

**430-11 Amusement Park**

An amusement park is an outdoor commercial recreation and entertainment facility, including such uses as theme parks, permanent carnival type uses, skateboard parks, go-cart and miniature auto tracks. Amusement parks shall:

- 430-11.1 Be located on a Collector or Arterial, no closer than one-thousand (1,000) feet to a residential district;
- 430-11.2 Have a minimum lot size of one (1) acre;
- 430-11.3 Have minimum peripheral setbacks of twenty-five (25) feet;
- 430-11.4 Have no less than twenty-five (25) percent of the park landscaped. Setback areas shall be landscaped with screening plant materials;
- 430-11.5 Have the primary amusement area fenced with a six (6) foot fence.

**430-13 Attached Dwelling Units**

Two or more units with a common wall on individual lots, commonly known as row houses, town houses, duplexes or multiplexes or, two or more units which share a common wall or ceiling on a single lot, commonly known as apartments, duplexes or condominiums. Sections 430-13.1 and 430-13.2 are applicable to new developments in the R-5 and R-6 Districts as noted in these sections below. Section 430-13.3 is only applicable to an existing duplex on an approved duplex lot.

- 430-13.1 In the R-5 District:
  - A. Attached dwelling units may be permitted only through a Planned Development; and
  - B. On sites of two (2) acres or less, attached units shall be limited to duplexes.
- 430-13.2 In the R-5 and R-6 Districts:
  - A. Buffering shall be pursuant to Section 411-6.1 when attached units are adjacent to a detached R-5 development; and
  - B. In developments with attached units, the perimeter setbacks shall be no less than fifteen (15) feet.
- 430-13.3 A Duplex on an Approved Duplex Lot

An existing duplex on a lot approved for a duplex ("duplex lot") by a prior land use approval is a permitted use. (Prior approvals include those made before March 30, 1984 under the former Comprehensive Plan.) These duplexes are permitted through a Type 1 procedure because of the prior land use approval. The lot area, yard requirements and lot dimensions in effect at the time of the original approval shall continue to be applicable to these buildings. Applications to divide these duplexes into separate lots must demonstrate compliance with current building code requirements prior to final approval of the land division.

**430-15 Auto Wrecking Yard**

Any property where two or more motor vehicles or the parts thereof, not in running condition, are stored in the open; or any land, building or structure used for the wrecking or storing of such motor vehicles or their parts. Wrecking yards shall:

- 430-15.1 Have a minimum lot size of one (1) acre;
- 430-15.2 Have one-hundred (100) feet of lot frontage;
- 430-15.3 Provide an eight (8) foot, sight obscuring fence of wood or, if metal, painted one color, to enclose the entire portion of the site used for auto wrecking and storage;
- 430-15.4 Store all items within the fenced area, and ensure that no items be piled any higher than the fence;
- 430-15.5 Have a ten (10) foot setback to the fence. The setback area shall be landscaped;
- 430-15.6 Include a forty (40) foot setback to any building, and a fifty (50) foot setback to any crushing equipment;
- 430-15.7 Abut a Collector or Arterial or a local street serving industrial or commercial uses;
- 430-15.8 Provide for storage and off-site disposal of oil;
- 430-15.9 Comply with all State requirements.

**430-19 Boarding House (including Bed and Breakfast Facilities for more than five (5) persons)**

A building, other than a hotel or apartment hotel, where for compensation and by pre-arrangement for definite periods, lodging, meals or lodging and meals are provided for more than five (5) persons. A boarding house includes bed and breakfast facilities where room and breakfast may be arranged for periods including overnight occupancy. Bed and breakfast facilities serving five (5) or fewer persons are subject to the Type I home occupation standards of Section 430-63.1. Boarding houses shall:

- 430-19.1 Be limited to five (5) sleeping rooms to let;
- 430-19.2 Serve meals to no more than ten (10) boarders;
- 430-19.3 Comply with all State and County Health, Fire and Building regulations; and
- 430-19.4 Provide one (1) additional parking space per sleeping room in such a manner that:
  - A. The residential character of the parcel is not changed, and;
  - B. The parking area does not detract from the visual appearance of the residence.

