

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL

FILED
YAMHILL COUNTY OREGON
1968 NOV - 7 AM 9:19 2:48
JACK BEELER CO. CLERK

In the Matter of Amending the
Subdivision Regulations of Yamhill
County adopted on the 1st day of
April, 1959.

ORDINANCE
No. 29

This matter came on to be heard before the Board of County Commissioners on the 29th day of October, 1968, meeting in special session, Chairman C. N. Teegarden and Commissioners Morris Majors and R. A. Schaad being present; and

It appearing to the court that on the 1st day of October, 1968, the Yamhill County Planning Commission held a public hearing regarding proposed amendments to the Subdivision Regulations of Yamhill County adopted on the 1st day of April, 1959, due notice of which public hearing was published as required by law; and

It further appearing that after holding such public hearing the Yamhill County Planning Commission recommended to the Board of County Commissioners the approval of the proposed amendments to the Subdivision Regulations for Yamhill County; and

It further appearing that a motion was duly made and regularly passed to adopt the following amendments to the Subdivision Regulations for Yamhill County.

IT IS, THEREFORE, HEREBY ORDAINED:

That the Subdivision Regulations for Yamhill County adopted on the 1st day of April, 1959, be and hereby are amended as follows:

SECTION 1.

Section (2), DEFINITIONS, subsection (a), is amended to read:

(a) SUBDIVISION. "Subdivision" means either an act of subdividing land, or a tract of land subdivided, as defined in this ordinance.

SECTION 2.

Section (2), DEFINITIONS, is amended by adding:

- (o) SUBDIVIDING LAND. "Subdividing land" means the act of dividing a parcel of land into four or more parcels of less than five acres for the purpose of transfer of ownership, or building development, whether immediate or future, when such parcel exists as a unit, or contiguous units, under a single ownership, as shown on the tax roll for the year preceding the division; and said meaning also includes resubdividing.
- (p) PARTITION. "Partition" means either an act of partitioning land, or a tract of land partitioned, as defined in this ordinance.
- (q) PARTITIONING. "Partitioning" means the act of dividing a parcel of land into any number of smaller parcels of not more than 10 acres, where such act does not constitute subdividing land as defined in subsection (o) of this section, for the purpose of transfer of ownership, or building development, whether immediate or future, when such parcel exists as a unit, or contiguous units, under a single ownership, as shown on the tax roll for the year preceding the partitioning.

SECTION 3.

The Subdivision Regulations of Yamhill County are amended to add:

- I. PROCEDURE. When any person contemplates a partitioning of land, a finished sketch for the partitioning shall be submitted to the Yamhill County Planning Director, attached to an application for approval on a form prescribed by the Yamhill County Planning Commission, together with five additional copies of the finished sketch.
- II. REQUIREMENTS. Requirements for the finished sketch:
- A. DRAFTING. The finished sketch shall be drawn with pencil or India ink on substantial tracing paper, and show all pertinent information to scale.

B. INFORMATION REQUIRED. The finished sketch shall contain the following information with respect to the partitioned area:

- (1) The outer boundaries of all parcels of land from which the partitioned lots are taken.
- (2) The north point and scale of the sketch, and a sufficient description to define the location and boundaries of the partitioned area.
- (3) The location, name, and present width of all streets and alleys.
- (4) The dimensions and lot lines of all lots and proposed lots, and relationship to existing or proposed streets and utility easements.
- (5) The location of all existing structures located on the partitioned area that are to remain in place.
- (6) When required by the County Planning Director, the sketch shall be accompanied by profiles of the proposed streets and their extension a reasonable distance beyond the proposed partitioned area, sections of necessary grading in and adjacent to the proposed streets, and cross sections of the proposed streets showing roadways and sidewalks; all elevations thereon shall be based upon mean sea level datum.
- (7) Name and address of the record owner, or owners, and of the person who prepared the finished sketch.

III. INVESTIGATIONS. Upon receipt of an application for approval of partitioning of land, the Yamhill County Planning Director shall refer the application to the County Engineer and to the County Sanitarian, and to any other county or city officials deemed appropriate by the Yamhill County Planning Director. The Engineer, Sanitarian, or other officers, shall conduct such investigation as may be necessary to determine whether the applicant has complied with the requirements of this ordinance, with the requirements of any other county ordinance, rules or regulations, and with the state law. Each officer charged with the duty of making the investigation shall make a report thereon to the Yamhill County Planning Director within 10 days after the time of the receipt of the referral.

IV. ISSUANCE AND DENIAL OF APPROVAL.

A. If it appears to the Yamhill County Planning Director that the applicant has complied with this ordinance, all other applicable county ordinances, rules and regulations, and state law, and if no adverse reports from investigating officers have been received by the Yamhill County Planning Director within 10 days after referral of the partitioning applicant by the Yamhill County Planning Director to the county or city officers, the County Planning Director shall note approval of the finished sketch upon the finished sketch and one copy thereof, with the date of such approval, and the copy of said finished sketch shall be returned to the applicant within one week, and no further approval shall be required. The

County Planning Director shall forthwith file the finished sketch with the Yamhill County Surveyor.

- B. If the applicant has not complied with the applicable county ordinances, rules, regulations, or state law, or if adverse reports have been received by the Yamhill County Planning Director within the 10-day period specified for investigations, the Yamhill County Planning Director shall refer the application to the Yamhill County Planning Commission. In such case, the Yamhill County Planning Commission shall hold a hearing upon said application at the next regular meeting, and shall determine whether said approval shall be granted or denied. If the Yamhill County Planning Commission denies the application, it shall send to the applicant, within 10 days, a written notice of its denial, together with the reasons for the denial. If said approval is granted, such approval shall be noted upon the finished sketch, and a copy thereof, by the secretary of the Yamhill County Planning Commission, with the date of such approval; and the copy of said finished sketch shall be returned to the applicant within one week, and no further approval shall be required. The County Planning Director shall forthwith file the finished sketch with the Yamhill County Surveyor.
- V. PRINCIPLES OF ACCEPTIBILITY. A partition shall conform to the requirements of state law and to the general requirements and minimum standards of design and development required for subdivision, as set forth in Section 4 of the Subdivision Regulations of Yamhill County.

SECTION 4.

The Subdivision Regulations of Yamhill County are amended to add:

This ordinance shall not apply to the division of land when such land is divided or transferred by the owners solely among themselves, either in court or by deeds; nor shall this ordinance apply to the division or transfer of land resulting solely from the death of the owner thereof.

DATED this 1st day of November, 1968.

BOARD OF COUNTY COMMISSIONERS
FOR YAMHILL COUNTY, OREGON

By C. N. Teegarden
Chairman

By Marvin Boyer
Commissioner

By R. H. School
Commissioner

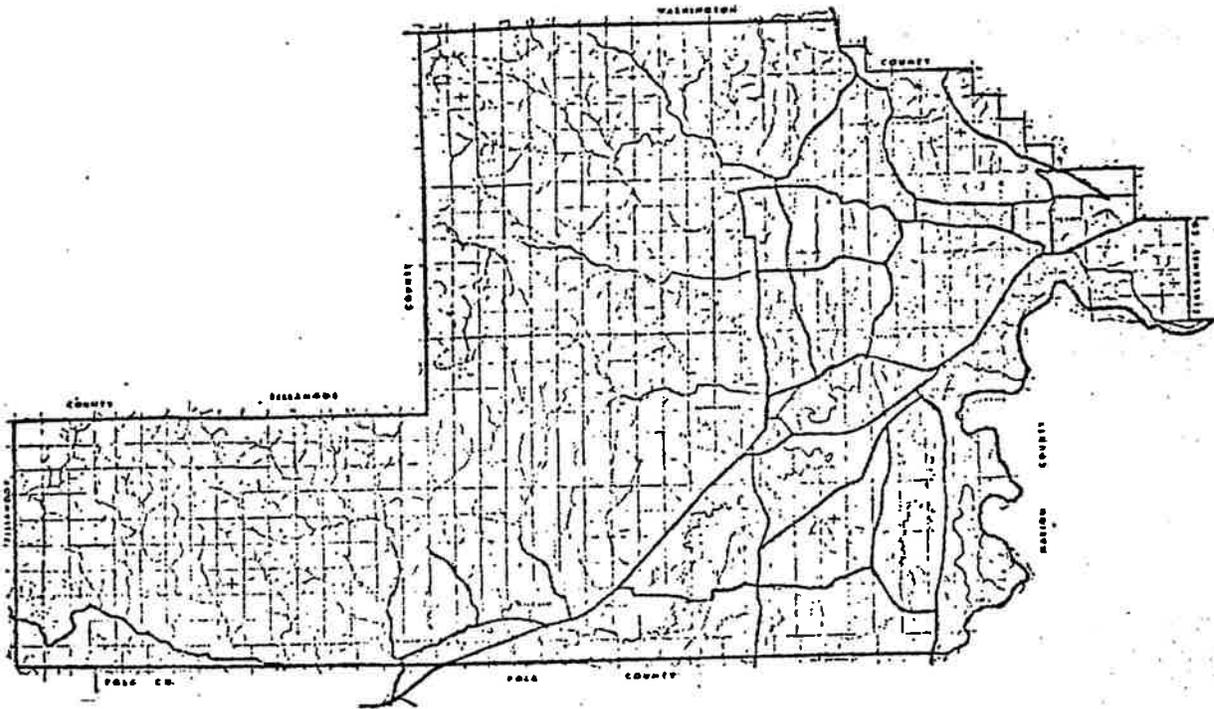
ATTEST:

JACK BEELER
Yamhill County Clerk

By Samuel E. Pearson
Deputy

ZONING ORDINANCE

NO. 29



YAMHILL COUNTY, OREGON

August 1968

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IN THE COUNTY COURT OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

(Sitting for the Transaction of County Business)

In the Matter of the Adoption
of the Zoning Ordinance for
Yamhill County.

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ORDINANCE
No. 29

This matter came on to be heard before the Yamhill County Court on the 30th day of August, 1968, C.N. Teegarden, County Judge, and Morris Majors and R.A. Schaad, County Commissioners, being present; and

WHEREAS, the Yamhill County Planning Commission has held public hearings on the proposed Yamhill County Zoning Ordinance, notice of which was given in conformance with the requirements of law; and

WHEREAS, on the 26th day of August, 1968, the Yamhill County Planning Commission recommended adoption of the proposed Zoning Ordinance for Yamhill County to the Yamhill County Court; and

WHEREAS, the Yamhill County Zoning Ordinance conforms to the comprehensive plan adopted for land use in Yamhill County, and said Yamhill County Zoning Ordinance would promote the public health, safety and general welfare of the people within Yamhill County; and

WHEREAS, the Yamhill County Court, after due consideration of the proposed Yamhill County Zoning Ordinance, upon a motion duly made and regularly passed, unanimously voted to adopt the Zoning Ordinance for Yamhill County.

IT IS, THEREFORE, HEREBY ORDAINED:

ARTICLE 1. INTRODUCTORY PROVISIONS

Section 1.010. Title.

This ordinance shall be known as the Yamhill County Zoning Ordinance of 1968.

Section 1.020. Purpose.

The purpose of this ordinance is to encourage appropriate and orderly physical development in the county through standards for provision of adequate open space for light and air, desirable levels of population density, workable relationships of land uses to the transportation system, adequate community facilities, assurance of opportunities for effective utilization of land, and to promote in other ways public health, safety, convenience, and general welfare.

Section 1.030. Rules and Construction of Language.

- (1) The particular controls the general.
- (2) The word "shall" is always mandatory and not directory. The word "may" is permissive.
- (3) Words used in the present tense include the future, unless the context clearly indicates the contrary.
- (4) Words used in the singular number include the plural, and words used in the plural include the singular, unless the context clearly indicates the contrary.
- (5) A "building" or "structure" includes all other structures of every kind, regardless of similarity to buildings.
- (6) The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

Section 1.040. Definitions.

