

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. 10-04

IN THE MATTER OF AMENDING CHAPTERS 10, 13, 15 AND 16 OF LANE CODE TO IMPLEMENT THE LANE COUNTY TRANSPORTATION SYSTEM PLAN BY ADOPTING NEW AND REVISED RULES, REGULATIONS AND STANDARDS RELATING TO EXISTING AND FUTURE TRANSPORTATION AND ACCESS NEEDS IN LANE COUNTY.

The Board of County Commissioners of Lane County ordains as follows:

Chapters 10, 13, 15 and 16 of Lane Code are hereby amended by removing, substituting, and adding new sections as follows:

REMOVE THESE SECTIONS

NONE

10.100-10
as located on pages 10-18 through 10-22
(a total of 5 page)

10.101-10
as located on page 10-28
(a total of 1 pages)

10.102-10 through 10.102-15
as located on pages 10-31 through 10-32
(a total of 2 pages)

10-103-10 through 10.103-15
as located on pages 10-34 through 10-35
(a total of 2 pages)

10.103-40
as located on page 10-37
(a total of 1 page)

10.104-10 through 10.104-15
as located on pages 10-39 through 10-40
(a total of 2 pages)

10.104-30
as located on page 10-42
(a total of 1 page)

10.105-10 through 10.105-15
as located on pages 10-43 through 10-46
(a total of 4 pages)

INSERT THESE SECTIONS

10.090
as located on page 10-16
(a total of 1 page)

10.100-10
as located on pages 10-18 through 10-22
(a total of 5 pages)

10.101-10
as located on pages 10-28 through 10-29
(a total of 2 pages)

10.102-10 through 10.102-15
as located on pages 10-31 through 10-33
(a total of 3 pages)

10-103-10 through 10.103-15
as located on pages 10-34 through 10-35
(a total of 2 pages)

10.103-40
as located on page 10-37
(a total of 1 page)

10.104-10 through 10.104-15
as located on pages 10-39 through 10-40
(a total of 2 pages)

10.104-30
as located on page 10-42
(a total of 1 page)

10.105-10 through 10.105-15
as located on pages 10-44 through 10-46
(a total of 3 pages)

10.106-10
as located on pages 10-48 through 10-52
(a total of 5 pages)

10.106-40
as located on page 10-57
(a total of 1 page)

10.107-10
as located on pages 10-110 through 10-117
(a total of 8 pages)

10.107-40
as located on page 10-122
(a total of 1 page)

10.108-10 through 10.108-15
as located on pages 10-123 through 10-125
(a total of 3 pages)

10.110-10 through 10.110-15
as located on pages 10-126 through 10-128
(a total of 3 pages)

10.112-10
as located on page 10-131
(a total of 1 page)

10.112-20
as located on pages 10-132 through 10-133
(a total of 2 pages)

10.113-10
as located on page 10-135
(a total of 1 page)

10.113-20
as located on pages 10-136 through 10-137
(a total of 2 pages)

10.125-10 through 10.125-15
as located on pages 10-144
(a total of 1 page)

10.130-10 through 10.130-15
as located on pages 10-146 through 10-147
(a total of 2 pages)

10.135-10 through 10.135-15
as located on pages 10-150 through 10-152
(a total of 3 pages)

10.106-10
as located on pages 10-48 through 10-53
(a total of 6 pages)

10.106-40
as located on page 10-58
(a total of 1 page)

10.107-10
as located on pages 10-110 through 10-117
(a total of 8 pages)

10.107-40
as located on page 10-122
(a total of 1 page)

10.108-10 through 10.108-15
as located on pages 10-123 through 10-125
(a total of 3 pages)

10.110-10 through 10.110-15
as located on pages 10-126 through 10-128
(a total of 3 pages)

10.112-10
as located on pages 10-131 through 10-132
(a total of 2 pages)

10.112-20
as located on pages 10-132 through 10-133
(a total of 2 pages)

10.113-10
as located on pages 10-135 through 10-136
(a total of 2 pages)

10.113-20
as located on pages 10-136 through 10-137
(a total of 2 pages)

10.125-10 through 10.125-15
as located on pages 10-144 through 10-145
(a total of 2 pages)

10.130-10 through 10.130-15
as located on pages 10-146 through 10-148
(a total of 3 pages)

10.135-10 through 10.135-15
as located on pages 10-151 through 10-153
(a total of 3 pages)

10.140-10 through 10.140-15
as located on pages 10-153 through 10-154
(a total of 2 pages)

