

AMENDMENTS

This Ordinance, which consolidates Douglas County's Subdivision, Zoning, Plan Amendment, Planned Unit Development, Addressing and Citizen Involvement Ordinances into a single document was adopted by the Douglas County Board of Commissioners on December 31, 1980 (Ordinance No. 80-12-1). This Ordinance supplements, amends and/or replaces the Ordinances originally adopted on February 15, 1972; May 25, 1960; October 19, 1977; July 12, 1978; and December 31, 1980, respectively. The December 31, 1980 adoption of this ordinance is recorded in County Court Journal Volume 83, Page 535. Where the term "this ordinance" is used, it shall be interpreted to mean the Ordinance as adopted and all amendments thereto.

Following is a list of amendments to this ordinance which have been incorporated into the document since its original adoption.

DATE AMENDED	SECTION AMENDED	SUBJECT	RECORDED
Mar 25, 1981	Miscellaneous	Final changes pursuant to Planning Commission recommendation, Legal Counsel review and Final Amendments to the Comprehensive Plan.	Vol. 91 Page 179
Jun 24, 1981	8.070	Clarify removal and resignation process, Chapter 8, Citizen Involvement Program.	Vol. 95 Page 800
Jul 8, 1981	4.400	Revision to Chapter 4, Land Divisions, Improvement policies & Standards.	Vol 96 Page 206
Sep 2, 1981	1.090.2	Expanded definition of Commercial Activities in Conjunction with Farm Use.	Vol. 97 Page 33
Oct 21, 1981	Miscellaneous	Revisions pursuant to Planning Commission recommendation, Legal Counsel review and use and application of the Ordinance in its first six months of use.	Vol. 99 Page 479
Jan 20, 1982	Miscellaneous	Revisions to Chapters 1, 2, 3, 4 and 6, revising definitions and procedures; adding provisions to zoning districts; adding Water Impoundment Overlay district; revising access requirements and development standards; and, amending Quasi-Judicial Plan Amendment process.	Vol. 102 Page 974
Jun 30, 1982	Miscellaneous	Revisions to Chapters 2, 3 and 4 adopting Airport Impact Overlay; clarifying uses and processes in resource zones; conditional use approval standards; Beaches and Dunes Overlay provisions; and, allowing rural residential partitions ministerially.	Vol. 110 Page 16
Oct 6, 1982	Miscellaneous	Revisions to Chapters 1, 2, 3, 4 and 9, revising definitions, procedures; adding overlay districts as supplementary provisions for natural resource zones and Potential Park and Recreation Overlay for the North Umpqua River area; extending validity of land division approvals; allows exceptions to Plan Amendment applications; and, clarifies provisions for Historic Resource Review Committee.	Vol. 107 Page 231

DATE AMENDED	SECTION AMENDED	SUBJECT	RECORDED
Dec 10, 1982	3.32.500	Repeal of Special Bird Habitat Overlay	Vol. 111 Page 307
Jun 29, 1983	Miscellaneous	Revisions to Chapters 1, 2, 3 and 8, adding definitions; revising zoning designations, overlay districts and supplementary provisions. Changes primarily affect Coastal designations. Amends Citizen Involvement Program to consolidate existing PAC areas.	Vol. 116 Page 78
Dec 14, 1983	Miscellaneous	Revisions to Chapters 1, 2, 3, 4 and 6, adding definitions; amending notice provisions and appeal periods; revising zoning designations; requiring marketable title; and, changing plan amendment criteria. Most amendments were necessitated by changes in state law.	Vol 121 Page 340
May 2, 1984	Miscellaneous	Revisions to Chapters 1, 2, 3 and 4, adding a new definition of condominium; modifying technical requirements for partitions; establishing new access standards in rural residential areas; and, miscellaneous revisions and reorganization to provide additional clarification.	Vol. 124 Page 563
Aug 22, 1984	Chapter 4	Revisions to Chapter 4 establishing special improvement standards for subdivisions or partitions located in Rural Residential Areas, and providing for private road standards serving less than 50 units of land.	Vol. 127 Page 697
Sep 12, 1984	Miscellaneous	Revisions to Chapters 2, 3, 5 and 7, which were necessary to correct inaccurate references resulting from previous amendments.	Vol 128 Page 361
Nov 21, 1984	Miscellaneous	Revisions to Chapters 1, 2, 3 and 9 clarifying definitions; amending procedural requirements for Administrative and Ministerial actions; and, streamlining review process for actions involving significant historic sites.	Vol. 130 Page 502
May 15, 1985	Miscellaneous	Revisions to Chapters 1, 2, 3 and 4, which clarify Conditional Use criteria; modify public road standards for the Glide Urban Area; and, update the C-3 and C-2 zones. A retail provision is incorporated into the definition of Home Occupation, and specific language permitting the Planning Commission to act by a majority of its quorum is included. Other technical provisions which clarify existing language and provide internal consistency to the LU&DO are included.	Vol. 134 Page 492

