

YAMHILL COUNTY ZONING ORDINANCE
ORDINANCE NO. 83, 1976

SCHEDULE OF ZONING DISTRICT REGULATIONS [SCHEDULE "A" TO YAMHILL COUNTY ZONING ORDINANCE, ORDINANCE NO. 83, 1976]

Zoning District	Permitted uses	Conditional uses	Prohibited uses	Minimum lot or site requirements (area, width, depth)	Maximum residential density	Minimum yard or setback requirements	Maximum lot or site coverage	Maximum height of structure	Minimum off-street parking and loading requirements	Limitations on signs	
F-40	<ol style="list-style-type: none"> Foresty Park or open space, publicly owned, operated and maintained Extraction, processing, and stockpiling of construction materials Single-family dwelling or mobile home for caretaker, watchman, or forest management and protection purposes Signs, subject to Sect. 10.300 Temporary structures, subject to Sect. 39 	<ol style="list-style-type: none"> Municipal water supply, treatment, storage or transmission facility Utility facility in conjunction with a permitted use Extraction, processing and stockpiling of construction materials Single-family dwelling 	<p>All other uses, except uses related to permitted uses as determined by Commission, subject to Art. IV to VIII, incl.</p>	<ol style="list-style-type: none"> 40 ac. for forestry and single-family dwelling, subject to Commission for all other uses Max. depth-to-width ratio, 4:1 	Not applicable	<ol style="list-style-type: none"> 30 ft. front, 15 ft. side and rear yards for all uses, except uses for utility facility and 5 ft. in yards for foresty 	Not applicable	45 ft. subject to Sect. 35.400	Not applicable	As established under Sect. 10.300	
EF-40	<ol style="list-style-type: none"> Agriculture Propagation and harvesting of a forest product Single-family dwelling or mobile home for farm owner Signs, subject to Sect. 11.330 Mobile home for relative of farm owner, subject to Sect. 11.340 and Sect. 38.100 Farm laborer's quarters, temporary or seasonal Vehicle, livestock, feeding or sales yard, subject to Sect. 11.400 Signs, subject to Sect. 11.400 Public structures as exempted from ORS 568.210 to 568.551 Temporary structure, subject to Sect. 39 	<ol style="list-style-type: none"> Municipal water supply, treatment, storage or transmission facility Any use permitted under Sect. 11.350, 11.360 and 11.370 Student housing, subject to Sect. 11.330 Home occupation, subject to Sect. 38.640 Kennel 	<p>All other uses</p>	<ol style="list-style-type: none"> 40 ac. for any permitted use 20,000 sq. ft. for uses authorized under Sect. 11.350, 11.360 and 11.370 10 ft. depth-to-width ratio, subject to Commission for all other uses Max. depth-to-width ratio, 4:1 	Not applicable, exc. under Sect. 11.370	<ol style="list-style-type: none"> As established by F-40 Dist., exc. 30 ft. all around for uses authorized under Sect. 11.350, 11.360 and 11.370 As established by Commission for uses authorized under Sect. 11.350, 11.360 and 11.370 	Not applicable, exc. 11.380	45 ft. exc. 35 ft. for uses authorized under Sect. 11.350, 11.360 and 11.370	As established under Sect. 38.510	As established under Sect. 11.410	
AF-20	<ol style="list-style-type: none"> Agriculture Park or open space, publicly or privately owned, operated or maintained, including hunting, fishing, and wildlife preserves Extraction, processing, and stockpiling of construction materials Any other permitted use in F-40 or EF-40 District, except uses specified therein Signs, subject to Sect. 12.300 	<ol style="list-style-type: none"> Any conditional use in F-40 or EF-40 District, subject to provisions specified therein and in Sect. 12.300 Automobile washing yard Travel trailer park, in conjunction with a park or hunting area, subject to Sect. 38.300 Veterinary hospital Kennel, nursery, or day-care facility, in conjunction with a principal single-family dwelling 	<p>All other uses, except uses related to permitted uses as determined by Commission, subject to Art. IV to VIII, incl.</p>	<ol style="list-style-type: none"> 30 ac. for any permitted use 20,000 sq. ft. for uses authorized under Sect. 11.350 et Sect. 13.310 To be established by Commission for all other uses, subject to provisions specified therein Max. depth-to-width ratio, 4:1 	Not applicable	<ol style="list-style-type: none"> As established by EF-40 Dist., exc. 30 ft. all around for uses authorized under Sect. 11.350, 11.360 and 11.370 As established by Commission for uses authorized under Sect. 11.350, 11.360 and 11.370 	Not applicable, exc. 15% for any lot or site of less than one (1) acre	45 ft. exc. 35 ft. for uses authorized under Sect. 11.350, 11.360 and 11.370	As established under Sect. 38.510	As established under Sect. 12.320	
AF-10	<ol style="list-style-type: none"> Agriculture Park or open space, publicly or privately owned, operated or maintained, including hunting, fishing, and wildlife preserves Extraction, processing, and stockpiling of construction materials Any other permitted use in F-40 or EF-40 District, except uses specified therein and in Sect. 13.300 Signs, subject to Sect. 12.300 	<ol style="list-style-type: none"> Any conditional use in F-40, EF-40 or AF-20 District, subject to provisions specified therein and in Sect. 13.300 Kennel, livestock feeding or sales yard 	<p>All other uses, except uses related to permitted uses as determined by Commission, subject to Art. IV to VIII, incl.</p>	<ol style="list-style-type: none"> 10 ac. for any permitted use 20,000 sq. ft. for uses authorized under Sect. 11.350 et Sect. 13.310 To be established by Commission for all other uses, subject to provisions specified therein Max. depth-to-width ratio, 4:1 	Not applicable	<ol style="list-style-type: none"> As established by AF-20 District 	As established for AF-20 Dist.	As established for AF-20 Dist.	As established for AF-20 Dist.	As established for AF-20 Dist.	As established for AF-20 Dist.
VLDR-5	<ol style="list-style-type: none"> Agriculture Propagation and harvesting of Christmas trees Single-family dwelling, subject to Sect. 38.200 Mobile home for relative of farm owner, subject to Sect. 11.340 and Sect. 38.100 Signs, subject to Sect. 11.400 Temporary structure, subject to Sect. 39 Community water supply system Signs, subject to Sect. 14.300 Public structures as exempted from ORS 568.210 to 568.551 Temporary structure, subject to Sect. 39 and Sect. 14.370 	<ol style="list-style-type: none"> Student housing, subject to Sect. 11.330 Home occupation, subject to Sect. 38.640 Kennel Mobile home for caretaker, watchman, or forest management and protection purposes, in conjunction with a principal single-family dwelling 	<p>Livestock feeding or sales yard All other uses</p>	<ol style="list-style-type: none"> 24 ac. for any permitted or conditional use 30 ac. for two-family or multi-family dwelling Min. width, 165 feet Max. depth-to-width ratio, 3:1 	One dwelling unit per 5 ac. of land area	<ol style="list-style-type: none"> 30 ft. front, 15 ft. side and rear yards for all uses, except uses for utility facility and 5 ft. in yards for foresty 	<ol style="list-style-type: none"> Not applicable, exc. 10% for any lot or site more than one acre, and 15% for any lot or site of less than one (1) acre 	45 ft. exc. 25 ft. for all single-family dwellings and 25 ft. for mobile homes, subject to provisions of bid, conveyance or other instrument	As established under Sect. 38.510	As established under Sect. 14.390	

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

(Sitting for the Transaction of County Business)

In the Matter of the Adoption of)
an Ordinance Establishing Compre-)
hensive Zoning Regulations for)
Yamhill County, and Providing for)
the Administration, Enforcement,)
and Amendment thereof, in Accord-)
ance with the Provisions of ORS)
Chapters 197 and 215, and for the)
Repeal of all Ordinances in Con-)
flict Herewith)

Ordinance No. 83

WHEREAS, ORS 197.175 provides that Yamhill County shall, pursuant to ORS 197.005 to 197.430, 215.055, 215.510, 215.515, 215.535 and 453.345, prepare and adopt a comprehensive plan consistent with state-wide planning goals and guidelines approved by the Land Conservation and Development Commission and enact zoning regulations to implement said plan; and

WHEREAS, Yamhill County, on the 25th day of September, 1974, adopted a comprehensive plan, which complies fully with the above statutory requirements, and which will be amended as necessary in accordance with the provisions of ORS 197.250, to be in conformity with the above-mentioned state-wide planning goals which were adopted by said Commission on the 27th day of December, 1974; and

WHEREAS, the zoning regulations hereby enacted do now comply with, and give effect to, the above-mentioned comprehensive plan, and will also be amended as necessary in accordance with the provisions of ORS 197.250; and

WHEREAS, pursuant to the provisions of ORS 215.110 and 215.223, the Yamhill County Board of Commissioners held public hearings on the 17th, 18th, 24th and 25th days of November, 1975; 1st and 17th days of December, 1975; 21st day of January, 1976 and 11th day of February, 1976, in respect to the proposed adoption of this Ordinance; and

WHEREAS, the Board has now determined that this Ordinance is necessary and proper for the promotion of the public health, safety and general welfare, and that it would be in the best interests of the people of Yamhill County to adopt said Ordinance; and

WHEREAS, after the termination of the final public hearing before the Board, and in the regular session of the Board on the 11th day of February, 1976, a motion was duly made and regularly passed to adopt said Ordinance for Yamhill County;

NOW THEREFORE, IT IS HEREBY ORDAINED:

ARTICLE I

INTRODUCTORY PROVISIONS

SECTION 1. TITLE.

1.000 This Ordinance and any amendments thereto shall be known and may be cited or pleaded as the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976.

SECTION 2: AUTHORIZATION AND APPLICATION.

2.000 This Ordinance is hereby enacted for all that area of Yamhill County subject to county jurisdiction under the provisions of ORS 215.130, hereinafter referred to as the regulated area.

SECTION 3. PURPOSE.

3.000 The purpose of this Ordinance is to promote the public health, safety and general welfare and to implement the Yamhill County Comprehensive Plan, 1974, Ordinance No. 62, 1974, as amended.

SECTION 4. PROHIBITION.

4.000 Subject to the provisions of this Ordinance respecting exceptions, variances, and non-conforming lots, uses and structures, land shall not be used, nor buildings and structures erected, constructed, reconstructed, located, moved, structurally altered, or used or occupied contrary to this Ordinance.

Section 5.100 - 5.200 (3)

SECTION 5. DEFINITIONS AND RULES OF CONSTRUCTION.

5.100 Rules of Construction. For the purposes of this Ordinance, all words, terms and expressions contained herein shall be interpreted in accordance with the following rules of construction, unless the context otherwise requires; (1) the particular controls the general;

(2) the word shall is mandatory, the word may is permissive;

(3) the present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular;

(4) the words "used for" or "occupied for" include the words "intended for," "designed for," or "arranged to be used for" or "erected for," "constructed for," "reconstructed for," "repaired for," "moved for," "structurally altered for," or "extended for the purpose of."

(5) the word person includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.

(6) any word or term not defined herein shall be used with a meaning of common standard use. Any words, terms or phrases, not defined herein shall be construed according to its common, ordinary and accepted meaning. Words, terms, or phrases that are defined by Section 5.200 of this ordinance have been (underlined/italicized) in the text of this ordinance for the convenience of those using the ordinance. Any words, terms or phrases defined in Section 5.200 and used in this ordinance shall be construed as defined in Section 5.200 whether or not such word term or phrase is (underlined/italicized).

5.200 Definitions. For the purposes of this Ordinance, all words, terms and expressions contained herein shall be interpreted as follows: (1) Access -- is a way or means or right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

(2) Agriculture -- is a use providing for the growing, rearing, producing, keeping and harvesting of agricultural products and the management and protection of agricultural land as defined in the Comprehensive Plan and the Statewide Planning Goals and Guidelines, and includes the preliminary grading, first-stage processing, packing and storage of agricultural products originating on the same lot or site, the growing of cereal grains, legumes, fruits, vegetables, grapes, nuts, mushrooms, nursery stock and Christmas trees, dairying, poultry farming, bee-keeping, the winter feeding of livestock, the growing of forage crops, and the range grazing of horses, cattle, sheep, and other livestock. Agriculture includes farm use as defined in ORS 215.203(2)(a), but does not include forestry as herein defined.

(3) Aircraft landing field -- is any area of land or water used for the landing and take-off of aircraft, and any appurtenant areas which are used for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

(4) Alley -- a minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

(5) Assembly use -- is a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, recreational or educational purposes, and includes churches, auditoriums, armories, youth centers, social halls, fairgrounds, group camps, schools, kindergartens, play-schools, day nurseries and day-care schools.

(6) Automobile service station -- is a use providing for the retail sale of motor fuels, lubricating oils and vehicle accessories, and includes the servicing and repair of motor vehicles as an accessory use, but excludes all other sales and services except the sale of minor convenience goods for service station customers as accessory and incidental to the principal operation. Uses permitted at an automobile service station do not include major mechanical and body work, straightening of body parts, painting, welding, tire recapping, storage of motor vehicles not in operating condition, or other work generating noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations. An automobile service station is not a repair garage nor a body shop.

(7) Automobile repair garage -- is a use providing for the major repair and maintenance of motor vehicles, and includes any mechanical and body work, straightening of body parts, painting, welding, or storage of motor vehicles not in operating condition.

(8) Automobile wrecking yard -- is any area of land used for the storage, wrecking or sale of inoperable motor vehicles, trailers or farm equipment, or parts thereof, where such vehicles, trailers, equipment or parts are stored in the open and are not being restored to operating condition, and includes any land used for the commercial salvaging of any other goods, articles or merchandise.

(9) Basement -- is a story whose floor is more than one (1) foot, but not more than one-half of its story height below grade (as distinguished from a cellar, which is a portion of a building more than one-half below grade).

(10) Board -- is the Yamhill County Board of Commissioners.

(11) Boarding, lodging or rooming house -- is a building where lodging with or without meals is provided for compensation for not less than five (5) nor more than ten (10) persons in addition to members of the family occupying such building.

(12) Building -- is a structure having a roof supported by columns or walls used for the shelter or accommodation of persons, animals, chattels, or property of any kind and having a fixed base on or fixed connection to the ground, and includes a mobile home and a modular home.

(13) Building, principal -- is a main building, the major floor level or the greater proportion of the floor space of which is used for a permitted principal use, and includes a mobile home.

(14) Building, accessory -- is a building whose use is incidental and secondary to that of the principal building which is, or is being erected, on the same lot or site, and includes a travel trailer. An attached accessory building shall be considered as a part of the principal building, both as to site coverage and yard requirements.

(15) Building Inspector -- is the Yamhill County Chief Building Inspector or his duly authorized representative.

(16) Cellar -- is a portion of a building the floor of which is more than one-half of its story height below grade (as distinguished from a basement, which is a story less than one-half below grade). A cellar shall not be counted as a story for purposes of height measurement.

(17) Clinic -- is a place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those who are in need of medical or surgical attention, but who are not provided with board or room or kept overnight on the premises.

(18) Club or lodge -- is a building and facilities owned and operated for a social, educational or recreational purpose, to which membership is required for participation, but is not operated primarily for profit or to render a service which is customarily carried on as a business. A club does not include a public or private kindergarten, school, college or research institution, day-care or rehabilitation facility of any kind.

(19) Commission -- is the Yamhill County Planning Commission.

(20) Community center or hall -- is a building and facilities owned and operated by a governmental agency or non-profit community organization whose membership is open to any resident of the community in which the center or hall is located, provided that the primary objectives of the organization are the improvement of the community.

(21) Community water-supply system -- is a public or private system of underground distribution pipes providing a continuous supply of potable water from a central source in quantities sufficient to meet domestic and fire-protection needs for three (3) or more dwellings, as approved by the Public Health Engineering Branch, Health Division, Oregon Department of Human Resources.

(22) Community sanitary-sewer system -- is a public or private system of underground pipes of sufficient capacity to carry domestic sewage from an area to connected treatment and disposal facilities, as approved by the Oregon Department of Environmental Quality.

(23) Contiguous lots -- are two or more lots having at least one common boundary line.

(24) Density -- is the number of dwelling units to be contained within a specified land area.

(25) Director -- is the Yamhill County Planning Director or his duly authorized representative.

(26) Drive-in restaurant or refreshment stand -- is a building and facilities used for the sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

(27) Dwelling -- is a building containing only dwelling units. The term dwelling or any variation thereof does not include a hotel, motel, travel trailer, boarding, lodging or rooming house, private hospital, rest home or nursing home or other accommodations used for more or less transient occupancy, or a mobile home.

(28) Dwelling unit -- is one room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

(29) Dwelling, single family -- is a detached dwelling containing one (1) dwelling unit, designed for and occupied by one (1) family only.

(30) Dwelling, two-family -- is a detached or semi-detached dwelling containing two (2) dwelling units, designed for and occupied by not more than two (2) families.

(31) Dwelling, multi-family -- is a dwelling designed for and occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

(32) Dwelling, principal -- is the primary dwelling on any lot or site.

(33) Family -- is one or more persons living together in a dwelling unit, provided that a family shall not contain more than five (5) persons who are not related by blood, marriage, legal adoption or legal guardianship and further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families, and that meals or lodging may be provided to not more than two (2) additional persons, excluding servants.

(34) Farm laborer's cabin -- is an accessory building used exclusively for the temporary or seasonal accommodation of farm laborers, and includes a travel trailer used for such purpose.

(35) Fence, sight-obscuring -- is an ornamental fence or wall constructed of wood, wire, or masonry, or any combination thereof, or a row of shrubs located or arranged in such a way as to obstruct vision.

(36) Floor area, gross -- is the sum of the areas of each story of a building measured between the exterior walls of such building, but excluding attic space providing headroom of less than seven feet and cellars.

(37) Forestry -- is a use providing for the growing, harvesting, and storage of primary forest products and the management and protection of forest land as defined in ORS 528.005, the Comprehensive Plan and the Statewide Planning Goals and Guidelines, and includes the location, construction and maintenance of forest access roads and forest protection facilities. Forestry includes forest use as defined in the Statewide Planning Goals and Guidelines, but does not include agriculture as herein defined.

(38) Fruit or vegetable stand, commercial -- is a use providing for the retail sale of any agricultural produce where more than one-half of gross receipts results from the sale of produce grown on other than the same lot or site.

(39) Fruit or vegetable stand, non-commercial -- is a use providing for the retail sale of any agricultural produce where less than one-half of gross receipts results from the sale of produce grown on other than the same lot or site.

(40) Grade -- is 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 (5) feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation.

(41) Guest house -- is a single-family dwelling or mobile home, intended to accommodate non-paying guests on a temporary or seasonal basis only and is an accessory building.

(42) Height -- is 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 center height between the highest and lowest points of other types of roofs; or the greatest vertical distance from the finished ground elevation at the base of a structure to the highest point on such structure.

(43) Home occupation -- is any occupation carried on for remuneration by the resident on a lot or site occupied by a dwelling, the nature of which is clearly incidental to the use of the dwelling unit for residential purposes, or to the residential use of the lot or site.

(44) Hospital, private -- is a use providing for the care of the sick, injured, or aged other than in a public hospital, and includes convalescent homes and nursing homes.

(45) Kennel -- is a use providing for the accommodation of four (4) or more dogs, cats, or other household pets at least four (4) months of age, where such animals are kept for board, propagation, training or sale.

(46) Land area, net -- is the area of land developed in a specific use, excluding any area in adjacent or bounding streets, parks, open space, or schools considered to be a part of the development.

(47) Land area, gross -- is the area of land developed in a specific use, including any area in adjacent or bounding streets, parks, open space or any other use considered to be a part of the development.

(48) Livestock -- are domestic animals of types customarily raised or kept on farms for profit or other purposes, but do not include household pets.

(49) Livestock feeding yard -- is an enclosure or structure of 1,000 square feet or more in ground area designed or used for the concentrated feeding or fattening of livestock for marketing; or an enclosure or structure of less than 1,000 square feet in ground area designed or used for the concentrated feeding or fattening of five (5) or more head of livestock for marketing.

(50) Livestock sales yard -- is an enclosure or structure designed or used for holding livestock for purposes of sale or transfer by auction, consignment, or other means.

(51) Loading space, off-street -- is space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

(52) Lot -- is a unit of land that is created by a subdivision or partitioning of land, or any other unit of land of record in the office of the Yamhill County Clerk or Assessor.

(53) Lot types --- the diagram which follows illustrates terminology used in this ordinance with reference lot descriptions.

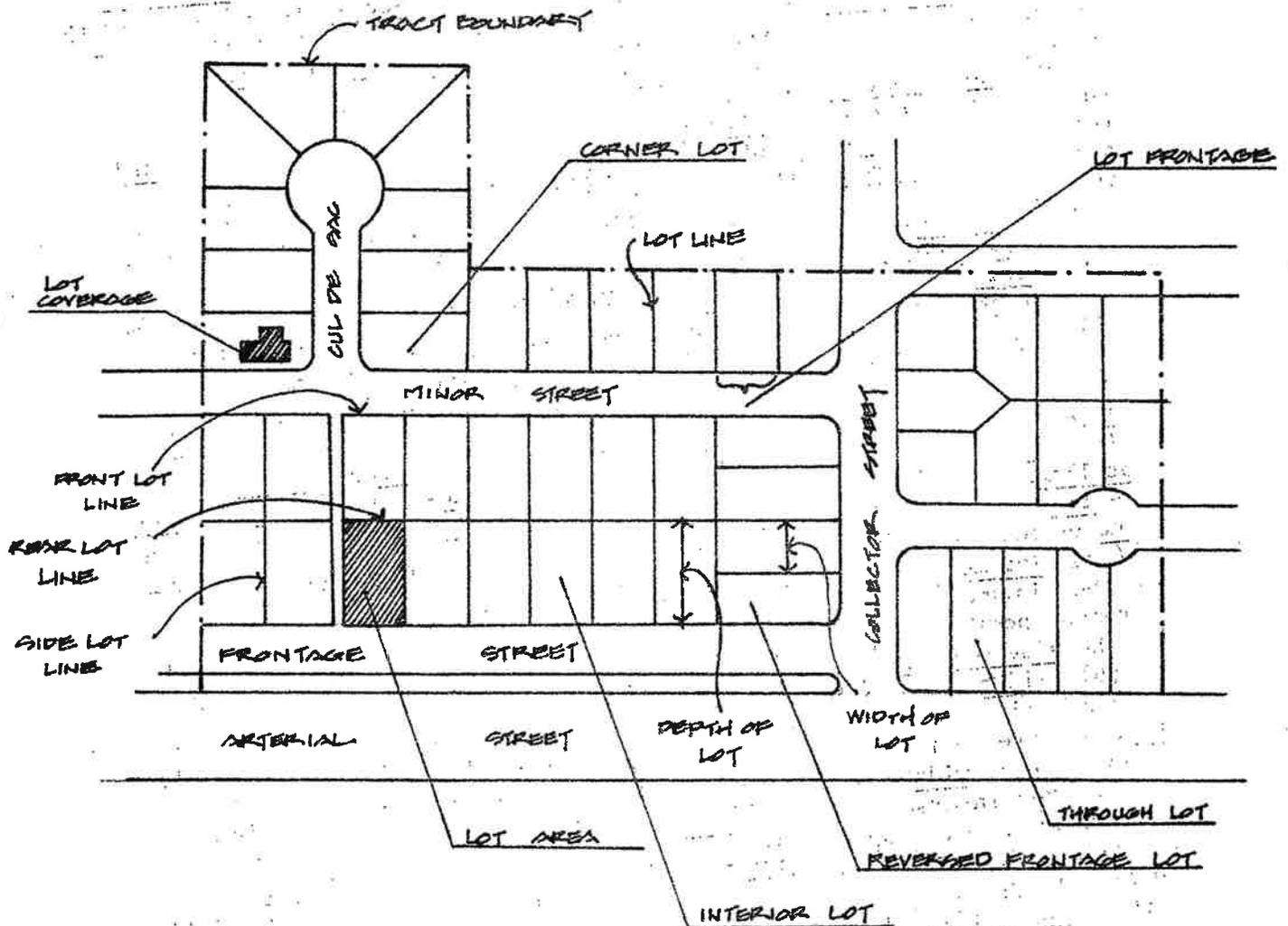


Diagram 1. Terminology of lot types as used in this Ordinance with reference to lot descriptions.

(54) Lot, corner -- is a lot abutting on two or more streets other than an alley, at their intersection. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

(55) Lot, interior -- is a lot other than a corner lot with only one frontage on a street.

(56) Lot, reversed frontage -- is a lot on which the frontage is at right angles or approximately right angles (interior angle less than 135 degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot, an interior lot or a through lot.

(57) Lot, through -- is a lot other than a corner lot with frontage on more than one street.

(58) Lot area -- is the total horizontal area within the lot lines of a lot, exclusive of streets and easements of access to other property.

(59) Lot coverage -- is the total horizontal area within the vertical projection of the exterior walls of the buildings on a lot, expressed as a percentage of the lot area.

(60) Lot frontage -- the front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to a street other than an alley shall be considered frontage, and yards shall be provided as indicated under Yards in this section.

(61) Lot line -- is the property line bounding a lot.