10.145-10 through 10.145-15
as located on pages 10-155 through 10-156
(a total of 2 pages)

10.150-10 through 10.150-15
as located on pages 10-159 through 10-161
(a total of 3 pages)

10.154-10 through 10.154-15
as located on page 10-164
(a total of 1 page)

10.155-10 through 10.155-15
as located on pages 10-165 through 10-166
(a total of 2 pages)

10.160-10 through 10.160-15
as located on pages 10-167 through 10-168
(a total of 2 pages)

10.165-10 through 10.165-15
as located on pages 10-169 through 10-170
(a total of 2 pages)

10.166-10 through 10.166-15
as located on pages 10-222 through 10-223
(a total of 2 pages)

10.170-10 through 10.170.15
as located on pages 10-224 through 10-225
(a total of 2 pages)

10.175-10
as located on pages 10-226 through 10-227
(a total of 2 pages)

10.180-10
as located on page 10-228
(a total of 1 page)

10.182-15 through 10.182-20
as located on pages 10-232 through 10-234
(a total of 3 pages)

10.200-10
as located on pages 10-243 through 10-244
(a total of 2 pages)

10.140-10 through 10.140-15
as located on pages 10-154 through 10-155
(a total of 2 pages)

10.145-10 through 10.145-15
as located on pages 10-156 through 10-157
(a total of 2 pages)

10.150-10 through 10.150-15
as located on pages 10-160 through 10-161
(a total of 2 pages)

10.154-10 through 10.154-15
as located on page 10-165
(a total of 1 page)

10.155-10 through 10.154-15
as located on pages 10-166 through 10-167
(a total of 2 pages)

10.160-10 through 10.160-15
as located on pages 10-168 through 10-169
(a total of 2 pages)

10.165-10 through 10.165-15
as located on pages 10.170 through 10.171
(a total of 2 pages)

10.166-10 through 10.166-15
as located on pages 10-222 through 10-223
(a total of 2 pages)

10.170-10 through 10.170.15
as located on pages 10-224 through 10-225
(a total of 2 pages)

10.175-10
as located on pages 10-226 through 10-227
(a total of 2 pages)

10.180-10
as located on page 10-228
(a total of 1 page)

10.182-15 through 10.182-20
as located on pages 10-232 through 10-234
(a total of 3 pages)

10.200-10
as located on pages 10-243 through 10-244
(a total of 2 pages)

10.201-10
as located on pages 10-245 through 10-246
(a total of 2 pages)

10.201-15
as located on pages 10-246 through 10-247
(a total of 2 pages)

10.205-10 through 10.205-15
as located on page 10-249
(a total of 1 page)

10-225-10
as located on page 10-260
(a total of 1 page)

10-230-10
as located on pages 10-263 through 10-264
(a total of 2 pages)

10.235-10
as located on page 10-267
(a total of 1 page)

10-335-18 through 10-335-20
as located on pages 10-441 through 10-443
(a total of 3 pages)

NONE

13.050 through 13.105
as located on pages 13-3 through 13-12
(a total of 10 pages)

13.400
as located on page 13-16
(a total of 1 page)

15.005 through 15.315
as located on pages 15-1 through 15-35
(a total of 35 pages)

15.605 through 15.620
as located on pages 15-39 through 15-40
(a total of 2 pages)

15.630 through 15.640
as located on pages 15-41 through 15-42
(a total of 2 pages)

10.201-10
as located on pages 10-245 through 10-246
(a total of 2 pages)

10.201-15
as located on pages 10-246 through 10-247
(a total of 2 pages)

10.205-10 through 10.205-15
as located on pages 10-249 through 10-250
(a total of 2 pages)

10-225-10
as located on page 10-261
(a total of 1 page)

10-230-10
as located on pages 10-263 through 10-264
(a total of 2 pages)

10.235-10
as located on page 10-268
(a total of 1 page)

10-335-18 through 10-335-20
as located on pages 10-441 through 10-442
(a total of 2 pages)

10.500-05 through 10.500-20
as located on pages 10.458 through 10.460
(a total of 3 pages)

13.050 through 13.105
as located on pages 13-3 through 13-11
(a total of 9 pages)

13.400
as located on page 13-16
(a total of 1 page)

15.005 through 15.315
as located on pages 15-1 through 15-28
(a total of 28 pages)

15.605 through 15.620
as located on page 15-29
(a total of 1 page)

15.630 through 15.640
as located on pages 15-30 through 15-32
(a total of 3 pages)

