



Lane County Planning Commission Memo

August 13, 2024 (Date of Memorandum)
August 6, 2024 (First Public Hearing)
August 20, 2024 (Second Public Hearing)

TO: Lane County Planning Commission

DEPARTMENT: Public Works / Land Management Division

PRESENTED BY: Lindsey Eichner, Assistant Planning Director, Lane County Planning
Taylor Carsley, Senior Planner, Lane County Planning
Kelly Clarke, Principal Transportation Planner, Lane Council of Governments
Chloe Trifilio, Assistant Planner, Lane Council of Governments
Henry Hearley, Associate Planner, Lane Council of Governments

RE: **Department File No. 509-PA23-05691** / Amendments to the Lane County Rural Comprehensive Plan and Lane Code to implement a Complete Community Plan for the Rural Community of Blue River.

I. PROPOSED MOTIONS:

- 1) Move to forward a recommendation to the Board of County Commissioners (the Board) to adopt the proposed amendments to Lane Code as presented; or
- 2) Move to forward a recommendation that the Board adopt the proposed amendments to Lane Code with specific revisions (state revisions); or
- 3) Move to recommend staff to revise the proposed amendments and to return to the Planning Commission for recommendation to the Board.

II. ISSUES:

This memo is an addendum to the staff report and materials submitted to the Planning Commission for the public hearing on August 6, 2024. It intends to address issues and concerns raised in the record, and provide information and recommendations to support the Planning Commission's deliberation on the matter.

Eight individuals offered testimony at the public hearing and staff received a total of five (5) comment letters prior to the hearing. Public comments were generally supportive of the Complete Community Plan and draft zoning overall, however the testimony identified perceived issues around the Community Flex Use Zone (CFU), the Blue River Drive Overlay (BRDO), and allowable uses on the Three Sisters Meadow (TSM) property. Testimony and comments will be specifically addressed as they relate to the categories below.

Community Flex Use Zone

As previously discussed, the proposed CFU increases land use and development flexibility by allowing an array of residential, commercial, and light industrial uses on any given property. Many more residential and commercial uses are to be allowed outright instead of requiring discretionary land use permits, which decreases the time and cost associated with redeveloping and provides greater certainty to property owners, developers, and investors. The CFU also increases the allowed residential density such that the utility of a property that can be served adequate on-site or community wastewater facilities is maximized. Finally, development standards that frequently act as limiting factors on small properties, such as building setbacks and the need for off-street parking have been greatly reduced and eliminated, respectively. Together, these amendments objectively increase the opportunity, flexibility, and ease of developing any given property zoned CFU.

Several comments raised issues about the clear and objective standards, called “Commercial Use Compatibility Standards” proposed as LC 16.286(4)(a). These standards are meant to apply to proposed commercial uses to maintain compatibility between residential and commercial uses coexisting in the same zone. The Project Management Team (PMT) consider such standards essential to protecting the quality of life for residential use. The standards put forward for consideration were intended to be a seed for additional means to maintain compatibility in the CFU.

The comments from TBG express issue with including references to Oregon Structural Specialty Code (OSSC). According to TBG, the comingling of land use and building code can create complexities in code administration and could force design processes to be out of sequence. If current or future OSSC allows is amended or allows for exceptions not directly incorporated into the zoning, the zoning could act as an unnecessary limiting factor toward development that does not otherwise conflict with building code. While these concerns are understood and appreciated, staff recommend keeping the proposed standards to the extent that the Planning Commission prioritizes restricting hazardous uses associated with high fire, explosion, or health hazard, regardless of what allowances or exemptions are provided in the building code. Staff do propose to amend the occupancy limit to list a maximum of 49 people, which is consistent with the Class B occupancy regulations of the Oregon Structural Specialty Code.

Several comments voiced concern about parking. The CFU zone does not require the parking minimum standards of LC 16.250 to be followed, but allows for private property owners to provide parking if they elect to. Most of the parking comments were related to that specially in the BRDO. One comment was related to referencing building code. Staff propose to leave the general reference in the standards, because it will apply to the proposal either way and by leaving it in the code it creates transparency of other codes that may apply to a project. Another comment noted that if parking is not required in the CFU, then it will naturally occur on the Local Access Roads (LAR) throughout downtown. An increase in parking and traffic on LAR could presumably increase maintenance and repair costs over time. According to the comments, because LAR are public access easements maintained by the private properties that they serve, and not by the County, any increased cost of maintenance and repair may be borne by downtown property owners.

The potential for increased parking and associated maintenance costs may exist on LARs if the CFU does not require off-street parking on individual properties. However, staff consider this less significant than the burden placed on property owners that would otherwise be obligated to devote a substantial amount of lot area to off-street parking. Staff have seen how proposed projects have had to be modified to work around designing parking on the very small downtown lots. Developing off-street parking that is complies with Lane Code 16.250 can be quite costly and staff further understand that the potential to implement components of the Blue River Drive Concept

(Attachment 3), which provides for on-street parallel and limited head-in parking on Blue River Drive would alleviate future impacts to LARs. Furthermore, staff support amending the proposed zoning in the BRDO to allow for off-street parking along LARs, which is discussed below.

Other comments raise issue with the proposed outdoor storage limitations. As proposed, outdoor storage of materials or merchandise on a property with a commercial use must not encompass more than five (5) percent of the property area. Staff has previously discussed the necessity to have sensible clear and objective development standards and limits on commercial uses occurring in the CFU, since sensitive residential uses may be in proximity. As such, it is understood that relatively large commercial buildings and large outdoor areas of a property used for commercial storage are factors that can negatively increase compatibility issues. On a standard 8,000 square foot property with a commercial use, this would mean that no more than 400 square feet could be used for outdoor storage. Staff note that discussions have been had with some community members concerned about these limits, and have clarified that indoor storage (e.g. utilizing sheds or lean-to structures) would not be subject to these limits. Staff believe these limits are appropriate to help encourage a downtown aesthetic. Alternatively, this limit could be increased to some degree; staff note however that it is not uncommon for more urbanized or downtown design standards to either exclude outdoor storage or require that it be screened. To that end, staff recommend adopting an exemption from the outdoor storage limits for properly-screened areas. The particulars of this screening may be deliberated on, however this would normally take the form of vegetation, landscaping, or maintained fencing.

Another comment raised concern about imposing signage requirements in the CFU. Signage standards are present in virtually every zone in Lane Code, and in this case are necessary due to nearby sensitive residential uses that will be present where signage is developed. The CFU proposes to limit the time that signs may be illuminated (between 7am and 10pm), not allow signs to project above the height of the tallest structure on the property, and ensure that lighting is shielded and directed downward. Staff consider these reasonable development standards to reduce off-site impacts associated with mixed use neighborhoods.

Light Industrial Use in the CFU

The CFU currently allows for “Light Industrial” uses outright, subject to the Commercial Use Compatibility Standards. Allowing for light industrial uses in the CFU was not originally proposed and was only borne out of relatively vocal input received from both the Project Advisory Committee and first community meeting when presented with the alternative to rezone Blue River’s only industrially-zoned land on the Three Sisters Meadow property (and a stripe along north of the highway nearby). Staff was aware of early discussions concerning generally-welcome uses such as a local oar and paddle manufacturer. In response to community response, a use for light industrial zoning was added to the CFU. A number of public comments have pointed to issues associated with this component of the proposed code.

The term “Light Industrial” is not defined in the code and is a generally vague term. In other code sections in Lane Code, such as the Rural Industrial zone (LC 16.292), different examples of uses are prescribed as acceptable and permissible industrial uses. Staff propose addressing this by ensuring the code prescribes specific light industrial uses so that the code offers a greater amount of predictability about what potential uses may be permitted in the CFU in the future.

Other comments have addressed the fact that light industrial uses may not be generally compatible with nearby rural and residential uses. Given the existing larger property sizes in areas to be zoned

Community Residential, an industrial or manufacturing use was perceived to not be appropriate in a rural setting. Likewise, in the downtown where properties are smaller and density is higher, any industrial use could have a disproportionate impact on more residents. In response, staff recommend amending the use table to require a Type II conditional use permit review, subject to standard compatibility criteria for the limited amount of specified industrial uses allowed and notice/opportunity to appeal a decision. Examples of light industrial uses might include several of those from the existing Rural Industrial zone (LC 16.292) such as:

- a) The primary processing of forest or farm products or natural resources that require a location in proximity to the rural resource in order to operate...;
- b) Small-scale, low impact manufacturing, assembling, processing, packaging, storage, wholesale distribution, testing, or repairing that does not include radioactive materials or hazardous waste byproducts in the manufacturing process and that may occur in one or more buildings containing not more than X square feet;
- c) Forest or farm equipment storage yards, sales, rental or repair;
- d) Lumber yards and sales of lumber or incidental materials.

In reviewing other nearby community zoning codes, community industrial zones offered several of the following examples of allowed uses:

- Plumbing and sheet metal shops
- Manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products,
- Warehouses
- Contractors, logging, or excavation equipment storage yard
- Lumber yards, retail, mill work
- Manufacturing, compounding, or assembling of articles or merchandise from the following prepared materials: bone cellophane, canvas, cloth, cork, feature, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, metals, precious or semi-precious stones, shell, textiles, tobacco, wood, yards, and paint

Given the concern regarding potential impacts to rural community areas from future industrial uses, staff propose a set of uses that have even less potential for adverse effects to surrounding property owners:

- Construction: Contractors and related businesses. This category comprises businesses whose primary activity is performing specific building or other construction related work. Examples of contractors are residential and nonresidential building construction, utility/civil engineering construction, specialty trade contractors, and moving companies. Examples of related businesses are engineering, architectural and surveying services and which often take place in office-type buildings;
- Light manufacturing, compounding, assembly, packaging, fabrication and repair (e.g. appliances, electronics, equipment, printing, furniture, cosmetics, signs, boats, and similar goods) with incidental sales associated with a permitted use;
- Research and development facilities;
- Food processing, packaging, and storage

Three Sisters Meadow Property

Many of the comments received about the Plan express concern regarding the potential use of the Three Sisters Meadow property. First, staff note that the existing zoning on this property is Rural Industrial (RI) which allows for a range of typical resource-oriented industrial uses. Staff consider the

proposed Community Flex Use to be offer substantially more opportunity for lower impact residential, commercial, recreational, and other community-oriented development opportunities versus that of the status quo. At the same time, proposed changes to the CFU to clarify allowable light industrial uses, to increase the required permit type from outright allowed to Type II, and to potentially add required findings to any permit processed significantly reduces potential community impacts resulting from light industrial uses compared to the current zoning. Staff also note that testimony offered by the owner, McKenzie Community Land Trust, detail the on-site obstacles to extensively developing the property in any way, including wetlands and on-site sewage disposal limits. The owner still intends to utilize the majority of the property as open space, with a small area dedicated to drainfields. The owner has also stated that they intend to provide a concept master plan for potential future development into the record, but staff has not received any documents as of the time this report was published.

Blue River Drive Overlay

Multiple property owners that front Blue River Drive downtown have expressed frustration over the design standards contained in the BRDO. Staff are supportive of a proposed amendment to allow for head-in parking along LARs to offer more flexibility as to where parking occurs in relation to proposed commercial uses. It is notable that the Blue River Drive Concept provides for parallel parking along the length of Blue River Drive. It also provides for sidewalks along the length of Blue River Drive between areas where on-street parking will occur and front property lines. Staff note parking provided on either side of a sidewalk creates inherent conflicts with pedestrian accessibility and safety. Allowing for parallel parking on Blue River Drive, parallel or head-in parking on LARs, and other types of off-street parking behind business (opposite of Blue River Drive) appears to address concerns about a lack of off-street parking flexibility in the BRDO if future developers choose to provide it. The BRDO will be modified to allow for off-street parking on the side or rear of properties, and simply prohibit off-street parking along Blue River Drive. Existing Lane Code Chapter 15 requires that access is taken from the lowest classification road, which would be LARs in the case of a corner lot on Blue River Drive. Stated differently it is not a new regulation to require electively-provided off-street parking or driveway access to be located off LARs and not Blue River Drive.

One comment expressed concern about the signage requirements of the BRDO. The BRDO does not impose signage requirements. Similarly, a comment was raised about the sidewalk requirements of the BRDO. The BRDO does not require sidewalks, but it would require that pedestrian walkway access be provided to connect the primary building entrance to the public right-of-way. This would not necessarily constitute or need to look like a sidewalk.

Another comment from a downtown Blue River Drive property owner questioned the extent of the BRDO. According to the proposed scaled zoning map, the BRDO would encompass 50 feet or property fronting Blue River Drive, as measured from the edge of the right-of-way.

Community Residential

The proposed Community Residential zoning is located on those areas that are currently zoned Rural Residential (2 and 5 acre minimum lot areas). While the Community Residential zone largely maintains the allowable uses from the Rural Residential zone, it does add flexibility to the permitted residential density. One comment raised concern about the Community Residential area being upzoned to 1 acre minimum areas, as this has the potential to increase the amount of future allowable land divisions and residential density in the future. The proposed lot density associated with the Community Residential zone is based on early feedback obtained from the community and stakeholders that desired the maximum flexibility to develop their property. This also stems from the stated objective of the Board of County Commissioners to add more housing opportunities where possible under state law. Given that

opportunities to increase residential density are extremely limited under state law outside of urban growth boundaries, it was understood that this project provides a unique opportunity to do so in an unincorporated community. That said, the ability to divide land and increase residential density relies primarily on the on-site conditions of a given property. Examples of conditions that matter are the ability to provide adequate access, water, sewage disposal, and the mitigation of on-site hazards. Another consideration is the desire for individual property owners to maintain larger, more rural lots and market conditions which largely control the incentives around dividing and developing land. One or more of these factors likely preclude the community from maximizing the proposed residential density under the Community Residential zone. For these reasons, the Project Management Team views the proposed 1-acre minimum lot size as consistent with community and regional goals to maintain flexibility and facilitate the ability to develop housing where sensible.

Tax Assessment Questions

Multiple questions were raised about the implications of rezoning areas of Blue River on tax assessment. One concern is that increasing the amount of potentially permitted uses from either Rural Commercial or Rural Industrial to Community Flex Use, or increasing the permitted density of residential use in the Community Residential zone could increase the assessed value of property. Staff reached out to the Lane County Assessment & Taxation Department for more information but have not heard back as of the time this report was published. Staff anticipate having more information at the time of the public hearing.

Drafted Amendments

Staff have prepared a revised track-change version of the Draft Complete Community Plan and new zones based on public comments and further staff review. The major changes are called out below, the document is included as Attachments 1 and 2.

Community Flex Use Zone

1. Remove references to industrial uses in the CFU Commercial Use Compatibility Standards (LC 16.286(4)(a)), as proposed.
2. Add light industrial use categories to the CFU (LC 16.286(4)(g)) for construction, light manufacturing, and research/development facilities, as proposed.
3. Amend the provisions for 'Uses Similar' in the CFU (LC 16.286(4)(k)) to limit proposed uses to those allowed outright, which do not include industrial uses, as proposed.
4. Eliminate certain Additional Subdivision Provisions in the CFU (LC 16.286(8)) regarding internal road design having to do with on-street parallel parking on new roads, and updating references to LC Chapter 15, as proposed.

Blue River Drive Overlay Zone

5. Add a purpose statement to the BRDO, as proposed.
6. Add the means for a deviation and add this the associated approval criteria to the BRDO, as proposed.
7. Modify Note #4 in the BRDO as proposed such that accessory uses could be located between the primary use and another street (not Blue River Drive).
8. Modify Note #5 in the BRDO as proposed such that off-street parking could be located between the front façade of the structure and another street (not Blue River Drive).

III. ACTION:

A. Options

- 1) Move to forward a recommendation to the Board of County Commissioners (the Board) to adopt the proposed amendments to Lane Code as presented; or
- 2) Move to forward a recommendation that the Board adopt the proposed amendments to Lane Code with specific revisions (state revisions); or
- 3) Move to recommend staff to revise the proposed amendments and to return to the Planning Commission for recommendation to the Board.

B. Recommendation

Staff recommend Option 1.

C. Next Steps

After the August 20, 2024, public hearing, should the Planning Commission choose option one or two, staff will schedule a public hearing with the Board of Commissioners.

IV. ATTACHMENTS

1. Draft Blue River Complete Community Plan (8/13/2024)
2. Draft Blue River Zoning Amendments (8/13/2024)
3. Blue River Drive Design Concept

Link to project website containing important documents: www.LaneCounty.org/BlueRiverCommunityPlan



Blue River **COMPLETE COMMUNITY PLAN**

Lane County, Oregon

Acknowledgments

Blue River Complete Community Plan

Completed by Lane County Land Management
In collaboration with Lane Council of
Governments, Oregon Transportation and Growth
Management Program & Urban Collaborative



Transportation Growth Management

This Complete Community Plan is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Fixing America's Surface Transportation Act (FAST-Act), local government, and State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

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Board of County Commissioners

- Heather Buch
- Laurie Trieger
- Ryan Ceniga
- Pat Farr
- David Loveall

Acknowledgments Continued

Project Advisory Committee (PAC)

- Matt McRae, LC Emergency Management
- Jared Weybright, McKenzie Watershed Council
- Becky Taylor, LC Transportation Planning
- Melanie Stanley, Blue River business owner and resident
- Judy Casad, Windermere Realty and McKenzie Chamber of Commerce
- Jeffrey Kincaid, LC Emergency Management
- Robert Woodard, LC Public Works
- Lane Tompkins, McKenzie School District
- Cliff Richardson, Locals Helping Locals
- Brandi Ferguson, McKenzie Community Land Trust
- Mary Camarata, OR Department of Environmental Quality
- Bill Johnston, OR Department of Transportation
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Executive Summary

The Blue River Complete Community Plan contains zoning and plan designations, as well as community attributes tailored to the rural unincorporated community of Blue River. It is intended to reflect the community context and vision and to ensure it develops as walkable, bikeable, and livable.

Plan Goals

Goal 1. Livable and Resilient Community

Blue River is a livable and resilient community for all; complete with affordable housing and living wage jobs.

Goal 2. Identifiable and Inviting Downtown

Blue River's downtown reflects the community's sense of pride and is inviting; and a place residents and visitors alike want to come to and spend time.

Goal 3. Transportation Accessibility

Blue River's transportation network meets the transportation needs for all users. This includes people walking, biking, driving, and riding transit.

Goal 4. Recreational Destination

Blue River is located within a pristine natural environment and is a destination to access surrounding recreational opportunities.

Blue River Complete Community Plan Features

Key features shown on the Blue River Complete Community Plan map and presented in the Blue River Complete Community Plan are:

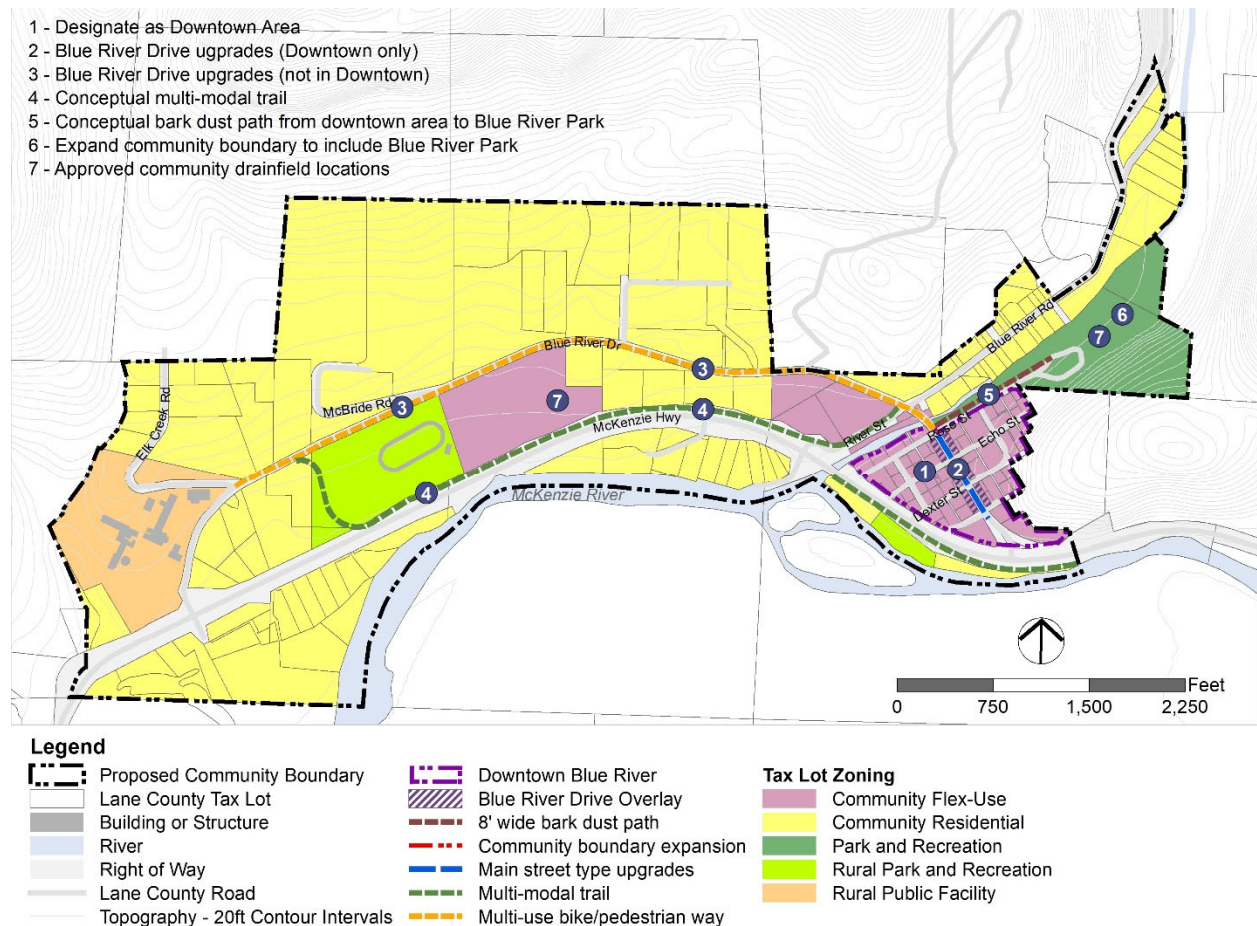
- **Community Flex-Use Zone.** This new zone is designed to allow maximum flexibility in residential, commercial, and light industrial uses within a community boundary that is denser than typically allowed in rural Lane County. It is intended to allow for development flexibility. The minimum parcel size and other standards established by this zone are intended to promote a tight-knit community character.
- **Community Residential Zone.** This new zone is designed to promote a compatible and safe rural community residential living environment by limiting allowed uses and development to primary and accessory rural residential uses and to other rural uses compatible with rural residential uses and the uses of nearby lands. It applies to all residentially zoned properties and has a 1-acre minimum lot size requirement.

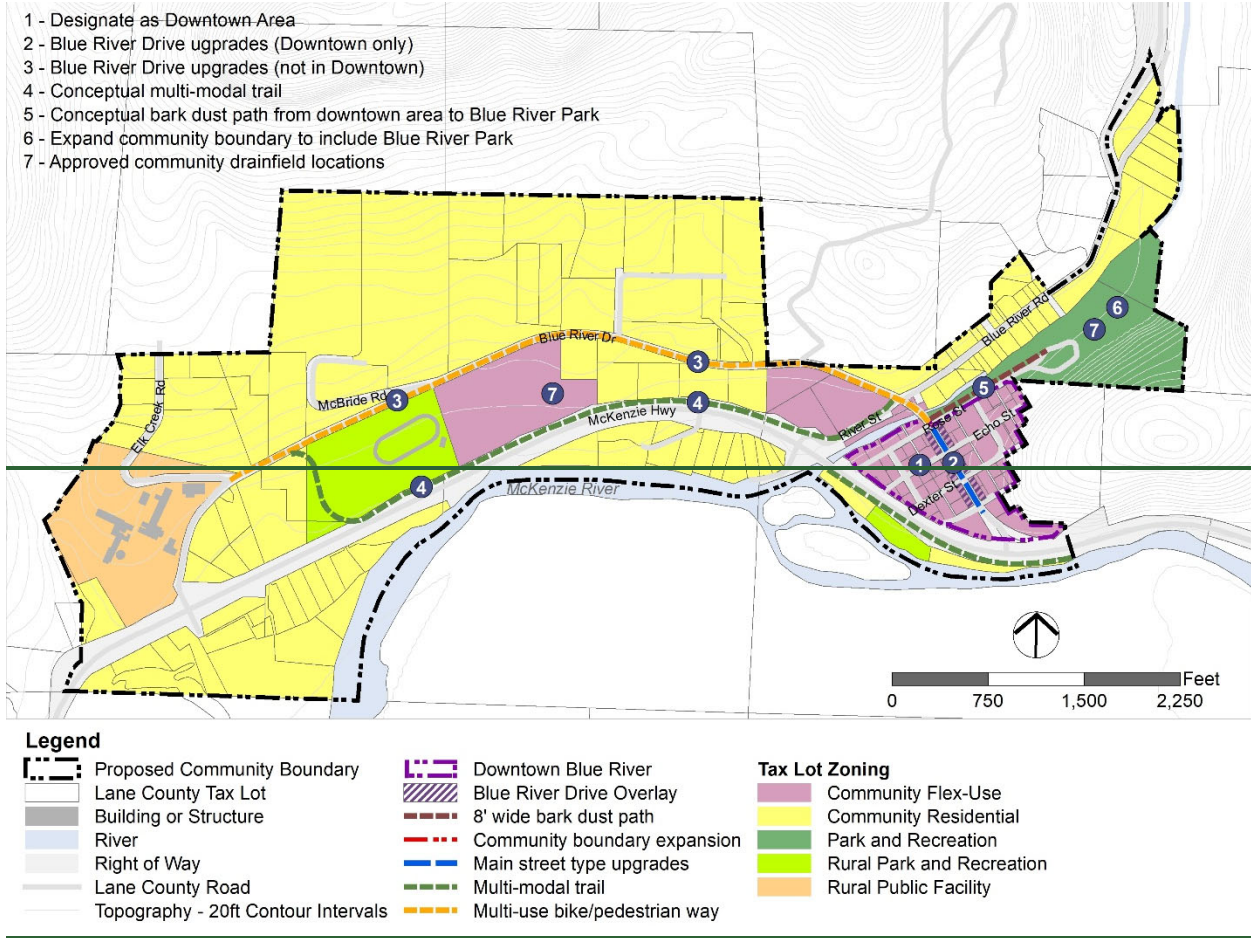
- **Blue River Drive Overlay.** This new zone overlay is designed to encourage commercial development and to establish design standards for that development specific to properties facing Blue River Drive in downtown Blue River.
- **Lane Code 16.215 Park and Recreation Zone.** Amendments to this zoning allow a community drainfield system and other public/semi-public uses.
- **Blue River Park.** The community boundary is expanded to include all Blue River Park properties and to zone them Park and Recreation.
- **Main street type upgrades.** These roadway upgrades include sidewalks and are intended to enhance walkability and bikeability.

Multi-modal trail and multi-use bike/pedestrian way. These multi-use corridors are intended to enhance the pedestrian and bicycle experience and promote connections between key destinations in Blue River.

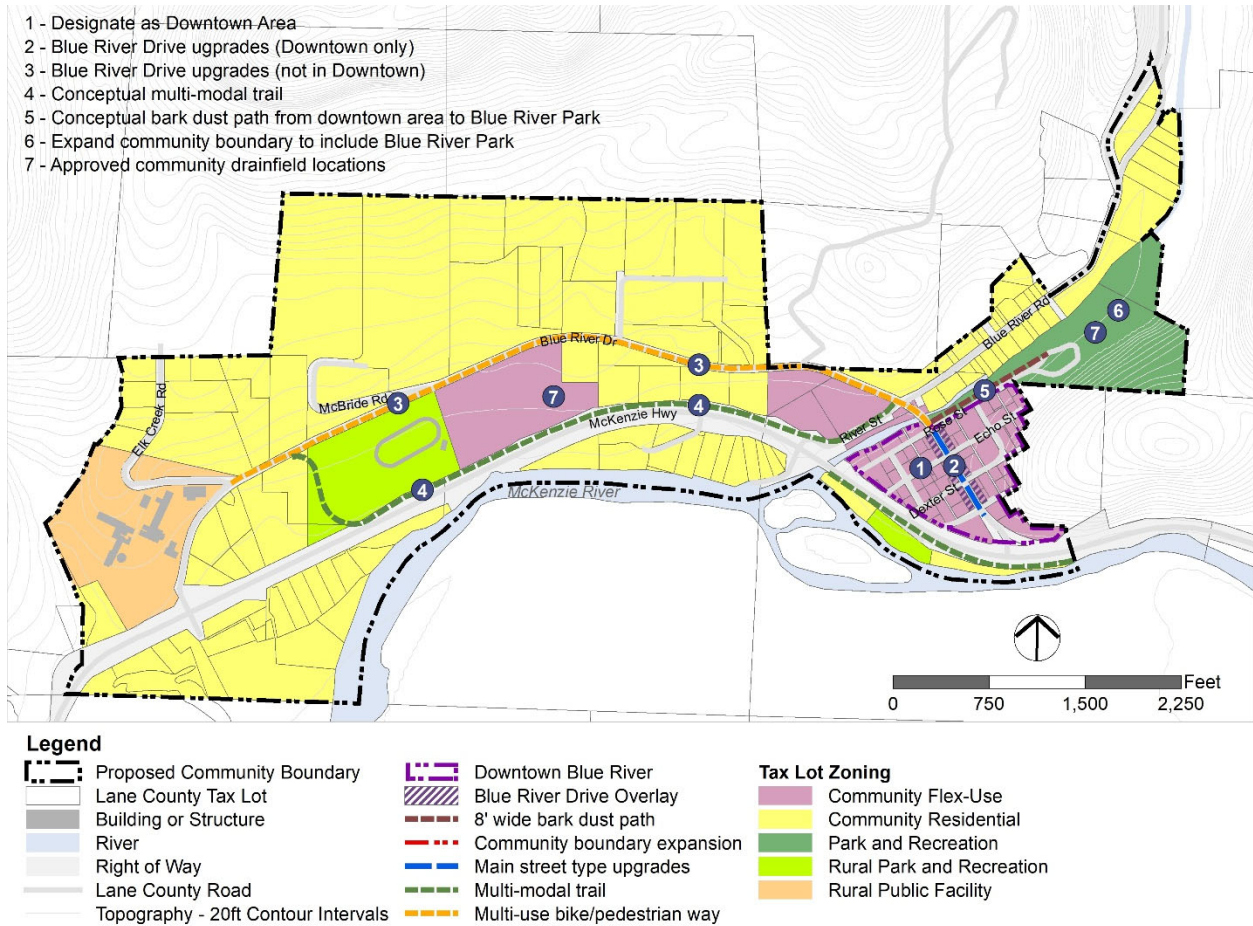
Blue River Complete Community Plan Map

The Blue River Complete Community Plan map depicts the zoning designations and community attributes as guided by Blue River residents and st





akeholders.



Blue River Complete Community Plan Features

Key features shown on the Blue River Complete Community Plan map and presented in the Blue River Complete Community Plan are:

- Community Flex-Use Zone** - This new zone is designed to allow maximum flexibility in residential, commercial, and light industrial uses within a community boundary that is denser than typically allowed in rural Lane County. It is intended to allow for development flexibility. The minimum parcel size and other standards established by this zone are intended to promote a tight knit community character.
- Community Residential Zone** - This new zone is designed to promote a compatible and safe rural community residential living environment by limiting allowed uses and development to primary and accessory rural residential uses and to other rural uses compatible with rural residential uses and the uses of nearby lands. It applies to all residentially zoned properties and has a 1 acre minimum lot size requirement.

- ~~Blue River Drive Overlay. This new zone overlay is designed to encourage commercial development and to establish design standards for that development specific to properties facing Blue River Drive in downtown Blue River.~~
- ~~Lane Code 16.215 Park and Recreation Zone. Amendments to this zoning allow a community drainfield system and other public/semi-public uses.~~
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- ~~Main street type upgrades. These roadway upgrades include sidewalks and are intended to enhance walkability and bikeability.~~
- ~~Multi-modal trail and multi-use bike/pedestrian way. These multi-use corridors are intended to enhance the pedestrian and bicycle experience and promote connections between key destinations in Blue River.~~

Introduction

Purpose

The Blue River Complete Community Plan (Community Plan) defines the land use future of the rural unincorporated community of Blue River and is implemented through amendments to the Lane County (County) Rural Comprehensive Plan (RCP) and Lane County Zoning Code. The Community Plan area includes the boundaries of the Unincorporated Community of Blue River, as well as the Blue River Park property to the north (See Figure 1).