As used in this ordinance, the following words shall be interpreted and defined in accordance with the provisions set forth in this Section.

- (1) ACCESS
The way or means by which pedestrians and vehicles enter and leave property.
- (2) ACCESSORY BUILDING, ATTACHED
An accessory building which is attached to the main building by the wall and/or roof of the main building or by the roof over a breezeway connecting the accessory building and the main building. An attached accessory building shall be considered as a part of the main building both as to lot coverage and yard regulations.
- (3) ACCESSORY STRUCTURE or ACCESSORY USE
A detached structure or a use incidental and subordinate to the main use of property and located on the same lot as the main use.
- (4) AIRCRAFT LANDING FIELD
Any landing area, runway or other facility designed, used or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including helicopters, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.
- (5) ALLEY
A street which affords only secondary means of access to property.
- (6) AUTOMOBILE SERVICE STATION
A building designed primarily for the supply of motor fuel, oil, lubrication, and accessories to motor vehicles, but excluding major repair and overhaul.
- (7) BOARDING, LODGING, OR ROOMING HOUSE
A building where lodging with or without meals is provided for compensation for not less than 5 nor more than 10 persons in addition to members of the family occupying such building.
- (8) BUILDING
A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. A trailer coach with or without wheels, shall not be considered a building.
- (9) CLEAR VISION AREA
A triangular area on a lot at the intersection of two streets or a street and a railroad, two sides of which are lot lines measured from the corner intersection of the lot lines for a distance specified in these regulations. The third side of the triangle is a line across the corner of the lot joining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection.
- (10) CLINIC
A facility for human ailments conducted by a group of physicians, dentists, or other licensed medical practitioners for the treatment and examination of outpatients.
- (11) CLUB
A building and facilities, owned or operated for a social, educational or recreational purpose, to which membership is required for participation, and not operated primarily for profit not to render a service which is customarily carried on as a business.
- (12) COMMISSION
The county planning commission of Yamhill County, Oregon.
- (13) COMMUNITY CENTER
A facility owned and operated by a governmental agency or a nonprofit community organization whose membership is open to any resident of the district, neighborhood, or community in which the club is located; provided, that the primary objectives of the organization are the improvement of the district, neighborhood or community and its social welfare and recreation.

(14) COURT

The County Court of Yamhill County, Oregon.

(15) DWELLING, MULTI-FAMILY

A building containing three or more dwelling units.

(16) DWELLING, SINGLE-FAMILY

A detached building containing one dwelling unit.

(17) DWELLING, TWO-FAMILY

A detached building containing two dwelling units.

(18) DWELLING UNIT

One or more rooms designed for occupancy by one family and having not more than one cooking facility.

(19) FAMILY

An individual or two or more persons related by blood, marriage, adoption, or legal guardianship, living together as one housekeeping unit using one kitchen, and providing meals or lodging to not more than 4 additional persons, excluding servants; or a group of not more than five unrelated persons, excluding servants, living together as one housekeeping unit using one kitchen.

(20) FARMING

The use of land for raising and harvesting of crops, including timber, for the feeding, breeding, and the management of livestock, or for dairying or any other agricultural or horticultural use or any combination thereof and includes the preparation of the products raised thereon for man's use and disposal by marketing or otherwise. It includes the construction and use of dwellings and other buildings customarily provided in conjunction with the farm use.

(21) FENCE, SIGHT-OBSCURING

A fence or evergreen planting arranged in such a way as to obstruct vision.

(22) FLOOR AREA

The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings, but not including:

- (a) attic space providing headroom of less than 7 feet;
- (b) basement, if the floor above is less than 6 feet above grade;
- (c) uncovered steps or fire escapes;
- (d) private garages, carports, or porches;
- (e) accessory water towers or cooling towers;
- (f) accessory off-street parking or loading spaces.

(23) FRONTAGE

All the property on one side of a street between two street intersections, crossing or terminating, measured along the line of the street, or if the street is dead ended than all of the property abutting on one side between a street intersection and the dead end of the street.

(24) GRADE

(ground level) The average elevation of the finished ground elevation at the centers of all walls of a building, except that if a wall is parallel to and within five feet of a sidewalk, the sidewalk elevation opposite the center of the wall shall constitute the ground elevation.

(25) HEIGHT OF BUILDING

The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

(26) HOME OCCUPATION

A lawful occupation carried on by a resident of a dwelling as a secondary use within the same dwelling.

(27) HOSPITAL

An establishment which provides sleeping and eating facilities to persons receiving medical, obstetrical, or surgical care with nursing service on a continuous basis.

(28) HOTEL

A building which is designed, intended, or used for the accommodation of tourists, transients, and permanent guests for compensation and in which no provision is made for cooking in individual rooms or suites of rooms.

(29) JUNK YARD

The use of more than 200 square feet of the area of any lot for the storage of junk, including scrap metals or other scrap materials, or for the dismantling or "wrecking" of automobiles or other vehicles or machinery, whether or not such uses are conducted as a business for profit or otherwise.

(30) KENNEL

A lot or building in which four or more dogs, cats, or animals at least four months of age are kept commercially for board, propagation, training, or sale.

(31) LIVESTOCK

Domestic animals of types customarily raised or kept on farms for profit or other purposes.

(32) LIVESTOCK FEEDING YARD

An enclosure of 1,000 square feet or more designed and/or used for the purpose of the concentrated feeding or fattening of livestock for marketing; or an enclosure of less than 1,000 square feet which is designed or used for the purpose of the concentrated feeding or fattening of five or more head of livestock for marketing.

(33) LIVESTOCK SALES YARD

An enclosure or structure designed or used for holding livestock for purposes of sale or transfer by auction, consignment, or other means.

(34) LOADING SPACE

An off-street space within a structure or on the same lot with a structure for the temporary parking of commercial vehicles while loading or unloading merchandise or materials and which space abuts on a street or other appropriate means of access.

(35) LOT

A parcel or tract of land.

(36) LOT AREA

The total area of a lot measured in a horizontal plane within the lot boundary lines exclusive of public and private roads, and easements of access to other property.

(37) LOT, CORNER

A lot abutting on two or more streets, other than an alley, at their intersection.

(38) LOT, INTERIOR

A lot other than a corner lot.

(39) LOT LINE

The property line bounding a lot.

(40) LOT LINE, FRONT

The property line separating the lot from the street, other than an alley. In the case of a corner lot, the shortest property line along a street, other than an alley.

(41) LOT LINE, REAR

A property line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.

(42) LOT LINE, SIDE

Any property line not a front or rear lot line.

(43) LOT, THROUGH

An interior lot having frontage on two streets.

(44) LOT WIDTH

The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

(45) MOBILE HOME

A trailer coach not less than thirty-five (35) feet in length, exclusive of hitch, and containing not less than four hundred (400) square feet of living area and designed for long term occupancy and containing a flush toilet, tub or shower bath, and kitchen facilities with water and electrical supply and sewage disposal connected to outside systems.

(46) MOTEL

A building or group of buildings on the same lot containing guest units, which building or group is intended or used primarily for the accommodations of transient automobile travelers.

(47) NONCONFORMING STRUCTURE OR USE

A lawful existing structure or use, at the time this ordinance or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

(48) OWNER

An owner of property or the authorized agent of an owner.

(49) PARKING SPACE

An enclosed or unenclosed surfaced area of not less than 20 feet by 8 feet in size, exclusive of maneuvering and access area, permanently reserved for the temporary storage of one automobile, and connected with a street or alley by a surfaced driveway which affords ingress and egress for automobiles.

(50) PERSON

Every natural person, firm, partnership, association, social or fraternal organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

(51) SIGN

An identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure, or land, and which directs attention to a product, place, activity, person, institution, or business.

(52) SIGN, ADVERTISING

A sign which directs attention to a business, product, activity, or service which is not necessarily conducted, sold, or offered upon the premises where such sign is located.

(53) SIGN AREA

The entire surface area of a sign within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Sign supports shall not be considered part of the sign area.

(53) SIGN, BUSINESS

A sign which directs attention to a business, profession, service, product, activity, or entertainment, sold or offered upon the premises where such sign is located.

(55) SIGN, FLASHING

Any illuminated sign on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use, except illuminated signs indicating time or temperature shall not be considered flashing signs.

(56) SIGN, ILLUMINATED

Any sign designed to give forth any artificial light or designed to reflect such light from an artificial source.

(57) SIGN, INDIRECTLY ILLUMINATED
Any illuminated non-flashing sign whose illumination is derived entirely from an external artificial source and is so arranged that no direct rays of light are projected from an artificial source into residential lots or streets.

(58) STREET
The entire width between the boundary lines of every way which provides for public use for the purpose of vehicular and pedestrian traffic and the placement of utilities and including the terms: road, highway, drive, lane, place, avenue, alley or other similar designation.

(59) STRUCTURAL ALTERATION
Any change to the supporting members of a building including foundations, bearing walls or partitions, columns, beams, or girder, or any structural change in the roof or in the exterior walls.

(60) STRUCTURE
Something constructed or built and having a fixed base on, or fixed connection to, the ground or another structure.

(61) TOURIST HOME
A residence a portion of which is occupied as a temporary abiding place for three or more transient persons for compensation.

(62) TRAILER COACH
A vehicle originally designed or presently constructed to be used as a human dwelling or lodging place and to be movable from place to place over streets.

(63) TRAILER PARK
A plot of ground upon which two or more trailer coaches occupied for dwelling or sleeping purposes are located, regardless of whether a charge is made for such accommodation.

(64) USE
The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

(65) YARD
An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance.

(66) YARD, FRONT
A yard between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of the building.

(67) YARD, REAR
A yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a main building.

(68) YARD, SIDE
A yard between the front and rear yard measured horizontally and at right angles from the side lot line to the nearest point of the building.

ARTICLE 2. BASIC PROVISIONS

Section 2.010. Compliance with Ordinance Provisions.

No structure or lot shall hereafter be used or occupied and no structure or part thereof shall be erected, moved, reconstructed, extended, enlarged or altered contrary to the provisions of this ordinance.

Section 2.020. Classification of Zones.

For the purpose of this ordinance the following zones are hereby established in the county:

<u>Zone Classification</u>	<u>Abbreviated Designation</u>
Forest	F
Agriculture	A
Rural Residential	R-R
Suburban Residential	S-R
General Residential	G-R
Rural Center	R-C
Tourist Commercial	T-C
Limited Commercial	L-C
General Commercial	G-C
Light Industrial	L-I
General Industrial	G-I
Exclusive Farming	E-F
Flood Hazard	F-H
Planned Development	P-D
Airport Landing Field	L-F
General Use	G-U

Section 2.030. Location of Zones.

The boundaries for zones listed in this ordinance are indicated on the Yamhill County Zoning District Map of 1968, which is hereby adopted by reference. The boundaries shall be modified in accordance with zoning district map amendments which shall be adopted by reference.

(1) The location and boundaries of the zones designated in Section 2.020 are hereby

established, as shown on the map attached hereto and made a part of this ordinance and entitled "Yamhill County Zoning District Map of 1968."

(2) The zoning map shall be dated with the effective date of the ordinance which adopts the map. A print of the map with any subsequent changes which may thereafter be adopted shall be maintained in the office of the county clerk as long as this ordinance remains in effect.

ARTICLE 3. USE ZONE PROVISIONS

FOREST ZONE F

Section 3.005. Purpose.

The forest zone is intended to designate areas in which provisions are made for the continued use of lands for timber production and related uses and for open-land recreation purposes. Uses of land not associated with management and development of forests are discouraged to minimize the possibilities of damage to the trees and area from fire and to conserve the forest water resources of the county.

Section 3.010. Uses Permitted.