DATE AMENDED	SECTION AMENDED	SUBJECT	RECORDED
Dec 4, 1985	Miscellaneous	Revisions to Chapters 1, 2 and 3 clarifying definitions and amending some procedural requirements. The amendment created a Right-of-Way Overlay classification and modified certain permitted uses in existing zones. Article 42 amended to comply with LCDC's conditional acknowledgement of May 8, 1985.	Vol. 140 Page 43
Apr 30, 1986	Miscellaneous	Revisions to Chapters 2, 3, 4 and 6. The major revisions were to the shoreland provisions of LUDO to make them consistent with amendments to Statewide Planning Goal 17 - Coastal Shorelands. The other amendments clarified procedures and corrected technical provisions.	Vol. 142 Page 552
Nov 12, 1986	Miscellaneous	Revisions to Chapters 2 and 3, creating a Limited Use Exceptions Overlay Zone and a Destination Resort Overlay Zone. Other amendments included modification of the Floodplain Overlay, Minor Land Partition approval procedures and miscellaneous amendments.	Vol. 147 Page 873
Sep 9, 1987	Floodplain/ Resource Zones	Revisions to the floodplain regulations to be consistent with FEMA standards. Revise public-semipublic uses such as churches and schools to be conditional uses in the FG, FC and FF zones.	Vol. 157 Page 8
Nov 25, 1987	Miscellaneous	Revisions to the sign content requirements, adopting provisions of Oregon Laws 1987 and modifying certain procedural provisions.	Vol. 159 Page 276
Nov 23, 1988	Miscellaneous	Revisions to the road inspection duties; floodplain requirements; addressing program; Article 45; and, modifying certain provisions to clarify intent and procedures.	Vol. 169 Page 587
Nov 30, 1988	Miscellaneous	Revisions to LUDO based on the Local Periodic Review Order. The amendments revise definition of farm use, delete certain provisions of the North Umpqua Park and Recreation Area Overlay, and provides notice to airport owners.	Vol. 169 Page 841
Nov 30, 1988	Bird Habitat Overlay	Inclusion of a program for the protection of Special Bird Habitats.	Vol. 169 Page 790
Jan 3, 1990	Miscellaneous	The amendments revise LUDO to comply with 1989 Oregon Laws. The changes are related to notice; decisions; surveying requirements; EFU zone uses; residential care facilities; and other miscellaneous provisions.	Vol. 181 Page 114

DATE AMENDED	SECTION AMENDED	SUBJECT	RECORDED
Jun 5, 1991	Miscellaneous	The amendments revise floodplain regulations to be consistent with federal regulations; amend addressing numbering system; amend mobile home park standards; change enforcement procedures; amend definition of "lot" and "parcel"; and, include two new zones to implement the Winchester Bay Plan.	Vol. 195 Page 141
Aug 26, 1992	Miscellaneous	Amendments include changes in the TR, FF and AW zones to carry out new Goal 4 requirements.	Vol. 214 Page 483
Dec 9, 1992	Miscellaneous	Changes include provisions affecting the size of accessory buildings; pre-existing dwellings in low density urban residential lands; boundary line adjustments; and, frequency of Plan amendment hearings.	Vol. 219 Page 360
Jul 21, 1993	Miscellaneous	Revisions addressing the recently amended Goals 3 and 4; amendments revising certain conditional uses to be permitted uses in residential and commercial zones; changes to private road standards for issuance of building permits; revisions to the North Umpqua Park or Public Recreation Area Overlay Zone; and, other miscellaneous clarifications and interpretations.	Vol. 228 Page 90
Feb 16, 1994	Miscellaneous	Amendments addressing HB 3661 and other statutory changes including: partitioning and survey requirements; various changes to the FG, FC (including a new 35 acre minimum parcel size), FF, TR and AW zones; allows for "Owner of Record" dwellings; Article 42 deleted; Article 45 revised; building height variances; reduction of osprey habitat protection.	Vol. 235 Page 982
Feb 23, 1994	FG Zone	Adoption of an 80 acre minimum parcel size in the FG Zone.	Vol. 235 Page 1216
Mar 30, 1994	Miscellaneous	Clarification of final land division approval process. Other amendments, per DLCD concerns with the 2/16/94 and 2/23/94 amendments, affecting the TR, FF, FG and FC zones, Article 43, and Article 44.	Vol. 236 Page 1093
Apr 13, 1994	Chapter 1	Definition of Winery Accessory Uses.	Vol. 237 Page 441