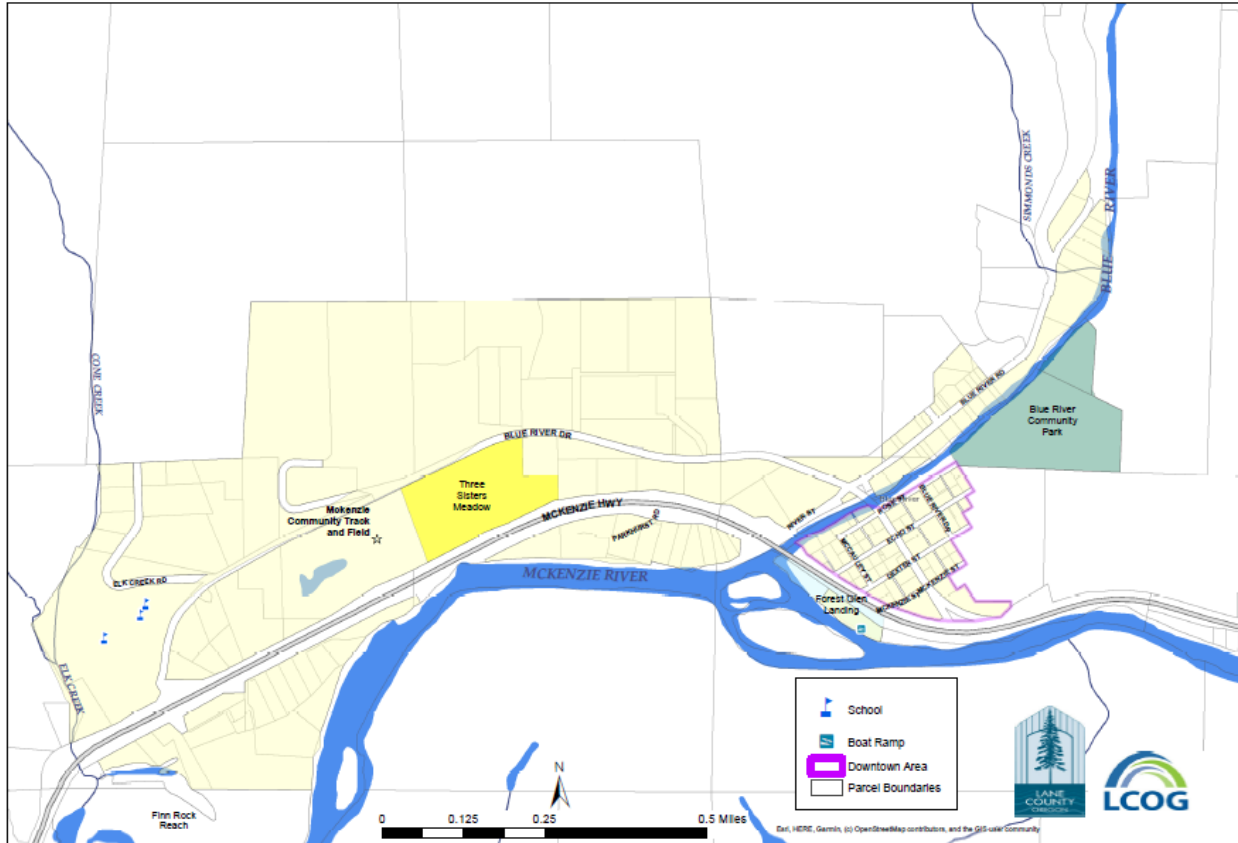


Figure 1. Blue River rural unincorporated community map.

The Community Plan aims to promote compact, small-town development patterns with an active and convenient pedestrian environment along a mixed-use Blue River Drive, higher density development near Lane Transit District bus stops and the McKenzie River Community School, and mixed-use lands located within the community boundary. The changes brought on by this Community Plan are intended to help people meet their daily needs by the mode of their choice, with a particular emphasis on walking, biking, and transit. It also aims to reflect the vision and goals of the members of the community. The Blue River Complete Community Plan and implementing measures could serve as a model for other unincorporated communities in Lane County.

The Community Plan is supported by the Transportation and Growth Management Program (TGM) Code Assistance Program. TGM is a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD). The goals of TGM are to strengthen the capability of local governments to effectively manage growth and comply with the Oregon Transportation Planning Rules (OAR 660-012-0000), to integrate transportation and land use planning, and to encourage transportation-efficient land uses that support modal choice and the efficient performance of transportation facilities and services. The Community Plan advances the TGM Mission, Goals, and Objectives¹.

¹ <https://www.oregon.gov/lcd/TGM/Documents/mission-goals-objectives.pdf>

Area History

Blue River is an unincorporated rural community in eastern Lane County, located at the confluence of the Blue and McKenzie Rivers, one of several rural unincorporated communities in the McKenzie River Valley. It is located approximately 44 miles east of Eugene, Oregon. Blue River occupies the original homeland of the Kalapuya and Molalla peoples.²

According to the Blue River Wastewater and Redevelopment Road Map (2015-2016)³;

“As far back as 8000 years ago, the Molalla and Kalapuya people traveled along the McKenzie River during their annual circuit, harvesting salmon, lamprey eel, camas root, huckleberries, medicinal plants, and hunting. In the early 1800s, European-American homesteaders began to settle the river valley, and in 1863, gold was discovered near Blue River. This led to a short boom which lasted until about 1912. While agriculture and the area’s recognition as a resort and fishing destination contributed to growth and stability throughout the 20th Century the timber industry acted as the leading economic driver for Blue River and the McKenzie River Valley.” (Page 11)

During the stakeholder interviews conducted during the Community Plan outreach efforts, longstanding members of the community spoke to deep pride in the area’s natural beauty and recreational opportunities; and reflected on witnessing the drop in timber industry and its impact on the local economy and livability.

In September 2020, the Holiday Farm Fire swept through the McKenzie River Valley, where it caused significant destruction to homes, businesses, civic institutions, and surrounding forests. The community of Blue River, especially the downtown area, was greatly affected by the fire. Before the fire, the community had a post-office, a library, a convenience store, a resort, and a handful of other local businesses. The McKenzie River Community School, a K-12 school that serves the greater McKenzie River area, survived the fire. Many members of the community, as well as local business owners were forced to relocate temporarily or permanently. Others are committed to stay. All have displayed great resilience. Although immense losses were felt by the communities of the McKenzie River Valley, many opportunities for rebuilding and revitalizing Blue River have come in the form of state and federal emergency funds, as well as quick policy updates at the State and County level.

² Source: <https://www.whose.land/>

³ “Blue River Downtown Redevelopment & Wastewater Roadmap, 2015-2016”, Stephen Dobrinich, Aniko Drlik-Muehleck, Chris Marko; Hatfield Fellows & Rural Community Assistance Corporation (RCAC)

Regulatory Background

In 1984, Lane County designated Blue River as a “Rural Community” (Ordinance No. PA 884) as part of the adoption of the Lane County Rural Comprehensive Plan (RCP). As a rural unincorporated community, Blue River is subject to the State’s Unincorporated Communities Rule (OAR 660-022). A rural unincorporated community consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area. Blue River easily met these requirements, with the local school, post office, library, and stores.

In 1984 the community of Blue River was zoned for residential, commercial, industrial, park, and public facility uses. The downtown area was mostly zoned Rural Residential 2 (RR-2) except for several properties zoned Rural Commercial (RC) along Blue River Drive and beyond, which can be seen in orange on Figure 2. RR2 zoning requires at 2-acre minimum lot size, however, in many parts of the community, the existing properties are much smaller than two-acres, yet they are subject to setback requirements of a property of that size.

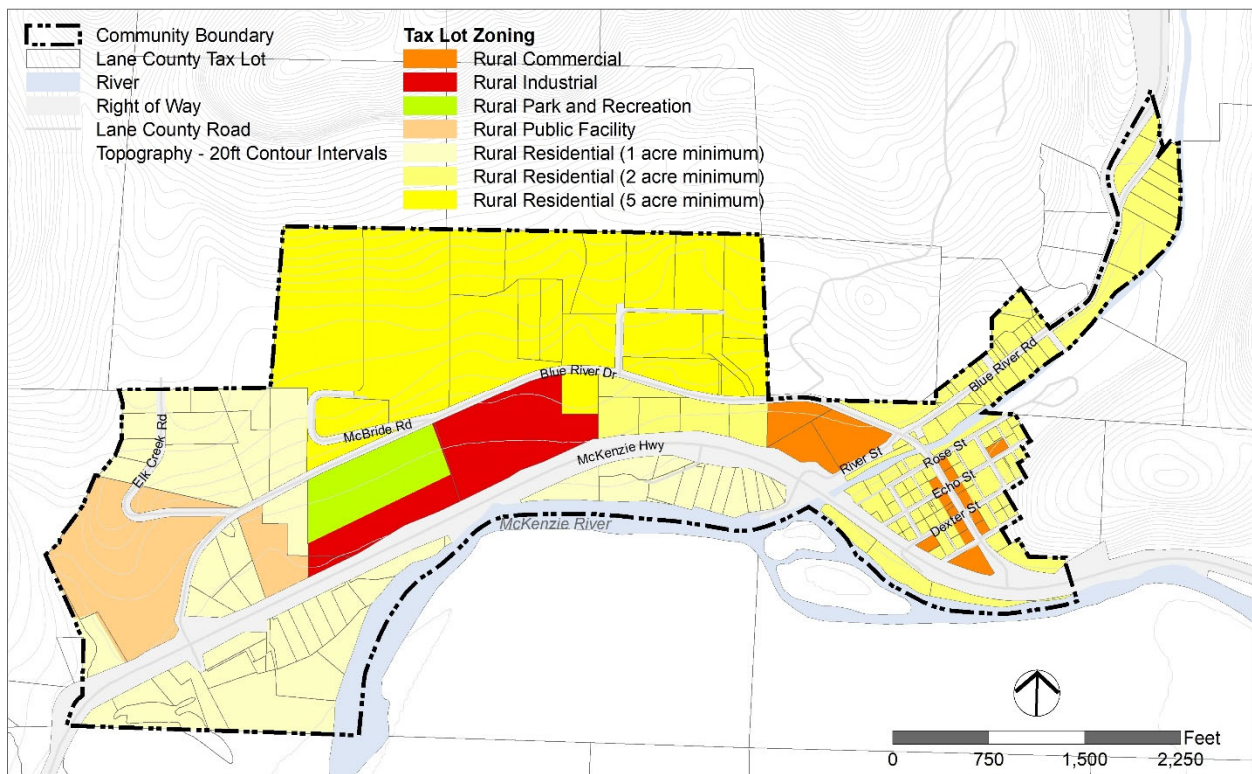


Figure 2. Existing community zoning map.

Specific to Blue River, the RCP calls for plans to be developed for the maintenance and repair of the existing on-site sewage disposal system in Blue River's downtown area. Alternatively, the RCP identifies two more aggressive long-term options: a public facility plan "for public sewers and updating [the community plan] to comply with the requirements of the Community Rule for urban unincorporated communities," or incorporation as a city (Goal 2, Policy 15). The RCP also contains McKenzie Watershed Land Use Policies, which apply to developed and committed exception lands in the McKenzie Watershed, including Blue River. If the community were to be designated an "urban unincorporated community" in the future, the Comprehensive Plan suggests the more aggressive alternative of developing a public facility plan for a public sewer (Goal 2, Policy 15). These potential paths were further explored in a 2016 report produced by the County's Community & Economic Development program and the Rural Community Assistance Corporation, Blue River Downtown Redevelopment & Wastewater Roadmap.

Development and redevelopment in Blue River are perhaps most strongly influenced by how wastewater can be treated. There are three feasible possibilities for wastewater treatment and there are benefits and limitations for each. They are:

1. On-site septic systems drainfields, and back-up drainfields. The size required for an onsite septic, drainfield, and back-up drainfield for onsite treatment impacts the developable area of a lot because no structure may be on top of this system. This is particularly impactful on the 80- by 100-foot lots that comprise much of the "downtown" area as their developable area becomes significantly limited. Wastewater in Blue River has been, and continues to be, treated by individual on-site septic tanks and subsurface disposal fields. The regulations for the subsurface disposal fields require twice as much area as in the past, which causes significant constraints for development in downtown Blue River.
2. Shared septic system between several properties, often called a "cluster system." The cluster system has the opportunity to create efficiencies in developable area as one drainfield would serve multiple lots. This shared system model requires agreement between all properties that tie into the system to commit to shared maintenance and inspection during the life of the system; even as property ownership changes. The County is analyzing current codes to determine if and how they are allowed.
3. Community drainfield. The feasibility, including its size and location, of a community drainfield is tied to regulations related to proximity to waterways, connections to aquifers, soil type, and slope.

Parallel in timing to the planning process for this Community Plan, Lane County was evaluating the capacity of two sites to support a community wastewater drainfield: Blue River Park and Three Sisters Meadow (See Figure 3). Site evaluation considered physical characteristics

including, but not limited to, soil type, slope, and discharge within the McKenzie River basin under the Three Basin Rule⁴.

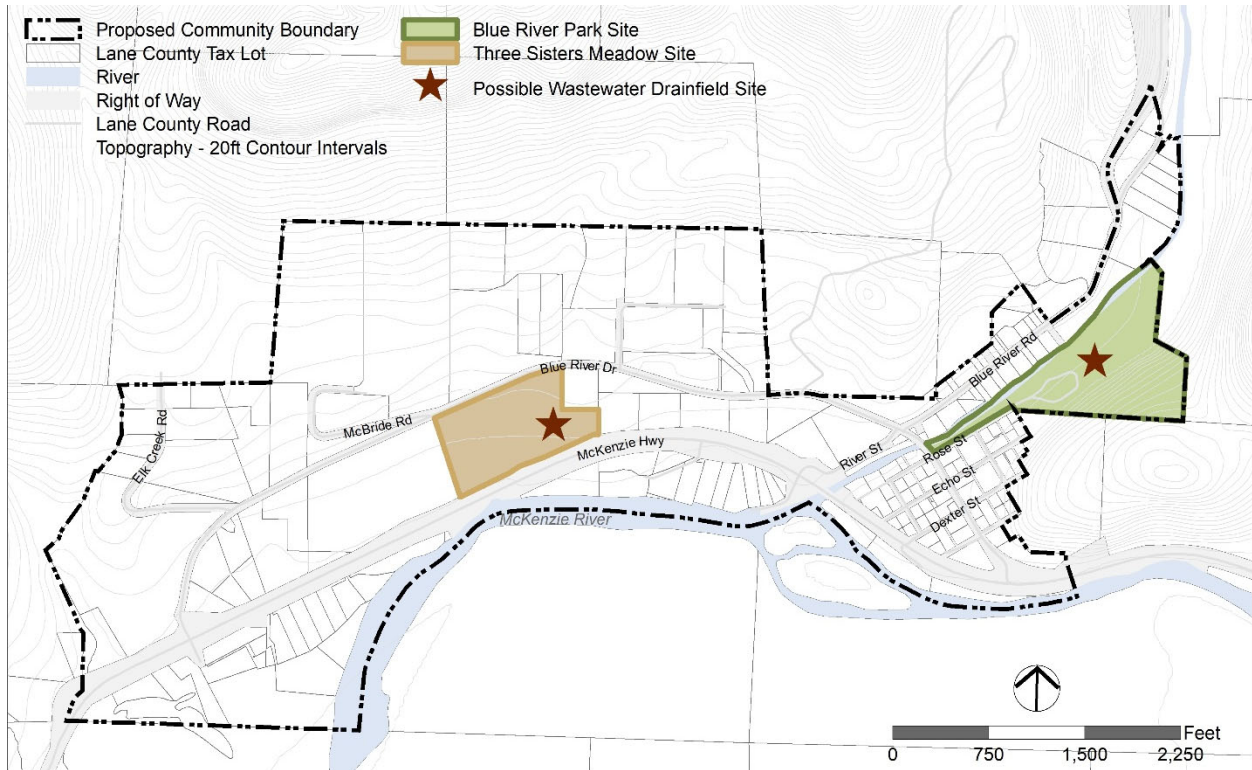


Figure 3. Potential wastewater drainfield sites.

At the time of writing, this evaluation was still underway. However, initial analysis indicated that Blue River Park and the Three Sisters Meadow site can accommodate a drainfield sized to treat 2,500 gallons per day (GPD); or about eight two-bedroom residential dwellings. A drainfield at Blue River Park would primarily serve the downtown area and properties adjacent to Blue River Drive. The majority of the Park's space that is vacant would have to be devoted to a drainfield. Roadways, dwellings, and structures would require infrastructure improvements to connect and deliver wastewater to the drainfield in Blue River Park.

The second site identified is the vacant former mill site, which is now commonly known as the Three Sisters Meadow site. Initial analysis also indicates that the Three Sisters Meadow site can accommodate a drainfield sized to treat 2,500 GPD. At the time of the drafting of this Plan, further evaluation is underway to determine if a larger drainfield is feasible. The drainfield at

⁴ The Department of Environmental Quality's Three Basin Rule regulates onsite septic and wastewater treatment systems to protect the drinking water, recreational uses, aquatic life, and high-quality sources of the North Santiam, Clackamas, and McKenzie Rivers. The Three Basin Rule requires discharge quantity and treatment quality to meet standards set by Oregon Administrative Rule 340-041-0350.

Three Sisters Meadow would likely solely serve development located on the site itself because connecting to properties across Blue River is not feasible.

More research on the feasibility of drainfields at both sites, the costs associated, and the community's desire to take on these improvements is being done concurrently with the drafting of this Complete Community Plan. This Plan supports any potential outcomes related to treatment of wastewater. In the absence of a community wastewater drainfield, re-development can only occur by utilizing individual on-site septic systems or shared "cluster" systems. The zoning code amendments recommended in this Complete Community Plan aim to provide the community with development flexibility should it decide to invest in communal wastewater infrastructure or continue to manage wastewater on an individual property basis. Although many in the community have envisioned commercial development to sustain a more complete community and bring in tourists, the density of development will hinge upon access to septic and drainfield space, whether it be on the property itself or collected communally.

Community Involvement

The Blue River Complete Community Plan was created and guided by the Blue River community. Community involvement throughout the Plan development and at key decision points informed the Community Plan goals, objectives, changes to Lane Code and Rural Comprehensive Plan, and community attributes.

Key priorities noted from early community involvement helped to establish a framework for the Community Plan. Those priorities were:

- A safe, clean community for both residents and visitors
- A place people want to come to
- Leverage Blue River's location as a gateway to a lot of recreational access right off a well-traveled highway.
- Community sewer and water
- Regulations that are easier to navigate, better reflect existing conditions, and offer more certainty

Community involvement included:

- ❖ **Conversations** with community members and stakeholders throughout the Community Plan development.
- ❖ **Ten stakeholder interviews** conducted throughout January and February of 2023. The community stakeholders were selected to represent a variety of interests and perspectives on Blue River and the McKenzie River valley.
- ❖ **Project Advisory Committee (PAC)** provided direction throughout the Community Plan development; most directly at three PAC meetings.
- ❖ **Project webpage** kept up to date with project information, materials, and ways to be involved.
- ❖ **Interested parties list** maintained and utilized to email interested parties project information and ways to be involved.
- ❖ **Project notice postcard** sent to every project area property owner, occupant, and tenant.
- ❖ **Two community meetings** timed to get feedback on the plan alternatives and the draft Community Plan.
- ❖ **Two virtual public meetings** timed to get feedback on the plan alternatives and the draft Community Plan.

Blue River Complete Community Plan Goals & Objectives

The following goals and objectives were developed to reflect input from Blue River community members and stakeholders. Goals are intended to be aspirational, and objectives are action oriented interim measures that can be taken to achieve the goals.

Goal 1. Livable and Resilient Community

Blue River is a livable and resilient community for all; complete with affordable housing and living wage jobs.

Objective 1. Update Lane Code so that the land use process for development and redevelopment is clearer and outcomes are more definitive.

Objective 2. Create a flexible zone that allows for a mix of residential and employment in multi-modal transportation friendly areas.

Objective 3. Create a residential zone that has a minimum 1-acre lot size for residential lots outside of downtown Blue River but within the rural unincorporated community.

Objective 4. Consider supporting proposals for Dark Sky or similar certification and the associated measures necessary for its implementation.

Goal 2. Identifiable and Inviting Downtown

Blue River's downtown reflects the community's sense of pride and is inviting; and a place residents and visitors alike want to come to and spend time.

Objective 1. Encourage commercial and mixed-use development in downtown Blue River by zoning it flex use.

Objective 2. Place historical plaques in downtown and/or the Three Sisters Meadow site commemorating and honoring the history of Blue River and the Holiday Farm Fire.

Objective 3. Add Blue River additional community signage directing traffic from Highway 126 into the Blue River Community.

Goal 3. Transportation Accessibility

Blue River's transportation network meets the transportation needs for all users. This includes people walking, biking, driving, and riding transit.

Objective 1. Develop a multi-modal paved trail between downtown Blue River and the McKenzie Elementary School.

Objective 2. Develop a bark dust trail between downtown Blue River and Blue River Park along the Blue River.

Objective 3. Implement the Blue River Drive Concept Plan.

Goal 4. Recreational Destination

Blue River is located within a pristine natural environment and is a destination to access surrounding recreational opportunities.

Objective 1. Support short-term stays for those wanting to stay and recreate in the Blue River area.

Objective 2. Support development that highlights and connects to Blue River's existing attractions such as the McKenzie Community Track and Field.

Complete Community Plan

Summary of Plan Alternatives

The Community Plan represents the preferred alternative of three Community Plan Alternatives (Alternatives) that were presented to community members and stakeholders in order to gain feedback on what zoning will best serve Blue River’s needs. The alternatives were intended to be descriptive in nature by generally characterizing potential zoning, including the purpose, densities, allowed uses, and development standards. The alternatives also took into account existing conditions that place parameters on how a property may be zoned and developed including, but not limited to, soil types, slopes, wastewater drainfield regulations, and state land use regulations. While these existing conditions are not able to be changed, the alternatives presented to the community were intended to open a discussion about how Blue River might develop. In response to community feedback, all featured a new zoning district called Community Flex Use, intended to provide flexibility in use and site design.

The Alternatives are described in detail in the “Alternatives Memo Task 2.1 FINAL” (Appendix A) in summary they were:

- Alternative 1 proposes code changes that would allow for flexibility in redeveloping residential and commercial uses downtown, promote opportunities for recreation and multi-modal trail connectivity, as well as zoning flexibility and streamlined development opportunities while maintaining individual septic systems.
- Alternative 2 is based on a community drainfield being built on the Blue River Park property and centering the downtown area along Blue River Drive. This concept extends the flexible zoning type to the Three Sisters Meadow property.
- Alternative 3 is based on an increased emphasis around commercial uses along Blue River Drive. It also considers additional impacts of a community drainfield being built on the Three Sisters Meadow property, which would come with some specific development standards and a discretionary approval process to achieve outcomes in line with the plan objectives. It more heavily emphasizes commercial and mixed uses downtown.
- A custom alternative blending elements from each alternative was also presented as an option.

Preferred Plan Alternative

Based on community input, the preferred plan alternative is a combination of the most desired elements of the three alternatives. Primary elements of the preferred plan are changes to the

current zoning, including new zones and rezones, and community design elements as shown in Tables 1 and 2 and on Figure 4:

Table 1: Preferred Plan Alternative: New Zones and Re-zones
New Community Flex Use (CF-U) zone in downtown Blue River and several properties across the river
New Community Residential zone for other properties currently zoned Rural Residential
Rezone an existing public park property to Rural Parks and Recreation (Forest Glen Wayside Park)
Rezone the south half of the McKenzie Community Track and Field to Rural Park and Recreation
Blue River Drive Overlay for the properties that front along Blue River Drive in downtown between McKenzie Street and Rose Street.
Expand the rural community boundary to include Blue River Park and rezone tax lots 201 and 204 Park and Recreation (PR)
Rezone the Three Sisters Meadow to the Community Flex Use Zone, and include a Community Drainfield as an allowed use

Table 2: Community Design Elements
Blue River Drive upgrades, both in and out of downtown
Multi-modal trail from downtown to the school
Bark dust trail from downtown to Blue River Park
Zero minimum parking requirements
Sidewalks on Blue River Drive
Street improvements on Blue River Drive (lighting, landscaping, etc.)
Update Park and Recreation zoning to allow community drainfields or public/semi-public uses
Holiday Farm Fire commemoration or plaque or other community-identifying art/information

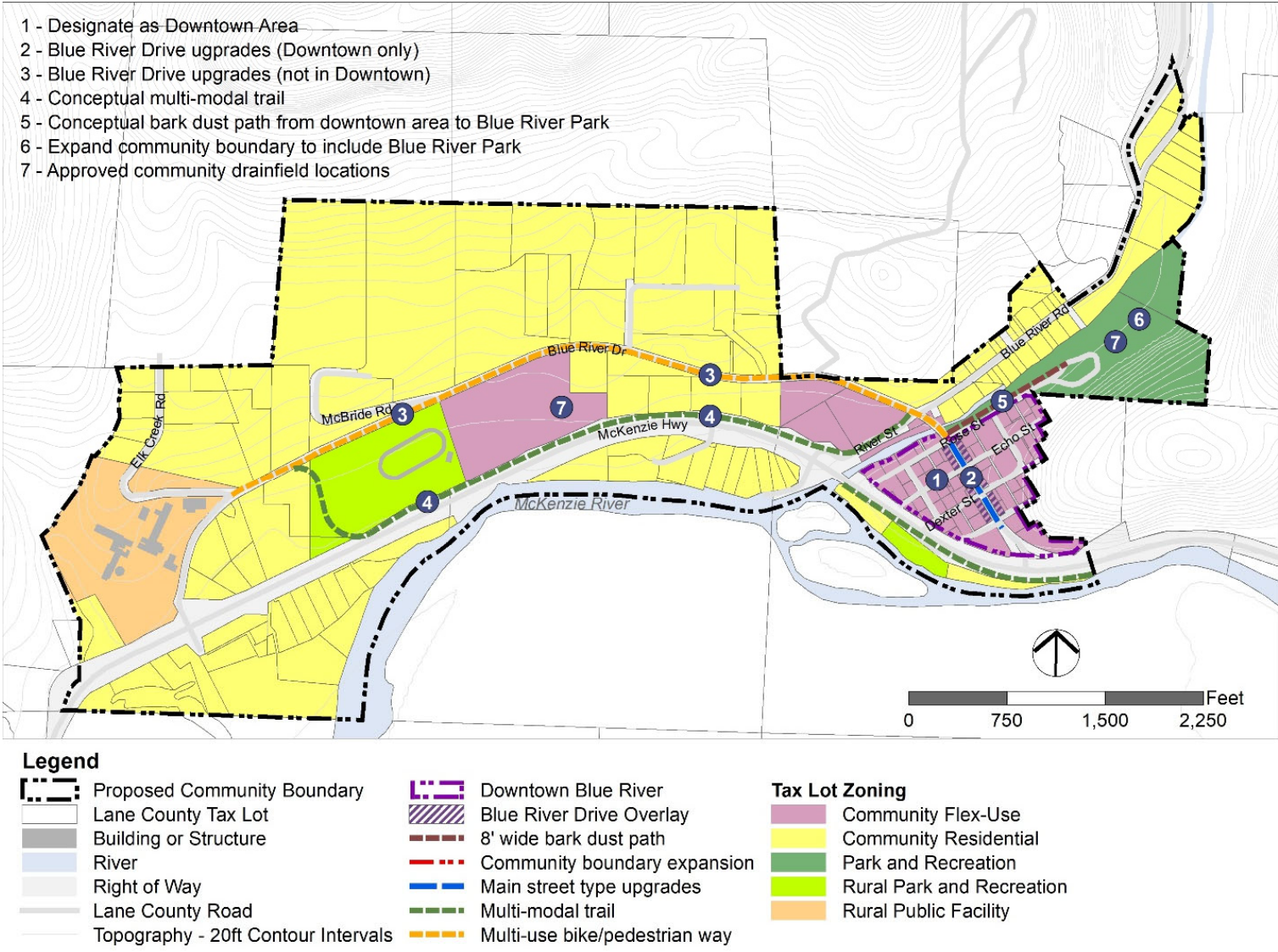


Figure 4. Blue River Complete Community Plan Preferred Alternative

Lane County Zoning Code Changes

The Complete Community Plan adopts two new zoning districts, a zone overlay, and zoning code amendments that are intended to respond to community direction for more flexibility and less complex code. The following tables summarize the development standards and uses for the two new zoning districts: Community Flex Use Zone and Community Residential Zone. The new Blue River Drive Overlay standards are presented in the format of a building sheet with a graphical presentation of the overlay standards.

Please refer to Figures 5 and 6 respectively for existing and proposed community zoning maps.

Community Flex Use Zone

The purpose of the Community Flex-Use (CFU-RCP) Zone is to allow maximum flexibility in residential, commercial, and light industrial uses within a community boundary that is more dense than typically allowed in rural Lane County. The CFU zone is also intended to allow for development flexibility. The minimum parcel size and other standards established by this zone are intended to promote a tight-knit community character. Standards below do not apply in the Blue River Drive overlay.

