

**RRSC RURAL RETAIL/
SERVICE COMMERCIAL**

§152.251 PURPOSE.

The RRSC Rural Retail/Service Commercial Zone is designed to comply with Goal 14 and provide areas outside of urban growth boundaries and unincorporated communities where specific commercial activities require larger sites than are available inside an urban growth boundary and provide for retail and service-oriented commercial activities to accommodate rural residences. This zone is applied to commercial lands outside unincorporated communities and urban growth boundaries for which an exception to Goal 14 has not been approved.

The intent of the Rural Retail/Service Zone is to permit the continuation and expansion of existing uses and to provide rural employment opportunities for new uses that are generally rural-scale and low impact.

§152.252 USES PERMITTED.

(A) Uses Permitted Outright. In an RRSC Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property.

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan except for those that are located in exclusive farm use or forest zones.

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses Permitted with a Zoning Permit. The following uses and their accessory uses are permitted upon the issuance of a zoning permit subject to the requirements of §§152.248 - 152.250 of this chapter:

(1) Automobile service station;

(2) Automobile, truck or motorcycle sales lot;

(3) Automobile, truck or motorcycle repair shop or parts store;

(4) Blacksmith or machine shop;

(5) Bottling works;

(6) Custom meat cutting, curing and cold storage locker;

(7) Eating or drinking establishment;

(8) Financial institution;

(9) Food store;

- (10) Gift store;
- (11) Green house or nursery;
- (12) Information center;
- (13) Motel, hotel, up to 35 units;
- (14) Office building;
- (15) Plumbing or sheet metal shop;
- (16) Public or semi-public uses;
- (17) Retail sales outlets;
- (18) Service-oriented businesses;
- (19) Sporting goods or bait shop;
- (20) Signs: Type 2, 3, 4, 5, 7, 8, 9, 10, 11;

(21) Wholesale businesses where no manufacturing, compounding, processing or treatment of the products for wholesale are conducted.

**§152.253 CONDITIONAL USES
PERMITTED.**

In a RRSC Zone, the following uses and their accessory uses are permitted, subject to the requirements of §§ 152.610 through 152.616 and 152.248 through 152.250 of this chapter and upon the issuance of a zoning permit:

- (A) Accessory dwelling (one only) for the owner or operator of each existing permitted use;
- (B) Animal hospital or veterinary clinic;

(C) Commercial amusement establishment;

(D) Drug paraphernalia store, adult book store, adult movie house;

(E) Mini-warehouses;

(F) Mobile home park, travel trailer park;

(G) Tire repairing;

(H) Utility facility;

(I) Welding shop;

(J) Other uses similar to the uses permitted or the conditional uses normally located in a Rural Retail/Service Commercial Zone, provided that the use has the approval of the Planning Commission.

(K) Rural commercial uses related to/primarily designed to provide service to farm or forest industry. These farm/forest rural commercial uses shall not be subjected to a size limitation. These uses shall be approved by the Planning Commission.

(L) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the

following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this chapter.

(M) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(N) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§ 152.254 LIMITATIONS ON USES.

In the RRSC Zone, the following limitations and conditions shall apply:

(A) Outside storage areas shall be screened with a site-obscuring fence so that the area shall not be exposed to view from without the property;

(B) Outside display of any scrap or salvage material shall be prohibited.

(C) Except as provided in Paragraphs D through F of this Section, buildings shall not exceed 3,500 square feet of floor space.

(D) Greenhouses, nurseries, mobile home parks, travel trailer parks, and animal hospitals or veterinary clinics primarily devoted to the treatment of large animals may have buildings in excess of 3,500 square feet of floor space.

(E) New hotels and motels are allowed up to a maximum of 35 units, with no limitation on square footage.

(F) Structures that existed on July 1, 2005 may expand to a building size of 4,500 square feet or to a size that is 50% larger than the building size that existed on July 1, 2005, whichever is larger.

(G) Notwithstanding the size limitations for structures contained in this chapter, a lawfully approved or lawfully constructed structure existing as of July 1, 2005 shall not be considered a non-conforming use, and in the event the structure is destroyed or substantially damaged, the structure may be restored to its prior lawfully approved size.

§ 152.255 DESIGN REVIEW.

(A) An application for a zoning permit for a use permitted in § 152.246 or 152.247 of this chapter shall be accompanied by a site plan.

