

# SUPPLEMENTAL MATERIAL

T. L. A.  
ORDN 7-04

## AGENDA COVER MEMO ADDENDUM

**DATE OF MEMO:** June 7, 2004

**HEARING DATE:** June 15, 2004

**TO:** Board of County Commissioners

**DEPT.:** Public Works Department/Land Management Division

**PRESENTED BY:** Steve Hopkins, AICP

**AGENDA ITEM TITLE:** IN THE MATTER OF AMENDING CHAPTER 13 OF LANE CODE TO ADD DEFINITIONS PERTAINING TO LEGAL LOTS AND PROPERTY LINE ADJUSTMENTS AND TO ADD A LEGAL LOT VERIFICATION PROVISION (LC 13.010 and 13.020).

### I. MOTION

On April 28, 2004, the Board voted 5-0 to set the second reading and public hearing of Ord. No. 7-04.

On May 12, 2004, the Board voted 5-0 to close the hearing and set a third reading of Ord. No. 7-04, for June 15, 2004. The Board also directed staff to revise the proposed amendment to "polish the wording" and "make the intent more clear" if necessary, based on further review of the public testimony.

### II. ISSUE OR PROBLEM

Five different versions were drafted, but each one resulted in creating new issues that could only be resolved by expanding the scope of the amendment. For example, the definition of "legal lot" is the same as in LC 16.090. Changing the amendment would result in a conflict with LC 16, but changing the definition in LC 16 would mean reopening the record and conducting at least one more hearing.

### III. DISCUSSION

#### A. Analysis

Most of the public comments do not deal with the intent or the wording of the ordinance. Most commenters want to expand the intent. If the intent is expanded, a new series of hearings would be required.

The intent of the amendment is to require notification of certain legal lot verifications. The proposal meets that intent. It does not attempt to expand the definition of "property line adjustment" from the ORS, as requested by the Goal 1 Coalition. In addition, it does not attempt to change the definition of "legal lot" from that contained

in LC 16, as requested by 1000 Friends and LandWatch. Finally, it does not regulate property line adjustments; therefore, it does not violate ORS 92 or 215, as stated by Bob Ezell. Lane County is allowed, but not required, to regulate property line adjustments.

**B. Recommendation**

Because of the complexity of the issues and the amount of public interest, staff recommends adopting the amendment as presented, and then address property line adjustments and legal lot criteria in a separate process.

**C. Timing**

The ordinance does not contain an emergency clause and will become effective 30 days after adoption. If this amendment is adopted, a corresponding fee will be included in the Lane Manual.

**IV. IMPLEMENTATION/FOLLOW-UP**

If the Board adopts the ordinance, notice will be provided to DLCD.

# CURRENT RURAL COMP PLAN LONG RANGE PROJECTS

**JUNE 2, 2004**

## MATRIX CHECKLIST OF RURAL/METRO & SMALL CITY LONG RANGE PLANNING PROJECTS

PROJECT	FUNDING SOURCE				DURATION	FTE	Board Priority	Status
	Vid Lot	LRPS	Recording Fees	Title III				
RCP Periodic Review.	v				48 mo's	1.5	v	In Process
Coastal Mgmt. Plan Periodic Review	v			v	6 mo's	.4	v	In Process
HB 2691 Codification	v			v	6 mo's	.15	v	Complete
OAR 660-22 Codification	v				6 mo's	.15	v	Complete
Errors & Ommission	v				6 mo's	.13	v	Complete
<b>Metro Long Range Planning Projects</b>								
Natural Res. Study		v	v		6 mo's	.2		Complete/ Pending BCC
Farm/Forest Policy Update		v	v		6 mo's	.1		Complete/ Pending BCC
Springfield Drinking H2O		v	v		6 mo's	.2		Pending PH
Waterway Study		v	v		6 mo's	.2		Monitor
<b>Small City Periodic Review</b>								
Florence	v	v	v		6 mo's	.2		Pending
Veneta	v	v	v		6 mo's	.1		
Coburg	v	v	v		6 mo's	.2		Pending
Lowell	v	v	v		6 mo's	.1		
Dunes City	v	v	v		6 mo's	.1		
<b>E- Government Access</b>								
Comm. Info		v	v		6 mo's	.2		Continuous
Devlopmt Code		v	v		6 mo's	.1		Continuous
Handouts		v	v		6 mo's	.2		Continuous
Applications		v	v		6 mo's	.2		Pending
Zoning Maps		v	v		6 mo's	.2		Pending

**MATRIX CHECKLIST OF  
NON-MANDATED RURAL COMP PLAN  
LONG RANGE PLANNING PROJECTS**

PROJECT	FUNDING SOURCE				DURATION	FTE	LCPC Rec.	Board Priority
	Vid Lot	Recording LRPS	Fees	Title III				
Legal Lot a. <u>or</u> Legal Lot b.		v v	v v		6 mo's 12 mo's	.3 .6	v	Pending
Rev. Telecom. Tower Stds		v	v		6 mo's	.3	v	Pending
Rev. Riparian Regulations				v	6 mo's	.75	v	Pending
Revisions Flood Ratings		v	v		6 mo's	.2	v	
Revisions Groundwater		v	v		6 mo's	.2	v	
Leg/ Rule Updates		v	v		6 mo's	.25	v	Pending
Revisions Farm/Forest				v	6 mo's	.4		
Library Dist. a. Min. <u>or</u> b. Major		v v	v v		6 mo's 12 mo's	.3 .5		Monitor
Region 2050		v	v		12 mo's	.1		Monitor
Regional Parks & Open Space				v	12 mo's	.1		Monitor
Drinking Water Protect Plans		v	v		6 mo's	.3		Monitor
S Will. Valley Groundwater		v	v		12 mo's	.2		Monitor
Revisions S&G Committee		v	v		6 mo's	.2		
Policy accepting access to OPI		v	v		6 mo's	.2		
Nat Hazards Mit Plan				v	6 mo's	.1		Monitor
Landslide Hazard areas				v	6 mo's	.1		
Community Wildfire Protection Plan				v	12 mo's	.4		Pending
LC Parks Master Plan Update					12 mo's	.5		Pending
<b>Rural Long Range Planning Projects</b>								
Periodic Review.	v				12 mo's	1.0	v	
<b>Metro/Small Cities &amp; E-Government Projects</b>								
Periodic Review	v				12 mo's	1.0	v	