

430-41 Drive-in or Drive-up Establishment

Any establishment or portion of an establishment designed and operated to serve a patron while seated in an automobile (not including drive-in theaters).

430-41.1 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 M.P.H.;
- (4) Adjacent development.

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

C. Driveway entrances and exits shall be clearly marked;

430-41.2 Drive-in facilities located in the parking lot or part of a larger commercial center shall not have separate access points to the street and shall utilize the center's access points;

430-41.3 Lighting, sign illumination and height, and hours of operation may be restricted through the development review process to insure compatibility within the Office Commercial District; and

430-41.4 In an 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.

430-43 Drive-In Theater

A theater designed and operated to serve a patron seated in an automobile. Drive-in theaters shall:

430-43.1 Be located on a collector, arterial or frontage road at least one-thousand (1,000) feet from any residential district;

430-43.2 Locate entrance and exit driveways to provide a minimum of five-hundred (500) foot site distance;

430-43.3 Provide that theater projection screens and perimeter fencing shall be a minimum of twenty-five (25) feet from any abutting street;

430-43.4 Provide that internal circulation:

A. Require at least two (2) access gates for the viewing area, with one available for emergency egress at all times;

- B. Provide, on-site, a stacking area for vehicles waiting to purchase tickets. The area shall accommodate a minimum of fifteen (15) percent of the total capacity (parking spaces);
 - C. Provide one (1) ticket gate or booth for each three-hundred (300) car capacity; and
 - D. Provide signs to indicate entrance, exits and one-way driveways;
- 430-43.5 Orient projection screens so that the screen face is not visible at an angle greater than thirty (30) degrees from any street within one-thousand (1,000) feet of the screen;
- 430-43.6 Provide screening for the parking and viewing area with a ten (10) foot solid wood, masonry or nonreflecting metal perimeter fence;
- 430-43.7 Require that the twenty-five (25) foot setback required in Section 430-43.3 be landscaped. Landscaping shall include as a minimum, trees capable of exceeding fifteen (15) foot height at fifty (50) foot intervals located either inside or outside the perimeter fencing;
- 430-43.8 Provide one (1) off-street parking place per employee;
- 430-43.9 Surface all areas used by vehicles with chip seal or better;
- 430-43.10 Provide drainage facilities as required in Section 410; and
- 430-43.11 Provide individual loudspeakers for each car or radio system designed to not emanate beyond the perimeter of the site. No central loudspeaker shall be allowed except for an outdoor speaker located at the snack bar when the speaker is operated at a sound level not to exceed sixty-five (65) decibels.

430-44 Emergency Response/Safety Training Center

An Emergency Response/Safety Training Center is a land use consisting of (1) classroom facilities that may have accompanying dining and sleeping areas for classroom users; and (2) outdoor facilities for simulation of potential emergency situations such as fires, rescues, hazardous materials spills, vehicle pursuits, medical emergencies and disasters.

- 430-44.1 In addition to complying with the other applicable development standards of this Code, Emergency Response/Safety Training Centers shall:
- A. Have direct access to a paved road;
 - B. Comply with Section 411-6.2 of this Code;
 - C. For security purposes, provide adequate continuous fencing around the site's perimeter; and
 - D. Conduct outdoor training exercises only between the hours of 7 AM and 11 PM.

430-44.2 Prior to any approval of a development application for this use, the County must adopt findings for any necessary exception to a Statewide Planning Goal pursuant to Goal 2, Part II(c) and OAR 660-04-020 and 022. The County's adoption of findings shall be considered through a quasi-judicial plan amendment process initiated by the applicant pursuant to Section 203 of this Code.

430-45 Flag Lot

A lot behind a frontage lot, plus a strip (pole) out to the street for an access drive. Creation of a flag lot shall be subject to the following:

430-45.1 Buildings located on flag lots shall be oriented to provide the maximum privacy to surrounding existing and future residential structures;

430-45.2 The setback requirements of the primary district shall be maintained unless the Review Authority determines, as part of the initial approval, that it is necessary to modify the setbacks to provide more privacy to existing and proposed structures than if the required setbacks were maintained, in order to implement Section 430-45.1 above;

430-45.3 Access to all proposed flag lots (including future lots) shall:

- A. Provide for drainage as set forth in Section 410; and
- B. Consolidate access onto public streets wherever possible including consolidation of the access of the parent lot.

