances:
  - (a) When there exists a personal, but not necessarily financial, hardship on the part of the applicant, whereby it is necessary to have an elderly member of the family living on the same premises as the applicant's dwelling; or
  - (b) Where it is necessary to live on the same premises during the period when a dwelling is being constructed, and said dwelling is to be for the applicant's personal use; or
  - (c) Where the mobile home is being used by the applicant's employee for bona fide agricultural, forestry management, or mineral extraction purposes in an EFU 20, F-F 20, AGT or FR-5 District (LC 10.100, .105, .110, and .115); or
  - (d) Where the mobile home is used for residential purposes for watchment or caretakers, and is located on the premises of an industrial establishment in any industrial zone.

20. Requirements for Issuance

The Department of Health and Sanitation shall issue mobile home permits for mobile homes and accessories thereto as authorized by other sections of this ordinance upon compliance with the following requirements:

- (1) The site and location of a mobile home shall meet area, frontage, access, setback and other requirements of the Lane Building Code (Chapter 11).
- (2) The mobile home shall be served by a water supply and sewage disposal system approved by the Department of Health and Sanitation.

13-72;7.21.72

Exhibit B

## Mobile Home Permit

10.195-20

Lane Code

10.195-80

- (3) All construction and all installation of plumbing, gas piping, electrical equipment and wiring shall comply with all laws and regulations of the State of Oregon.
- (4) The mobile home shall be skirted on its lower perimeter by a fire-resistant siding.
- (5) If applicable, the buffering or screening required in the establishment of a mobile home district shall be reestablished or maintained.

-35. Application

An application for a permit under this paragraph shall be made to the Department of Health and Sanitation, which shall act on said application within ten days after receipt.

-45. Investigation

If the application meets the requirements of this subsection (LC 10.195-10), the Department shall post adequate notice of its intention to grant said permit within a reasonable radius of the application.

-50. Issuance

If the Department receives no objection to the granting of said permit within ten days after posting of notice, the permit shall be issued.

-55. Appeal to Planning Commission

If the Department refuses to issue a permit or there is opposition to its issuance, the matter may, upon request of the applicant, be referred to the Planning Commission for a public hearing. After public hearing, the Planning Commission may either grant or deny said permit, upon its determination of whether the application meets the requirements of this section.

-60. Appeal to Board of Commissioners

The decision of the Planning Commission shall be final, unless it is appealed by any interested party to the Board of Commissioners with a ten-day period.

-75. Non-conforming Use

Mobile homes located in violation of this subsection on September 13, 1968, shall be allowed to continue as a non-conforming use. Notwithstanding any of the provisions of this Chapter for non-conforming use of land (LC 10.305) to the contrary, if a mobile home site is discontinued for any reason for more than six months, it shall not be reestablished.

REFI 73 4614

Mobile Home Permit

10.195-80

Lane Code

10.195-80

-80. Abatement

An occupied, abandoned or unoccupied mobile home may be abated if it constitutes a menace to the public health, safety and welfare, thereby rendering it a public nuisance.