(B) The Planning Director or authorized agent shall review the site plan for completeness and compliance with the

following requirements:

(1) The site plan shall consist of the following:

(a) An accurate map showing property lines, dimensions and location of buildings on the property both existing and proposed;

(b) Drawn at a scale no smaller than 1" = 100';

(c) Access points to county or state roads;

(d) Names of the owner and developer of the site.

(2) The Planning Director or authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

(3) Applicable standards listed in this chapter for access parking lots and spaces, off-street parking, loading requirements, setbacks, signs, vision clearance, and other standards which may now or hereafter be enacted.

§ 152.256 DIMENSIONAL STANDARDS.

In an RRSC Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(B) Minimum lot width. The

minimum average lot width shall be 100 feet with a minimum of five feet fronting on a dedicated county or public road or state highway;

(C) Setback requirements. The minimum setback requirements shall be as follows:

(1) Front yard: twenty feet, except if the front yard area is used for off-street parking space, then the front yard shall be a minimum of 40 feet;

(2) Side yard: ten feet, except if the lot abuts a property zoned for residential use, then the setback shall be 20 feet;

(3) Rear yard: twenty feet;

(4) The minimum side and rear yard setbacks may be modified by a ruling of the Planning Commission upon the request of a property owner, if the adjacent properties are zoned for commercial or industrial use. Under no circumstance shall the setback requirements be modified when the reduced setback would adjoin residentially zoned property.

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such a septic tanks and septic drainfields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, at right angles to the high water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet and the

Department of Environmental Quality finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the streams, lakes or wetland, but in no case closer than 50 feet;

(2) All structures, buildings or similar permanent fixtures shall be set back from the high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark.

CRC - COMMERCIAL RURAL CENTER

§ 152.260 PURPOSE.

The CRC Commercial Rural Center is designed to provide primary local rural commercial service for rural residences. The purpose of this use zone is to provide standards and review procedures for local rural commercial services that meet the needs of the rural residence and limit any conflicts between these uses and the prevailing rural residential uses.

§ 152.261 USES PERMITTED.

(A) Uses permitted outright. In a CRC Zone, the following uses and their accessory uses are permitted without a zoning permit, pursuant to § 152.027:

(1) Farm use, as defined in ORS 215.203 and set out in §152.043, except livestock feed yards and sale yards, hog or poultry farms and the raising of fur-bearing animals and except the dwellings and other buildings customarily provided in conjunction with farm use referred to in ORS 215.203(2)(a).

(2) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(3) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(4) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(5) Landscaping as part of a transportation facility.

(6) Emergency measures necessary for the safety and protection of property.

(7) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(8) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses permitted with a zoning permit. In a CRC Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025 and subject to the requirements of §§152.263 through 152.264:

(1) Professional offices including, but not limited to, doctor or lawyers office, clinic and real estate offices with building size not to exceed 3,500 square feet of floor space;

(2) Retail store: 2,500 square feet maximum floor space;

(3) Automobile service station with

building size not to exceed 3,500 square feet of floor space;

(4) Restaurant or drinking establishment with building size not to exceed 3,500 square feet of floor space;

(5) Utility facility, except landfills;

(6) Public or semi-public use;

(7) Signs: Type 2, 3, 4, 5, 7, 8, 9, 10, 11.

§ 152.262 CONDITIONAL USES PERMITTED.

In a CRC Zone the following uses and their accessory uses are permitted conditionally subject to the requirements of §§152.610 through 152.616 and 152.263 through 152.264, and upon the issuance of a zoning permit:

(A) Dwelling for the owner or operator of a use permitted in a CRC Zone;

(B) Boarding, lodging or rooming house;

(C) Animal hospital or veterinary clinic primarily devoted to the treatment of large animals, but not kennels;

(D) Church;

(E) School;

(F) Day care or nursery;

(G) Rural commercial uses related to/primarily designed to provide service to farm or forest industry. These farm/forest rural commercial uses shall not be subjected to a size limitation. These uses shall be

approved by the Planning Commission.

(H) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this chapter.

(I) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(J) If review under this Section indicates

that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§152.263 LIMITATIONS ON USES.