	Proposed Draft Zone Standards	Existing Zoning Districts	
Development Standard	Community Flex Use Zone	Quick Comparison – Rural Residential	Quick Comparison – Rural Commercial
Front Setback	5 feet	20 feet	20 feet
Side Setback	0 feet for attached buildings (duplex) 5 feet for detached buildings	10 feet	10 feet
Rear Setback	0 feet for attached buildings (duplex) 5 feet for detached buildings	10 feet	10 feet
Height	40 feet Over 40 feet with Fire District sign-off Floor to floor height – 10 foot minimum	None	None
Lot Size	8,000 square feet	2 acres, 1 acre within unincorporated community	No minimum, must accommodate sewerage
Parking	No minimum parking requirements	No minimums	Parking minimums based on use

Uses

Residential

Allowed Uses	Single family dwelling (up to 2) or a two-family dwelling (duplex)
	Multiple dwellings (3+ units)
	Guest house
	Bed and breakfast

	Residential home, childcare facility Family child care home , group home, nursing home, child care center
	Minor h Home occupation/ home office
	Residential accessory structures and uses
Allowed Uses with Special Standards (Type I)	Multiple dwellings (3+ units)
Allowed Uses with Special Standards (Type I)	Accessory dwelling unit
	Temporary medical hardship
<i>Commercial</i>	
Allowed Uses	Outdoor tourist attractions featuring displays of education or historical value
	Day camp and picnic areas
	Convenience and decorative elements
Allowed Uses with Special Standards (Type I)	Retail
	Eating or drinking establishments
	Offices and personal business services
	Indoor or outdoor recreational activities
	Service stations
	Public and semi-public facilities
	Churches
	Cemeteries
Conditional Uses (Type II)	Commercial kennel
	Campground and camping vehicle park
	Marijuana retail sales
	Light manufacturing
	Uses similar to permitted uses

<i>Light/Community Industrial</i>	
Conditional Uses (Type II)	Light manufacturing
<i>Agricultural</i>	
Allowed Uses	Raising crops and livestock (limited by use standards)
	Fish and wildlife habitat management
	Roadside stand for the sale of agricultural products
	Commercial breeding kennel
Conditional Uses (Type II)	Raising crops and livestock (above previous limitations)
<i>Public Facility</i>	
Allowed Uses	Transportation facilities, <u>including paths and trails</u>
	<u>Outdoor tourist attractions featuring displays of education or historical value</u>
	<u>Convenience and decorative elements</u>
	Sewage disposal system for a nearby property
Allowed Uses with Compatibility Standards (Type I)	Public and semi-public buildings and structures
	Public and semi-public uses.
	Parks, playgrounds, outdoor community gathering spaces
	Paths or trails
	Community sewerage facilities and drainfields
Conditional Uses (Type II)	Telecommunication facilities
<i>Other</i>	
Allowed Uses	Maintenance, repair, or replacement of lawfully existing uses

	Accessory structures
	Fish and wildlife habitat management
<u>Conditional Uses (Type II)</u>	<u>Outdoor gatherings (over 3,000 persons)</u>
Additional Subdivision Requirements (4 or more new lots)	
Internal Road Design	Street grids required, unless not possible due to existing conditions
	Sidewalks and connective pedestrian infrastructure recommended, pedestrian safety will be considered when designing driveways and parking
	Develop roads to Local Access Road standards (unless ADT \geq 100) with opportunity for on-street parking
Connectivity	Create safe multi-modal transportation and recreational paths that connect to existing paths or project future connectivity within the community
Compatibility Criteria for Commercial Uses	
Parking	Does not need to follow parking minimums of LC 16.250 but any off-street parking must meet requirements of Oregon Structural Specialty Code
Compatibility	Commercial uses must not involve the manufacturing, processing, generation or storage of materials that constitute a high fire, explosion or health hazard as defined by Section 307 of the Oregon Structural Specialty Code
	Commercial uses must not exceed that of Class B occupancy loads as classified by the Oregon Structural Specialty Code <u>an occupancy of over 49 people at one time.</u>
	Outdoor storage of materials or merchandise on a property with a commercial use must not encompass more than five percent of the property area, <u>unless screened</u> . For purposes of this provision, the property area will be considered the tax lot area
Square footage	Limited to 4,000 square feet of floor area for all commercial buildings combined <u>per commercial use</u>

Community Residential

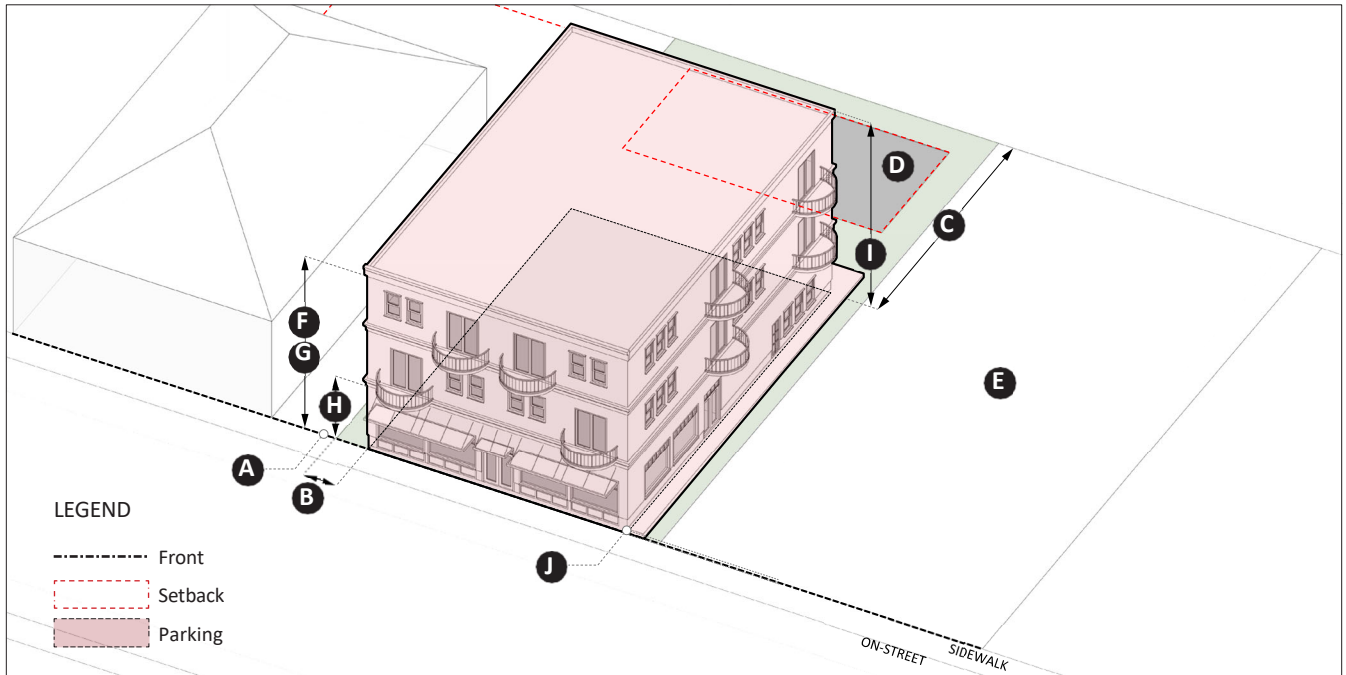
The purpose of the Community Residential (CR-RCP) Zone is to promote a compatible and safe rural community residential living environment by limiting allowed uses and development to primary and accessory rural residential uses and to other rural uses compatible with rural residential uses and the uses of nearby lands

	Proposed Draft Zone Standards	Existing Zoning District	Another Proposed Zoning District
Development Standard	Community Residential	Quick Comparison – Rural Residential	Quick Comparison – Community Flex Use
Front Setback	20 feet	20 feet	5 feet
Side Setback	10 feet	10 feet	0 feet attached buildings (duplex) 5 feet detached
Rear Setback	10 feet	10 feet	0 feet for attached buildings (duplex) 5 feet for detached
Height	None	None	None
Lot Size	1 acre	2 acres, 1 acre within UC	8,000 square feet
Parking	No minimum parking requirements	No minimums	No minimums
Uses			
<i>Residential</i>			
Allowed Uses	Single family dwelling or a two-family dwelling (duplex)		
	Guest house		
	Minor home occupation		
	Residential home or Family child care home		
	Residential accessory structures and uses		

Allowed Uses with Compatibility Standards (Type I)	Accessory dwelling unit in conjunction with a single family dwelling
	Temporary medical hardship
	In home daycare
Conditional Uses (Type II)	Home occupation
<i>Commercial/Public</i>	
Allowed Uses	Transportation facilities
	Sewage disposal system for a nearby property
Allowed Uses with Compatibility Standards (Type I)	Public and semipublic buildings and structures
	<u>Bed and breakfast</u>
	Churches
	Cemeteries
	Parks, playgrounds, outdoor community gathering spaces
	Paths or trails
	Residential home, e Child care facility center, group home, nursing home
	Bed and breakfast
	Minor home occupation
Conditional Uses (Type II)	Non Commercial <u>dog</u> kennel
<u>Conditional Uses (Type II)</u>	Telecommunication facilities
	Uses similar to permitted uses
<i>Agricultural</i>	
Allowed Uses	Raising crops and livestock (limited by use standards)
	Fish and wildlife habitat management

	Roadside stand for the sale of agricultural products
	Commercial breeding kennel
Conditional Uses (Type II)	Raising crops and livestock (above previous limitations)
<i>Other</i>	
Allowed Uses	Maintenance, repair, or replacement of lawfully existing uses
	<u>Outdoor gatherings</u>
	Accessory structures

BLUE RIVER DRIVE OVERLAY - BUILDING STANDARDS



Use (see Notes 1 & 3)

Ground floor:	commercial (retail, service, office), residential, semi-public, and public uses
Upper floor(s):	commercial (retail, service, office, trade), residential, semi-public, and public uses

Placement (see Notes 2 & 4)

Front setback	0 ft min.; 15 ft max.	A
Side setback	0 ft min. for attached uses; 5 ft min. for detached uses; see Note 2	B
Rear setback	0 ft min. for attached uses; 5 ft min. for detached uses; see Note 2	C
Parking	see Note 5	D

Coverage

Lot area	no min.	E
Lot coverage	100% max.	

Height

Minimum number of floors	no min.	F
Maximum number of floors	3 floors	G
Floor to floor height	10 ft min.	H
Building height	40 ft max.; see Note 6	I
Ground floor elevation	see Note 9	J

Parking

Number of spaces	no min. requirement; see Note 5 for placement
------------------	---

Deviation

A deviation from the applicable standards of Lane Code 16.287 may be allowed subject to approval by the Director, subject to (2) below.

Notes

1. Recommended: If a building is Mixed-Use, ground floor should be commercial.
2. Additional standards may apply to attached structures.
3. Primary building entrances must be located along Blue River Drive and oriented towards Blue River Drive. If the property does not front Blue River Drive, the building must be oriented towards the street from which access is taken and the primary entrance shall be located along that street.
4. Accessory uses shall not be located between the front façade of the primary use and [the street Blue River Drive](#).
5. Off-street parking shall not be located between the front façade of the structure and [the street Blue River Drive](#).
6. Building height is subject to review and comment by local fire authority. Buildings may be taller than 40 feet with a fire department sign-off.

Other Applicable Standards

7. Pedestrian walkways must be provided to connect the building primary entrance to the public right of way.
8. Access shall be designed to encourage pedestrian and bicycle use and shall facilitate vehicular movements with minimum interference or hazards for through traffic. Access may be subject to review and approval of the County Engineer or State Department of Transportation. The dedication of additional right-of-way and construction of street improvements by the applicant may be required to facilitate traffic circulation.
9. Recommended: Ground floor residential primary entrances are elevated 18" above grade in order to differentiate residential and commercial uses.
10. Recommended: Residential uses entirely above the ground floor should have a balcony at least four feet deep.

Blue River Drive Overlay Purpose: The purpose of the Blue River Drive Overlay is to support the Community Plan goals of creating an identifiable and inviting downtown that is accessible for people walking, biking, driving, and taking transit. The design standards are intended to encourage commercial development that people want to visit. The Blue River Drive Overlay complements the implementation of the Blue River Drive Design, which provides for car parking spaces, shared lanes for bicycles, sidewalks, and street trees all within the right-of-way.

Park and Recreation

Lane Code 16.215 is the Park and Recreation Zone. This zoning currently applies to the Blue River Park and will continue to be the applicable zoning after the park properties are brought into the community boundary. The Blue River Park is already a key amenity for Blue River, and also a possible candidate for a future community drainfield. An update to this existing zoning district is proposed in order to specifically allow a community drainfield system and other public/semi-public uses. Amending the code to include more public uses will allow it to serve the community to its fullest potential.

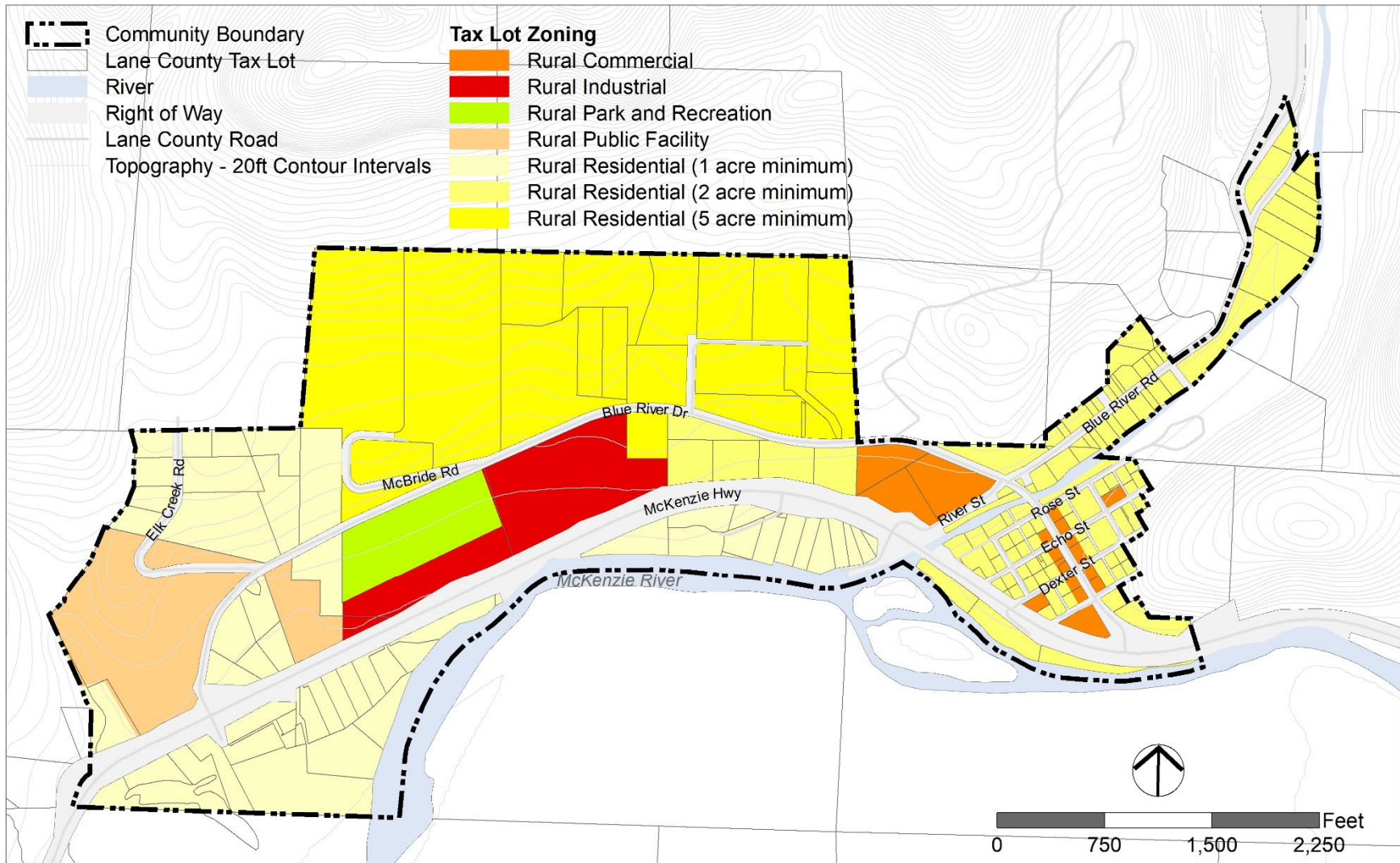


Figure 5. Existing community zoning map.

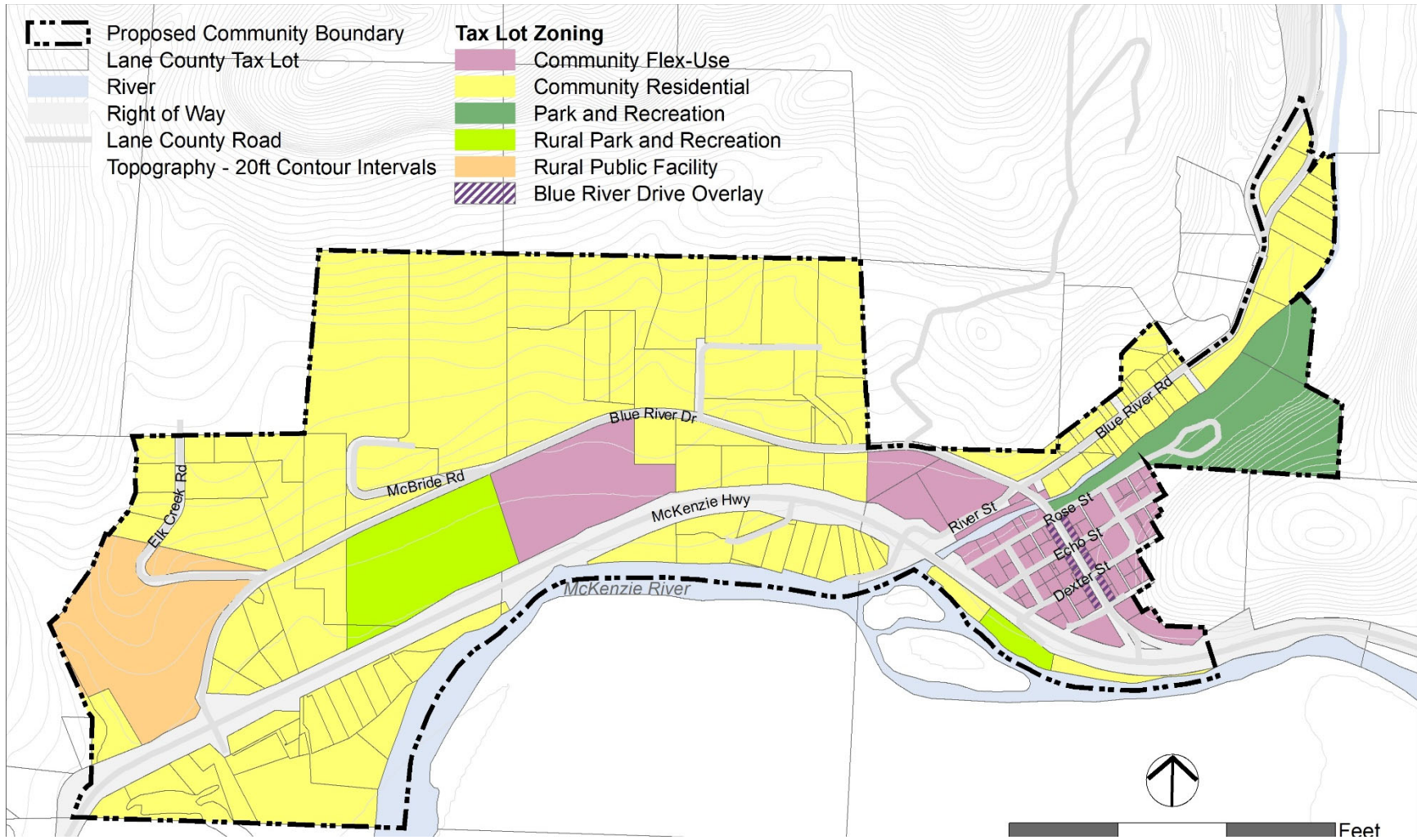


Figure 6. Proposed community zoning map.

Lane County Comprehensive Plan & Plan Designations

Rural Comprehensive Plan

In order to adopt new zoning districts and make changes to existing ones, the Rural Comprehensive Plan (RCP) also needs to be amended. Adopted in 1984, the RCP is the document that regulates land use in Blue River, and the rest of unincorporated Lane County.⁵ The intent of the RCP is to guide the social, economic, and physical development of the County to best promote public health, safety, order, convenience, prosperity, and general welfare in unincorporated lands within Lane County beyond the Urban Growth Boundaries of incorporated cities. The Plan's format has two main components: plan policies and plan diagrams.

There are several policies outlined in the RCP that currently prohibit the rural unincorporated community of Blue River from reaching the higher density and flexibility goals that the community desires.

Goal Two: Land Use Planning

Policy 11: "Land use designations and densities appropriate for developed and committed areas shall be determined through compliance with other plan policies and the following criteria:

a. When the RCP plan diagram for a community area is amended to comply with OAR 660 Division 22, the UC Rule, new dwellings and densities for the creation of new residential lots or parcels shall comply with OAR 660 Division 22, the UC Rule and with these requirements for specific unincorporated communities:

F. Blue River: 2 acres for areas zoned RR2 prior to the adoption of Ord. PA 1173. 5 acres for areas zoned RR5 prior to the adoption of Ord. PA 1173. (1998 average parcel size" 4.56 acres in areas zoned RR5, 2.45 acres in areas zoned RR1 and .65 acres in RA zoned areas);"⁶

This policy requires properties that were zoned RR1 before the adoption of Ord. PA 1173 to be at least one acre. The community of Blue River was originally platted in the early 1900s and the sizes of the lots downtown were generally less than 0.2 acres. In order to maintain the existing

⁵ <https://www.lanecounty.org/common/pages/DisplayFile.aspx?itemId=6477350>

⁶ Ordinance PA 1173 was adopted after the County went through periodic review to comply with OAR 660 Division 22, "Unincorporated Communities," for designated unincorporated communities within the McKenzie Watershed. The Rural Comprehensive Plan (RCP) designation maps and zoning maps were amended, as well as policies within the RCP to support compliance with OAR 660 Division 22.

development pattern and create a more dense and walkable community where there are opportunities to both live and work, this policy must be revised.

Policy 25: “Each of the land use designations applied to the Plan Diagram shall be implemented by one or more zoning districts...”

This policy lists a variety of plan designations and the implementing zoning districts. Since this Community Plan is proposing new zoning districts, this policy must be amended to accommodate a flex-use plan designation, as well as the Community Flex Use zoning district. It is also proposing to add Community Residential as another zoning district that is implemented by the existing “Rural, Community” plan designation.

Goal Eleven: Public Facilities

Policy 6: “Land designations and service levels:

f. Community (RR-1, RR-2, RR-5, RR-10, RA, RG, C1, C2, C3, M2, M3)

Description: Land that has an existing cohesive, dense settlement and development pattern to the degree that it may no longer be considered available for other uses. (Refer to Goal #2, Policy #10, for the characteristics an exception area must have to receive a Community designation.)

Service Level: Schools, on-site or community sewage disposal, individual or community water supply, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility

This policy lists the zoning districts that fall within designated unincorporated communities, and the new Community Residential and Community Flex Use zones should be added to the list.

Community Boundary & Plan Designation Map

The final pieces of the RCP updates necessary to implement the goals of the Community Plan are the changes to the boundary of the community, and re-designating properties within the community boundary to the appropriate RCP Plan Designation. The change of the boundary will bring in the Blue River Park properties and allow for the possibility of a community drainfield to be built there. Please refer to the following figures for reference:

Figure 7. Existing community boundary map

Figure 8. Proposed community boundary map

Figure 9. Existing plan designation map

Figure 10. Proposed plan designations map



Figure 7. Existing community boundary map.



Figure 8. Proposed community boundary map.

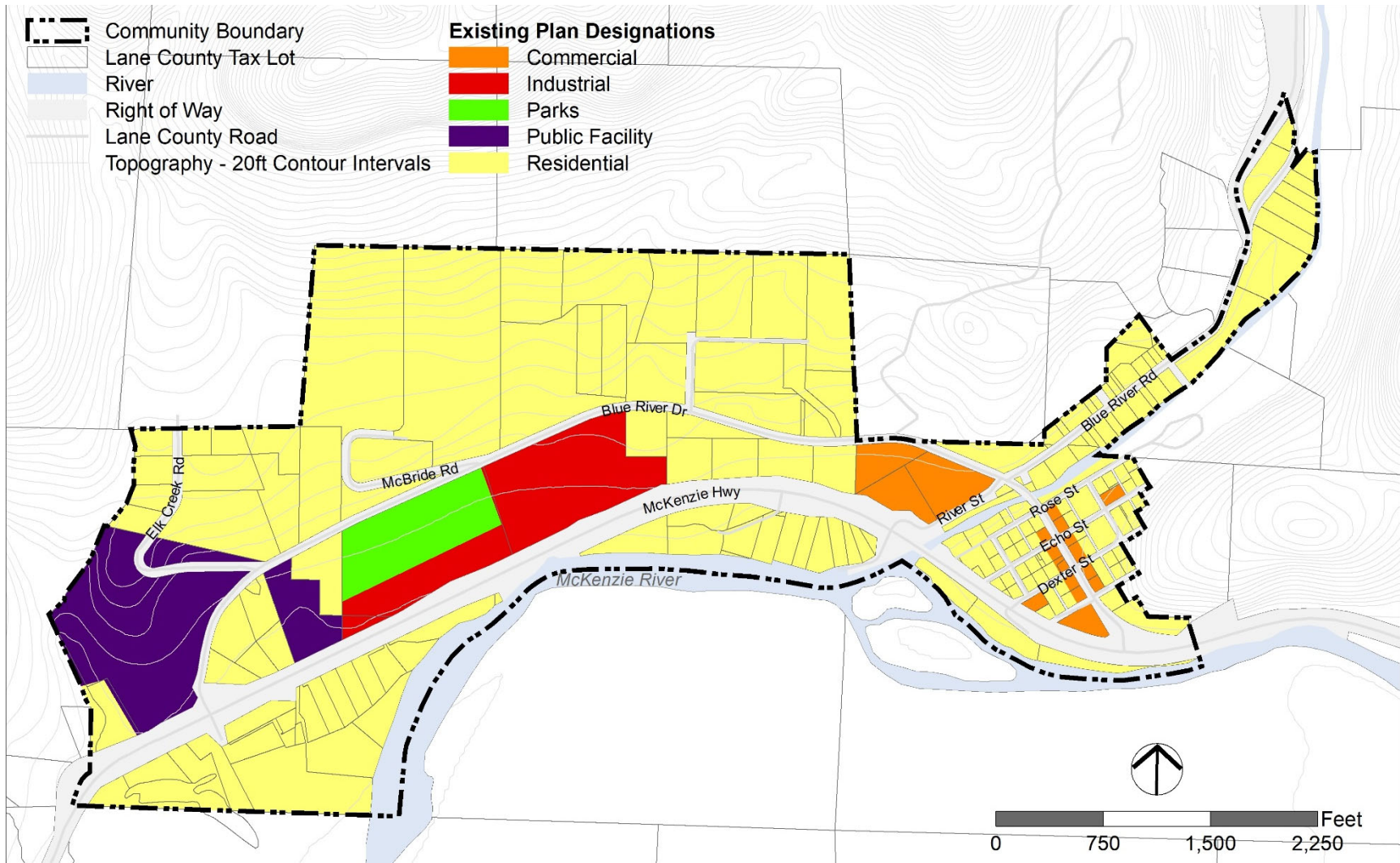


Figure 9. Existing plan designation map.

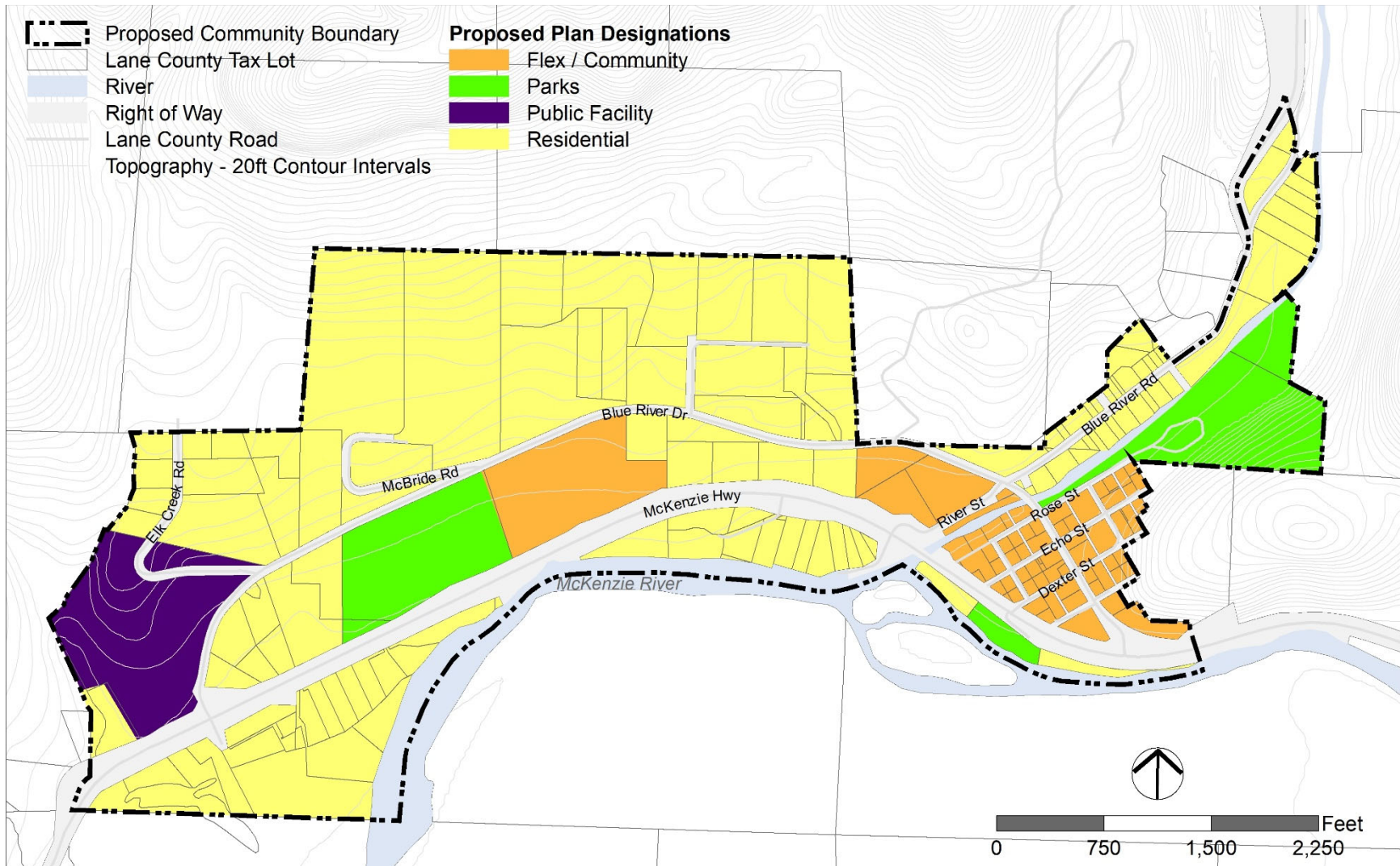


Figure 10. Proposed plan designations map.

Appendix A - Alternatives Memo Task 2.1 FINAL

Appendix B – Detailed Maps

Appendix A

Task 2.1 Blue River Complete Community Plan Alternatives Memo

Blue River Complete Community Plan
October 26, 2023

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0.0 Setting the Stage

0.1 Project Background

The Blue River Complete Community Plan (Community Plan) is supported by a Transportation and Growth Management Program (TGM) grant from the State of Oregon. The Community Plan is expected to ultimately be adopted by Lane County and aims to create amendments to the Rural Comprehensive Plan and the Lane Code to implement Oregon Administrative Rules (OAR) 660, Division 22, also known as the "Oregon Unincorporated Communities Rule" for the Blue River Community. The project will amend the County's base zones, add new zones, and/or add overlays in the project area as needed to meet the Community's vision and project objectives. The Blue River Complete Community Plan and implementing measures can serve as a model for other unincorporated communities in Lane County.

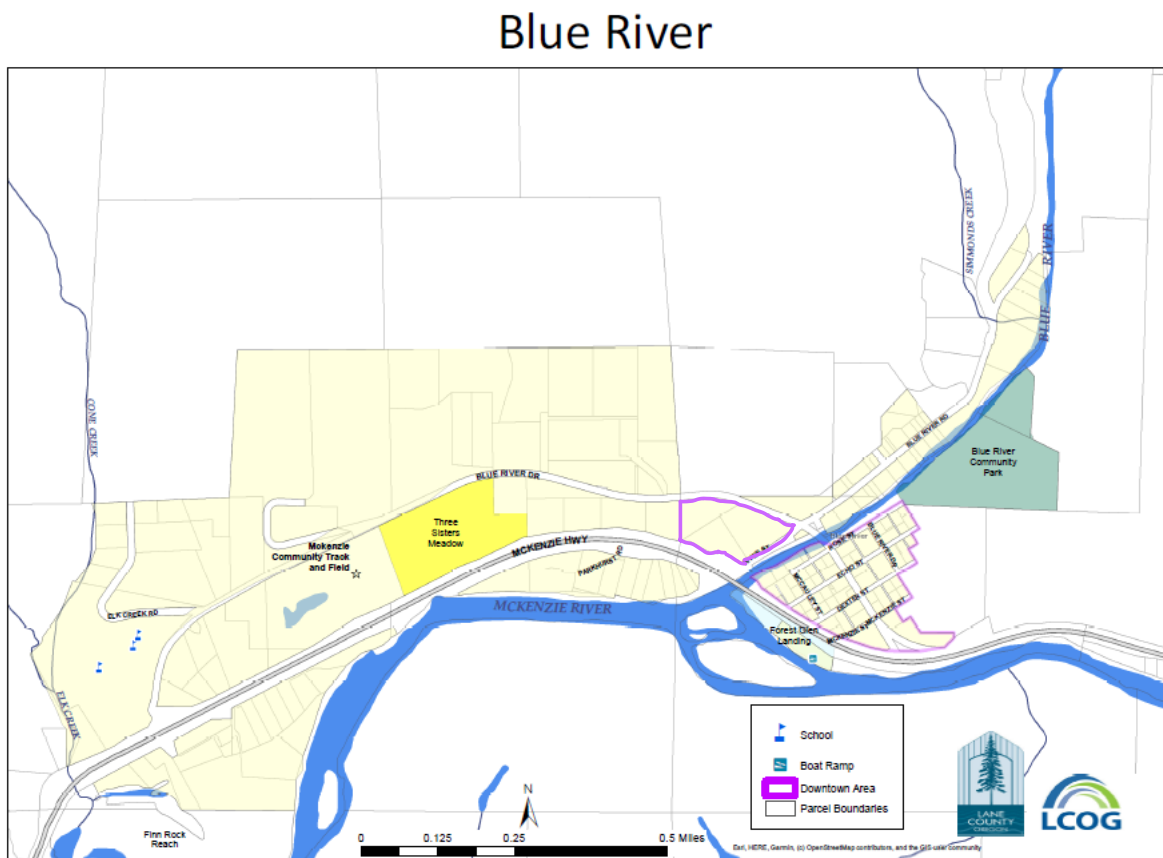


Figure 1. Blue River Complete Community Plan Community Boundary

The project area is the area within the boundary of the Unincorporated Community of Blue River (See **Figure 1**), and Blue River Community Park which is currently outside of the community boundary. The project will work to promote mixed-use, compact, small-town development patterns, with a particular emphasis on walking, biking, and transit.

0.2 Blue River Community Context

In 1984, Lane County designated Blue River as a “Rural Community” (Ordinance No. PA 884). The definition of a “Rural Community” is an “unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding rural area, or to persons traveling through the area.” (OAR 660-022-0010(7)). As a rural unincorporated community, Blue River is subject to the State’s “Unincorporated Communities Rule” (OAR 660-022).