(62) Lot line, front -- is the lot line or lines common to the lot and a street other than an alley, and in the case of a corner lot, the shortest lot line along a street other than an alley.

(63) Lot line, rear -- is the lot line or lines opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line ten (10) feet in length within the lot parallel to and at a maximum distance from the front lot line.

(64) Lot line, side -- is any lot line or lines not a front or rear lot line. An interior side lot line is a lot line common to more than one lot or to the lot and an alley; an exterior side lot line is a lot line common to the lot and a street other than an alley.

(65) Lot measurements -- (a) Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

(b) Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width, except in the case of lots on the turning circle of culs-de-sac, where the 80 percent requirement shall not apply.

(66) Map, official zoning -- is that map and any amendments thereto adopted as part of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976 as described in Section 7.

(67) Mineral resource site -- is any area of land used for the extraction, crushing, washing, screening, or other similar first-stage processing, or stockpiling, of any rock, sand, gravel or other earth products used for construction aggregates or for the manufacture of cement, brick, tile and similar products, but does not include excavation or grading for streets (roads) or grading of any lot or site preparatory to the construction of any building or structure.

(68) Mobile Home -- is a detached residential dwelling unit designed for transportation after fabrication on streets on its own wheels or on a flatbed or other trailers, and arriving at the lot or site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations; location on jacks or other temporary or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered as a mobile home.

(69) Mobile-home area -- is that part of a mobile-home park used primarily for installed mobile homes, including permissible additions, and which is not used for buffer area, roadways, water supply or sewerage, refuse disposal, or service buildings.

(70) Mobile-home park -- is a place where two (2) or more mobile homes are located within 500 feet of one another on any lot or site, the primary purpose of which is to lease or rent space or keep space for lease or rental to any person.

(71) Mobile-home space -- is an area of land for the installation of one mobile home, with permissible additions, and situated within a mobile-home area.

(72) Modular mobile home -- a fabricated, transportable dwelling unit designed to be incorporated at a building site into a structure on a permanent foundation to be used for human-occupancy residential uses. Such dwelling unit shall meet the structural requirements of the Oregon State Structural, Fire and Life Safety Code.

(73) Motel -- is a group of attached or detached buildings of not more than two (2) stories containing housekeeping or sleeping units designed and used for the temporary accommodation of tourists or transients, with off-street parking space for each such unit.

(74) Non-conforming building, structure, use or lot -- is a lawful existing building, structure, use or lot at the date of adoption of this Ordinance, or of any amendment thereto, which does not conform to the requirements of the zoning district in which it is located.

(75) Open space -- is open space land as defined in ORS 308.740.

(76) Owner -- is an owner of land or the authorized agent of an owner.

(77) Parking space, off-street -- is a space adequate for parking one (1) automobile with room for opening doors on both sides, together with properly related access to a street or alley and maneuvering room. Required off-street parking spaces for four (4) or more automobiles shall have individual spaces marked, and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any street, and so that any automobile may be parked and unparked without moving another. An off-street parking space and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the above requirements are provided, improved and maintained in a manner appropriate to the circumstances of the case.

(78) Plan, Comprehensive -- is the Yamhill County Comprehensive Plan, 1974, as defined in Section 3(5) of the Yamhill County Comprehensive Plan, 1974, Ordinance No. 62, 1974, as amended.

(79) Planned-unit development -- is any area of land which contains or will contain two (2) or more principal buildings developed under single ownership and control, the development of which is unique and of a substantially different character than that of surrounding areas, and shall be based on a plan which allows for flexibility of design not available under the normal zoning district requirements. Any area of land developed on this basis shall be included in the Planned-Unit Development (PUD) zoning district of this Ordinance, and any area of land included in said District shall be so developed.

(80) Planning Goals and Guidelines, Statewide -- are the Statewide Planning Goals and Guidelines adopted pursuant to ORS 197.225.

(81) Regulated area -- that area of Yamhill County subject to County jurisdiction under the provisions of ORS 215.130.

(82) Resort -- is any area of land or water used for open-land commercial or private recreation where overnight lodging, meals and related tourist services are provided in conjunction with such recreational use.

(83) Sanitarian -- is the Yamhill County Chief Sanitarian or his duly authorized representative.

(84) Sanitary landfill -- is a site for disposing of refuse on land without creating nuisances or hazards to public health or safety, by utilizing the principles of engineering to confine the refuse to the smallest practical area, to reduce it to the smallest practical volume, and to cover it with layers of earth at such frequent intervals as may be necessary, and does not include burning.

(85) Schedule A -- is the Official Schedule of Zoning District Regulations as provided in Section 6.200.

(86) Service building -- is a building used for toilet, bathing, or other sanitation facilities, or laundry or clothes-drying facilities.

(87) Setback -- is the horizontal distance measured perpendicularly from the center line of any street as built or lot line to the nearest point of any structure on any lot or site.

(88) Sign -- is an identification, description, illustration, or device which is affixed to or represented, directly or indirectly, upon a building, structure or land, and which attracts the attention of, or conveys a message to, any person not on the premises on which the sign is located, in respect to a product, service, activity, person, institution, place or business; provided, however, that the following shall not be included in the application of the regulations herein: (a) signs not more than one (1) square foot in area and bearing only property numbers, postal box numbers, names of occupants of premises, or other identification of premises not having commercial connotations; such as "no trespassing" or "safety zone" signs;

(b) flags and insignia of any government, except when displayed in connection with commercial promotion;

(c) legal notices, or identification, informational, or directional signs erected or required by governmental bodies;

(d) integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;

(e) signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

(89) Signs, number and surface area -- for the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combination of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.

(90) Sign, on-site -- is a sign relating in its subject matter to the premises on which it is located, or to products, services, accommodations, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry by way of outdoor displays or display space on a lease or rental basis only.

(91) Sign, off-site -- is a sign other than an on-site sign.

(92) Sign, flashing -- is any illuminated sign on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.

(93) Sign, illuminated -- is any sign designed to give forth any artificial light or designed to reflect such light from an artificial source, and does not include a flashing sign.

Section 5.200(94) - 5.200(104)

(94) Site -- is any lot or area of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. A site shall have frontage on an improved public street, or on an approved private street, and may consist of: (a) a single lot of record;

(b) a portion of a lot of record;

(c) a combination of complete lots of record, of complete lots of record and portions of lots of record, or of portions of lots of record; or

(d) a parcel of land described by metes and bounds; provided that in no case of division or combination shall any residual lot or site be created which does not meet the requirements of this Ordinance.

(95) Site coverage -- is the total horizontal area within the vertical projection of the exterior walls of the building on a site, expressed as a percentage of the site area.

(96) Site measurements -- site depth and width shall be computed in the same manner as lot, depth and width, as if the site were a single lot of record (see Lot measurements).

(97) Special exception -- is any use which may be allowed by special permit in a zoning district which is not specifically listed in Schedule "A", but which is similar in character, scale, and performance to the permitted uses specified therein.

(98) Story -- is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. A basement and any unused floor space under the finished floor level which is more than 6 feet above grade as herein defined for more than 50 percent of the total perimeter or is more than 12 feet above grade as herein defined at any point, shall be considered a story for purposes of height measurement.

(99) Street -- is any public or private access road, street, alley, highway, walkway, easement or way platted, recorded, or shown on any official map, whether or not such street is actually developed or used.

(100) Street line -- is the right-of-way boundary of any street.

(101) Structure -- is a construction of any kind, whether fixed to, supported by, or sunk into land or water, and includes buildings, fences and signs.

(102) Structural alteration -- is any change to the supporting members of a structure, including foundations, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

(103) Travel trailer -- is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel and recreational purposes, having a body width not exceeding eight (8) feet, and includes any recreational vehicle, whether or not self-propelled.

(104) Travel trailer park -- is a place where two (2) or more travel trailers are located within 500 feet of one another on any lot or site, the primary purpose of which is to lease or rent space or keep space for lease or rental to any person, but does not include a mobile-home park, motel, or public or private group camp.

(105) Travel trailer space -- is an area in a travel trailer park used for one (1) travel trailer.

(106) Use -- the purpose for which land or a building or structure is used, designed, arranged or intended, or for which it is occupied or maintained.

(107) Use, accessory -- is a use which is incidental and secondary to a principal or permitted use of a lot or site for which such lot or site is or is intended to be used, and is located on the same lot or site as the principal or permitted use.

(108) Use, conditional -- is a building, structure or use not permitted outright in a zoning district, and which may not comply with all of the regulations applicable in that district, but which may be allowed by special permit, subject to compliance with special conditions in respect to location, layout, design, size, shape, siting, appearance or performance, and it is determined that such building, structure or use is or will be compatible with permitted uses on the same or any adjacent lot, site, or area of land.

(109) Use, permitted -- is a building, structure or use permitted outright in a zoning district, and which complies with all of the regulations applicable in that district.

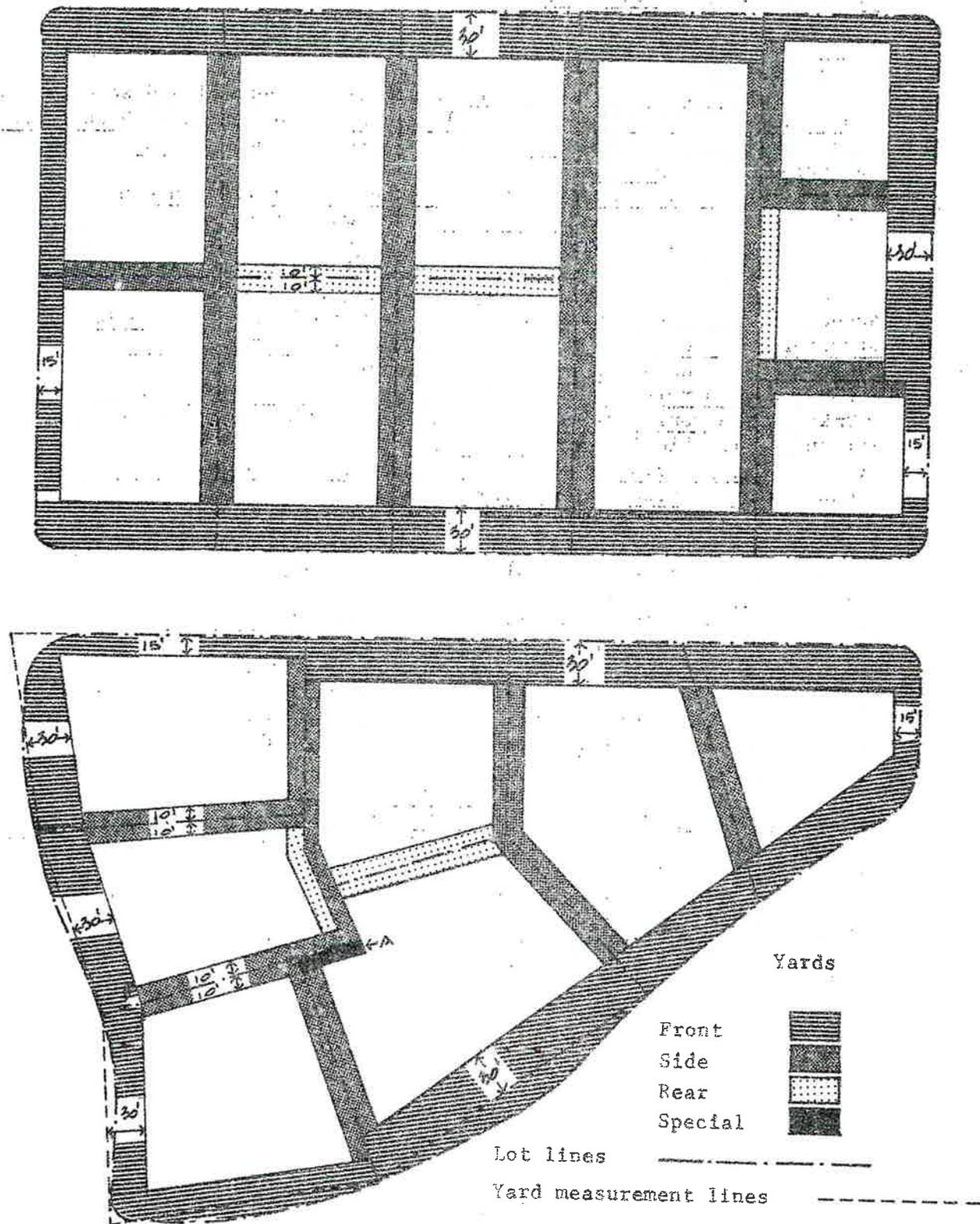
(110) Use, principal -- is the primary use of a lot or site and includes a permitted or conditional use.

(111) Utility -- is any area of land or any structure used for the generation, storage, conversion or transfer of energy or for communication facilities, such as telephone, telegraph, radio or television.

(112) Variance -- is a relaxation of the terms of this Ordinance which may be allowed by special permit where such variance will not be contrary to the public interest and where, owing to conditions peculiar to any lot, site or area of land and not the result of the actions of an owner of the property, a literal enforcement of the Ordinance would result in unnecessary and undue hardship. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance.

(113) Yard -- is a required open space unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward; provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility. The diagram which follows illustrates terminology used in this Ordinance with reference to yard descriptions:

Diagram 2. Terminology used in this Ordinance with reference to yard descriptions.



The illustration here assumes front yard depths required at 30 ft, (half-depth front yard 15') side yard widths 10 ft., and rear yard depths 10 ft. Note that at A, a special yard is shown, indicating treatment where usual side or rear yard terminology would be difficult to apply but purpose of the yard is clear.

(114) Yard, front -- is a yard extending between side lot lines across the front of a lot adjoining a street.

In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Director may waive the requirement for the normal front yard and substitute therefore a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of one-half the depth required generally for front yards in the zoning district shall be provided on the other frontage.

In the case of reversed frontage corner lots, a front yard of the required depth shall be provided on either frontage, and a second front yard of one-half the depth required generally for front yards in the zoning district shall be provided on the other frontage.

In the case of corner lots with more than two frontages, the Director shall determine the front yard requirements, subject to the following limitations: (a) at least one front yard shall be provided having the full depth required generally in the district;

(b) no other front yard on such lot shall have less than one-half the full depth required generally.

Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear front yard lines shall be parallel.

(115) Yard, rear -- is a yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by the zoning district regulations with its inner edge parallel with the rear lot line.

(116) Yard, side -- is a yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after full- and half-depth front yards have been established shall be considered side yards.

Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by the zoning district regulations with its inner edge parallel with the side lot line.

(117) Yard, special -- is a yard behind any required yard adjacent to a street, required to perform the same functions as a side or rear yard, but adjacent to a lot line so placed or oriented that neither the term side yard nor the term rear yard clearly applies. In such cases, the Director shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the zoning district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.

(118) Zoning district -- is any area of land within the regulated area for which the regulations and requirements governing use or the location, layout, design, size, shape, siting or performance of any building, structures or uses are uniform, except as otherwise specifically provided for by the granting of conditional uses or variances or the application of planned-development standards or specifications.

(119) Zoo -- is an area or structure in which animals are kept primarily for exhibition for a period exceeding one (1) month.

ARTICLE II

SECTION 6. ESTABLISHMENT OF ZONING DISTRICTS

6.100 Classification of Zoning Districts. For the purposes of this Ordinance, the regulated area is hereby divided into the following zoning districts:

<u>Full Name</u>	<u>Abbreviated Name</u>
Forestry District	F-40
Exclusive Farm Use District	EE-40
Agriculture/Forestry Large Holding District	AF-20
Agriculture/Forestry Small Holding District	AF-10
Very Low Density Residential District 5	VLDR-5
Very Low Density Residential District 2½	VLDR-2½
Very Low Density Residential District 1	VLDR-1
Low Density Residential District 12,000	LDR-12,000
Low Density Residential District 9,000	LDR- 9,000
Low Density Residential District 6,750	LDR- 6,750
Medium Density Residential District 5,000	MDR- 5,000
Medium Density Residential District 3,600	MDR- 3,600
Recreation Commercial District	RC
Local Commercial District	LC
Highway/Tourist Commercial District	HC
Resource Industrial District	RI
Light Industrial Park District	LIP
Light/General Industrial District	LI
Heavy Industrial District	HI
Mineral Resource District	MR
Utility District	U
Public Assembly/Institutional District	PAI
Public Works/Safety District	PWS
Public Airports/Landing Fields District	PALF
Parks, Recreation, Open Space District	PRO
Flood/Soil/Geologic Hazard District	H
Planned-Unit Development District	PUD

Section 6.200

6.200 Zoning district regulations shall be as set forth in Article III, ZONING DISTRICT PROVISIONS; Article IV, GENERAL PROVISIONS; and the OFFICIAL SCHEDULE OF ZONING DISTRICT REGULATIONS, marked, and hereinafter referred to as Schedule "A", and identified by the signature of the Chairman of the Board, attested by the County Clerk, and shall bear the seal of the County under the following words:

"This is to certify that this is the Official Schedule of Zoning District Regulations referred to in Section 6.200 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976."

together with the date of adoption of the Ordinance. The Official Schedule of Zoning District Regulations, so identified, is hereby adopted by reference and declared to be a part of this Ordinance.

SECTION 7. OFFICIAL ZONING MAP

7.100 The boundaries of the zoning districts established by Section 6 of this Ordinance are indicated on the OFFICIAL ZONING MAP, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance. The OFFICIAL ZONING MAP shall be identified by the signature of the Chairman of the Board, attested by the County Clerk, and shall bear the seal of the County under the following words:

"This is to certify that this is the OFFICIAL ZONING MAP referred to in Section 7 of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976,"

together with the date of adoption of this Ordinance.

7.200 For purposes of precise location of all zoning district boundaries within the regulated area, reference shall be made to the OFFICIAL ZONING MAP.

7.300 If, in accordance with the provisions of this Ordinance and ORS 215.110 and 215.223, changes are made in zoning district boundaries or other matter portrayed on the OFFICIAL ZONING MAP, such changes shall be entered on the OFFICIAL ZONING MAP promptly after the amendment has been approved by the Board. No amendment to this Ordinance which involves matter portrayed on the OFFICIAL ZONING MAP shall become effective until after such change and entry has been made on said MAP. All changes shall be properly recorded on the OFFICIAL ZONING MAP.

7.400 No changes of any nature shall be made in the OFFICIAL ZONING MAP or matter shown thereon except in conformity with the procedures set forth in this Ordinance and ORS 215.110 and 215.223. Any unauthorized change of whatever kind by any person shall be considered a violation of this Ordinance and punishable as provided under Section 51 of this Ordinance.

7.500 Regardless of the existence of purported copies of the OFFICIAL ZONING MAP which may from time to time be made or published, there shall be only one OFFICIAL ZONING MAP which shall be located in the office of the County Clerk and which shall be the final authority as to the current zoning status of any land and water areas, or buildings or structures in the County.

Section 7.600

7.600 In the event that the OFFICIAL ZONING MAP becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Board may by resolution adopt a new OFFICIAL ZONING MAP which shall supersede the prior OFFICIAL ZONING MAP. The new OFFICIAL ZONING MAP may correct drafting or other errors or omissions in the prior OFFICIAL ZONING MAP, but no such correction shall have the effect of amending the original OFFICIAL ZONING MAP or any subsequent amendment thereof. The new OFFICIAL ZONING MAP shall be identified by the signature of the Chairman of the Board, attested by the County Clerk, and shall bear the seal of the County under the following words:

"This is to certify that this OFFICIAL ZONING MAP supersedes and replaces the OFFICIAL ZONING MAP adopted on the 11th day of February, 1976, as part of the Yamhill County Zoning Ordinance, Ordinance No. 83, 1976."

Unless the prior OFFICIAL ZONING MAP has been lost, or has been totally destroyed, the prior MAP or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

SECTION 8. RULES FOR INTERPRETATION OF ZONING DISTRICT BOUNDARIES

8.100 Where uncertainty exists as to the boundaries of zoning districts as shown on the OFFICIAL ZONING MAP, the following rules shall apply:

(1) boundaries indicated as approximately following the center lines of streets shall be construed to follow such center lines, provided however, that where the center line of a street as built lies outside the street line, such zoning district boundary shall be deemed to follow the center line of the street as built;

(2) boundaries indicated as approximately following lot lines shall be construed as following such lot lines;

(3) boundaries indicated as approximately following city limits shall be construed as following such city limits;

(4) boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

(5) boundaries indicated as following the edge of water bodies shall be construed to follow the mean high water marks thereof, and in the event of change in the edge of water bodies, shall be construed as moving with the actual mean high water marks. Boundaries indicated as approximately following the center lines of rivers, streams, reservoirs or other water bodies shall be construed to follow such center lines;

(6) boundaries indicated as parallel to, or extensions of, features indicated in Section 8.100(1) to (5) shall be so construed. Distances not specifically indicated on the OFFICIAL ZONING MAP shall be determined by the scale of the MAP;

(7) where physical or cultural features existing on the ground are at variance with those shown on the OFFICIAL ZONING MAP, or in other circumstances not covered by Section 8.100(1) to (6), the Board shall interpret the zoning district boundaries.

(8) where a zoning district boundary line divides a lot which was in single ownership at the date of adoption of this Ordinance, the Board may permit, as a special exception, the movement of the zoning district boundary a maximum distance of one hundred (100) feet in any direction on the lot.

SECTION 9. APPLICATION OF ZONING DISTRICT REGULATIONS

9.100 The regulations established by this Ordinance within each zoning district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

(1) no building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the zoning district in which it is located;

(2) no building or other structure shall hereafter be erected or altered: (a) to exceed the height or bulk;

(b) to accommodate or house a greater number of families;

(c) to occupy a greater percentage of lot area;

(d) to have narrower or smaller front yards, rear yards, side yards, or other open spaces;

than herein required, or in any other manner contrary to the provisions of this Ordinance;

(3) no part of a yard, or other open space, or off-street parking or loading space required by this Ordinance in connection with any building shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building;

(4) no yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the date of adoption of this Ordinance shall meet at least the minimum requirements established by this Ordinance;

(5) the zoning district regulations which apply to lands which may hereafter be annexed to any city shall continue in effect until such lands are otherwise classified, or rezoned by the jurisdiction having authority to make such changes.

SECTION 11. EXCLUSIVE FARM USE DISTRICT (EF-40)

11.100 Purpose. (1) The EF-40 District is intended to designate large, generally contiguous areas identified as highly productive agriculture large holding lands in the Comprehensive Plan, or defined as agricultural land in the Statewide Planning Goals and Guidelines, and to encourage agriculture as the dominant use of such lands, with a view to preserving such lands for the production of crops and livestock and ensuring that the conversion of such lands to urban use where necessary and appropriate occurs in an orderly and economical manner.

(2) The EF-40 District is intended to reflect the legislative findings and declaration contained in ORS 215.243, provided, however, that the application thereof shall be tempered by consideration of the comparative economic returns to agriculture and alternative uses of farm land, changing ownership patterns and management practices, changing market conditions for agricultural produce and the costs of production, public regulation of accepted farming practices, and public financial incentives.

(3) Uses of land and water not compatible with agriculture and which do not provide for a sustained production of crops and livestock and the proper conservation of soil and water resources and fish and wildlife habitat shall be prohibited.

11.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the EF-40 District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

11.300 Special Provisions. In the EF-40 District the special provisions of Sections 11.310 to 11.410, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

11.310 In the EF-40 District, the creation of any lot of less than forty (40) acres under the provisions of the Ordinances adopted by Yamhill County controlling subdivision and partitions adopted pursuant to ORS 92.044 and ORS 92.046 shall be subject to the provisions of ORS 215.263.

Section 11.320 - 11.340

11.320 In the EF-40 District, if a farm owner is engaged full-time in agriculture at least three (3) months in each year on any lot or site or land under the same ownership comprising forty (40) acres or more, one (1) single-family dwelling or mobile home, in addition to the principal dwelling or mobile home, shall be permitted for each forty (40) acres or portion thereof on the same lot or site as the principal dwelling or mobile home, provided that the occupants thereof shall also be engaged in agriculture at least three months in each year. No nonfarm dwellings shall be permitted on any lot or site except as authorized hereunder.

11.330 In the EF-40 District, one (1) guest house shall be permitted in conjunction with the principal dwelling or mobile home of the owner on any lot or site of forty (40) acres or more, provided, however, that such guest house shall not be rented, leased or sold, unless removed from the lot or site within thirty (30) days. On any lot or site of less than forty (40) acres, one (1) guest house may be authorized as a conditional use, subject to the provisions of Article VI of this Ordinance.

11.340 In the EF-40 District, one (1) mobile home may be permitted in conjunction with the principal dwelling or mobile home of the owner on any lot or site for the purpose of providing a separate residence on a temporary basis for the owner's father, mother, brother, sister, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, grandparent or grandchild, or other person requiring special care subject to the following conditions: (1) an application shall be made to the Director on a form prescribed by the Director, together with a \$10.00 filing fee, and shall state the reasons therefore;

(2) adjacent owners of land shall be notified of the application in writing pursuant to the provisions of ORS 215.223(3);

(3) if no written objections are received by the Director within fifteen (15) days of the date of mailing of the notice and all provisions of this Ordinance are complied with, the Director may grant the permit;

(4) if any written objections are received by the Director or the Director requires or the applicant requests a hearing and determination by the Commission, the Director shall collect an additional \$20.00 filing fee and he shall schedule a public hearing before the Commission, and the Commission shall hear and decide the application;

(5) any permit issued hereunder shall be valid for a period of three (3) years or such shorter period as the Director or Commission, as the case may be, determines to be appropriate, provided, however, that such permit may be revoked by the Director at any time if any of the reasons for which the permit was granted are no longer applicable, or any condition attached thereto is violated;

(6) any permit issued hereunder is granted to the applicant only and is not deemed to run with the land.