In an F zone the following uses and their accessory uses are permitted:

(1) Management, production, and harvesting of forest products to include primary wood processing plants and operations.

(2) Management, production, and harvesting of other natural resources.

(3) Park and recreation area open to public use.

(4) Rock extraction and processing, for use on forest access roads, and residences for an owner, manager, or employees are considered to be accessory uses to forest management. When a trailer coach is used as an accessory use in the F zone, the definition of a trailer park, as used in this ordinance, shall not apply.

Section 3.020. Conditional Uses Permitted.

In an F zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

- (1) Group facility for vacation and camping activity.
- (2) Individual seasonal vacation cabin.
- (3) Extraction of minerals, rock, sand, gravel or other earth products.
- (4) Sewage disposal and treatment facility.
- (5) Utility facility.
- (6) Water supply and treatment facility.
- (7) Refuse disposal area conducted under a landfill or sanitary landfill method.

Section 3.030. Yard Requirements.

No structure shall be located closer than 60 feet to the center line of any state highway, or 50 feet to the center line of any other public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

Section 3.040. Signs.

In an F zone informational and identification signs pertaining to the property may be erected, provided they are not located in or do not extend over a road right-of-way.

AGRICULTURE ZONE A

Section 3.050. Purpose.

The agriculture zone is intended to preserve land for agriculture and related uses. The agriculture zone will serve to prevent intensive development in areas where urban community services are not available, where certain activities would be in conflict with an orderly development of present urban areas, where agricultural and related operations constitute the appropriate use of land.

Section 3.055. Uses Permitted.

In an A zone the following uses and their accessory uses are permitted:

- (1) Farming, including timber production.
- (2) Dwelling or dwellings including trailer coach for the owner, operator, or employee required to carry out a use permitted outright. When trailer coaches are used as an accessory use in the A zone the definition of a trailer park as used in this ordinance shall not apply.

Section 3.065. Conditional Uses Permitted.

In an A zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

- (1) Airport.
- (2) Cemetery.
- (3) Church.

- (4) Golf course and other open land recreational use but excluding intensive commercial amusement use such as golf driving range, automobile race track, or amusement park.
- (5) Governmental structure or use including park, playground, recreation building, fire station, library or museum.
- (6) Community center.
- (7) Hospital, sanitarium, rest home for the aged, nursing home, or convalescent home.
- (8) School or college.
- (9) Legitimate theater.
- (10) Nonprofit institutional use, including religious and philanthropic institutions, camps and recreation areas for such organizations.
- (11) Single family dwelling.
- (12) Single mobile home on separate lot.
- (13) Home occupation.
- (14) Sewage treatment facility.
- (15) Transient labor housing facilities.
- (16) Kennel.
- (17) Veterinarian.
- (18) Radio or television transmitter or tower.
- (19) Utility facility.
- (20) Water supply and treatment facility.
- (21) Extraction of minerals, rock, sand, gravel or other earth products.

(22) Refuse disposal area conducted under a landfill or sanitary landfill method.

(23) Single family dwelling and a single mobile home. Amendment. Ordinance No. 36, November 19, 1969.

(24) Auto wrecking yard. Amendment. Ordinance No. 42, May 2, 1972.

Section 3.075. Yard Requirements.

In an A zone the following yards shall be maintained:

(1) No structure shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of a public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

(2) A residential structure shall be constructed no closer than 25 feet to a side or rear property line.

Section 3.080. Signs.

In an A zone the following types of signs are permitted, provided they are not located in or extend over a road right-of-way:

(1) A sign identifying an owner or occupant of a property.

(2) A sign not to exceed 32 square feet in area advertising the sale, lease or rental of the property.

~~(3) A sign identifying a use permitted under Section 3.055.~~

(4) A sign may be indirectly illuminated.

(5) A sign not to exceed 32 square feet in area advertising the sale of farm products grown on the premises.

Section 3.085. Lot Area Requirements.

In an A zone a lot shall not be less than 2½ acres in area for any conditional use permitted.

RURAL RESIDENTIAL ZONE R-R

Section 3.100. Purpose.

The rural residential zone is intended to provide minimum standards for development of land for farming and residential purposes in those areas near to urban locations where a moderate intensity of development of residential land is appropriate, but where urban community services may not be immediately available.

Section 3.105. Uses Permitted.

In an R-R zone the following uses and their accessory uses are permitted:

(1) Farming, excluding livestock feeding yard, livestock sales yard, rendering plant, slaughter house and similar uses. Such uses shall be subject to the provisions of Section 3.115 of this ordinance.

(2) Single family dwelling or single mobile home on a separate lot.

(3) Planned development as provided for in Sections 3.750 to 3.765 of this ordinance.

Section 3.110. Conditional Uses Permitted.

In an R-R zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

(1) Airport.

(2) Cemetery.

(3) Church.

(4) Golf course and other open land recreational use, but excluding intensive commercial amusement use such as golf driving range, race track, or amusement park.

(5) Governmental structure or use including park, playground, recreation building, fire station, library, or museum.

(6) Community center.

(7) Hospital, sanitarium, rest home, home for the aged, nursing home, or convalescent home.

(8) Nonprofit institutional use including religious and philanthropic institutions, camps and recreation areas for such organizations.

(9) Legitimate theater.

(10) School or college.

(11) Home occupation.

(12) Radio or television transmitter or tower.

(13) Utility facility.

(14) Kennel.

(15) Veterinarian hospital.

(16) Water supply and treatment facility.

(17) Sewage disposal and treatment facility.

(18) Extraction of minerals, rock, sand, gravel or other earth products.

(19) Refuse disposal area conducted under a landfill or sanitary landfill method.

(20) Single family dwelling and a single mobile home. Ordinance No. 36, November 19, 1969.

Section 3.115. Limitation on Uses.

In an R-R zone the following restrictions shall apply in regard to keeping of livestock, poultry and bees:

(1) Cows, horses, sheep, goats, or pigs shall not be kept on a lot having an area of less than 20,000 square feet. If such animals are maintained on the same lot as a residence the area requirement shall be in addition to the lot area per family requirement.

(2) The total number of animals over the age of six months shall not exceed one horse, cow or pig for each 10,000 square feet of lot area, or one sheep or goat for each 5,000 square feet of lot area.

(3) The number of fowls or rabbits shall not exceed one for each 500 square feet of lot area.

(4) The number of colonies of bees allowed on a lot shall be limited to one colony for each 1,000 square feet of lot area.

(5) Animal shelters shall not be located closer than 70 feet to a lot line abutting a street, nor closer than 20 feet to any other lot line.

Section 3.120. Lot Area Requirements.
In an R-R zone lot areas shall be as follows:

(1) The lot area shall not be less than 40,000 square feet and the lot width shall not be less than 160 feet when a lot is served neither by a public or community water supply system nor sewage disposal system.

(2) The lot area shall not be less than 20,000 square feet and the lot width shall not be less than 80 feet when a lot is served by either a public or community water supply system or sewage disposal system.

(3) The lot area shall not be less than 9,000 square feet and the lot width shall not be less than 60 feet when a lot is served by both a public or community water supply system and sewage disposal system.

Section 3.125. Yard Requirements.
In an R-R zone yards shall be maintained as follows:

(1) There shall be a front yard of at least 30 feet in depth.

(2) No structure shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of a public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

(3) There shall be a side yard of at least five feet in width and the total width of both side yards shall be at least 14 feet, except the yard on the street side of a corner lot shall be at least 20 feet in width.

(4) There shall be a rear yard of at least 15 feet in depth.

Section 3.130. Height Requirements.
In an R-R zone buildings shall not exceed a height of 35 feet except barns or storage facilities accessory to a farm may be constructed to a height necessary to their proper functioning.

Section 3.135. Signs.
In an R-R zone the following types of signs are permitted; provided they are not located in or extend over a road right-of-way:

(1) A sign not to exceed 6 square feet in area identifying an owner or occupant of a property, which may be illuminated.

(2) A sign not to exceed 32 square feet in area advertising the sale, lease, or rental of the property.

(3) A sign not to exceed 24 square feet in area identifying a use permitted under Section 3.105 or advertising the sale of farm products raised on the premises.

(4) Signs which have an area greater than 6 square feet shall be unilluminated.

SUBURBAN RESIDENTIAL ZONE S-R

Section 3.150. Purpose.

The suburban residential zone is intended to provide minimum standards for development of land for single-family dwelling purposes in areas of population concentrations, or where such concentrations are appropriate, and where normal urban services can be provided.

Section 3.155. Uses Permitted.

In an S-R zone the following uses and their accessory uses are permitted:

- (1) Single-family dwelling.
- (2) Two-family dwelling.
- (3) Planned development as provided for in Sections 3.750 to 3.765.

Section 3.160. Conditional Uses Permitted.

In an S-R zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

- (1) Airport.
- (2) Cemetery.
- (3) Church.
- (4) Golf course and other open land recreational use, but excluding intensive commercial amusement use such as golf course driving range, automobile race track or amusement park.

(5) Governmental structure or use including park, playground, recreation building, fire station, library, or museum.

(6) Community center.

(7) Hospital, sanitarium, rest home, home for the aged, nursing home, or convalescent home.

(8) Nonprofit institutional use including religious and philanthropic institutions, camps and recreation areas for such organizations.

(9) School or college.

(10) Home occupation.

(11) Day nursery for the care of children.

(12) Radio or television transmitter or tower.

(13) Utility facility.

(14) Water supply and treatment facility.

(15) Sewage disposal and treatment facility.

(16) Single family dwelling and a single mobile home. Ordinance No. 36, November 19, 1969.

Section 3.165. Lot Area Requirements.

In an S-R zone lot areas shall be as follows:

- (1) The lot area shall not be less than 40,000 square feet for a single-family dwelling and 60,000 square feet for a two-family dwelling and the lot width shall not be less than 160 feet when a lot is served by neither a public or community water supply system nor sewage disposal system.

(2) The lot area shall not be less than 20,000 square feet for a single-family dwelling and 30,000 square feet for a two-family dwelling and the lot width shall not be less than 80 feet when a lot is served by either a public or community water supply system or sewage disposal system.

(3) The lot area shall not be less than 9,000 square feet for a single-family dwelling and 10,000 square feet for a two-family dwelling and the lot width shall not be less than 60 feet when a lot is served by both a public or community water supply system and sewage disposal system.

Section 3.170. Yard Requirements.
In an S-R zone yards shall be maintained as follows:

(1) There shall be a front yard of at least 20 feet in depth.

(2) There shall be a side yard of at least five feet in width and the total width of both side yards shall be at least 14 feet, except the yard on the street side of a corner lot shall be at least 20 feet in width.

(3) There shall be a rear yard of at least 15 feet in depth.

Section 3.175. Height Requirements.
In an S-R zone buildings shall not exceed a height of 35 feet.

Section 3.180. Signs.
In an S-R zone the following types of signs are permitted; provided they are not located in or extend over a road right-of-way:

(1) A sign not to exceed three square feet in area identifying an owner or occupant of a property, which may be illuminated.

(2) A sign not to exceed 24 square feet in area advertising the sale, lease, or rental of the property.

(3) A sign not to exceed 24 square feet in area identifying a use permitted under Section 3.155.

(4) Signs shall be unilluminated.

GENERAL RESIDENTIAL ZONE G-R

Section 3.200. Purpose.

The general residential zone is intended to provide minimum standards for all types of residential use in areas located in close proximity to substantial commercial or public development where population concentrations exist or are appropriate and where normal urban services can be provided.

Section 3.205. Uses Permitted.

In a G-R zone the following uses and their accessory uses are permitted:

(1) A use permitted in the S-R zone.

(2) Multi-family dwelling.

Section 3.210. Conditional Uses Permitted.

