

W. 17. b.

**AGENDA COVER MEMO**

**DATE:** December 17, 2003 (Meeting Date)  
**TO:** BOARD OF COUNTY COMMISSIONERS  
**FROM:** Public Works Department / Land Management Division  
**PRESENTED BY:** Kent Howe, Planning Director  
Land Management Division

**AGENDA ITEM TITLE:** ORDER NO. \_\_\_\_\_ / IN THE MATTER OF AMENDING  
CHAPTER 60 OF THE LANE MANUAL TO ADD AN ERRORS OR  
OMISSION PLAN AMENDMENT FEE (LM 60.851(6)).

**I. MOTION**

APPROVE ORDER NO. \_\_\_\_\_ AND EXHIBITS TO AMEND CHAPTER 60 OF THE  
LANE MANUAL TO ADD AN ERRORS OR OMISSION PLAN AMENDMENT FEE (LM  
60.851(6)).

**II. ISSUE**

On December 3, 2003, the Board of Commissioners received a recommendation from the Lane  
County Planning Commission proposing addition of Policy 27 Errors or Omission to Goal 2 of the  
General Plan Policies of the Rural Comprehensive Plan and implementation of a fee for processing  
the post acknowledgement plan amendments. On December 16, 2003, the Finance and Audit  
Committee is scheduled to review the proposed fee. On December 17, 2003, the Board of  
Commissioners will be holding a public hearing on Ordinance PA 1192 and the proposed Policy 27  
Errors or Omission.

**III. DISCUSSION**

**A. Background**

The Board of Commissioners has expressed an interest in reestablishing the Errors or  
Omission Policy and plan amendment/zone change process similar to the former Policy 21  
that sunset in 1985.

The Lane County Planning Commission recommended implementing a minimal fee to offset  
the expenses for Land Management Division to process the plan amendments and zone  
changes. Lane Manual 60.851(6) does not currently authorize a processing fee for these  
types of plan amendments and zone changes.

**B. Analysis**

The revenue from the fees is expected to meet the basic processing activities for  
confirmation of the application findings, referral of the application to agencies and  
surrounding property owners, publication of the two required legal ads, site inspection of the

subject property and uses, and offsetting indirect services associated with the Board's processing of the plan amendment applications.

The Errors and Omission plan amendments/zone changes are intended to correct zoning designations of lots or parcels with development or management practices that predated the 1984 adoption of the Rural Comprehensive Plan, and a select few options for consideration as outlined in Policy 27, Goal 2. The proposed minimal revenues would lessen the processing expenses incurred by LMD staff.

Plan amendments pursuant to Lane Code 16 and LM 60.851(6) currently range from \$2,000.00 to \$5,000.00. Current zone change fees are \$2,000.00. The proposed Errors or Omission fee is a minimum of 50% of the standard quasi-judicial processing fees.

**C. ALTERNATIVE/OPTIONS**

1. Approve the Order
2. Do not approve the Order
3. Modify the Order

**D. RECOMMENDATION**

Staff recommends Alternative 1., approval of the motion.

**E. FOLLOW UP / IMPLEMENTATION**

Upon adoption of the Order, the fee will be added to Lane Manual.

**IV. ATTACHMENTS**

1. Order No.
2. Minutes of December 16, 2003 Finance and Audit Meeting

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.

IN THE MATTER OF AMENDING CHAPTER 60 OF  
THE LANE MANUAL TO ADD AN ERRORS OR  
OMISSION PLAN AMENDMENT FEE (LM 60.851(6))

The Board of County Commissioners of Lane County orders as follows:

Lane Manual Chapter 60 is hereby amended by removing, substituting and adding the following section:

**REMOVE THIS SECTION**

60.851(6)  
as located on pages 60-25 through 60-26  
(a total of 2 pages)

**INSERT THIS SECTION**

60.851(6)  
as located on pages 60-25 through 60-26  
(a total of 2 pages)

Said section is attached hereto and incorporated herein by reference. The purpose of this substitution and addition is to add an errors or omission plan amendment fee (LM 60.851(6)).

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

\_\_\_\_\_  
Peter Sorenson, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM  
Date 12-8-2003, Lane County

