

Lane Manual
CHAPTER 11 CONTENTS

Chapter 11 – BUILDINGS

ACCESS TO BUILDING SITES

11.005 Meandered Navigable Lake or Stream.

HISTORIC STRUCTURES AND SITES

11.030 Historic Structures and Sites.

SENSITIVE BIRD HABITATS

11.400 Sensitive Bird Habitats.

BUILDING APPEALS & ADVISORY BOARD

11.905 Purpose.

11.910 Membership.

11.915 Terms of Appointment.

11.920 Appeal Procedures.

11.925 Advisory Functions.

Chapter 11

Chapter 11 – BUILDINGS

ACCESS TO BUILDING SITES

11.005 Meandered Navigable Lake or Stream.

The Planning Commission may give approval of building site access over a meandered navigable lake or stream when such site complies with the following;

(1) Site fronts directly on a meandered navigable lake or stream; or site has access only by way of a public easement approved by the Planning Commission, which easement provides direct access from the meandered lake or stream to the building site; and

(2) It is not practicable or reasonable due to special topographical conditions, site isolation, adverse ownership, or land use to provide access to the site by a public road connecting with the public road system or the County; and

(3) Either:

(a) Site is an approved subdivision; or

(b) Site, as created by lease or transfer of ownership separating the site from adjoining land does not constitute a violation or is not a part of a continuing violation of any Lane County ordinance or any law of the State of Oregon pertaining to the subdivision or platting of land; and

(4) Either:

(a) Applicant presents written evidence of ownership or a share in the ownership of a conveniently located boat loading and automobile parking area with respect to such site on said meandered lake or stream which has frontage on a public road connecting with the public road system of Lane County; or

(b) Applicant presents written evidence of the availability for his continuing use of a privately owned public boat launching ramp which has frontage on a public road connecting with the public road system of Lane County; or

(c) Applicant presents written evidence of ownership or a share in the ownership of an automobile parking area adjacent to a conveniently located public boat loading area with respect to such site on said meandered lake or stream; and

(5) All deeds, shares of ownership, and proof of availability of private boat loading and parking areas shall state therein that said property is for the express purpose of providing a private parking area and access between a meandered lake or stream and a public road, which conditions shall run with the ownership of the building site. *(No history available)*

HISTORIC STRUCTURES AND SITES

11.030 Historic Structures and Sites.

The following is a list of historic structures and sites located within unincorporated Lane County, currently listed in the National Register of Historic Places, established and maintained under the National Historic Preservation Act of 1966 (PL 89-655) and sites drawn from the 1976 Oregon State Inventory of Historic Sites and Buildings for Lane County which have been identified as significant "IC" resources in the Rural Comprehensive Plan.

(1) Sites on the National Register.

<u>STRUCTURE SITE</u>	<u>ASSESSOR'S MAP AND TAX LOT</u>
Heceta Head Lighthouse and Keeper's Quarters	16-12-33-0-0 200
Spores (Jacob) House	17-03-04-0-0 1701
Oregon Railway and Navigation Company Bridge	17-03-09-0-0 3200
Campbell (Robert E.) House	17-03-34-2-2 600
Benedict (Edwin E.) House	18-12-25-0-0 2100
Flanagan Archeological Site	

(2) Sites drawn from State Inventory of Historic Sites and Buildings.(See Exhibit "A" to LM 11.300(2)). *(Revised by Order No. 84-9-11-16, Effective 9.11.84)*EXHIBIT "A" TO CHAPTER 11 OF LANE MANUAL (11.300(2))
DESCRIPTION OF SIGNIFICANT ("1C") SITES