**430-21 Boarding (Stabling) or Training of Horses for Profit**

The boarding (stabling) or training of horses for profit may include stables (horse stalls); training tracks; riding arenas; exercising facilities, such as a hot walker or hydro-therapy pool; and riding trails. The boarding or training of horses for profit may be permitted when the following standards are met:

- 430-21.1 All setbacks to the stable structure (does not include facilities for riding, training or exercising horses, such as a riding arena) shall be at least thirty (30) feet from any property line and one hundred (100) feet from any existing residence, except the owner's dwelling(s);
- 430-21.2 Facilities for riding, training or exercising horses shall be at least thirty (30) feet from any property line and at least one hundred and thirty (130) feet from any residence, except the owner's dwelling(s). When a building includes both stabling and/or riding, training, or exercising facilities, the setback for the riding, training, and/or exercising facility shall be measured from the perimeter of its area within the building. Riding and training facilities include spectator facilities, and riding arenas and training tracks that are open, covered or enclosed. Riding trails are not considered riding, training or exercising facilities and are not subject to this standard;
- 430-21.3 The one hundred (100) and one hundred thirty (130) foot setbacks in Sections 430-21.1 and 430-21.2 may be reduced to not less than thirty (30) feet through a Type III procedure when the Review Authority makes findings that the standards in A., B., and C. below are met. The provisions of this subsection shall not preclude an applicant from requesting a reduction of either setback (100 or 130 feet) up to twenty (20) percent through Section 435-5 (Hardship Relief). Any request to reduce either setback to less than thirty (30) feet shall be subject to the requirements of Section 435 (Variances and Hardship Relief):
- A. The reduced setback will not have a significant impact on surrounding properties;
  - B. The reduced setback will not impose limitations on properties or uses in the surrounding area that are permitted by the primary district; and
  - C. The standard imposes a significant monetary burden on the applicant.
- The Review Authority may impose conditions of approval to mitigate any adverse impacts which may result from granting the reduced setback;
- 430-21.4 Animal waste management shall comply with state and federal standards;
- 430-21.5 Adequate parking, traffic management, and dust management shall be provided for horse shows at stables with more than twenty (20) stalls.
- 430-21.6 Public address systems using loud speakers shall not be used between 10:00 p.m. and 7:00 a.m.;
- 430-21.7 A tack shop may be provided when it is only for the use of owners of horses boarded at the stable; and

430-21.8 Dwellings for stable employees, such as a caretaker's dwelling, are farm-related dwellings which are subject to the primary district's standards for farm-related dwellings.

**430-23 Bus Shelter**

A sheltered area provided for passengers waiting for a bus at specifically designated bus stops. Bus shelters are subject to approval considering the following:

430-23.1 Site distance from cross streets;

430-23.2 Pedestrian access;

430-23.3 Access to bus doors;

430-23.4 Accessibility for maintenance;

430-23.5 Drainage;

430-23.6 Available right-of-way;

430-23.7 Road or turnout space; and

430-23.8 An agreement, signed by the applicant, which provides for maintenance which will keep the shelter attractive in appearance and repaired in a condition which will not present any hazard to its users.

**430-25 Campground (Camping Areas and Facilities - Public and Private)**

Any area or tract of land used to accommodate two (2) or more camping parties (including tents, travel trailers, other camping outfits and, except in the EFC, EFU, and AF-20 Districts, cabins). A campground is an area devoted to overnight, temporary use for vacation, recreational or emergency purposes, but not for residential purposes.

430-25.1 Campgrounds inside the Urban Growth Boundary:

A. Must provide public toilets and showers for guests;

B. Must be connected to public water and sewer facilities. Campgrounds which provide for Recreational Vehicles must provide dumping facilities;

C. Must have a minimum three (3) acre site;

D. Must be located with access onto a Collector or Arterial;

E. Must provide a number two (2) buffer as set forth in Section 411;

F. Number of campsites shall be determined upon submission by the applicant of a master plan of the campground. This plan shall include but not be limited to campsite envelopes, pedestrian and vehicular traffic circulation, location of public rest rooms and other public facilities, perimeter setbacks and buffering concept. All proposed services and incidental uses must be indicated on the Master Plan;

- G. Access and circulation must be approved by the fire marshal; and
- H. There must be compliance to all applicable Health Department requirements.
- I. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of thirty (30) days during any consecutive six (6) month period.