11.350 In the EF-40 District on any lot or site under the same ownership comprising forty (40) acres or more, an existing principal dwelling or mobile home of a farm owner may be partitioned from the lot or site on which it is located and shall be permitted as a non-farm use, provided that: (1) the lot in question shall have been in the same ownership for at least five (5) years prior to the date of partition;

(2) the lot created to accommodate the dwelling or mobile home shall not include more than five (5) acres of agricultural land;

(3) the remainder of the lot shall not be partitioned further for a similar purpose for a period of five (5) years;

(4) the approval will not reduce in size the largest of the two parcels being created below the minimum allowed in that zoning district.

11.360 In the EF-40 District pursuant to the provisions of ORS 215.213(2) and Article VI of this Ordinance, the following additional nonfarm uses may be authorized as conditional uses: (1) fruit or vegetable stand, non-commercial;

(2) extraction, processing and stockpiling of construction aggregates, subject to the provisions of Section 35.700 of this Ordinance;

(3) park or open space, publicly or privately owned, operated or maintained, including hunting and fishing preserves.

11.370 In the EF-40 district, pursuant to the provisions of ORS 215.213(3) and Articles IV and VI of this Ordinance, single-family dwellings or mobile homes, not provided in conjunction with farm use, may be authorized as conditional uses, upon a finding by the Board that each such dwelling or mobile home: (1) is compatible with farm uses described in ORS 215.203(2) and is consistent with the intent and purposes set forth in ORS 215.243; and

(2) does not interfere seriously with accepted farming practices, as defined in ORS 215.203(2)(c), on adjacent lands devoted to farm use; and

(3) does not materially alter the stability of the overall land-use pattern of the area; and

(4) is situated upon generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and location and size of tract; and

(5) complies with such other conditions as the Board considers necessary, and provided that:

(a) no conditional use permit authorized under Section 11.370 of this Ordinance shall be permitted on any lot or site if its approval will reduce the parcel being partitioned or subdivided below forty (40) acres in size; and

Section 11.370(5)(b) - 11.400

(b) where proposed, a location and site plan shall first be prepared and approved by the Commission clearly delimiting and designating the land area deemed to be unsuitable for the production of farm crops and livestock, but suitable for single-family dwellings or mobile homes; and

(c) a subdivision or partition application shall be made and approved under the provisions of Ordinances adopted by Yamhill County controlling subdivision and partitioning adopted pursuant to ORS 92.044 and ORS 92.046 in respect to the land area designated and approved herein for residential use; and

(d) the overall residential density of any land area designated and approved herein for residential use, or any portion thereof to be developed in stages, shall not exceed one (1) dwelling per two and one-half (2½) acres and the minimum lot size shall not be less than one (1) acre; and

(e) the number of lots to be created from any lot, site, or land under the same ownership in any calendar year shall not exceed ten (10), and no additional lots shall be created until at least one-half (½) of those already created are occupied by single-family dwellings or mobile homes.

11.380 In the EF-40 district, any mobile home permitted under this subsection shall comply with the provisions of Article IV of this Ordinance, provided, however, that two (2) or more mobile homes permitted under Section 11.320 shall not be deemed to be a mobile-home park for the purposes of this Ordinance.

11.390 In the EF-40 district, two (2) or more travel trailers used for farm laborers as permitted herein shall not be deemed to be a travel trailer park for the purposes of this Ordinance.

11.400 In the EF-40 district, no kennel or livestock feeding or sales yard shall be located within five hundred (500) feet of any residential zoning district except by conditional use permit. In no case shall a kennel or livestock feeding or sales yard be located within two hundred (200) feet of the center line of any watercourse used for a domestic water supply.

Section 11.410

11.410 In the EF-40 district, signs shall be restricted in the following manner: (1) No signs shall be permitted on any lot or site except the following:

- (a) those denoting the name of the owner or the name or address of the property;
- (b) those advertising the sale or rental of property;
- (c) those advertising the sale of agricultural or forest products grown on the same lot or site or land under the same ownership;
- (d) those denoting the name of a kennel or livestock sales yard;
- (e) those identifying any use authorized under Section 11.360 of this subsection;
- (f) those denoting a home occupation;
- (g) warning or safety signs associated with a conditional use;
- (2) Signs shall not exceed twelve (12) square feet in area or eight (8) feet in length and shall be limited to one (1) for each street (road) frontage upon which the lot or site abuts, except that on any lot or site of less than one (1) acre, signs listed under Section 11.400(1)(a)(b) and (f) shall not exceed six (6) square feet in area.
- (3) Off-site signs, roof signs, and illuminated or flashing signs shall be prohibited.
- (4) All signs advertising the sale of seasonal produce shall be permitted only during the season in which the produce is available for sale.
- (5) No sign shall project over any street line.

SECTION 12: AGRICULTURE/FORESTRY LARGE HOLDING DISTRICT (AF-20)

12.100 Purpose. (1) The AF-20 District is intended to designate large, generally contiguous areas identified as less highly productive agriculture large holding lands in the Comprehensive Plan, including some lands identified as forest land or agricultural land in the Statewide Planning Goals and Guidelines, and to encourage agriculture or forestry as the dominant uses of such lands, with a view to preserving such lands as long as possible for the production of agricultural and forest products and ensuring that the conversion of such lands to urban or nonfarm rural uses where necessary and appropriate occurs in an orderly and economical manner.

(2) Uses of land and water not compatible with agriculture or forestry shall be prohibited.

12.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the AF-20 District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

12.300 Special Provisions. In the AF-20 District the special provisions of Sections 12.310 to 12.320, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

12.310 In the AF-20 District the provisions of Sections 11.310, 11.320, 11.330, 11.340, 11.350, 11.370, 11.380, 11.390 and 11.400 of this Ordinance shall apply, except that in Sections 11.310, 11.320, 11.330, 11.350 and 11.370 thereof, references to lot or site area of "forty (40) acres" shall be changed to "twenty (20) acres" in each case.

Section 12.320

12.320. In the AF-20 District, signs shall be restricted in the following manner: (1) No signs shall be permitted on any lot or site except those permitted under Section 11.410(1)(a) to (f), inclusive, of this Ordinance, and those identifying a conditional use.

(2) Signs shall not exceed twelve (12) square feet in area or eight (8) feet in length and shall be limited to one (1) for each street (road) frontage upon which the lot or site abuts, except that on any lot or site of less than one (1) acre, signs listed under Section 11.410(1)(a), (b) and (f) of this Ordinance shall not exceed six (6) square feet in area, and in the case of a lot or site with a large area or an extensive street (road) frontage, additional signs may be permitted in locations consistent with the purpose. The number and spacing of such signs shall be approved by the Director subject to the appeal provisions of Article VIII of this Ordinance.

(3) The provisions of Section 11.410(3), (4) and (5) of this Ordinance shall apply.

ARTICLE III

ZONING DISTRICT PROVISIONS

SECTION 10. FORESTRY DISTRICT (F-40)

10.100 Purpose. (1) The F-40 District is intended to designate large, generally contiguous areas identified as commercial forest land in the Comprehensive Plan, or defined as forest land in the Statewide Planning Goals and Guidelines, and to encourage forestry as the dominant use of such lands, with a view to conserving and managing efficiently the forest resources of the County.

(2) Uses of land and water not compatible with forestry shall be prohibited. For the purpose of this section, uses compatible with forestry shall include uses which promote a sustained yield of forest products, uses which provide for grazing areas for domestic livestock and habitat for wildlife; uses which promote the protection of forest cover, soils and watershed, and uses which promote the preservation of recreational opportunities.

10.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Articles IV to IX, inclusive, of this Ordinance, the Commission may permit in the F-40 District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

Section 10.300

10.300 Special Provisions. In the F-40 District signs shall be restricted in the following manner: (1) No signs shall be permitted on any lot or site except the following:

- (a) those denoting the name of the owner or the name or address of the property;
- (b) those advertising the sale or rental of property;
- (c) those identifying a utility facility;
- (d) warning or safety signs associated with a permitted or conditional use.

(2) Signs shall not exceed twelve (12) square feet in area or eight (8) feet in length and shall be limited to one (1) for each street (road) frontage upon which the lot or site abuts, except that in the case of a lot or site with a large area or an extensive street (road) frontage, additional signs may be permitted in locations consistent with the purpose of the F-40 zoning district. The Director shall approve the number permitted and the spacing of all signs, subject to the appeal provisions of Article VIII of this Ordinance.

(3) Off-site signs, roof signs, and illuminated or flashing signs shall be prohibited.

(4) No sign shall project over any street line.

SECTION 13. AGRICULTURE/FORESTRY SMALL HOLDING DISTRICT (AF-10)

13.100 Purpose. (1) The AF-10 District is intended to designate selected areas identified as less highly productive agriculture small holding lands in the Comprehensive Plan, including some lands identified as forest land or agricultural land in the Statewide Planning Goals and Guidelines, and to provide for small-scale agriculture or forestry as the dominant uses of such lands, at the same time allowing for limited nonfarm rural residential development. In areas immediately adjacent to urban centers, the AF-10 District is intended to be a transitional zoning district between the AF-20/EF-40 Districts and the VLDR Districts, with the conversion of such lands to nonfarm rural residential or urban uses, where appropriate, occurring in an orderly and economical manner.

(2) Uses of land and water not compatible with agriculture, forestry and nonfarm rural residential uses shall be prohibited.

13.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the AF-10 District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

13.300 Special Provisions. In the AF-10 District the special provisions of Sections 13.310 to 13.320, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

13.310 In the AF-10 District the provisions of Sections 11.320, 11.330, 11.340, 11.350, 11.390 and 11.400 of this Ordinance shall apply, except that in Sections 11.320 and 11.330 thereof, references to lot or site area of "forty (40) acres" shall be changed to "ten (10) acres" in each case.

13.320 In the AF-10 District the provisions of Section 12.320 of this Ordinance shall apply.

SECTION 14. VERY LOW DENSITY RESIDENTIAL DISTRICT 5 (VLDR-5)

14.100 Purpose. (1) The VLDR-5 District is intended to accommodate the immediate foreseeable demand for very low density rural residential development in designated outlying areas where commitments to such uses have already been made through existing subdivision, partitioning, or development, or in selected small areas having unique scenic, locational and other suitable site qualities. The VLDR-5 District is intended to be applied to land where the anticipated magnitude or density of development will not require more than a very basic level of services, such as single local-road access, individual domestic wells and sewage-disposal systems, and rural fire protection. The very low density limitation of the VLDR-5 District is also based on prevailing lot sizes, limited or undetermined domestic water sources, or limitations of soil conditions for subsurface sewage disposal.

(2) Uses of land and water not compatible with nonfarm rural residential uses shall be prohibited.

14.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

14.300 Special Provisions. In the VLDR-5 District the special provisions of Sections 14.310 to 14.380 of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

14.310 In the VLDR-5 District, the provisions of Sections 11.340 and 11.380 of this Ordinance shall apply.

14.320 In the VLDR-5 District, one (1) guest house may be authorized as a conditional use in conjunction with the principal dwelling or mobile home of the owner on any lot or site, provided that such guest house shall not be rented, leased or sold under any agreement or contract, unless removed from the lot or site within thirty (30) days.

14.330 In the VLDR-5 District, the maximum residential density requirement shall apply to any subdivision or planned-unit development approved subsequent to the date of adoption of this Ordinance.

14.340 In the VLDR-5 District, a dwelling or mobile home permitted under Section 14.310 or any guest house authorized as a conditional use on any lot or site shall not be included in any computation limiting residential density.

14.350 In the VLDR-5 District, except in the case of a planned-unit development, one (1) principal dwelling or mobile home only shall be permitted on any lot.

14.360 In the VLDR-5 District, the keeping of livestock shall be restricted in the following manner: (1) On any lot or site of less than one-half ($\frac{1}{2}$) acre, no livestock of any kind shall be permitted;

(2) On any lot or site of less than ten (10) acres, the total number of horses, sheep, pigs, goats or other similar large animals over the age of six (6) months shall not exceed one (1) for each one (1) acre or fraction thereof of lot or site area in excess of one-half ($\frac{1}{2}$) acre; the total number of fowl, rabbits or other small fur-bearing animals shall not exceed twenty-five (25), plus one (1) for each five hundred (500) square feet or fraction thereof of lot or site area in excess of one-half ($\frac{1}{2}$) acre; and the number of colonies of bees shall not exceed one (1), plus one (1) for each one thousand (1,000) square feet or fraction thereof of lot or site area in excess of one-half ($\frac{1}{2}$) acre;

(3) All livestock shall be properly fenced and contained so as to minimize adverse impacts to surrounding property owners;

(4) All animal food shall be stored in metal or other suitable containers so as to be protected from rodents;

(5) No structure housing livestock shall be located within a distance of fifty (50) feet of any front lot line, twenty-five (25) feet of any other lot line, and forty (40) feet of any dwelling.

14.370 In the VLDR-5 District permitted temporary structures for uses incidental to construction work shall be removed upon completion or abandonment of the construction work. This includes a temporary tract sales office which shall be limited to the sale of properties within the tract development only. In no instance shall such temporary structures be permitted for any period exceeding twelve (12) months without approval from the Director in writing.

14.380 In the VLDR-5 District signs shall be restricted in the following manner: (1) No signs shall be permitted on any lot or site except those permitted under Section 11.410(1)(a), (b), (c) and (f), and those identifying a conditional use;

(2) Signs shall not exceed twelve (12) square feet in area or eight (8) feet in length and shall be limited to one (1) for each street frontage upon which the lot or site abuts, except that on any lot or site of less than one (1) acre, no sign shall exceed six (6) square feet in area.

(3) The provisions of Section 11.410(3), (4) and (5) of this Ordinance shall apply.

SECTION 15. VERY LOW DENSITY RESIDENTIAL DISTRICT 2½ (VLDR-2½)

15.100 Purpose. (1) The VLDR-2½ District is intended to accommodate the immediate foreseeable demand for very low density rural residential development in areas which are contiguous with, or in close proximity to, existing urban centers, where commitments to such uses have already been made through existing subdivision, partitioning or development, or in selected, small areas having unique scenic, locational and other suitable site qualities where the anticipated magnitude or density of development will not require more than a very basic level of services. In areas contiguous with the VLDR-1, any LDR or MDR Districts, or similar city zoning district designations, the VLDR-2½ District is intended to be a transitional zoning district between the AF-20/EF-40 Districts and said residential zoning districts, with the conversion of such lands to higher density residential use occurring in an orderly and economical manner. Any subdivision or development review in such areas shall have due regard to:

(a) the potential for conversion of VLDR-2½ District to the VLDR-1, LDR or MDR Districts, or similar city zoning district designations upon annexation;

(b) the feasibility and likelihood of further subdivision or development of adjacent lands or similarly situated lands in the immediate vicinity; and

(c) the future urban service needs of the surrounding area.

(2) Uses of land and water not compatible with nonfarm rural residential uses shall be prohibited.

15.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

15.300 Special Provisions. The provisions of Section 14.300 of this Ordinance shall apply in the VLDR-2½ District.

SECTION 16. VERY LOW DENSITY RESIDENTIAL DISTRICT 1 (VLDR-1)

16.100 Purpose. (1) The VLDR-1 District is intended to accommodate the immediate foreseeable demand for very low density rural residential development in areas which are immediately adjacent to existing urban centers, where commitments to such uses have already been made through existing subdivision, partitioning or development. In areas contiguous with LDR or MDR Districts, or similar city zoning district designations, the VLDR-1 District is intended to be a transitional zoning district between the AF-20/EF-40 Districts or the VLDR-2½ District and said residential zoning districts, with the conversion of such lands to higher density residential use occurring in an orderly and economical manner. Any subdivision or development review in such areas shall have due regard to:

(a) the potential for conversion of the VLDR-1 District to the LDR or MDR Districts, or similar city zoning district designations upon annexation;

(b) the feasibility and likelihood of further subdivision or development of adjacent lands or similarly situated lands in the immediate vicinity; and

(c) the future urban service needs of the surrounding area.

(2) Uses of land and water not compatible with nonfarm rural residential uses shall be prohibited.

16.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

16.300 Special Provisions. (1) The provisions of Section 14.300 of this Ordinance shall apply in the VLDR-1 District.

(2) In the VLDR-1 District where an approved community or municipal water-supply system is provided and the method by which sewage is disposed of is approved by the Sanitarian, the minimum site area shall be 20,000 square feet and the maximum residential density shall be two (2) dwelling units per acre of net land area.

SECTION 17. LOW-DENSITY RESIDENTIAL DISTRICT 12,000 (LDR-12,000)
LOW-DENSITY RESIDENTIAL DISTRICT 9,000 (LDR- 9,000)
LOW-DENSITY RESIDENTIAL DISTRICT 6,750 (LDR- 6,750)

17.100 Purpose. (1) The LDR Districts are intended to accommodate the immediate foreseeable demand for low-density residential development in areas which are immediately adjacent to existing urban centers, where commitments to such uses have already been made through existing subdivision, partitioning or development and where adequate access and services to satisfy the scale of ultimate development can and will be provided, or in selected, small areas having unique scenic qualities or, where the need may be demonstrated, in selected outlying areas of varying size having appropriate site qualities and supporting services. In areas contiguous with similar city zoning district designations, the LDR Districts are intended to complement the city designations by designating those areas which are suited to low-density residential development at the city-prescribed densities and which may be subject to annexation and servicing in the near future. Any subdivision or development review in such areas shall have due regard to:

(a) the potential for conversion of the LDR Districts to similar city zoning district designations upon annexation;
(b) the feasibility and likelihood of further subdivision or development of adjacent lands or similarly situated lands in the immediate vicinity; and

(c) the future urban service needs of the surrounding area.

(2) Uses of land and water not compatible with low-density residential uses shall be prohibited.

17.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

17.300 Special Provisions. In the LDR Districts the special provisions of Section 17.310 to 17.360, inclusive of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

17.310 In the LDR Districts, the provisions of Sections 14.330, 14.350 and 14.370 of this Ordinance shall apply.

17.320 In the LDR Districts, where an approved community or municipal water-supply system is not provided and the method by which sewage is disposed of is approved by the Sanitarian, the minimum site area shall be 20,000 square feet and the maximum residential density shall be two (2) dwelling units per acre of net land area.

17.330 In the LDR Districts, subject to the approval of the Sanitarian, where an approved community or municipal water-supply system or a community or municipal sanitary-sewer system is provided, the minimum site area shall be 9,000, 6,750, and 5,000 square feet and the maximum residential density shall be 3.6, 4.8, and 6.5 dwelling units per acre of net land area in the LDR-12,000, LDR-9,000, and LDR-6,750 Districts, respectively.

17.340 In the LDR Districts, where both an approved community or municipal water-supply system and a community or municipal sanitary-sewer system are provided, the minimum site area shall be 9,000, 6,750, and 5,000 square feet and the maximum residential density shall be 4.8 dwelling units per acre of net land area in the LDR-12,000 District and 6.5 dwelling units per acre of net land area in the LDR-9,000 and LDR-6,750 Districts.

17.350 In the LDR Districts no livestock shall be permitted.

17.360 In the LDR Districts signs shall be restricted in the following manner: (1) No signs shall be permitted on any lot or site except those permitted under Section 11.410(1)(a), (b) and (f) of this Ordinance, and those identifying a conditional use.

(2) Signs shall not exceed six (6) square feet in area or six (6) feet in length and shall be limited to one (1) for each street frontage upon which the lot or site abuts, except that on any lot or site of less than one-half ($\frac{1}{2}$) acre or which is contained within a subdivision, signs listed under Section 11.410(1)(a) and (f) shall not exceed one and one-half ($1\frac{1}{2}$) square feet in area.

(3) The provisions of Section 11.410 (3), (4) and (5) of this Ordinance shall apply.

SECTION 18. MEDIUM-DENSITY RESIDENTIAL DISTRICT 5,000 (MDR-5,000)
MEDIUM-DENSITY RESIDENTIAL DISTRICT 3,600 (MDR-3,600)

18.100 Purpose. (1) the MDR Districts are intended to accommodate the immediate foreseeable demand for medium-density residential development in areas having a full range of urban services and amenities which are immediately adjacent to existing urban centers, where commitments to such uses have already been made through existing subdivision, partitioning or development, or in selected, small areas having unique scenic qualities and a location where community water-supply and sanitary-sewer systems, adequate access by way of a street (road) of collector or higher status and other urban services necessary to meet the needs of the intended residents can and will be provided. In areas contiguous with similar city zoning district designations, the MDR Districts are intended to complement the city designations by designating those areas which are suited to medium-density residential development at the city-prescribed densities and which may be subject to annexation and servicing in the near future. Any subdivision or development review in such areas shall have due regard to:

(a) the potential for conversion of the MDR Districts to similar city zoning district designations upon annexation;

(b) the feasibility and likelihood of further subdivision or development of adjacent lands or similarly situated lands in the immediate vicinity; and

(c) the future urban service needs of the surrounding area.

(2) Uses of land and water not compatible with medium-density residential uses shall be prohibited.

18.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

18.300 Special Provisions. In the MDR Districts the special provisions of Sections 18.310 to 18.360, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

18.310 In the MDR Districts, the provisions of Sections 14.330, 14.350 and 14.370 of this Ordinance shall apply.

18.320 In the MDR Districts where an approved community or municipal water-supply system is not provided and the method by which sewage is disposed of is approved by the Sanitarian, the minimum site area shall be 20,000 square feet and the maximum residential density shall not exceed two (2) dwelling units per acre of net land area.

Section 18.330 - 18.360

18.330 In the MDR Districts subject to the approval of the Sanitarian, where an approved community or municipal water-supply system or a community or municipal sanitary-sewer system is provided, the minimum site area shall be 5,000 square feet and the maximum residential density shall be 6.5 dwelling units per acre of net land area in the MDR-5,000 and MDR-3,600 Districts.

18.340 In the MDR-Districts where both an approved community or municipal water-supply system and a community or municipal sanitary-sewer system are provided, the minimum site area shall be 3,600 and 2,500 square feet and the maximum residential density shall be 8.7 and 12.1 dwelling units per acre of net land area in the MDR-5,000 and MDR-3,600 Districts, respectively. Notwithstanding the provisions of this Section, no lot shall be created under this Ordinance, or any ordinances adopted by Yamhill County controlling subdivision and partitioning adopted pursuant to ORS 92.044 and ORS 92.046, which has an area of less than 5,000 square feet, unless such lot is contained within a planned-unit development.

18.350 In the MDR Districts no livestock shall be permitted.

18.360 In the MDR Districts the provisions of Section 17.360 of this Ordinance shall apply.

SECTION 19. RECREATION COMMERCIAL DISTRICT (RC)

19.100 Purpose. (1) The RC District is intended to accommodate the immediate foreseeable demand for recreation commercial services for a local or regional clientele in specially designated resource-based areas or in suitable urban commercial areas where special location and space requirements can be most satisfactorily met. The size, intensity of development, and performance characteristics of such areas of activity shall be commensurate with the capability of land and water areas to support the uses intended and shall not result in any unusual service demands on nearby urban centers.

(2) Uses of land and water not compatible with recreation commercial service facilities shall be prohibited.

19.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the RC District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

19.300 Special Provisions. In the RC District the special provisions of Sections 19.310 to 19.350, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

19.310 In the RC District where an approved community or municipal water-supply system is not provided and the method by which sewage is disposed of is approved by the Sanitarian, the minimum site area shall be 20,000 square feet.

19.320 In the RC District subject to the approval of the Sanitarian, where an approved community or municipal water-supply system or a community or municipal sanitary-sewer system is provided, the minimum site area shall be 9,000 square feet.

19.330 In the RC District where both an approved community or municipal water-supply system and a community or municipal sanitary-sewer system are provided, the minimum site area shall be 5,000 square feet.

Section 19.340 - 19.350

19.340 In the RC District where a single-family dwelling or mobile home is provided in conjunction with another permitted use, the minimum site area shall be increased by 9,000 square feet or such greater area as may be required by the Sanitarian, to provide a safe method of water supply and sewage disposal.

19.350 In the RC District the provisions of Section 17.360 of this Ordinance shall apply, except that on-site signs shall be permitted in conjunction with any permitted or conditional retail or service commercial use, subject to the following: (1) No sign shall be attached to or supported by a single-family dwelling or building accessory thereto. All signs attached to or supported by any other building shall be attached to the facade of that building. No sign shall be attached to or supported by any other structure except as hereunder provided;

(2) On each face of a principal building on any lot or site, the aggregate area of projecting and flush mounted signs shall not exceed fifty (50) square feet in area, and twelve feet (12) in length.

(3) On each face of an accessory building on any lot or site, the aggregate area of projecting and flush mounted signs shall not exceed twenty-five (25) square feet in area, and ten (10) feet in length.

