

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: PA 1352

IN THE MATTER OF AMENDING THE RURAL COMPREHENSIVE PLAN TO ADD THE SUBJECT 63-ACRE PROPERTY TO THE GOAL 5 INVENTORY OF SIGNIFICANT MINERAL AND AGGREGATE SITES, AMENDING THE RURAL COMPREHENSIVE PLAN DIAGRAM TO NATURAL RESOURCES: MINERAL, AND REZONING THE SUBJECT PROPERTY TO SAND AND GRAVEL ROCK PRODUCTS (SG), IN ACCORDANCE WITH OAR 660-023-0180, LANE CODE 16.252, LANE CODE 16.400, AND LANE CODE 12.050. (DEPARTMENT FILE 509-PA16-05971; APPLICANT: WILDISH SAND AND GRAVEL CO.)

WHEREAS, Lane Code 16.400 and 12.050 set 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, Oregon Administrative Rules (OAR) Chapter 660 Division 23 Section 0180 sets forth procedures for amendment of the Goal 5 Inventory of Significant Mineral and Aggregate Sites within Lane County as well as addressing requests for a Post-Acknowledgment Plan Amendment affecting those sites; and

WHEREAS, on December 15, 2016, Department File 509-PA16-05971 was submitted to the Land Management Division requesting a major amendment to the Rural Comprehensive Plan to add the subject 63-acre property to the Goal 5 Inventory of Significant Mineral and Aggregate Sites, to amend the Rural Comprehensive Plan Diagram to Natural Resources: Mineral, and to rezone the subject property to Sand and Gravel Rock Products (SG); and

WHEREAS, the Lane County Planning Commission reviewed the proposal in a public hearing on March 21, 2017, and deliberated and forwarded the matter to the Board with formal Planning Commission recommendation of approval on May 16, 2017; 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 a public hearing and is now ready to take action.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDAINS** as follows:

1. The Lane County Rural Comprehensive Plan is hereby amended to add the 63 acre subject property, identified as Assessor's Map 16-03-31-40, tax lots 1200 and 1300, and Assessor's Map 17-03-06, tax lots 100, 101, and a portion of 400, and as depicted on Exhibits "A" and "B," to the existing Goal 5 Inventory of Significant Mineral and Aggregate Sites identified and included in Appendix "D" of the "Mineral and Aggregate Resources Working Paper."

2. The Lane County Rural Comprehensive Plan is hereby amended to re-designate the 63 acre subject property from "Agriculture" (A) to "Natural Resource: Mineral" (NR:M). This is depicted on the Official Lane County Plan maps and further identified on the map detail attached as Exhibit "A" and incorporated herein.
3. The Lane County Official Zoning Map is amended to change the zone of the 63 acre subject property from "Exclusive Farm Use" (E-30) to "Sand and Gravel Rock Products" (SG). This is depicted on the Official Lane County Zone maps and further identified on the map detail attached as Exhibit "B" and incorporated herein.

FURTHER, although not a part of this Ordinance except as described above, the Board of County Commissioners adopts Findings and Conclusions as set forth in Exhibit "C" attached and incorporated here by this reference, in support of this action.