430-25.2 Campgrounds Outside the Urban Growth Boundary:

- A. There shall be a minimum site area of ten (10) acres in all Districts except the AF-10 and AF-5, where there shall be a minimum of five (5) acres. A camp site shall have a minimum of one-thousand- five-hundred (1,500) square feet. The campground shall be established on a site or contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. The campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites.
- B. The maximum camp sites per acre shall be ten (10). A campsite may be occupied by a tent, travel trailer or a recreational vehicle. Yurts may be provided on camp sites within private campgrounds in the EFC District pursuant to OAR 660-006-0015(4)(e).
- C. The maximum campground size shall be thirty-five (35) acres. A campground proposed to be over thirty-five (35) acres requires that an exception to Goals 3 or 4 be taken.
- D. An adequate system for fire protection, water and sanitary sewer service shall be provided in accord with applicable State, County and Fire District regulations. However, in the EFU, EFC and AF-20 Districts, separate sewer, water or electric service hook-ups shall not be provided to individual campsites. The campground, including campsites and other areas within the campground without structures, shall meet the standards of Sections 428-2 and 428-3.
- E. Service uses and facilities incidental and clearly subordinate to the primary use may be permitted as a condition of the Development Permit. Campgrounds in the EFC, EFU and AF-20 Districts shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.
- F. Access shall be approved by the fire marshal.
- G. The maximum sign area shall be thirty-five (35) square feet.
- H. The applicant shall provide the following use analysis:
  - (1) What is the purpose of the camp?;
  - (2) Is it Final Destination; or
  - (3) Is it ancillary to existing recreation facilities within two (2) miles of the site;

- (4) If final destination, what recreation facilities will be provided;
  - (5) If ancillary, how will campers reach the recreation facilities;
  - (6) What measures will be taken to prevent adverse effects on adjacent forest or farm lands; and
  - (7) How large and what type buffer will be provided between the site and adjacent farm and forest uses.
- I. The applicant shall sign and record in the Deed and miscellaneous records of the County, a waiver of the right to remonstrate against customarily accepted farm or forest practices.
  - J. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of thirty (30) days during any consecutive six (6) month period.

**430-27 Cemetery**

Land used or intended to be used for the burial of the dead. Cemeteries may include columbariums, crematoria, mausoleums and mortuaries within their boundaries.

- 430-27.1 The minimum lot area for earthen burial purposes only, shall be two (2) acres;
- 430-27.2 The minimum lot size when a columbarium, crematorium, mausoleum or mortuary is included in the cemetery shall be five (5) acres;
- 430-27.3 Cemeteries shall be fenced and there shall be a buffer pursuant to Section 411-6.1;
- 430-27.4 All yards to any structure shall be a minimum of forty-five (45) feet;
- 430-27.5 A plat of the cemetery must be recorded in accordance with ORS Chapter 92;
- 430-27.6 No cemetery lots shall be sold prior to development and approval of an irrigation system for grounds maintenance;
- 430-27.7 The maximum sign area shall be twenty (20) feet; except as provided otherwise in the Institutional District (Section 330-9).
- 430-27.8 All uses must comply to the applicable State standards.

**430-29 Church (Religious Institution)**

A building constructed or utilized primarily for public worship, together with its accessory uses, and buildings where persons regularly assemble for religious worship and which is controlled by a religious body organized to sustain public worship.

- 430-29.1 There shall be a minimum lot area of twenty-thousand (20,000) square feet. Additional area may be required based on the extent of the proposal;

- 430-29.2 Inside the Urban Growth Boundary, when access is proposed to a local street the access shall be located within three hundred (300) feet of an intersection with a collector or an arterial.
- 430-29.3 The minimum front yard for buildings under forty-five (45) feet in height shall be thirty (30) feet;
- 430-29.4 The minimum front yard for buildings over forty-five (45) feet in height shall be forty-five (45) feet;
- 430-29.5 The minimum side or rear yards for buildings shall be as follows:

Under 15 feet in height	20 feet
15-24 feet in height	25 feet
25-34 feet in height	30 feet
35-44 feet in height	35 feet
45-54 feet in height	40 feet
55+ feet in height	50 feet

- 430-29.6 Signage shall be subject to the standards outlined under Section 414-2 (Institutional Districts); except as provided otherwise in the Institutional District (Section 330-9).