(4) One free-standing on-site sign only, supported directly from the ground, not exceeding fifty (50) square feet in area and twelve (12) feet in length, and set back a minimum distance of five (5) feet from any lot line, shall be permitted on any lot or site;

(5) Notwithstanding Section 17.360(3) of this Ordinance, illuminated, non-flashing, on-site signs shall be permitted, provided that such signs shall be set back a minimum distance of ten (10) feet from a front lot line and twenty-five (25) feet from any side lot line;

(6) No sign shall extend

(a) below eight (8) feet above grade when the sign is located over a doorway, walkway, or parking space, or

(b) above the facade, or higher than the principal building on the lot or site, or higher than twenty (20) feet, whichever is least;

(7) Strings of light bulbs, pennants or other similar devices shall be prohibited.

SECTION 20. LOCAL/NEIGHBORHOOD COMMERCIAL DISTRICT (LC)

20.100 Purpose. (1) The LC District is intended to accommodate the present foreseeable demand for small-scale, local or neighborhood convenience commercial services for a specific residential market area in specially designated service centers where access, traffic turning movements, off-street parking and urban service needs can be provided in a safe, convenient and economical manner. The size of such centers shall reflect real market demand in the residential areas to be served, and the spacing of such centers shall be commensurate with the spacing of existing centers and arterial or collector intersections. In areas adjacent to Highways 99W and 18, the layout and design of such centers shall ensure that the view from the highway and rural atmosphere of the County are not impaired and that the scale and service requirements of the facilities do not have an adverse impact on, unduly compete with, or place any unusual service demands on nearby urban centers.

(2) Uses of land not compatible with local or neighborhood commercial service facilities shall be prohibited.

20.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the LC District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

20.300 Special Provisions. The provisions of Section 19.300 to 19.350, inclusive, of this Ordinance shall apply in the LC District.

SECTION 21. HIGHWAY/TOURIST COMMERCIAL DISTRICT (HC)

21.100 Purpose. (1) The HC District is intended to accommodate the immediate foreseeable demand for small-scale, highway- and tourist-commercial services catering to the needs of the traveling public in specially designated highway-service centers where access, traffic turning movements, off-street parking and urban service demands can be provided in a safe, convenient, economical and attractive manner. In areas adjacent to Highways 99W and 18, the size, spacing, layout and design of such centers shall be such as to ensure that the view from the highway and rural atmosphere of the County are not impaired and that the scale and service requirements of the facilities do not have an adverse impact on, unduly compete with, or place any unusual service demands on nearby urban centers.

(2) Uses of land not compatible with highway- or tourist-commercial service facilities shall be prohibited.

21.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the HC District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

21.300 Special Provisions. The provisions of Section 19.300 to 19.350, inclusive, of this Ordinance shall apply in the HC District.

SECTION 22. RESOURCE INDUSTRIAL DISTRICT (RI)

22.100 Purpose. (1) The RI District is intended to accommodate the immediate foreseeable demand for food-packing and processing industry in areas close to the resources utilized, where high weight or bulk, low-value, perishable produce must be transported short distances in short time to processing plants. Such uses shall be compatible with existing or projected urban development, shall not require municipal water supply, municipal sewerage services, or other municipal services.

(2) Uses of land and water not compatible with food-packing or processing industry shall be prohibited.

22.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the RI District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

22.300 Special Provisions. In the RI District the special provisions of Sections 22.310 to 22.320, inclusive, of this ordinance shall apply in addition to the regulations set forth in Schedule "A".

22.310 In the RI District, the provisions of Section 19.300 to 19.350, inclusive, of this Ordinance shall apply.

22.320 In the RI District, no livestock shall be permitted.

SECTION 23. LIGHT INDUSTRIAL PARK (LIP)

23.100 Purpose. (1) The LIP District is intended to accommodate the immediate foreseeable demand for light- and general-industrial uses of similar types, service needs, and performance characteristics within select areas which are or will be compatible with adjacent urban development where full urban services are or will be available. Such areas shall maintain high performance standards and attractive site and building layout and design. The LIP District shall be combined with the Planned-Unit Development (PUD) District and shall be subject to all of the provisions contained therein in respect to the review, approval and staging of all phases of development and the programming, installation and maintenance of all improvements.

(2) Uses of land and water not compatible with attractive, high-performance standard, light- and general-industrial uses shall be prohibited.

23.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the LIP District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

23.300 Special Provisions. In the LIP District the special provisions of Sections 23.310 and 23.330 inclusive, shall apply in addition to the regulations set forth in Schedule "A".

23.310 In the LIP District, the provisions of Section 19.300 to 19.330, inclusive, of this Ordinance shall apply.

23.320 In the LIP District, no livestock shall be permitted.

23.330 In the LIP District, the provisions of Section 19.350 of this Ordinance shall apply in respect to any permitted light- or general-industrial use, except that: (1) Projecting signs shall not be permitted;

(2) The aggregate area of flush mounted signs shall not exceed one (1) square foot per foot of frontage or flankage of any building;

(3) The number, location and design of all signs shall require the approval of the Commission.

SECTION 24. LIGHT/GENERAL INDUSTRIAL DISTRICT (LI)

24.100 Purpose. (1) The LI District is intended to accommodate the immediate foreseeable demand for light- and general-industrial uses of similar types, service needs, and performance characteristics in areas where contact with residential development is or will be at a minimum and where all required urban services are or will be available. Such areas shall maintain performance standards and site and building layout and design consistent with their function, but shall not be required to meet the standards of a Planned-Unit Development (PUD) District.

(2) Uses of land and water not compatible with light- and general-industrial uses as described in Section 24.100(1) shall be prohibited.

24.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the LI District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

24.300 Special Provisions. In the LI District the special provisions of Sections 24.310 to 24.330, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

24.310 In the LI District, the provisions of Section 19.300 to 19.340, inclusive, of this Ordinance shall apply.

24.320 In the LI District, no livestock shall be permitted.

24.330 In the LI District, the provisions of Section 19.350 of this Ordinance shall apply.

SECTION 25. HEAVY INDUSTRIAL DISTRICT (HI)

25.100 Purpose. (1) The HI District is intended to accommodate the immediate foreseeable demand for heavy industrial uses with low-performance or high-nuisance characteristics in areas well removed from existing or projected residential development where all required urban services are or will be available.

(2) Uses of land and water not compatible with heavy industrial uses as described in Section 25.100(1) shall be prohibited.

25.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the HI District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

25.300 Special Provisions. In the HI District the special provisions of Section 25.310 to 25.330, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

25.310 In the HI District, the provisions of Section 19.300 to 19.340, inclusive, of this Ordinance, shall apply.

25.320 In the HI District, no livestock shall be permitted except that a livestock feeding or sales yard may be authorized as a conditional use in conjunction with an animal slaughtering and meat-packing plant.

25.330 In the HI Districts, the provisions of Section 19.350 of this Ordinance shall apply.

SECTION 26. MINERAL RESOURCE DISTRICT (MR)

26.100 Purpose. (1) The MR District is intended to accommodate the immediate foreseeable demand for mineral resource uses on land which is not appropriate for urban development as determined by the Comprehensive Plan. Such uses shall be separated from, and protected from, urban uses.

(2) Uses of land not compatible with mineral resource uses shall be prohibited.

26.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional, and prohibited uses and structures, minimum lot or site requirements, site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

26.300 Special Provisions. In the MR District the special provisions of Sections 26.310 to 26.410, inclusive, shall apply in addition to the regulations set forth in Schedule "A".

26.310 In the MR District signs shall be restricted in the following manner: (1) No signs shall be permitted on any lot or site except the following:

- (a) those denoting the name of the owner or the name or address of the property;
- (b) those advertising the sale or rental of the property;
- (c) those advertising the sale products mined, extracted or processed on the lot or site under the same ownership;
- (d) warning or safety signs associated with the use.

(2) Signs shall not exceed twelve (12) square feet in area or eight (8) feet in length and shall be limited to one (1) for each street (road) frontage upon which the lot or site abuts.

(3) Off site signs, roof signs and illuminated or flashing signs shall be prohibited.

(4) No sign shall project over any street line.

26.320 In the MR District pursuant to the provisions of Article VI of this Ordinance, the following conditional uses are authorized: (1) Storage of products manufactured on the site, which cover more than ten thousand (10,000) square feet of land such as preformed steps, tile, fences, beams, vaults and similar products;

(2) Any structure necessary and appurtenant to the above uses.

26.330 All extraction, processing and stockpiling of mineral resources in any mineral resource site shall take place under conditions which will provide for the restoration or rehabilitation of the site for future agriculture, forestry, open space, recreational or urban uses.

Section 26.340 - 26.390(4)

26.340 No processing or manufacturing operations shall be conducted within five hundred (500) feet of any residential zoning district or any dwelling existing prior to the date of issuance of a permit or zone amendment hereunder.

26.350 A buffer area shall be established on all boundaries of a mineral resource site, the width and required landscaping and screen-planting of which shall be established by the Board, except in severe physical locations or where unnecessary because of existing vegetation. Landscaping and screen-planting shall be adequate to screen the view of the site and all activities therein from any public street (road), residential zoning district, or dwellings located within 1,000 feet of the site prior to the date of adoption of this Ordinance.

26.360 Excavations in any mineral resource site made to a water-producing depth creating lakes or ponds shall be deep enough to prevent stagnation and development of insect-breeding areas, or shall be backfilled with a material that will not impair the groundwater quality.

26.370 In the MR District for all mineral resource sites approved by the Board, all access to a mineral resource site shall be by a route or routes approved by the Board and shall be constructed and maintained in such a manner as to eliminate, as far as is practicable, noise or dust which is injurious or substantially annoying to persons living in the vicinity or to crops or livestock being raised in the vicinity.

26.380 All excavation, processing and manufacturing operations and truck traffic shall be conducted in such a manner as to eliminate, as far as is practicable, noise, vibration or dust which is injurious or substantially annoying to persons living in the vicinity or to crops or livestock being raised in the vicinity.

26.390 All applications for approval of a zone change to Mineral Resource District after the adoption of this Ordinance shall be made in writing to the Director on forms prescribed by the Director and shall contain:

(1) The documentation, as applicable, required for any application for a planned-unit development as set forth in Section 33.340 of this Ordinance;

(2) Plans showing the location, area, dimensions, acreage and legal description of the lot or site to be developed or used, together with north point, scale, date of application, and all intended uses, including estimates of the total volume of the resource to be mined and initial and final cross-sections at each stage of development where applicable;

(3) Provisions for landscaping and screen-planting of all parts of the site;

(4) Provisions for preventing the collection and stagnation of water at all stages of the operation;

- (5) Plans, profiles and cross-sections of all access roads; and
- (6) Plans for the restoration or rehabilitation of the site upon termination of the operation;
- (7) All plans prepared and submitted under Section 26.390 shall be prepared at a scale no smaller than one (1) inch to 200 feet, with five (5) foot contours, and such information shall be furnished for a distance beyond the site sufficient to determine the impact of the operation on adjacent and surrounding lands.

26.400 Any lot or site used as a mineral resource site shall be restored or rehabilitated in accordance with the following standards, requirements and procedures: (1) The owner shall be responsible for the restoration or rehabilitation of the site as provided for in the plans approved under Section 26.390;

(2) Upon exhaustion or economic abandonment of the resources contained at a site, the owner shall have a reasonable time to restore or rehabilitate the site as provided for in the plans approved under Section 26.390. In the event the owner does not comply with the approved plans, the Board may undertake, or cause to be undertaken, the required restoration or rehabilitation, and the chargeable cost therefore, if not paid by the owner, shall become a prior lien on the property due and payable as taxes;

(3) Except for buildings or structures which are permitted uses in the zoning district in which the site is located, upon exhaustion of the mineral resources contained at the site, all buildings, vehicles, machinery, equipment, and appurtenant structures accessory to the extraction, processing, stockpiling or manufacturing operations shall be removed from the site;

(4) All excavations not to water-producing depth shall be back-filled, contoured or terraced and put to a use shown on the plan which is compatible with the final depth and slopes within the excavation site. Excavations made to water-producing depths shall be of sufficient depth to prevent occurrence of stagnation and insect-breeding grounds;

(5) Topsoil shall be replaced to the depth that occurred on the site at the time of original excavation or to a sufficient depth to allow landscaping material to be installed;

(6) When appropriate, the Board may specify a schedule for restoration or rehabilitation of portions of a site as the resources are exhausted, and the schedule therefor shall be considered as part of the plan and be subject to agreement between the applicant and the County.

26.410 Pursuant to the requirements of Section 26 of this Ordinance and any conditions imposed thereunder, the Board may require that the applicant enter into a performance agreement with the County and furnish the County with an appropriate financial guarantee to ensure that all conditions are properly complied with. Financial guarantees shall be in the form prescribed by Section 42.300 of this Ordinance.

SECTION 27. UTILITY DISTRICT (U)

27.100 Purpose. (1) The U District is intended to accommodate the immediate foreseeable demand for utility facilities to serve both local and regional needs. The U District shall be combined with the Planned-Unit Development (PUD) District and shall be subject to all of the provisions contained therein in respect to the review, approval, programming, installation and maintenance of all improvements.

(2) Uses of land and water not compatible with utility uses shall be prohibited.

27.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

27.300 Special Provisions. (1) The provisions of Sections 19.300 to 19.330, inclusive, and Section 10.300 of this Ordinance shall apply in the U District except that references to the "F-40 District" in Section 10.300 shall be changed to "U District".

(2) Notwithstanding the provisions of Section 27.200 of this Ordinance and of Section 7 of this Ordinance, transmission lines and pipelines, as distinct from the appurtenant facilities associated therewith, shall not be accorded a zoning district designation on the OFFICIAL ZONING MAP, but shall otherwise be subject to all provisions of this Ordinance.

SECTION 28. PUBLIC ASSEMBLY/INSTITUTIONAL DISTRICT (PAI)

28.100 Purpose. (1) The PAI District is intended to accommodate the immediate foreseeable demand for assembly uses and institutional facilities to serve both local and regional needs. The PAI District shall be combined with the Planned-Unit Development (PUD) District and shall be subject to all of the provisions contained therein in respect to the review, approval and staging of all phases of development and the programming, installation and maintenance of all improvements.

(2) Uses of land and water not compatible with assembly uses and institutional facilities shall be prohibited.

28.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the PAI District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

28.300 Special Provisions. The provisions of Sections 19.300 to 19.340, inclusive, and Section 14.380 of this Ordinance shall apply in the PAI District.

SECTION 29. PUBLIC WORKS/SAFETY DISTRICT (PWS)

29.100 Purpose. (1) The PWS District is intended to accommodate the present foreseeable demand for public works and safety facilities to serve both local and regional needs in areas which are both suited to the uses intended and compatible with adjacent urban development. The PWS District shall be combined with the Planned-Unit Development (PUD) District and shall be subject to all of the provisions contained therein in respect to the review, approval, programming, installation and maintenance of all improvements.

(2) Uses of land and water not compatible with public works and safety facilities shall be prohibited.

29.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

29.300 Special Provisions. (1) The provisions of Sections 19.300 to 19.340, inclusive, and Section 10.300 of this Ordinance, shall apply in the PWS District except that references to "E-40 District" in Section 10.300 shall be changed to "PAI District"

(2) Notwithstanding the provisions of Section 29.200 of this section and of Section 7 of this Ordinance, transmission and distribution systems for municipal water supply and collection systems for municipal sewerage, as distinct from the appurtenant facilities associated therewith, shall not be accorded a zoning district designation on the OFFICIAL ZONING MAP, but shall otherwise be subject to all provisions of this Ordinance.

SECTION 30. PUBLIC AIRPORTS/LANDING FIELDS DISTRICT (PALF)

30.100 Purpose. (1) The PALF District is intended to accommodate the immediate foreseeable demand for public airports and private landing fields to serve both local and regional business and leisure use. The PALF District shall be combined with the Planned-Unit Development (PUD) District and shall be subject to all of the provisions contained therein in respect to the review, approval and staging of all phases of development and the programming, installation and maintenance of all improvements.

(2) Uses of land and water not compatible with public airports and landing fields shall be prohibited.

30.200 Use Provisions and Specification Standards. Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

30.300 Special Provisions. The provisions of Sections 19.300 to 19.340, inclusive, and Section 14.380 of this Ordinance shall apply in the PALF District.

SECTION 31. PARKS, RECREATION, OPEN SPACE DISTRICT (PRO)

31.100 Purpose. (1) The PRO District is intended to accommodate the immediate foreseeable demand for public parks, public recreation and open space in specially designated resource-based areas to serve local and regional residents, as well as the needs of tourists. The size, character, and intensity of development of park, recreation and open space areas and the performance characteristics of recreation areas shall be commensurate with the capability of land and water areas to support the uses intended and shall not result in any unusual service demands on nearby urban centers.

(2) Uses of land and water not compatible with public parks, public recreation and open space uses, including recreation commercial service facilities, shall be prohibited.

31.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the PRO District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

31.300 Special Provisions. (1) The provisions of Sections 19.300 to 19.340, inclusive, and Section 10.300 of this Ordinance, shall apply in the PRO District except that references to "F-40 District" in Section 10.300 and references to "RC District" in Sections 19.300 to 19.340 shall be changed to read "PRO District."

(2) Notwithstanding the provisions of Section 31.200 of this Ordinance and of Section 7 of this Ordinance, bicycle, pedestrian, and equestrian paths and trail systems, as distinct from the park, recreation and open space and appurtenant facilities shall not be accorded a zoning district designation on the OFFICIAL ZONING MAP, but shall otherwise be subject to all provisions of this Ordinance.

SECTION 32. FLOOD/SOIL/GEOLOGIC HAZARD DISTRICT (H)

32.100 Purpose. (1) The H District is intended to designate areas identified as being subject to flood, soil or geologic hazards and the risk to life and property. For the purposes of designating a flood hazard area, the area subject to a Regulatory Flood as identified in the Yamhill County Flood Hazard District Ordinance, No. 69, 1975, shall apply in this Ordinance, and all other hazard areas shall be as identified in said Ordinance, No. 69, 1975, as amended from time to time. When the H District is combined with other zoning districts all uses of land and all buildings and structures shall be subject to all of the provisions of the H District, the District with which it is combined, and Ordinance No. 69, 1975.

(2) Uses of land and water intolerant of flood, soil or geologic hazards shall be prohibited.

32.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard or setback requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the H District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

32.300 Special Provisions. In the case of any conflict between the H District, any other zoning district and Ordinance No. 69, 1975, the more restrictive provisions shall apply.

SECTION 33. PLANNED-UNIT DEVELOPMENT DISTRICT (PUD)

33.100 Purpose. (1) The PUD District is intended to designate both urban and rural development areas where planned-unit developments are appropriate and desirable. Planned-unit developments shall be reviewed on the basis of the Comprehensive Plan-established location criteria for the individual uses and densities proposed and the services and amenities to be provided, and shall reflect a sensitivity for the anticipated impact of the development on adjacent or surrounding lands or communities and the environment in general. The PUD District shall be combined with the Light Industrial Park (LIP), Utility (U), Public Assembly/Institutional (PAI), Public Works/Safety (PWS), and Public Airports/Landing Fields (PALF) Districts and any other zoning district in which the permitted uses therein are subject to planned-unit development. The PUD District may be combined with any other zoning district. All uses of land and all buildings and structures in a PUD District shall be subject to all of the provisions contained herein.

(2) Uses of land and water not compatible with planned-unit development shall be prohibited.

33.200 Use Provisions and Specification Standards. (1) Use provisions and specification standards, including permitted, conditional and prohibited uses and structures, minimum lot or site requirements, maximum residential density, minimum yard requirements, maximum lot or site coverage, maximum height of structures, minimum off-street parking and loading requirements and limitations on signs are as set forth in Schedule "A".

(2) Notwithstanding any use provisions or specification standards set forth in Schedule "A" and subject to the provisions of Article IV to IX, inclusive, of this Ordinance, the Commission may permit in the PUD District any use not specifically listed in Schedule "A" and prescribe any other specification or performance standards, provided the use is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration of such use is consistent with the statement of purpose of this District. All other uses are hereby specifically prohibited in this District.

(3) Notwithstanding the provisions of Section 33.200(1) and (2) of this Ordinance, all use provisions and specification standards which apply in any zoning district with which the PUD District is combined shall continue to apply with equal force and effect unless waived or varied by the Commission in accordance with the provisions of Section 33.300 of this Ordinance.

33.300 Special Provisions. In the PUD District the special provisions of Sections 33.310 to 33.340, inclusive, of this Ordinance shall apply in addition to the regulations set forth in Schedule "A".

33.310 All special provisions which apply in any zoning district with which the PUD District is combined shall continue to apply with equal force and effect unless waived or varied by the Commission in accordance with the provisions hereunder.

33.320 The Commission shall review and may recommend to the Board approval of any application for a planned-unit development and PUD District designation, if applicable, in accordance with the procedures set forth in Section 33.340 of this Ordinance.

33.330. The following standards and requirements shall govern any application for a planned-unit development and PUD District designation: (1) A planned-unit development may include any permitted or conditional use in any zoning district with which it is combined, with the following exceptions:

- (a) a use listed as a conditional use in the RC or HI District;
- (b) a kennel in any VLDR District;
- (c) a use which has been declared a nuisance by statute, ordinance, or any court of competent jurisdiction;

(2) Specification standards shall be guided by the standards that most nearly portray the intent of the use or uses provided for in the Comprehensive Plan and the zoning district in which the planned-unit development is located or with which it is combined;

(3) For a planned-unit development in a VLDR, LDR or MDR District, the aggregate area of all commercial uses, including related off-street parking and loading areas, shall not exceed five (5) percent of the total area of the development, and shall be sized, laid out and designed to serve that market only;

(4) A planned-unit development in a VLDR, LDR or MDR District shall have a minimum site area as prescribed by Schedule "A", with a minimum twenty (20) dwelling units to be developed in the first stage thereof;

(5) A planned-unit development in a RC, LC, HC, RI, LIP, LI or HI District shall have a minimum site area of five (5) acres.

33.340 Application for Planned-Unit Development. The following procedures shall be observed when an application for a planned-unit development and PUD District designation, if applicable, is submitted for review and approval: (1) An applicant shall submit to the Director a letter of intent with plans outlining the layout, design and staging of all aspects of the development and the programming of services in connection therewith. The application shall include all pertinent information regarding:

(a) site topography, drainage, tree and ground cover, existing access and services, and known areas of flood, soil or geologic hazard and an inventory and classification of the soil types within the unit and suitable uses therefor;

(b) existing land uses, ownerships, property lines, and Plan and zoning district designations;

(c) proposed land uses, buildings and structures, access, urban services, residential densities, and design population;

(d) a plan for pedestrian and vehicular circulation showing the general locations and widths of a comprehensive system of major traffic thoroughfares, residential and commercial streets, trails or other pedestrian ways, and their recommended treatment;

(e) proposed park, recreation and open space uses;

(f) proposed site grading, drainage and landscaping plan;

(g) proposed method of water supply and sewerage;
(h) market analysis to justify any proposed commercial development;
(i) impact on adjacent or surrounding lands, communities and the environment in general;

(j) a statement of methods to be employed to assure maintenance of common facilities to be provided;

(k) such additional information as may be required by the Planning Commission concerning any phase of the proposed community development.

(2) A written statement must be prepared to accompany the outline development plan and must contain the following information:

(a) an explanation of the character of the PUD and the manner in which it has been planned to take advantage of the PUD regulations.

(b) a statement of present ownership of all land included within the proposed PUD.

(c) a general indication of the expected schedule of development.

(d) a general indication of the expected public interest to be served by the proposed PUD, and conformance of the PUD to the County Comprehensive Plan.

(e) a general statement regarding compatibility of the PUD with the Zoning District with which it is combined.

(3) Prior to final approval of a planned-unit development under the provisions of this Section, a Final Master Plan shall be submitted by the applicant.

(4) Prior to consideration by the Commission, copies of the documentation furnished pursuant to Section 33.340(1) and (2) shall be circulated to all agencies whose expertise and responsibility for review and comment on substantive aspects of the development proposal will materially assist the Commission in making a determination.

(5) On reviewing the application, 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 basic zoning district requirements;

(b) the resulting development will not be inconsistent with the Comprehensive Plan or zoning district provisions applicable to the area;

(c) the adjacent and surrounding lands can be developed in substantial harmony with the proposed development;

(d) the development can be financed and completed within a reasonable period of time;

(e) any proposed commercial development can be justified economically;

(f) the streets are adequate to support the anticipated traffic and the development will not overload adjacent streets;

(g) the proposed water supply, sewerage, utility and drainage facilities are adequate for the population, residential densities, and types of development proposed.

ARTICLE IV

GENERAL PROVISIONS

SECTION 34. DEVELOPMENT REVIEW

Section 34.100. Development Review. Notwithstanding the statements of purpose set forth in Article III of this Ordinance for each zoning district, all development proposals shall be reviewed in terms of compliance and consistency with all of the basic goals and policies set forth in the Comprehensive Plan.