15.695 through 15.710
as located on pages 15-42 through 15-43
(a total of 2 pages)

15.720 through 15.955
as located on pages 15-43 through 15-53
(a total of 11 pages)

NONE

16.210 through 16.211
as located on pages 16-23 through 16-53
(a total of 31 pages)

16.212 through 16.216
as located on pages 16-105 through 16-153
(a total of 49 pages)

16.217
as located on pages 16-204 through 16-211
(a total of 8 pages)

16.219 through 16-232
as located on pages 10-213 through 10-250
(a total of 38 pages)

16.234
as located on pages 10-251 through 10-254
(a total of 4 pages)

16.235 through 16-236
as located on pages 16-306 through 16-312
(a total of 7 pages)

16.247
as located on pages 16-356 through 16-358
(a total of 3 pages)

16.253
as located on pages 16-422 through 16-426
(a total of 5 pages)

16.257 through 16-258
as located on pages 16-432 through 16-451
(a total of 20 pages)

NONE

16.290 through 16.295

15.695 through 15.710
as located on pages 15-32 through 15-68
(a total of 38 pages)

15.720 through 15.955
as located on pages 15-69 through 15-71
(a total of 3 pages)

16.095
as located on page 16-23
(a total of 1 page)

16.210 through 16.211
as located on pages 16-24 through 16-56
(a total of 33 pages)

16.212 through 16.216
as located on pages 16-105 through 16-157
(a total of 53 pages)

16.217
as located on pages 16-204 through 16-212
(a total of 9 pages)

16.219 through 16-232
as located on pages 16-213 through 16-252
(a total of 40 pages)

16.234
as located on pages 16-253 through 16-257
(a total of 5 pages)

16.235 through 16-236
as located on pages 16-306 through 16-312
(a total of 7 pages)

16.247
as located on pages 16-359 through 16-361
(a total of 3 pages)

16.253
as located on pages 16-422 through 16-427
(a total of 6 pages)

16.257 through 16-258
as located on pages 16-433 through 16-453
(a total of 21 pages)

16.265
as located on pages 16-462 through 16-464
(a total of 3 pages)

16.290 through 16.295

as located on pages 16-512 through 15-542
(a total of 31 pages)

16.400
as located on pages 16-543 through 16-547
(a total of 5 pages)

as located on pages 16-512 through 16-543
(a total of 32 pages)

16.400
as located on pages 16-544 through 16-548
(a total of 5 pages)

Said sections are attached hereto and incorporated herein by reference. The purpose of these substitutions and additions is to implement the Lane County Transportation System Plan by adopting new and revised rules, regulations and standards relating to existing and future transportation and access needs in Lane County.

While not part of this Ordinance, findings attached as Exhibit "A" and incorporated herein by this reference are adopted in support of this decision.

ENACTED this _____ day of _____ 2004.

Chair, Lane County Board of Commissioners

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 3-29-2004 Lane County

Stephen J. Orkin
OFFICE OF LEGAL COUNSEL

Board of Commissioners, Planning Commission, or Planning Director for any reason.
(Revised by Ordinance No. 13-72, Effective 7.21.72)

10.025-30 Minimum Requirements.

In interpreting and applying the provisions of this chapter, such provisions shall be construed to be the minimum requirements for the promotion of the public health, safety, and welfare, therefore, where this chapter imposes a greater restriction upon the use of the buildings or premises, or upon the height of buildings, or requires larger open spaces than those imposed or required by other laws, ordinances, rules, or regulations, the provisions of this chapter shall control. (Revised by Ordinance No. 13-72, Effective 7.21.72)

10.025-35 Conformance and Permits Required.

No building or structure shall be erected, reconstructed, structurally altered, enlarged, moved or maintained, nor shall any building, structure or land be used or designed to be used for any use other than is permitted in the zone in which such building, structure or land is located, and there only after proper application for and securing of all permits and licenses required by all applicable State and local laws. (Revised by Ordinance No. 13-72, Effective 7.21.72)

10.025-40 Effective Filing Date of Applications and Requests.

All applications and requests provided in this chapter shall be deemed filed upon the submission of all the information, materials, and fees required by this chapter. (Revised by Ordinance No. 13-72, Effective 7.21.72)

10.025-45 Notices of Appeal.