According to the Blue River Wastewater and Redevelopment Road Map (2015-2016); “while agriculture and the area’s recognition as a resort and fishing destination contributed to growth and stability throughout the 20th Century the timber industry acted as the leading economic driver for Blue River and the McKenzie River Valley. Since the precipitous drop in the timber industry during the 1980s, the McKenzie River Valley has relied on recreation, travel, and natural resource management for economic stability.” During the stakeholder interviews conducted during the Community Plan outreach efforts, longstanding members of the community have spoken to witnessing the drop in timber industry as well as to pride in the area’s natural beauty and recreational opportunities.

In September 2020, the Holiday Farm Fire swept through the McKenzie River Valley, where it caused significant destruction to homes, businesses, civic institutions, and surrounding forests. The community of Blue River, especially the downtown area, was greatly affected by the fire. Before the fire, the community had a post-office, a library, a convenience store, a resort, and a handful of other local businesses. The McKenzie River Community School, a K-12 school that serves the greater McKenzie River area, survived the fire. Many members of the community, as well as local business owners were forced to relocate temporarily or permanently. Many have chosen to stay and be a part of Blue River’s rebuild efforts. Although immense losses were felt by the communities of the McKenzie River Valley, many opportunities for rebuilding and revitalizing have come in the form of state and federal emergency funds, as well as rapid policy updates at the State and County level.

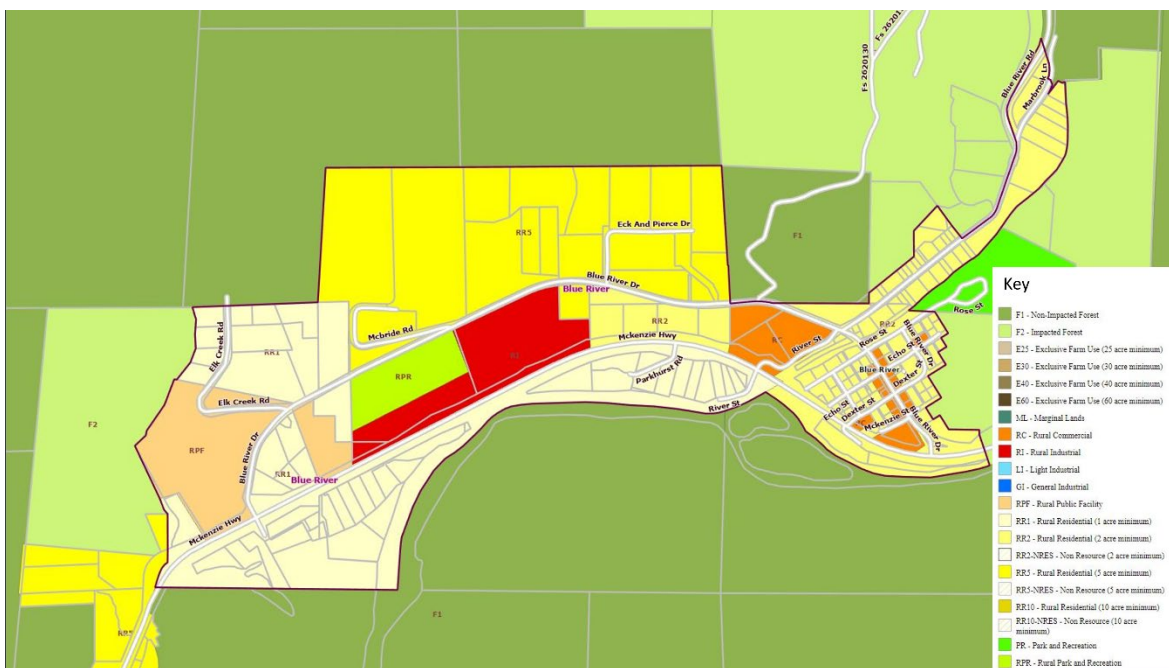
0.3 Purpose of Complete Community Plan Alternatives

This memo presents three Blue River Complete Community Plan Alternatives. The alternatives are intended to be descriptive in nature by generally describing each zone that would be a change from current zoning, including the purpose, densities, allowed uses, and development standards. Specific proposed plan or code language will be developed during subsequent phases of this project; after the community has provided feedback into the direction the alternatives should take.

The alternatives also reflect existing conditions that place parameters around the direction the alternatives may take including, but not limited to, soil types, slopes, wastewater drainfield regulations, and state land use regulations. While these existing conditions are not able to be changed, the alternatives presented in this memo are and are intended to open a discussion about how Blue River develops. Subsequent sections of this memo offer detail into each alternative, including new zoning, densities, allowed uses, and development standards. While purely concept at this project phase, these details will evolve based on community feedback and direction. Hearing from the community at this project phase is critical.

The alternatives will be presented to the Blue River Community through the Planning Advisory Committee (PAC), an in-person community workshop, and a virtual public workshop. Based on direction emerging through this outreach effort, the Lane County Planning Commission will select the preferred alternative.

For reference, Blue River's current zoning is shown in the graphic below:



0.4 Basis for Plan Alternatives

The three alternatives evolved out of stakeholder feedback, analysis of existing conditions and limitations, TGM objectives, and recommendations of the Evaluation Memorandum and Density Feasibility Memorandum. This section intends to provide an overview of stakeholder

feedback, existing conditions, and TGM objectives. The Evaluation Memorandum and Density Feasibility Memorandum are available [online¹](#) for reference.

Stakeholder Feedback

Key takeaways from stakeholder interviews conducted in January and February 2023 were:

<p>Vision/Hope</p> <ul style="list-style-type: none"> • A community that reflects people’s existing pride. • Welcoming, inviting, clean, safe. • Allow people displaced from the fire to return. • Be a home for an economically diverse community (affordable housing included). • Dense and identifiable downtown. • More conveniences needed (groceries, restaurant, etc.). • Attract cars and bikes from Highway 126. • Harness local recreation industry and scenic beauty. • Community agreement based on compromised shared vision. • Slow traffic infrastructure. • New tools created for unincorporated communities; economic sustainability, natural disaster recovery, new design standards. 	<p>Strengths</p> <ul style="list-style-type: none"> • Blue River is so small and had low traffic volumes, people walked relatively safely. • LTD Bus to and from Eugene. • Beautiful location, scenic rivers, recreational opportunities. • Sense of identity & community. • Community resilience. • Densely platted downtown. <p>Opportunities</p> <ul style="list-style-type: none"> • Economic development opportunities needed. • Bike & running trail from downtown to river trail. • Connect Blue River to local hiking and biking trails. • Parking for businesses. • A toolkit for implementation. • Work with partners on implementation and for support. • A trail along Rose Street to the park.
<p>Challenges</p> <ul style="list-style-type: none"> • Balance between a tourist-oriented town that draws customers versus the fear of losing affordable housing and a sense of quiet rural family life. • Parking vs. sidewalk concerns. • Rural equity disparities may result in squeezing lower income folks out. • Making sure the community feels heard. • Water/sewer is necessary. 	<p>Specific Zoning/Code Issues</p> <ul style="list-style-type: none"> • Setbacks. • Right-of-way. • Water/sewer. • Uncertainty and length of permitting commercial. • Density. • Restrictive uses. • Zone amendments are daunting. • Local Access Road complexities.

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<ul style="list-style-type: none"> • Intimidating & expensive permitting process. • Community exhaustion from recovery efforts. • Timing, folks trying to rebuild (like the library) need to know the requirements and what they will be responsible for. • Coordinating broadband, utility burying, water/sewer, surveying, the ROW reduction, and many other efforts at the same time. • Road width issue of Blue River Drive & future design efforts (curbs, gutters, trees, etc.?). • Uncertain what the economy will look like after loss of a third of the population. • What comes first, the residents or the jobs? 	<ul style="list-style-type: none"> • Permit fees. • Need more commercial zoning available & flexibility. Mixed-use. • Streamlined process. <p>Contexts to Consider</p> <ul style="list-style-type: none"> • Economic development. • Environmental (river health). • Recreation. • Long-term sustainability of efforts. • Diverse community. • Historical (native land, varying industries, etc.). • Fire recovery (specifically displaced folks that weren't property owners having a voice).
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Wastewater Treatment

Development and redevelopment in Blue River are perhaps most strongly influenced by how wastewater is treated – onsite via septic systems, via shared “cluster” septic systems, or via community drainfield. The size required for a drainfield for onsite treatment places a limitation on the size of development that can occur and is particularly impactful on smaller sized lots. The feasibility of a community drainfield has additional factors and requirements, including proximity to waterways, connections to aquifers, soil type, and slope. Two sites are currently being evaluated for capacity to support a community wastewater drainfield: Blue River Park and Three Sisters Meadow (See **Figure 2**). Site evaluation must consider physical characteristics including, but not limited to, soil type, slope, and discharge within the McKenzie River basin under the Three Basin Rule².

Initial analysis indicates that Blue River Park can accommodate a drainfield sized to treat 2,500 gallons per day (GPD); or about eight two-bedroom residential dwellings. A drainfield on Blue River Park would primarily serve the downtown area and properties adjacent to Blue River Drive. The majority of the Park’s space that is vacant would have to be devoted to a drainfield. Dwellings and structures would require some level of infrastructure improvements to connect and deliver wastewater to the drainfield in Blue River Park.

² The Department of Environmental Quality’s Three Basin Rule regulates onsite septic and wastewater treatment systems to protect the drinking water, recreational uses, aquatic life, and high-quality sources of the North Santiam, Clackamas, and McKenzie Rivers. The Three Basin Rule limits discharge quantity and treatment quality to standards set by Oregon Administrative Rule 340-041-0350.

The second site identified is the currently vacant mill site, commonly known as the Three Sisters Meadow site. Initial analysis also indicates that the Three Sisters Meadow site can accommodate a drainfield sized to treat 2,500 GPD. Further evaluation is underway to determine if a larger drainfield is feasible. The drainfield at Three Sisters Meadow would likely solely serve development located on the site itself.



Figure 2. Identified potential wastewater drainfield sites. Blue River Park denoted by red star. Three Sisters Meadow site denoted by blue star.

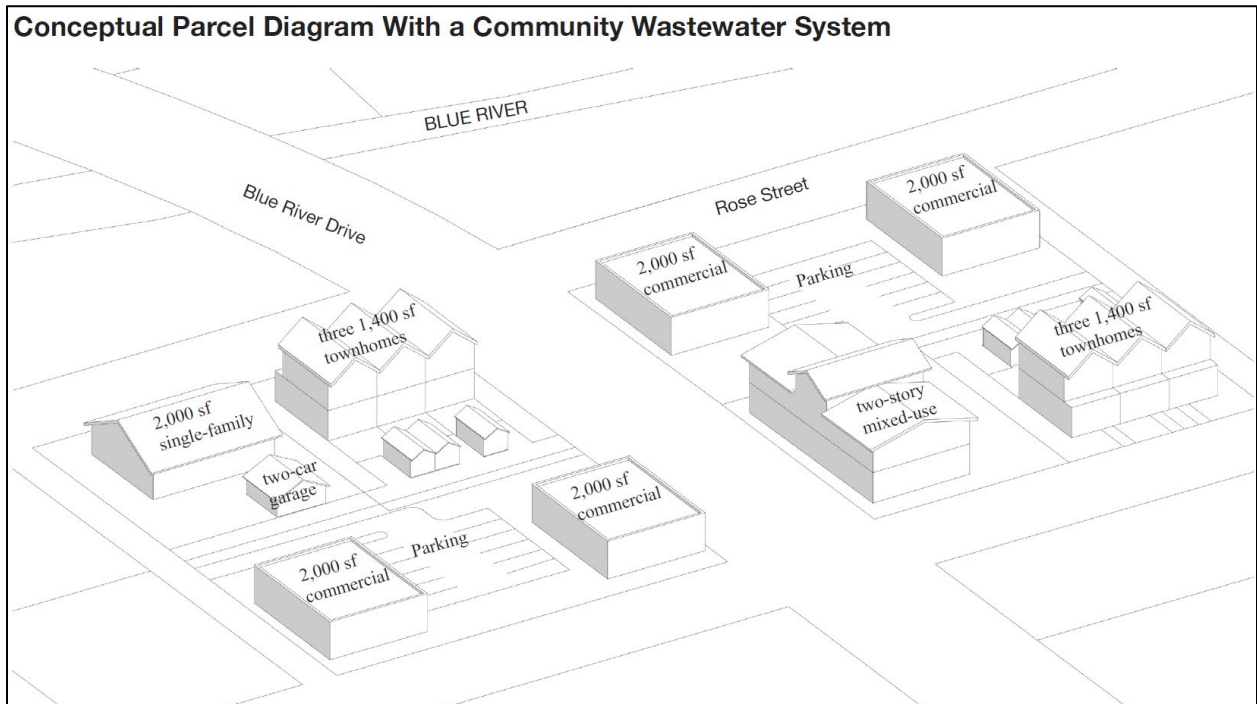
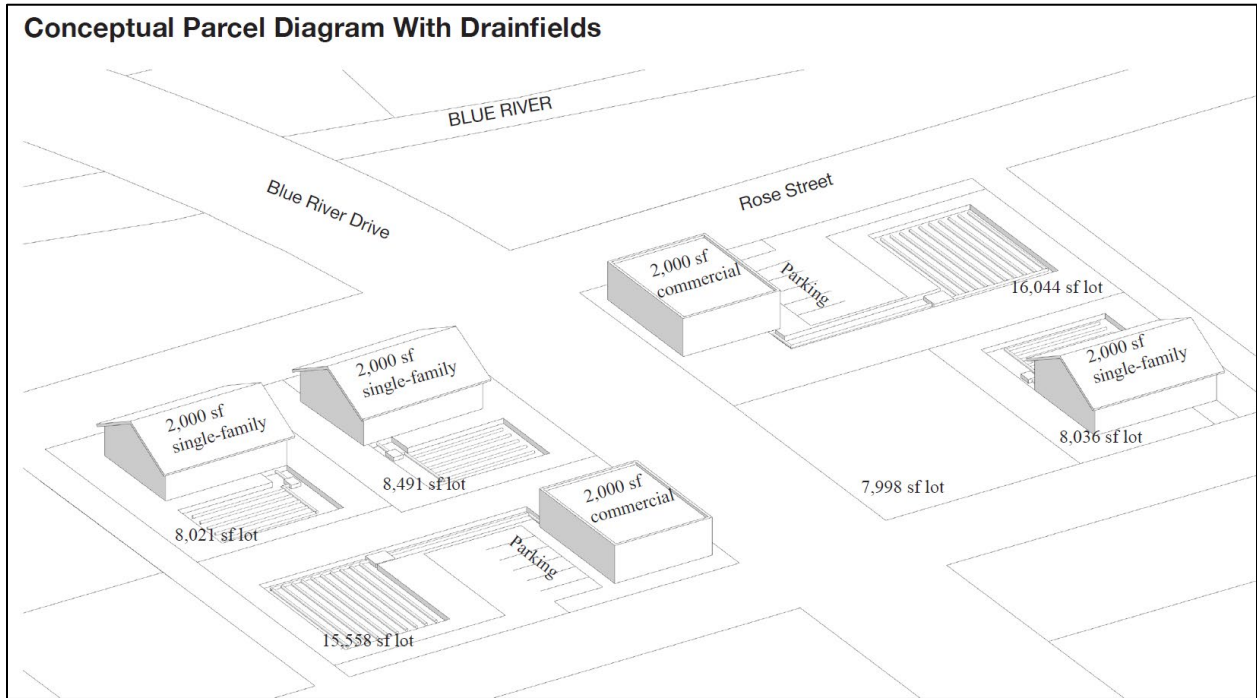
In the absence of a community wastewater drainfield, re-development can still occur in Blue River. Two options are available:

1. Individual on-site septic tanks and subsurface disposal fields. This is the status quo and how wastewater has been treated historically in Blue River.
2. Cluster systems. Owners of properties adjacent to one another could choose to utilize a shared septic system. A shared subsurface septic system increases the development potential for properties because the space required for a subsurface septic system is spread amongst several properties.

More research on the feasibility of drainfields at both sites, the costs associated, and the community's desire to take on these improvements is being done concurrently with the Complete Community Plan project and will influence its outcomes.

Concept Diagrams: Parcels Developed Individual Drainfields and Parcels Developed with Community Wastewater System

The two diagrams below are intended to help visualize how a block of parcels may be developed with the two options, 1) individual on-site septic tanks and subsurface disposal fields, and 2) community wastewater system:



TGM Project Objectives

The following TGM project objectives have been integrated with the community's input and vision to inform the community plan alternatives. The TGM project objectives must be met when the Complete Community Plan is adopted and implemented.

- a. Update or create new residential, commercial, industrial, mixed-use, and other zoning district standards; including new zones, or overlay zones, and zoning map amendments as needed; to implement and comply with the "unincorporated communities rule" (OAR 660-022) for Blue River;
- b. Be based on the TGM's smart development objectives and the concept of a "complete community" that meets residents' daily needs, thus reducing the need for motorized travel;
- c. Evaluate the Blue River Community Park for appropriateness to include with an amended Blue River Community boundary, based on its likely ability to be used for wastewater treatment, as determined by available County, EPA, and DEQ studies; and if found appropriate, prepare any necessary findings for boundary change and Goal Exceptions;
- d. Create a zoning and design concept for downtown core, recognizing the importance of the downtown as Blue River's commercial center;
- e. Amend Lane Code Chapter 15 (Roads) to create street standards for small unincorporated communities to ensure safe, comfortable transportation conditions for all modes;
- f. Update the Comprehensive Plan and Transportation System Plan ("TSP") to reflect and support the new zoning maps, districts, boundary, and standards in Blue River;
- g. Expand housing options, avoid discretionary permit reviews, and increase residential development efficiencies, while recognizing water, sewer, and stormwater limitations, to enable more people to live near businesses, services, and the school;
- h. Create standards that will automatically become effective and enable greater development density to occur through infill if, in the future, a community water and sewer system is built;
- i. Create land development and roadway standards for walkability and bikeability throughout the community, including on rural roads (e.g., Blue River Loop Road) and in mixed-use centers;
- j. Integrate resilience to natural hazards (especially fire and flood) and any County, State, or federal requirements, throughout all aspects of the Blue River Complete Community Plan and amendments; and
- k. Include Lane Code standards that have streamlined processes to the extent feasible, are easy to implement and navigate, and have user-friendly format and language.

0.5 Introduction of Complete Community Plan Alternatives

This section introduces the three Complete Community Plan alternatives. Each alternative is discussed in detail throughout the remainder of this memo.

Community Plan Alternative 1 – Downtown Flex

Alternative 1 maintains status quo for wastewater treatment. It assumes an individual on-site septic tank and subsurface disposal field will serve each property. Alternative 1 proposes a re-zone of all properties in downtown Blue River to Flex-Use, including the three RC zoned properties to the west of the river. The Flex-Use zone intent is for Blue River Drive to be the hub of activity in Blue River by creating an active and inviting, pedestrian-friendly realm, complete with sidewalks, and storefronts facing the street. A Flex-Use zoning allows flexible use commercial and residential development types, while achieving a consistent design by managing building standards. However, a reality of Alternative 1 is that development intensity beyond what existed prior to the Holiday Farm Fire in 2020, will be a challenge due to limited wastewater capacity. A main factor limiting development is the space required for in-ground septic systems, including the drainfield and back-up drainfield areas that are compliant with current regulatory requirements. The current spatial requirements for drainfields are greater today than they were when the dense “downtown” area was originally platted.

Community Plan Alternative 2 – Blue River Drive Flex

Alternative 2 presents Blue River Park being used as a drainfield and community wastewater system for a limited number of properties to meet their drainfield requirements for development and promote a greater level of development density along Blue River Drive. Alternative 2 proposes a Flex-Use zone for downtown properties, but for properties fronting Blue River Drive there will be an overlay zone. The overlay zone will manage building and locational standards to achieve a greater level of density and make Blue River Drive the hub of activity, consistent with the community vision. The Flex-Use zone will also extend to commercially-zoned properties outside of the downtown area. Because Alternative 2 permits for a greater level of development density, amendments to Lane Code and re-zoning would be centered on permitting flexible uses downtown, with a particular emphasis on the development standards of Blue River Drive in the form of an overlay zone. Alternative 2 introduces the Flex-Use zone for the Three Sisters Meadow site.

Community Plan Alternative 3 – Downtown Commercial

Alternative 3 keeps the focus on downtown Blue River and Blue River Drive, but with an emphasis on commercial development. In Alternative 3, residential uses would be conditionally permitted along Blue River Drive. The intent of Alternative 3 is to make residential development secondary to commercial development. Alternative 3 implores a flex-use zone with a required commercial use. In Alternative 3, the community drainfield would still be in Blue River Park, as

envisioned in Alternative 2. The flex-use zone would also extend to commercially-zoned properties outside of the downtown area as in Alternative 2. Furthermore, Alternative 3 leaves open the possibility for a community drainfield at the Three Sisters Meadow site. However, a drainfield located on the Three Sisters Meadow site would likely only serve development on that site. Alternative 3 maintains the Flex-Use zone on the Three Sisters Meadow site and also indicates where a community drainfield may be located.

1.0 Community Plan Alternative 1 – Downtown Flex

1.1 Description

Alternative 1 assumes the community would continue to rely on individual septic systems rather than building a new community drainfield or sewer system that could serve higher development capacities. However, even while continuing with the wastewater status-quo the community could see demonstrable changes in zoning, especially in the downtown area. Alternative 1 includes amendments to Lane Code to implement two new zoning districts: Community Flex-Use and Community Residential. See Section 1.2 for a description of these two new proposed zoning districts.

Feedback from community stakeholders identified several visions and hopes for the future of Blue River that Alternative 1 strives to accomplish. After the Holiday Farm Fire, displaced residents need an affordable, convenient, and identifiable place to return to. By changing the zoning of the entire downtown area to a flexible zoning type that reduces setbacks and allows for residential, commercial, or public facility uses, the residents of Blue River would have greater flexibility in rebuilding. Commercial uses would be allowed on the blocks surrounding Blue River Drive, which could increase the likelihood of commercial conveniences coming to the community. Alternative 1 also includes the possibility of adding signage along Highway 126 and supporting improvements to Blue River Drive like lighting and landscaping.

Stakeholders described experiencing roadblocks with the County code as one reason that business owners have experienced challenges bringing commercial uses to Blue River. This Alternative is intended to remove some of these roadblocks by creating new zoning districts for flexibility and a variety of uses, decreasing minimum lot sizes for existing residential zones, and modifying parking and setback requirements in some areas. Besides creating new zoning districts for residential/commercial flexibility, pedestrian infrastructure will be considered in the downtown area and beyond.

Both the project objectives and discussions with community members reveal a need to emphasize multi-modal transportation within Blue River. Alternative 1 prioritizes multi-modal transportation by introducing various pathways to connect Blue River west to east, and the downtown area and to Blue River Park along Blue River.

Affordable housing resonated as a theme during the stakeholder interviews. Providing more flexibility in the development standards and streamlining the land use application process may help reduce development costs, which in turn may allow for more affordable housing to be built. In addition, allowing higher densities within the community may mean smaller and more affordable units such as apartments, duplexes, cottage clusters and apartments on the second floor of a commercial use. Presently, the majority of the properties along Blue River Drive in

downtown Blue River are zoned Rural Commercial (Lane Code 16.291), which has no minimum lot area established, except what is necessary to accommodate any necessary sewerage and potable water concerns. However, the Rural Residential Zone (Lane Code 16.290) contains a minimum lot area of one acre. With Alternative 1, the minimum lot sizes for both commercial and residential uses will be adjusted to accommodate the varying needs of the property owners and their wastewater constraints.

1.2 Alternative 1 Characteristics

Alternative 1 is characterized by new and updated zoning districts, upgrading multi-modal transportation, and community signage.

The changes discussed above would largely be implemented as amendments to Lane Code that would make development more compact, pedestrian-friendly, encourage a mix of uses in the downtown area and change the zoning designation of a swath of properties. This alternative will ensure many of the non-conforming lot sizes (residential properties under one acre) become conforming.

Alternative 1 presents two new zoning districts:

1. *Community Flex-Use Zone (CF-U)* – A new district to allow flexibility in residential and commercial uses in denser neighborhoods than typically allowed in Lane County.
2. *Community Residential Zone (CR)* – A new district to exhibit the allowance of one (1) acre lots on the rest of the Rural Residentially zoned properties. It could also be used to find opportunities to reduce residential development standards (e.g. setbacks) compared to the RR code.

Alternative 1 may still preclude apartments, multiple-family dwellings, or accessory dwelling units (ADUs) because of the size limitations of properties and their ability to accommodate a permitted on-site drain field. That is not to say higher density development cannot occur, it may just take the form of small units that have a limited number of bedrooms and are sited in such a way that accommodates an appropriately sized drainfield, or through lot consolidations. Per state law, ADUs may not be located on properties less than two acres, even if on-site septic capability exists. A hotel development would not be allowed in Alternative 1 because state law requires hotels to be connected to a community sewer system.

Community Boundary

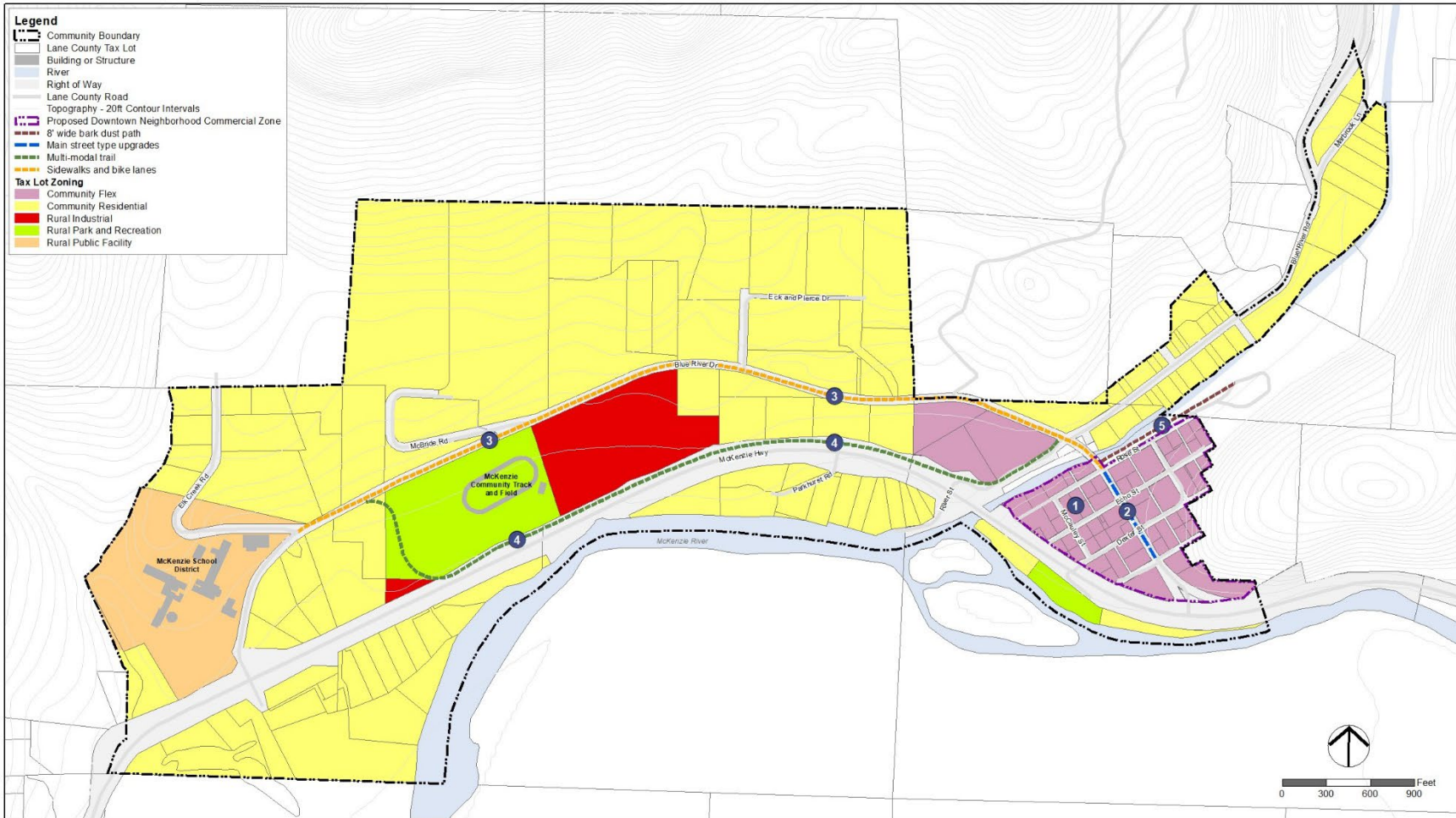
There are no proposed changes to the community boundary in Alternative 1.

The table below shows the proposed zoning designation, its purpose, densities permitted, allowed uses, and development standards.

Complete Community Plan Alternative 1 – Downtown Flex

Zone/Overlay	Area	Purpose	Density	Allowed Uses	Development Standards
Community Flex-Use Zone (CF-U)	Downtown Blue River and additional properties across Blue River	To allow for flexibility in community design in the existing Downtown	8,000 square foot minimum lot size	Single-Family Residential Community Commercial Pedestrian Paths and Public Facilities Bike Parking Shared Vehicle Parking Community Spaces Multi-modal paths Home Occupations and Home Businesses Multi-unit Housing or Planned Unit Developments of Smaller Residential Lots With Duplexes	<ul style="list-style-type: none"> • Reduced setbacks, 5’ on side streets • Flexibility for Home Occupations and Home Businesses. • No off-street parking minimums for commercial. If off-street parking proposed, shall not be placed between front façade of building and street.

<p>Community Residential (CR)</p>	<p>All other currently residentially zoned properties within the community boundary</p>	<p>To make the allowance for one-acre properties obvious within the Unincorporated Community</p>	<p>One (1) acre minimum</p>	<p>Single-family Residential and Accessory Uses</p> <p>ADUs Allowed on Two-acre Properties as Existing Rural Residential Allows</p> <p>Home Businesses More Flexible and Continued Allowance of Home Occupations</p> <p>Public and Semi-public Buildings</p>	<ul style="list-style-type: none"> • See standards of Rural Residential (Lane Code 16.290)
<p>Other Concept Features</p>	<ul style="list-style-type: none"> • Blue River Drive improvements west of the bridge. • Community signage along Highway 126. • Community bike parking and repair station. • Shared off-street parking location. • Multi-modal trail from downtown to school • Bark dust path from downtown to Blue River Park • Remove industrial zoning from community altogether. • Rezone Forest Glen Wayside and remainder of McKenzie Track property to Rural Park and Recreation (RPR). • Zero minimum parking requirements (this is an exemption from Lane County Code). • Sidewalks on Blue River Drive. • Street improvements (lighting, landscaping, etc.). 				



Community Plan Alternative 1

No change to existing wastewater systems.

- 1 - Designate as Downtown Area
- 2 - Blue River Drive upgrades (Downtown only)
- 3 - Blue River Drive upgrades (not in Downtown)
- 4 - Conceptual multi-modal trail
- 5 - Conceptual bark dust path from downtown area to Blue River Park

2.0 Community Plan Alternative 2 – Blue River Drive Flex

2.1 Description

Alternative 2 presents a concept with additional wastewater capacity in the form of a community drainfield sited on the Blue River Park property. The park is currently not within the Community Boundary but would be brought into the boundary under this Alternative. The potential drainfield is currently estimated to be able to treat 2,500 GPD. At this size, it is estimated that the community drainfield could serve about eight two-bedroom single family dwellings, or a scale of commercial development.

Residents of Blue River want to maintain a sense of identity and pride in the scenic river valley location. In Alternative 2, this desire is addressed by adding an overlay for development standards along Blue River Drive to create a space where businesses and residences can become the face of the community. Lane County is currently processing land use applications and building permits for a library, medical clinic, and general store along Blue River Drive in downtown. Blue River Drive is the main road through the downtown, and adding requirements for new buildings to engage with the street may create a more centered, identifiable downtown Blue River.

Alternative 2 starts with the same flexible use zoning concept in downtown Blue River as Alternative 1 and then builds on it further with Blue River Drive-oriented development and additional wastewater capacity from a drainfield on Blue River Park. In Alternative 2 the community drainfield would serve a mix of downtown uses. Also in Alternative 2 the Three Sisters Meadow park is presented as a Community Flex-Use zone and informational signage discussing connecting Blue River to its long historic past is included.

Alternative 2 continues to place an emphasis on the downtown area, allowing flexibility in the permitted uses and encouraging street-facing commercial along Blue River Drive. It also continues to emphasize safe multi-modal transportation and recreation opportunities connecting Blue River west to east. Alternative 2 may change the intensity of uses allowed in the Blue River Park if much of the area needs to be dedicated to the drainfield because the land over the drainfield may not be penetrated. However, drainfield siting may further aid in redevelopment along Blue River Drive in the downtown area.