SECTION 35. GENERAL REQUIREMENTS

35.100 Access. (1) Except as provided in Section 35.100(2) every lot or site shall abut a public street, other than an alley, for at least fifty (50) feet. In the case of irregularly shaped lots or sites, or lots or sites abutting the turnaround of a cul-de-sac, the measurement for access may be made at the front yard line.

(2) In the F-40, EF-40, or any ~~LF-40~~ or VLDR District, a lot or site may abut upon a private street for a width of not less than twenty (20) feet, provided that the Director grants approval upon making a finding that the private street is of adequate width, alignment, gradient, and restricted length to afford the same degree of public safety as a public street and that unusual circumstances make extension of the public street system impractical.

35.200 Limitations on Buildings. (1) Except as otherwise specifically provided for in this Ordinance,

(a) not more than one (1) single-family dwelling or mobile home shall be permitted on any lot or site;

(b) not more than one (1) principal building or use shall be permitted on any lot or site.

(2) Buildings shall not be sited in such a manner as to make impracticable the future subdivision or partitioning of a lot.

35.300 Clear-Vision Areas. (1) A clear-vision area shall be maintained on the corners of any lot or site at the intersection of two streets or a street and a railroad. A clear-vision area shall contain no planting, fence, wall, or other structure, or temporary or permanent obstruction exceeding two and one-half (2½) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grades, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to a height of eight (8) feet above the grade.

(2) 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 herein, 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 or site joining the non-intersecting ends of the other two sides. The following measurements shall establish clear-vision areas:

(a) in a VLDR, LDR or MDR District, the minimum distance shall be thirty (30) feet, or at intersections including an alley, ten (10) feet;

(b) in all other zoning districts, where front and side yards adjacent to streets are required, the minimum distance shall be fifteen (15) feet, or at intersections including an alley, ten (10) feet, except where the angle of intersection between streets, other than an alley, is less than thirty (30) degrees, the distance shall be thirty (30) feet.

Section 33.340(6) - 33.340(9)

(6) Pursuant to the requirements of Section 33.330 and Section 33.340(1) to (3), inclusive, of this Ordinance and on final review of a planned-unit development proposal and PUD District designation, if applicable, the Commission or Board may attach as conditions of approval whatever conditions either body finds necessary to carry out the purposes of this Ordinance. Such conditions may require that the applicant enter into a performance agreement with the County and furnish the County with an appropriate financial guarantee to ensure that the planned-unit development is completed and that all supporting services are provided in accordance with the standards and requirements imposed pursuant to this Ordinance and all other County ordinances. Financial guarantees shall be in the form prescribed by Section 42.300.

(7) Building permits issued in connection with any part of a planned-unit development shall be issued only on the basis of the plan approved by the Board.

(8) Any proposed changes in connection with an approved plan shall be reviewed and approved in accordance with the same procedures prescribed under this Section.

(9) If no building permits have been issued within one (1) year of the date of final approval of a planned-unit development, the approval for such development shall be rescinded and the PUD District designation repealed in respect to the area affected, unless such designation pre-dated the original application, applies to an area larger than the area affected by the application, or the area affected is located within a LIP, U, PAI, PWS or PALF District.

35.400 Exceptions to Height Regulations. The regulations limiting the height of structures set forth in Schedule "A" do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

35.510 Off-Street Parking and Loading. At the time of construction of a new building or structure, or at the time of enlargement or change in use of an existing building or structure within any zoning district, off-street parking spaces shall be provided as specified herein, unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area of the building or structure primary to the functioning of the particular use of the lot or site, but shall exclude space devoted to off-street parking or loading.

<u>Use</u>	<u>Standard</u>
<u>Single-family dwelling or mobile home, or two-family dwelling</u>	Two (2) spaces per <u>dwelling unit</u>
<u>Multi-family dwelling</u>	One and one-half (1½) spaces per <u>dwelling unit</u>
<u>Boarding, lodging or rooming house</u>	One (1) space per two (2) guest accommodations
<u>Retail commercial use</u>	One (1) space per 300 square feet of <u>floor area</u>
<u>Service commercial use</u>	One (1) space per 400 square feet of <u>floor area</u>
<u>Clinic</u>	One (1) space per 200 square feet of <u>floor area</u>
<u>Motels, resorts, and similar uses</u>	One (1) space per rental unit
<u>Manufacturing use</u>	One (1) space per 1,000 square feet of <u>floor area</u>
<u>Wholesale storage and related uses</u>	One (1) space per 2,000 square feet of <u>floor or storage area</u>
<u>Hospital, private</u>	One (1) space per two (2) beds for patients or residents
<u>Assembly use, club or lodge, community center or hall</u>	One (1) space for every five (5) seats provided for public seating and/or one (1) space per 100 square feet of <u>floor area</u> for <u>assembly use</u> , whichever is applicable.

35.520. Buildings or structures to be constructed 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 handle adequately the needs of the particular use. One (1) berth shall be provided where the gross floor area of the principal building or structure is 10,000 square feet or less, and two (2) berths shall be provided for larger buildings or structures. For buildings or structures of 6,000 square feet or less, regular off-street parking areas may be used to meet the off-street loading requirements. A loading berth shall constitute a minimum space ten (10) feet wide and thirty-five (35) feet long and shall have a vertical clearance of fourteen (14) feet.

35.530. The following provisions shall apply to all 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, site, building or structure change the use to which said lot, site, building or structure 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 Commission, based upon the requirements of comparable uses listed.

(3) In the event several uses occupy a single lot, site, building or structure, 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, lots, sites, buildings or structures, 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 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 or site with the dwelling. All other required parking spaces shall be located not farther than two hundred (200) feet from the use, lot, site, building or structure they are required to serve, measured in a straight line from such use, lot, site, building or structure.

(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 sides of a corner lot.

(7) Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons, and employees 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 shall be as follows:

(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 or onto adjacent private property;

(b) except for parking to serve residential uses, parking and loading areas adjacent to residential zoning districts 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 zoning district 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 (4) 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 clear-vision 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 twenty (20) feet from their intersection.

35.600 Accessory Uses. An accessory use shall comply with the requirements for a principal use, except as otherwise provided for in this Ordinance, and shall comply with the following limitations.

35.610 Accessory Building. (1) Except as provided in Section 35.610(2) of this Ordinance, no accessory building shall be erected in any required yard, and no separate accessory building shall be erected within five (5) feet of any other building.

(2) An accessory building not more than fifteen (15) feet in height, but more than sixty (60) feet from a street other than an alley, separated from the principal building by more than ten (10) feet, may be located in a required interior side yard or rear yard, provided it is not within three (3) feet of a property line.

(3) A greenhouse may be maintained accessory to a dwelling provided there are no sales.

(4) A swimming pool may be located in a required rear yard, provided it is at least five (5) feet from the rear lot line.

Section 35.620 - 35.640(7)

35.620 Fences, Walls and Hedges. Subject to the provisions of Section 35.300 of this Ordinance, fences, walls and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall or hedge shall exceed six (6) feet in height unless specifically required by the Commission or Board.

35.630 Parking, Storage or Use of Certain Vehicles and Major Recreational Equipment. (1) Automotive vehicles or trailers of any kind which do not bear current license plates shall not be parked or stored on any lot or site in a VLDR, LDR or MDR District except in a carport or enclosed building or behind the nearest portion of a building to a street, provided, however, that such equipment may be so parked or stored in such locations for periods not to exceed twenty-four (24) hours.

(2) One (1) travel trailer only shall be permitted to be parked on any lot or site in conjunction with a permitted principal dwelling on any lot or site, which may be used for the temporary accommodation of guests or visitors, but in no case shall be occupied for periods aggregating more than three (3) months in any year.

35.640 Home Occupations. Subject to the definition of home occupation in Section 5.200(45) and the provisions of Article VI of this Ordinance, home occupations shall be subject to the following: (1) No person other than members of the family residing on the premises shall be engaged in a home occupation.

(2) The use of the dwelling unit or site for the home occupation shall not occupy more than 25 percent nor more than 400 square feet of the gross floor area of the dwelling unit.

(3) The area used for outdoor storage shall not exceed the gross floor area of the buildings used for the home occupation.

(4) There shall be no change in the outside appearance of any building or premises or other visible evidence of the conduct of such home occupation from any street or adjacent property other than permitted signs, except that any visible outdoor storage area may be permitted if effectively screened with a sight-obscuring fence.

(5) The use shall not generate traffic, parking, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district. Off-street parking spaces shall be provided for clients or patrons up to a maximum of three (3) spaces and shall not be located in a required front yard.

(6) A home occupation shall not be conducted in an accessory building in any LDR or MDR District.

(7) A home occupation may be conducted in an accessory building in the EF-40 District, in any AF District or any VLDR District, subject to the following limitations:

(a) the accessory building shall not exceed five hundred (500) square feet gross floor area when the lot or site upon which it is located is ten (10) acres or less.

(b) the accessory building shall not exceed twelve hundred (1200) square feet when the lot or site upon which it is located exceeds 10 acres.

(8) No accessory building used for a home occupation shall be located within fifty (50) feet of the right-of-way line of any State highway or County-maintained street (road).

(9) No accessory building used for a home occupation shall be located within fifty (50) feet of the boundary of any city.

(10) No accessory building used for a home occupation shall be located within twenty (20) feet of any dwelling.

(11) A permit for a home occupation shall expire one (1) year from the date of issuance, at which time a renewal permit may be issued by the Director upon a finding that the requirements of this Ordinance are being met. A home occupation in operation prior to the date of adoption of this Ordinance shall be subject to a renewal permit one (1) year thereafter.

35.700 Mineral Resource Sites. (1) In those zoning districts where extraction, processing, and stockpiling of a mineral aggregate is authorized as a conditional use the provisions of Section 26.310 and Section 26.330 to 26.400, inclusive, shall apply except that references to the Board shall be changed to Commission.

SECTION 36. MOBILE HOMES AND MOBILE HOME PARKS; TRAVEL TRAILER PARKS

36.100 Mobile homes not located in a mobile home park shall be subject to the following requirements: (1) No person shall locate a mobile home except on a well-drained site that is at all time free of stagnant pools and is graded for rapid drainage.

(2) Mobile homes shall be located and regulated in accordance with the requirements adopted by the State of Oregon, Department of Commerce, Building Codes Division.

(3) All mobile homes shall be connected to a community or municipal sanitary-sewer system, where available, or an individual subsurface sewage-disposal system designed and installed in accordance with the Rules Pertaining to Standards for Subsurface Sewage and Nonwater-carried Waste Disposal of the Environmental Quality Commission, being Oregon Administrative Rule, Chapter 340, Division 7, Subsurface Sewage Disposal.

(4) All additions and alterations thereof to mobile homes shall be in accordance with the requirements of the Yamhill County Building Ordinance, No. 52, 1974, as amended, and the requirements of the State of Oregon Department of Commerce Building Codes Division. No additions to a mobile home shall be permitted except:

(a) skirtings, but only if two (2) easily removable access panels of a minimum width of four (4) feet provide access to the area enclosed by the skirting, with at least one panel located at the point of entrance of water and sewage connections;

(b) carports;

(c) shelters against sun or rain (ramadas);

(d) vestibules of a maximum size of thirty (30) square feet;

(e) rooms (cabanas) added to a mobile home, provided that any such added room shall have an exit or access other than through the mobile home, and, further, that any such additional room shall not be used as an exit or access to exit from any mobile home.

(5) No additions to a mobile home shall exceed in plan area the gross floor area of the mobile home to which they are attached.

(6) All additions to a mobile home shall be constructed and finished in durable, weather-resistant materials similar in quality to those used in the construction and finishing of the principal unit to which they are attached.

(7) No outdoor storage of any kind accessory to the use of any mobile home shall be permitted within thirty (30) feet of any lot line. All such storage shall be screened with a sight-obscuring fence and may not be piled higher than the required fence and such fence shall be maintained in good condition at all times. Such storage area shall not exceed two hundred forty (240) square feet in ground or floor area.

36.200 Mobile Home Parks. (1) Any lot or site used for a mobile-home park and any modifications to a mobile-home park shall comply with the provisions of ORS 446.002 to ORS 446.210 and Mobile Home Park Standards, adopted as Oregon Administrative Rule, Chapter 814, Subdivision 3, Mobile Home Parks, Sections 28.010 to 28.170, inclusive.

(2) Any lot or site used for a mobile-home park and any modifications to a mobile-home park shall comply with the following standards and requirements:

Section 36.200(2)(a) - 36.200(2)(n)

- (a) the minimum area of a lot or site shall be five (5) acres;
- (b) the minimum number of mobile-home spaces completed and ready for occupancy before first occupancy is permitted shall be twenty-five (25);
- (c) the maximum density of mobile-home spaces shall not exceed ten (10) per acre of gross land area;
- (d) no mobile home in a mobile-home park shall be located elsewhere than in a mobile-home space;
- (e) in a mobile-home park, only a mobile home and permissible additions shall be allowed in a mobile-home space;
- (f) in a mobile-home park, one family only per mobile-home space shall be permitted;
- (g) the minimum width of a lot or site for portions intended for general vehicular entrances and exits only shall be fifty (50) feet, and for portions containing mobile-home spaces or service buildings open generally to occupants shall be one hundred (100) feet;
- (h) no space shall be rented for the residential use of a mobile home in any mobile-home park except for periods of one (1) month or more;
- (i) convenience commercial facilities, including food stores and coin-operated laundries, may be permitted in mobile-home parks, provided such facilities and the off-street parking and loading areas primarily related to their operations shall not occupy more than five (5) per cent of the gross area of the park; shall be subordinate to the residential use and character of the park; shall be sized, laid out and designed to serve the frequent trade or service needs only of persons residing in the park; and shall present no visible evidence of their commercial character from any residential zoning district outside the park;
- (j) except as provided in Section 35.630 of this Ordinance, no travel trailer shall be permitted in any mobile-home park, unless such travel trailer meets the definition of a mobile home in Section 5 of this Ordinance, has a floor area of at least two hundred forty (240) square feet, and the intended occupancy is for a period of at least one (1) month;
- (k) no part of any mobile-home park shall be used for the parking or storage of any heavy equipment or trucks exceeding one and one-half (1½) ton capacity;
- (l) no home occupation or business shall be permitted to operate from a mobile home;
- (m) the owner of land comprising a mobile-home park shall provide from that land a community recreation area, exclusive of the required buffer area or service, roadway or parking areas, equal in size to at least ten (10) percent of the gross land area proposed for development; and the recreation area shall be visibly designated as such and delineated for recreation purposes, and no parking or storage of vehicles or other mobile equipment shall be permitted thereon; and the recreation area shall form one parcel within the mobile-home park;
- (n) all contiguous lots of record proposed for the development of a mobile-home park under one ownership or management shall be consolidated into a single lot of record prior to the issuance of any building permit;

(o) a responsible caretaker, owner or manager shall be in charge to keep the mobile-home park, its facilities and equipment in a clean, orderly and sanitary condition, and he shall be answerable with the owner for any violation of the provisions of this or any other Ordinance.

(3) All applications for approval of plans and specifications for any mobile-home park shall be made in writing to the Director on forms prescribed by the Director and shall contain:

(a) the documentation required for any application as set forth in Mobile Home Park Standards, adopted as Oregon Administrative Rule, Chapter 814, Subdivision 3, Mobile Home Parks, Sections 28.010 to 28.170, inclusive.

(b) the documentation required for any application for a planned-unit development as set forth in Section 33.340 of this Ordinance;

(c) provisions for landscaping and screen-planting of buffer areas and landscaping and shading of all other open space, including the mobile-home area;

(d) plans, profiles, and cross-sections of all roadways, underground utilities, and rough and finish grading of the site; and

(e) plans and specifications of the modules to be utilized for permissible additions.

(4) The following layout and design specifications shall apply in respect to any mobile-home park:

(a) a buffer area shall be provided immediately within all boundaries, all of which shall be loamed, seeded and planted with grass and at least one row of deciduous and/or evergreen trees spaced not more than twenty (20) feet apart, and one or more rows of bushy shrubs or hedging capable of attaining a height of at least five (5) feet within three (3) years. Planting shall be hardy, appropriate for use and location, and planted so as to thrive with normal maintenance. The required buffer area shall be a minimum of twenty (20) feet in depth within all boundaries common to a public street, other than an alley; and the required buffer area shall be a minimum of ten (10) feet in depth within all other boundaries.

(b) no recreation or service area, except for waterfront recreation, may be located within a buffer area;

(c) no mobile-home area may be located within a buffer area;

(d) no building or structure may be erected or placed within a Buffer area, except a sign, fence or wall;

(e) no refuse-disposal area shall be located within a buffer area;

(f) within a buffer area, except for emergency access, no plant material may be removed, nor may any substance of which land is composed be deposited or removed, except as a part of a recognizable landscaping scheme;

(g) only streets (roads) which cross as close to right angles as practicable and connect directly with the street (road) system contained within the remainder of the park shall be permitted within a buffer area; no street (road) shall traverse the buffer area and give direct access from any public street (road) to any mobile-home space.

(h) the street (road) system shall comply with modern subdivision design practice as prescribed by the Standards and Specifications for Road Construction in Yamhill County, Oregon, 1975, adopted by Yamhill County on April 23, 1975, as amended.

Section 36.200(4)(i) - 36.200(4)(r)

(i) the walkway system shall provide safe, convenient, all-season pedestrian access only, shall be of adequate width for intended use (minimum three (3) feet), and shall be durable and convenient to maintain.

(j) off-street parking spaces shall be provided at the rate of at least one (1) space for each mobile-home space, plus one (1) additional space for each four (4) mobile-home spaces to provide for guest parking, for two-car residents, and for delivery and service vehicles. Grouped parking bays shall be located within one hundred fifty (150) feet of the mobile-home spaces served. Required car parking spaces shall be located for convenient access to the mobile-home spaces. Insofar as practicable, one (1) car space shall be located in each mobile-home space and the remainder located in adjacent bays.

(k) outdoor drying yards shall be conveniently located in respect to service buildings and mobile-home spaces served, shall be a minimum of twelve hundred (1,200) square feet in area, and shall be screened where necessary with a five (5)-foot louvred fence.

(l) all recreation areas shall be grassed, hard-surfaced or dust-free, and shall drain properly.

(m) within a mobile-home area, all mobile-home space boundaries shall be so delineated by suitable permanent markers that the boundaries of any space can be readily ascertained;

(n) within a mobile-home area, each mobile-home space shall have sufficient unobstructed access to, or frontage on, a street, so as to permit the movement of mobile homes;

(o) within a mobile-home area, each mobile-home stand shall have a compacted (rolled) gravel base of twelve (12) inches and shall drain properly;

(p) within a mobile-home area, no mobile home with a floor area of two hundred forty (240) square feet or less, exclusive of permissible additions, shall be permitted;

(q) within a mobile-home area, each mobile-home space intended to accommodate a mobile home, including permissible additions, shall have a minimum area of 3,600 square feet, a minimum width of thirty-six (36) feet and a minimum frontage of twenty-four (24) feet; be demarcated by appropriate survey corner posts and have each space prominently numbered; and shall occupy no more than thirty-five (35) percent of the area of the mobile-home space;

(r) within a mobile-home area, minimum setbacks shall be provided as follows: fifteen (15) feet for any mobile home, or permissible addition thereto, from any private street (road), service building, service area, or recreation area; ten (10) feet for any service building, service area, or recreation area from any private street (road) or a mobile-home space or grouped-bay parking area; ten (10) feet for any mobile home from any boundary common to the buffer area or from any boundary common to two or more mobile-home spaces; and a minimum distance of twenty (20) feet shall be provided between any two (2) mobile homes;

(s) within a mobile-home area, no building, structure or vehicle shall be permitted in any yard space other than one (1) automobile for each approved parking space, recreational equipment, fencing, landscaping, a mail box, and name and address plaque;

(t) within a mobile-home area, the provisions of Section 36.100(4) to (6), inclusive, shall apply in respect to any additions to mobile homes;

(u) all refuse containers shall be located within a fenced enclosure and be secured to prevent overturning;

(v) all utilities, including electrical power and telephone lines, serving a mobile-home park shall be installed underground if such utilities are located underground in any adjacent development within the zoning district or if the park is located within 1,000 feet of any city residential zoning district requiring the undergrounding of such utilities;

(w) a community sanitary-sewer system serving a mobile-home park shall be connected to a municipal sanitary-sewer system if located within 1,000 feet thereof;

(x) all streets (roads), walkways, grouped-bay parking and service areas shall be provided with night lighting adequate to ensure the safety of vehicular and pedestrian traffic;

(y) all night lighting shall be arranged so as to reflect light away from mobile homes.

36.300 Travel Trailer Parks. (1) Any lot or site used for a travel-trailer park and any modifications to a travel-trailer park shall comply with the following standards and requirements:

(a) the minimum area of a lot or site shall be one (1) acre;

(b) the maximum density of travel-trailer spaces shall not exceed twenty-five (25) per acre of gross land area;

(c) no travel trailer shall be located elsewhere than in a travel trailer space and only one (1) travel trailer shall be permitted to occupy a travel-trailer space;

(d) in a travel-trailer park only a travel trailer and motor vehicle shall be permitted in a travel-trailer space, except that a travel-trailer space may be rented for the residential use of a mobile home and motor vehicle for a period of one (1) month or less, subject to the other provisions of this subsection;

(e) no travel trailer shall be permitted in any travel-trailer park for a period of more than four (4) months;

(f) the minimum width of a lot or site for portions intended for general vehicular entrances and exits only shall be fifty (50) feet, and for portions containing travel-trailer spaces or service buildings open generally to occupants shall be one hundred (100) feet;

(g) permitted accessory uses of a commercial service nature and parking areas serving such operations, shall not occupy more than five (5) percent of the gross area of the travel-trailer park; and shall be sized, laid out and designed to serve the frequent trade or service needs only of travelers patronizing the travel-trailer park;

(h) no part of any travel-trailer park shall be used for the parking or storage of any heavy equipment or trucks exceeding one-ton capacity;

Section 36.300(1)(i) - 36.300(3)(i)

(i) no home occupation or business shall be permitted to operate from a travel-trailer park;

(j) all contiguous lots of record proposed for the development of a travel-trailer park under one ownership or management shall be consolidated into a single lot of record prior to the issuance of any building permit;

(k) a responsible caretaker, owner, or manager shall be in charge to keep the travel-trailer park, its facilities and equipment, in a clean, orderly, and sanitary condition, and he shall be answerable with the owner for any violation of the provisions of this or any other Ordinance.

(2) All applications for approval of plans and specifications for any travel-trailer park shall be made in writing to the Director on forms prescribed by the Director and shall contain the documentation required under Section 36.200(3) of this Ordinance as applicable.

(3) The following layout and design specifications shall apply in respect to any travel-trailer park:

(a) a buffer area shall be provided in accordance with the requirements of Section 36.200(4)(a) to (g), inclusive, of this Ordinance, except that the required buffer area shall be a minimum of twenty (20) feet in depth within all boundaries common to a residential zoning district;

(b) the provisions of Section 36.200(4)(h) and (i) of this Ordinance shall apply;

(c) off-street parking spaces shall be provided at the rate of at least one (1) space for each travel-trailer space, plus one (1) additional space for each four (4) travel-trailer spaces to provide for guest parking. Grouped parking bays shall be located within one hundred fifty (150) feet of the travel-trailer spaces served;

(d) all recreation areas shall be grassed, hard-surfaced or dust free, and shall drain properly;

(e) within a travel-trailer park, all travel-trailer space boundaries shall be so delineated by suitable permanent markers that the boundaries of any space can be readily ascertained;

(f) within a travel-trailer park, each travel-trailer space shall have sufficient unobstructed access to, or frontage on, a park street (road), so as to permit the movement of travel trailers;

(g) within a travel-trailer park, each travel-trailer space intended to accommodate a travel trailer shall have a minimum area of five hundred (500) square feet and have one conveniently located vehicle parking area;

(h) within a travel-trailer park, minimum setbacks shall be provided as follows: ten (10) feet for any travel-trailer space from any private street (road), twenty (20) feet from any service building, service area, or recreation area, or any other travel-trailer space, and twenty-five (25) feet from any boundary of the travel-trailer park; ten (10) feet for any service building, service area, or recreation area from any private street (road), or from any boundary common to a travel-trailer space or grouped-bay parking area; and five (5) feet for any travel-trailer space from any boundary common to the buffer area;

(i) within a travel-trailer park, no addition to any travel trailer or mobile home shall be permitted;

(j) all refuse containers shall have a fly-tight lid and shall be maintained in a clean and sanitary condition. Garbage and refuse shall be disposed of in a manner to control fly, rodent, and odor nuisance;

(k) all utilities, including electrical power and telephone lines, shall be installed underground if such utilities are located underground in any adjacent development within the zoning district;

(l) a community sanitary-sewer system serving a travel-trailer park shall be connected to a municipal sanitary-sewer system if located within 1,000 feet thereof;

(m) all streets (roads), walkways, grouped-bay parking and service areas shall be provided with night lighting adequate to ensure the safety of vehicular and pedestrian traffic;

(n) all night lighting shall be arranged so far as possible to reflect away from travel-trailer spaces.