The following limitations shall apply in a CRC Zone for the raising of farm animals:

(A) Cows, horses, goats, sheep or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited to the square footage of the lot divided by the minimum area required for each animal. The minimum area required for horses, cows, goats and sheep is two per acre. For the purposes of this section the two per acre requirement shall be cumulative. In other words, on two acres only four animals listed above could be kept.

(B) The number of chickens, fowl, rabbits or similar sized animals shall be confined on not more than 25% of the total lot area;

(C) All livestock shall be located a minimum of 100 feet away from a residential dwelling on an adjacent lot;

(D) Adequate fences and corrals shall be required to keep animals off adjacent lands;

(E) Notwithstanding division (C) of this section, barns, corrals, pens, sheds and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;

(F) All structures and enclosures designed for animals shall be kept reasonably free and clean of flies, and accumulated animal waste materials and shall be subject to health regulations (county, state or federal) as may be now existing or hereafter established.

(G) Notwithstanding the size limitations for structures contained in this chapter, a lawfully approved or lawfully constructed structure existing as of July 1, 2005 shall not be considered a non-conforming use, and in the event the structure is destroyed or substantially damaged, the structure may be restored to its prior lawfully approved size.

§ 152.264 DIMENSIONAL STANDARDS.

In a CRC Zone the following standards shall apply:

(A) Minimum lot area.

(1) Use permitted with a zoning permit except utility facilities, one acre, with an average lot width of 150 feet;

(2) Conditional uses and utility facilities. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and/or the DEQ considering the protection of public health, the size needed to accommodate the use and its accessory uses, and the objective to minimize potential conflicts with adjacent land uses;

(3) Pre-existing, non-conforming lots of record. Lots which were lawfully in existence prior to the effective date of this chapter and do not meet the requirements of this section may be used for uses listed in this zone providing that all other applicable regulations can be met.

(B) Setback requirements. No building shall be located closer than 20 feet from the property line except on the street/road side of a corner lot used for a side yard, the setback shall be 55 feet from the centerline of the road, highway, or easement, or 25 feet from the property line, whichever is greater. If the area between the building and the lot line is to be used for off-street parking, then the building shall be located at least 40 feet from the lot line.

(C) Lot coverage. The main building and accessory building located on any building site or lot shall not cover more than 30% of the total lot area;

(D) Building height. No building or structure shall be erected or enlarged to exceed two stories or more than 25 feet in height, except split-level buildings, which may be increased in height to 30 feet;

(E) Expansion of structures that existed on July 1, 2005 shall be permitted under the following circumstances:

a. If the use is not subject to a size limitation there shall be no limitations on expansion.

b. If the use is subject to a size limitation, the use may expand to a building size of 4,000 square feet or to a size that is 50% larger than the building size that existed on July 1, 2005, whichever is larger

(F) Size limits on uses permitted in the CRC Zone shall not apply to any properties for which an exception to Statewide Planning Goal 14, Urbanization, has been approved.

(G) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve

the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply: all sewage disposal installations, such as septic tanks and septic drainfields shall be setback from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet, and the DEQ finds that a closer location will not endanger health, the county may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

(H) Off-street parking and loading. Off-street parking and loading shall be provided in accordance with the provisions of §§152.560 through 152.562 of this chapter;

(I) Site plan review. In a CRC Zone, uses permitted with a zoning permit and conditional uses shall be subject to the following requirements:

(1) For use permitted with a zoning permit. Before a building may be constructed, enlarged or substantially altered, a site development plan shall be submitted to the Planning Department;

(2) For conditional uses. In considering a site plan for proposed use in an CRC Zone, the county shall take into account the impact of the proposed use on nearby residential and commercial property, the capacity of the street to carry traffic, and the appearance of the use. The county may require as a condition of approval:

(a) An increase in the required lot size;

- (b) Additional off-street parking;
- (c) Screening of the proposed use by a fence or landscaping;
- (d) Limitations on signs or lighting;
- (e) Limitations on the number and location of curb cuts;
- (f) Any other conditions considered necessary to achieve the purpose of this chapter;

(3) Construction and development of the site shall conform to an approved site plan.

RTC RURAL TOURIST COMMERCIAL

§ 152.281 PURPOSE.

