

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: 23-01

IN THE MATTER OF AMENDING LANE CODE CHAPTER 10.600-25 TO UPDATE THE FLOOD HAZARD REGULATIONS WITHIN CITY OF EUGENE DEVELOPMENT CODES 9.6705 - 9.6709 TO ALIGN MORE CLOSELY WITH STATE LAW AND THE CODE OF FEDERAL REGULATIONS (CFR) TITLE 44. (CITY FILE: CA 22-2 / COUNTY FILE: 509-PA22-05559)

WHEREAS, on April 8, 1987, the Lane County Board of Commissioners enacted Ordinance No. 18-86 to adopt the City of Eugene land use regulations for application to urbanizable lands within the Eugene Urban Growth Boundary in accordance with an urban transition agreement with the City of Eugene; and

WHEREAS, provisions of that urban transition agreement provides for County adoption of land use regulations applicable to urbanizable lands within the Eugene Urban Growth Boundary; and

WHEREAS, there is a need to amend the Eugene development codes to implement recent changes to ORS 197.315(5); and

WHEREAS, the City of Eugene Planning Commission and the Lane County Planning Commission reviewed the proposal in a joint public hearing held on September 6, 2022; and

WHEREAS, the City of Eugene Planning Commission deliberated on October 11, 2022, and provided a recommendation for approval to the Eugene City Council; and

WHEREAS, the Lane County Planning Commission deliberated on November 15, 2022, and provided a recommendation for approval to the Board of County Commissioners; and

WHEREAS, the Eugene City Council a public hearing on this matter on February 21, 2023; and

WHEREAS, the Board of County Commissioners conducted a public hearing on this matter on March 7, 2023 and is prepared to take action.

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

1. The provisions of the Eugene Land Use Code, as adopted by Lane County Ordinance No. 18-86, and amended by Lane County Ordinance Nos. 16-87, 5-88, 6-88, 7-88, 1-89, 13-89, 2-90, 2-91, 12-91, 14-91, 7-92, 10-00, 2-02, 3-02, 14-15, 17-03, and 18-04 are hereby further amended to include amendments specified in the attached Exhibit "A". These amendments are adopted and incorporated herein by this reference for application to the urbanizable lands within the Eugene Urban Growth Area and shall not be codified into Lane Code.

2. Chapter 10 of Lane Code is hereby amended by removing and inserting the following sections:

REMOVE THESE SECTIONS

10.600-25

INSERT THESE SECTIONS

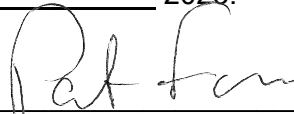
10.600-25

3. This section is attached hereto and incorporated herein by this reference. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion constitutes a separate, distinct and independent provision, and such holding does not affect the validity of the remaining portions hereof.


4. Although not a part of this Ordinance, the Board of County Commissioners adopts findings as set forth in Exhibit "B" attached and incorporated by this reference, in support of this action.

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

ENACTED this 21st day of March 2023.



Chair, Lane County Board of Commissioners



Recording Secretary for this Meeting of the Board

10.600-25 Applicable Land Use Regulations.

Lane County has adopted the following land use regulations to be applied by Eugene on the specified urbanizable land within the Eugene Urban Growth Boundary.

(1) To all urbanizable land not addressed in (2), the Eugene Land Use regulations as adopted by the Lane County Board of Commissioners as part of Ordinance No. 5-00 as amended in Ordinance No. PA 1234, as further amended by the incorporation of Eugene Ordinance 20546 through enactment of Lane County Ordinance 14-15, Ordinance No. 18-04, and Ordinance No. 23-01.

(2) To the land added to the Eugene Urban Growth Boundary by Ordinance No. PA 1345 as shown on the maps at Exhibit A-4 (“Proposed Metro Plan Designations”) attached to Ordinance No. PA 1345, the provisions of Chapter 9 of the Eugene Code, 1971, in effect on the date Ordinance 17-03 is approved (“Eugene Land Use Code”), as that Land Use Code is amended by the revisions shown in Exhibit A to Ordinance No. 17-03.

(3) Copies of these applicable land use regulations shall be on file at the Lane County Land Management Division. *(Revised by Ordinance No. 18-86, Effective 4.27.87; 21-87, 11.25.87; 13-89, 1.12.90; 2-90, 7.20.90; 2-91, 3.29.91; 12-91, 9.20.91; 14-91, 9.25.91; 7-92, 8.28.92; 10-00, 12.13.00; 2-02, 2.13.02; 3-02, 2.13.02; 14-15, 1.2.15, 17-03, 9.7.17; 18-04, 6.26.18)*

At left margin indicates changes
Bold indicates material being added
~~Strikethrough~~ indicates material being deleted

**LEGISLATIVE
FORMAT**

10.600-25

Lane Code

10.600-25

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