430-45.4 Landscaping and fencing (buffering) as required through Development Review to insure that privacy of existing residential structures is maintained.

430-45.5 Single flag lots shall meet the following:

- A. The minimum continuous width of the access strip shall be fifteen (15) feet;
- B. The access strip shall be part of the flag lot (the driveway shall not be provided through an easement on the frontage lot); and
- C. Access shall be provided by a paved driveway which meets the private street standards of Sections 409-3, 409-4.4, and 409-4.5.

430-45.6 Double flag lots shall meet the following:

- A. The minimum continuous width of the joint access strip shall not be less than twenty (20) feet;
- B. The joint access strip shall not be provided through an easement on the frontage lot(s); and
- C. Access shall be provided by a common paved driveway which meets the private street standards of Sections 409-3, 409-4.1, 409-4.2, 409-4.4, and 409-4.5.

430-45.7 The minimum lot area requirements of the primary district shall be maintained;

- 430-45.8 The pole or access portion of the flag lot shall not be included in the calculation of the minimum lot area, and shall not be included in the calculation of the average lot size in the R-5 and R-6 Districts;
- 430-45.9 The applicant shall provide a plan of complete parcelization of the subject property and potential parcelization of adjacent, vacant parcels; and
- 430-45.10 Parcelization shall not preclude reasonable development of the site and surrounding properties. Consideration shall include but not be limited to:
- A. Access;
 - B. Circulation; and
 - C. Building location.

430-47 Forest Products - Temporary Portable Facility for Primary Processing

Primary processing of a forest product is a temporary installation which uses a portable chipper or stud mill or other similar method of initial treatment of a forest product to enable its shipment to market, subject to the following:

- 430-47.1 Uses timber grown on the parcel or contiguous land where the processing facility is located. In the case of a log scaling facility, except in the EFU and AF-20 Districts, this use may occur on land not contiguous provided all other requirements are met;
- 430-47.2 In the EFU and AF-20 Districts, the processing facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described in ORS 215.203(2).
- 430-47.3 Is approved for a period of one (1) year. Extensions may be requested and processed in the same manner as the original application when work has not been completed within the one (1) year period;
- 430-47.4 Except in the EFU and AF-20 Districts, temporary processing facilities which do not require structures, as defined by Section 106-205, shall be processed through a Type I procedure. Temporary processing facilities which require structures shall be processed through a Type II procedure.

430-49 Fuel Dealership

The use of a site for on-site bulk storage of gas or oil for distribution and delivery to off-site locations. Fuel dealerships shall:

- 430-49.1 Have a minimum lot area of twenty-thousand (20,000) square feet;
- 430-49.2 Be no closer than five-hundred (500) feet to any residential district for above ground storage;
- 430-49.3 Have a minimum fifty (50) foot setback to all property lines for any above ground storage; and

430-49.4 Not require special setbacks or locational criteria for underground storage.

430-50 Golf Course Outside an Urban Growth Boundary

A golf course is an area of land with highly maintained natural turf laid out for the game of golf, generally with a series of nine or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards. A golf course may be permitted subject to the standards listed below.