<u>Name</u>	<u>Location</u>	<u>Map No.</u>
SIUSLAW RIVER BRIDGE	Hy. 101 Florence	T-1
DEADWOOD CREEK CD. BRIDGE	160925 SW 1/4 SE 1/4	T-4
LAKE CREEK C.B.	170809 NW 1/4 SW 1/4	T-5
WILDCAT CREEK C.B.	180816 NE 1/4 SE 1/4	T-6
COYOTE CREEK C.B.	180529 SW 1/4 SE 1/4	T-8
ERNEST C.B.	160108 SE 1/4 SW 1/4	T-10
WENDLING C.B.	160110 NW 1/4 SW 1/4	T-11
PENGRA C.B.	180132 NW 1/4 NW 1/4	T-12
UNITY C.B.	190102 NW 1/4 SE 1/4	T-13
PARVIN C.B.	190121 NW 1/4 SW 1/4	T-14
LOWELL C.B.	190123 NE 1/4 SW 1/4	T-15
GOODPASTURE C.B.	162531 NE 1/4 SE 1/4	T-16
BELKNAP C.B.	165520 NW 1/4 NE 1/4	T-17
HORSE CREEK C.B.	165524 NE 1/4 SW 1/4	T-18
CURRIN C.B.	202336 NW 1/4 NE 1/4	T-19
MOSBY CREEK C.B.	210301 NW 1/4 NW 1/4	T-20
STEWART C.B.	210312 SW 1/4 SE 1/4	T-21
BRUMBAUGH C.B.	210108 NW 1/4 SW 1/4	T-22
DORENA C.B.	210224 NW 1/4 NW 1/4	T-23
OFFICE C.B.	213507 NE 1/4 SE 1/4	T-24
ROSS RANCH	1812240000900	P-2
CUSHMAN STORE	1811190002200	P-3
FRANK DREW HOME	1812250000200	P-4
DAVID ZUMWALT HOUSE	1905230000300	P-10
ELMIRA IOOF LODGE	1706251101300	P-11
FLOYD ALLEN HOUSE	1605290000600	P-12
FRANKLIN CHRISTIAN CHURCH	1605210002001	P-13
BETHANY CHURCH	1605210001900	P-14
A.C. NIELSON HOUSE	1504320000500	P-15
SOREN JENSEN HOUSE	1504320000301	P-17
JACOB SPORES HOUSE (N.R.)	1703040001701	P-26
CHURCH OF CHRIST	1803231001900	P-32
JASPER CHRISTIAN CHURCH	1802232000100	P-35
KELLY HOUSE	1802280003201	P-36
CHURCH OF CHRIST	1802330000300	P-38
GOOD SAMARITAN CHURCH	1902080000400	P-38
COLE HOUSE	1601183304300	P-40

FRANK KINTZLEY HOUSE	1801330003500	P-41
DEXTER GENERAL STORE	1901160001701	P-43
LORANE IOOF LODGE	2005120000500	P-48
LORANE CHRISTIAN CHURCH	2005120000400	P-49
SILK CREEK SCHOOL	2004140000700	P-50
WALKER UNION CHURCH	2003100001000	P-51
SAGINAW MARKET	2003152300800	P-52
McGOWEN HOUSE	2103050000400	P-53
WALDEN STORE	2103010201702	P-54
DAVID MOSBY HOUSE	2003360001700	P-55
MOSBY CREEK SCHOOL	2103012005500	P-56
BAKER STEWARD HOUSE	2102130001304	P-58
"ROUND BARN"	1607070000200	B-1
SHAEFERS BARN	1905230000300	B-2
ALLEN BARN	1605290000600	B-3
KELLY BARN	1802280003201	B-6
ROBINSONS LANDING	Honeyman State Park	W-1
SIUSLAW MARINA	1811301000900	W-3
HECETA HEAD LIGHTHOUSE	Heceta Head (U.S.	W-5
& KEEPER'S QUARTERS (N.R.)	Coast Guard/OSP)	W-4
"INDIAN CEMETERY"	1812240001100	H-1
CHIEF DREW LANDMARK	1812240001100	H-1
HALE HOUSE	1707230000600	P-6

Exhibit "A" To Chapter 11
of Lane Manual (11.300(2))

(Revised by Order No. 84-9-11-16, Effective 9.11.84)

SENSITIVE BIRD HABITATS

11.400 Sensitive Bird Habitats.

Exhibit "A" to LM 11.400 is a list of areas by section and/or quarter-section, in which documented Sensitive Bird Habitats exist. Documentation of these sites is provided by the Oregon Department of Fish & Wildlife, and may be changed periodically upon reexamination and update of the list. The location of specific habitat sites within those areas on the list is to be determined by referral to ODFW staff.