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

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

ENACTED this 22nd day of August, 2017



Pat Farr, Chair
Lane County Board of Commissioners



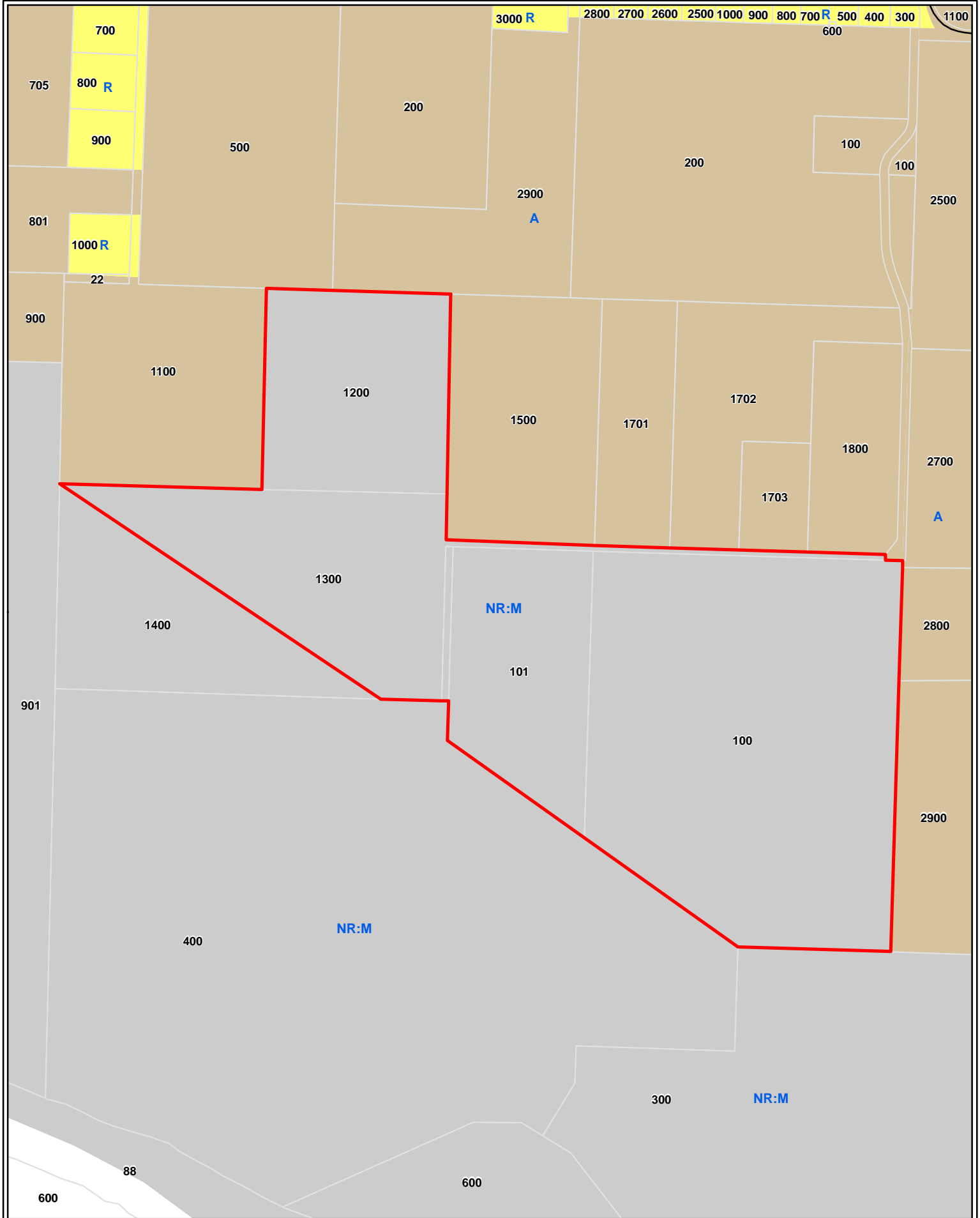
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date