When a written appeal is filed pursuant to the provisions of LC Chapters 9, 10, 11, 13, 14 or 15, to appeal a decision to the Hearings Official, the failure of the appeal to state the manner in which the applicable criteria were erroneously applied shall not deprive the Hearings Official of jurisdiction over the appeal and the Hearings Official may proceed to hear the matter. The Hearings Official may dismiss the appeal, or make other appropriate disposition, upon a finding of substantial prejudice as a result of the failure of the appeal to include a statement of error. (Revised by Ordinance No. 10-78, Effective 7.7.78; 5-81, 4.8.81)

10.025-50 Scenic Byway/Tour Route Off-Premise Sign Requirements.

New or relocated off-premise signs shall not be allowed on any property adjacent to or within 660 feet of any designated state scenic byway or tour route recognized by the Board and listed in LC 10.025-50, below. "Off-Premise Sign" means a sign designed, intended or used to advertise, inform or attract the attention to the public as to: goods, products or services which are not sold, manufactured or distributed on or from the premises on which the sign is located; facilities not located on the premises on which the sign is located; or activities not conducted on the premises on which the sign is located.

(1) The South Lane Tour Route as specifically identified in Ordinance No. 10-99. (Revised by Ordinance No. 10-99, Effective 1.15.00)

10.090 Compliance with LC Chapter 15, Roads.

Development subject to the provisions of this chapter shall comply with LC Chapter 15, Roads.

COMBINING DISTRICT 10.255

/MD SHORELANDS MIXED DEVELOPMENT
COMBINING DISTRICT 10.260

/DMS DREDGE MATERIAL/MITIGATION SITE
COMBINING DISTRICT 10.265

/BD BEACHES AND DUNES COMBINING DISTRICT 10.270

PUD PLANNED UNIT DEVELOPMENT SUB-DISTRICT 10.700

CAD CONTRACT ZONING DISTRICT 10.710

(Revised by Ordinance 15-72, Effective 9.8.72; 13-73, 11.21.73 (4.17.74); 14-74, 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 7-79, 7.11.79; 15-79, 12.1.79; 2-80, 6.13.80; 17-80, 8.6.80; 20-80, 11.14.80)

EXCLUSIVE FARM USE DISTRICT (EFU)

10.100-05 Purpose.

The Exclusive Farm Use District (EFU) is intended to provide areas for the continued practice of agriculture, to permit the establishment of only those new uses compatible to agricultural activities, to provide automatic farm use valuation for farms qualifying under the provisions of ORS Chapter 308, to be applied only in areas generally well suited for farming, to guarantee the preservation and maintenance of areas so classified, and is subject to change only in those instances where there is substantial evidence the land is no longer suitable for agriculture or there are significant changes in the land needs of the County. *(Revised by Ordinance 1-82, As Amended, Effective 4.16.82)*

10.100-10 Uses.

Within an EFU District only the following uses and buildings are permitted pursuant to the review process and criteria as specified in Table I below. The number opposite the proposed use under the column describing the land unit under consideration will indicate the appropriate review process described in LC 10.100-12.

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (1) Farm uses (See "Farm Use" definition). | (1) | (1) | (1) | (1) | (1) |
| (2) Accessory buildings customarily provided in conjunction with a use permitted in this District. | (1) | (1) | (1) | (1) | (1) |
| (3) One single-family dwelling or one mobile home per land unit in conjunction with a farm use as defined in this chapter. | (1) | (2) ¹ | (3) | (4) | N/A |
| (4) One single-family dwell- | (1) | (2) ² | (3) ³ | N/A | N/A |

¹ If proposed on a parcel created under the review process specified at LC 10.100-12(7) or LC 10.100-12(8) below, the structure will be considered as a permitted use and not require approval as a special use.

² See #1.

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|-----------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm Unit I | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| ling or one mobile home per land unit used for persons employed on the premises in conjunction with a farm use. | | | | | |
| (5) Mobile homes in addition to those permitted in (4) above for persons employed on the premises in conjunction with a farm use. | (11) | (11) | (11) | N/A | N/A |
| (6) One single-family dwelling or one mobile home per land unit not in conjunction with a farm use. Such use shall not be in addition to those permitted under (3), (4) and (5) above or (7) below. | (13) | (13) | (13) | (13) | (13) ⁴ |
| (7) One single-family dwelling or one mobile home per land unit occupied by a relative whose assistance on the farm is or will be required by the farm operator. | (1) | (1) | (1) | (1) | N/A |
| (8) Public and semipublic buildings and structures rendering direct utility service to the public in local areas, such as fire stations, utility substations, electrical transmission facilities transmitting electric current 150,000 volts or less in any single cable or line or group of cables or lines, radio and TV receiving or broadcasting facilities, pump stations and wells; except commercial facilities for the purpose of generating power for public use by sale. | (1) | (1) | (1) | (1) | (1) |

³ See #1.