- 430-50.1 A golf course located outside an urban growth boundary means a 9- or 18-hole regulation golf course or a combination 9- and 18-hole regulation golf course consistent with the following:
- A. A regulation 18-hole golf course is generally characterized by a site of about 120 to 150 acres of land, has a playable distance of 5,000 to 7,200 yards, and a par of 64 to 73 strokes.
 - B. A regulation nine-hole golf course is generally characterized by a site of about 65 to 90 acres of land, has a playable distance of 2,500 to 3,600 yards, and a par of 32 to 36 strokes.
 - C. Non-regulation golf courses are not allowed uses within these areas. "Non-regulation golf course" means a golf course or golf course-like development that does not meet the definition of golf course in this section, including but not limited to executive golf courses, Par 3 golf courses, pitch and putt golf courses, miniature golf courses and driving ranges.
 - D. Accessory uses provided as part of a golf course shall be consistent with the following standards:
 - (1) An accessory use to a golf course is a facility or improvement that is incidental to the operation of the golf course and is either necessary for the operation and maintenance of the golf course or that provides goods and services customarily provided to golfers at a golf course. An accessory use or activity does not serve the needs of the non-golfing public. Accessory uses to a golf course may include: parking; maintenance buildings; cart storage and repair; practice range or driving range; clubhouse; restrooms, lockers and showers; food and beverage service; pro shop; a practice or beginners course as part of an 18-hole or larger golf course. Accessory uses to a golf course do not include: sporting facilities unrelated to golfing such as tennis courts, swimming pools, and weight rooms; wholesale or retail operations oriented to the non-golfing public; housing.
 - (2) Accessory uses shall be limited in size and orientation on the site to serve the needs of persons and their guests who patronize the golf course to golf. An accessory use that provides commercial services (e.g., food and beverage service, pro shop, etc.) shall be located in the clubhouse rather than in separate buildings.
- 430-50.2 The minimum setbacks to any primary structure shall be one hundred (100) feet. The minimum setback to all other structures shall be thirty-five (35) feet.

- 430-50.3 When driving ranges are to be included as a part of the golf course:
- A. Hours of operation shall be limited so that outdoor lighting is not required; or
 - B. The range shall be located in such a manner that the lights do not shine outside the perimeter of the golf course; and
- 430-50.4 In addition to the requirements of Section 501-9, an application for a golf course shall include a traffic impact analysis which demonstrates the following. The analysis shall be prepared and certified by a traffic or civil engineer registered in the state of Oregon.
- A. Adequacy of traffic safety and traffic operations at the site's access to a public road and within a ten (10) percent impact area as defined by Resolution and Order 86-95 as modified or updated and Section 501-8.5. The applicant shall make necessary improvements, if any, to correct identified deficiencies.
 - B. Adequacy of the width and structural integrity, including roadway pavement, base and drainage, of the public access road(s) between the site's access and the nearest Arterial or paved Collector. The applicant shall make necessary improvements, if any, to correct identified deficiencies in order to provide adequate access to the golf course.
 - C. When applicable, conformance with the Oregon Department of Transportation's traffic/development review requirements, including but not limited to traffic report, access management, level of service, and traffic safety and operations requirements. The applicant shall make necessary improvements, if any, to mitigate identified deficiencies.
 - D. Adequate traffic management and parking for special events. Off-site parking areas, if any, shall be approved as part of the development application for the golf course or through a separate Type II or III application.
- 430-50.5 The maximum sign area shall be thirty-five (35) square feet.

430-51 Golf Course Inside an Urban Growth Boundary

A golf course is an area of land with highly maintained turf laid out for the game of golf, generally with a series of nine (9) or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards. For the purposes of this section, a golf course includes executive golf courses and Par 3 courses. A golf course does not include pitch and putt golf courses, miniature golf courses, and driving ranges. These uses are subject to the standards of Section 430-131 (Special Recreation Use).

Golf courses shall comply with the following standards:

- 430-51.1 Have a minimum lot size of ten (10) acres;
- 430-51.2 Require that all yards be a minimum of thirty-five (35) feet to a structure;

- 430-51.3 Have a maximum sign area of thirty-five (35) square feet; except as provided otherwise in the Institutional District (Section 330-9).
- 430-51.4 Require that minimum setbacks to any primary structure be one-hundred (100) feet.
- 430-51.5 When driving ranges are to be included as a part of the golf course:
- A. Hours of operation shall be limited so that outdoor lighting is not required; or
 - B. The range shall be located in such a manner that the lights do not shine outside the perimeter of the golf course; and
- 430-51.6 Accessory uses to a golf course include but are not limited to parking, maintenance buildings, cart storage and repair, pro shop, driving range, and eating and drinking facilities.