In a G-R zone the following uses and their accessory uses are permitted subject to the provisions of Sections 6.010 to 6.050:

(1) A conditional use permitted in the S-R zone.

(2) Trailer park, limited exclusively to mobile homes.

(3) Clinic.

(4) Professional office.

(5) Home occupation.

Section 3.215. Lot Area Requirements.
In a G-R zone the lot areas shall be as follows:

(1) When a lot is served neither by a public or community water supply system nor sewage disposal system the lot area shall not be less than 40,000 square feet for a single-family dwelling plus 10,000 square feet for each additional dwelling unit. The lot width shall not be less than 160 feet.

(2) When a lot is served by either a public or community water supply system or sewage disposal system, the lot area shall not be less than 20,000 square feet for a single-family dwelling, plus 5,000 square feet for each additional dwelling unit. The lot width shall not be less than 80 feet.

(3) When a lot is served by both a public or community water supply system and sewage disposal system, the lot area shall not be less than 7,500 square feet for a single-family dwelling plus 1,500 square feet for each additional dwelling unit. The lot width shall not be less than 60 feet.

(4) The minimum lot area for non-residential use shall be 7,500 square feet.

Section 3.220. Yard Requirements.
In a G-R zone yards shall be maintained as follows:

(1) There shall be a front yard of at least 20 feet in depth.

(2) There shall be a side yard of at least 5 feet in width, except the street side of a corner lot shall have a yard of at least 20 feet in width.

(3) There shall be a rear yard of at least 15 feet in depth.

Section 3.225. Height Requirements.
In a G-R zone buildings shall not exceed a height of 35 feet.

Section 3.230. Signs.
The sign standards applicable to the S-R zone as specified in Section 3.180 shall also apply to the G-R zone.

RURAL CENTER ZONE R-C

Section 3.250. Purpose.
The rural center zone is intended to provide for the location of small trading centers in the rural sections of the county where sparsity of development is not conducive to the establishment of more formal zoning pattern. The zone will permit the uses appropriate to these areas, but will control the location of uses which are incompatible with a small center.

Section 3.255. Uses Permitted.
In an R-C zone any use and its accessory use is permitted except the following:

(1) Any use permitted in the G-I zone (Section 3.500).

(2) A use that has been declared a nuisance by statute, ordinance, or any court of competent jurisdiction.

(3) Planned development as provided for in Sections 3.750 to 3.765 of this ordinance.

Section 3.260. Conditional Uses Permitted.

In a R-C zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

(1) Extraction and processing of natural resources.

(2) Public sewage disposal facility.

Section 3.265. Lot Area Requirements.

In an R-C zone lot areas shall be as follows:

(1) Lots for residential uses shall conform to the provisions of the G-R zone.

(2) Lots for other than residential uses shall be not less than 10,000 square feet in area.

Section 3.270. Yard Requirements.

In an R-C zone yards shall be maintained as follows:

(1) Residential uses shall conform to the yard requirements of the G-R zone.

(2) No structure shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of a public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

Section 3.275. Height Requirements.

In an R-C zone a building shall not exceed a height of 35 feet.

Section 3.280. Signs.

In an R-C zone the following types of signs are permitted provided they are not on or do not extend over a street.

(1) A business sign not to exceed 100 square feet in area.

(2) A sign not to exceed 6 square feet in area identifying an owner or occupant of a property.

(3) A sign not to exceed 24 square feet in area advertising the sale, lease, or rental of property.

(4) Signs may be illuminated and they may turn, or flash, but not both.

(5) A single face non-projecting sign not to exceed 3 square feet per lineal foot of building front. Such signs may not project into a required yard more than 18 inches.

TOURIST COMMERCIAL ZONE T-C

Section 3.300. Purpose.

Tourist commercial zone is intended for areas immediately accessible to major highways where businesses can locate that provide goods and services primarily to persons traveling, but where general commercial development is not appropriate. The zone is not intended to be a traffic generation point, but will accommodate traffic generated by other purposes.

Section 3.305. Uses Permitted.

In a T-C zone the following uses and their accessory uses are permitted:

(1) Hotel and motel.

(2) Restaurant.

(3) Automobile service station.

(4) Gift shop.

(5) Boarding, lodging, rooming or tourist house.

(6) Food store, not to exceed 2,000 square feet in floor area.

(7) Barber or beauty shop.

(8) Laundromat.

(9) Advertising sign.

(10) One-family dwelling accessory to a permitted use and contained in the main building.

(11) Planned development as provided for in Sections 3.750 to 3.765 of this ordinance.

Section 3.310. Conditional Uses Permitted.

In a T-C zone the following uses and their accessory uses may be permitted subject to the provisions of ARTICLE 6 of this ordinance:

- (1) Commercial recreation facility.
- (2) Repair garage provided there is no outside repair or storage.
- (3) Trailer park.

Section 3.315. Yard Requirements.

In a T-C zone yards shall be maintained as follows:

- (1) There shall be a front yard of at least 30 feet in depth.
- (2) There shall be a side yard of at least 20 feet in width when adjacent to a residential zone or on the street side of a corner lot.
- (3) There shall be a rear yard of at least 20 feet in depth when adjacent to a residential zone.

Section 3.320. Height of Buildings.

In a T-C zone a building shall not exceed a height of 45 feet.

Section 3.325. Signs.

In a T-C zone the following types of signs are permitted:

- (1) Business signs provided the aggregate of the signs do not exceed an area equal to one square foot of sign face for each foot of lot frontage or 300 square feet, whichever is the least, and the sign is not in or extending over a street or required yard.

(2) Signs advertising the sale or lease of property provided the sign is located on the property advertised, does not exceed 42 square feet in area, and is not located in or over a street.

(3) Signs in the T-C zone may be illuminated and they may turn, or flash, but not both.

(4) A single face non-projecting sign not to exceed 3 square feet per lineal foot of building front. Such signs may not project into a required yard more than 18 inches.

LIMITED COMMERCIAL ZONE L-C

Section 3.350. Purpose.

The limited commercial zone is intended to provide for the limited range of commercial uses needed to meet the daily or convenience shopping needs of neighborhood residents in the immediate area.

Section 3.355. Uses Permitted.

In an L-C zone the following uses and their accessory uses are permitted:

- (1) Automobile service station.
- (2) Barber or beauty shop.
- (3) Clinic.
- (4) Clothes cleaning shop.
- (5) Drug store.
- (6) Food store.
- (7) Garden supply store.
- (8) Laundromat.
- (9) Office

(10) Repair shop for radio, television, or small appliances.

(11) Restaurant, excluding tavern or cocktail lounge.

(12) Shoe repair shop.

(13) Tailor shop, clothing repair shop.

(14) Planned development, as provided for in Sections 3.750 to 3.765.

Section 3.360. Conditional Uses Permitted.

In an L-C zone the following uses and their accessory uses may be permitted subject to the provisions of ARTICLE 6 of this ordinance:

(1) Church.

(2) Club.

(3) Community center.

(4) Governmental structure or use of land, provided that all equipment storage on the site shall be within an enclosed building.

(5) Utility facility, provided that all equipment storage on the site shall be within an enclosed building.

Section 3.365. Yard Requirements.

In an L-C zone yards shall be maintained as follows:

(1) There shall be a side yard and a rear yard of at least 20 feet in width for all structures adjacent to a residential zone.

(2) No structure shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of a public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

Section 3.370. Height Requirements.

In an L-C zone no structure shall exceed a height of 35 feet.

Section 3.375. Signs.

In an L-C zone the following types of signs are permitted:

(1) Business signs provided the aggregate area of the sign does not exceed an area equal to one square foot of sign face for each foot of lot frontage, or 300 square feet, whichever is the lesser, and the sign is not located in or extending over a street or a required yard adjacent to a residential zone.

(2) Signs advertising the sale or lease of property provided the sign is located on the property advertised, does not exceed 42 square feet in area, and is not located in or extended over a street.

(3) Signs may be illuminated and they may turn, or flash, but not both.

(4) A single face non-projecting sign not to exceed 3 square feet per lineal foot of building front. Such signs may not project into a required yard more than 18 inches.

GENERAL COMMERCIAL ZONE G-C

Section 3.400. Purpose.

The general commercial zone is intended to provide for the broad range of commercial operations and services required for the proper and convenient functioning of commercial centers serving large areas of the county. Uses permitted are intended to include all retail and service operations that may be appropriately located within a shopping district and that are normally required to sustain a community.

Section 3.405. Uses Permitted.

In a G-C zone the following uses and their accessory uses are permitted:

(1) A use permitted in the T-C zone.

(2) Any retail or service commercial use not involving the manufacturing, processing, or compounding of products other than what is clearly incidental to the business on the premises and which does not occupy more than 50 percent of the floor area of the building.

(3) Office use.

(4) Commercial recreation.

(5) Planned development subject to the provisions of Sections 3.750 to 3.765 of this ordinance.

(6) Church.

(7) Club.

(8) Community center.

(9) Governmental building.

(10) One-family dwelling accessory to a permitted use and contained in the main building.

Section 3.410. Conditional Uses Permitted.

In a G-C zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

(1) Wholesale and storage use.

(2) Sale of second-hand or used merchandise or articles when wholly contained in a building.

(3) Veterinarian clinic with no outdoor pens or runs.

(4) Trailer park.

(5) Utility facility.

Section 3.415. Yard Requirements.
In a G-C zone yards shall be maintained as follows:

(1) There shall be a side yard of at least 20 feet in width and a rear yard of at least 20 feet in depth for all structures adjacent to a residential zone.

(2) No structure shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of a public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

Section 3.420. Height Requirements.
In a G-C zone no structure shall exceed a height of 45 feet.

Section 3.425. Signs.
In a G-C zone all types of signs are permitted, except the following:

(1) Advertising signs shall not be located in or over a street right-of-way or a required yard.

(2) Rotating flashing signs.

LIGHT INDUSTRIAL ZONE L-I

Section 3.450. Purpose.
The light industrial zone is intended to provide for those manufacturing, warehousing, and sales operations which basically do not create objectionable amounts of noise, odor, dust, glare, vibration, or truck or rail traffic.

Section 3.455. Uses Permitted.
In an L-I zone the following uses and their accessory uses are permitted:

(1) Animal hospital or veterinarian's office.

(2) Assembly, manufacture, or preparation of articles or merchandise from the following previously prepared types of materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, lacquer, leather, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wax, wire, yarn, paint not employing a boiling process, or wood (excluding sawmill, lumber mill, planing mill, and moulding plant).

(3) Aircraft, automobile, truck, trailer, or marine pleasure craft sales, rental, storage, service or repair.

(4) Advertising sign.

(5) Bottling plant.

(6) Building of marine pleasure craft.

(7) Hatchery.

(8) Cold storage plant.

(9) Electrical equipment assembly, sales, or repair, including the manufacture of small parts such as coils, condensers, transformers and crystal holders.

(10) Electrical, plumbing, heating, or paint contractor's storage, sales, repair, or service; contractor's equipment and storage yard.

(11) Express storage or delivery station.

(12) Feed and seed store.

(13) Frozen food locker.

(14) Fruit or nut packaging or processing.

(15) Fuel oil distribution, wholesale or retail.

(16) Furniture manufacture.

(17) Laundry or dry cleaning.

(18) Lumber yard or building materials sales or storage yard.

(19) Mattress manufacturing.

(20) Motor freight terminal.

(21) Machinery, farm equipment, or implement sales, service, or repair.

(22) Manufacture of figurines, pottery, or similar ceramic products using only previously pulverized clay.

(23) Manufacture of musical instruments, novelties, rubber or metal stamps, toys.

(24) Manufacture of optical goods, scientific or precision instruments or equipment.

(25) Manufacture of artificial limbs, dentures, hearing aids, surgical instruments and dressings, or other devices employed by the medical or dental professions.