ARTICLE V

EXCEPTIONS AND VARIANCES

SECTION 37. NON-CONFORMING LOTS, USES, STRUCTURES

37.100 Intent. (1) Within the zoning districts established by this Ordinance or amendments hereto, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this Ordinance was adopted or amended, but which would be prohibited, regulated, or restricted under the terms of this Ordinance or amendments hereto. Subject to the provisions of ORS 215.130(4), it is the intent of this Ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same zoning district.

(2) Non-conforming uses are declared by this Ordinance to be incompatible with permitted uses in the zoning district involved. A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of structure and land in combination shall not be extended or enlarged after adoption of this Ordinance by the addition of other uses of a nature which would be prohibited generally in the zoning district involved.

(3) Nothing contained in this Ordinance shall require any change in the plans, construction, alteration, or designated use of any structure for which a building permit has been issued and actual construction has commenced prior to the date of adoption or amendment of this Ordinance, provided that the structure, if non-conforming or intended for a non-conforming use, is completed and in use within one (1) year from the date of issuance of the permit. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition or removal of an existing structure has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

37.200 Non-Conforming Lots of Record. (1) Subject to subsection (2) of this section, in any zoning district in which single family dwellings or mobile homes are permitted or authorized as a conditional use, such uses and customary accessory buildings may be erected or placed on any single lot of record at the date of adoption or amendment of this ordinance, notwithstanding limitations on minimum lot or site requirements imposed by other provisions of this ordinance. Such lots must be in separate ownerships as provided in Section 37.200. The only provisions or requirements of this Ordinance being excepted by this section are the minimum lot or site requirements of the various zoning districts.

(2) As a condition precedent to the erection or placement of a single family dwelling or mobile home on a non-conforming lot of record pursuant to subsection (1) of this section, a variance shall be obtained:

- (a) on all lots of less than forty (40) acres in the F-40 district, and
- (b) on all lots of less than twenty (20) acres in the EF-40 district, and
- (c) on all lots of less than twenty (20) acres in the AF-20 district, and
- (d) on all lots of less than ten (10) acres in the AF-10 district, and
- (e) on all lots of less than one-half ($\frac{1}{2}$) acre in the VLDR districts, and
- (f) on all lot of less than five thousand (5,000) square feet in the LDR districts, and
- (g) on all lots of less than three thousand six hundred (3,600) square feet in the MDR districts.

Such variance shall be applied for and obtained in the manner provided in Subsection (3) of this section.

(3) The procedure for reviewing and granting variances pursuant to this Section shall be as follows:

(a) an application shall be made to the Director on a form prescribed by the Director together with a \$25.00 filing fee, and shall state the reasons therefor;

(b) adjacent owners of land shall be notified of the application in writing as required in ORS 215.223(3) for effecting a zone change. Persons other than adjacent owners of land who have a substantial interest affected by the application shall be given notice of the application by publication, in a newspaper of general circulation in the County. The appropriate planning advisory committee shall be notified in writing of the application.

(c) if the Director determines that notice has been mailed and published as provided hereinabove, and that approval would be in compliance with Section 41 of this Ordinance and with State laws in such cases made and provided, the Director shall issue a permit pursuant to subsection 1 of this Section unless a request in writing for a public hearing is received by the Director within fifteen (15) days of the last notice given pursuant to subparagraph (b) of this Section. A request for a hearing may be made by:

- (i) an adjoining land owner, or
- (ii) a person who has a substantial interest that is affected by the application, or
- (iii) the Commission, or
- (iv) the Board, or
- (v) the Director, or
- (vi) the applicant.

(d) any notice required hereinabove shall include notice of the right of any adjoining land owner or any person who has a substantial interest that is affected by the application to request a public hearing on or before a date specified in the notice.

(e) if a written request for a public hearing is received by the Director pursuant to subsection (c) above, or if the Commission, Board or Director or the applicant requests a public hearing pursuant to subsection (c) above, the Director shall collect an additional \$20.00 filing fee and shall schedule a public hearing before the Commission, and the Commission shall hear and decide the application in the same manner as provided in Section 41 for variances;

(f) any permit issued hereunder shall be null and void one year after the date it was granted unless completion or a substantial construction has taken place.

(g) any permit issued hereunder is not personal to the applicant and shall be deemed to run with the land.

(4) If there are more than five (5) contiguous non-conforming lots of record in a single ownership on the date the application is made, some or all of which lots do not meet the minimum lot or site requirements of the zoning districts involved, the Director, or the Commission or Board if there is a public hearing, shall require all but five (5) such lots to be used or sold in a manner which complies with or diminishes non-compliance with the minimum lot or site requirements. Further, the Director, in his discretion, or the Commission or Board where appropriate, shall designate which particular five (5) lots shall be exempt from this requirement.

37.300 Non-Conforming Uses of Land or Land with Minor Structures Only. Where, at the date of adoption or amendment of this Ordinance, a lawful use of land exists which would not be permitted under this Ordinance, and where such use involves no individual structure with a replacement cost exceeding \$2,500, the use may be continued so long as it remains otherwise lawful, provided that: (1) No such non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the date of adoption or amendment of this Ordinance.

(2) No such non-conforming use shall be moved in whole or in part to any portion of the lot or site other than that occupied by such use at the date of adoption or amendment of this Ordinance;

(3) If any such non-conforming use of land ceases for any reason for a period of more than thirty (30) days, any subsequent use of such land shall conform to the provisions of the zoning district in which such land is located;

(4) No additional structure not conforming to the requirements of this Ordinance shall be erected in connection with such non-conforming use of land.

37.400 Non-Conforming Structures. Where a lawful structure exists at the date of adoption or amendment of this Ordinance which could not be built under the terms of this Ordinance by reason of restrictions on lot or site area, coverage, height of structures, yards, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions: (1) No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;

(2) Should such non-conforming structure or non-conforming portion of structure be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance;

(3) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.

37.500 Non-Conforming Uses of Structures or of Structures and Land in Combination. If a lawful use involving individual structures with a replacement cost of \$2,500 or more, or of structure and land in combination, exists at the date of adoption or amendment of this Ordinance, which would not be allowed in the zoning district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions: (1) No existing structure devoted to a use not permitted by this Ordinance in the zoning district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the zoning district in which it is located.

(2) Any non-conforming use may be extended throughout any parts of a building or structure which were manifestly arranged or designed for such use at the date of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building or structure.

(3) If no structural alterations are made, any non-conforming use of a structure, or structure and land, may as a special exception be changed to another non-conforming use, provided that the Commission determines that the proposed use is equally appropriate or more appropriate to the zoning district than the existing non-conforming use. In permitting such change, the Commission may impose appropriate conditions and safeguards in accordance with the provisions of this Ordinance.

(4) Any structure, or structures and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the zoning district, and the non-conforming use may not thereafter be resumed.

(5) When a non-conforming use of a structure, or structures and land in combination, is discontinued or abandoned for six (6) consecutive months or for 18 months during any three (3)-year period, the structure, or structures and land in combination, shall not thereafter be used except in conformity with the regulations of the zoning district in which it is located.

(6) Where non-conforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. For the purpose of this clause, destruction is defined as damage to an extent of more than fifty (50) percent of the replacement cost at the time of destruction.

(7) Notwithstanding the provisions of Sections 37.400 and 37.500 concerning replacement or repair of a non-conforming structure destroyed by any means, in any zoning district in which single family dwellings or mobile homes are permitted or authorized as a conditional use, any single-family dwelling or mobile home destroyed by any means shall be allowed to be reconstructed or repaired provided that the square footage of the replacement building shall not exceed one and one-half (1½) times the gross floor area of the building being replaced.

37.600 Repairs and Maintenance. (1) On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, to an extent not exceeding ten (10) percent of the current replacement cost of the non-conforming structure or non-conforming portion of the structure, as the case may be, provided that the cubic content existing when it became non-conforming shall not be increased.

(2) If a non-conforming structure or portions of a structure containing a non-conforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is declared by the Building Inspector to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the zoning district in which it is located.

(3) Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or structure or part thereof declared to be unsafe by the Building Inspector, upon order of such official.

37.700 Uses Under Special Exception Provisions Not Non-Conforming Uses. Any use which is permitted as a special exception in a zoning district under the terms of this Ordinance, other than a change through Commission action from a non-conforming use to another use not generally permitted in the zoning district, shall not be deemed a non-conforming use in such zoning district, but shall without further action be considered a conforming use.

SECTION 38. SPECIAL EXCEPTIONS

38.100 Purpose. For the purposes of this Ordinance, a special exception is any use which may be allowed by special permit in a zoning district which is not specifically listed in Schedule "A", but which is similar in character, scale and performance to the permitted uses specified therein, and the granting, extension or alteration thereof is consistent with the statement of purpose of the zoning district.

38.200 General Requirements for Special Exception. The Commission may authorize a special exception upon a finding that satisfactory provisions have been made concerning the following, where applicable:
(1) Ingress and egress to property and the proposed structures thereon, with particular reference to vehicular and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency;

(2) Off-street parking and loading spaces where required, with particular attention to the factors expressed in Section 38.200(1) and the economic effects and performance characteristics of the special exception in relation to adjacent properties in the zoning district;

(3) Water supply, sewerage, and utilities, with reference to location, availability, and compatibility;

(4) Screening, buffering, and exterior finish of buildings, with reference to type, dimensions, and character;

(5) Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility with adjoining properties;

(6) Required yards, other open space, and the height of structures; and

(7) General compatibility with adjacent properties and other property in the zoning district.

38.300 Application for Special Exception. An application for a special exception shall be made to the Director on a form prescribed by the Director together with a letter of intent or plans as necessary to explain the proposed use and development of the property, whereupon the Commission shall hold a public hearing and make a determination with conditions and safeguards as are deemed appropriate. Issuance of notices and other procedural matters under this section shall be as prescribed in Article VI in respect to applications for conditional use permits.

SECTION 39. TEMPORARY PERMITS

39.100 Purpose. The purpose of a temporary permit is to allow on a temporary basis, location of structures for an activity or use which is temporary or seasonal in nature provided such activity or use is consistent with the intent of the zoning district in which it is located and is in compliance with the provisions of this Ordinance. No temporary permit shall be issued which would have the effect of permanently rezoning or granting a special privilege not shared by other properties in the same zoning district.

39.200 Permitted Temporary Uses. (1) In the F-40, EF-40, AF-20 and AF-10 districts, temporary structures may be permitted as necessary to provide housing or storage in conjunction with a permitted use or approved conditional use. Such structures shall be removed after they are no longer required for the initial use.

(2) In the VLDR, LDR and MDR districts, temporary structures may be permitted as necessary to provide for temporary sales offices for uses permitted in that zoning district.

(3) In RC, LC, HC, RI, LIP, LI, HI, MR and PAI districts, temporary structures may be permitted as necessary to provide for temporary sales offices for uses permitted in that zoning district and to provide for temporary housing of personnel, supplies or equipment while permanent structures are under construction.

(4) In any zoning district in which a single-family dwelling or mobile home is permitted, temporary housing structures or other structures required for construction may be permitted while the permanent permitted structure is under construction. Such temporary structure shall be removed upon final inspection of the permanent structure by the Building Inspector.

(5) In any zoning district, storage of equipment may be permitted during the building of roads, municipal services or other developments.

39.300 Findings Required for Issuance of Temporary Permit. No temporary permits shall be issued except upon a finding by the Director that the proposed structure: (1) Will not be contrary to the public interest or to the intent and purpose of this section and particularly the District involved.

(2) Would not permit the establishment within a zoning district of any use which is not permitted within that zoning district, or any use for which a conditional use permit is required.

(3) Will not cause a substantial adverse effect upon property values or environmental conditions in the immediate vicinity or in the district in which the property of the applicant is located.

(4) Is not one where the specific conditions relating to the property are so general or recurrent in nature as to make the formulation of a general regulation for such conditions reasonably practical.

(5) Will relate only to property that is under control of the applicant.

(6) Is requested under such circumstances or conditions which are not the result of any act of the applicant subsequent to the adoption of the particular zoning regulations from which relief is sought.

39.400 Conditions Relative to the Issuance of Temporary Permits (1) Reasonable conditions may be imposed by the Director in connection with the temporary permit as necessary to meet the purposes of the zoning district in which it is located and this Section. Guarantees and evidence may be required that such conditions will be or are being complied with. Such conditions may include but are not limited to:

- (a) special yards and spaces,;
- (b) fences or walls;
- (c) control of points of vehicular ingress and egress;
- (d) special provisions on signs;
- (e) landscaping and maintenance thereof;
- (f) maintenance of the grounds;
- (g) control of noise, odors or other nuisances;
- (h) limitation of time for certain activities;
- (i) a limit on total duration of use.

(2) Any temporary permit issued shall clearly set forth the conditions under which the permit is granted and shall clearly indicate the time period for which the permit is issued. No temporary permit shall be transferrable to any other owner or occupant, but may be renewable upon the approval of the Director.

(3) All structures for which a temporary permit is issued:

- (a) shall meet all other requirements of the zoning district in which they are located;
- (b) shall meet all applicable County health and sanitation requirements;
- (c) shall meet all applicable County building code requirements.
- (d) shall be removed upon expiration of the temporary permit unless renewed by the Director.

39.500 Application for Temporary Permit. (1) An application for a temporary permit shall be made to the Director on a form prescribed by the Director, together with a letter of intent or plans as necessary to explain the request and the reasons or grounds therefore, and a \$10 filing fee.

(2) Adjacent owners of land shall be notified of the application in writing pursuant to the provisions of ORS 215.223(3):

(3) If no written objections are received by the Director within fifteen (15) days of the date of mailing of the notice and all provisions of this Ordinance are complied with, the Director may grant the permit.

(4) If any written objections are received by the Director or the Director requires or the applicant requests a hearing and determination by the Commission, the Director shall collect an additional \$20.00 filing fee and he shall schedule a public hearing before the Commission, and the Commission shall hear and decide the application.

(5) Section 39.500(2), (3), and (4) shall not apply to temporary structures permitted under Section 39.200(4) of this Ordinance.

(6) Temporary permits shall be issued for the time period specified by the Director only but may be renewable upon expiration if all applicable conditions can again be met. In no case shall a temporary permit be issued for a period exceeding nine (9) months, unless the temporary permit is renewed.

(7) Renewal of a temporary permit shall follow the same procedure as the initial application.

39.600 Appeal. An appeal of the decision of the Director relative to issuance, denial, or conditions of a temporary permit may be made in accordance with Section 45 of this Ordinance.

SECTION 40. LOTS CREATED FOR THE PURPOSE OF FINANCING

40.100 Intent and Conditions Relative to Lots Created for the Purpose of Financing. The lot size minimums established by this Ordinance shall not apply to lots created solely for the purpose of financing the sale of a lot. Such lots shall be required to be partitioned in the manner provided in any Ordinance adopted by Yamhill County controlling subdivision and partitioning adopted pursuant to ORS 92.044 and 92.046. Lots created for the purpose of financing shall carry the following conditions: (1) That the lots shall not be sold separately.

(2) That only one (1) single-family dwelling will be permitted on the lots created, considered in their aggregate.

(3) That the smallest of the lots created shall be not less than one (1) acre.

(4) That the lots will be recombined by the County Assessor on completion of the financing arrangements.

SECTION 41. VARIANCES

41.100 Purpose. The purpose of a variance is to provide administrative relief when a strict application of the zoning requirements for lot width, lot depth, lot area, building height, setback, access or other dimensional requirements in any zoning district would impose unusual practical difficulties or unnecessary physical hardships on the property owner. These difficulties or hardships may result from geographic, topographic or other physical conditions on the site or in the immediate vicinity or from street location or traffic conditions in the immediate vicinity. No variance shall be permitted which would have the effect of rezoning, or granting a special privilege with regard to use of lot or site not shared by other property in the same district. No variance shall be granted if a hardship is commonly shared by adjacent parcels when rezoning to a more appropriate use is the proper remedy.

41.200 Findings Required for the Issuance of a Variance. The Commission may authorize a variance from the requirements of this Ordinance after making all of the following findings: (1) That it will not be contrary to the public interest or to the intent and purpose of this Section, this Ordinance, and the zoning district in which it is located.

(2) That, owing to special conditions, a literal enforcement of the Ordinance would result in unnecessary hardship to the property owner.

(3) That it shall not permit the establishment of any use which is not permitted within a particular zoning district, or any use for which a conditional use permit is required.

(4) That special conditions and circumstances exist which are peculiar to the land, building or structure involved and which are not applicable to other lands, buildings, or structures in the same zoning district;

(5) That literal interpretation of the requirements of this Ordinance would deprive the applicant of rights commonly enjoyed by owners of other properties in the same zoning district under the terms of this Ordinance and would result in an unnecessary hardship on the owner of the property;

(6) That the special conditions and circumstances do not result from the actions of an owner of the property.

(7) That granting the variance requested will not confer on the applicant any special privilege with regard to the use of lot or site which is denied by this Ordinance to other lands, buildings or structures in the same zoning district.

(8) That no non-conforming use of adjacent lands, buildings, or structures in the same zoning district, and no permitted or non-conforming use of lands, buildings, or structures in other zoning districts shall be considered grounds for the issuance of a variance.

(9) That the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure in harmony with the intent of this Ordinance.

(10) That such variance would result in minimal detriment to the neighborhood and would not cause substantial adverse effect upon property values or environmental conditions in the immediate vicinity or in the district in which the property is located.

41.300 Application for Variance. An application for a variance shall be made to the Director on a form prescribed by the Director, together with a letter of intent or plans as necessary to explain the requested variance and the reasons or grounds therefore and the appropriate fee. The Commission shall then hold a public hearing and make a determination with conditions and safeguards as are deemed appropriate. Issuance of notices and other procedural matters under this section shall be as prescribed in Article VI in respect to applications for conditional use permits.

ARTICLE VI

CONDITIONAL USES

SECTION 42. CONDITIONAL USES

42.100 Purpose. All uses permitted conditionally possess unique and special characteristics making impractical their inclusion as out-right permitted uses in particular zoning districts. The process for review herein shall be to determine that the characteristics of any such use shall not be incompatible with the type of uses permitted in surrounding areas and for the purpose of establishing such conditions as may be reasonable so that the basic purposes of the zoning district in which they are located shall be met. Location and operation of designated conditional uses shall be subject to review and authorized only by issuance of a conditional use permit.

42.200 General Requirement for Conditional Use Permit. (1) Conditional uses permitted shall be as provided in "Schedule A" for any particular zoning district.

(2) A conditional use shall comply with the standards of the zoning district in which it is located except as these standards have been modified in authorizing the conditional use.

(3) A conditional use listed in this Ordinance may be permitted, enlarged, or altered upon authorization of the Commission in accordance with the standards and procedures set forth hereunder.

(4) In permitting a new conditional use or the alteration of an existing conditional use, the Commission may impose, in addition to those standards and requirements expressly specified by this Ordinance, additional conditions which the Commission considers necessary to protect the established values of the surrounding area and serve the intent of the zoning district in which the proposed use is or is to be located. These conditions may include, but are not limited to, the following:

- (a) increasing the required lot or site area or yard dimensions;
 - (b) limiting the height, size, or location of buildings and structures;
 - (c) controlling the location and number of vehicle access points;
 - (d) increasing the street width;
 - (e) increasing the number of required off-street parking or loading spaces;
 - (f) limiting the number, size, location or lighting of signs;
 - (g) requiring fencing, screening, or landscaping to protect adjacent or nearby property;
 - (h) prescribing exterior finish for buildings or additions thereto;
 - (i) designating sites and prescribing improvements for open space;
- and
- (j) prescribing a time limit within which to fulfill any established conditions.

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(5) In the case of a use existing prior to the date of adoption of this Ordinance and classified in this Ordinance as a conditional use, a change in the use or in lot or site area or an alteration of structure shall conform to the requirements for a conditional use.

42.300 Performance Bond. The Commission may require an applicant for a conditional use to enter into a performance agreement with the County and furnish the County with an appropriate financial guarantee to ensure that the conditional use is completed according to the plans approved by the Commission, and that standards established in granting the conditional use are observed. For this guarantee the applicant shall file, with the agreement to ensure his full and faithful performance thereof, one of the following:

(1) A surety bond executed by a surety company authorized to transact business in the State of Oregon and on a form and with covenants and stipulations approved by the Commission;

(2) Cash or certified check; or

(3) An escrow agreement between the applicant and a bank or trust company authorized to transact business in the State of Oregon, and on a form and with covenants and stipulations approved by the Board.

42.400 Application for Conditional Use Permit. (1) An application for a conditional use shall be made to the Director on a form prescribed by the Director, together with a letter of intent of plans as necessary to explain the proposed use and development of the property. The Commission shall then hold a public hearing and make a determination with conditions and safeguards as are deemed appropriate.

(2) Notice of public hearing under Section 42.400(1) shall be as prescribed by ORS 215.223.

(3) Within five (5) days after a decision has been rendered with reference to a conditional use application, the Director shall provide the applicant with written notice of the decision of the Commission. A conditional use permit shall not be issued within 15 days of the date of such decision in order to allow for any appeal therefrom under Section 45 of this Ordinance.

(4) Where the granting of a conditional use is contingent upon an amendment to this Ordinance and an application for such amendment has been recommended for approval by the Commission, the Commission may authorize the granting of a conditional use contingent upon the necessary final action of the Board in respect to the required Ordinance amendment and further action by the Commission shall not be necessary.

(5) Notwithstanding any action by the Commission under Section 42.400 the Board may, on its own motion, review such action or hear anew any application for a conditional use or any application for an amendment to this Ordinance and conditional use concurrently, and decide the matter with or without conditions, subject to the provisions of this section and ORS 215.110(3).

(6) Changes or alterations of conditions shall be processed as a new application.

42.500 Enforcement and Revocation. (1) Compliance with conditions imposed in the conditional use permit and adherence to the plot plan submitted as approved is required. Any departure from these conditions of approval and approved plans constitutes a violation of this Ordinance. The Commission may revoke any conditional use permit for failure to comply with any prescribed condition of the conditional use approval for any violation of this Ordinance.

(2) A conditional use permit shall automatically become null and void one year or such lesser time as the Commission or Board may establish, after the date on which it was granted unless a substantial construction has taken place, however the Commission may, on the request of an applicant, extend authorization for an additional period not to exceed one (1) year.

(3) The procedure for the revocation of a conditional use permit shall be as follows:

(a) upon review by the Director a violation of the conditions of the conditional use permit of this Ordinance is found. The Director shall inform the applicant by registered letter of the violation and require compliance within a reasonable time.

(b) if the violation is not corrected, the Director shall inform the Commission of the violation together with sufficient data to inform the Commission of the character of the violation. The Director may then set a hearing date on the violation.

(c) at least 10 days prior to the public hearing, the applicant shall be notified by registered letter of the public hearing. In addition, all who are notified of the original application and those who testified shall be notified by regular mail.

(d) the Commission shall conduct the public hearing pursuant to the requirement of Section 48.

42.600 Periodic Review. (1) Every conditional use permit shall be reviewed by the Commission ten years after the date of issuance without charge and heard in the same manner that other applications are heard to determine whether additional conditions are necessary to make the use more compatible to the Comprehensive Plan and to lessen its impact on surrounding uses.

(2) Every conditional use permit issued after the effective date of this Ordinance shall contain a provision relating to review of the conditions for approval of no less than every five years after the initial approval thereof to determine whether additional conditions are necessary to make the use more compatible to the Comprehensive Plan and to lessen impact of the use on surrounding persons and properties.

42.700 Minor Adjustments. Minor adjustments of a conditional use permit application may be submitted to and subject to approval of the Director prior to the issuance of the building permit. Minor adjustments are those changes which may affect the precise dimensions of buildings and structures and the siting of buildings and structures or similar portions of the design plan which do not affect the basic character or arrangements of buildings, the density of development, open space requirement or the intent or purpose of the original conditional use approval.

ARTICLE VII

AMENDMENTS

SECTION 43. AMENDMENTS

43.100 Purpose. As the Comprehensive Plan for Yamhill County is implemented, changes in district and other requirements of this Ordinance will be required. Such amendments shall be made in accordance with the procedures in this Section.

43.200 Application for Amendment. An amendment to the text of this Ordinance or to the OFFICIAL ZONING MAP may be initiated by the Board or the Commission or by application of an owner of land. An application by an owner of land for an amendment shall be made to the Director on a form prescribed by the Director, together with a letter of intent or plans as necessary to explain the proposed change and the intended use or development of the property.

43.300 Burden of Proof. In proposing an amendment to this Ordinance, the burden of proof is placed upon the applicant. Unless otherwise provided for in this Article, such burden shall be to prove: (1) Granting the request is in the public interest and will serve a public need. The greater departure from present land use patterns, the greater the burden on the applicant.

(2) The public need is best served by granting the petition for the proposed action, and that interest is best served by granting the application at this time.

(3) The public need is best served by changing the classification of the subject site as compared with other available property.

(4) The proposed action is in accord with the intent of the Comprehensive Plan.

(5) The factors listed in ORS 215.055 were consciously considered. These factors include:

- (a) the various characteristics of the various areas in the County;
- (b) the suitability of the areas for particular land uses and improvements;
- (c) the land uses and improvements in the areas;
- (d) trends in land improvement;
- (e) density of development;
- (f) property values;
- (g) the needs of economic enterprises in the future development of the areas;
- (h) needed access to particular sites in the areas;
- (i) natural resources of the County and prospective needs for development thereof; and
- (j) and the public need for healthful, safe, aesthetic surroundings and conditions.