The RTC Rural Tourist Commercial Zone is designed to serve the traveling public along major traffic corridors or at appropriate recreational locations outside unincorporated communities and urban growth boundaries. Facilities may include service stations, eating establishments or over-night accommodations. The RTC Zone is appropriate along major interstate interchanges as discussed in the Comprehensive Plan. This zone is applied to commercial lands outside unincorporated communities and urban growth boundaries for which an exception to Goal 14 has not been approved.

The intent of the Rural Tourist Commercial Zone is to permit the continuation and expansion of existing uses and to provide rural scale tourism-related employment uses.

§152.282 USES PERMITTED

(A) Uses permitted outright. In an RTC Zone, the following uses and their accessory uses are

permitted without a zoning permit.

(1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property.

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan .

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses permitted with a zoning permit. The following uses and their accessory uses are permitted upon the issuance of a zoning permit subject to the requirements of §§152.278 – 152.280 of this chapter:

- (1) Automobile service station;
- (2) Boarding, lodging or rooming house;
- (3) Eating or drinking establishment;
- (4) Food store;
- (5) Gift shop;
- (6) Information center;
- (7) Laundromat;

- (8) Motel, hotel (up to 30 units);
- (9) Sporting goods or bait shop;
- (10) Signs: Type 3, 4, 5, 6, 7, 8, 9, 10, 11.

**§152.283 CONDITIONAL USES
PERMITTED.**

In an RTC Zone, the following uses and their accessory uses are permitted subject to the requirements of §§152.610 through 152.616 and 152.278 through 152.280 of this chapter, and upon the issuance of a zoning permit:

- (A) Accessory dwelling (one only) for the owner or operator of each existing permitted use;
- (B) Public or semi-public use;
- (C) Travel trailer park;
- (D) Utility facility;
- (E) Other uses similar to the uses permitted or the conditional uses normally located in a Rural Tourist Commercial Zone, providing that it has the approval of the Planning Commission.

(F) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this chapter.

(G) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(H) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§ 152.284 LIMITATIONS ON USES.

In the RTC Zone, the following limitations on uses shall apply:

(A) Outside storage areas shall be screened with a site-obscuring fence so that the area shall not be exposed to view from the traveling public and surrounding properties;

(B) Storage of scrap or salvage materials shall be prohibited.

(C) Except as provided in Paragraphs D and E of this Section, buildings shall not exceed 3,500 square feet of floor space.

(D) Motels and hotels that existed on July 1, 2005 may expand up to 35 units or up to 50% of the number of existing units, whichever is larger, with no limitation on square footage.

(E) Structures that existed on July 1, 2005 may expand to a building size of 4,500 square feet or to

a size that is 50% larger than the building size that existed on July 1, 2005, whichever is larger.

(F) Notwithstanding the size limitations for structures contained in this chapter, a lawfully approved or lawfully constructed structure existing as of July 1, 2005 shall not be considered a non-conforming use, and in the event the structure is destroyed or substantially damaged, the structure may be restored to its prior lawfully approved size.

§ 152.285 DESIGN REVIEW.

(A) An application for a zoning permit for a use permitted in §152.282 or §152.283 of this chapter shall be accompanied by a site plan.

(B) The Planning Director or authorized agent shall review the site plan for completeness and compliance with the following requirements:

(1) The site plan shall consist of the following:

(a) An accurate map showing property lines, dimensions and location of buildings on the property, both existing and proposed;

(b) Drawn at a scale no smaller than 1" = 100';

(c) Access points to county or state roads;

(d) Names of the owner and developer of the site.

(2) The Planning Director or authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

(3) Applicable standards listed in this chapter for access, parking lots and spaces, off-street parking and loading requirements, setbacks, signs, vision clearance, and other standards which may now or hereafter be enacted.

§152.286 DIMENSIONAL STANDARDS.

In an RTC Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality is provided that shows that an approvable subsurface disposal system can be located on less than one acre;

(B) Minimum lot width. The minimum average lot width shall be 100 feet with a minimum of 25 feet fronting on a dedicated county or public road or state highway;

(C) Setback requirements. No building shall be located closer than 20 feet from a property line, except on the street/road side of a corner lot used for a side yard the setback shall be 55 feet from the center line of the road, highway, or easement, or 25 feet from the property line, whichever is greater. The minimum side and rear yard setbacks may be modified by a ruling of the Planning Commission or Planning Director upon the request of a property owner if the adjacent properties are zoned for commercial or industrial use. Under no circumstances shall the setback requirements be modified when the reduced setback would adjoin residential or agricultural zoned property;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drainfields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet and the DEQ finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

(2) All structures, buildings or similar permanent fixtures shall be set back from the high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark.