(26) Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products or meat, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, excluding the rendering of fats and oils; fish and meat slaughtering; and fermented foods such as sauerkraut, vinegar or yeast.

(27) Parking lot or garage.

(28) Planned development, subject to the provisions of Sections 3.750 to 3.765 of this ordinance.

(29) Picture frame manufacturing.

- (30) Railroad tracks, freight depot, switching yard, and other facilities.
- (31) Rug cleaning plant.
- (32) Sheet metal shop.
- (33) Sign manufacturing, sale or repair; sign painting shop.
- (34) Stone, marble, or granite cutting.
- (35) Tire retreading, recapping or sales.
- (36) Residence of owner or caretaker subject to the yard requirements of the S-R zone.
- (37) Transfer and storage company.
- (38) Upholstery shop.
- (39) Warehouse.
- (40) Welding shop.
- (41) Wholesale distribution of all standard types of prepared or packaged merchandise such as automobile supplies, drugs, electrical supplies, furniture, food products, hardware, leather goods, plumbing supplies, paint, textiles and fabrics, or variety store merchandise.

Section 3.460. Conditions for Allowing Uses in an L-I zone.

In an L-I zone outside storage abutting or facing a lot in a residential zone shall be enclosed by a sight-obscuring fence. The fence shall obstruct the storage from view on the sides of the property abutting or facing a lot in the residential zone. The fence shall be of such material and design as will not detract from adjacent residences and shall be built according to plans submitted by the owner and approved by the county building inspector.

Section 3.465. Conditional Uses Permitted.

In an L-I zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

- (1) Sewage treatment facilities.
- (2) Water supply and treatment facilities.
- (3) Extraction of minerals, rock, sand, gravel or other earth products.

Section 3.470. Yard Requirements.

In an L-I zone yards shall be maintained as follows:

- (1) No building shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of a public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.
- (2) There shall be a side yard of 20 feet in width adjacent to a residential zone.
- (3) There shall be a rear yard of 20 feet in depth adjacent to a residential zone.

Section 3.475. Height Requirements.

In an L-I zone no structure shall exceed a height of 45 feet.

Section 3.480. Signs.

In an L-I zone all types of signs are permitted, except the following:

- (1) Advertising signs shall not be located in or over a street right-of-way or a required yard.
- (2) Rotating flashing signs.

GENERAL INDUSTRIAL ZONE G-I

Section 3.500. Purpose.

The general industrial zone is intended to provide for those industrial operations which by nature tend to be unsightly or which tend to create noise, odor, dust, glare, vibration, or truck or rail traffic in such amounts as to be objectionable to neighboring land uses.

Section 3.505. Uses Permitted.

In a G-I zone the following uses and their accessory uses are permitted:

- (1) A use permitted in the L-I zone.
- (2) Other uses involving manufacturing, repairing, fabricating, processing, packing or storage, provided such uses are not listed as conditional uses in Section 3.510 and provided further that such uses have not been declared a nuisance by statute, ordinance, or by any court of competent jurisdiction.

Section 3.510. Conditional Uses Permitted.

In a G-I zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance:

- (1) Manufacture, use, or storage of explosives.
- (2) Reduction of waste materials, garbage, offal, or dead animals, or disposal by landfill or sanitary landfill method.
- (3) Auto wrecking.
- (4) Junk yard.

(5) Extraction and processing of minerals, rocks, sand, gravel, or other earth products.

(6) Refuse disposal area conducted under a landfill or sanitary landfill method.

Section 3.515. Yard Requirements.

In a G-I zone yards shall be maintained as follows:

- (1) No building shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of a public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.
- (2) There shall be a side yard of 50 feet in width adjacent to a residential zone.
- (3) There shall be a rear yard of 50 feet in depth adjacent to a residential zone.

Section 3.520. Signs.

In a G-I zone all types of signs are permitted except the following:

- (1) Advertising signs shall not be located in or over a street right-of-way or a required yard.
- (2) Rotating flashing signs.

EXCLUSIVE FARMING ZONE E-F

Section 3.650. Purpose.

The exclusive farming zone is intended to designate farm areas which are in the path of urban development, but for the time being are more valuable to the county when retained in the production of farm products. This zone designation will permit qualifying farm ownerships to be freed of extra assessments on the land due to nearby urban development influences.

Section 3.655. Uses Permitted.

In an E-F zone the following uses and their accessory uses are permitted:

- (1) Farm use as defined by ORS 215.203, as amended:

"215.203 Adoption of zoning ordinances establishing farm use zones; 'farm use' defined. (1) Zoning ordinances may be adopted under ORS 215.010 to 215.190 to zone designated areas of land within the county as farm use zones. Land within such zones shall be used exclusively for farm use except as otherwise provided in ORS 215.213. Farm use zones shall be established only when such zoning is consistent with the over-all plan of development of the county.

"(2) (a) As used in this section, 'farm use' means the current employment of land for the purpose of obtaining a profit in money by raising, harvesting and selling crops or by the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. 'farm use' includes the preparation and storage of the products raised on such land for man's use and animal use and disposal by marketing or otherwise. It does not include the use of land subject to the provisions of ORS chapter 321, or to the construction and use of dwellings and other buildings customarily provided in conjunction with the farm use.

"(b) Except as limited by paragraph (c) of this subsection, farm use land shall not be regarded as being used for the purpose of obtaining a profit in money if the whole parcel has not produced a

gross income from farm uses of \$500 per year for three of the five calendar years immediately preceding the assessment day of the tax year for which farm use is claimed by the owner or allowed by the assessor, notwithstanding that such land is included within the boundaries of a farm use zone. In case of question, the burden of proving the gross income of a parcel of land for the years designated in this paragraph is placed upon the owner of the land.

"(c) 'Current employment' of land for farm use includes (i) land subject to the soil-bank provisions of the Federal Agricultural Act of 1956, as amended (P.L. 84-540, 70 Stat. 188); (ii) land lying fallow for one year as a normal and regular requirement of good agricultural husbandry; (iii) land planted in orchards or other perennials prior to maturity for bearing crops; and (iv) farm wood lots of less than 20 acres appurtenant to farm use land which fulfills the requirements of paragraph (b) of this subsection. The acres of land within the categories described in this paragraph shall not be subject to the requirements of paragraph (b) of this subsection.

(1963 C.577 Sec. 2 and 1963 C.619 Sec. 1 (2), (3); 1967 c.386 Sec. 1)

"215.205 (1957 (s.s.) c.11 Sec. 2; renumbered 215.295)

"215.210 (Amended by 1955 c.652 Sec. 6; renumbered 215.305)"

- (2) Dwellings, including trailer coaches, and other buildings customarily provided in conjunction with farm use.

Section 3.660. Conditional Uses Permitted.

In an E-F zone the following uses and their accessory uses are permitted subject to the provisions of ARTICLE 6 of this ordinance.

- (1) Church.
- (2) Golf course.
- (3) Park, playground, or community center owned and operated by a governmental agency or a nonprofit community organization.
- (4) Public or private school.
- (5) Utility facilities necessary for public service.

Section 3.665. Lot Size.

In an E-F zone the lot size shall be as follows:

- (1) The minimum lot area for all uses, except farming, shall be one acre.
- (2) The minimum lot width at the front building line for all uses except farming shall be 150 feet.

Section 3.670. Setback Requirements.

Except for farm uses, no structure shall be constructed closer than 30 feet to a side or rear property line; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

Section 3.675. Signs.

In an E-F zone, signs shall not be permitted in or extended over a street. The following signs shall be permitted:

- (1) A sign not to exceed 12 square feet in area identifying an owner or occupant.
- (2) A sign may be only indirectly illuminated.

FLOOD HAZARD ZONE F-H

Section 3.700. Purpose.

The flood hazard zone is intended to be applied in areas subject to frequent inundation where development of homes or businesses would be expensive in terms of property losses, dangerous to the life and welfare of persons in the area, and costly to the community through the necessity of providing facilities and services for policing, rescue, care, and health protection. The uses permitted are consistent with the production capability of the land. When flooding causes are removed by river control or a build-up of the land above flood level, this zone could be removed to permit appropriate uses in the area.

Section 3.705. Uses Permitted.

In an F-H zone the following uses and their accessory uses are permitted:

- (1) Farming, except for farm dwellings.
- (2) Public park and recreation facility, except for structures intended as places of public assembly or as accessory dwellings.

Section 3.710. Conditional Uses Permitted.

In an F-H zone the following uses and their accessory uses may be permitted subject to the provisions of ARTICLE 6 of this ordinance:

- (1) Boat landing and launching facility.
- (2) Privately operated open land recreation facility not requiring the use of any structure with greater than 2,000 square feet of floor area.

- (3) Structure intended as a place of public assembly in a park and recreation facility.
- (4) Residence as an accessory use to park and recreation facility.
- (5) Farm dwellings, including trailer coaches.
- (6) Extraction of minerals, rock, sand, gravel, or other earth products.
- (7) Refuse disposal area conducted under a landfill or sanitary landfill method.

Section 3.715. Limitations on Uses.

In an F-H zone the following limitations shall apply:

- (1) The first floor elevation of any structure for human habitation shall be situated at least three feet above the established water crest elevation for a flood with a probability rate of five percent.
- (2) Lot size, yard, and density requirements shall be the same as in the A zone.
- (3) Sign provisions shall be the same as in the E-F zone.

PLANNED DEVELOPMENT P-D

Section 3.750. Purpose.

The purpose of "planned development" is to permit the application of new technology and greater freedom of design in land development than may be possible under a strict interpretation of the provisions of ARTICLE 3 of this ordinance. The use of these provisions is dependent upon the submission of an acceptable plan and satisfactory assurances it

will be carried out. Such plan should accomplish substantially the same general objectives as proposed by the comprehensive plan for the area.

Section 3.755. Standards and Requirements.

The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:

(1) A planned development may include any uses permitted outright or conditionally in any zone with the following exceptions:

- (a) A use listed as a conditional use in the G-I zone.
- (b) A use that has been declared a nuisance by statute, ordinance, or any court of competent jurisdiction.
- (c) Uses of a residential nature shall not be permitted in the G-I zone.

(2) Standards governing area, density, yards or other requirements shall be guided by the standards that most nearly portray the intent of the use of the property as shown on the comprehensive plan for the area.

(3) For a planned development in an R-R, S-R, or G-R zone, the area of all commercial and industrial uses, including related off-street parking and loading areas, shall not exceed 5 percent of the total area of the development. For purposes of this subsection, motels, hotels, resorts, and similar accommodations shall not be considered commercial uses. Commercial and industrial uses shall be directly related in purpose and function to the remainder of the project.

(4) A planned development shall not be permitted on a parcel of land less than 10 acres in area in a residential zone, or 5 acres in area in a commercial or industrial zone.

Section 3.760. Procedure.

The following shall be observed when a planned development proposal is submitted for consideration:

(1) An applicant shall submit 11 copies of a preliminary development plan to the commission for study at least 7 days prior to the commission meeting at which it is to be considered. The preliminary plan shall include the following information:

- (a) Proposed land uses, building locations and housing unit densities.
- (b) Proposed circulation pattern indicating the status of street ownership.
- (c) Proposed open space uses.
- (d) Proposed grading and drainage pattern.
- (e) Proposed method of water supply and sewage disposal.
- (f) Economic and supporting data to justify any proposed commercial and industrial elements in an area not so zoned.
- (g) Relation of the proposed development to the surrounding area and comprehensive plan.

(2) Prior to discussion of the plan at a commission meeting, copies shall be submitted by the planning director to the county sanitarian and the county engineer for study and comment.