(6) Proof of change in a neighborhood or community or mistake in the planning or zoning for the property under consideration are additional relevant factors.

43.400 Public Hearing or Amendment. The Commission shall within a reasonable time conduct a public hearing on the proposed amendment. The Commission shall satisfy the advance public notice requirement of ORS 215.223(1) for each such hearing. On receipt of an application for an amendment, the Commission shall, within 60 days or such longer period of time as is agreed to by both the Director and the applicant, recommend to the Board approval, disapproval, or modified approval of the proposed amendment.

43.500 Findings on Amendment. In all cases, the hearing body shall enter findings on any application to justify its decision.

43.600 Record of Amendment. The Yamhill County Clerk shall maintain records of amendments to the text of this Ordinance and the OFFICIAL ZONING MAP.

43.700 Reapplication for Amendment. No application by an owner of land for an amendment to the text of this Ordinance or to the OFFICIAL ZONING MAP shall be considered by the Commission within a one (1)-year period immediately following a previous denial of such request, except that the Commission may permit a new application if, in the opinion of the Commission, new evidence or a change of circumstances warrant, provided that no application shall be allowed because of change of circumstance for at least six (6) months immediately following a previous denial.

ARTICEE VIII

ADMINISTRATIVE PROVISIONS

SECTION 44. ADMINISTRATION

44.100 Interpretation and Enforcement. The Director shall have the power and duty to interpret and enforce the provisions of this Ordinance.

44.200 Conformance to Ordinance Requirements. All officials, departments and employees vested with authority to issue permits, certificates, or licenses shall adhere to and require conformance with the provisions of this Ordinance.

SECTION 45. APPEALS

45.100 From Decisions of Planning Director. Where it is alleged that there is error in any order, requirement, decision or determination made by the Director under Section 44.100, an appeal therefrom may be made only to the Commission on a form prescribed by the Director. (1) In hearing and deciding such an appeal, the Commission may modify, reverse or affirm all or part of the order, requirement, decision, or determination appealed from so long as such action is in conformity with this Ordinance.

(a) for all cases the Commission shall make findings based on the testimony or other evidence received by it as justification for its action,

(b) the decision of the Commission shall be final unless appealed to the Board.

(2) The Board, on its own motion, may order review of any decision of the Director within thirty (30) days of the decision.

45.200 From Decisions of the Commission. Where it is alleged that there is error in any order, requirement, decision or determination made by the Commission, an appeal therefrom may be made by an affected party only to the Board on a form prescribed by the Director. Such appeal shall be made within fifteen (15) days of the decision on a proposed action. Such written appeal shall be filed with the Director and shall be accompanied by the appropriate filing fee. The Board, on its own motion, may order review of any decision of the Commission within thirty (30) days of the decision.

45.210 Review by the Board shall be accomplished in accordance with its own adopted Rules of Procedure and the requirements of this Ordinance. The Board may continue its hearing from time to time to gather additional evidence or to consider the application fully. Unless otherwise provided by the Board, no additional notice need be given of continued hearings if the matter is continued to a time certain.

45.220 Notice of hearing and a record of the proceeding shall be the same as required for initial hearings on proposed actions.

45.230 Unless otherwise provided by the Board, the review of the decision of the Commission shall be confined to the record of the proceeding, which shall include: (1) All materials, pleadings, memoranda, stipulations and motions submitted by any party to the proceeding and received or considered by the Commission as evidence.

(2) All materials submitted by the Director with respect to the application.

(3) The transcript of the public hearing of the Commission.

(4) The findings and action of the Commission and the notice of review.

(5) Argument by the parties or their legal representatives at the time of review before the Board.

45.240 The Board may, at its option whether upon motion of a party or not, elect to hear the application de novo and allow testimony and other evidence in addition to that received upon initial action. In such cases, unless otherwise provided by its Rules of Procedure, the matter will be heard in a manner similar to the hearing before the Commission.

45.250 The Board may admit additional testimony and other evidence without holding a de novo hearing if it is satisfied that the testimony or other evidence could not have been presented upon initial hearing and action. In deciding such admission, the Board shall consider: (1) Prejudice to parties.

(2) Convenience of locating the evidence at the time of initial hearing.

(3) Surprise to opposing parties.

(4) When notice was given to other parties as to the attempt to admit.

(5) The competency, relevancy and materiality of the proposed testimony or other evidence.

45.260 In hearing and deciding an appeal, the Board may modify, reverse or affirm all or part of the order, requirement, decision, or determination of the Commission or may remand the matter back to the Commission for additional information. For all cases the Board shall make findings based on the record before it and any testimony or other evidence received by it as justification for its action.

SECTION 46. FORMS

46.100 Petitions, applications and appeals provided for in this Ordinance shall be made on forms prescribed by the Director. Applications shall be accompanied by plans and specifications, drawn to scale, showing the area and dimensions of the lot or site to be used or developed; the sizes and locations on the lot of existing and proposed structures; the intended use of each structure; the number of dwelling units, if any, to be accommodated thereon; the relationship of the lot or site to adjacent and surrounding lands; and such other information as is needed to determine compliance with this Ordinance.

SECTION 47. FILING FEES

47.100 For the purpose of partially defraying expenses involved in processing applications, the following fees shall be paid to the Director in favor of Yamhill County upon the filing of an application. All fees shall be non-refundable except when an application is withdrawn or deferred prior to the preparation, publication and issuance of any public hearing notice. Refunds shall be made at the authorization of the Board. When more than one application is filed and scheduled to be heard for the same property, only the highest fee shall be required. The Commission, or the Board, upon recommendation from the Director or upon its own motion may waive, for just cause, any filing fee established by this section or any other section of this Ordinance.

Amendment proposed by an <u>owner</u> of land	\$100.00
Special exception or conditional use	50.00
Variance	25.00
Appeal	50.00

SECTION 48. PUBLIC HEARINGS

48.100 Public Notice. Notice of any public hearing authorized or required by this Ordinance shall be served in accordance with the provisions of ORS 215.223. For any hearing on a matter other than an amendment initiated by the Board or the Commission or by application of an owner of land or an appeal from a Commission recommendation thereon, notice provided for under ORS 215.223(3) may be varied at the discretion of the Director, based on the potential impact of the request if granted.

48.200 Continuation of Hearing. The hearing may be continued from time to time as necessary to gather additional information on the application and no additional notice need be given unless so ordered by the hearings body if the hearing be adjourned to a time and date certain.

48.300 Rules Governing Public Hearing. Any public hearing authorized or required by this Ordinance shall be governed by the Rules of Procedure for the Conduct of Hearings Relating to Land-Use Matters approved by the Commission on the 12th day of March, 1974, and adopted by the Board on the 13th day of March, 1974.

48.400 Hearings Officer. Subject to the provisions of ORS 215.406, the Board may appoint or designate one or more qualified persons as hearings officers, who shall have the power to conduct any public hearing authorized or required by this Ordinance.

48.500 Ex parte Contact. Members of the hearings body or hearings officer shall not:

- (1) Communicate, directly or indirectly, with any party or his representative in connection with any issue involved except upon notice and opportunity for all parties to participate; nor
- (2) Take notice of any communication, reports, staff memoranda, or other materials prepared in connection with the particular case unless all parties are afforded an opportunity to contest the material so noticed; nor
- (3) Inspect the site with any party or his representative unless all parties are given an opportunity to be present.

ARTICLE IX

GENERAL PROVISIONS

SECTION 49. INTERPRETATION

49.100 Interpretation and Application of Ordinance Provisions. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, or general welfare. Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the more restrictive or that imposing the higher standards shall govern.

SECTION 50. SEVERABILITY

50.100 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 51. ENFORCEMENT

51.100 Enforcement and Penalties. Every person shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by such person, and shall be punishable therefore as provided in this Ordinance. Any person violating any provisions of this Ordinance outside of any incorporated city shall be punished as provided in ORS 215.990 which provides as follows:
(1) A fine of not more than \$100 for each day of violation where the offense is a continuing offense but such fine may not exceed \$1,000.

(2) A fine of not more than \$500 where the offense is not a continuing offense.

SECTION 52. REPEAL

52.100 The Yamhill County Zoning Ordinance, 1968, Ordinance No. 29, enacted on the 29th day of August, 1968, as amended by Ordinance Nos. 36, 42 and 59 enacted on the 19th day of November, 1969; the 2nd day of May, 1972; and the 19th day of June, 1974, respectively, is hereby repealed. Any reference to Ordinance No. 29 shall refer to the appropriate provisions of this Ordinance.

52.200 The above repeal shall not affect or prevent application of remedies or punishment of a person for an act done or committed prior to the date of adoption of this Ordinance and in violation of an ordinance hereby repealed.

SECTION 53. EFFECTIVE DATE OF ORDINANCE

53.100 This Ordinance shall be in force and effect from and after the 11th of February, 1976.

Dated this 11th day of February, 1976.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

Wanda Catt
County Clerk /s/ Wanda Catt

Colin Armstrong
Chairman /s/ Colin Armstrong

Patricia A Mullen
Deputy /s/ Patricia A Mullen

Ted Lopuszynski
Commissioner /s/ Ted Lopuszynski

Morris Majors
Commissioner /s/ Morris Majors

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F-40 ZONING DISTRICT

PERMITTED USES

- (1) Forestry
- (2) Extraction, processing, and stockpiling of construction aggregates for use in District only.
- (3) Single-family dwelling or mobile home for caretaker, watchman, or forest management and protection personnel on temporary or seasonal basis only.
- (4) Signs, subject to Section 10.300.

CONDITIONAL USES

- (1) Municipal water supply, treatment, storage or transmission facility.
- (2) Utility facility in conjunction with a permitted use.
- (3) Extraction, processing and stockpiling of construction aggregates for use outside District, subject to Section 35.700.
- (4) Single-family dwelling.
- (5) Park or open space, publicly owned, operated and maintained.
- (6) Temporary structures, subject to Section 39.
- (7) Uses permitted under Section 11.350.

PROHIBITED USES

All other uses, except uses related to permitted uses as determined by Commission, subject to Article IV to VIII inclusive.
PUD

MINIMUM LOT OR SITE REQUIREMENTS (AREA, WIDTH, DEPTH)

- (1) 40 acres for single-family dwelling.
- (2) 40 acres for any newly created lot.
- (3) No minimum requirement for any permitted use on an existing lot.
- (4) To be established by hearings body for all other uses.
- (5) Maximum depth-to-width ratio, 4:1

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 Ft. Front 15 ft. side and rear yards for all uses, exclusive. 30 ft. all yards for single-family dwelling or mobile home, 5 ft. side and rear yards for utility facility and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

Not applicable

MAXIMUM HEIGHT OF STRUCTURE

45 ft. subject to Section 35.400

F-40 ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

Not applicable

LIMITATIONS ON SIGNS

As established under Section 10.300

EF-40 ZONING DISTRICT

PERMITTED USES

- (1) Agriculture
- (2) Propagation and harvesting of a forest product.
- (3) Single-family dwelling or mobile home for farm owners or operators in conjunction with farm use.
- (4) Farm Laborers cabin, subject to Section 11.320.
- (5) Livestock feeding yard, subject to Section 11.400.
- (6) Signs subject to Section 11.410.
- (7) Public warehouses as exempted from ORS 586.210 to 586.561.

CONDITIONAL USES

- (1) Municipal water supply, treatment, storage or transmission facility.
- (2) Community water supply system.
- (3) Any use established under Section 11.350, 11.360, and 11.370.
- (4) Guest house, subject to Section 11.330.
- (5) Mobile home for relative of farm owner, subject to Section 11.340 and Section 36.100.
- (6) Temporary structures, subject to Section 39.
- (7) Home occupation, subject to Section 35.640.
- (8) Operation for the exploration of geothermal resource as defined by ORS 522.005.
- (9) Commercial activities that are in conjunction with farm use.
- (10) The boarding of horses for profit.
- (11) Personal use airports for airplanes and helicopter pads, including associated hangers, maintenance and service facilities as defined by ORS 215.213(2)(g).
- (12) Single-family dwelling not in conjunction with farm use subject to ORS 215.213(3).
- (13) Utility facility in conjunction with a permitted use.
- (14) Separation from a larger parcel of a lot that is divided by a road or other feature subject to Section 11.420.
- (15) Mineral resource sites subject to Section 35.800.

PROHIBITED USES

All other uses
PUD

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

- (1) 40 acres for any newly created lot except as provided for as a conditional use in Section 11.350, 11.370 and 11.420.
- (2) No minimum lot size requirements for agriculture or propagation and harvesting of a forest product on an existing lot of record.
- (3) 20 acres for single-family dwelling or mobile home for farm owners, farm operators, or farm laborers cabin in conjunction with farm use on an existing lot of record.
- (4) To be established by Hearings body for all other uses.
- (5) Maximum depth-to-width ratio 4:1.

EF-40 ZONING DISTRICT

MAXIMUM RESIDENTIAL DENSITY

Not applicable, except under Section 11.370

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for F-40 District except 30 feet all yards for farm laborers cabin, 50 feet all yards for livestock feeding yard.

MAXIMUM LOT OR SITE COVERAGE

Not applicable, except 15% under Section 11.360

MAXIMUM HEIGHT OF STRUCTURE

45 Ft. except 35 ft. for single-family dwellings generally and 25 ft. for single-family dwellings authorized under Section 11.370, subject to Section 35.400

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510

LIMITATIONS ON SIGNS

As established under Section 11.410

AF-20 ZONING DISTRICT

PERMITTED USES

- (1) Agriculture
- (2) Propagation and harvesting of a forest product.
- (3) Single-family dwelling or mobile home for farm owners or operators in conjunction with farm use.
- (4) Farm laborers cabin, subject to Section 11.320.
- (5) Livestock feeding yard, subject to Section 11.400.
- (6) Signs subject to Section 11.410.
- (7) Public warehouses as exempted from ORS 586.210 to 586.561.

CONDITIONAL USES

- (1) Municipal water supply, treatment, storage or transmission facility.
 - (2) Community water supply system.
 - (3) Any use established under Section 11.350, 11.360, and 11.370.
 - (4) Guest house, subject to Section 11.330.
 - (5) Mobile home for relative of farm owner, subject to Section 11.340 and Section 36.100.
 - (6) Temporary structures, subject to Section 39.
 - (7) Home occupation, subject to Section 35.640.
 - (8) Operation for the exploration of geothermal resource as defined by ORS 522.005.
 - (9) Commercial activities that are in conjunction with farm use.
 - (10) The boarding of horses for profit.
 - (11) Personal use ariports for airplanes and helicopter pads, including associated hangers, maintenance and service facilities as defined by ORS 215.213(2)(g).
 - (12) Single-family dwelling not in conjunction with farm use subject to ORS 215.213(3).
 - (13) Utility facility in conjunction with a permitted use.
 - (14) Separation from a larger parcel of a lot that is divided by a road or other feature subject to Section 11.420.
 - (15) Mineral resource sites subject to Section 35.800.
- Any of these uses subject to provisions specified therein and in Section 12.300 and any conditional use in the EF-40 District.

PROHIBITED USES

All other uses except uses related to permitted uses as determined by Commission, subject to Article IV to VIII inclusive.
PUD

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

- (1) 20 acres for any newly created lot except as provided for as a conditional use subject to Section 12.310.
- (2) No minimal lot size requirements for agriculture or forestry on an existing lot of record.
- (3) 20 acres for any single-family dwelling or mobile home for farm owners, farm operators, or farm laborers cabin in conjunction with farm use.

AF-20 ZONING DISTRICT

- (4) To be established by hearings body for all other uses.
- (5) Maximum depth-to-width ration 4:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable.

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for F-40 District except 30 feet all yards for farm laborers cabin, 50 feet all yards for livestock feeding yard.

MAXIMUM LOT OR SITE COVERAGE

Not applicable, except 15% for any lot or site of less than one (1) acre.

MAXIMUM HEIGHT OF STRUCTURE

45 Ft. except 35 ft. for single-family dwelling subject to Section 35.400.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 12.320.

AF-10 ZONING DISTRICT

PERMITTED USES

- (1) Agriculture
- (2) Forestry
- (3) Park or open space, publicly or privately owned, operated or maintained, including hunting, fishing, wildlife preserves.
- (4) Signs subject to Section 13.320.
- (5) Travel trailer park in conjunction with a park or hunting and fishing preserve, site area not to exceed two (2) acres, subject to Section 36.300.

CONDITIONAL USES

- (1) Any conditional use in the F-40, EF-40 and AF-20 districts except uses under Section 11.350, 11.370 and 11.420, subject to provisions specified therein and in Section 13.300.
- (2) Livestock feeding or sales yard.
- (3) Kennel.
- (4) Automobile wrecking yard.
- (5) Veterinary Hospital.
- (6) Kindergarten, nursery or day care facility in conjunction with a principal single-family dwelling.
- (7) Mineral resource sites subject to Section 35.800.

PROHIBITED USES

All other uses except uses related to permitted uses as determined by Commission, subject to Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA, WIDTH, DEPTH)

- (1) 10 acres for any newly created lot.
- (2) No minimum lot size requirements for agriculture or forestry on an existing lot of record.
- (3) 10 acres for any other permitted use.
- (4) To be determined by the hearing body on any other conditional use.
- (5) Maximum depth-to-width ratio, 4:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for AF-20 District except 50 feet all yards for kennel, livestock feeding or sales yard, automobile wrecking yard, veterinary hospital and travel trailer park.

AF-10 ZONING DISTRICT

MAXIMUM LOT OR SITE COVERAGE

45 ft. except 35 ft. for single-family dwellings subject to Section 35.400.

MAXIMUM HEIGHT OF STRUCTURE

As established for AF-20 District.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established for AF-20 District.

LIMITATIONS ON SIGNS

As established for AF-20 District.

VLDR-5 ZONING DISTRICT

PERMITTED USES

- (1) Agriculture, subject to Section 14.360.
- (2) Propagation and harvesting of Christmas trees
- (3) Single-family dwelling, subject to Section 35.200.
- (4) Mobile home for near relative, subject to Section 11.340 and Section 36.100.
- (5) Mobile home, subject to Section 35.200 and Section 36.600.
- (6) Two-family or multi-family dwelling, subject to planned-unit development, minimum site area to be 50 acres in VLDR-5, 25 acres in VLDR-2 1/2, 10 acres in VLDR-1.
- (7) Community water-supply system.
- (8) Community Sanitary-sewer system.
- (9) Signs subject to Section 14.380.
- (10) Temporary structures subject to Section 39 and Section 14.370.

CONDITIONAL USES

- (1) Guest house, subject to Section 143.30.
- (2) Home occupation, subject to Section 35.600.
- (3) kennel.
- (4) Kindergarten, nursery, or day-care facility in conjunction with a principal single-family dwelling.

PROHIBITED USES

Livestock feeding or sales yard.
All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA, WIDTH, DEPTH)

2 1/2 acres for any permitted or conditional use.
50 acres for two-family or multi-family PUD
Minimum width, 165 feet.
Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

One dwelling unit per 5 acres of net land area.

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. front, 15 ft. side and rear yards for all uses except 30 ft. rear yard for all dwellings or mobile homes, unless varied or waived under PUD, subject to Section 32, 50 ft. all yards for kennel, and 5 ft. all yards for signs.

VLDR-5 ZONING DISTRICT

MAXIMUM LOT OR SITE COVERAGE

Not applicable, except 10% for any lot or site more than one (1) acre but less than ten (10) acres, and 15% for any lot or site of less than one (1) acre.

MAXIMUM HEIGHT OF STRUCTURE

~~45 Ft. except 25 ft. for all single-family dwellings and 25 ft. for accessory buildings on any lot or site of less than ten (10) acres, subject to Section 35.400.~~

MINIMUM OFF-STREET PARKING AND LOADING REQUIRMENTS

As established under Section 35.510

LIMITATIONS ON SIGNS

As established under Section 14.380.

VLDR-2 1/2 ZONING DISTRICT

PERMITTED USES

- (1) Agriculture, subject to Section 14.360.
- (2) Propagation and harvesting of Christmas trees.
- (3) Single-family dwelling, subject to Section 35.200.
- (4) Mobile home for near relative, subject to Section 11.340 and Section 36.100.
- (5) Mobile home, subject to Section 35.200 and Section 36.600.
- (6) Two-family or multi-family dwelling, subject to planned-unit development, minimum site area to be 50 acres in VLDR-5, 25 acres in VLDR-2 1/2, 10 acres in VLDR-1.
- (7) Community water-supply system.
- (8) Community Sanitary-sewer system.
- (9) Signs subject to Section 14.380.
- (10) Temporary structures subject to Section 39 and Section 14.370.

CONDITIONAL USES

- (1) Guest house, subject to Section 14.330.
- (2) Home occupation, subject to Section 35.640.
- (3) Kindergarten, nursery, or day-care facility in conjunction with a principal single-family dwelling.

PROHIBITED USES

Livestock feeding or sales yard.
All other uses

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

1 acre for any permitted or conditional use.
25 acres for two-family or multi-family PUD.
Minimum width, 100 feet.
Maximum depth-to-width ratio 3:1.

MAXIMUM RESIDENTIAL DENSITY

One dwelling unit per 2 1/2 acres of net land area.

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for VLDR-5 District.

MAXIMUM LOT OR SITE COVERAGE

As established for VLDR-5 District.

VLDR-2 1/2 ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

As established for VLDR-5 District

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established for VLDR-5 District.

LIMITATIONS ON SIGNS

As established for VLDR-5 District.

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VLDR-1 ZONING DISTRICT

PERMITTED USES

- (1) Agriculture, subject to Section 14.360.
- (2) Propagation and harvesting of Christmas trees.
- (3) Single-family dwelling, subject to Section 35.200.
- (4) Mobile home for near relative, subject to Section 11.340 and Section 36.100.
- (5) Mobile home, subject to Section 35.200 and Section 36.600.
- (6) Two-family or multi-family dwelling, subject to planned-unit development, minimum site area to be 50 acres in VLDR-5, 25 acres in VLDR-2 1/2, 10 acres in VLDR-1.
- (7) Community water-supply system.
- (8) Community Sanitary-sewer system.
- (9) Signs subject to Section 14.380.
- (10) Temporary structures subject to Section 39 and Section 14.370.

CONDITIONAL USES

- (1) Guest house, subject to Section 14.330.
- (2) Home occupation, subject to Section 35.640.
- (3) Kindergarten, nursery, or day-care facility in conjunction with a principal single-family dwelling.

PROHIBITED USES

Livestock feeding or sales yard.
All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA, WIDTH, DEPTH)

20,000 sq. ft. for any permitted or conditional uses.
10 acres for two-family or multi-family or PUD.
Minimum width, 80 feet.
Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

One dwelling unit per acre of net land area, subject to Section 16.300(2).

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for VLDR-5 District.

MAXIMUM LOT OR SITE COVERAGE

As established for VLDR-5 District.

VLDR-1 ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

As established in VLDR-5 District.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established for VLDR-5 District.

LIMITATIONS ON SIGNS

As established for VLDR-5 District.

LDR-12,000 ZONING DISTRICT

PERMITTED USES

- (1) Single-family dwelling, subject to Section 35.200.
- (2) Two-family or multi-family dwelling, subject to planned-unit development, minimum site area to be 10 acres, with 20 dwelling units in first stage of development.
- (3) Community or municipal water-supply system.
- (4) Community or municipal sanitary-sewer system.
- (5) Signs, subject to Section 17.360.
- (6) Temporary structures, subject to Section 39 and Section 14.370.

CONDITIONAL USES

- (1) Two-family dwelling subject to Section 35.200.
- (2) Home occupation, subject to Section 35.640.
- (3) Kindergarten, nursery, or day-care facility, in conjunction with a single-family dwelling.

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA, WIDTH, DEPTH)

9,000 sq. ft. for single-family dwelling.
15,000 sq. ft. for two-family dwelling.
10 acres for two-family or multi-family PUD.
Minimum width, 60 feet.
Maximum depth-to-width ration, 2 1/2:1.

MAXIMUM RESIDENTIAL DENSITY

3.6 dwelling units per acre of net land area.

MINIMUM YARD OR SETBACK REQUIREMENTS

25 ft. front, 10 ft. side and 25 ft. rear yards for all uses, unless varied or waived under PUD, subject to Section 33, and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

As established for VLDR-5, except 20% for any lot or site of less than 20,000 sq. ft.

LDR-12,000 ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

25 ft. for all single-family or two-family dwellings and 35 ft. for multi-family dwelling, unless varied or waived under PUD subject to Section 33, and 15 ft. for accessory buildings, subject to Section 35.400.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 17.360.

LDR-9,000 ZONING DISTRICT

PERMITTED USES

- (1) Single-family dwelling, subject to Section 35.200.
- (2) Two-family or multi-family dwelling, subject to planned-unit development, minimum site area to be 10 acres, with 20 dwelling units in first stage of development.
- (3) Community or municipal water-supply system.
- (4) Community or municipal sanitary-sewer system.
- (5) Signs, subject to Section 17.360.
- (6) Temporary structures, subject to Section 39 and Section 14.370.