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Oct 19, 1994	Miscellaneous	Amendments to Chapters 1, 2, 3 and 4 including: amended definitions; inclusion of "Uses Permitted with Standards" in the TR, FG, FC, FF, AW, RS, R1, R2 and R3 zones; new FC minimum parcel sizes in FC-1 (20 ac) and FC-2 (40 ac) areas; allow for "Template" Dwellings in the AW zone; comply with state mandated farm dwelling approval standards; allow for Clustered Land Development; and other miscellaneous clarifications and improvements.	Vol. 243 Page 791
Dec 21, 1994	Resource Zones	Amendments to the TR, FG, FC, FF, and AW zones addressing items remanded by LUBA in DLCD vs. Douglas County, LUBA No. 94-045. Items amended include Owner of Record dwelling criteria, approval criteria for AW non-commercial farm or forest dwelling, and deletion of five acre homestead provision in the TR zone.	Vol. 245 Page 635
May 31, 1995	Miscellaneous	Amendments to Chapters 2, 3, 4, 5 and 8 including: provisions to allow minimum parcel size changes within the FC zone; revisions to the Destination Resort approval process; clarification for Boundary Line Adjustments in resource areas; amended provisions for shared open space in Clustered Land Developments; revisions to the Planned Development process; and revisions to the Citizen Involvement Program.	Vol. 251 Page 181
Nov 29, 1995	Miscellaneous	Amendments to Chapters 1, 2, 3, 4, and 7 to incorporate changes authorized by the 1995 State Legislature, and to amend the process for approval of Destination Resorts. The amendments include: several new or revised definitions; process for approving Owner-of-Record dwellings on high value farmland; exemptions from the minimum parcel size in forest zones; new or amended uses allowed in resource zones; Destination Resort provisions revised per 1993 Legislature and moved to Article 50; clarification of right-of-way acquisition process; minor revisions to land division standards; and, revisions to the Addressing Program.	Vol. 256 Page 731
May 29, 1996	Miscellaneous	Amendments to Chapters 1, 3, 4, and 9 including: revised definition of "Mobile Home"; adoption of a Tsunami Inundation Overlay (TIO); minor revision to platting requirements; a clarification of the legal status of certain units of land having metes and bounds descriptions; and, the implementation of a 1995 State statute allowing property owners to initiate removal of their property from the significant historic resource designation.	Vol. 262 Page 1320

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Dec 4, 1996	Miscellaneous	Correction of various citations; amendments affecting application of the Resource Management Covenant in the TR, FF and AW zones; inclusion of the 1993 State Legislature's "Smith fix" language into Article 43; clarification of when and how a septic system evaluation is necessary in the land division process; deletion of the Planned Development Overlay and simplification of the PD approval process; revision of the Board approval process for Plan Amendments involving resource land or an exception to the statewide planning goals; and clarification of use lists and terminology related to special households.	Vol. 269 Page 232
Mar 12, 1997	Chap. 1 and 4	Items held for further consideration from the amendments proposed for adoption on 12/4/97. These held over items included: Chapter One, definitions related to manufactured homes; and, Chapter Four, refinement to road construction standards as related to pavement thickness requirements.	Vol. 272 Page 963
Aug 13, 1997	Miscellaneous	Transportation --- Various amendments were made to Chapters 2, 3 and 6 for the purpose of implementing the Statewide Transportation Planning Rule (OAR 660-12). The amendments addressed: access; when a traffic impact study is required; notice requirements; and, bicycle and pedestrian facilities. NOTE: THESE AMENDMENTS WERE APPEALED BY ODOT AND WILL NOT GO INTO EFFECT UNTIL LITIGATION IS RESOLVED.	Vol. 277 Page 757
Nov 12, 1997	Miscellaneous	Various changes made throughout the ordinance for the purpose of: 1) implementing new laws enacted by the 1997 State Legislature; 2) updating the floodplain standards; 3) correcting citations; and 4) deregulating the land use process where possible. Deregulation items include: expansion of "uses permitted with standards" section in various articles (including a new "adjacent owner consent" process); reducing the review process for various uses; decreasing the review criteria for variances; broadening the BLA process; new definitions; and, other minor clarifications and corrections.	Vol. 280 Page 255