2.2 Alternative 2 Characteristics

Alternative 2 proposes Community Flex-Use zoning on the entire 16-acre Three Sisters Meadow property in addition to the downtown area. Multi-modal recreation paths are still envisioned to connect the school to the downtown through the parks and light residential areas in between.

Alternative 2 includes an option for commemorative plaques or signage to acknowledge the impact that the Holiday Farm Fire of 2020 had on this resilient community. Finally, an Alternative 2 proposes recreational trails along the McKenzie River, which is across the Highway 126 from the community but capitalizes on the County-owned and maintained boat launch directly across from one of the community's entrances. The extent to which future development occurs at this site will be guided by Lane County Parks department.

Alternative 2 will require the same regulatory changes identified in Alternative 1, with additional development standards along Blue River Drive. The overlay for commercial development would require businesses to face the street, relax setbacks, require any off-street parking to be placed behind the building and include bike parking. Alternative 2 also proposes a desire for sidewalks along Blue River Drive.

In summary Alternative 2 will require incorporation of the Blue River Park into the community boundary, a rezone of the Three Sisters Meadow property to Community Flex-Use, signage that pays tribute to the Holiday Farm Fire, and utilization of the existing Lane County-owned boat launch across Highway 126 from Blue River's downtown.

The proposed changes would still largely be implemented as amendments to Lane Code as two new zoning districts and a new overlay:

1. *Community Commercial Zone (CC)* – A new district to allow buildings closer to the property line along Blue River Drive, allow for ground-floor commercial uses and second and third floor residential, and require parking in the back and the buildings to face the street and with no off-street parking minimums. If off-street parking is provided it shall not be placed in between the front façade of the building and the street. **Additional code language may be added regarding what is further allowed if connected to the community drainfield for commercial uses in this district.**
2. *Community Flex-Use Zone (CF-U)* – A new district to allow flexibility in residential and commercial uses in denser neighborhoods than typically allowed in Lane County.
3. *Community Residential Zone (CR)* – A new district to exhibit the allowance of one (1) acre lots on the rest of the Rural Residentially zoned properties. It could also be used to find opportunities to reduce residential development standards (e.g. setbacks) compared to the RR code.

Alternative 2 would also include amendments to the existing Park and Recreation zone (Lane Code 16.215) in order to ensure that community drainfields are allowed and to consider what uses may be designated on top of the drainfield. The biggest regulatory change associated with this alternative is incorporating the Blue River Park into the community boundary, and then amending the zoning to allow for community drainfields that serve the unincorporated

community. The Blue River Park remains an asset to the people of Blue River and this community concept does not intend to take away recreational opportunities that the people already appreciate. However, if the park were to be used for a community drainfield, a portion of the space could not be developed upon.

Community Boundary

Alternative 2 would require a change in the Unincorporated Community's boundary. The goal of the boundary adjustment would be to enable a community drainfield on the Blue River Park site by amending the Park and Recreation Zone to include such an allowance.

The table below shows the proposed zoning designation, its purpose, densities permitted, allowed uses, and development standards. **Green bolded text** signifies a variation from the Conceptual Development Alternative 1 Matrix.

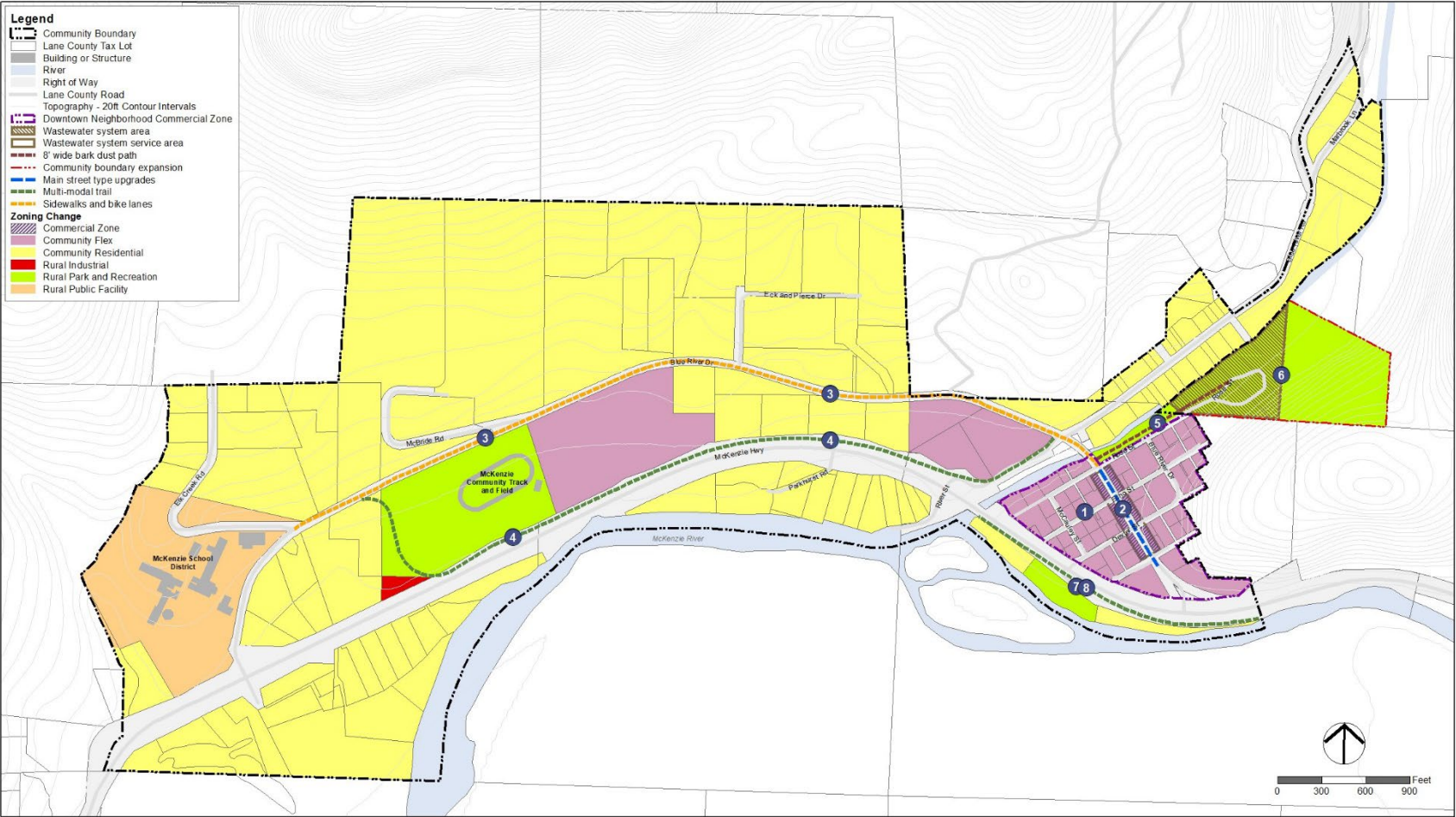
Community Plan Alternative 2 – Blue River Drive Flex Matrix

Zone/Overlay	Area	Purpose	Density	Allowed Uses	Development Standards
Blue River Drive Overlay	Properties along Blue River Drive in Downtown Blue River	To create a central community identity along the main road in the Downtown area of Blue River	Base zone density applies (Community Flex-Use)	Base zone uses apply (Community Flex-Use)	<ul style="list-style-type: none"> • Sidewalks on Blue River Drive. • Street-facing entrances to homes and businesses. • Reduced setbacks on Blue River Drive: 0-10' minimum (flexible to allow pedestrian scale amenities on sidewalks). • Reduced side yard setbacks: 0' for attached units; 5' for detached units. • No off-street parking minimums. If off-street parking proposed, shall not be located between front façade of building and street. • Bike parking requirements for commercial uses.
Community Flex-Use Zone (CF-U)	Downtown Blue River, additional properties across Blue River, and Three Sisters Meadow Site	To allow for flexibility in community design in the existing Downtown	8,000 square foot minimum lot size downtown <i>Minimum lot size based on typical minimum lot size that will</i>	Single-Family Residential Community Commercial Pedestrian Paths and Public Facilities Bike Parking	<ul style="list-style-type: none"> • Reduced setbacks, 5' on side streets. • Flexibility for Home Occupations and Home Businesses. • No off-street parking minimums for commercial. If off-street parking proposed, shall not be placed between

			<p><i>fit a septic system outside of downtown</i></p>	<p>Shared Vehicle Parking</p> <p>Community Spaces</p> <p>Multi-modal paths</p> <p>Home Occupations and Home Businesses</p> <p>Multi-unit Housing or Planned Unit Developments of Smaller Residential Lots with Duplexes</p> <p>Public and Semi-public Buildings</p>	<p>front façade of building and street.</p>
<p>Parks and Recreation (Enhanced Existing Lane Code 16.215)</p>	<p><i>Blue River Park Property</i></p>	<p>To update the existing Blue River Park zoning to better suit the community needs</p>	<p>No minimum lot size</p>	<p>Public Facilities <i>to include Community Drainfield</i></p> <p>Community Spaces (gardens, compost, playgrounds)</p> <p>Parks</p>	<ul style="list-style-type: none"> • See existing park zoning Rural Park and Recreation <ul style="list-style-type: none"> ○ Park uses as a Type II land use application. ○ Uses shall minimize adverse effects on abutting uses. ○ Uses shall not exceed the carrying capacity of the soil.

					<ul style="list-style-type: none"> Public and semi-public structures don't clearly include community drainfield language, add code to make it clear.
Community Residential	All other currently residentially zoned properties within the community boundary	To make the allowance for one-acre properties obvious within the Unincorporated Community	One (1) acre minimum	<p>Single-family Residential and Accessory Uses</p> <p>ADUs Allowed on Two-acre Properties as Existing Rural Residential Allows</p> <p>Home Businesses more flexible and Continued Allowance of Home Occupations</p>	<ul style="list-style-type: none"> See standards of Rural Residential (Lane Code 16.290)
Other Concept Features	<ul style="list-style-type: none"> Blue River Drive improvements west of the bridge. Community signage along Highway 126. Community bike parking and repair station. Shared off-street parking location. Multi-modal trail from downtown to the school. Bark dust path from downtown area to Blue River Park. Remove all Industrial Zoning from the community. Rezone Forest Glen Wayside and remainder of McKenzie Track property to Rural Park and Recreation (RPR). <i>Incorporate Blue River Park into Community boundary.</i> <i>Holiday Farm Fire commemoration plaque or other community-identifying art/information.</i> 				

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| | <ul style="list-style-type: none">• <i>Recreation trails at Lane County's boat launch across from the Dexter Street -Highway 126 west connection.</i> |
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Community Plan Alternative 2

Potential wastewater system with drainfield at Blue River Park servicing commercial uses in the Downtown area along Blue River Drive. Capacity is 2,500 gallons per day. All other development is on individual septic systems.

- 1 - Designate as Downtown Area
- 2 - Blue River Drive upgrades (Downtown only)
- 3 - Blue River Drive upgrades (not in Downtown)
- 4 - Conceptual multi-modal trail
- 5 - Conceptual bark dust path from downtown area to Blue River Park
- 6 - Incorporate Blue River Park
- 7 - Parking on river side of Highway 126
- 8 - Conceptual recreation trail

3.0 Community Plan Alternative 3 – Downtown Commercial

3.1 Description

Alternative 3 builds off of the flexibility of Alternative 1 and the Blue River Park drainfield as well as downtown development standards of Alternative 2, but with the addition of a drainfield on the Three Sisters Meadow property to serve a mix of a flexible uses, and a new zoning along Blue River Drive that incentivizes ground-floor commercial uses. The wastewater infrastructure in this Alternative is intended for a scale of commercial uses along Blue River Drive to implement the vision of more dense, multi-story, mixed use development. At this time the community drainfield on the Three Sisters Meadow site is estimated to have a capacity of 5,000 gallons per day, which is twice the capacity of the potential Blue River Park community drainfield. Further analysis is underway and will determine actual capacity.

Like Alternatives 1 and 2, the basis of Alternative 3 is to promote a stronger community identity as well as an emphasis on flexibility, multi-modal transportation and recreation that increases community connectivity, and slightly higher density within the community boundary. The main difference is the emphasis on commercial uses along Blue River Drive. In the new Community Commercial zoning district (further discussed below), ground-floor commercial uses are allowed outright in the blocks on either side of Blue River Drive, while stand-alone residential uses are allowed conditionally. Mixed-uses are encouraged and a residential use in conjunction with a primary commercial use would be allowed outright as well. Similar development standards that are seen in the Blue River Drive Overlay of Alternative 2 are carried forward in order to continue a street-facing engagement with the main road through town. In this concept, Blue River Drive continues to be seen as a walkable hub of activity for the community with businesses to visit. Denser development within this zone is more likely to be feasible with the ability to connect to the Blue River Park community drainfield, which is also carried forward from Alternative 2.

This community plan alternative also presents the Three Sisters Meadow property as Community Flex-Use, with the potential for a drainfield to serve uses ultimately planned on the property. The site is currently owned by McKenzie River Trust and was dedicated to serve the public, the future of this property will be dependent upon the public feedback that private developers receive.

3.2 Alternative 3 Characteristics

The main difference in the characteristics of Alternative 3 is increased emphasis on commercial and mixed uses along Blue River Drive, and additional development standards within the

Community Flex-Use zone that would apply to the Three Sisters Meadow property if a community drainfield allows for some form of planned higher-density development.

The proposed zoning on the Three Sisters Meadow site is *Community Flex-Use (CF-U)*, as in Alternative 2, but with additional development standards for road network connectivity, street grids, block lengths, park and open space requirements, parking location and more. This may also require updates to Lane Code Chapter 15 Roads. This alternative continues to incorporate multi-modal transportation connectivity through Blue River Drive updates and recreational trails throughout.

The maximum area for the community drainfield is shown on the east side of the site.

The changes would still largely be attributed to amendments to Lane Code. Changes from Alternative 1 are bolded below:

1. *Community Commercial Zone (CC)* – A new district to allow buildings closer to the property line along Blue River Drive, allow for ground-floor commercial uses with second and third floor residential, buildings that face Blue River Drive, and place any provided off-street parking away from the Blue River Drive frontage with no off-street parking minimums. Additional code language will be added regarding what is further allowed if connected to the community drainfield for commercial uses in this district.
2. *Community Flex-Use Zone (CF-U)* – A new district to allow flexibility in residential and commercial uses in denser neighborhoods than typically allowed in Lane County. **Additional code language will be added to include development standards for neighborhoods connected to the community drainfield.**
3. *Community Residential Zone (CR)* – A new district to exhibit the allowance of one (1) acre lots on the rest of the Rural Residentially zoned properties. It could also be used to find opportunities to reduce residential development standards (e.g. setbacks) compared to the RR code.

Alternative 3 would also include amendments to the existing Park and Recreation zone (Lane Code 16.215) in order to ensure that community drainfields are allowed and to consider what uses may be designated on top of the drainfield. The biggest regulatory change associated with this alternative is incorporating the Blue River Park into the community boundary, and then amending the zoning to allow for community drainfields that serve the unincorporated community. The Blue River Park remains an asset to the people of Blue River and this community concept does not intend to take away recreational opportunities that the people already appreciate. However, if the park were to be used for a community drainfield, a portion of the space could not be developed upon.

Besides providing for flexibility with specific design standards for the Three Sisters Meadow property, this alternative contemplates additional community signage to commemorate the McKenzie River Trust.

Community Boundary

Alternative 3 would require a change in the Unincorporated Community's boundary. The goal of the boundary adjustment would be to enable a community drainfield on the Blue River Park site by amending the Park and Recreation Zone to include such an allowance.

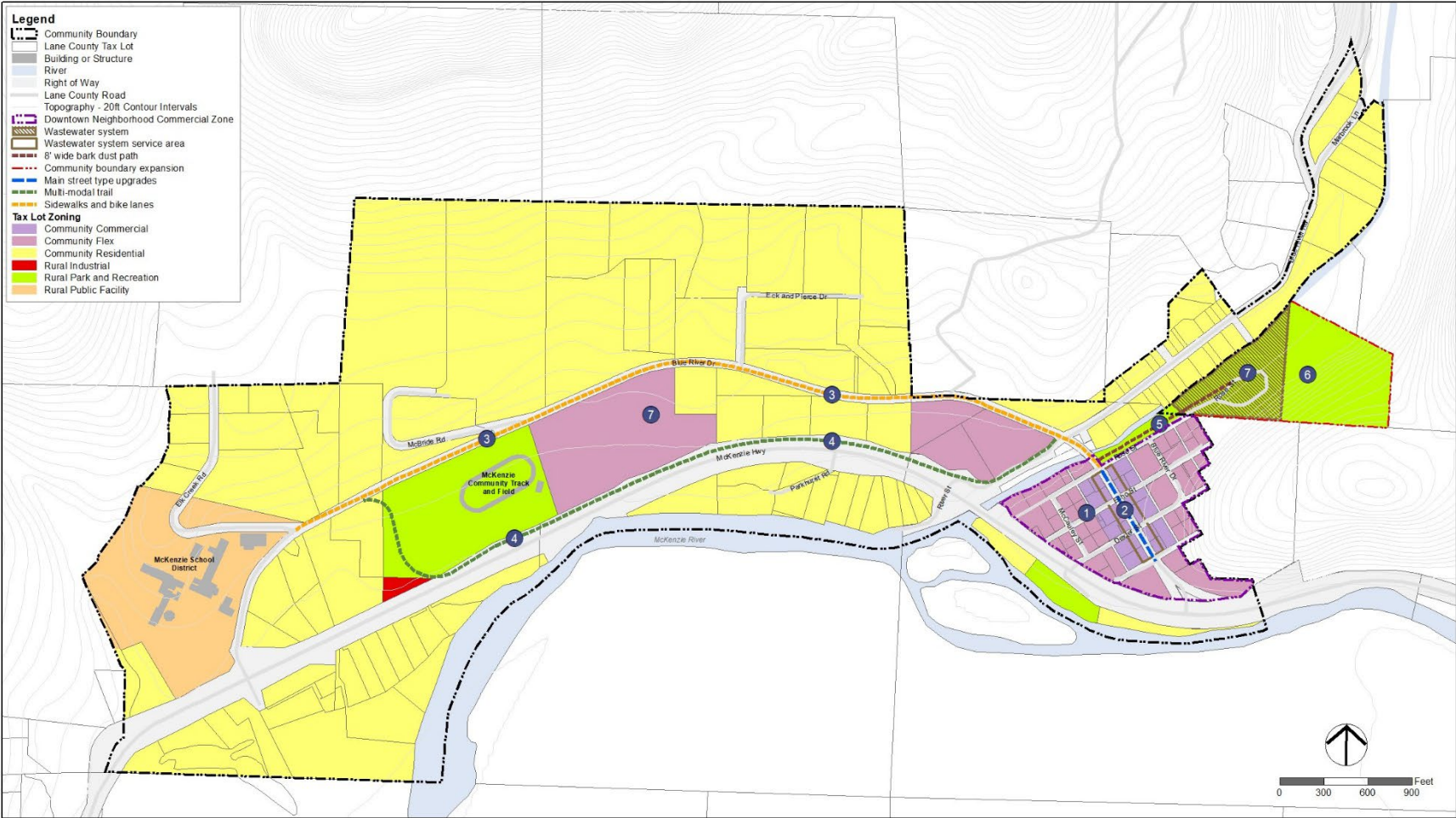
The table below shows the proposed zoning designation, its purpose, densities permitted, allowed uses, and development standards. **Blue bolded text** signifies a variation from the Conceptual Development Alternative 1 Matrix.

Community Plan Alternative 3 – Downtown Commercial Matrix

Zone/Overlay	Area	Purpose	Density	Allowed Uses	Development Standards
Community Commercial	Along Blue River Drive in Downtown Blue River	To create a central community identity along the main road in the Downtown area of Blue River <i>and encourage commercial development through community drainfield connection</i>	Commercial and residential uses limited by wastewater capacity	Community Commercial Mixed-Uses; Ground Floor Commercial and Second Story Residential Home Occupations and Businesses Single and Multi-family Residential as Conditional Uses Public Facilities (to include vehicle parking, bike parking and pedestrian paths)	<ul style="list-style-type: none"> • Pedestrian Infrastructure on Blue River Drive. • Street-facing business entrances. • Reduced setbacks on Blue River Drive: 0-10' maximum (flexible to allow pedestrian scale amenities on sidewalks). • Reduced side yard setbacks: 0' for attached units; 5' for detached units. • No off-street parking minimums. If off-street parking proposed shall not be located between front facing façade of building and street. Parking and accessory buildings required to be located in the rear.
Community Flex-Use Zone (CF-U)	The rest of "Downtown" Blue River,	Springfield amendment and metro plan	8,000 Square Foot	Single-Family Residential	<ul style="list-style-type: none"> • Reduced setbacks, 5' on side streets. • Bike parking requirements

	<p>additional properties across Blue River, <i>and the Three Sisters Meadow property</i></p>	<p>map and meeting prep and look over amendments and review metro plan and dig up docs for codification</p>	<p>Minimum Lot Size</p> <p><i>All residential densities allowed on Three Sisters Meadow property</i></p>	<p>Community Commercial</p> <p>Pedestrian Paths and Public Facilities</p> <p>Bike Parking</p> <p>Shared Vehicle Parking</p> <p>Community Spaces</p> <p>Multi-modal Paths</p> <p>Home Occupations and Home Businesses</p> <p>Multi-unit Housing or Planned Unit Developments of Smaller Residential Lots with Duplexes</p>	<ul style="list-style-type: none"> • Flexibility for Home Occupations and Home Businesses. • Multi-unit housing or Planned Unit Development of smaller residential lots with duplexes <i>with community drainfield access.</i> <ul style="list-style-type: none"> ○ <i>Transportation connectivity required.</i> ○ <i>Street grids and pedestrian-friendly block lengths required.</i> ○ <i>Pedestrian friendly street cross-section. Consideration of surrounding uses when orienting residential uses and other uses.</i> ○ <i>Flexible mixed-use allowance (commercial and high-density residential).</i> ○ <i>Park and open space standards.</i> ○ <i>Recreation trail connectivity to surrounding uses and community centers (i.e. school, track, downtown).</i>
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				Public and Semi-public Buildings	
Parks and Recreation (Enhanced Existing Lane Code 16.215)	<i>Blue River Park Property</i>	To update the existing Blue River Park zoning to better suit the community needs	No minimum lot size	Public Facilities <i>to include Community Drainfield</i> Community Spaces (gardens, compost, playgrounds) Parks	<ul style="list-style-type: none"> • See existing park zoning Rural Park and Recreation <ul style="list-style-type: none"> ○ Park uses as a Type II land use application. ○ Uses shall minimize adverse effects on abutting uses. ○ Uses shall not exceed the carrying capacity of the soil. • Public and semi-public structures don't clearly include community drainfield language, add code to make it clear.
Community Residential	All other currently residentially zoned properties within the community boundary	To make the allowance for one-acre properties obvious within the Unincorporated Community	One (1) acre minimum	Single-family Residential and Accessory Uses ADUs Allowed on Two-acre Properties as Existing Rural Residential Allows Home Businesses more flexible and Continued Allowance of	<ul style="list-style-type: none"> • See standards of Rural Residential (Lane Code 16.290)



Community Plan Alternative 3

Potential wastewater system with drainfield at Three Sisters Meadow site servicing new commercial and residential development at Three Sisters Meadow site. Additional community wastewater system with drainfield at Blue River Park servicing commercial uses in the Downtown area along Blue River Drive. All other development is on individual

- 1 - Designate as Downtown Area
- 2 - Blue River Drive upgrades (Downtown only)
- 3 - Blue River Drive upgrades (not in Downtown)
- 4 - Conceptual multi-modal trail
- 5 - Conceptual bark dust path from downtown area to Blue River Park

- 6 - Incorporate Blue River Park
- 7 - Approved community drainfield locations

4.0 Summary & Comparison

The three Community Plan Alternatives offers options for envisioning the future of the Blue River community and are intended to provide some more concrete ideas to compare, discuss, change, or support. This is the first time in this project's timeline that the gap between ideas and implementation is starting to be bridged. The drafting of these alternatives will be collaborative and iterative and will thus provide a solid basis for the composition of the Blue River Complete Community Plan. The Alternatives present a variety of concepts that support a greater theme for each alternative, but no one theme must be chosen for the Complete Community Plan. The concepts and the tools proposed within Alternatives (zones, uses, development standards, other features, etc.) can be mixed and matched. Separate aspects of each Alternative will be discussed, and ultimately it is likely that the Complete Community plan will be a combination of the attributes of each Alternative that are of most interest to the community.

In summary:

- Alternative 1 proposes code changes that would allow for flexibility in redeveloping residential and commercial uses downtown, promote opportunities for recreation and multi-modal trail connectivity, as well as zoning flexibility and streamlined development opportunities while maintaining individual septic systems.
- Alternative 2 is the concept based on a community drainfield being built on the Blue River Park property and centering the downtown area along Blue River Drive. This concept extends the flexible zoning type to the Three Sisters Meadow property. It would require a change to the community boundary in order to bring the Park site into the community.
- Alternative 3 is the concept based on an increased emphasis around commercial uses along Blue River Drive. It also considers additional impact of a community drainfield being built on the Three Sisters Meadow property, which would come with some specific development standards and a discretionary approval process to achieve outcomes in line with the project objectives. It more heavily emphasizes commercial and mixed uses downtown.
- A custom alternative that blends elements from each alternative is also a possibility and may be selected as the preferred alternative.

Each of the alternatives incorporates a new Community Flex-Use zone to a varying degree. Alternative 1 relies heavily on this new zone, and an additional Community Residential zone for the properties outside of the downtown area. Alternative 2 is similar but incorporates a new Blue River Drive overlay and incorporates the Blue River Park into the community boundary in

order to accommodate a community drainfield. Alternative 3 swaps out the Blue River Drive Overlay of Alternative 2 with a more commercial oriented new zoning district, Community Commercial zone. The existing Lane County Park and Recreation zone may be enhanced to add uses such as a sports complex, trails, or a community drainfield if need be. These zones will all focus on residential, light commercial and community/recreational uses. They do not propose major changes in the character of the community beyond varying densities of the aforementioned uses. The Alternatives reflect both project objectives and community feedback to create several scenarios for what the future of Blue River might look like. One full of pride, resilience and intentional incorporation of the natural beauty and recreational opportunities that make the community unique.

Appendix B - Detailed Maps

Proposed Community Boundary

Legend




















- Proposed Community Boundary
- Proposed Community Boundary Expansion



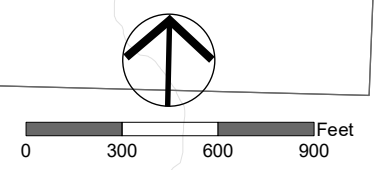
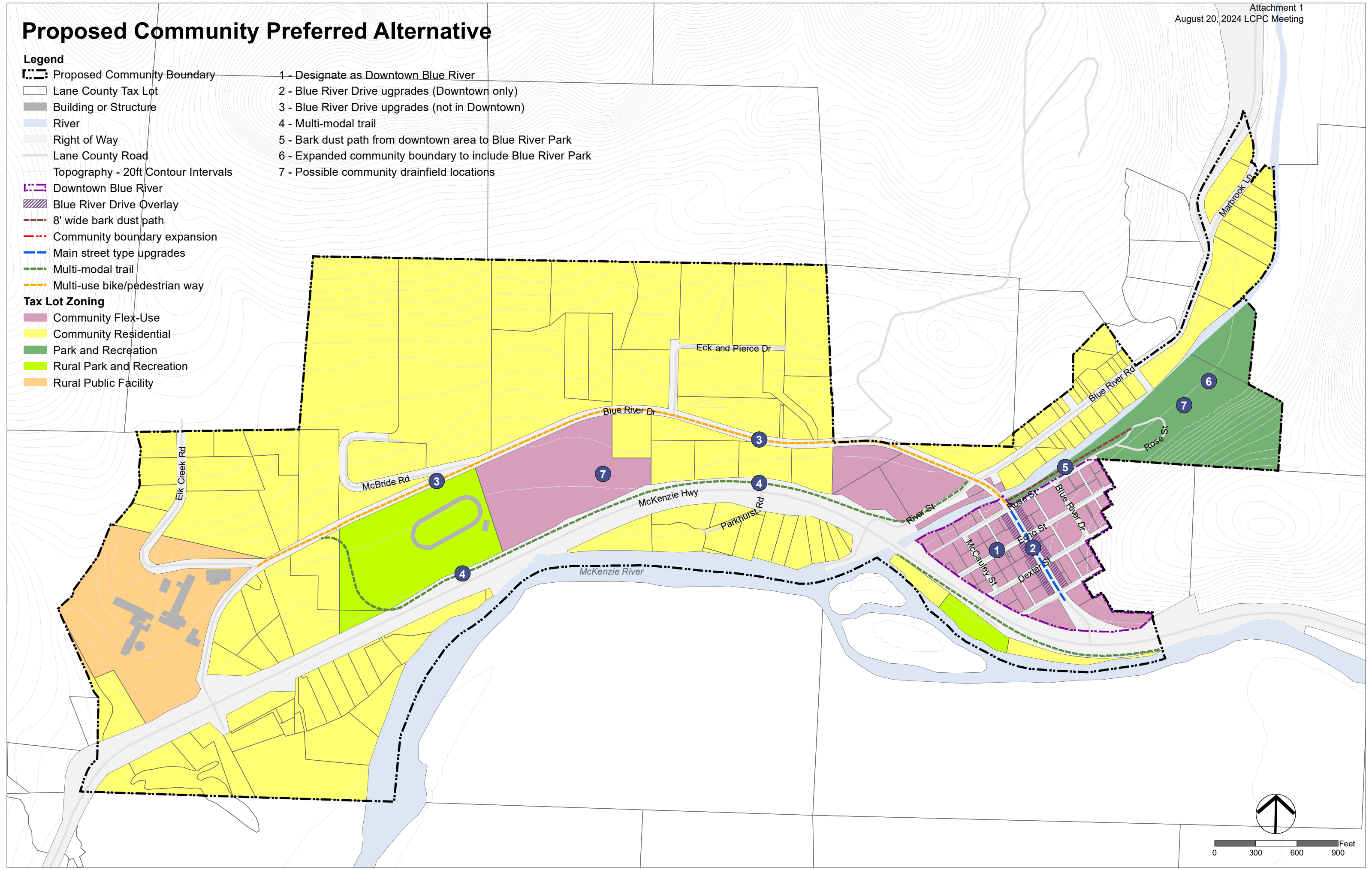
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Proposed Community Preferred Alternative