⁴ If proposed on a parcel created under the review process specified at LC 10.100-12(10) below, the structure will be considered as a permitted use and not require approval as a special use.

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|-----------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm Unit I | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (9) The keeping of dogs, accessory to a residence, provided the following conditions are satisfied. | | | | | |
| (a) The maximum number of dogs over four months of age shall be eight. | | | | | |
| (b) For more than three dogs over four months of age there shall be at least 5,000 square feet of lot area for each dog on the lot. | | | | | |
| (c) All dogs shall be owned by the property owners, except those temporarily kept for the purposes of breeding. | (1) | (1) | (1) | (1) | (1) |
| (10) Propagation or harvesting of a forest product. | (1) | (1) | (1) | (1) | (1) |
| (11) Churches. | (1) | (2) ⁵ | (3) | N/A | (4) |
| (12) Public and private schools. | (1) | (2) ⁶ | (3) ⁷ | N/A | (4) |
| (13) Operations for the exploration of geothermal resources as defined by ORS 522.005 | (1) | (1) | (1) | (1) | (1) |
| (14) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005. | (5) | (5) | (5) | (5) | (5) |
| (15) Commercial activities that are in conjunction with a farm use. | (4) | (4) | (4) | (4) | N/A |
| (16) Parks, playgrounds or community centers owned and operated by a governmental agency or a nonprofit community organization. | (5) | (5) | (5) | (5) | (5) |
| (17) Private parks, playgrounds, hunting and fishing preserves, and campgrounds, including facilities for recreational vehicles, but specifically excluding mobile home parks. | (5) | (5) | (5) | (5) | (5) |

⁵ See #1.⁶ See #1.⁷ See #1.

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|---|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (18) Flood control or irrigation projects and facilities. | (12) | (12) | (12) | (12) | (12) |
| (19) Electrical generation facilities, canals, flumes, pipelines and similar facilities, including electrical transmission facilities transmitting electrical current in excess of 150,000 volts in any single cable or line or group of cables or lines. | (12) | (12) | (12) | (12) | (12) |
| (20) Rock, sand, gravel or loam extraction and extraction provided: | | | | | |
| (a) Materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration and are used in conjunction with a farm use. | | | | | |
| (b) Total excavation or extraction does not exceed 5,000 cubic yards annually. | (4) | (4) | (4) | (4) | N/A |
| (21) Exploration, mining and processing of aggregate or other mineral resources or other subsurface resources which exceed the requirements for a special use as provided for in (19) above. | (5) | (5) | (5) | (5) | (5) |
| (22) Personal-use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities as defined in ORS 215.213(2)(g). | (12) | (12) | (12) | (12) | (12) |
| (23) Feedlots. | (5) | (5) | (5) | (5) | (5) |
| (24) Minor Rural Home Occupations (see LC 10.342-05 through 10.342-25) provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices. | (11) | (11) | (11) | (11) | N/A |

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|---|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (25) Major Rural Home Occupations (see LC 10.342-05 through 10.342-25) provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices. | (12) | (12) | (12) | (12) | N/A |
| (26) Golf courses. | (12) | (12) | (12) | (12) | (12) |
| (27) Temporary or portable sawmills, barkers and chippers. Such a use may be approved for a one-year period which is renewable. These facilities are intended for primary processing of a forest product. Forest products means timber grown upon a parcel of land or contiguous land where the primary processing facility is located. | (11) | (11) | (11) | (11) | (11) |
| (28) Boarding of horses for profit. | (12) | (12) | (12) | (12) | (12) |
| (29) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment, facilities or buildings necessary for its operation. | (12) | (12) | (12) | (12) | (12) |
| (30) Land Divisions. | (6) | (7) | (8) | (9) | (10) ⁸ |
| (31) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). | (1) | (1) | (1) | (1) | (1) |
| (32) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). | (11) | (11) | (11) | (11) | (11) |

(Revised by Ordinance 13-72, Effective 7.21.72; 1-74, 3.6.74; 9-75, 7.2.75; 3-76, 4.7.76; 5-81, 4.8.81; 1-82, As Amended, 4.16.82)

⁸ See #1.

10.100-50 Applications.