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Oct 28, 1998	Miscellaneous	Revisions to resource zones resulting from new regulations adopted by LCDC. The new regulations have a significant regulatory affect on 1) non-farm dwellings (“materially alter” test), 2) owner-of-record dwellings, and 3) private campgrounds. Other changes resulting from the LCDC regulations affect miscellaneous minor provisions throughout the various resource zones. Other locally generated changes affect: the Chapter Two review process; specialty animals in rural residential zones; a clarification of duplex developments; setbacks in urban residential zones; and, other minor clarifications and corrections.	Vol. 291 Page 695
Dec 22, 1999	Miscellaneous	Amendments resulting from laws passed by the 1999 Oregon State Legislature, including new provisions for: outdoor gatherings; expansion of notice area and increased appeal period for administrative decisions; and, review of utility facilities. The amendments also included some of the Transportation (TSP) provisions that were appealed by ODOT. Other amendments include: a clarification of Chapter 2 notice provisions (2.065); an increase of the local decision time frame from 45 to 60 days; deregulation of some conditional uses; deregulation of local standards for a non-resource division; clarification of “need” criteria for a plan amendment; and, a reduction in the required setback from a rural residential easement.	Vol. 305 Page 580
Nov 22, 2000	Miscellaneous	More amendments resulting from laws passed by the 1999 Oregon State Legislature, including the 12 day notice period for Owner Consent process, and application of SB12 provisions for replacement of a non-conforming use in land slide areas. Also, the Implementation of new LCDC rules dealing with “youth camps” and “utility facilities”. Other locally generated revisions deal with redevelopment plans, definition revisions, clarification of farm dwelling provisions, clarification of CUP criteria, and new Addressing Program definitions. Five revisions were designed to deregulate local ordinance provisions in areas dealing with partition violations, building height variances, setbacks in rural zones, non-farm dwelling requirements, and partition plats. The Violation enforcement process is substantially revised as it deals with citations. And, informational criteria for reviewing communication facility proposals are added to Article 39. Ord #2000-11-2.	Vol. 316 Page 735

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Nov 22, 2000	Rural Zones	Adoption of new "Rural Commercial" (CRE) and "Rural Industrial" (ME) zones, satisfying Goal 14 Periodic Review issues. Ord #2000-11-3	Vol. 316 Page 756
Dec 5, 2001	Miscellaneous	Amendments to the Transportation System Plan regarding sidewalks and review standards for Plan Amendments (effective date, April 1, 2002). Also, various amendments resulting from new laws passed by the 2001 Oregon State Legislature, including: dairy dwellings, the "Dorvinan" non-farm division fix, subdivision of existing manufactured home parks, and preexisting dwelling divisions in forest areas. Other local amendments included provisions for: reapplication, Board appeals, Cluster Subdivisions, revocation proceedings, and minor text corrections.	Vol. 329 Page 093 and Vol. 329 Page 111
Dec 4, 2002	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO including: a new definition allowing Guest Houses in non-resource zones; revisions to the Tsunami Overlay; deletion of the series partition prohibition from Article 44 (Non-Farm Divisions); changes to the requirements for a preliminary map in subdivisions and land partitions; and several minor text corrections.	Volume & Page ref. discontinued by the Clerks Office. New ref. No. CJ2002-139
Dec 17, 2003	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO, and amendments resulting from new laws passed by the 2003 Oregon State Legislature, including but not limited to: new definition of LUCS; deletion of Columbian White Tailed Deer Overlay; addition of FF Zone Template Dwelling; revisions to AC Overlay; deregulation for new industrial development outside of UGBs.	Ord 03-12-03 Clerks Ref. # CJ2003-1783
Dec 17, 2003	Big Game Habitat	Revisions to the Peripheral Big Game Habitat Overlay in conjunction with concurrent Comp Plan amendments related to the areawide dwelling density standard.	Ord 03-12-04 Clerks Ref. # CJ2003-1782
Dec 17, 2003	Tri City Road Standards	Alternate standards for new streets in Tri City accessing County maintained collector streets. The revisions also include a "Street Improvement Reimbursement Plan" in conjunction with concurrent Comp Plan amendments initiating a Street Improvement Test Project in Tri City.	Ord 03-12-06 Clerks Ref. # CJ2003-1779
Dec 1, 2004	Real Property Compensation	Provisions to implement Ballot Measure 37, concerning real property compensation claims, as approved by Oregon voters on Nov 2, 2004.	Ord 04-12-01 Clerks Ref. # CJ2004-1798