(3) The commission shall consider the preliminary development plan at a meeting at which time the findings of

the sanitarian, engineer, and the planner shall also be considered. In reviewing the plan, the commission shall need to determine that:

- (a) There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard regulation requirements.
- (b) Resulting development will not be inconsistent with the comprehensive plan objectives or zoning provisions of the area.
- (c) The area around the development can be planned to be in substantial harmony with the proposed plan.
- (d) The plan can be completed within a reasonable period of time.
- (e) Any proposed commercial or industrial development can be justified economically.
- (f) The streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.
- (g) Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.

(4) If, in the opinion of the commission, the foregoing provisions are satisfied, the proposal shall be processed according to this section. If the commission finds to the contrary, they may recommend the application be denied or return the plan to the applicant for revision.

(5) In addition to the requirements of this section, the county may attach conditions it finds necessary to carry out the purposes of this ordinance. This may include but is not limited to a requirement that the applicant furnish the county with a performance bond of up to the value of the cost of the improvement to be guaranteed by such bond, in order to assure that the planned development is completed according to the plans approved by the commission.

(6) Before approving a planned development, the commission shall follow the procedure for considering an amendment as required in Sections 9.010 to 10.040.

(7) Permits for construction in a planned development shall be issued only on the basis of the approved plan. Any changes in the approved plan shall be submitted to the commission for processing as an amendment to this ordinance.

(8) If no building permits have been issued within one year of the date of final approval of the planned development, it shall be terminated and the zone change automatically repealed.

(9) An approved planned development shall be identified on the zoning map with the symbol "P-D" in addition to the existing zoning.

AIRPORT LANDING FIELD L-F

Section 3.800. Purpose.
The L-F zone is intended to provide for and protect lands designated as airports or landing fields. The L-F zone is superimposed upon and used in conjunction with other regular zones.

Section 3.805. Uses Permitted.
In an L-F zone the following uses and their accessory uses are permitted:

(1) Aircraft and helicopter landing field.

(2) Any use permitted in the zone in which the land is located. Where such use is a conditional use, it shall remain as a conditional use in the L-F zone.

GENERAL USE ZONE G-U

Section 3.850. Purpose.

The general use zone is intended to provide minimal development standards to areas of the county at some distance from population concentrations where the highest use of land in the public interest has not been determined.

Section 3.855. Uses Permitted.

In a G-U zone the following uses and their accessory uses are permitted:

(1) A use permitted outright or a conditional use permitted in the F, A, R-R, G-R, G-C, or L-I zone.

(2) Planned development, as provided for in Sections 3.750 to 3.765.

Section 3.860. Lot Area Requirements.

In a G-U zone, lots shall conform to the provisions of the G-R zone.

Section 3.865. Yard Requirements.

In a G-U zone no structure shall be located closer than 60 feet to the center line of a state highway or 50 feet to the center line of any other public road; provided, however, that in no case shall any structure be located closer than 20 feet to the right-of-way of any state highway or public road.

Section 3.870. Signs.

Any sign as permitted in the L-C zone.

ARTICLE 4. SUPPLEMENTARY REGULATIONS

Section 4.010. Access.

Every lot shall abut a street, other than an alley, for at least 60 feet. In the case of irregular shaped lots or lots facing on the turn-around of a cul-de-sac, the measurement for access may be made at the required front yard line.

Section 4.020. Limitations on Buildings.

In an R-R and an S-R zone there shall be only one main building on a lot.

Section 4.030. Establishment of Clear-Vision Areas.

A clear-vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad. A clear-vision area shall contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight feet above the grade.

Section 4.040. Measurement of Clear-Vision Areas.

A clear-vision area shall consist of a triangular area two sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation, or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection and so measured, and the third side of which is a line across the corner of the lot joining the nonintersecting ends of the other two sides. The following measurements shall establish clear-vision areas:

(1) In a residential zone the minimum distance shall be 30 feet, or at intersections including an alley, 10 feet.

(2) In all other zones, where front and side yards adjacent to streets are required, the minimum distance shall be 15 feet, or at intersections including an alley, 10 feet, except when the angle of intersection between streets, other than an alley, is less than 30 degrees the distance shall be 25 feet.

Section 4.050. Dual Use of Required Open Space.

No lot area, yard, or other open space or off-street parking or loading area which is required by this ordinance for one use shall be a required lot area, yard, or other open space or off-street parking or loading area for another use.

Section 4.060. Public Water and Sewage Systems.

When required in this ordinance, a public water supply and a public sewage disposal system shall meet the standards and requirements established by the Oregon State Board of Health for such a facility.

Section 4.065. Signs.

No sign shall be permitted which is of a reflector type lamp or which has a bulb intensity of more than 11 watts.

Section 4.070. Off-street Parking and Off-street Loading Requirements.

At the time of erection of a new structure, or at the time of enlargement or change in use of an existing structure within any zone in the county, off-street parking spaces shall be provided as indicated in this section unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area of the building primary to the functioning of the particular use of the property, but shall exclude space devoted to off-street parking or loading.

(continued on Page 28)

SECTION 4.070 (continued)

<u>Use</u>	<u>Standard</u>
(1) Residential uses.	
(a) Dwelling	One space per dwelling unit.
(b) Boardinghouse; lodging house or rooming house:	One space per two guest accommodations.
(2) Institutions.	
(a) Convalescent hospital; nursing homes; sanitarium; rest home; home for aged:	One space per two beds for patients or residents.
(b) Hospital:	Three spaces per two beds.
(3) Places of public assembly.	
(a) Library; reading room:	One space per 300 square feet.
(b) Preschool nursery; kindergarten:	Two spaces per classroom.
(c) Elementary or junior high school:	Three spaces per classroom.
(d) Senior high school:	Five spaces per classroom.
(e) Other places of public assembly, including church:	One space per four seats or eight feet of bench length.
(4) Commercial amusements.	
(a) Theater:	One space per four seats.
(b) Bowling alley:	Ten spaces per alley.
(c) Dance hall; skating rink:	One space per 100 square feet of floor area.

SECTION 4.070 (continued)

<u>Use</u>	<u>Standard</u>
(5) Commercial.	
(a) Retail store	One space per 125 square feet of floor area.
(b) Service repair shop; retail store handling exclusively bulky merchandise such as automobiles and furniture:	One space per 400 square feet of floor area.
(c) Bank or office (except medical or dental):	One space per 300 square feet of floor area.
(d) Medical or dental office:	One space per 200 square feet of floor area.
(e) Mortuary:	Six spaces for each room used as a parlor or chapel.
(f) Motel and hotel:	One space per guest room.
(6) Industries.	
(a) Manufacturing establishment:	One space per 1,000 square feet of floor area.
(b) Wholesale establishment, warehouse, rail or truck freight terminal:	One space per 2,000 square feet of floor or storage area.

Section 4.080. Off-street Loading Requirements.

Buildings or structure to be built or substantially altered which receive and distribute materials and merchandise by trucks shall provide and maintain off-street loading berths in sufficient number and size to adequately handle the needs of the particular use.

(1) The following standards shall be used in establishing the minimum number of berths required:

Gross floor area of the building in square feet.

Number of berths

Up to 10,000 1

10,000 and over 2

For buildings or structures up to 6,000 square feet, regular off-street parking areas may be used to meet the off-street loading requirements.

(2) A loading berth shall contain a space 10 feet wide and 35 feet long and have a vertical clearance of 14 feet. Where the vehicles generally used for loading and unloading exceed these dimensions, the required length of these berths shall be increased.

Section 4.090. General Provisions- Off-street Parking and Loading.

The following provisions shall apply to off-street parking and loading facilities:

(1) The provision and maintenance of off-street parking and loading space is a continuing obligation of the property owner. No building permit shall be issued until plans are presented that show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property

for which the building permit is issued shall be conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this ordinance. Should the owner or occupant of any lot or building change the use to which the lot or building is put, thereby increasing off-street parking and loading requirements, it shall be unlawful and in violation of this ordinance to begin or maintain such altered use until such time as the increased off-street parking and loading requirements are complied with.

(2) Requirements for types of buildings and uses not specifically listed herein shall be determined by the county court after a report and recommendation from the planning commission, based upon the requirements of comparable uses listed.

(3) In the event several uses occupy a single structure or parcel of land, the total requirements for off-street parking shall be the sum of the requirements of the several uses computed separately.

(4) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same parking and loading spaces when the hours of operation do not overlap, provided that satisfactory legal evidence is presented to the planning director in the form of deeds, leases, or contracts to establish joint use.

(5) Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. All other required parking spaces shall be located not further than 200 feet from the building or use they are required to serve, measured in a straight line from the building.

(6) Off-street parking spaces for residential uses shall not be located in a required front yard or in a required side yard on the street side of a corner lot.

(7) Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employes only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.

(8) A plan drawn to scale, indicating how the off-street parking and loading requirements are to be fulfilled, shall accompany an application for a building permit.

(9) Design requirements for parking lots and loading areas:

(a) Areas used for standing and maneuvering of vehicles shall have durable and dustless surfaces maintained adequately for all-weather use and so drained as to avoid flow of water across sidewalks.

(b) Except for parking to serve residential uses, parking and loading areas adjacent to residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents.

(c) Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.

(d) Access aisles shall be of sufficient width for all vehicular turning and maneuvering.

(e) Groups of more than four parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.

(f) Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site.

(g) Service drives shall have a minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line, and a straight line joining said lines through points 20 feet from their intersection.

ARTICLE 5. EXCEPTIONS

Section 5.010. Zone District Boundaries. Unless otherwise indicated by a zoning district map, zone boundaries are lot lines, the center lines of streets, and the center lines of railroad right-of-way. If a zone boundary as shown on the map divides a lot between two zones, the entire lot shall be deemed to be in the zone in which the greater area of the lot lies, provided that this adjustment involves a distance not to exceed 20 feet from the mapped zone boundary.

Section 5.020. Authorization of Similar Uses.

The planning commission may permit in a particular zone a use not listed in this ordinance, provided the use is of the same general type as the uses permitted there by this ordinance.

Section 5.030. General Provisions Regarding Accessory Uses.

An accessory use shall comply with all requirements for a principal use, except as this ordinance specifically allows to the contrary, and shall comply with the following limitations:

- (1) Except as provided in Section 4.030, a fence located in a required front yard shall not exceed a height of three and one-half feet measured from the curb elevation.
- (2) A greenhouse may be maintained accessory to a dwelling if there are no sales.
- (3) A guest house may be maintained accessory to a dwelling provided there are no cooking facilities in the guest house, and yard requirements of the zone are observed.
- (4) An accessory building not more than one story in height and more than 60 feet from a street other than an alley, separated from the main building by more than 10 feet, may be located in a required interior side yard of rear yard provided it is no closer than 3 feet to a property line.
- (5) An accessory building located closer than 10 feet to the main building shall be attached to the main building.
- (6) A swimming pool may be located in a required rear yard provided it is not closer than 5 feet to the rear property line.
- (7) Trailer coaches, campers, boats and trailers shall not be stored in a required front yard or a side yard facing a street.

Section 5.040. Projections from Buildings.

Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, and flues shall not project more than 18 inches into a required yard.

Section 5.050. Maintenance of Minimum Ordinance Requirements.

No lot area, yard, other open space, or off-street parking or loading area existing on or after the effective date of this ordinance shall be reduced below the minimums required for it by this ordinance.

Section 5.060. General Exception to Lot Size Requirements.

If the aggregate of contiguous lots held in a single ownership, as recorded in the office of the county clerk at the time of the passage of this ordinance, has an area or dimension which does not meet the lot size requirements of the zone in which the property is located, the holdings may be occupied by a use permitted in the zone subject to the other requirements of the zone, provided that, if there is an area deficiency, residential use shall be limited to a single family dwelling or to the number of dwelling units consistent with the density requirement of the zone.

Section 5.070. General Exceptions to Yard Requirements.