EXHIBIT "A" TO CHAPTER 11 OF LANE MANUAL (11.400)

Lane County Land Use Plan
Sensitive Bird Nesting and Feeding Sites
Compiled by Oregon Department of Fish and Wildlife
August 15, 1984

GREAT BLUE HERON ROOKERIES

<u>Site Name</u>	<u>Legal Description</u>	<u>Private/ Government</u>
Dorena Reservoir	T20S, R2W, Sec 31, SE 1/4, NE 1/4	BLM
Coyote Cr./Spencer	T18S, R5W, Sec 14	Private
Triangle Lake	T16S, R7W, Sec 18	Private
Poodle Creek	T17S, R7W, Sec 13 SE 1/4	BLM/Private
Long Tom River	T16S, R5W, Sec 33 & 34	Private
Leaburg	T17S, R1E, Sec 10	Private

Oakridge - West	T21S, R2E, Sec 2, NW 1/4, NE 1/4	USFS
Oakridge - South	T21S, R3E, Sec 21	USFS
Oakridge (River)		
Shaw Creek	T20S, R5W, Sec 6	Private
Groundhog Creek	T23S, R4E, Sec 2	USFS
Cottage Grove Reservoir	T21S, R3W, Sec 31 & 32	Private
Harms Creek	T20S, R2W, Sec 23	BLM
Marshall Island	T16S, R4W, Sec 10, NE 1/4	State/Priv.
Beacon Landing	T16S, R4W, Sec 25	Private
McKenzie Island (confl.)	T17S, R3&4W, Sec 6 & 1	Private
Pudding Creek (Mt. Pisgah)	T18S, R2W, Sec 9, SW 1/4	Private/Co.
Dexter Island	T19S, R1W, Sec 9	State
Camas Swale	T19S, R2W, Sec 6	State/Priv.
Blue River	T16S, R4E, Sec 28, NW 1/4	USFS
Siuslaw Bay	T18S, R11W, Sec 29 SW 1/4, NW 1/4	Private
S. Alsea River	T15S, R6W, Sec 19	BLM
Goodpasture Island	T17S, R4W, Sec 13, NE 1/4	Private
Swing Log Creek	T19S, R5W, Sec 7, NW 1/4	BLM
Taylor Creek	T17S, R1W, Sec 25, SW 1/4	BLM

BALD EAGLE NESTS

<u>Site Name</u>	<u>Legal Description</u>	<u>Private/ Government</u>
Fern Ridge Reservoir	T17S, R5W, Sec 20, NE 1/4	USACE