**430-31 College**

A school of higher learning, including but not limited to a community college, university or seminary, giving advanced academic instruction as approved by the Oregon State Board of Education or a recognized accrediting agency. College does not include trade and commercial schools. Residential facilities, provided in conjunction with a college, may be approved as part of a college master plan pursuant to this Section, provided the facilities are for the exclusive use of staff and students affiliated with the college. Residential facilities may include dormitories. Colleges in residential districts shall be subject to the following:

- 430-31.1 Colleges shall be reviewed as a Type III Planned Development and subject to the standards of Section 330;
- 430-31.2 The minimum lot size shall be five (5) acres. Additional acreage may be determined to be necessary through the Site Analysis or Planned Development Review Process.

**430-33 Commercial Activities in Conjunction with Farm Use**

Commercial activities are limited to providing products and services essential to the practice of commercial agriculture.

A commercial activity in conjunction with farm use includes, but is not limited to, processing facilities which convert harvested agricultural crops from their natural state into new products, i.e., drying, freezing, canning, etc. In addition, the preparation and storage of a product which includes significant amounts of agricultural crops not raised by the operator of the storage facility shall also be considered a commercial activity. The storage, sale and application of farm chemicals used in conjunction with the growing of farm crops necessary to serve

nearby farm uses shall also be considered a commercial activity subject to meeting the following standards:

- A. The chemicals shall be limited to those used in conjunction with the growing of farm crops; chemicals used only for other uses, such as forest uses, cannot be stored, sold or applied; and
- B. The sale of farm chemicals shall be limited to quantities purchased by operators of commercial farm enterprises which contribute in a substantial way to the area's existing agricultural economy and help maintain agricultural processors and established farm markets.

Any commercial activity shall:

- 430-33.1 Be required to have a building permit;
- 430-33.2 Be subject to the provisions of Section 404-1, Type I Site Analysis;
- 430-33.3 Have setbacks determined by the Review Authority based on:
  - A. Size of the proposed structure;
  - B. Surrounding land uses; and
  - C. Size and number of vehicles required.

- 430-33.4 Sign:

One sign (only) per use shall:

- A. Be for commercial identification only;
- B. Have a maximum area of thirty-five (35) square feet.

#### **430-34 Contractor's Establishment**

- 430-34.1 In the AF-10 and AF-5 Districts only one contractor's establishment per lot or parcel shall be allowed. The combined total square footage of a building(s) or outside storage shall not exceed 3,000 square feet;
- 430-34.2 In the R-COM District the total square footage of a building (s) or outside storage shall not exceed a combined total of 3,000 square feet for each contractor's establishment;
- 430-34.3 In the R-IND and MAE Districts the total square footage of a building (s) or outside storage for each contractor's establishment shall meet the following:
  - A. The total square footage of a building(s) or outside storage shall not exceed a combined total of 8,000 square feet; or
  - B. If the total square footage of a building(s) or outside storage exceeds a combined total of 8,000 square feet, applicants shall provide the following:

- (a) Evidence to illustrate at least sixty (60) percent of the gross sales are from the rural area; or
- (b) Evidence to illustrate at least sixty (60) percent of the materials used in the business are farm, forest, or aggregate products originating in the rural area. These materials must contribute significantly (over 50 percent) to the contractor's business income.

430-34.4 Each Contractor's Establishment approved before the effective date of Section 430-34 (November 27, 2003) may be expanded through the development review process provided the total square footage of a building(s) or outside storage do not exceed the size limitation listed above in 430-34.1, 430-34.2 or 430-34.3. Larger expansions shall be subject to Section 440, Nonconforming Uses. Contractor's Establishments in the R-IND and MAE Districts have option of either meeting the requirements of Section 440 or Section 430-34.3B.

#### **430-35 Convenience Grocery**

A convenience grocery store is one which sells frequently purchased foods and sundries to residents of an immediate area and/or to the traveling public. Convenience grocery stores may be permitted subject to the following:

430-35.1 Entrances and Exits:

A. Access shall be determined based upon a site inspection which considers the following:

- (1) Site Size;
- (2) Road Classification;
- (3) Sight distance and allowed MPH; and
- (4) Adjacent development.

B. Consolidation of access with adjoining uses shall be encouraged.

430-35.2 In consideration of possible negative impact on nearby residential uses, lighting, sign illumination, height and hours of operation may be restricted through the development review process.

430-35.3 When a convenience grocery is located in the R-25+ District, it shall be pedestrian oriented.

430-35.4 When a convenience grocery is located in the Office Commercial District, hours of operation shall be limited to normal hours of operation in the Office Commercial District. Normal hours of operation are 7:00 a.m. to 6:00 p.m.