430-53 Group Care

Community based care is divided into medical and nonmedical care. Group care homes, residential care facilities, and halfway houses provide care and training to small groups of more than five (5) people living together in a homelike setting. The clients and staff function as a single housekeeping unit and, act in many ways as a family providing support, care and supervision. The goal of these facilities is the integration of their clients into society. Other types of group care include facilities for day-care, convalescent (nursing) homes, and retirement housing communities.

430-53.1 Convalescent (Nursing) Homes:

Convalescent homes are institutions for the care of children, the aged or infirm or a place of rest for those suffering bodily disorders, but not including facilities for surgical care or institutions for the care and treatment of mental illness, alcoholism or narcotics.

- A. The minimum lot area shall be fifteen-thousand (15,000) square feet plus one-thousand (1,000) square feet for each bed over fifteen (15);
- B. The minimum front and rear yards shall be thirty (30) feet;
- C. The minimum side yard shall be twenty (20) feet;
- D. The maximum lot coverage shall be forty (40) percent;
- E. All State requirements and County Health Department requirements must be met; and
- F. The facility must be licensed or certified by the State.

430-53.2 Day-Care Facility:

Day-Care Facilities, as defined by Section 106-48, are permitted subject to the following:

- A. The minimum front and rear yards shall be twenty (20) feet;

- B. The minimum side yard shall be ten (10) feet;
- C. All State and County licensing and Health Department requirements must be met;
- D. There shall be a maximum lot coverage of forty (40) percent;
- E. The maximum sign area shall be twenty (20) square feet; except as provided otherwise in the Institutional District (Section 330-9).
- F. The minimum lot area for day-care facilities in a residential district or adjacent to a residential district shall be twenty-thousand (20,000) square feet;
- G. The Review Authority may require a fenced outdoor play area be provided;
- H. Child care provided at a public or private school for before and/or after school care, exclusively for students affiliated with the school, is not subject to the requirements of this Section. This use is permitted pursuant to Section 201-2.19; and
- I. Day care facilities, located within a church, school or public building, are allowed through a Type II procedure when permitted by the primary district.

430-53.3 Detention Facilities (Halfway House) Mental and Remedial:

An establishment licensed or certified by the State and operated with twenty-four (24) hour supervision for the purpose of providing planned treatment and/or care to individuals who are criminal offenders, alcoholics, drug abusers, mentally ill or who require planned care while living together as a single housekeeping unit, subject to:

- A. All State and County licensing and health department requirements; and
- B. Facility requirements including site size, but in no event smaller than twenty-thousand (20,000) square feet.

430-53.4 Home for Aged (Retirement Home):

A facility, however named, which is designed, staffed and equipped for the care of individuals who are not in need of hospital or nursing care but who are in need of assistance with everyday activities of living, in a protected environment.

- A. The minimum lot area shall be fifteen-thousand (15,000) square feet plus one-thousand (1,000) square feet for each bed over fifteen (15);
- B. The minimum front and rear yards shall be thirty (30) feet;
- C. The minimum side yard shall be twenty (20) feet;
- D. The maximum lot coverage shall be forty (40) percent;
- E. All State requirements and County Health Department requirements shall be met; and

F. The facility shall be licensed or certified by the State.

430-53.5 Resident Care Facility:

An establishment licensed or certified by the State and operated with twenty-four (24) hour supervision for the purpose of providing planned treatment and/or care for the aged, convalescent, mentally handicapped or retarded, and remedial service clientele and/or victims of domestic violence and their children, as a single housekeeping unit. Resident care facilities must meet the following minimum requirements:

- A. Shall not include hospital or treatment facilities otherwise provided in Article IV;
- B. The minimum lot size shall be fifteen-thousand (15,000) square feet;
- C. Must maintain all applicable licenses required by the State and County;
- D. Must meet all Department of Health requirements; and
- E. No more than three (3) unrelated staff members or persons related to staff shall reside at the facility.