OSPREY NESTS

<u>Site Name</u>	<u>Legal Description</u>	<u>Private/ Government</u>
Siltcoos Lake	T19S, R11W, Sec 30, NW 1/4	Private
Siltcoos Lake	T20S, R12W, Sec 3, NE/1/4	Private
Siltcoos Lake	T19S, R12W, Sec 26, SW 1/4	Private
Siltcoos Lake	T19S, R12W, Sec 34, SW 1/4	Private
Siltcoos Lake	T19S, R12W, Sec 25, SW 1/4	Private
Woahink	T19S, R12W, Sec 14, SW 1/4	Private
Cleawox Lake	T19S, R12W, Sec 3, SW 1/4	Private
Cleawox Lake	T19S, R12W, Sec 10, NW 1/4	
Cleawox Lake	T19S, R12W, Sec 3, SW 1/4	USFS
Siuslaw River	T18S, R12W, Sec 34, SW 1/4	
Munsel Lake	T18S, R12W, Sec 13, NW 1/4	Private
Clear Lake	T18S, R12W, Sec 12, SW 1/4	Private
Mercer Lake	T17S, R11W, Sec 31, NW 1/4	USFS-SNF
Sutton Lake Area	T17S, R12W, Sec 16, SW 1/4	USFS or Priv.
Sutton Lake Area	T17S, R12W, Sec 16, SW 1/4	USFS or Priv.
Fern Ridge Reservoir	T17S, R5W, Sec 19, NE 1/4	USACE
Fern Ridge Reservoir	T17S, R5W, Sec 21, NW 1/4	USACE
Fern Ridge Reservoir	T17S, R5W, Sec 27, NE 1/4	USACE
Fern Ridge Reservoir	T17S, R5W, Sec 27, NE 1/4	USACE
Fern Ridge Reservoir	T17S, R5W, Sec 8, NW 1/4	USACE
Fern Ridge Reservoir	T17S, R5W, Sec 14, NW 1/4	USACE
Fern Ridge Reservoir	T17S, R5W, Sec 16, SW 1/4	USACE
Fern Ridge Reservoir	T17S, R5W, Sec 27, SE 1/4	USACE
Santa Clara/Ayres Rd.	T17S, R3W, Sec 6, SE 1/4	Private
McKenzie R.-Osborne Cr.	T18S, R1W, Sec 3, NE 1/4	Private
McKenzie R.-Leaburg	T17S, R1E, Sec 10, SE 1/4	Private

McKenzie R.	T16S, R4E, Sec 24, NE 1/4	USFS-WNF
McKenzie R. Trail Br. Res.	T15S, R6E, Sec 1, SE 1/4	USFS-WNF
McKenzie R. Trail Br. Res.	T15S, R6E, Sec 12, SW 1/4	USFS-WNF
Blue River Reservoir	T16S, R4E, Sec 14, NW 1/4	USACE
Blue River Reservoir	T16S, R4E, Sec 14, NE 1/4	USACE
Blue River Reservoir	T16S, R4E, Sec 1, NL 1/4	USACE
Blue River Reservoir	T16S, R4E, Sec 13, NW 1/4	USACE
Blue River Reservoir	T16S, R4E, Sec 14, NE 1/4	USFS

OSPREY NESTS**(Continued)**

<u>Site Name</u>	<u>Legal Description</u>	<u>Private/ Government</u>
Cottage Grove Reservoir	T21S, R3W, Sec 32, NW 1/4	Private
Cottage Grove Reservoir	T22S, R3W, Sec 4, SW 1/4	USACE
Dorena Reservoir	T20S, R2W, Sec 35, NE 1/4	BLM
Dorena Reservoir	T21S, R2W, Sec 5, NE 1/4	BLM
Cougar Reservoir	T17S, R5E, Sec 6, SE 1/4	USFS
Cougar Reservoir	T17S, R5E, Sec 17, SW 1/4	USFS
Cougar Reservoir	T17S, R5E, Sec 5, SE 1/4	USFS
Clear Lake (Cascades)	T14S, R61/2E, Sec 7, SE 1/4	USFS
Clear Lake (Cascades)	T14S, R61/2E, Sec 8, NE 1/4	USFS
Clear Lake (Cascades)	T14S, R61/2E, Sec 7, SE 1/4	USFS
N. Fk. Willamette/ Fisher Crk.	T20S, R6E, Sec 13, SE 1/4	USFS
Fall Creek	T19S, R1W, Sec 4, SE 1/4	Private
Fall Creek	T19S, R1W, Sec 3, NE 1/4	Private
Fall Creek	T18S, R1W, Sec 32, NW 1/4	Private
Fall Creek	T19S, R1W, Sec 4, NW 1/4	Private
Fall Creek Reservoir	T18S, R1E, Sec 27, SW 1/4	Private
Dexter Reservoir	T19S, R1W, Sec 22, NE 1/4	Private
Middle Fk. Willamette/ Below Reservoir	T19S, R1W, Sec 9, NE 1/4	Private
Below Reservoir	T19S, R1W, Sec 5, NE 1/4	Private
Below Reservoir	T19S, R1W, Sec 5, SE 1/4	Private
Below Reservoir	T19S, R1W, Sec 9, NW 1/4	Private
Lookout Point Reservoir	T19S, R1E, Sec 34, NE 1/4	USFS
Lookout Point Reservoir	T19S, R1E, Sec 35, SW 1/4	USFS
Lookout Point Reservoir	T20S, R2E, Sec 19, NW 1/4	USFS
Lookout Point Reservoir	T19S, R1E, Sec 35, SW 1/4	USFS
Middle Fork Willamette Lookout Point - Hills Creek Res.	T21S, R2E, Sec 13, NW 1/4	USFS
Hills Creek Res.	T21S, R3E, Sec 27, NE 1/4	USFS
Hills Creek Res.	T20S, R2E, Sec 27, NW 1/4	USFS
Hills Creek Res.	T21S, R3E, Sec 28, NE 1/4	USFS
Hills Creek Reservoir	T22S, R3E, Sec 3, NE 1/4	USFS
Hills Creek Reservoir	T22S, R3E, Sec 11, SE 1/4	USFS
Hills Creek Reservoir	T22S, R3E, Sec 15, SE 1/4	USFS
Hills Creek Reservoir	T22S, R3E, Sec 11, SE 1/4	USFS
Middle Fk. Willamette above Hills Cr. Res.	T23S, R3E, Sec 9, NW 1/4	USFS
above Hills Cr. Res.	T24S, R3E, Sec 10, SE 1/4	USFS
above Hills Cr. Res.	T23S, R3E, Sec 4, SW 1/4	USFS