LI LIGHT INDUSTRIAL ZONE

§ 152.302 USES PERMITTED WITH ZONING PERMIT.

(B) Uses permitted with a zoning permit. In the LI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §§ 152.025 and 152.305 of this chapter:

(5) Food products manufacturing;

§ 152.304 LIMITATIONS ON USE.

(A) All business, commercial and industrial activities, and storage allowed in an LI Light Industrial Zone shall be conducted wholly within a building or shall be screened from view from adjacent public roads or surrounding properties in farm, residential or commercial zones, unless the entire activity is conducted more than 500 feet from said surrounding property or road. Outdoor storage of farm and forest products or equipment shall not be subject to this limitation;

RLI RURAL LIGHT INDUSTRIAL ZONE

§152.307 PURPOSE.

The RLI Rural Light Industrial Zone is designed to provide areas for industrial uses

that are appropriate for rural locations, less intensive than heavy industrial uses, are less offensive to adjacent land uses, and are compatible with certain commercial uses. It is designed to help the county expand and diversify its economic base. The RLI Zone is appropriate for areas near major transportation facilities which are generally suited for industry and include highways, railroads and waterways. This zone is applied to lands zoned industrial prior to January 1, 2004, that are outside unincorporated communities and urban growth boundaries.

The intent of the Rural Light Industrial Zone is to permit the continuation and expansion of existing uses and to provide rural employment opportunities for new uses that are generally rural-scale and low impact or provide for the processing and manufacturing of resource products such as timber and forest related products, farm crops and produce, mineral and aggregate resources, or the maintenance and repair of mechanical equipment related to farm or forest uses.

§152.308 USES PERMITTED

(A) Uses permitted outright. In an RLI Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property.

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses permitted with a zoning permit. In the RLI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §152.025 and subject to the requirements of §§152.310 through 152.312 of this chapter:

- (1) Blacksmith or machine shop;
- (2) Bottling works, if agriculturally-related;
- (3) Contractor's equipment storage yard;
- (4) Custom meat cutting and cold storage locker;
- (5) Food products processing, except meat processing and rendering plants;
- (6) Grain elevator or flour mill;
- (7) Greenhouse or nursery;
- (8) Hauling, freighting and trucking yard or terminal (excluding truck stops);
- (9) Ice or cold storage plant;

(10) Primary processing of raw materials produced in rural areas;

(11) Information kiosk;

(12) Manufacturing, compounding, assembling or treatment of products;

(13) Mini-warehouses;

(14) Plumbing or sheet metal shop;

(15) Industrial uses in conjunction with farm, forest or aggregate use;

(16) Signs: Type 3, 4, 5, 7, 8, 9, 10, 11;

(17) Tire recapping, with building size;

(18) Truck sales, service, storage and maintenance;

(19) Veterinary clinic or animal hospital primarily devoted to the treatment of large animals, but not kennels;

(20) Welding shop;

(21) Wholesale business, storage building or warehouse, in conjunction with farm or forest use.

§152.309 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.

(A) In an RLI Zone, the following uses and their accessory uses are permitted, conditionally, subject to the requirements of §§ 152.610 through 152.616, and 152.310 through 152.312 and upon the issuance of a zoning permit:

- (1) Accessory dwelling (one only) for

the owner or operator of each existing permitted use;

- (2) Automobile wrecking yard;
- (3) Commercial gravel extraction and processing ;
- (4) Concrete block or pipe manufacturing;
- (5) Concrete manufacturing plant;
- (6) Junkyard;
- (7) Major manufacturing, repairing, compounding, fabricating, assembling, processing, or storage of products derived from rural areas or related to agriculture or forestry industries having any one of the following characteristics:
 - (a) Peak employment of more than 200 persons;
 - (b) Utilizing more than 20 acres of land;
 - (c) Requiring a total energy input which exceeds 6,826,000 British Thermal Units (BTU) for all energy sources combined (i.e. natural gas, propane, oil and electricity);
- (8) Petroleum products sales and storage, limited to card lock and not general retail;
- (9) Public or semi-public use;
- (10) Sand or gravel storage yard;
- (11) Utility and public power generating facilities;
- (12) Wood processing facilities;

(13) Other buildings and uses similar to the list above and consistent with the rural purpose of this zone which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or districts than the buildings and uses specifically listed, shall only be incidental and directly related to the operation of permitted industrial uses.