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

	Amenity Permit Fee.....	\$ 110.00
	Amenity Appeal Fee.....	\$ 110.00
(5)	<u>Chapter 10 - Zoning:</u>	
	Zoning or Rezoning.....	\$1,615.00
	Planning or Zoning Intergovernmental Agreements Requiring Board Approval.....	\$1,075.00
	Conditional Use Permit by HO.....	\$1,615.00
	Subdivision sign permit.....	\$ 110.00
	Shoreland Boundary Preliminary Investigation .....	\$ 215.00
	Hazards Checklist.....	\$ 215.00
	Site Investigation Report.....	\$ 860.00
	Special Use Review by PD.....	\$ 860.00
	Special Use Review by PD (with hearing) .....	\$1,615.00
	Special Use Review by HO .....	\$2,150.00
	Sand and Gravel Plan Review .....	\$2,150.00
	Field Investigation/Verification For Conditions of a Permit or Special Use Permit.....	\$ 160.00
	Application for Verification of Compliance with Conditions for a Special Use Permit.....	\$ 270.00
	Temporary Hardship Mobile Home Initial Review (LC Ch. 11) .....	\$ 75.00
	Renewal .....	\$ 50.00
(6)	<u>Chapter 16 - Development Code:</u> The terms of HO Use Approval and Director Use Approval are equivalent to Special Use Approvals HO and Special Use Approval PD.	
	Plan Amendments	
	Errors or Omission Amendment .....	\$1,000.00
	Major Amendment.....	\$10,000.00 ACS <sup>1</sup>
	Minor Amendment/No exception .....	\$2,150.00
	Minor Amendment with exception .....	\$3,870.00
	Zoning or Rezoning.....	\$2,150.00
	Special Use Approval (HO).....	\$2,150.00
	Special Use Approval (PD) .....	\$ 860.00
	In Forest Zones (F1 and F2) .....	\$1,800.00
	Nonconforming Use (PD).....	\$ 890.00
	In Forest Zones (F1 and F2) .....	\$1,855.00
	Vested Rights .....	\$ 890.00
	In Forest Zones (F1 and F2) .....	\$1,855.00
	Verification of Lawfully Existing Use (16.290/ 16.291/16.292) Without Notice .....	\$ 450.00
	Verification of Lawfully Existing Use (16.290/ 16.291/16.292) With Notice .....	\$ 890.00
	Home Occupation Renewal.....	\$ 160.00

<sup>1</sup> Initial deposit for actual cost of services. Fees shall be based on the actual costs incurred including hourly costs for planner, engineering, attorney time and publication costs, plus 25% for administrative fees. The County will return to the developer/person(s) making the deposit any portion of the deposit remaining after finalization of the land use action. If there is additional money owed, the developer/person(s) requesting the land use action shall pay the same to the County immediately upon receipt of a bill therefore and prior to final County action.

In Forest Zones (F1 and F2) .....	\$ 340.00
Shoreland Boundary Preliminary Investigation .....	\$ 215.00
In Forest Zones (F1 and F2) .....	\$ 450.00
Hazards Checklist.....	\$ 215.00
In Forest Zones (F1 and F2) .....	\$ 450.00
Site Investigation Report.....	\$ 430.00
In Forest Zones (F1 and F2) .....	\$ 900.00
Floodplain Management RCP 16.244	
(a) Fill, removal 50 to 500 c.u. ....	\$ 129.00
In Forest Zones (F1 and F2) .....	\$ 270.00
(b) Fill, removal 501 to 3,000 c.u. ....	\$ 180.00
In Forest Zones (F1 and F2) .....	\$ 370.00
(c) Fill, removal 3,001 to 30,000 c.u. ....	\$ 295.00
In Forest Zones (F1 and F2) .....	\$ 620.00
(d) Fill, removal 30,001 up .....	\$ 590.00
In Forest Zones (F1 and F2) .....	\$1,235.00
(e) Step-Backwater Analysis .....	\$1,420.00
In Forest Zones (F1 and F2) .....	\$2,970.00
(f) Floodplain Field Verification.....	\$ 215.00
In Forest Zones (F1 and F2) .....	\$ 450.00
(g) Floodplain Office Verification.....	\$ 55.00
In Forest Zones (F1 and F2) .....	\$ 110.00
Riparian Setback Preliminary Investigation .....	\$ 415.00
In Forest Zones (F1 and F2) .....	\$ 865.00
Riparian Setback Modification.....	\$ 890.00
In Forest Zones (F1 and F2) .....	\$1,855.00
Riparian Setback Development Plan .....	\$ 890.00
In Forest Zones (F1 and F2) .....	\$1,855.00
Riparian Setback Enhancement Plan.....	\$ 235.00
In Forest Zones (F1 and F2) .....	\$ 495.00
Riparian Setback Restoration Plan .....	\$1,420.00
In Forest Zones (F1 and F2) .....	\$2,970.00
Wetland Management ORS 215.418.....	
(a) Wetland Office Verification.....	\$ 60.00
(b) Wetland Notice to D.S.L.....	\$ 25.00
EFU Farm Dwelling Review .....	\$ 860.00
Temporary Hardship Mobile Home	
(a) Initial Review .....	\$ 75.00
(b) Renewal.....	\$ 50.00
Sand and Gravel Plan Review .....	\$2,150.00
Field Investigation/Verification For Conditions of a	
Permit or Special Use Permit.....	\$ 160.00
In Forest Zones (F1 and F2).....	\$ 340.00
Application for Verification of Compliance with	
Conditions for a Special Use Permit.....	\$ 270.00
In Forest Zones (F1 and F2).....	\$ 560.00
(7) <u>Chapter 12 - Comprehensive Plan:</u>	
Plan Amendments (for Chapter 10)	
Without an exception.....	\$2,150.00
With an exception.....	\$3,870.00
Eugene/Springfield Metro Plan Amendments	

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||At right margin indicates changes  
**Bold** indicates material being added  
~~Strikethrough~~ indicates material being deleted  
60.851 Lane Manual

**LEGISLATIVE  
FORMAT**  
60.851

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Minor Amendment .....	\$3,870.00