Legend

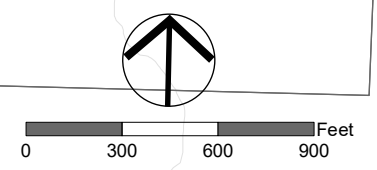
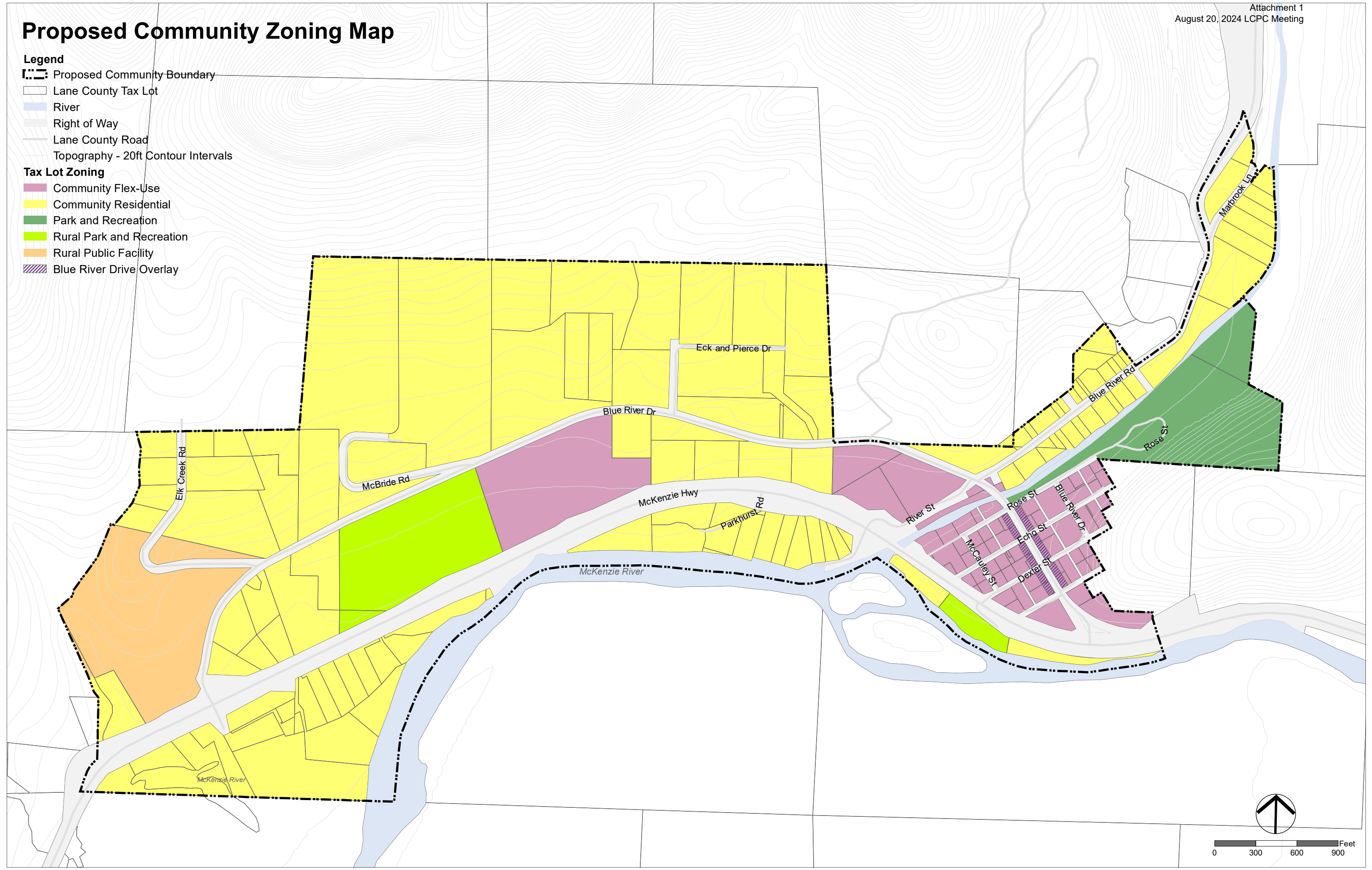
-  Proposed Community Boundary
-  Lane County Tax Lot
-  Building or Structure
-  River
-  Right of Way
-  Lane County Road
-  Topography - 20ft Contour Intervals
-  Downtown Blue River
-  Blue River Drive Overlay
-  8' wide bark dust path
-  Community boundary expansion
-  Main street type upgrades
-  Multi-modal trail
-  Multi-use bike/pedestrian way
- Tax Lot Zoning**
-  Community Flex-Use
-  Community Residential
-  Park and Recreation
-  Rural Park and Recreation
-  Rural Public Facility

- 1 - Designate as Downtown Blue River
- 2 - Blue River Drive upgrades (Downtown only)
- 3 - Blue River Drive upgrades (not in Downtown)
- 4 - Multi-modal trail
- 5 - Bark dust path from downtown area to Blue River Park
- 6 - Expanded community boundary to include Blue River Park
- 7 - Possible community drainfield locations



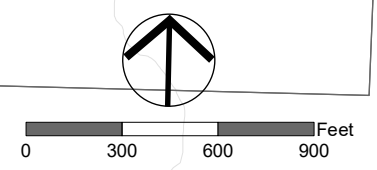
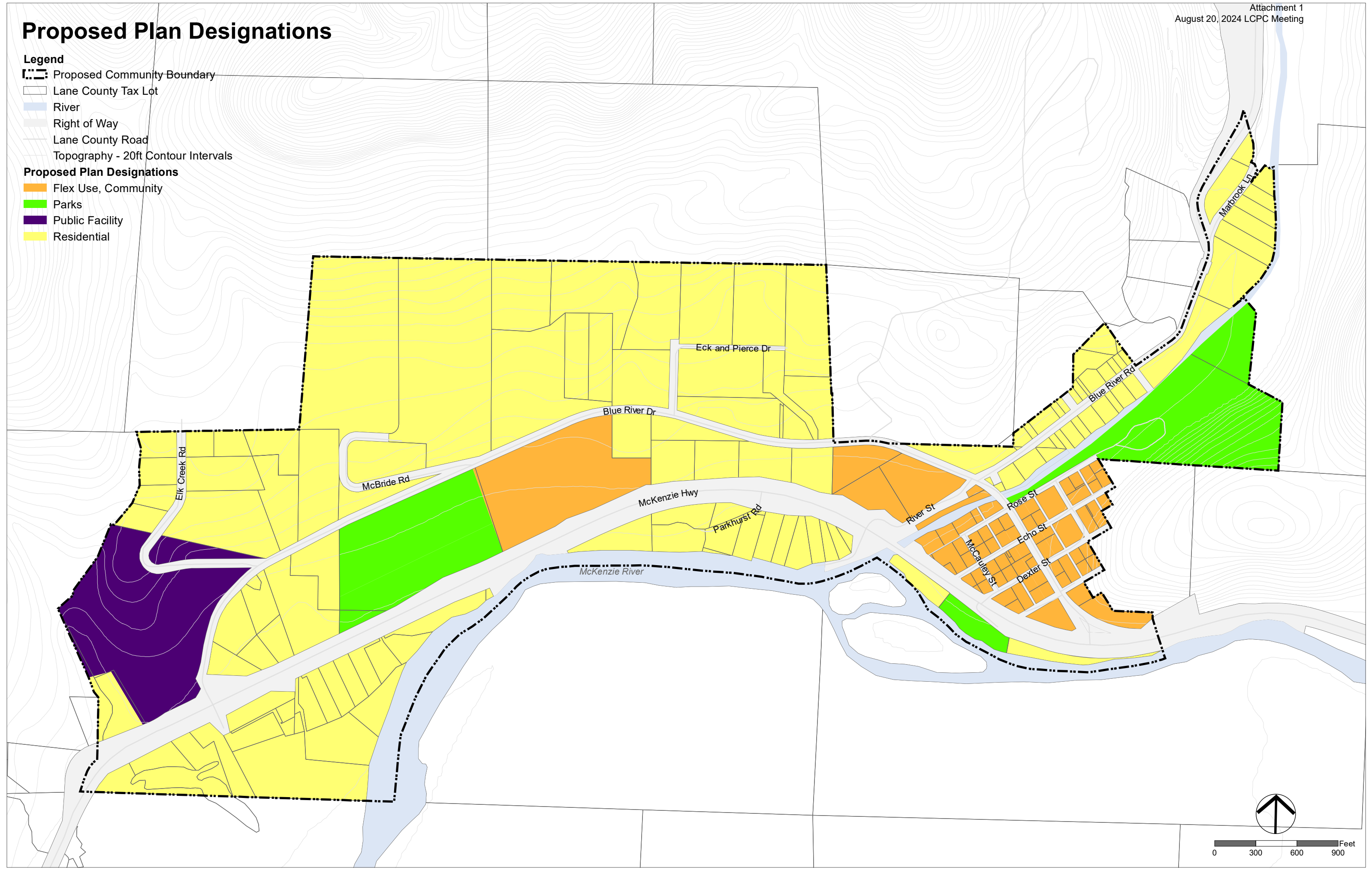
Proposed Community Zoning Map

- Legend**
- Proposed Community Boundary
 - Lane County Tax Lot
 - River
 - Right of Way
 - Lane County Road
 - Topography - 20ft Contour Intervals
- Tax Lot Zoning**
- Community Flex-Use
 - Community Residential
 - Park and Recreation
 - Rural Park and Recreation
 - Rural Public Facility
 - Blue River Drive Overlay



Proposed Plan Designations

- Legend**
- Proposed Community Boundary
 - Lane County Tax Lot
 - River
 - Right of Way
 - Lane County Road
 - Topography - 20ft Contour Intervals
- Proposed Plan Designations**
- Flex Use, Community
 - Parks
 - Public Facility
 - Residential



Zoning Code Amendments

In order to implement the Blue River Complete Community Plan, several zoning code additions, and amendments to existing code must be made. This will be accomplished by adopting two zoning districts and one new overlay:

- Community Flex-Use Zones (CFU)
- Community Residential (CR)
- Blue River Drive Overlay (BRDO)

It will also include an amendment to the existing Park and Recreation Zone that is implemented by Lane Code 16.215.

Community Flex-Use Zone (CFU)

16.286 Community Flex-Use (CFU-RCP)

(1) Purpose

The purpose of the Community Flex-Use (CFU-RCP) Zone is to allow maximum flexibility in residential, commercial, and light industrial uses within an unincorporated community boundary that is more densely developed than typically allowed in rural Lane County. The CFU zone is also intended to allow for development flexibility.

The minimum parcel size and other standards established by this zone are intended to promote a tight-knit rural community character.

(2) All Development

A proposed use or development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service. To address this requirement, factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available.

(3) Use Table

Table of Permitted Uses

Table 16.286-1 sets forth the uses allowed subject to Type I, II, or III approval procedures in the community flex-use districts. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require review using Type I, II, or, III procedures, unless otherwise specified on Table 16.286-1. All uses and their accessory buildings are subject to the general provisions, special conditions, additional restrictions and exceptions set forth in this Chapter.

As used in Table 16.286-1:

(a) Uses:

- (i) "A" means the use is outright allowed or permitted subject to standards.
- (ii) "C" means the use is a Conditional Use, subject to Section (5)
- (iii) "X" means use is not allowed.

(b) Local Procedures:

- (i) "P" means the use is permitted outright; uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this Chapter.
- (ii) Type I uses and activities are permitted subject to the general provisions and exceptions set forth by this chapter of Lane Code and LC 14.030(1)(a).
- (iii) Type II uses may be allowed provided a land use application is submitted and approved through the Type II procedure set forth in LC Chapter 14.
- (iv) Type III uses may be allowed provided a land use application is submitted and approved by the Hearings Official pursuant to LC Chapter 14.

(v) "AL" means Assembly License, subject to LC 3.995.

(vi) "X" means no new use is allowed.

(c) The "Subject To" column identifies any specific provisions of LC 16.286 to which the use is subject. All uses and development are subject to the development standard provisions of LC 16.286(7).

(d) A determination by the Director for whether or not a use fits within the classification of uses listed as Type I, Permitted Outright, or Assembly License in the use table may constitute a "permit" as defined by ORS 215.402(4). "...discretionary approval of a proposed development of land..." An owner of land where the use would occur therefore may request to elevate review of a Type I, Permitted Outright, or Assembly License use to a Type II land use application pursuant to LC Chapter 14. The burden of proof in the application will be upon the owner of land to demonstrate that the proposed use fits within the classification.

Table 16.286-1: Use Table for CFU Zones				
I = Type I II = Type II III = Type III				
P = Permitted Outright AL = Assembly License X = Prohibited				
Use		Use Type	Local Procedure	Subject To
1.	Residential			
1.1	Placement, alteration, and maintenance of up to two Single-Family Dwellings attached or detached, and/or manufactured dwellings, or a Two-Family Dwelling (<u>Duplex</u>) on a lot or parcel	A	P	
1.2	Placement, alteration, and maintenance of a Multiple Dwelling on a lot or parcel	A	P	(4)(<u>be</u>)
1.3	Accessory Dwelling Unit	A	<u>P</u>	(4)(<u>cd</u>)
1.4	Guest House	A	P	(4)(<u>de</u>)
1.5	Temporary Medical Hardship	A	I	(4)(<u>ef</u>)
1.6	Bed and breakfast	A	P	(4)(<u>fg</u>)
1.7	One residential home, <u>childcare facility</u> , group home or nursing home	A	P	
1.8	Minor home occupation and/or home office	A	P	(4)(<u>g</u>)
<u>1.9</u>	<u>Family child care home</u>	<u>A</u>	<u>P</u>	(4)(<u>h</u>)
2.	Commercial			

2.1	Retail	A	I	(4)(a)
2.2	Indoor or outdoor recreational activities <u>and supporting facilities</u>	A	I	(4)(a)
2.3	Eating or drinking establishments	A	I	(4)(a)
2.4	Service stations	A	I	(4)(a)
2.5	Offices and personal business services	A	I	(4)(a)
<u>2.6</u>	<u>Child care center</u>	<u>A</u>	<u>P</u>	<u>(4)(i)</u>
<u>2.76</u>	Churches	A	I	(4)(a)
<u>2.87</u>	Cemeteries	A	I	(4)(a)
<u>2.98</u>	Indoor and outdoor theaters, other spaces providing artistic or performance opportunities	A	I	
<u>2.109</u>	Equipment rental and leasing service	A	I	
<u>2.110</u>	Veterinarian clinics	A	I	
<u>2.124</u>	Commercial kennel	C	II	(5)
<u>2.132</u>	Marijuana retail sales	C	II	(5), LC 16.420
<u>2.143</u>	Campground, glamping and camping vehicle park	C	II	(5)
<u>2.154</u>	<u>Light manufacturing</u>	<u>C</u>	<u>II</u>	<u>(4)(i), (5)</u>
<u>2.1654</u>	Uses similar to permitted uses above	C	II	(4)(a)
<u>3.</u>	<u>Industrial</u>			
<u>3.1</u>	<u>Light manufacturing</u>	<u>A</u>	<u>I or II</u>	<u>(4)(a) or (5)</u>
<u>4.</u>	<u>Agricultural</u>			
<u>4.1</u>	Raising and harvesting crops or the feeding, breeding and management of livestock, poultry or fur bearing animals, including structures for these uses	A	P	(4)(<u>k</u>)

5.0	Public Uses and Facilities			
5.1	Public and semipublic buildings, structures and uses rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.	A	I	(4)(a)
5.2	Publicly oriented uses such as libraries, community centers, medical facilities, post offices, etc.	A	I	(4)(a)
5.3	Transportation facilities and uses as specified in LC 16.265(3)(a) through (m).	A	P	
5.4	Transportation facilities and uses as specified in LC 16.265(3)(n) through (q).	C	II	(5), LC 16.265
5.5	Changeout to an existing telecommunication tower	A	I	LC 16.264
5.6	Collocation to an existing telecommunication tower: Spectrum Act exemption eligible	A	I	LC 16.264
5.7	Collocation to an existing telecommunication tower	C	II	LC 16.264
5.8	New telecommunications tower or replacement tower	C	III	LC 16.264
5.9	An onsite sewage disposal system for a use on a nearby property	A	P	(4)(l i)
5.10	Parks, playgrounds, outdoor community gathering spaces, picnic areas	A	I	(4)(a)
5.11	Publicly oriented infrastructure such as bike parking and bike maintenance, public restrooms, paths or trails, outdoor tourist attractions featuring displays of	A	P	

	education or historical value, etc.			
5.12	Community sewerage facilities and drainfields	A	I	(4)(a)
5.13	Uses similar to permitted uses above	C	II	(4)(nb), (5)
6.0	Other			
6.1	Maintenance, repair, or replacement of lawfully (per LC Chapter 16) existing uses and development not authorized elsewhere by LC 16.286-1.	A	P	
6.2	Fish and wildlife habitat management	A	P	
6.3	Structures and uses accessory to the primary use, including convenience and decorative elements	A	P	
6.4	Parking Area not directly related to a primary use on the same development site	A	P	
7.0	Outdoor Gatherings			
7.1	An outdoor gathering of fewer than 3,000 persons, that is not anticipated to continue for more than 120 hours in any three-month period	A	P or AL (if over 1,000 persons)	LC 3.995
7.2	An outdoor mass gathering of more than 3,000 persons, that is not anticipated to continue for more than 120 hours in any three-month period, and which is held primarily in open spaces and not in any permanent structure as provided in ORS 433.735-760	C	III	ORS 433.735-760

7.3	Any outdoor gathering of more than 3,000 persons that is anticipated to continue for more than 120 hours in any three-month period is subject to review by the Planning Commission under ORS 433.763, notwithstanding Type III Hearings Official review	C	III	(4)(j)
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(4) Use Standards

(a) Commercial Use Compatibility Standards.

(i) Parking - Does not need to follow parking minimums of LC 16.250 but any off-street parking must meet requirements of Oregon Structural Specialty Code.

(ii) Hazards - Commercial ~~or Industrial~~ uses must not involve the manufacturing, processing, generation, or storage of materials that constitute a high fire, explosion or health hazard as defined by Section 307 of the Oregon Structural Specialty Code.

(iii) Occupancy - Commercial ~~or Industrial~~ uses must not allow over 49 people at one time within the structure exceed that of Class B occupancy loads as classified by the Oregon Structural Specialty Code.

(iv) Outdoor Storage - Outdoor storage of materials or merchandise on a property with a commercial use must not encompass more than five percent of the property area, unless screened from being visible from streets and adjacent properties. For purposes of this provision, the property area will be considered the tax lot area.

(v) Floor Space - One commercial use shall not take place in a building or buildings that exceed 4,000 square feet of floor space. One building may contain multiple commercial uses and the floor space limit applies to each commercial use.

~~(b) Use Similar. A Use Similar finding shall be made by the Planning Director, upon request of an applicant, with the exception of development within the Blue River Drive Overlay. Such a finding shall apply the following criteria:~~

~~(i) Use is consistent with the purpose and intent of the District~~

~~(ii) Comparison of the proposed use with those now permitted outright, within this District, as measured by:~~

~~_____ (a) Bulk, size, and operating characteristics of the proposed use.~~

~~_____ (b) Parking demand, customer types and traffic generation.~~

~~_____ (c) Intensity of land use of the site.~~

~~_____ (d) Potential demand for public facilities and services.~~

~~(e) Products or services produced or vendod on or from the site.~~

~~(iii) It shall be the applicant's responsibility to provide sufficient information to allow the Director to make the above determination.~~

(be) Multiple Dwelling. Placement of a Multiple Dwelling is allowed where no other single-family dwelling, manufactured home or duplex exist on the property.

(ce) Accessory Dwelling Units.

(i) Definitions. For the purposes of LC 16.286(4)(d), unless otherwise specifically provided, certain words, terms, and phrases are defined as follows:

(a) "Accessory dwelling unit" (ADU) means a residential structure that is used in connection with or that is auxiliary to a single-family dwelling (attached or detached) or duplex.

(b) "Historic home" means a single-family dwelling constructed between 1850 and 1945.

(c) "New" means that the dwelling being constructed did not previously exist in residential or nonresidential form. "New" does not include the acquisition, alteration, renovation, or remodeling of an existing structure.

(d) "Usable floor area" means the area included within the surrounding insulated exterior walls of a structure, exclusive of attached garages, carports, decks, stairs, porch covers, or similar appurtenances.

(e) "Vacation occupancy" means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

(aa) The occupant rents the unit for vacation purposes only, not as a principal residence;

(bb) The occupant has a principal residence other than at the unit; and

(cc) The period of authorized occupancy does not exceed 45 days.

(ii) Criteria for ADUs. A lot or parcel may qualify for one (1) ADU pursuant to the criteria under either subsection (xi) or (xii) below and provided:

(a) At least one single-family dwelling (attached or detached) or duplex is sited on the lot or parcel, but no more than a total of two dwelling units already exist on the lot or parcel;

(b) The ADU complies with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment; and,

(c) The ADU must comply with the property development standards of LC 16.286(7).

(d) A subdivision, partition or other division of the lot or parcel so that the existing single-family dwelling (attached or detached) or duplex is situated on a different lot or parcel than the ADU may not be approved.

(e) Only one ADU as defined by LC 16.286(4)(d)(i) and allowed by LC 16.286(3)(1.3) is allowed on a qualifying lot or parcel.

~~(f) ADUs may be allowed subject to submittal of a Type I application pursuant to the procedures of LC Chapter 14.~~

(g) The provisions of LC 16.286(4)(d) do not apply to guest houses or accessory residential structures.

(h) ADUs located on lots or parcels within the boundaries of an area designated by the Rural Comprehensive Plan as being an unincorporated community must have an adequate supply of water. If the lot or parcel is served by an individual water supply system, the system must meet the standards of Lane Manual 9.005.160, or if served by a public or community water system, the applicant must submit evidence that the service agency is mutually bound and able to serve the development.

(i) An ADU in the community flex use zone is allowed subject to LC ~~16.286(4)(c)~~(4)(~~ca~~)ii(a) through (j) and must meet all of the following standards:

(aa) The ADU will be located no farther than 100 feet from the existing single-family dwelling (attached or detached) or duplex, measured from a wall of the ~~single-family~~ dwelling to the nearest part of the usable floor area of the ADU.

(bb) The ADU will not include more than 900 square feet of usable floor area as defined by LC 16.286(4)(d)(i)(d).

(cc) The existing single-family dwelling (attached or detached) or duplex on the lot or parcel is not subject to an order declaring it a nuisance or subject to any pending action under ORS 105.550 to 105.600.

(dd) The lot or parcel on which the ADU is located is served by a fire protection district that complies with ORS 181A.410.

(ee) The applicant provides written certification from the applicable fire district, on a form prepared by Lane County, that access to the property meets minimum fire district requirements to provide emergency services to the property.

(ff) No portion of the lot or parcel is within a designated area of critical state concern as defined in Oregon Administrative Rule 660-043.

(gg) If the water supply source for the ADU or associated lands or gardens will be a well using water under ORS 537.545 (1)(b) or (d), no portion of the lot or parcel is within an area in which new or existing ground water uses under ORS 537.545 (1)(b) or (d) have been restricted by the Water Resources Commission.

(hh) The applicant signs and records a restrictive covenant with Lane County Deeds and Records stating that the ADU allowed under this section will not be used for vacation occupancy, as defined by LC 16.286(4)(d)(i)(e).

(ii) An existing single-family dwelling ([attached or detached](#)) or [duplex](#) and an ADU allowed under this section are considered a single unit for the purposes of calculating exemptions under ORS 537.545(1).

(jj) The accessory dwelling unit complies with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:

(A) The lot or parcel is in an area identified as a high wildfire hazard zone on the statewide wildfire hazard map described in ORS 477.490; or

(B) No statewide wildfire hazard map has been adopted.

(kk) If the lot or parcel is in an area identified on the statewide wildfire hazard map described in ORS 477.490 as within the wildland urban interface, the lot or parcel and ADU must comply with the defensible space requirements for wildfire risk reduction established by the State Fire Marshal under ORS 476.392 and any applicable local requirements for defensible space established by the local government pursuant to ORS 476.392.

(j) Conversion of a historic home to an ADU in the community flex use zone is allowed subject to LC 16.286(4)(d)(ii)(a) through (h) and provided:

(aa) The owner of a lot or parcel within an area zoned for community flex uses constructs a new dwelling unit;

(bb) A historic home, as defined by LC 16.286(4)(d)(i)(b), is sited on the lot or parcel;

(cc) The owner converts the historic home to an ADU upon completion of the dwelling unit; and,

(dd) ADUs established pursuant to LC 16.286(4)(d)(ii)(j) may not be:

(A) Altered, renovated, or remodeled so that the usable floor area of the ADU is more than 120 percent of the historic home's usable floor area at the time construction of the new dwelling commenced.

(B) Rebuilt if the structure is deemed a dangerous building due to fire, pursuant to the Uniform Code for the Abatement of Dangerous Buildings, which defines "dangerous building" as "Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location." The applicant must sign and record with Lane County Deeds and Records a restrictive covenant stating that an ADU allowed under this section cannot be rebuilt if deemed a dangerous building as described in this section. (~~Revised by Ordinance No. 6-02, Effective 5-16-02; 10-04, 6-4-04; 5-~~

~~04, 7.1.04; 6-10, 9.18.10; 7-12, 12.28.12; 14-09, 12.16.14;
15-03, 04.17.15; 20-05, 6.16.20; 23-05, 8.29.23)~~

(de) Guest House or Accessory Residential Structure. A structure that contains area for residential use or occupancy, that includes a toilet or bathroom, and that complies with these requirements:

- (i) The total floor area of the structure is no more than 850 square feet;
- (ii) The structure does not contain a kitchen.
- (iii) The structure is located on a lot or parcel that has a lawfully existing single-family dwelling (attached or detached) or duplex on it and that does not have ~~three~~ or more permanent dwellings, a guest house or another accessory residential structure on it;
- (iv) Sewage disposal for the structure is connected to the same onsite sewage disposal system, or community or public sewer connection, and the same electrical meter as the existing dwelling on the same lot or parcel; and
- (v) The structure shall not have an address.
- (vi) The conversion of a lawfully existing dwelling to an accessory residential structure or guest house is allowed if it complies with these requirements:

(a) The dwelling for the conversion shall be a lawful dwelling existing on the date of the adoption of this requirement;

(b) The kitchen sink and cooking facilities shall be removed from the existing dwelling and not replaced. When the kitchen sink is removed, the plumbing shall be capped-off at the wall, and the kitchen sink shall not be replaced. When the cooking facilities are removed, the power source shall be removed. Any 220 circuits used for the cooking facilities shall be disconnected at the circuit box and approval of any required electrical permits for the disconnection shall be obtained, and the electrical circuit and cooking facilities shall not be replaced. Except for a bathroom and/or a laundry sink, a sink or cooking facilities shall not be located elsewhere in the guest house structure;

(c) The address shall be removed from the guesthouse and not replaced;

(d) The property owner shall record a covenant with the Lane County Clerk disclosing that a kitchen sink or cooking facilities cannot be placed in the guest house and that it is an accessory residential structure that cannot be separated from the remainder of the parcel that contains the dwelling

(ef) Temporary Medical Hardship- Not more than one manufactured home, recreational vehicle or the temporary residential use of an existing building on a lot or parcel, in addition to an existing dwelling, manufactured home or duplex, as a temporary use for the term of a medical hardship suffered by a resident of the existing dwelling, manufactured home or duplex, or a relative of the resident, subject to compliance with these requirements:

- (i) The property owner or authorized representative of the property owner shall submit to the Director an application on the form provided by the Director.

(ii) A resident of the existing dwelling, manufactured home or duplex has a medical hardship and needs care for daily living from a resident of the temporary hardship dwelling; or

(iii) A resident of the temporary hardship dwelling is a relative of a resident of the existing dwelling, manufactured home or duplex, has a medical hardship and needs care for daily living which will be provided by a relative living in the existing dwelling, manufactured dwelling or duplex. `Relative' means grandparent, step grandparent, grandchild, parent, stepparent, child, brother, sister, step sibling, aunt, uncle, niece or nephew or first cousin of a resident of the existing dwelling, manufactured dwelling or duplex.

(iv) Evidence of the medical hardship and a description of the family relationship and assistance with the daily living that will be provided shall be furnished and shall consist of:

(a) A written statement from a medical physician disclosing the existence of and need for the medical hardship;

(b) Any family relationship between the person with the hardship and the person who will provide care; and

(c) The general nature of the care that will be provided.

(v) The temporary hardship dwelling shall be located on the same lot or parcel as the existing dwelling, manufactured home, or duplex.

(vi) The hardship dwelling shall be connected to the same on-site sewage disposal system serving the existing dwelling, manufactured home, or duplex. If that sewage disposal system is not adequate for the connection, as determined by the Lane County Sanitarian, to accommodate the addition of the temporary hardship dwelling, then that sewage disposal system shall be improved to meet the Oregon Department of Environmental Quality (DEQ) requirements in order to accommodate the addition of the temporary dwelling. A separate on-site sewage disposal system meeting DEQ requirements for the temporary dwelling may be used, when in the opinion of the Lane County Sanitarian, connecting the temporary dwelling to the existing sewage disposal system would be impracticable because of the physical conditions of the subject property. The use of the separate sewage disposal system by the temporary dwelling shall be discontinued when the hardship ceases and shall not be used for other purposes unless in compliance with LC Chapter 16.

(vii) The temporary hardship dwelling shall comply with applicable Oregon Department of Environmental Quality review and removal requirements.

(viii) The temporary hardship dwelling shall not be allowed if there is an accessory living structure, as defined by LC 16.286(4)(~~df~~)(~~i~~ through ~~vi~~), on the same lot or parcel.

(ix) Except as provided in LC 16.286(4)(~~ef~~)(x) below, approval of a temporary hardship dwelling permit shall be valid until December 31 of the year following the year of original permit approval and may be renewed once every two years until the hardship situation ceases or unless in the opinion of the Lane County Sanitarian the on-site sewage disposal system no longer meets DEQ requirements.

(x) Within 90 days of the expiration date of the temporary hardship permit, the end of the hardship, or the care provider no longer residing in the temporary hardship

dwelling, the hardship dwelling shall be removed from the property, converted to an allowable nonresidential use or demolished.

~~(f)~~ **Bed and Breakfast.** Not more than one bed and breakfast accommodation on a lot or parcel and in a dwelling, manufactured dwelling or duplex. A bed and breakfast accommodation shall have no more than five sleeping rooms provided on a daily or weekly period, not to exceed 29 consecutive days, for the use of travelers or transients for a charge or fee. Provision of a morning meal is customary as implied by title.

(g) Minor home occupation.

(i) No more than five persons shall work in the minor home occupation and/or home office, including the operator. With the following exception, these persons shall reside on the lot or parcel where the minor home occupation and/or home office are located: one of these persons may reside off the lot or parcel where the minor home occupation and/or home office are located.

(ii) The minor home occupation and/or home office shall be conducted substantially in the dwelling or in an attached or detached structure and shall not exceed 1,000 square feet in floor area. "Operated substantially in" means indoors except for accessory minor home occupation uses that are normally located outdoors such as: roads or driveways for ingress and egress; areas for loading or unloading business vehicles; parking for vehicles operated as part of the home occupation; screened storage areas and maintenance of minor home occupation vehicles.

(iii) Customers, not including business or delivery vehicles, shall not come for the conduct of business to the property where the minor home occupation and/or home office are located.

(iv) Use of buildings or structures for the minor home occupation shall not involve the manufacturing, processing, generation or storage of materials that constitute a high fire, explosion or health hazard as defined by Section 307 of the Oregon Structural Specialty Code.

(h) Family child care home. A child care facility in a dwelling that is caring for not more than 16 children and is certified under ORS 329A.280(2) or is registered under ORS 329A.330.

(i) Child care center. A child care facility, other than a family child care home, that is certified under ORS 329A.280(3).

~~(j) Light industrial. Small-scale, low-impact manufacturing, assembling, processing, packaging, storage, wholesale distribution, testing, or repairing that does not include radioactive materials or hazardous waste byproducts in the manufacturing process and that may occur outside a building or in one or more buildings containing not more than 40,000 square feet of floor area in any one or combination of buildings on the same parcel or lot. Light Industrial uses may occur in one or more buildings containing not more than 4,000 square feet per use. Uses are limited to the ones listed below.~~

(i) Construction: Contractors and related businesses. This category comprises businesses whose primary activity is performing specific building or other construction related work. Examples of contractors are residential and nonresidential building construction, utility/civil engineering construction, specialty trade contractors, and moving companies. Examples of related businesses are engineering, architectural and surveying services and which often take place in office-type buildings;

(ii) Light manufacturing, compounding, assembly, packaging, fabrication and repair (e.g., appliances, electronics, equipment, printing, furniture, cosmetics, signs, boats, and similar goods) with incidental sales associated with a permitted use;

(iii) Research and development facilities;

(iv) Food processing, packaging, and storage.

(k) Raising and harvesting crops or the feeding, breeding and management of livestock, poultry or fur bearing animals, including structures for these uses. Animals and bees shall not exceed the following numbers per each acre of the subject CFU zoned property:

(i) One goat, sheep, llama or alpaca per 8,000 square feet not including offspring younger than 6 months old from one of the female animals being counted.

(ii) 10 chickens, other fowl or rabbits per 8,000 square feet.

(iii) The number of colonies of bees allowed on a property shall be limited to one colony for each 8,000 square feet of lot area and shall be located no closer than 15 feet from any property line.

(iv) One horse, cow, or swine per acre not including offspring younger than 6 months old from one of the female animals being counted.

(l) An onsite sewage disposal system for a use on an adjacent property. The property shall be contiguous along a boundary or a point of the subject property including those separated by the right-of-way of a road. The sewage disposal system on an adjacent property must be accompanied by a perpetual access and maintenance easement.

(m) Any outdoor gathering of more than 3,000 people for more than 120 hours within any three-month period must comply with the following requirements:

(i) The applicant has complied or can comply with the requirements for an outdoor mass gathering permit set out in ORS 433.750;

(ii) The proposed gathering is compatible with existing land uses;

(iii) The proposed gathering shall not materially alter the stability of the overall land use pattern of the area; and

(iv) The provisions of ORS 433.755 shall apply to the proposed gathering.

(nk) Uses Similar. A Uses Similar finding shall be made by the Planning Director, upon request of an applicant, with the exception of development within the Blue River Drive Overlay. It shall be the applicant's responsibility to provide sufficient information to allow the Director to make the above determination. Such a finding shall apply the following criteria:

(i) Use is consistent with the purpose and intent of the District.

(ii) Comparison of the proposed use with those now permitted outright, within this District, as measured by:

(a) Bulk, size, and operating characteristics of the proposed use.

(b) Parking demand, customer types and traffic generation.

(c) Intensity of land use of the site.

(d) Potential demand for public facilities and services.

(e) Products or services produced or vended on or from the site.

(iii) It shall be the applicant's responsibility to provide sufficient information to allow the Director to make the above determination.