The following exceptions to the front yard requirement for a dwelling are authorized for a lot in any zone:

- (1) If there are dwellings on both abutting lots with front yards of depths less than the required depth for the zone, the depth of the front yard for the intervening lot need not exceed the average depth of the front yards of the abutting lots.

(2) If there is a dwelling on one abutting lot with a front yard of less depth than the required depth for the zone, the front yard for the lot need not exceed a depth one-half way between the depth of the abutting lot and the required front yard depth.

(3) In determining the depth of a front yard, the required yard shall be measured from a line parallel to and 25 feet distant from the center line of the street on all streets with less than 50 feet of right-of-way, except streets of less than 50 feet in width dedicated to public use on a subdivision plat approved by the commission subsequent to 1 April 1959.

(4) In a district where automobile service stations are permitted, free-standing gasoline pumps and pump island, and lighting standards may occupy a required front yard or side yard facing a street. In any zone, gasoline pumps and pump islands shall not be closer than 10 feet to a street line.

Section 5.080. General Exception to Building Height Limitations.

Projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles, and other similar objects not used for human occupancy are not subject to the building height limitations of this ordinance.

Section 5.090. Height Exceptions for Public Buildings.

Public or quasi-public buildings, religious building, hospitals, and educational institutions when permitted in a zone may be constructed to a height not to exceed 1.75 times the height limit for the zone, provided the required yards are increased one foot for each two feet of additional building height above the height regulation for the zone.

ARTICLE 6. CONDITIONAL USES.

Section 6.010. Authorization to Grant or Deny Conditional Uses.

(1) Conditional uses listed in this ordinance may be permitted, enlarged, or otherwise altered upon authorization by the planning commission in accordance with the standards and procedures set forth in ARTICLE 6 of this ordinance.

(2) In permitting a conditional use or the modification of a conditional use, the planning commission may impose in addition to those standards and requirements expressly specified by the ordinance, any additional conditions which the planning commission considers necessary to protect the best interests of the surrounding property or the county as a whole. These conditions may include prescribing a time limit; increasing the required lot size or yard dimensions; limiting the height of buildings; controlling the location and number of vehicular access points to the property; controlling the location and number of off-street parking and loading spaces required; limiting the number, size, and location of signs; and requiring diking, fencing screening, landscaping, or other facilities to protect adjacent or nearby property.

(3) In the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, any change in use or in lot area or an alteration of structure shall conform with the requirements dealing with conditional uses.

(4) The planning commission may require that the applicant for a conditional use furnish the county with a performance bond of up to the value of the cost of the improvement to be guaranteed by such bond, in order to assure that the conditional use is completed according to the plans as approved by the planning commission.

Section 6.020. Application for Conditional Use.

A property owner may initiate a request for a conditional use or the modification of a conditional use by filing an application with the planning director using forms prescribed pursuant to Section 10.030. The planning commission may require other drawings or information necessary to an understanding of the proposed use and its relationship to surrounding properties.

Section 6.030. Public Hearing on Conditional Use.

Before the planning commission may act on a request for a conditional use it shall hold a public hearing.

Section 6.040. Notification of Action.

Within five days after a decision has been rendered with reference to a request for a conditional use, the planning director shall issue to applicant written notice of the decision of the commission.

Section 6.050. Standards Governing Conditional Uses.

A conditional use shall comply with the standards of the zone in which it is located, except as these standards have been modified in authorizing the conditional use or as otherwise modified as follows:

(1) Setbacks. In a residential zone yards shall be at least one-half the height of the principal structure. In any zone yards greater than the standard of the zone in which the use is located may be required.

(2) Limitations on access to lots and on openings to buildings. The county may limit or prohibit vehicular access from a conditional use to a residential street not designed as an arterial street on an officially adopted street plan, and it may limit or prohibit openings in sides of a building or structure permitted as a conditional use within 50 feet of a residential zone if such openings will cause glare, excessive noise, or other adverse effects on adjacent residential properties.

(3) Signs. The sign limitations of a zone may be exceeded as an accessory for a conditional use to allow one indirectly illuminated or non-illuminated sign not exceeding 24 square feet in an area on each side of a conditional use abutting a street. In addition, in the case of a church there may be a bulletin board not exceeding 24 square feet in area. A sign shall pertain to the conditional use and may be located in a required yard.

(4) Utility substation or pumping substation. The minimum lot size of the zone in which a public utility facility is to be located may be waived only on finding that the waiver will not result in noise or other detrimental effect on adjacent property. No equipment storage shall be permitted on the site in a residential zone. Such uses shall be fenced and provided with landscaping as found necessary.

(5) Trailer parks. Minimum standards:

- (a) Each trailer park shall have a minimum lot size of two acres in a commercial zone where it is permitted and five acres in a residential zone where it is permitted.
- (b) Each trailer space within a trailer park shall have a minimum area of 3,000 square feet and a minimum width of 35 feet.
- (c) All trailers shall be kept at all times a minimum of 60 feet from the center line of a state highway, 50 feet from the center line of any other public roads; 20 feet from a front property line and any property line adjacent to a residential zone, and 10 feet from all other property lines.
- (d) There shall be a minimum distance of 20 feet between trailers.
- (e) There shall be a minimum distance of 20 feet between trailers and community or service buildings.
- (f) Each access road within a trailer park connecting with a street shall have a minimum width of 30 feet.
- (g) All areas other than those used for traffic, parking, or placement of structures shall be completely and permanently landscaped.
- (h) Screening in the form of fencing, landscape planting, a continuous wall or evergreen hedge, or combination thereof shall enclose the trailer park except at points of access. The screening shall be maintained in good condition.

(i) The trailer park shall also conform to all the requirements of Chapter 446, Oregon Revised Statutes, as amended, and the Rules and Regulations Governing the Construction and Sanitary Operations of Traveler's Accommodations and Trailer Parks as amended, adopted by the Oregon State Board of Health.

(6) Extraction of minerals, rocks, sand, gravel, or other earth products. Minimum standards:

- (a) Plans and specifications submitted to the planning commission must contain sufficient information to allow the planning commission to consider and set standards pertaining to the following:
 - (1) The most appropriate use of the land.
 - (2) Setback from the property line.
 - (3) The location of vehicular access points.
 - (4) The protection of pedestrians and vehicles through the use of fencing.
 - (5) The prevention of the collection and the stagnation of water at all stages of the operation.
 - (6) The rehabilitation of the land upon termination of the operation.
- (b) Any processing of earth products commonly associated with the excavation of minerals, rocks, sand, or gravel such as the use of crushing, sorting, and washing equipment shall not be permitted in the RR zone. In the zones where processing of earth products is permitted, it shall be located no closer than 500 feet from a residential or commercial zone.

- (c) Mining equipment and necessary access roads shall be constructed, maintained, and operated in such a manner as to eliminate, as far as is practicable, noise, vibration, or dust which are injurious or substantially annoying to persons living in the vicinity or to crops or livestock being raised in the vicinity.
- (d) Except in the G-I district, asphalt plants, concrete products manufacture, cement plants, and similar uses associated with extraction of earth products shall not be a part of an excavation operation.

Section 6.060. Standards Govern-
ing Home Occupations.

In addition to compliance with the provisions of Sections 6.010 to 6.050 a home occupation shall meet the following conditions:

- (1) No person shall be employed other than a member of the family residing on the premises.
- (2) The residential character of the building and property shall not be altered.
- (3) The occupation must be carried on in the main building and shall not occupy more than one room or 20 percent of the floor area, whichever is least.
- (4) No equipment shall be used other than the type customarily found in a residence.
- (5) No display of merchandise shall be permitted and only articles made on the premises may be sold.
- (6) Signs shall conform to the regulations for the zone in which they are located.

Section 6.070. Limitations on Home Occupations.

A permit for a home occupation shall expire one year from the date of issuance. A renewal permit may be issued by the planning director following his determination that the requirements of this ordinance are being met. A home occupation in operation prior to the date of this ordinance shall be subject to a renewal permit one year from the date this ordinance takes effect.

ARTICLE 7. NONCONFORMING USES.

Section 7.010. Continuation of Nonconforming Use or Structure.

(1) Subject to the provisions of Sections 7.010 to 7.050, a nonconforming structure or use may be continued and maintained in reasonable repair but may not be altered or extended, except that the extension of a nonconforming use to a portion of a structure which was arranged or designed for the nonconforming use at the time this ordinance is adopted shall be permissible, and except that a structure conforming with respect to use but nonconforming with respect to height, setback, or coverage may be altered or extended if the alteration or extension does not deviate further from the standards of this ordinance.

(2) A use or structure which, on the date this ordinance takes effect and Ordinance No. 1 is repealed, violates that ordinance as it then reads, shall not be regarded as nonconforming under this ordinance.

Section 7.020. Discontinuance of Nonconforming Use.

(1) If a nonconforming use involving a structure is discontinued for a period of one year, further use of the property shall conform to this ordinance.

(2) If a nonconforming use not involving a structure is discontinued for a period of six months, further use of the property shall conform to this ordinance.

Section 7.030. Change of Nonconforming Use.

If a nonconforming use is replaced by another use, the new use shall conform to this ordinance.

Section 7.040. Destruction of Nonconforming Use.

If a nonconforming structure or a structure containing a nonconforming use is destroyed by any cause to an extent exceeding 80 percent of its fair market value as indicated by the records of the county assessor and is not returned to use within one year from the date of destruction, a future structure or use on the site shall conform to this ordinance.

Section 7.050. Completion of Structure.

Nothing contained in this ordinance shall require any change in the plans, construction, alteration, or designated use of a structure for which a building permit has been issued and construction work commenced prior to the adoption of this ordinance, providing the building, if nonconforming or intended for a nonconforming use, is completed and in use within one year from the time the building permit is issued.

Section 7.060. Unoccupied Buildings.

If a building is unoccupied on the effective date of this ordinance then the last evident use shall be considered to be the use of record and the one-year period of discontinuance allowed by section 7.020 shall commence on the effective date of this ordinance.

ARTICLE 8. VARIANCES

Section 8.010. Authorization to Grant or Deny Variances.

The planning commission may authorize variances from the requirements of this ordinance where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of the ordinance would cause undue or unnecessary hardship, except that no variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance the planning commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purpose of this ordinance.

Section 8.020. Circumstances for Granting Variance.

A variance may be granted only in the event that all of the following circumstances exist:

- (1) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this ordinance, topography, or other circumstances over which the applicant has no control.
- (2) The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess.
- (3) The variance would not be materially detrimental to the purposes of this ordinance, or to property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any county plan or policy.
- (4) The variance requested is the minimum variance which would alleviate the hardship.

Section 8.030. Application for a Variance.

A property owner may initiate a request for a variance by filing an application with the planning director, using forms prescribed pursuant to Section 10.030. The application shall be accompanied by a site plan drawn to scale showing the condition to be varied and the dimensions and arrangement of the proposed development. The planning commission may request other drawings or materials essential to an understanding of the variance request.

Section 8.040. Public Hearing on a Variance.

Before the planning commission may act on a request for a variance, it shall hold a public hearing.

Section 8.050. Notification of Decision.

Within five days after a decision has been rendered with reference to a request for a variance, the planning director shall issue to the applicant notice of the decision of the commission.

ARTICLE 9. AMENDMENT

Section 9.010. Authorization to Initiate Amendments.

An amendment to the text of this ordinance or to a zoning map may be initiated by the county court, by the planning commission, or by application of a property owner. The planning commission shall conduct a public hearing on the proposed amendment at its earliest practicable meeting after it is proposed and shall, within 40 days after the hearing, recommend to the county court approval, disapproval, or modification of the proposed amendment.

Section 9.020. Records of Amendments.

The planning director shall maintain records of amendments to the text and map of this ordinance.

ARTICLE 10. ADMINISTRATIVE PROVISIONS

Section 10.010. Administration.

