

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: 20-06

In the Matter of Amending Lane Code (LC) 16.090 (Definitions), LC 16.210 (F-1 Zone), LC 16.211 (F-2 Zone), LC 16.212 (EFU Zone), LC 16.214 (ML Zone), and LC 16.264 (Telecommunications Tower Standards) to Make Corrections Required by the Land Use Board of Appeals Remand of Ordinance 18-08 (Luba No. 2019-024); Adopting a Savings and Severability Clause; and Declaring an Emergency (File No. 509-PA20-05262)

**WHEREAS**, amendments to Lane Code Chapter 16 are desired to add, revise, and delete definitions and provisions to modernize the entire Chapter; and

**WHEREAS**, the Board of County Commissioners enacted Ordinance 18-08, Lane Code Chapter 16 Code Modernization, on January 15, 2019; and

**WHEREAS**, Ordinance No. 18-08 was appealed to the Land Use Board of Appeals (LUBA) and LUBA issued a Final Order and Opinion (LUBA No. 2019-024), remanding Ordinance No. 18-08 to the County; and

**WHEREAS**, amendments to Lane Code Chapter 16 are necessary to make the corrections to Lane Code 16.090, 16.210, 16.211, 16.212, and 16.214 required by the aforementioned LUBA Final Order and Opinion (LUBA No. 2019-024) and to make minor clarifications and corrections; and

**WHEREAS**, the Board of County Commissioners, after conducting a noticed public hearing on this matter on June 16, 2020, is now ready to take action.

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

1. Lane Code Chapter 16 is hereby amended by making the deletions and additions to the code sections listed below as depicted in **Exhibit A** of this Ordinance, which is attached and incorporated by this reference.
  - LC 16.090
  - LC 16.210
  - LC 16.211
  - LC 16.212
  - LC 16.214
  - LC 16.264
2. The Findings of Fact attached as **Exhibit B** and incorporated by this reference are adopted in support of the above amendments.

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

Nothing herein is intended to, nor acts to amend, replace, or otherwise conflict with any other ordinances of Lane County or any other Code or statutory provisions unless expressly so stated.

An emergency is hereby declared to exist and this Ordinance, being enacted by the Board in exercise of its police power for the purpose of meeting such emergency and for the immediate preservation of public speech, health, and safety, takes effect upon execution by the Chair of the Board of Commissioners.

**ENACTED** this 16th day of June 2020.

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Heather Buch, Chair  
Lane County Board of Commissioner

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Recording Secretary for this Meeting of the Board