(14) Rural industrial uses related to/primarily designed to provide service to farm or forest industry. These farm/forest rural industrial uses shall not be subjected to a size limitation. These uses shall be approved by the Planning Commission.

(B) The following general criteria shall be used to review all conditional uses listed in the RLI Zone, notwithstanding any other criteria listed in this chapter for a particular use:

- (1) The use will be compatible with other uses allowed in a RLI Zone;
- (2) The use will be in conformance with policies listed in the text of the Comprehensive Plan;
- (3) The use would not have an adverse impact on existing industrial uses in that it would not be incompatible with the noise, dust, vibrations and odors that may emanate from or be caused by the existing adjacent industrial uses.
- (4) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan

and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(a) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(b) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(c) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(d) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this chapter.

(5) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(6) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§152.310 LIMITATIONS ON USE.

(A) All business, commercial and

industrial activities, and storage allowed in an RLI Rural Light Industrial Zone shall be conducted wholly within a building or shall be screened from view from adjacent public roads or surrounding properties in residential or commercial zones, unless the entire activity is conducted more than 50 feet from said surrounding property or road. Outdoor storage of farm and forest products or equipment shall not be subject to this limitation;

(B) All off-street loading areas shall be screened from view if adjoining properties are in a residential zone;

(C) All noise, vibration, dust, odor, smoke, appearance or other objectionable factors involved in any activity shall comply with appropriate state and federal regulations.

(D) A lawfully approved or lawfully constructed structure existing as November 12, 2005 shall not be considered a non-conforming use, and in the event the structure is destroyed or substantially damaged, the structure may be restored to its prior lawfully approved size.

§152.311 DESIGN REVIEW.

(A) An application for a zoning permit for a use permitted in §152.308 of this chapter shall be accompanied by a site plan.

(B) The Planning Director or authorized agent shall review the site plan for completeness and compliance with the following requirements:

(1) The site plan shall consist of the following:

(a) An accurate map showing

property lines, dimensions, and location of buildings on the property, both existing and proposed;

(b) Drawn at a scale no smaller than 1" = 100';

(c) Access points to county or state roads;

(d) Names of the owner and developer of the site.

(2) The Planning Director or authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

(3) Applicable standards listed in this chapter for access parking lots and spaces, off-street parking and loading requirements, setbacks, signs, vision clearance, and other standards which may now or hereafter be enacted.

§152.312 DIMENSIONAL STANDARDS

In an RLI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(B) Minimum lot width. The minimum average lot width shall be 100 feet with a minimum of 25 feet fronting on a dedicated county or public road or state highway;

(C) Setback requirements. The

minimum setback requirements shall be as follows:

(1) No building shall be located closer than 20 feet from the property line, except on the street/road side of a corner lot used for a side yard the setback shall be 55 feet from the centerline of the road, highway, or easement, or 25 feet from the property line, whichever is greater;

(2) Front yard: 20 feet, except if the front yard area is used for off-street parking space, then the front yard shall be a minimum of 40 feet;

(3) Side yard: 20 feet;

(4) Rear yard: 20 feet;

(5) The minimum side and rear yard setbacks may be modified by a ruling of the Planning Commission or Planning Director, upon the request of a property owner, if the adjacent properties are zoned for commercial or industrial use. Under no circumstance shall the setback requirements be modified when the reduced setback would adjoin residentially zoned property.

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drainfields, shall be setback from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100

feet and the DEQ finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet.

(2) All structures, buildings or similar permanent fixtures shall be set back from the high-water line along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark.

LRLI LIMITED RURAL LIGHT INDUSTRIAL ZONE

§152.313 PURPOSE.

The LRLI, Limited Rural Light Industrial Zone, is designed to provide areas for industrial uses that are appropriate for rural locations, less intensive than heavy industrial uses, are less offensive to adjacent land uses, and are compatible with certain commercial uses. It is designed to help the county expand and diversify its economic base. The LRLI Zone is appropriate for areas near major transportation facilities which are generally suited for industry and include highways, railroads and waterways. This zone is applied to lands zoned industrial outside unincorporated communities and urban growth boundaries after January 1, 2004.