The planning director shall have the power and duty to enforce the provisions of this ordinance. An appeal from a ruling by him regarding a requirement of the ordinance may be made to the planning commission.

Section 10.020. Appeal from Ruling of Planning Commission.

An action of ruling of the planning commission pursuant to this ordinance may be appealed to the county court within 15 days after the commission has rendered its decision. Written notice of the appeal shall be filed with the planning director. If the appeal is not taken within the 15-day period, the decision of the commission shall be final. If the appeal is filed, the county court shall receive a report and recommendation thereon from the planning commission and shall hold a public hearing on the appeal.

Section 10.030. Form of Petitions, Applications, and Appeals.

All petitions, applications, and appeals provided for in this ordinance shall be made on forms prescribed by the county. Application shall be accompanied by plans and specifications, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the sizes and locations on the lot of the buildings and other structures, existing and proposed, the existing and intended use of each building, structure or part thereof, the number of families, if any, to be accommodated thereon, and such other information as needed to determine conformance with this ordinance.

Section 10.040. Filing Fees.

The following fees shall be paid to the planning commission upon the filing of an application. Such fees shall not be refundable:

(1) Amendment proposed by property owner	\$60.00.
(2) Conditional use permit	\$30.00.
(3) Variance	\$30.00.
(4) Appeal	\$30.00.

Section 10.050. Notice of Public Hearing.

When the planning commission is required to hold a public hearing, notice of the hearing shall be given in the manner prescribed for the type of request.

Section 10.055. Hearing for Action Initiated by Property Owner.

Each notice of a hearing for an action initiated by a property owner for an amendment to change a map, an appeal, a conditional use, or a variance shall be given in the following ways:

- (1) Each notice of hearing authorized by this ordinance shall be published in a newspaper of general circulation in the county once at least 10 days prior to the date of hearing.
- (2) Each notice of hearing on a conditional use, a variance, an appeal, or an amendment to the zoning map shall be mailed to all owners of property within 250 feet of the exterior boundary of the property for which the application is made. For this purpose, the names and addresses of the owners as shown on the current records of the county assessor may be used. The notice shall be mailed at least 10 days prior to the date of hearing.
- (3) Failure of a person to receive the notice as prescribed in this section shall not affect the validity of the hearing.
- (4) The notice provisions of this section shall not restrict the giving of notice by other means, including mail, the posting of property, radio, or television.
- (5) The planning commission may recess a hearing in order to obtain additional information or to serve further notice upon other property owners or persons it decides may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced.

Section 10.060. Time Limit on a Permit for a Conditional Use or a Variance.

Authorization of a conditional use or variance shall be void after six months unless substantial construction pursuant thereto has taken place. However, the planning commission may in its discretion extend authorization for an additional six months on request or it may specify a different time period for a conditional use permit where it is justified by long range planned land use within the intent and spirit of this ordinance.

ARTICLE 11. MISCELLANEOUS PROVISIONS.

Section 11.010. Interpretation.

Where the conditions imposed by any provision of this ordinance conflict with any comparable conditions imposed by any other provisions of this ordinance, or of any other ordinance, resolution, or regulation, the provisions which are the more restrictive shall govern.

Section 11.020. Severability.

The provisions of this ordinance are severable. If any section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

Section 11.030. Repeal.

Zoning Ordinance No. 1 and all amendments thereto are hereby repealed, with the provision that violations of these ordinances and all amendments thereto shall remain violations to the extent that the matters in violation do not conform to the provisions of this ordinance.

ARTICLE 12. REMEDIES

Section 12.010. Penalty.

Any person violating any of the provisions of this ordinance shall be subject to the provisions of ORS 215.180, 215.185, and 215.990. A violation of this ordinance shall be considered a separate offense for each day the violation continues.

DATED this 29th day of August, 1968.

YAMHILL COUNTY COURT

By C. N. Teegarden
County Judge

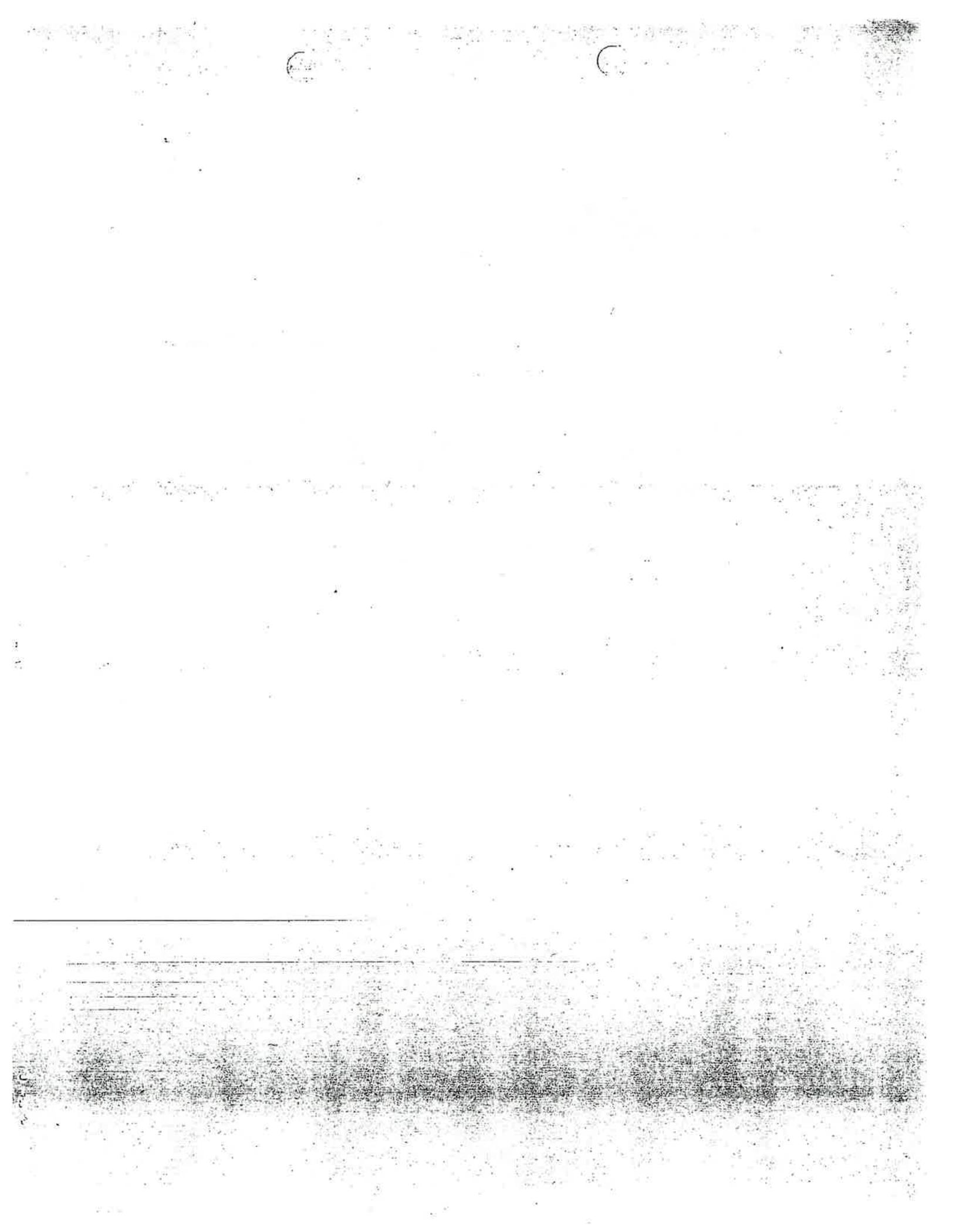
By Monie Majors
County Commissioner

By R. A. Schaad
County Commissioner

ATTEST:

JACK BEELER
Yamhill County Clerk

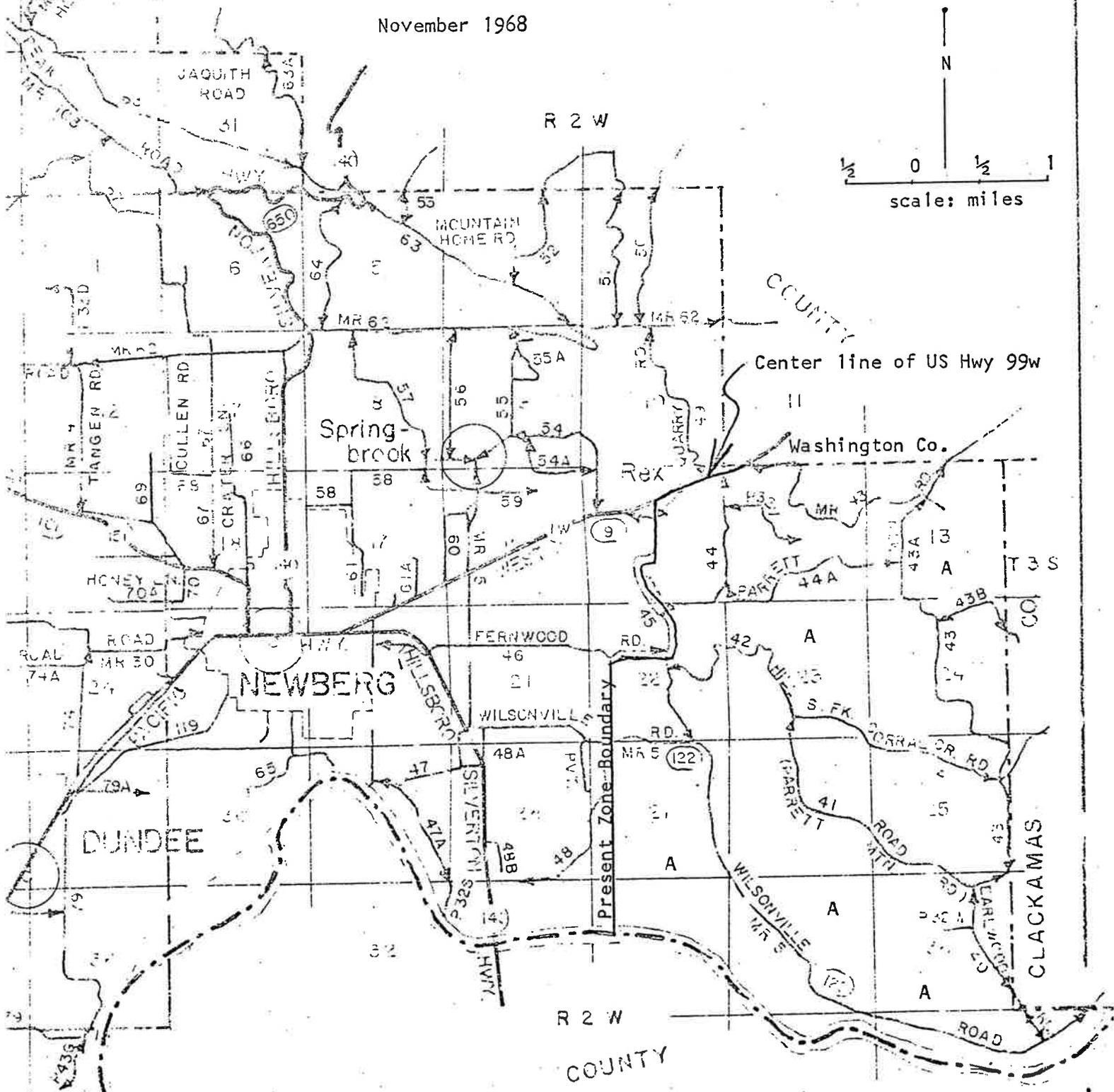
By Dorrick Edrason
Deputy



Yamhill County Ordinance No. 30

Planning Commission Docket No. Z-26-68

November 1968



Yamhill County area east of the existing Newberg Area Zone:

A - Agriculture Zone.