above Hills Cr. Res.	T23S, R3E, Sec 21, NW 1/4	USFS
above Hills Cr. Res.	T24S, R3E, Sec 11, SE 1/4	USFS

PIGEON SPRINGS

<u>Site Name</u>	<u>Legal Description</u>	<u>Private/ Government</u>
Weyerhaeuser Company Dump	T18S, R2W, Sec 3	Private

PIGEON SPRINGS**(Continued)**

<u>Site Name</u>	<u>Legal Description</u>	<u>Private/ Government</u>
Cheshire	T16S, R5W, Sec 9, SW 1/4	Private
Fall Creek	T18S, R2E, Sec 27	USFS
Teater Creek	T21S, R1W, Sec 7	BLM
Oakridge - North Fork	T21S, R3E, Sec 8	Private
Duncan Islet	T18S, R11W, Sec 11, SW 1/4	USFS/Priv.
	Exhibit "A" To Chapter 11 of Lane Manual (11.400)	

(Revised by Order No. 84-9-11-16, Effective 9.11.84)

BUILDING APPEALS & ADVISORY BOARD**11.905 Purpose.**

The Building Appeals & Advisory Board is established to serve as the Board of Appeals in connection with administration of the Structural Specialty Code and Fire and Life Safety Regulations, Mechanical Specialty Code and Mechanical Fire and Life Safety Regulations, Plumbing Specialty Code and Uniform Code for the Abatement of Dangerous Buildings currently in effect in Lane County. The Board also provides interpretations of the building codes and advises on building construction, suitability of alternate materials and methods of construction. *(Revised by Order No. 84-9-11-21, Effective 9.11.84)*

11.910 Membership.

The Board shall consist of seven members, qualified by experience and training to make determinations pertaining to building construction, however, in no event shall more than five voting members hear a specialty code appeal, as delineated below. Board members shall consist of a licensed professional engineer (referred to herein as engineer), architect, building designer, commercial/industrial building contractor or superintendent of commercial/industrial building construction (referred to herein as commercial contractor), home builder or superintendent of home building construction (referred to herein as home builder), plumbing contractor or journeyman plumber (referred to herein as plumbing contractor) and a mechanical (heating & ventilation) contractor or journeyman heating and ventilation or air conditioning installer (referred to herein as the mechanical contractor). All members shall be appointed by the Board of County Commissioners. The Building Official and a Deputy State Fire Marshal or a fire marshal from a governmental subdivision which has a Fire & Life Safety exemption status by the State Fire Marshal, or designees, shall be ex officio members of the Board.