LANE COUNTY OFFICE OF LEGAL COUNSEL



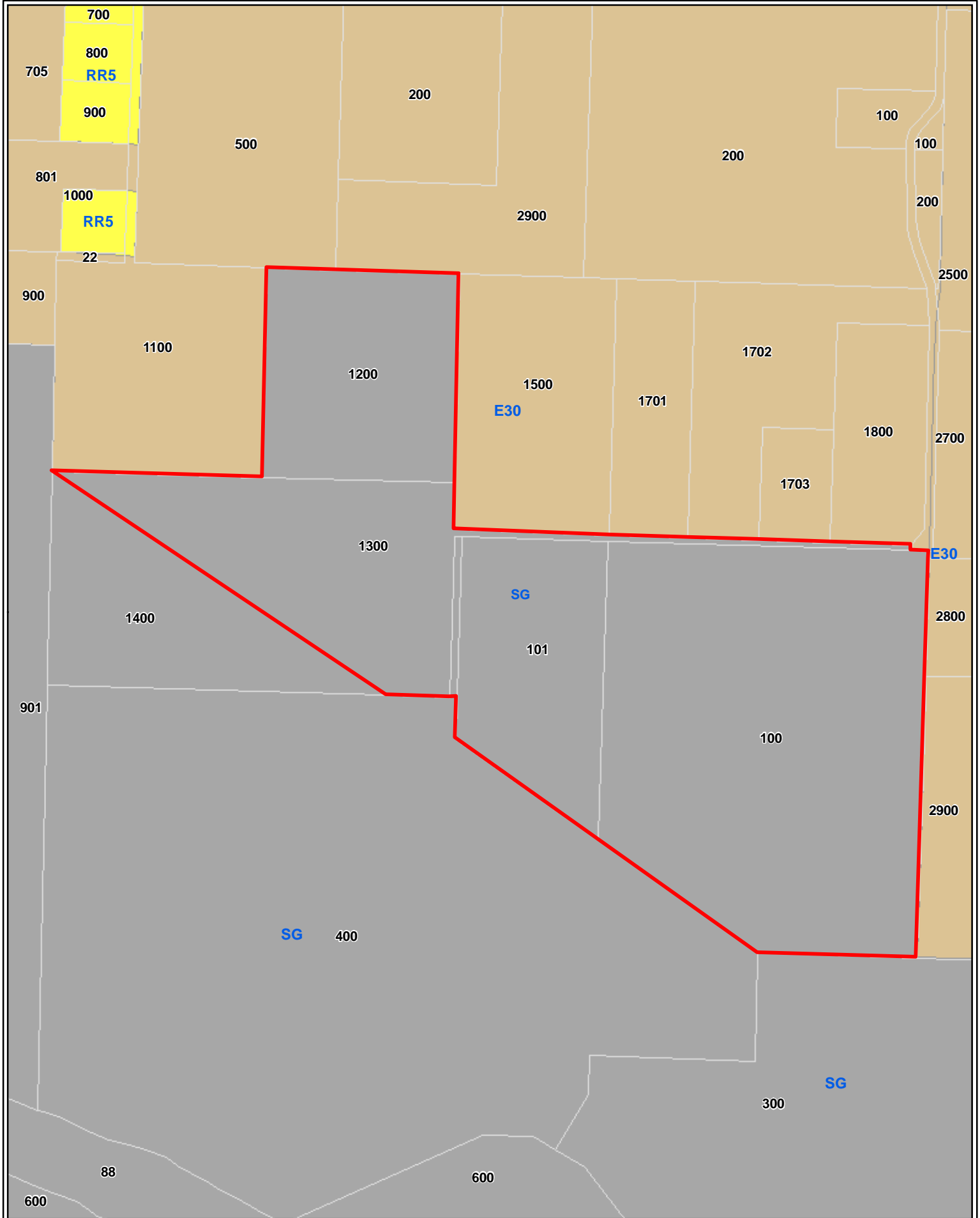
The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is." Lane County cannot accept any responsibility for errors, omissions or positional inaccuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

Rural Comprehensive Plan Designation

Subject_Property	A - Agricultural	NR:M - Natural Resource / Mineral
Taxlot	R - Residential	



EXHIBIT A
ORDINANCE NO. PA 1352
PROPOSED PLAN DESIGNATIONS
PLAN MAP DETAIL



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc. for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

Zoning

- Subject_Property
- E30 - Exclusive Farm Use (30 acre minimum)
- SG - Sand, Gravel and Rock Products
- RR5 - Rural Residential (5 acre minimum)
- Taxlot



EXHIBIT B
ORDINANCE NO. PA 1352
PROPOSED ZONE DESIGNATIONS
ZONE MAP DETAIL

Lane County, Oregon