(5) Conditional Use Review Criteria

Approval Criteria. Uses and development listed as Conditional in LC 16.286(3), except for telecommunication facilities allowed in LC 16.286(3)(5.5)-(5.8), shall comply with the requirements in LC 16.286(5) below. Telecommunications facilities allowed by LC ~~16.286(3)(5.5)-(5.8)~~~~90(4)(d)~~ above shall comply with the requirements in LC 16.264.

(a) The proposed use and development sShall not create significant adverse impacts on existing uses on adjacent and nearby lands or on uses permitted by the zoning of adjacent or nearby undeveloped lands;

(b) Where necessary, measures are taken to minimize potential negative impacts on adjacent and nearby lands;

(c) The proposed use and development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service. To address this requirement, factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available; and

(d) The proposed use and development shall not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.

(6) Area

(a) The minimum area requirement for the creation of lots or parcels shall be 8,000 square feet.

(b) The minimum area requirement for lots or parcels shall be 5,000 square feet if evidence is provided that it may be served by a sewer system, community drainage system or a shared private wastewater system off-site.

(7) Development Standards

All uses or development permitted by LC 16.286(3), except as may be provided therein, shall comply with the following development standards:

(a) Property Line Setbacks. Structures other than a fence or sign shall be located:

(i) At least 5 feet from the right-of-way of a State road, County road or a local access public road specified in LC Chapter 15;

(ii) At least 5 feet from all other property lines, 0 feet if the structures are attached across properties;

(iii) Notwithstanding LC 16.286(7)(a)(ii) above, a structure that contains less than 120 square feet of floor area and that is located more than 10 feet from other structures may be located in the 5-foot setback ~~otherwise required by LC 16.286(7)(a)(ii) above~~ provided it complies with LC 16.286(7)(b) below.

(b) Riparian Setback Area

(i) Except for property located between the Eugene-Springfield Metropolitan Area General Plan Boundary and the Eugene and Springfield Urban Growth Boundaries, where setbacks are provided for in LC 16.253(6), the riparian setback area shall be the area between a line 50 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence shall be located closer than 50 feet from the ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) or LC 16.253(6), as applicable, are met.

(ii) Maintenance, removal and replacement of indigenous vegetation within the riparian setback area designated for riparian vegetation protection by the comprehensive plan must comply with the provisions of LC 16.253(2) or LC 16.253(6), as applicable.

(c) Height

(i) Maximum building or structure height of 40 feet, with the exception of telecommunication facilities as regulated by LC 16.264.-

(ii) Buildings and structures may be over 40 feet with information from a Fire Protection District confirming the building or structure can be adequately served by the firefighting equipment of the agency providing fire protection.

(iii) 10-foot minimum floor-to-floor height.

(d) Lighting and Signs

(i) Exterior lighting must be directed downward and shielded by enclosure within a full cutoff fixture. A cutoff fixture is one that prevents the light from being directly visible at or above 90 degrees from the light source.

(ii) Signs must not extend over a public right-of-way or project beyond the property line.

(iii) Signs may not be illuminated between the hours of 10 pm and 7 am and in no case be flashing or capable of movement.

(iv) Individual signs are limited to 200 square feet. In no case may total signage on a property exceed one square foot per foot of right-of-way frontage.

(v) Signs must not project above the height of the tallest structure on the property.

(e) Parking

(i) For residential uses, off-street parking shall be provided in accordance with LC 16.250(1).

(ii) For all other uses, there is no minimum off-street parking requirement.

(8) Additional Subdivision Provisions

Subdivisions, as defined by Lane Code 13.030(3)(kk), in the CFU zone are subject to the following provisions in addition to Lane Code Chapter 13 and any other applicable regulations. The goal of the additional subdivision provisions is to promote safe, comfortable transportation conditions for all modes, enhance bikeability and walkability, and integrate roadway standards better suited for unincorporated communities.

(a) Internal Road Design

New roads or extension of existing roads created as a result of a subdivision within the CFU zone are subject to the following standards:

(i) Be developed as Local Access Roads (LAR) if generated average daily traffic (ADT) is 100 or less and be accompanied by a perpetual maintenance agreement subject to ~~LC 15.045, 15.053, and 15.706~~[Lane Code Chapter 15](#).

~~(ii) Notwithstanding LC 15.706(13), on-street parallel parking is allowed on new roads or extensions of existing roads, if proposed at the time of subdivision. If on-street parking is proposed, the minimum private access easement width provided in Table 10 of LC 15.706 and minimum roadway width in Table 11 of LC 15.706 must be increased by 8 feet for each side of the road proposed to be utilized for on-street parking.~~

(iii) Be developed as Rural Local Roads if generated ADT is above 100, subject to ~~LC 15.705~~[Lane Code Chapter 15](#).

~~(ivaa) Notwithstanding LC 15.705(14), on-street parallel parking is allowed on new roads or extensions of existing roads, if proposed at the time of subdivision. If on-street parking is proposed, the minimum pavement width provided in Table 9 of LC 15.705 must be increased by 8 feet for each side of the road proposed to be utilized for on-street parking.~~

(iv) The subdivision shall be configured to utilize a street grid pattern with street connections and access points as close to 90 degrees as feasible when considering local terrain, slopes, natural hazards, and existing development.

(b) Additional Standards

The following subdivision standards are not approval criteria but are strongly encouraged:

(i) New roads created as a result of the subdivision should be designed in the most efficient manner to allow emergency services and efficient use of land; and,

(ii) Opportunities for connective pedestrian infrastructure such as sidewalks and pathways for multi-modal transportation and for recreation should be considered within the subdivision and where connections can be made to existing or planned infrastructure offsite on contiguous properties.

Community Residential (CR)

16.285 Community Residential (CR-RCP)

(1) Purpose

The purposes of the Community Residential Zone (CR) are:

- (a) To implement the policies of the Lane County Rural Comprehensive Plan (RCP) pertaining to developed and committed lands within unincorporated communities. LC 16.285 does not apply to lands designated by the RCP as non-resource lands;
- (b) To promote a compatible and safe rural community residential living environment by limiting allowed uses and development to primary and accessory rural residential uses and to other rural uses compatible with rural residential uses and the uses of nearby lands;
- (c) To provide protective measures for riparian vegetation along Class I streams designated as significant in the RCP; and
- (d) To provide that LC 16.285 shall not be retroactive and that the Director shall not have authority to initiate compliance with LC 16.285 for uses and development lawfully existing (per LC Chapter 16) on the effective date that LC 16.285 was applied to the subject property.

(2) All development

A proposed use and development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service. To address this requirement, factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available.

(3) Use Table

Table of Permitted Uses

Table 16.285-1 sets forth the uses allowed subject to Type I, II, or III approval procedures in the community flex-use districts. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require review using Type I, II, or, III procedures, unless otherwise specified on Table 16.285-1. All uses and their accessory buildings are subject to the general provisions, special conditions, additional restrictions and exceptions set forth in this Chapter.

As used in Table 16.285-1:

(a) Uses:

- (i) "A" means the use is outright allowed or permitted subject to standards.
- (ii) "C" means the use is a Conditional Use, subject to Section (5)
- (iii) "X" means use is not allowed.

(b) Procedures:

- (i) "P" means the use is permitted outright; uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this Chapter.

(ii) Type I uses and activities are permitted subject to the general provisions and exceptions set forth by this chapter of Lane Code and LC 14.030(1)(a).

(iii) Type II uses may be allowed provided a land use application is submitted and approved through the Type II procedure set forth in LC Chapter 14.

(iv) Type III uses may be allowed provided a land use application is submitted and approved by the Hearings Official pursuant to LC Chapter 14.

(v) "AL" means Assembly License, subject to LC 3.995.

(vi) "X" means no new use is allowed.

(c) The "Subject To" column identifies any specific provisions of LC 16.285 to which the use is subject. All uses and development are subject to the development standard provisions of LC 16.285(7).

(d) A determination by the Director for whether or not a use fits within the classification of uses listed as Type I, Permitted Outright, or Assembly License in the use table may constitute a "permit" as defined by ORS 215.402(4). "...discretionary approval of a proposed development of land..." An owner of land where the use would occur therefore may request to elevate review of a Type I, Permitted Outright, or Assembly License use to a Type II land use application pursuant to LC Chapter 14. The burden of proof in the application will be upon the owner of land to demonstrate that the proposed use fits within the classification.

Table 16.285-1: Use Table for CR Zones				
I = Type I II = Type II III = Type III				
P = Permitted Outright AL = Assembly License X = Prohibited				
Use		Use Type	Local Procedure	Subject To
1.	Residential			
1.1	Placement, alteration, and maintenance of up to two Single-Family Dwellings; attached or detached, or up to two manufactured dwellings, or a Two-Family Dwelling on a lot or parcel	A	P	
1.2	Accessory Dwelling Unit	A	I	(4)(a)
1.3	Temporary Medical Hardship	A	I	(4)(b)
1.4	Bed and breakfast	A	P	(4)(c)
1.5	One residential home	A	P	
1.6	One childcare facility Family child care home	A	P	(4)(g)
1.7	One group home	A	P	

<u>1.8</u>	<u>One nursing home</u>	<u>A</u>	<u>P</u>	
1.97	Minor home occupation	A	P	(4)(d)
1.8	Home occupation	C	H	(4)(e), (5)
1.119	Guest house	A	P	(4)(f)
1.120	Mobile home park existing on a property prior to 1984	A	P	(4)(ig)
<u>1.10</u>	<u>Home occupation</u>	<u>C</u>	<u>II</u>	<u>(4)(e), (5)</u>
2.	Public Facility			
2.1	Public and semipublic buildings and structures	A	P	
2.2	Churches	A	P	
<u>2.3</u>	<u>Parks, playgrounds, outdoor community gathering places, paths or trails</u>	<u>A</u>	<u>P</u>	
2.42	Transportation facilities and uses as specified in LC 16.265(3)(a) through (m).	A	P	
2.53	Transportation facilities and uses as specified in LC 16.265(3)(n) through (q).	C	II	(5), LC 16.265
2.64	Changeout to an existing telecommunication tower	A	I	LC 16.264
2.75	Collocation to an existing telecommunication tower: Spectrum Act exemption eligible	A	I	LC 16.264
2.86	Collocation to an existing telecommunication tower	C	II	LC 16.264
2.97	New telecommunications tower or replacement tower	C	III	LC 16.264
2.108	Uses similar to permitted uses above	C	II	(5)
3.0	Other			
3.1	Farm uses	A	P	(4)(i)

3.2	Forest uses	A	P	(4)(ki)
3.3	Roadside stand	A	P	(4)(li)
3.4	Noncommercial dog kennels	A	P	(4)(mk)
<u>3.5</u>	<u>Commercial kennel or commercial breeding kennel</u>	<u>C</u>	<u>II</u>	<u>(4)(nl)</u>
<u>3.65</u>	Rock, sand, gravel or loam excavation or extraction	A	P	
<u>3.76</u>	Fish and wildlife habitat management	A	P	
<u>3.87</u>	Structures accessory to the primary use, including convenience and decorative elements	A	P	
<u>3.98</u>	Uses similar to permitted uses above	C	II	(5)
4.0	Outdoor Gatherings			
4.1	An outdoor gathering of fewer than 3,000 persons, that is not anticipated to continue for more than 120 hours in any three-month period	A	P or AL (if over 1,000 persons)	LC 3.995
4.2	An outdoor mass gathering of more than 3,000 persons, that is not anticipated to continue for more than 120 hours in any three-month period, and which is held primarily in open spaces and not in any permanent structure as provided in ORS 433.735-760	C	III	ORS 433.735-760
4.3	Any outdoor gathering of more than 3,000 persons that is anticipated to continue for more than 120 hours in any three-month period is subject to review by the Planning Commission under ORS 433.763, notwithstanding Type III Hearings Official review	C	III (LCPC)	(4)(ok)

(4) Use Standards

(a) Accessory Dwelling Units.

(i) Definitions. For the purposes of LC 16.285(4)(a), unless otherwise specifically provided, certain words, terms, and phrases are defined as follows:

(a) "Accessory dwelling unit" (ADU) means a residential structure that is used in connection with or that is auxiliary to a single family dwelling or duplex.

(b) "Area zoned for community residential use" means lands that are zoned Community Residential (CR, RCP), not located inside an urban growth boundary as defined in ORS 195.060, and that are subject to an acknowledged exception to a statewide land use planning goal relating to farmland or forestland and planned and zoned by the county to allow residential use as a primary use.

(c) "Historic home" means a single-family dwelling constructed between 1850 and 1945.

(d) "New" means that the dwelling being constructed did not previously exist in residential or nonresidential form. "New" does not include the acquisition, alteration, renovation or remodeling of an existing structure.

(e) "Usable floor area" means the area included within the surrounding insulated exterior walls of a structure, exclusive of attached garages, carports, decks, stairs, porch covers, or similar appurtenances.

(f) "Vacation occupancy" means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

(aa) The occupant rents the unit for vacation purposes only, not as a principal residence;

(bb) The occupant has a principal residence other than at the unit; and

(cc) The period of authorized occupancy does not exceed 45 days.

(ii) Criteria for ADUs. A lot or parcel may qualify for one (1) ADU pursuant to the criteria under either subsection (k) or (l) below and provided:

(a) The lot or parcel is at least one acres in size;

(b) At least one single-family dwelling or duplex is sited on the lot or parcel;

(c) The lot or parcel is not located within an urban reserve area, consistent with ORS 195.137;

- (d) The ADU complies with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment; and,
- (e) The ADU must comply with the property development standards of LC 16.285(7).
- (f) A subdivision, partition or other division of the lot or parcel so that the existing single-family dwelling or duplex is situated on a different lot or parcel than the ADU may not be approved.
- (g) Only one ADU as defined by LC 16.285(4)(a)(i)(a) is allowed on a qualifying lot or parcel.
- (h) ADUs may be allowed subject to submittal of a Type I application pursuant to the procedures of LC Chapter 14.
- (i) The provisions of LC 16.285(4)(a) do not apply to guest houses or accessory residential structures, as allowed by LC 16.285(4)(f).
- (j) ADUs located on lots or parcels within the boundaries of an area designated by the Rural Comprehensive Plan as being an unincorporated community must have an adequate supply of water. If the lot or parcel is served by an individual water supply system, the system must meet the standards of Lane Manual 9.005.160, or if served by a public or community water system, the applicant must submit evidence that the service agency is mutually bound and able to serve the development.
- (k) An ADU in the community residential zone is allowed subject to LC 16.285(4)(a)(ii)(a) through (j) and must meet all of the following standards:
 - (aa) The ADU will be located no farther than 100 feet from an existing single family dwelling or duplex, measured from a wall of the single-family dwelling to the nearest part of the usable floor area of the ADU.
 - (bb) The ADU will not include more than 900 square feet of usable floor area as defined by LC 16.285(4)(a)(i)(e).
 - (cc) The existing single-family dwelling on the lot or parcel is not subject to an order declaring it a nuisance or subject to any pending action under ORS 105.550 to 105.600.
 - (dd) The lot or parcel on which the ADU is located is served by a fire protection district that complies with ORS 181A.410.
 - (ee) The applicant provides written certification from the applicable fire district, on a form prepared by Lane County, that access to the property meets minimum fire district requirements to provide emergency services to the property.
 - (ff) No portion of the lot or parcel is within a designated area of critical state concern as defined in Oregon Administrative Rule 660-043.

(gg) If the water supply source for the ADU or associated lands or gardens will be a well using water under ORS 537.545 (1)(b) or (d), no portion of the lot or parcel is within an area in which new or existing ground water uses under ORS 537.545 (1)(b) or (d) have been restricted by the Water Resources Commission.

(hh) The applicant signs and records a restrictive covenant with Lane County Deeds and Records stating that the ADU allowed under this section will not be used for vacation occupancy, as defined by LC 16.285(4)(a)(i)(f).

(ii) An existing single-family dwelling and an ADU allowed under this section are considered a single unit for the purposes of calculating exemptions under ORS 537.545(1).

(jj) The accessory dwelling unit complies with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:

(A) The lot or parcel is in an area identified as a high wildfire hazard zone on the statewide wildfire hazard map described in ORS 477.490; or

(B) No statewide wildfire hazard map has been adopted.

(kk) If the lot or parcel is in an area identified on the statewide wildfire hazard map described in ORS 477.490 as within the wildland urban interface, the lot or parcel and ADU must comply with the defensible space requirements for wildfire risk reduction established by the State Fire Marshal under ORS 476.392 and any applicable local requirements for defensible space established by the local government pursuant to ORS 476.392.

(l) Conversion of a historic home to an ADU in the community residential zone is allowed subject to LC 16.285(4)(a)(ii)(a) through (j) and provided:

(aa) The owner of a lot or parcel within an area zoned for community residential use constructs a new single-family dwelling or duplex;

(bb) A historic home, as defined by LC 16.285(4)(a)(i)(c), is sited on the lot or parcel;

(cc) The owner converts the historic home to an ADU upon completion of the new single-family dwelling or duplex; and,

(dd) ADUs established pursuant to LC 16.285(4)(a)(ii)(l) may not be:

(A) Altered, renovated, or remodeled so that the usable floor area of the ADU is more than 120 percent of the historic home's usable floor area at the time construction of the new single-family dwelling commenced.

(B) Rebuilt if the structure is deemed a dangerous building due to fire, pursuant to the Uniform Code for the Abatement of Dangerous Buildings, which defines “dangerous building” as “Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.” The applicant must sign and record with Lane County Deeds and Records a restrictive covenant stating that an ADU allowed under this section cannot be rebuilt if deemed a dangerous building as described in this section. (Revised by Ordinance No. 6-02, Effective 5.16.02; 10-04, 6.4.04; 5-04, 7.1.04; 6-10, 9.18.10; 7-12, 12.28.12; 14-09, 12.16.14; 15-03, 04.17.15; 20-05, 6.16.20; 23-05, 8.29.23)

(b) Temporary Medical Hardship- Not more than one manufactured home, recreational vehicle or the temporary residential use of an existing building on a lot or parcel, in addition to an existing dwelling, manufactured home or duplex, as a temporary use for the term of a medical hardship suffered by a resident of the existing dwelling, manufactured home or duplex, or a relative of the resident, subject to compliance with these requirements:

(i) The property owner or authorized representative of the property owner shall submit to the Director an application on the form provided by the Director.

(ii) A resident of the existing dwelling, manufactured home or duplex has a medical hardship and needs care for daily living from a resident of the temporary hardship dwelling; or

(iii) A resident of the temporary hardship dwelling is a relative of a resident of the existing dwelling, manufactured home or duplex, has a medical hardship and needs care for daily living which will be provided by a relative living in the existing dwelling, manufactured dwelling or duplex. ‘Relative’ means grandparent, step grandparent, grandchild, parent, stepparent, child, brother, sister, step sibling, aunt, uncle, niece, or nephew or first cousin of a resident of the existing dwelling, manufactured dwelling or duplex.

(iv) Evidence of the medical hardship and a description of the family relationship and assistance with the daily living that will be provided shall be furnished and shall consist of:

(aa) A written statement from a medical physician disclosing the existence of and need for the medical hardship;

(bb) Any family relationship between the person with the hardship and the person who will provide care; and

(cc) The general nature of the care that will be provided.

(v) The temporary hardship dwelling shall be located on the same lot or parcel as the existing dwelling, manufactured home, or duplex.

(vi) The hardship dwelling shall be connected to the same on-site sewage disposal system serving the existing dwelling, manufactured home, or duplex. If that sewage disposal system is not adequate for the connection, as determined by the Lane County Sanitarian, to accommodate the addition of the temporary dwelling, then that sewage disposal system shall be improved to meet the Oregon Department of Environmental

Quality (DEQ) requirements in order to accommodate the addition of the temporary dwelling. A separate on-site sewage disposal system meeting DEQ requirements for the temporary dwelling may be used, when in the opinion of the Lane County Sanitarian, connecting the temporary dwelling to the existing sewage disposal system would be impracticable because of the physical conditions of the subject property. The use of the separate sewage disposal system by the temporary dwelling shall be discontinued when the hardship ceases and shall not be used for other purposes unless in compliance with LC Chapter 16.

(vii) The temporary dwelling shall comply with applicable Oregon Department of Environmental Quality review and removal requirements.

(viii) The temporary hardship dwelling shall not be allowed if there is an accessory dwelling unit or guest house on the same lot or parcel.

(ix) Except as provided in LC 16.285(4)(b)(x) below, approval of a temporary hardship dwelling permit shall be valid until December 31 of the year following the year of original permit approval and may be renewed once every two years until the hardship situation ceases or unless in the opinion of the Lane County Sanitarian the on-site sewage disposal system no longer meets DEQ requirements.

(x) Within 90 days of the expiration date of the temporary hardship permit, the end of the hardship, or the care provider no longer residing in the temporary hardship dwelling, the hardship dwelling shall be removed from the property, converted to an allowable nonresidential use or demolished.

(c) Bed and Breakfast. Not more than one bed and breakfast accommodation on a lot or parcel and in a dwelling, manufactured dwelling or duplex. A bed and breakfast accommodation shall have no more than five sleeping rooms provided on a daily or weekly period, not to exceed 29 consecutive days, for the use of travelers or transients for a charge or fee. Provision of a morning meal is customary as implied by title.

(d) Minor Home Occupation. A minor home occupation and/or a home office that comply with these conditions:

(i) No more than five persons shall work in the minor home occupation and/or home office, including the operator. With the following exception, these persons shall reside on the lot or parcel where the minor home occupation and/or home office are located: one of these persons may reside off the lot or parcel where the minor home occupation and/or home office are located.

(ii) The minor home occupation and/or home office shall be conducted substantially in the dwelling or in an attached or detached structure and shall not exceed 1,000 square feet in floor area. "Operated substantially in" means indoors except for accessory minor home occupation uses that are normally located outdoors such as: roads or driveways for ingress and egress; areas for loading or unloading business vehicles; parking for vehicles operated as part of the home occupation; screened storage areas and maintenance of minor home occupation vehicles.

(iii) Customers, not including business or delivery vehicles, shall not come for the conduct of business to the property where the minor home occupation and/or home office are located.

(iv) No more than two trips per day shall be made by one or any combination of business delivery vehicles coming to the subject property in conjunction with the minor

home occupation and/or home office. This does not include US Postal Service delivery vehicles.

(v) The operation of sound producing tools, machinery and devices shall comply with LC 6.225 PROHIBITED NOISE, and shall comply with this more restrictive requirement. The operation of sound producing tools, machinery and devices as part of the minor home occupation, other than the vehicles of the owner, shall not produce "Plainly Audible Sound," as defined by LC 6.225.005, from any boundary of the subject property before 7:30 A.M. or after 5:30 P.M. on Monday through Friday, or before 11 A.M. or after 1 P.M. on Saturday through Sunday.

(vi) The operation of the minor home occupation shall comply with LC 9.570 NUISANCE, and shall comply with this more restrictive requirement. Odors from the home occupation shall not be plainly detectable from any boundary of the subject property before 7:30 A.M. or after 5:30 P.M. on Monday through Friday or before 11 A.M. or after 1 P.M. on Saturday through Sunday.

(vii) Advertising signs for the minor home occupation and/or home office shall not be displayed on the subject property or structures on the subject property.

(viii) Outdoor parking of vehicles used with the minor home occupation and/or home office shall not exceed a maximum of two motorized vehicles and two non-motorized vehicles such as trailers or flatbeds. The operation of these vehicles on the minor home occupation and/or home office property shall be limited to persons who qualify as workers of the minor home occupation and/or home office under LC 16.285(4)(d)(i) above and shall not involve more than three trips per day from and to the minor home occupation and/or home office property.

(ix) Use of buildings or structures for the minor home occupation shall not involve the manufacturing, processing, generation or storage of materials that constitute a high fire, explosion or health hazard as defined by Section 307 of the Oregon Structural Specialty Code.

(x) The Building Official shall determine if a building plan review application is necessary and shall issue a report with the determination. Any required building permits and certificates of occupancy shall be obtained by the operator prior to operation of the minor home occupation.

(e) Home Occupation. A home occupation is allowed subject to: prior submittal and approval of a land use application pursuant to Type II procedures of LC Chapter 14; and compliance of the home occupation with the requirements of LC 16.285(4)(e)(i) through (vi) below and where applicable elsewhere in LC Chapter 16.

(i) The purposes of LC 16.285(4)(e) are:

(a) To provide rural property owners with opportunities to work at home and to operate home occupation on their Community Residential zoned land;

(b) To assure that the operation of home occupation will be compatible with nearby uses;

(c) To recognize the uniqueness of each home occupation including its nature and scope, the characteristics of the development site and nearby property, and the impacts that it may have on the development site and nearby properties; and

(d) To comply with Statewide Planning Goal 14 by requiring more intensive commercial and industrial uses to locate in areas appropriately planned and zoned for these uses.

(ii) It shall be operated by a resident of the subject property.

(iii) It shall employ or contract on the subject property no more than five full or part-time persons. The operator shall be considered as one of the five employees.

(iv) It shall be operated substantially in the dwelling or other buildings normally associated with uses allowed by LC 16.285(3) above. Any structure that would not otherwise be allowed by LC 16.285(2) above shall not be allowed for use as a home occupation. LC 16.285(4)(e) above shall be implemented, in part, through compliance with these requirements:

(a) "Operated substantially in" means indoors except accessory home occupation uses that are normally located outdoors such as: advertising signs for the home occupation; roads or driveways for ingress and egress; areas for loading or unloading business vehicles; customer or employee parking spaces; parking for vehicles operated as part of the home occupation; screened storage areas; and outdoor accessory uses similar to the above as determined by the Approval Authority.

(b) To determine if a structure is one that would not otherwise be permitted by LC 16.285(3) above, the external and internal structure shall be examined. If a home occupation requires a special structure within which to operate that is not useable, without significant alteration, for other uses allowed by LC 16.285(3), then the home occupation shall not be allowed.

(c) The amount of building floor area of home occupation shall not exceed 4,000 square feet for any parcel or lot located inside an unincorporated community.

(v) It shall not interfere with existing uses permitted by LC Chapter 16 on nearby land or with other uses allowed by LC 16.285(3) above on nearby parcels without residences. Compliance with LC 16.285(4)(e) above shall include, but shall not necessarily be limited to, addressing the compatibility of these home occupation operation concerns:

(a) The number of business, service and customer vehicles and the adequacy of roads, driveways and parking for these vehicles;

(b) Buffering or screening of outdoor storage allowed under LC 16.285(4)(e)(iv)(a) above;

(c) Fire safety;

(d) The hours of operation;

(e) Any noise or odors;

(f) Outdoor lighting; and

(g) Appropriate handling of chemicals or substances that may be dangerous or harmful to the environment.

(vi) Approval of applications for home occupations are valid until December 31 of the year following the year that the application was initially approved. Prior to the expiration of the December 31 approval date, the property owner or applicant who received the approval shall provide the Director with written request for renewal of approval for the home occupation and written information. The Director shall determine if the home occupation has been operated in compliance with the conditions of approval. Home occupations that continue to be operated in compliance with the conditions of approval will receive a two-year extension of the approval. Home occupations for which a request for renewal of approval has not been received or which do not comply with the conditions of approval shall not be renewed by the Director. The Director shall provide the applicant with written notice of a decision to not renew the approval in accordance with Type II notice of decision procedures of LC Chapter 14. The applicant may appeal the Director's decision to the Hearings Official in accordance with LC 14.080.

(f) Guest House or Accessory Residential Structure. A structure that contains area for residential use or occupancy, that includes a toilet or bathroom, and that complies with these requirements:

(i) The total floor area of the structure is no more than 850 square feet;

(ii) The structure does not contain a kitchen.

(iii) The structure is located on a lot or parcel that has a lawfully existing dwelling or duplex on it and that does not have two or more permanent dwellings, a guest house or another accessory residential structure on it;

(iv) Sewage disposal for the structure is connected to the same onsite sewage disposal system, or community or public sewer connection, and the same electrical meter as the existing dwelling on the same lot or parcel; and

(v) The structure shall not have an address.

(vi) The conversion of a lawfully existing dwelling to an accessory residential guesthouse that complies with these requirements:

(aa) The dwelling for the conversion shall be a lawful dwelling existing on the date of the adoption of this requirement;

(bb) The kitchen sink and cooking facilities shall be removed from the existing dwelling and not replaced. When the kitchen sink is removed, the plumbing shall be capped-off at the wall, and the kitchen sink shall not be replaced. When the cooking facilities are removed, the power source shall be removed. Any 220 circuits used for the cooking facilities shall be disconnected at the circuit box and approval of any required electrical permits for the disconnection shall be obtained, and the electrical circuit and cooking facilities shall not be replaced. Except for a bathroom and/or a laundry sink, a sink or cooking facilities shall not be located elsewhere in the guest house structure;

(cc) The address shall be removed from the guesthouse and not replaced;

(dd) The property owner shall record a covenant with the Lane County Clerk disclosing that a kitchen sink or cooking facilities cannot be placed in the guest house and that it is an accessory residential use that cannot be separated from the remainder of the parcel that contains the dwelling.

(g) Family child care home. A child care facility in a dwelling that is caring for not more than 16 children and is certified under ORS 329A.280(2) or is registered under ORS 329A.330.

(h) Child care center. A child care facility, other than a family child care home, that is certified under ORS 329A.280(3).

(i) Lawfully existing mobile home park. For mobile homes to be located in lawfully existing mobile home parks, the setbacks from a projected or existing right-of-way of a County or local-access public road shall be the same as required in LC 16.285(7), and lesser setbacks from all other mobile home lot lines are permitted if in compliance with Oregon Administrative Rules, Chapters 918-600.

(j) Farm uses. Subject to conditions and limitations provided herein:

(i) The total number of livestock allowed on a property shall be limited to the area of the property divided by the total minimum area required for each animal listed below:

(a) One horse, cow or swine per acre;

(b) One goat or sheep per half acre;

(ii) A minimum of 500 square feet of area shall be required for each chicken, other fowl or rabbit kept on the property.

(iii) The number of colonies of bees allowed on a property shall be limited to one colony for each 10,000 square feet of lot area and shall be located no closer than 20 feet from any property line.

(k) Forest uses, including the propagation and harvesting of forest products grown on the property or a primary processing facility. The "primary processing of a forest product" means the use of a portable chipper, stud mill or other similar equipment for the initial treatment of a forest product, to facilitate its shipment for further processing or its use on the subject property. "Forest products" means timber and other resources grown upon the land or contiguous units of RR zoned land where the primary processing facility is located.

(l) Roadside stand for the sale of any agricultural produce where more than one half of the gross receipts result from the sale of produce grown on the tract where the roadside stand is located.

(m) Noncommercial dog kennels, subject to conditions and limitations provided herein:

(i) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(ii) Where the lot area is 20 acres or less, the maximum number of dogs over four months shall be eight.

(iii) Where the lot area exceeds 20 acres and where more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from any adjoining property.

(iv) All dogs shall be owned by the kennel owner, except those temporarily kept for purposes of breeding.

(n) Commercial dog kennel or commercial breeding kennel. A "commercial kennel" is a place of business where dogs are boarded. No more than two dogs shall be used for breeding. A "commercial breeding kennel" is a place of business for the breeding and/or selling of dogs.

(om) Any outdoor gathering of more than 3,000 people for more than 120 hours within any three-month period must comply with the following requirements:

(i) The applicant has complied or can comply with the requirements for an outdoor mass gathering permit set out in ORS 433.750;

(ii) The proposed gathering is compatible with existing land uses;

(iii) The proposed gathering shall not materially alter the stability of the overall land use pattern of the area; and

(iv) The provisions of ORS 433.755 shall apply to the proposed gathering.

(5) Conditional Use Review Criteria

Approval Criteria. Uses and development listed as Conditional in Table LC 16.285(3)-1, except for telecommunication facilities allowed in LC 16.285(3)(2.4)-(2.7) above, shall comply with the requirements in LC 16.285(5) below. Telecommunications facilities allowed by LC 16.285(3)(2.4)-(2.7) above shall comply with the requirements in LC 16.264.

(a) Shall not create significant adverse impacts on existing uses on adjacent and nearby lands or on uses permitted by the zoning of adjacent or nearby undeveloped lands;

(b) Where necessary, measures are taken to minimize potential negative impacts on adjacent and nearby lands;

(c) The proposed use and development shall not exceed the carrying capacity of the soil or of the existing water supply resources and sewer service. To address this requirement, factual information shall be provided about any existing or proposed sewer or water systems for the site and the site's ability to provide on-site sewage disposal and water supply if a community water or sewer system is not available; and

(d) The proposed use and development shall not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.

(6) Area

The creation of new lots and parcels shall comply with LC Chapter 13 and with the following requirements:

(a) The minimum area requirement for the creation of lots or parcels for residential purposes shall be one (1) acre. An exception to this area requirement may be pursuant to LC 16.285(6)(b) below.