The intent of the Limited Rural Light Industrial Zone is to permit the continuation and expansion of existing uses and to provide rural employment opportunities for new uses that are generally rural scale and low impact or provide for the processing and manufacturing of resource products such as timber and forest related products, farm crops and produce, mineral and aggregate resources, or the maintenance and repair of mechanical

equipment related to farm or forest uses.

§152.314 USES PERMITTED

(A) Uses permitted outright. In an LRLI Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property.

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses permitted with a zoning permit. In the LRLI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §§ 152.025 and subject to the requirements of §§152.316 through 152.318 of this chapter:

- (1) Blacksmith or machine shop;
- (2) Bottling works, if agriculturally-related;
- (3) Contractor's equipment storage yard;
- (4) Custom meat cutting and cold storage locker;
- (5) Food products processing, except meat processing and rendering plants;
- (6) Grain elevator or flour mill;
- (7) Greenhouse or nursery;
- (8) Hauling, freighting and trucking yard or terminal, (excluding truck stops);
- (9) Ice or cold storage plant;
- (10) Primary processing of raw materials produced in rural areas;
- (11) Information kiosk;
- (12) Manufacturing, compounding, assembling or treatment of products derived from rural areas or related to agriculture or forestry.;
- (13) Manufacturing, compounding, assembly or treatment of products not derived from rural areas, with building size not to exceed 35,000 square feet of floor space;
- (14) Mini warehouses;
- (15) Plumbing or sheet metal shop, building size not to exceed 35,000 square feet of floor space;
- (16) Industrial uses in conjunction

with farm, forest or aggregate use;

(17) Signs: Type 3, 4, 5, 7, 8, 9, 10, 11;

(18) Tire recapping, with building size not to exceed 35,000 square feet of floor space;

(19) Truck sales, service, storage and maintenance, building not to exceed 35,000 square feet of floor space.

(20) Veterinary clinic or animal hospital primarily devoted to the treatment of large animals, but not kennels;

(21) Welding shop;

(22) Wholesale business, storage building or warehouse, in conjunction with farm or forest use.

§152.315 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.

(A) In an LRLI Zone, the following uses and their accessory uses are permitted, conditionally, subject to the requirements of §§ 152.610 through 152.616, 152.316 – 152.318 and upon the issuance of a zoning permit:

(1) Accessory dwelling (one only) for the owner or operator of each existing permitted use;

(2) Automobile wrecking yard, with a building size not to exceed 35,000 square feet of floor space;

(3) Commercial gravel extraction and processing ;

(4) Concrete block or pipe manufacturing;

(5) Concrete manufacturing plant;

(6) Junkyard;

(7) Major manufacturing, repairing, compounding, fabricating, assembling, processing, or storage of products derived from rural areas or related to agriculture or forestry industries having any one of the following characteristics:

(a) Peak employment of more than 200 persons;

(b) Utilizing more than 20 acres of land;

(c) Requiring a total energy input which exceeds 6,826,000 British Thermal Units (BTU) for all energy sources combined (i.e. natural gas, propane, oil and electricity);

(8) Petroleum products sales and storage, limited to card lock and not general retail;

(9) Public or semi public use;

(10) Sand or gravel storage yard;

(11) Utility and public power generating facilities;

(12) Wood processing facilities;

(13) Other buildings and uses similar to the list above and consistent with the rural purpose of this zone which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or districts than the buildings and uses specifically listed, shall only be incidental and directly related to the

operation of permitted industrial uses. Land uses not related to agriculture or forestry, or otherwise consistent with the rural purpose of this zone, shall be subject to a 35,000 square foot building size limitation.

(14) Rural industrial uses related to/primarily designed to provide service to farm or forest industry. These farm/forest rural industrial uses shall not be subjected to a size limitation. These uses shall be approved by the Planning Commission.

(B) The following general criteria shall be used to review all conditional uses listed in the LRLI Zone, notwithstanding any other criteria listed in this chapter for a particular use:

(1) The use will be compatible with other uses allowed in an LRLI Zone;

(2) The use will be in conformance with policies listed in the text of the Comprehensive Plan;

(3) The use would not have an adverse impact on existing industrial uses in that it would not be incompatible with the noise, dust, vibrations and odors that may emanate from or be caused by the existing adjacent industrial uses.