(1) Structural Specialty Code Appeals. For purposes of hearing appeals for portions of the Structural Specialty Code not requiring appeal approval from the State Fire Marshal as specified in Appendix Chapter 2, or dangerous building appeals, the Board shall consist of an engineer, architect, building designer, commercial contractor

(for commercial/industrial building appeals) or home builder (for residential/accessory building appeals) and any one member from the three remaining members. Three members of the five members shall constitute a quorum; however, one of the members constituting the quorum must be an architect or engineer.

(2) Mechanical Code Appeals. For purposes of hearing mechanical code appeals the Board shall consist of an engineer, architect, building designer, commercial contractor (for commercial/industrial building - mechanical appeals) or home builder (for residential/accessory buildings - mechanical appeals) and a mechanical contractor. Three members of the five shall constitute a quorum; however, one of the members constituting a quorum must be a mechanical contractor.

(3) Plumbing Code Appeals. For purposes of hearing plumbing code appeals, the Board shall consist of an engineer, architect, building designer, commercial contractor (for commercial/industrial building - plumbing appeals) or a home builder (for residential/ accessory building - plumbing appeals) and a plumbing contractor. Three members of the five shall constitute a quorum; however, one of the members constituting a quorum must be a plumbing contractor.

(4) The Building Official shall coordinate with the State Fire Marshal with regard to which appeals related to the Fire and Life Safety Regulations shall be heard at the local level and which at the state level in accordance with ORS 479.180. *(Revised by Order No. 84-9-11-21, Effective 9.11.84)*

11.915 Terms of Appointment.

Of the members composed of an engineer, architect and designer, one shall be appointed for three years, one for two years, and one for one year. Of the plumbing contractor and mechanical contractor, one shall be appointed for two years and the other for one year. Of the commercial contractor and the home builder, one shall be appointed for two years and the other one for one year. Thereafter, each new member shall serve for three years or until his or her successor has been appointed. *(Revised by Order No. 84-9-11-21, Effective 9.11.84)*

11.920 Appeal Procedures.

Appeals may be filed when it is claimed that the true intent of a particular specialty code has been incorrectly interpreted or the provisions of the particular code do not fully apply. A permit applicant, or any person designated by the applicant or owner, may appeal a decision of the building official refusing to grant a modification to the provisions of a specialty code covering the design or method of construction or material to be used in the erection, alteration or repair of the building or structure service equipment when it is the appellant's belief that the method or work proposed is for the purpose intended at least the equivalent or better material or method of construction or installation required by a specific specialty code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

(1) Forms. Appeals shall be filed in writing on forms provided by the Department.

(2) Fees. Each appeal shall be accompanied by payment of fees as established by the Lane County Board of Commissioners.

(3) Review. All hearings of the Building Appeals and Advisory Board shall be public and the appellant, appellant's representative, Lane County's building official or designee and any other person whose interest may be affected by the matter given opportunity to be heard.

(4) Determination. The Board shall affirm, modify or reverse the decision of the building official by a concurring vote of three members. In rendering a

determination, the Board shall make every effort to ensure that standards established in the State Specialty Codes are neither diminished nor mitigated. All determinations shall be rendered in writing with copies provided to the building official and the appellant.

(5) Further Appeal. The decision of the Building Appeals and Advisory Board may be further appealed in accordance with ORS 456.850 and ORS 479.180.

(6) Rules of Procedure. The Board may adopt reasonable rules and regulations for conducting its investigations, hearings and meetings. *(Revised by Order No. 84-9-11-21, Effective 9.11.84)*

11.925 Advisory Functions.

In addition to hearing appeals, the Board may schedule periodic meetings to advise and make recommendations to the Manager of the Land Management Division on the building program and level of service, serving as a liaison with the community. *(Revised by Order No. 84-9-11-21, Effective 9.11.84)*