430-53.6 Family Day-Care Provider in the AF-10, AF-5 and RR-5 Districts:

A day-care (child care) provider who regularly provides day-care (child care) in the provider's home in the family living quarters to fewer than thirteen (13) children, including children of the provider, regardless of full-time or part-time status. Family day-care providers shall meet the following:

- A. All state licensing and County Health Department requirements must be met and maintained;
- B. The requested use is compatible with the surrounding uses or can be made more compatible through conditions of approval; and
- C. The applicant has signed and recorded in the Deed and Mortgage Records of the County, a waiver of the right to remonstrate against customarily accepted farming or forestry practices.

430-53.7 Retirement Housing Community

A residential community for citizens age 55 years and older that includes a variety of housing options and services. Private dwelling units, including apartments or single-family attached/detached homes, are provided for independent residents (independent living) and residents requiring a range of supportive personal and health services (assisted living). The community also includes a residential care facility licensed or certified by the State and operated with twenty-four (24) hour supervision for the purpose of providing planned treatment and/or care for the aged or convalescent.

A retirement housing community shall meet the following:

- A. The entire community is owned or managed by a single entity and access to community services and facilities is available for all residents;
- B. Both independent and assisted living housing units include a kitchen, bathroom(s) and bedroom(s). For studio units, a sleeping area may replace the requirement for a separate bedroom however a kitchen and bathroom must also be provided;
- C. The residential care facility meets the following requirements:
 - (1) Shall not include hospital or treatment facilities otherwise provided in Article IV;
 - (2) Must maintain all applicable licenses required by the State and County; and
 - (3) Must meet all Department of Health requirements.
- D. A variety of services and facilities intended for the direct benefit of residents is an integral element of the retirement housing community. These services are accessory in nature to the primary use of residential housing, are intended to principally serve residents of the retirement housing community, but may also be used by non-residents on a limited basis. Services and facilities may include, but are not limited to, a dining facility, health and fitness facility, administrative or medical offices, craft and hobby rooms, meeting and community rooms, beauty and barber salons, library and guest lodging; and
- E. The community is open to pedestrian and vehicular circulation and is not gated.

430-55 Guest House

A second house on a parcel, used for intermittent occupancy by guests of the occupant of the main residence. A guest house is permitted subject to the following:

- 430-55.1 The minimum lot size shall be twice the minimum requirement for the primary district, except in the R-5 District, where the minimum lot size to accommodate a guest house must be 14,000 square feet;
- 430-55.2 The guest house shall be for intermittent or temporary occupancy only;
- 430-55.3 Placement of a guest house shall allow for future division of the lot to the District standards;
- 430-55.4 Submission of a plan indicating how a legal lot could be partitioned for the guest house; and
- 430-55.5 Limitation of one guest house for one main dwelling unit.

430-57 Heavy Industrial Uses

- 430-57.1 Heavy Industrial uses include the following:
 - A. Acid Manufacture;

- B. Blast furnace;
- C. Cement, lime, gypsum or plaster manufacture;
- D. Distillation of bones;
- E. Dump, rubbish, cinders, slag or sawdust;
- F. Explosives, manufacture or storage;
- G. Fat rendering;
- H. Fertilizer manufacture;
- I. Garbage, offal or dead animal reduction or dumping;
- J. Gas manufacture or storage (artificial), natural, industrial, liquefied or compressed;
- K. Glue manufacture;
- L. Incinerator;
- M. Petroleum refining and reclaiming plants if located more than thirteen-hundred-twenty (1,320) feet from any property classified other than an IND, R-IND or MAE District;
- N. Storage, curing or tanning of raw, green or salted hides or skins; and
- O. Any use which in general is especially hazardous to the public health or safety, damaging to vegetation and discharges extreme air and water pollutants.

430-57.2 Lot Area:

The minimum lot area shall be five (5) acres.

430-57.3 Yard Requirements:

A minimum setback of six-hundred (600) feet from any R or AF District and not less than three-hundred (300) feet from any other district except Industrial.

430-59 Heliport

Heliports may be allowed subject to compliance to all Federal and State requirements including DEQ noise control regulations for aeronautics. Personal use heliports shall comply with the requirements of Section 430-7.