(4) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the

draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(a) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(b) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(c) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(d) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this chapter.

(5) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(6) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§152.316 LIMITATIONS ON USE.

(A) All business, commercial and industrial activities, and storage allowed in an LRLI, Limited Rural Light Industrial Zone shall be conducted wholly within a building or shall be screened from view from adjacent

public roads or surrounding properties in farm, residential or commercial zones, unless the entire activity is conducted more than 500 feet from said surrounding property or road. Outdoor storage of farm and forest products or equipment shall not be subject to this limitation;

(B) All off street loading areas shall be screened from view if adjoining properties are in a residential zone;

(C) All noise, vibration, dust, odor, smoke, appearance or other objectionable factors involved in any activity shall comply with appropriate state and federal regulations.

(D) Expansion of structures that existed on November 12, 2005, shall be permitted under the following circumstances:

(1) If the use is not subject to a size limitation there shall be no limitations on expansion.

(2) If the use is subject to a size limitation, the use may expand to a building size of 40,000 square feet or to a size that is 50% larger than the building size that existed on November 12, 2005, whichever is larger

(E) Notwithstanding the size limitations for structures contained in this section, a lawfully approved or lawfully constructed structure existing as November 12, 2005, shall not be considered a non-conforming use, and in the event the structure is destroyed or substantially damaged, the structure may be restored to its prior lawfully approved size.

§152.317 DESIGN REVIEW.

(A) An application for a zoning permit

for a use permitted in §152.314 of this chapter shall be accompanied by a site plan.

(B) The Planning Director or authorized agent shall review the site plan for completeness and compliance with the following requirements:

(1) The site plan shall consist of the following:

(a) An accurate map showing property lines, dimensions, and location of buildings on the property, both existing and proposed;

(b) Drawn at a scale no smaller than 1" = 100';

(c) Access points to county or state roads;

(d) Names of the owner and developer of the site.

(2) The Planning Director or authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

(3) Applicable standards listed in this chapter for access parking lots and spaces, off street parking and loading requirements, setbacks, signs, vision clearance, and other standards which may now or hereafter be enacted.

§152.318 DIMENSIONAL STANDARDS

In an LRLI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the

Department of Environmental Quality is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(B) Minimum lot width. The minimum average lot width shall be 100 feet with a minimum of 25 feet fronting on a dedicated county or public road or state highway;

(C) Setback requirements. The minimum setback requirements shall be as follows:

(1) No building shall be located closer than 20 feet from the property line, except on the street/road side of a corner lot used for a side yard the setback shall be 55 feet from the centerline of the road, highway, or easement, or 25 feet from the property line, whichever is greater;

(2) Front yard: 20 feet, except if the front yard area is used for off street parking space, then the front yard shall be a minimum of 40 feet;

(3) Side yard: 20 feet;

(4) Rear yard: 20 feet;

(5) The minimum side and rear yard setbacks may be modified by a ruling of the Planning Commission or Planning Director, upon the request of a property owner, if the adjacent properties are zoned for commercial or industrial use. Under no circumstance shall the setback requirements be modified when the reduced setback would adjoin residentially zoned property.

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following

setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drainfields, shall be setback from the mean high water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet and the DEQ finds that a closer location

will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet.

(2) All structures, buildings or similar permanent fixtures shall be set back from the high water line along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high water line or mark.

The Board further ordains that except for those lands for which an exception to Goal 14 has been taken, the following zoned lands will be rezoned (Zoning Map Amendment File No. Z-283):

RSC Retail/Service Commercial to
RRSC Rural Retail/Service Commercial;
TC Tourist Commercial to
RTC Rural Tourist Commercial;
LI Light Industrial to
RLI Rural Light Industrial;
HI Heavy Industrial to
RHI Rural Heavy Industrial.

The Board further ordains that for Umatilla County Tax Lot 6N3524B-601 (Clay-in-Motion property), the land will be rezoned to LRHI Limited Rural Light Industrial.

DATED this 13th day of October, 2005.

UMATILLA COUNTY BOARD OF COMMISSIONERS


Emile M. Holeman, Chair


William S. Hansell, Commissioner


Dennis D. Doherty, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Stan Churchill
Records Officer