(b) The creation of new parcels smaller than the minimum area required by LC 16.285(6)(a) above may be allowed if all of these conditions exist:

(i) The parcel to be divided contains less than the minimum area needed by LC 16.285(6)(a) above to divide it and, after October 4, 2000, was not reduced in area by a boundary line adjustment to below the area needed to divide it;

(ii) The parcel to be divided has two or more lawful (not in violation of LC Chapter 16) and permanent habitable dwellings or manufactured dwellings or duplexes on it;

(iii) The permanent habitable dwellings, manufactured dwellings on the parcel were established before October 4, 2000;

(iv) Each new parcel created by the partition would have at least one of those permanent habitable dwellings or manufactured dwellings on it;

(v) The partition would not create any vacant parcels where a new dwelling or manufactured dwelling could be established; and

(vi) "Habitable dwelling" means a dwelling, that:

(aa) Has intact exterior walls and roof structure;

(bb) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(cc) Has interior wiring for interior lights; and

(dd) Has a heating system.

(7) Development Standards

All uses or development permitted by LC 16.285(3), except as may be provided therein, shall comply with the following development standards:

(a) Property Line Setbacks. Structures other than a fence or sign shall be located:

(i) At least 20 feet from the right-of-way of a State road, County road or a local access public road specified in LC Chapter 15;

(ii) At least 10 feet from all other property lines;

(iii) Notwithstanding LC 16.285(7)(a)(ii) above, a structure that contains less than 120 square feet of floor area and that is located more than 10 feet from other structures may be located in the 5-foot setback otherwise required by LC 16.285(7)(a)(i) above provided it complies with LC 16.285(7)(c) below.

(b) The setback for property lines other than front-yard shall be five (5) feet, except as provided below, for any lot or parcel containing less than 1 acre and created prior to March 30, 1984.

(c) Riparian Setback Area. Except for property located between the Eugene-Springfield Metropolitan Area General Plan Boundary and the Eugene and Springfield Urban Growth Boundaries, where setbacks are provided for in LC 16.253(6), the riparian setback area shall be the area between a line 50 feet above and parallel to the ordinary high water of a Class I stream designated for riparian vegetation protection in the Rural Comprehensive Plan. No structure other than a fence shall be located closer than 50 feet from the ordinary high water of a Class I stream designated for riparian vegetation protection by the Rural Comprehensive Plan. A modification to the riparian setback standard for a structure may be allowed provided the requirements of LC 16.253(3) or LC 16.253(6), as applicable, are met.

(d) Maintenance, Removal and Replacement of Indigenous Vegetation within the Riparian Setback Area. Maintenance, removal and replacement of indigenous vegetation within the riparian setback area designated for riparian vegetation protection by the comprehensive plan must comply with the provisions of LC 16.253(2) or LC 16.253(6), as applicable.

(e) Height. None.

(f) Signs.

(i) Signs shall not extend over a public right-of-way or project beyond the property line.

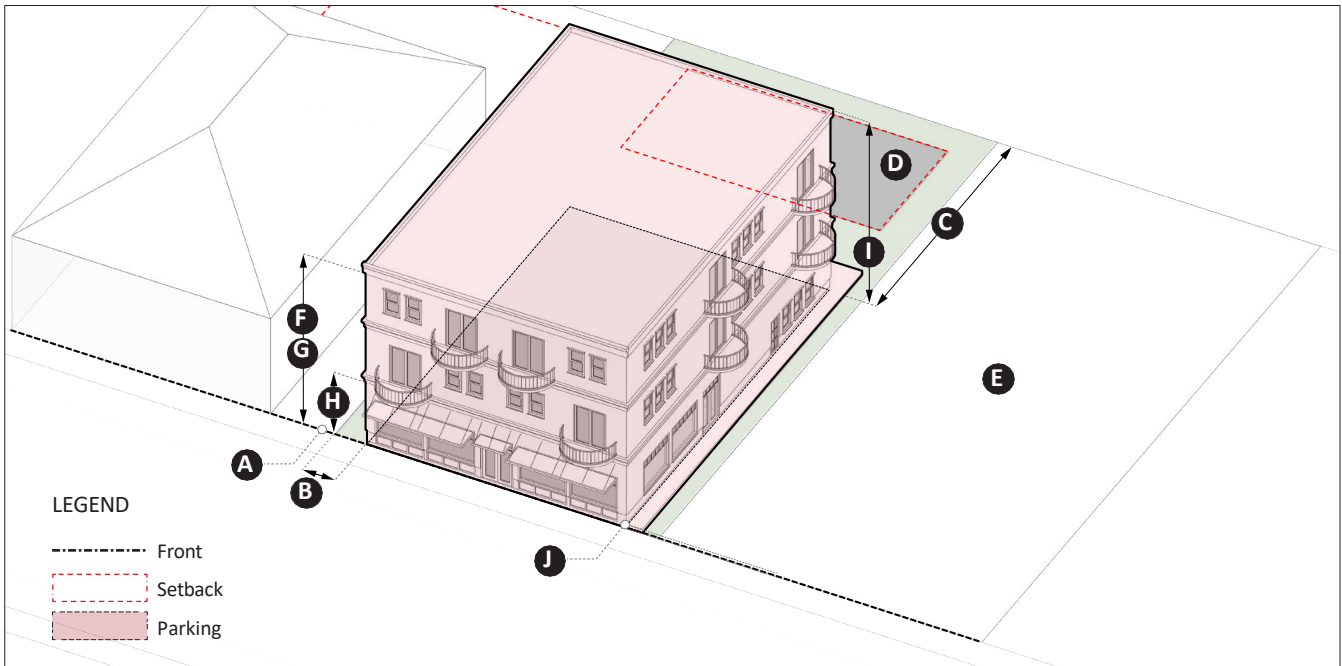
(ii) Signs shall not be illuminated or capable of movement.

(iii) Signs shall be limited to 200 square feet in area.

Blue River Drive Overlay

16.287 Blue River Drive Overlay (BRDO)

(1) The purpose of the Blue River Drive Overlay is to support the Community Plan goals of creating an identifiable and inviting downtown that is accessible for people walking, biking, driving, and taking transit. The design standards are intended to encourage commercial development that people want to visit. The Blue River Drive Overlay complements the implementation of the Blue River Drive Design, which provides for car parking spaces, shared lanes for bicycles, sidewalks, and street trees all within the right-of-way.



Use (see [Notes 1 & 3](#))

Ground floor:	commercial (retail, service, office), residential, semi-public, and public uses
Upper floor(s):	commercial (retail, service, office, trade), residential, semi-public, and public uses

Placement (see [Notes 2 & 4](#))

Front setback	0 ft min.; 15 ft max.	A
Side setback	0 ft min. for attached uses; 5 ft min. for detached uses; <i>see Note 2</i>	B
Rear setback	0 ft min. for attached uses; 5 ft min. for detached uses; <i>see Note 2</i>	C
Parking	<i>see Note 5</i>	D

Coverage

Lot area	no min.	E
Lot coverage	100% max.	

Height

Minimum number of floors	no min.	F
Maximum number of floors	3 floors	G
Floor to floor height	10 ft min.	H
Building height	40 ft max.; <i>see Note 6</i>	I
Ground floor elevation	<i>see Note 9</i>	J

Parking

Number of spaces	no min. requirement; <i>see Note 5 for placement</i>
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Deviation

A deviation from the applicable standards of Lane Code 16.287 may be allowed subject to approval by the Director, subject to (2) below.

Notes

1. Recommended: If a building is Mixed-Use, ground floor should be commercial.
2. Additional standards may apply to attached structures.
3. Primary building entrances must be located along Blue River Drive and oriented towards Blue River Drive. If the property does not front Blue River Drive, the building must be oriented towards the street from which access is taken and the primary entrance shall be located along that street.
4. Accessory uses shall not be located between the front façade of the primary use and ~~the street~~Blue River Drive.
5. Off-street parking shall not be located between the front façade of the structure and ~~the street~~Blue River Drive.
6. Building height is subject to review and comment by local fire authority. Buildings may be taller than 40 feet with a fire department sign-off.

Other Applicable Standards

7. Pedestrian walkways must be provided to connect the building primary entrance to the public right of way.
8. Access shall be designed to encourage pedestrian and bicycle use and shall facilitate vehicular movements with minimum interference or hazards for through traffic. Access may be subject to review and approval of the County Engineer or State Department of Transportation. The dedication of additional right-of-way and construction of street improvements by the applicant may be required to facilitate traffic circulation.
9. Recommended: Ground floor residential primary entrances are elevated 18" above grade in order to differentiate residential and commercial uses.
10. Recommended: Residential uses entirely above the ground floor should have a balcony at least four feet deep.

(2) Deviation from Blue River Drive Overlay design standards.

(a) A deviation from the above design standards is subject to review under a Type II procedure, pursuant to Lane Code Chapter 14.

(b) Criteria:

(i) Granting the deviation will equally or better meet the purpose of the regulation;

(ii) Any impacts resulting from the deviation are mitigated to the extent practical;

(iii) If more than one deviation is being requested, the cumulative effect of the deviations results in a project which is still consistent with the overall purpose of the overlay zone; and

(iv) The deviation must be in support of a lawfully established use or in support of the lawful establishment of a use.

Park and Recreation Zone (PR-RCP) – [No new changes 8/13/2024](#)

Lane Code 16.215

In order to allow community drainfields and other public-serving infrastructure to this existing zoning district the following language is proposed:

Lane Code 16.215(2)

“(i) Public and semipublic structures and uses rendering direct service to the public in local areas, such as utility substations, pump stations, wells, wastewater infrastructure, and underground utility lines or above ground utility lines that do not require a right-of-way more than 25 feet in width. For utility substations or buildings that are located within 100 feet of the boundaries of RR zoned property, native landscaping shall be provided between the utility substations or buildings and abutting RR zoned property to screen the utility substations or buildings from the view of the RR zoned property. Landscaping required by LC 16.295(2)(k) above shall be maintained.”

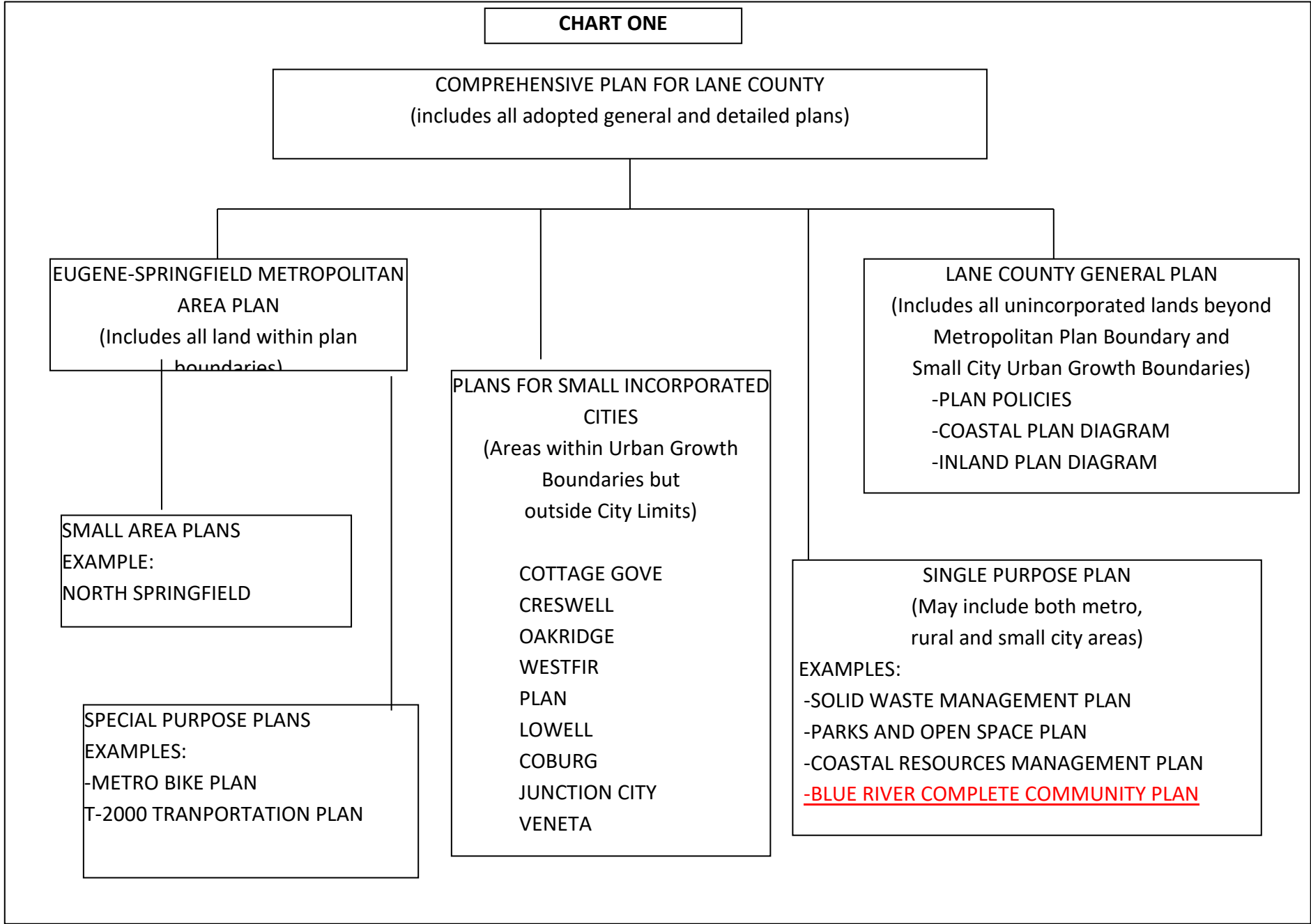
This language was chosen because a similar use is listed as permitted outright in another section of Lane Code that is geared towards parks and recreation; Lane Code 16.295 Rural Park and Recreation. Changing the existing zoning means this use will be allowed anywhere that is already zoned Park and Recreation, therefore precaution should be taken when introducing new uses allowed outright. The existing setbacks in LC 16.215(6) are appropriate for public or semipublic structures.

Comprehensive Plan Amendments [– No new changes 8/13/2024](#)

Proposed Introductory Material Amendment

Chart One

The chart on the following page is found on page 6 of Lane County Rural Comprehensive Plan General Plan Policies 1984 (RCP). In Part I: Introductory Material, Chart One diagrams the relationship of the elements of the RCP and indicates relationships with other portions of the RCP. It is proposed that the Blue River Complete Community Plan be added in the appropriate location on this chart, as a “Single Purpose Plan”.



Proposed Policy Amendments – [No new changes 8/13/2024](#)

Goal Two: Land Use Planning

Policy 11:

“Land use designations and densities appropriate for developed and committed areas shall be determined through compliance with other plan policies and the following criteria:

(a) A Rural Residential designation shall be applied to developed and committed exception areas which are devoted to ma1 housing uses as evaluated by the following criteria:

- i. existing development pattern and density;
- ii. on-site sewage disposal suitability, or community sewerage;
- iii. domestic water supply availability;
- iv. access; v. public services;
- vi. lack of natural hazards; and
- vii. effect on resource lands.

Before the RCP plan diagram for a community area is amended to comply with OAR 660 Division 22, densities of 1, 2.5 or 10 acres shall be applied to represent existing development patterns and to limit problems resulting from a negative evaluation of any of the above criteria.

When the RCP plan diagram for a community area is amended to comply with OAR 660 Division 22, the UC Rule, new dwellings and densities for the creation of new residential lots or parcels shall comply with OAR 660 Division 22, the UC Rule and with these requirements for specific unincorporated communities:

i. For the Unincorporated Communities of the McKenzie Watershed, the density for the creation of new lots or parcels shall be:

F. Blue River: upon the adoption of the Blue River Complete Community Plan (Ord. _____, 2024) density shall be set by community-specific zoning,

Minimum lot or parcel sizes will be contingent upon evidence that the creation of lots or parcels can accommodate wastewater treatment in accordance Lane Code 13.060(1)(g). ~~2 acres for areas zoned RR2 prior to the adoption of Ord. PA 1173. 5 acres for areas zoned RR5 prior to~~

~~the adoption of Ord. PA 1173. (1998 average parcel size" 4.56 acres in areas zoned RR5, 2.45 acres in areas zoned RR1 and .65 acres in RA zoned areas);"~~

This policy limits the minimum size of lots or parcels to one acre on properties that were previously zoned RR1. The community of Blue River was originally platted in the early 1900s and the sizes of the lots downtown were generally less than 0.2 acres. In order to maintain the existing development pattern and create a more dense and walkable community where there are both opportunities to live and work, this policy must be revised.

Policy 25:

“Each of the land use designations applied to the Plan Diagram shall be implemented by one or more zoning districts, as follows:”

<u>Plan Designation</u>	<u>Zone Classification</u>	<u>Abbrev.</u>
Forest Land	Nonimpacted Forest Lands	F-1, RCP
Forest Land	Impacted Forest Lands	F-2, RCP
Agricultural Land	Exclusive Farm Use	E-RCP
Natural Resource	Natural Resource	NR- RCP
Marginal Land	Marginal Lands	ML- RCP
Park and Recreation	Park and Recreation	PR- RCP
Rural Park and Recreation	Rural Park and Recreation	RPR, RCP
Notwithstanding the plan diagram, areas designated by the plan diagram as Park and Recreation, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Park and Recreation		
Natural Resource	Quarry & Mining Operation Combining	/QM-RCP
Natural Resource	Sand, Gravel and Rock Products	SG-RCP
Natural Resource	Sand, Gravel and Rock Prod. Processing	/CP-RCP
Public Facility, Community	Public Facility	PF-RCP
Rural Public Facility	Rural Public Facility	RPF, RCP
Notwithstanding the plan diagram, areas designated by the plan diagram as Public Facility, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Public Facility.		
Commercial, Community	Limited Commercial	C-1, RCP
Commercial, Community	Neighborhood Commercial	C-2, RCP
Commercial, Community	Commercial	C-3, RCP
Rural Commercial	Rural Commercial	RC, RCP
Notwithstanding the plan diagram, areas designated by the plan diagram as Commercial, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Commercial.		
<u>Flex Use, Community</u>	<u>Community Flex Use</u>	<u>CFU, RCP</u>
<u>Flex Use, Community</u>	<u>Blue River Drive Overlay</u>	<u>/BRDO, RCP</u>

Industrial, Community	Limited Commercial	M-1, RCP
Industrial, Community	Light Commercial	M-2, RCP
Industrial, Community	Heavy Industrial	M-3, RCP
Rural Industrial	Rural Industrial	RI, RCP

Notwithstanding the plan diagram, areas designated by the plan diagram as Industrial, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Industrial

Rural, Community	Suburban Residential	RA, RCP
Rural, Community	Garden Apartment Residential	RG, RCP
Rural, Community	Rural Residential	RR, RCP
<u>Rural, Community</u>	<u>Community Residential</u>	<u>CR, RCP</u>
Rural Residential	Rural Residential	RR, RCP

Notwithstanding the plan diagram, areas designated by the plan diagram as Rural, that are located outside of communities and inside developed and committed exception areas, are now designated as Rural Residential.

Destination Resort	Destination Resort	DR, RCP
Historic Structure/Site	Historic Struc. or Sites Combining	/H-RCP
Natural Estuary	Natural Estuary	/NE-RCP
Conservation Estuary	Conservation Estuary	/CE-RCP
Development Estuary	Development Estuary	/DE-RCP
Sign. Natural Shorelands	Significant Nat. Shorelands Comb.	/SN-RCP
Prime Wildlife	Prime Wildlife Shorelands Comb.	/PW-RCP
Natural Resources Conserv.	Natural Resources Conservation Comb.	/NRC-RCP
Residential Development	Res. Devel. Shorelands Combining	/RD-RCP
Shorelands Mixed Develop	Shorelands Mixed Devel. Combining	/MD-RCP
Dredge Material/Mitigation	Dredge Material/Mitigation Site Comb.	/DMS-RCP
Beaches & Dunes	Beaches and Dunes Combining	/BD-RCP
	Floodplain Combining	/FP-RCP
	Commercial Airport Safety District	/CAS-RCP
	Airport Safety District	/AS-RCP
Airport	Airport Operation	AO-RCP
	Private Use Airport Overlay	/PUAP-RCP
Nonresource	Rural Residential	RR-RCP
Public Facility	Inmate Work Camp	IWC-RCP

***NOTE:** The “Community” Plan Designation is implemented by various zoning districts as indicated, zones which also implement specific Plan designations other than “Community”. A suffix “/C” shall be used in combination with these zoning abbreviations to denote the zoning inside unincorporated community plans adopted to comply with OAR 660 Division 22, the UC Rule: RR, RC, RI, RPF, and RPR.

Goal Eleven: Public Facilities

Proposed addition of the new zoning districts that will apply to unincorporated communities:

Policy 6: “Land designations and service levels:

f. Community (CR, CFU, RR-1, RR-2, RR-5, RR-10, RA, RG, C1, C2, C3, M2, M3)

Description: Land that has an existing cohesive, dense settlement and development pattern to the degree that it may no longer be considered available for other uses. (Refer to Goal #2, Policy #10, for the characteristics an exception area must have to receive a Community designation.)

Service Level: Schools, on-site or community sewage disposal, individual or community water supply, electrical service, telephone service, rural level of fire and police protection, reasonable access to solid waste disposal facility

This policy lists the zoning districts that fall within designated unincorporated communities, and the new Community Residential and Community Flex Use zones should be added to the list.

Community Boundary – [No new changes 8/13/2024](#)

Findings shall be made to address pertinent goals and policies of the Rural Comprehensive Plan and Statewide Planning Goals in order to incorporate Assessor’s Map and Tax Lots 16-45-21-00-00201 and 16-45-21-00-00204 into the Rural Unincorporated Community Boundary of the community of Blue River.



Existing Community Boundary



Proposed Community Boundary

STAMP
**PRELIMINARY
NOT FOR
CONSTRUCTION**

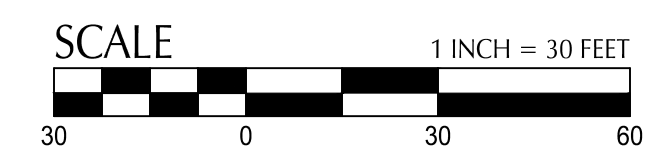
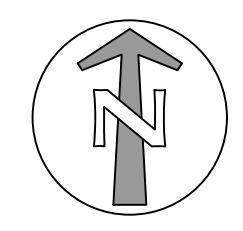
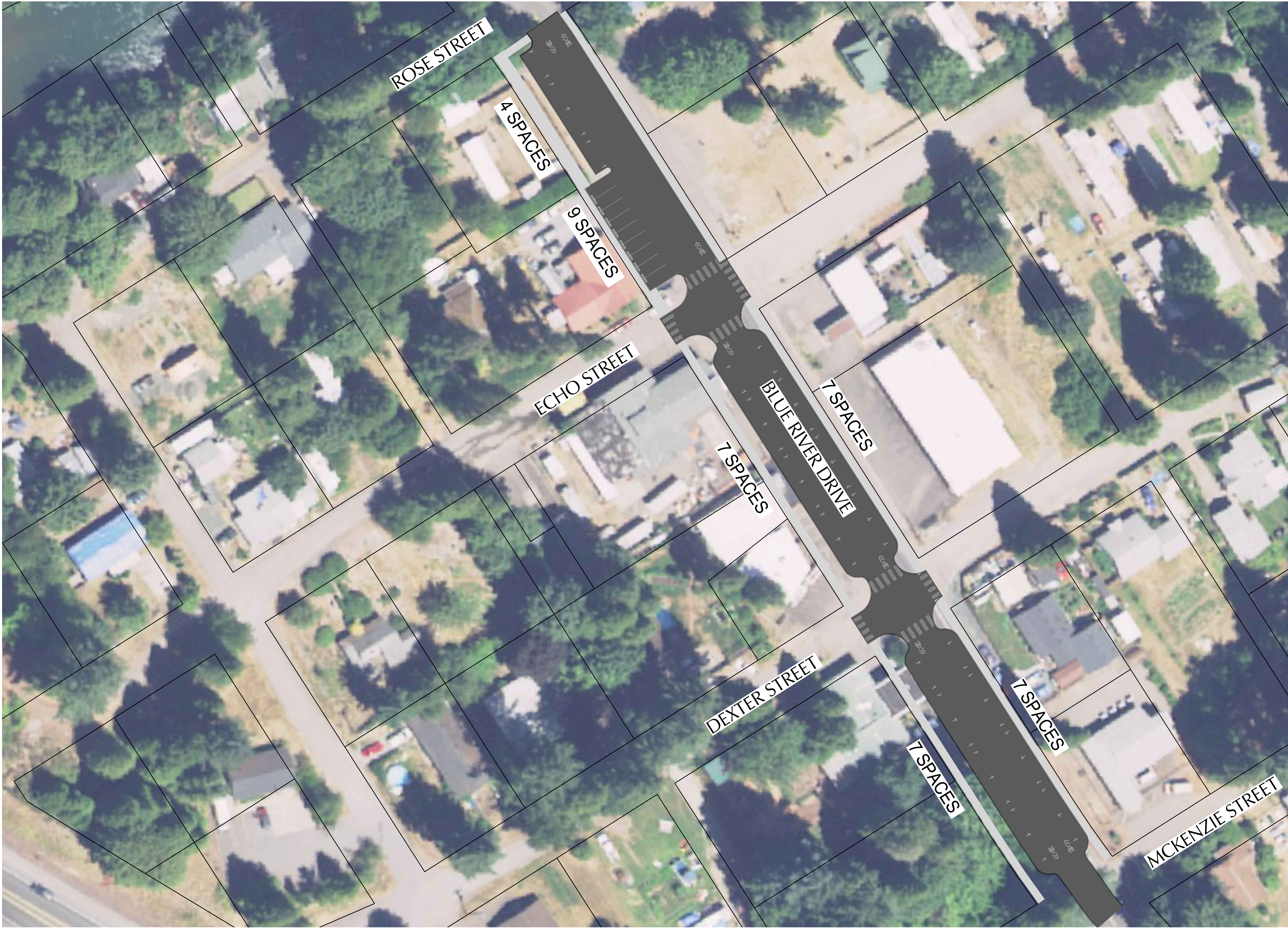
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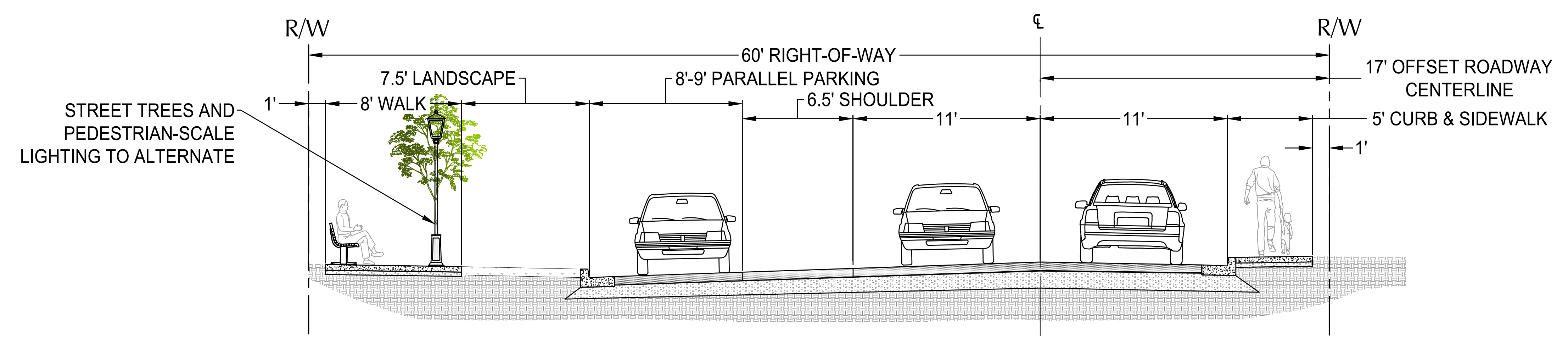
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DRAWN BY:	DLG
CHECKED BY:	AB
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BLUE RIVER, OR
BLUE RIVER DRIVE
STREETScape IMPROVEMENTS
DOWNTOWN
OPTION 4

SHEET NO.

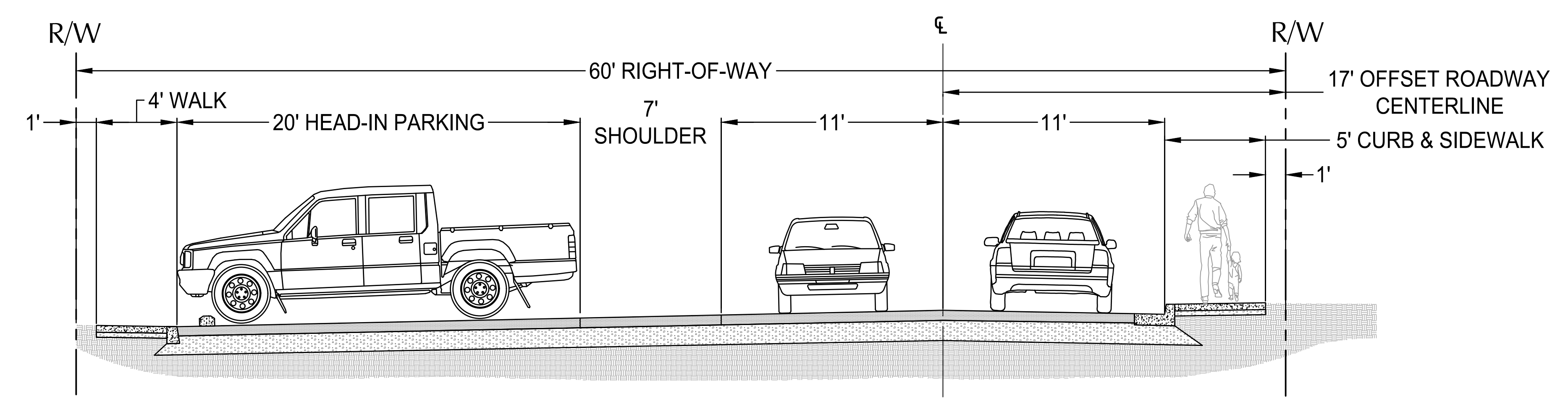
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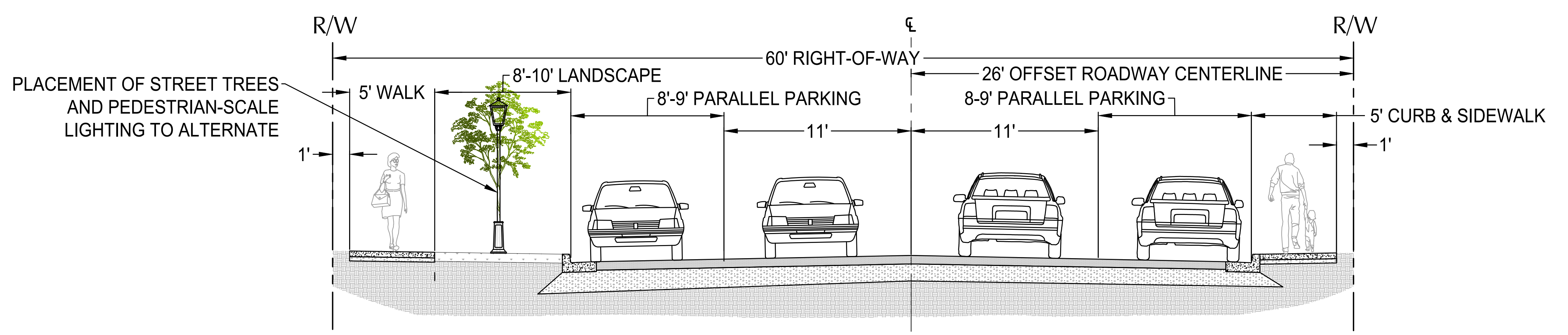
ROSE STREET TO ECHO STREET (DON DOW) SECTION

SCALE: 1" = 4'



ROSE STREET TO ECHO STREET (MELANIE) SECTION

SCALE: 1" = 4'



ECHO STREET TO MCKENZIE STREET SECTION

SCALE: 1" = 4'

STAMP
**PRELIMINARY
NOT FOR
CONSTRUCTION**

REVISION	DATE	DESCRIPTION

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DESIGNED BY: DLG/AB
DRAWN BY: DLG
CHECKED BY: AB
PLOT DATE: 9/15/23 1:35pm
PLOTTED BY: DGeorge
DWG NAME: 2200512-02D-OP4.dwg
TAB NAME: C2.5

BLUE RIVER OR
BLUE RIVER DRIVE
STREETScape IMPROVEMENTS
DOWNTOWN
OPTION 4

SHEET NO.
C2.5