CONDITIONAL USES

- (1) Two-family dwelling subject to Section 35.200.
- (2) Home occupation, subject to Section 35.640.
- (3) Kindergarten, nursery, or day-care facility, in conjunction with a single-family dwelling.

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

6,750 sq. ft. for single-family dwelling.
12,000 sq. ft. for two-family dwelling.
10 acres for two-family or multi-family PUD.
Minimum width, 50 feet.
Maximum depth-to-width ration, 2 1/2:1.

MAXIMUM RESIDENTIAL DENSITY

4.8 dwelling units per acre of net land area.

MINIMUM YARD OR SETBACK REQUIREMENTS

25 ft. front, 10 ft. side and 25 ft. rear yards for all uses, unless varied or waived under PUD, subject to Section 33, and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

As established for VLDR-5, except 20% for any lot or site of less than 20,000 sq. ft.

LDR-9,000 ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

25 ft. for all single-family or two-family dwellings and 35 ft. for multi-family dwelling, unless varied or waived under PUD subject to Section 33, and 15 ft. for accessory buildings, subject to Section 35.400.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 17.360.

LDR-6,750 ZONING DISTRICT

PERMITTED USES

- (1) Single-family dwelling, subject to Section 35.200.
- (2) Two-family or multi-family dwelling, subject to planned-unit development, minimum site area to be 10 acres, with 20 dwelling units in first stage of development.
- (3) Community or municipal water-supply system.
- (4) Community or municipal sanitary-sewer system.
- (5) Signs, subject to Section 17.360.
- (6) Temporary structures, subject to Section 39 and Section 14.370.

CONDITIONAL USES

- (1) Two-family dwelling subject to Section 35.200.
- (2) Home occupation, subject to Section 35.640.
- (3) Kindergarten, nursery, or day-care facility, in conjunction with a single-family dwelling.

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

5,000 sq. ft. for single-family dwelling.
9,000 sq. ft. for two-family dwelling.
10 acres for two-family or multi-family PUD.
Minimum width, 40 feet.
Maximum depth-to-width ration, 2 1/2:1.

MAXIMUM RESIDENTIAL DENSITY

6.5 dwelling units per acre of net land area.

MINIMUM YARD OR SETBACK REQUIREMENTS

25 ft. front, 10 ft. side and 25 ft. rear yards for all uses, unless varied or waived under PUD, subject to Section 33, and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

As established for VLDR-5, except 20% for any lot or site of less than 20,000 sq. ft.

LDR-6,750 ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

25 ft. for all single-family or two-family dwellings and 35 ft. for multi-family dwelling, unless varied or waived under PUD subject to Section 33, and 15 ft. for accessory buildings, subject to Section 35.400.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 17.360.

MDR-5,000 ZONING DISTRICT

PERMITTED USES

- (1) Single-family, two-family or multi-family dwelling, subject to Section 35.200.
- (2) Mobile-home park, subject to Section 36.200.
- (3) Residential planned-unit development, minimum site area to be 10 acres, with 20 dwelling units in first stage of development.
- (4) Community or municipal water-supply system.
- (5) Community or municipal sanitary-sewer system.
- (6) Signs, subject to Section 17.360.
- (7) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Clinic.
- (2) Home occupation, subject to Section 35.640.

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

3,600 sq. ft. for single-family dwelling.
7,200 sq. ft. for two-family dwelling.
3,600 sq. ft. per dwelling unit for multi-family dwelling.
5 acres for mobile-home park.
10 acres for residential PUD.
Minimum lot area 5,000 sq. ft.
Minimum width, 30 feet.
Maximum depth-to-width ratio, 2 1/2:1.

MAXIMUM RESIDENTIAL DENSITY

8.7 dwelling units per acre of net land area.
10 mobile-home spaces per acre of gross land area.

MINIMUM YARD OR SETBACK REQUIREMENTS

20 ft. front 5 ft. side 20 ft. rear yards for all uses, unless varied or waived under PUD, subject to Section 33., 20 ft. all yards for mobile-home park abutting street, otherwise 10 ft. and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

As established for LDR-12,000 except 35% for any lot or site of less than 12,000 sq. ft.
20% for any residential PUD.

MDR-5,000 ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

As established for LDR-12,000 District except 40 ft for clinic.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510 and Section 36.200.

LIMITATIONS ON SIGNS

As established for LDR-12,000 District.

MDR-3,600 ZONING DISTRICT

PERMITTED USES

- (1) Single-family, two-family or multi-family dwelling, subject to Section 35.200.
- (2) Mobile-home park, subject to Section 36.200.
- (3) Residential planned-unit development, minimum site area to be 10 acres, with 20 dwelling units in first stage of development.
- (4) Community or municipal water-supply system.
- (5) Community or municipal sanitary-sewer system.
- (6) Signs, subject to Section 17.360.
- (7) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Clinic.
- (2) Home occupation, subject to Section 35.640.

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

2,500 sq. ft. for single-family dwelling.
5,000 sq. ft. for two-family dwelling.
2,500 sq. ft. per dwelling unit for multi-family dwelling.
5 acres for mobile-home park.
10 acres for residential PUD.
Minimum lot area 5,000 sq. ft.
Minimum width, 150 feet.
Maximum depth-to-width ratio, 2 1/2:1.

MAXIMUM RESIDENTIAL DENSITY

12.1 dwelling units per acre of net land area.

MINIMUM YARD OR SETBACK REQUIREMENTS

20 ft. front 5 ft. side 20 ft. rear yards for all uses, unless varied or waived under PUD, subject to Section 33., 20 ft. all yards for mobile-home park abutting street, otherwise 10 ft. and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

As established for LDR 12,000 except 35% for any lot or site of less than 12,000 sq. ft.
20% for any residential PUD.

MDR-3,600 ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

As established for LDR 12,000 District except 40 ft for clinic.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510 and Section 36.200.

LIMITATIONS ON SIGNS

As established for LDR 12,000 District.

RC ZONING DISTRICT

PERMITTED USES

- (1) Resort
- (2) Entertainment facility, food store (maximum floor area of 2,000 sq.ft.) gift, souvenir or antique shop, motel, restaurant, and similar uses, in conjunction with a resort.
- (3) Travel trailer park, subject to Section 35(3).
- (4) Single-family dwelling or mobile home, in conjunction with a permitted use.
- (5) Community water-supply system.
- (6) Community sanitary-sewer system.
- (7) Signs, subject to Section 19.350.
- (8) Golf course, excluding miniature golf.
- (9) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Drive-in theater
- (2) Open-land commercial or private recreation use, such as miniature golf, zoo, racing circuit, motorcycle hill climb, skydiving facility and similar uses.
- (3) Home occupation, subject to Section 35.640.
- (4) Keeping of livestock

PROHIBITED USES

All other uses except uses related to permitted uses as determined by Commission, subject to Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

2 acres for any permitted use, plus 9,000 sq.ft. for single-family dwelling or mobile home.

To be established by Commission for any conditional use, but not less than 2 acres.

2 acres for PUD.

Minimum width, 150 feet.

Maximum depth-to-width ratio 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. all yards for all uses except 20 ft. all yards for travel-trailer park abutting street, otherwise 10 ft., and 5 ft. all yards for signs.

RC ZONING DISTRICT

MAXIMUM LOT OR SITE COVERAGE

Not applicable

MAXIMUM HEIGHT OF STRUCTURE

45 ft. except 35 ft. for single-family dwelling, subject to Section 35.400.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510 and Section 36.300.

LIMITATIONS ON SIGNS

As established under Section 19.350.

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LC ZONING DISTRICT

PERMITTED USES

- (1) Automobile service station.
- (2) Automobile repair garage.
- (3) Drive-in restaurant, restaurant, or refreshment stand.
- (4) Food store, maximum floor area of 2,000 sq.ft.
- (5) Single-family dwelling or mobile home in conjunction with a permitted use.
- (6) Community water-supply system.
- (7) Community sanitary-sewer system.
- (8) Signs, subject to Section 19.350.
- (9) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Home occupation, subject to Section 35.640.

PROHIBITED USES

All other uses, except uses related to permitted uses as determined by Commission, subject to Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

20,000 sq.ft. for any permitted use, plus 9,000 sq.ft. for a single-family dwelling or mobile home.

2 acres for PUD.

Minimum width, 80 feet.

Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. front and 10 ft. side and rear yards for all uses except 25 ft. rear yard for single-family dwelling or mobile home and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

30% for any use.

MAXIMUM HEIGHT OF STRUCTURE

As established for RC District

LC ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 510

LIMITATIONS ON SIGNS

As established under Section 19.350.

HC ZONING DISTRICT

PERMITTED USES

- (1) Automobile service station.
- (2) Drive-in restaurant, restaurant, or refreshment stand.
- (3) Food Store, maximum floor area of 2,000 sq.ft.
- (4) Fruit or vegetable stand, commercial.
- (5) Gift, souvenir or antique shop.
- (6) Motel.
- (7) Travel trailer park, subject to Section 36.300.
- (8) Single-family dwelling or mobile home in conjunction with a permitted use.
- (9) Community water-supply system.
- (10) Community sanitary-sewer system.
- (11) Signs, subject to Section 19.350.
- (12) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Home occupation, subject to Section 35.640.

PROHIBITED USES

All other uses, except uses related to permitted uses as determined by Commission, subject to Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

20,000 sq.ft. for any permitted use, except 1 acre for motel or travel-trailer park, plus 9,000 sq.ft. for a single-family dwelling or mobile home.

2 acres for PUD.

Minimum width, 80 feet.

Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for LC District, except 20 ft. all yards for travel-trailer park abutting street otherwise 10 feet.

MAXIMUM LOT OR SITE COVERAGE

30% for any use.

HC ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

As established for RC District except 15 ft. for accessory buildings.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 510 and Section 36.300.

LIMITATIONS ON SIGNS

As established under Section 19.350.

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RI ZONING DISTRICT

PERMITTED USES

- (1) Fruit, nut, or vegetable packing, processing, warehousing (including public warehouse as defined by ORS 586.210 to 586.561), or cold-storage operations.
- (2) Winery.
- (3) Single-family dwelling or mobile home for caretaker or watchman, in conjunction with a permitted use.
- (4) Community water-supply system.
- (5) Community sanitary-sewer system.
- (6) Signs, subject to Section 22.310.
- (7) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Home occupation subject to Section 35.640.
- (2) Livestock, packing, processing and warehousing.

PROHIBITED USES

All other uses except uses related to permitted uses as determined by Commission, subject to Article IV to VIII, inclusive.
Rendering plants.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

20,000 sq. ft. for any permitted use; plus 9,000 sq. ft. for a single-family dwelling or mobile home.
2 acres for PUD.
Minimum width 80 feet.
Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 feet all yards for all uses except 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

As established for LC District.

MAXIMUM HEIGHT OF STRUCTURE

As established for RC District

RI ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510

LIMITATIONS ON SIGNS

As established under Section 22.310

LIP ZONING DISTRICT

PERMITTED USES

- (1) Manufacture of machine tools, dental equipment, electronic instruments, mobile homes, food products not generating any noxious odors, and similar uses.
- (2) Wholesale storage and distribution, motor freight terminals, and related uses contained within a building only.
- (3) Veterinary hospital.
- (4) Community or municipal water-supply system.
- (5) Community or municipal sanitary-service system.
- (6) Signs, subject to Section 23.330.
- (7) Temporary structures, subject to Section 39.
- (8) Automobile wrecking yard.

CONDITIONAL USES

None

PROHIBITED USES

All other uses except uses related to permitted uses as determined by Commission, subject to PUD District provisions and Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

20,000 sq. ft. for any permitted use within approved PUD, otherwise 5 acres.

Minimum width, 240 feet.

Maximum depth-to-depth ration, 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. all yards for all uses, unless varied or waived under PUD, subject to Section 33.

MAXIMUM LOT OR SITE COVERAGE

30 %, unless waived or varied under PUD, subject to Section 33.

MAXIMUM HEIGHT OF STRUCTURE

35 feet for all uses unless waived or varied under PUD, subject to Section 33 and Section 35.400.

LIP ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 23.330.

LI ZONING DISTRICT

PERMITTED USES

- (1) Any permitted use in RI or LIP Districts.
- (2) Manufacture of machine tools, dental equipment, electronic instruments, mobile homes, food products not generating any noxious odors, and similar uses.
- (3) Wholesale storage and distribution, motor freight terminals, and related uses contained within a building only.
- (4) Veterinary hospital.
- (5) Community or municipal water-supply system.
- (6) Community or municipal sanitary-service system.
- (7) Temporary structures, subject to Section 39.
- (8) Signs, subject to Section 23.330.
- (9) Automobile wrecking yard.
- (10) Farm, industrial, trades, or contractor's equipment or materials manufacture, storage, sales, repair or service, including automobile repair garage, but excluding any other retail or service commercial use permitted in RC, LC, or HC District.
- (11) Wholesale storage and distribution, motor freight and petroleum products terminals, and related uses, excluding storage of logs, chips, or wood wastes, junked automobiles, or other used materials of any kind.
- (12) Signs, subject to Section 24.330.

CONDITIONAL USES

- (1) Home occupation, subject to Section 35.640.

PROHIBITED USES

Any permitted or conditional use in HI District.
All other uses, except uses related to permitted uses as determined by Commission, subject to Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

20,000 sq. feet for any permitted use, plus 9,000 sq. feet for a single-family dwelling or mobile home.
5 acres for PUD.
Minimum width, 80 feet.
Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. all yards for all uses, except 5 ft. all yards for signs.

LI ZONING DISTRICT

MAXIMUM LOT OR SITE COVERAGE

As established for LC District.

MAXIMUM HEIGHT OF STRUCTURE

As established for RC District.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 19.350.

HI ZONING DISTRICT

PERMITTED USES

- (1) Manufacture of forest products, including sawmills, planing mills, plywood and particle board plants, pulp and paper mills, and related uses.
- (2) Manufacture of clay products, brick, tile, cement, and related uses including mining of materials used in production.
- (3) Outdoor storage of raw materials or finished products associated with any permitted use.
- (4) Animal slaughtering and meat-packing plants.
- (5) Grain elevators, feed mills, seed-cleaning plants, and similar uses.
- (6) Single-family dwelling or mobile home for caretaker or watchman in conjunction with a permitted use
- (7) Community or municipal water-supply system.
- (8) Community or municipal sanitary-sewer system.
- (9) Signs, subject to Section 24.330.
- (10) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Livestock feeding or sales yard.
- (2) Home occupation, subject to Section 35.640.

PROHIBITED USES

All other uses, except uses related to permitted uses as permitted by Commission, subject to Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

2 acres for any permitted use, plus 9,000 sq. ft. for single-family dwelling or mobile home.

5 acres for PUD.

Minimum width, 150 feet.

Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. all yards for all uses, 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

20 % for any use.

HI ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

As established for RC District.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 19.350.

MR ZONING DISTRICT

PERMITTED USES

- (1) Sand and gravel mining, rock pit or quarry operations.
- (2) Rock crushing, washing, or screening.
- (3) Stockpiling of any rock or earth products.
- (4) Concrete batching or hot-mix batching plants.
- (5) Manufacture of aggregate products such as tile, performed steps, beams, fences, vaults and similar products provided seventy-five (75) percent of the material by weight comes from material found on the the same lot or site.
- (6) Single-family dwelling or mobile home for caretaker or watchman in conjunction with a permitted or conditional use.

CONDITIONAL USES

- (1) Petroleum and Natural Gas extraction.
- (2) Precious metal extraction, processing and stockpiling.
- (3) Coal extraction, processing and stockpiling.
- (4) Storage of products manufactured on the site as provided in Section 26.320.
- (5) Any structure necessary and appurtenant to a conditional use.

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

2 acres for any permitted or conditional use.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. front,side and rear yards except 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

Not applicable.

MAXIMUM HEIGHT OF STRUCTURE

45 Ft., 25 ft. for all accessory buildings.

MR ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

Not applicable.

LIMITATIONS ON SIGNS

As established under Section 26.310.

U ZONING DISTRICT

PERMITTED USES

- (1) Utility facility, including transmission lines or pipelines of any kind, substation, transformer, gate station, pumping or lift station; telephone, telegraph, radio, microwave, or television transmitter facilities of any kind; and any storage facilities in conjunction with any of the above.
- (2) Signs, subject to Section 27.300¹

CONDITIONAL USES

None

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

1,500 sq. ft. for any permitted use.
Minimum width, 30 feet.
Maximum depth-to-width ratio, 4:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

20 ft. front and 5 ft. side and rear yards for all uses, unless varied or waived under PUD, subject to Section 33.

MAXIMUM LOT OR SITE COVERAGE

30 % for any use, unless waived or varied under PUD, subject to Section 33.

MAXIMUM HEIGHT OF STRUCTURE

60 Ft. unless waived or varied under PUD, subject to Section 33 and Section 35.400.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 10.300

¹Net land area, excluding any street, school, park or open space.
All standards apply to site area unless otherwise specified.

PAI ZONING DISTRICT

PERMITTED USES

- (1) Any assembly use.
- (2) Clinic.
- (3) Club or lodge.
- (4) Community center or hall.
- (5) Hospital, private.
- (6) Cemetery.
- (7) Single-family dwelling or mobile home for caretaker or watchman in conjunction with a permitted use.
- (8) Community or municipal water-supply system.
- (9) Community or municipal sanitary-sewer system.
- (10) Signs, subject to Section 28.300.
- (11) Temporary structures, subject to Section 39.

CONDITIONAL USES

- (1) Agriculture, subject to Section 14.360.
- (2) Forestry.
- (3) Single-family, two-family or multi-family dwelling or group living quarters, in conjunction with a permitted use.

PROHIBITED USES

All other uses, except uses related to permitted uses as determined by Commission, subject to PUD District provisions and Article IV to VIII inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

20,000 sq. ft. for any permitted use, plus 9,000 sq. ft. for single-family dwelling or mobile home.
To be established by Commission for any conditional use.
Minimum width, 80 feet.
Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

To be established by Commission for any conditional use subject to Section 33.

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. all yards for all uses, unless varied or waived under PUD, subject to Section 33.

PAI ZONING DISTRICT

MAXIMUM LOT OR SITE COVERAGE

As established for U District.

MAXIMUM HEIGHT OF STRUCTURE

As established for U District except 35 ft. for single-family dwelling subject to Section 35.400.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 28.300.

PWS ZONING DISTRICT

PERMITTED USES

- (1) Municipal water supply, treatment, storage, transmission and distribution facility.
- (2) Municipal sewage collection, treatment and disposal system.
- (3) Sanitary landfill.
- (4) Public works yards, shops, bus barns, equipment and materials storage yards, and similar uses.
- (5) Fire stations.
- (6) Single-family dwelling or mobile home for caretaker or watchman, in conjunction with a permitted use.
- (7) Signs, subject to Section 30.300.

CONDITIONAL USES

None

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

1,500 sq. ft. for any permitted use, plus 9,000 sq. ft. for single-family dwelling or mobile home.
Minimum width, 80 feet.
Maximum depth-to-width ratio, 3:1.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

20 ft. front and 5 ft. side and rear yards for all uses, unless varied or waived under PUD, subject to Section 33.

MAXIMUM LOT OR SITE COVERAGE

20% for any use, unless waived or varied under PUD subject to Section 33.

MAXIMUM HEIGHT OF STRUCTURE

As established for PAI District

PWS ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 29.300¹

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¹Net land area, excluding any street, school, park or open space.
All standards apply to site area unless otherwise specified.

PALF ZONING DISTRICT

PERMITTED USES

- (1) Aircraft landing field, public or private.
- (2) Agriculture.
- (3) Single-family dwelling or mobile home for caretaker or watchman in conjunction with a permitted use.
- (4) Community or municipal water-supply system.
- (5) Community or municipal sanitary-sewer system.
- (6) Signs, subject to Section 30.300.

CONDITIONAL USES

- (1) Single-family dwelling in conjunction with a permitted use, subject to Section 35.200.
- (2) Home occupation, subject to Section 35.640.

PROHIBITED USES

All other uses.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

10 acres for aircraft landing field.
9,000 sq. ft. for single-family dwelling or mobile home.
Minimum width, 240 feet.
Maximum depth-to-width ratio, 75:1.

MAXIMUM RESIDENTIAL DENSITY

To be established by Commission for any conditional use, subject to Section 33.

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. all yards for all uses, except 10 ft. side and 25 ft. rear yard for single-family dwelling or mobile home unless varied or waived under PUD, subject to Section 33.

MAXIMUM LOT OR SITE COVERAGE

Not applicable

MAXIMUM HEIGHT OF STRUCTURE

As established for PAI District

PALF ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 30.300.

PRO ZONING DISTRICT

PERMITTED USES

- (1) Park, recreation area, or open space, publicly owned, operated and manufactured and maintained, including hunting and fishing preserves
- (2) Public campground, picnic site, or travel-trailer park, subject to Article IV.
- (3) Public playlot, playground, or playfield, including game courts, ball diamonds, swimming pool, and similar uses.
- (4) Historical, archeological, or geological site.
- (5) Bicycle, pedestrian, or equestrian paths, and trail systems.
- (6) Boat-launching, swimming, and fishing facilities.
- (7) Single-family dwelling or mobile home for caretaker or watchman, in conjunction with a permitted use.
- (8) Community or municipal water-supply system.
- (9) Community or municipal sanitary-sewer system.
- (10) Signs, subject to Section 31.300.

CONDITIONAL USES

- (1) Driving range, in conjunction with a golf course.

PROHIBITED USES

All other uses, except uses related to permitted uses as determined by Commission, subject to Article IV to VIII, inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA, WIDTH, DEPTH)

1 acre for any permitted use, except 50 acres for golf course.
9,000 sq. ft. for single-family dwelling or mobile home.
To be established by Commission for any conditional use, but not less than 2 acres.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

30 ft. all yards for all uses, except 20 ft. all yards for travel-trailer park abutting street, otherwise 10 ft. and 5 ft. all yards for signs.

MAXIMUM LOT OR SITE COVERAGE

Not applicable

MAXIMUM HEIGHT OF STRUCTURE

As established for PAI District

PRO ZONING DISTRICT

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established under Section 35.510.

LIMITATIONS ON SIGNS

As established under Section 31.300.

PUD ZONING DISTRICT

PERMITTED USES

- (1) Any permitted use listed in zoning district with which PUD District is combined, subject to Section 33.

CONDITIONAL USES

- (1) Any conditional use listed in zoning district with which PUD District is combined, subject to Section 33.

PROHIBITED USES

All other uses except uses related to permitted uses as determined by Commission, as applicable, subject to Section 33 and Article IV to VIII inclusive.

MINIMUM LOT OR SITE REQUIREMENTS (AREA, WIDTH, DEPTH)

As established for zoning district with which PUD District is combined, or by agreement, subject to Section 33.

MAXIMUM RESIDENTIAL DENSITY

As established for zoning district with which PUD District is combined, or by agreement, subject to Section 33.

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for zoning district with which PUD District is combined, or by agreement, subject to Section 33.

MAXIMUM LOT OR SITE COVERAGE

As established for zoning district with which PUD District is combined, or by agreement, subject to Section 33.

MAXIMUM HEIGHT OF STRUCTURE

As established for zoning district with which PUD District is combined, or by agreement, subject to Section 33.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established for zoning district with which PUD District is combined, or by agreement, subject to Section 33.

PUD ZONING DISTRICT

LIMITATIONS ON SIGNS

As established for zoning district with which PUD District is combined,
or by agreement, subject to Section 33.

H ZONING DISTRICT

PERMITTED USES

- (1) Agriculture
- (2) Forestry
- (3) Extraction, processing and stockpiling of construction aggregates, subject to Section 35.700.
- (4) Park, recreation area, or open space, publicly owned, operated and manufactured and maintained, including hunting and fishing preserves
- (5) Public campground, picnic site, or travel-trailer park, subject to Article IV.
- (6) Public playlot, playground, or playfield, including game courts, ball diamonds, swimming pool, and similar uses.
- (7) Historical, archeological, or geological site.
- (8) Bicycle, pedestrian, or equestrian paths, and trail systems.
- (9) Boat-launching, swimming, and fishing facilities.
- (10) Single-family dwelling or mobile home for caretaker or watchman, in conjunction with a permitted use.
- (11) Community or municipal water-supply system.
- (12) Community or municipal sanitary-sewer system.
- (13) Signs, subject to Section 31.300.

CONDITIONAL USES

- (1) Any permitted or conditional use listed in zoning district with which H District is combined, subject to provisions of Ordinance No. 69, 1975.

PROHIBITED USES

All other uses, except uses related to permitted uses as determined by Commission, subject to Article IV to VIII.

MINIMUM LOT OR SITE REQUIREMENTS (AREA,WIDTH,DEPTH)

As established for zoning district with which H District is combined.

MAXIMUM RESIDENTIAL DENSITY

Not applicable

MINIMUM YARD OR SETBACK REQUIREMENTS

As established for zoning district with which H District is combined.

MAXIMUM LOT OR SITE COVERAGE

As established for zoning district with which H District is combined.

H ZONING DISTRICT

MAXIMUM HEIGHT OF STRUCTURE

As established in zoning district with which H District is combined.

MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS

As established for zoning district with which H District is combined.

LIMITATIONS ON SIGNS

As established for zoning district with which H District is combined.

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