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Dec 8, 2004	Miscellaneous	Minor revisions to clarify and improve the review process for various land use actions, including mobile home parks.	Ord 04-12-02 Clerks Ref. # CJ2004-1830
Dec 7, 2005	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO, and amendments resulting from new laws passed by the 2005 Oregon State Legislature, including: new EFU uses, and new lot line vacation process.	Ord 05-12-01 Clerks Ref. # CJ2005-1972
Dec 6, 2006	Miscellaneous	Minor revisions to clarify and improve the review process for various land use actions.	Ord 06-11-03 Clerks Ref. # CJ2006-1992
Dec 5, 2007	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO, and amendments resulting from new laws passed by the 2007 Oregon State Legislature, including: new EFU uses, school plan provisions and new parcel validation process.	Ord 07-12-03 Clerks Ref. # CJ2007-1893
Dec 10, 2008	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO, and amendments resulting from new Boundary Line Adjustment law passed by the 2008 Special Session of the Oregon State Legislature and changes in the Oregon Manufactured Dwelling and Park Specialty Code.	Ord 08-12-01 Clerks Ref. # CJ2008-1648
Dec 9, 2009	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO, amendments resulting from law passed by the 2009 Oregon State Legislature including changes in EFU uses and a clarification in Land Use Compatibility Statement authorization, and changes to Article 30 (Floodplain Overlay) resulting from FEMA requirements.	Ord 2009-12-03 Clerks Ref. # CJ2009-1421
Dec 8, 2010	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO, amendment resulting from DLCDC Rule change and changes to Article 30 (Floodplain Overlay) resulting from changes to the Oregon Manufactured Dwelling & Specialty Code.	Ord 2010-12-03 Clerks Ref. # CJ2010-1325
Jan 25, 2012	Miscellaneous	Various amendments to improve the use and effectiveness of the LU&DO, amendments resulting from law passed by the 2011 Oregon State Legislature including changes in EFU uses, an amendment resulting from DLCDC Rule change (siting standards) and changes to Article 30 (Floodplain Overlay) due to FEMA requirements.	Ord 2012-01-01 Clerks Ref. # CJ 2012-70

Jan 9, 2013	Miscellaneous	Amendments to dog kennel, training and testing provisions in Exclusive Farm Use lands resulting from HB 4170 in the 2012 Legislature; an amendment to clarify that underground utility requirements for subdivisions is only applicable in urban growth boundaries, and; the addition of a graphic plan amendment process time line for illustrative purposes.	Ord 2013-01-02 Clerks Ref. # CJ 2013-37
April 10, 2013	Template Dwelling Provisions	Clarifies the standards required for authorization of a forest template dwelling building permit in the FF and AW zones, and adds a standard providing for notification of permit authorization.	Ord 2013-04-01 Clerks Ref. # CJ2013-0352
Dec 11, 2013	Miscellaneous	Amendments to the Douglas County Land Use and Development Ordinance are needed in order to comply with new state law passed in the 2013 Legislature related to: Poultry Processing (HB 2393); Agricultural Buildings (HB 2441); Transmission Lines (HB 2704); Replacement Dwellings (HB 2746); Food Banks (HB 2788); Solar Energy Facilities (HB 2820); Forest Divisions (HB 3125) & Wineries (SB 841).	Ord 2013-12-01 Clerks Ref. # CJ2013-1164
Dec 10, 2014	Miscellaneous	Amendments to the Douglas County Land Use and Development Ordinance are needed in order to implement: 1) amendments to LUDO Article 30, Floodplain Overlay, resulting from the 2013 FEMA Community Assistance Visit, and; 2) minor clarifying amendments resulting from LCDC amendments to the Oregon Administrative Rules.	Ord 2014-12-02 Clerks Ref. # CJ2014-1098
April 29, 2015	Medical Marijuana Facility Provisions	Amendments to the Douglas County Land Use and Development Ordinance incorporating the Medical Marijuana Facility (MMF) provisions enacted by the 2013 Legislature and codified in ORS 475.314, and declaring an emergency so that the amendments become effective upon adoption, prior to expiration of the MMF moratorium on May 1, 2015.	Ord 2015-04-01 Clerks Ref. # CJ2015-0309
Dec 9, 2015	Miscellaneous	Amendments to the Douglas County Land Use and Development Ordinance are needed in order to comply with state law passed in the 2015 Legislature: Division along a UGB line (HB 2457); procedural modifications for LUBA remands (HB 2830); BLA restrictions per Measure 49 waivers (HB 2831); & a new provision for divisions for needed housing in a UGB (HB 3222), as well as minor amendments to improve the effectiveness of the LUDO.	Ord 2015-12-02 Clerks Ref.# 2015-1069
Nov 9, 2016	Medical Marijuana Grow Site Provisions	Amendments to the Douglas County Land Use and Development Ordinance are needed in order to incorporate provisions governing medical marijuana grow sites and their attendant structures to add applicable statutory standards and clarify land use review.	Ord 2016-11-01 Clerks Ref# 2016-0998