Any application submitted for review under this section must state which land unit and review process is applicable. Failure to meet the applicable criteria and standards shall result in denial of the application. Consideration of the request under different criteria (i.e. those applicable to a different land unit) shall be only upon the submission of a new application. The provisions of LC 10.316-90, 10.317-95 or 10.318-95 shall not apply to re-submission of an application under such circumstances. *(Revised by Ordinance No. 1-82 As Amended, Effective 4.16.82)*

10.100-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.100-05 through -50 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

NATURAL RESOURCE DISTRICT (NR)**10.101-05 Purpose.**

The Natural Resource District (NR) is intended to protect areas having unique or irreplaceable natural resources which are vital elements for a safe, healthful and pleasant environment for human life. The Natural Resource District may be applied to public and private lands where the Comprehensive Plan requires natural resource site protection. The District is not intended to be applied to other types of resource land, such as agricultural land and forest land. To minimize the potential hazards of pollution, resource conversion and land development resulting from increases in human population, urbanization, income, leisure time and individual mobility, emphasis will be placed on limiting and regulating human activity in those areas where.

(1) The acceptable water quality of streams, lakes, estuaries of the ocean may be endangered;

(2) Watersheds and their streams or lakes are used for domestic water supplies;

(3) Vegetative cover is essential to maintain soil stability and prevent erosion;

(4) Natural conditions are vital for either unique vegetative ecosystems, aquatic or wildlife habitat; and

(5) Scenic quality or vistas or open space is unique and/or irreplaceable.

(Revised by Ordinance 3-76, Effective 4.7.76; 10-82, 7.9.82)

10.101-10 Permitted Buildings and Uses.

In the NR District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this subsection, subject to the general provisions and exceptions set forth in this ordinance:

(1) The following recreational facilities and uses owned by a governmental agency or a nonprofit community organization limited to day use.

(a) Exhibitions of the natural conditions of shorelands, dunelands, forested areas, streams and lakes, marshlands, or similar areas of unique and irreplaceable value, and the vegetation and wildlife supported by such lands and waters, provided that in no event shall such activity destroy, or endanger the relationships between the natural conditions being exhibited.

(b) Picnicking areas, day parks, and playgrounds.
 (c) Accessory facilities for outdoor recreation activity such as fishing, clam digging and hunting (provided such activity is conducted only in those areas allowed pursuant to Federal, State, and Local fish and game regulations) and hiking and horseback riding.

(2) Wildlife and aquatic-life sanctuaries or preserves.

(3) Aquaculture.

(4) Other uses similar to the above.

(5) The following transportation facilities and uses, provided no filling or dredging is required:

(a) Operations, maintenance, and repair as defined in LC 15.010 of existing transportation facilities, services, and improvements, including road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals.

(b) Preservation as defined in LC 15.010, and rehabilitation activities and projects as defined in LC 15.010 for existing transportation facilities, services, and improvements, including road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals. *(Revised by Ordinance 3-76, Effective 4.7.76; 10-82, 7.9.82)*

10.101-12 Special Uses - Planning Director Approval.

The following uses are subject to approval by the Planning Director as provided for in LC 10.316:

(1) Single-family dwelling(s) or mobile home(s) for residential purpose for watchman, caretaker, or operator in conjunction with use permitted in the district. *(Revised by Ordinance 10-82, Effective 7.9.82)*

10.101-15 Special Uses - Hearings Official Approval.

The following uses are subject to approval by the Hearings Official as provided for in LC 10.317:

(1) Radio or television transmitter, tower or station.

(2) Solid waste disposal transfer station, sanitary landfill.

(3) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.

(4) Electric transmission facilities transmitting electric current in excess of 75,000 volts in any single cable or line or group of cables or lines.

(5) Piers and boat houses.

(6) Sewage treatment plant.

(7) Single-family dwelling or mobile home. *(Revised by Ordinance 3-76, Effective 4.7.76; 10-82, 7.9.82)*

10.101-20 Special Use Criteria.

Special uses authorized by LC 10.101-12 and 10.101-15 above shall be approved only upon submission of evidence the following criteria are met:

(1) The use will not adversely impact the significant natural resource area within the subject land zoned NR.

(2) There are no alternative locations for the proposed use within the same contiguous ownership.

(3) If the proposed use will in any way disturb the significant resource area within the subject land zoned NR by clearing, grading, or filling or by the construction and placement of structures on the site, measures can and shall be imposed to mitigate all significant impacts on the resource area.

(4) The use will not be adversely affected by known natural hazards.

timber usage, it would provide for the orderly and planned development of both public and private recreation and other uses compatible with the primary intent of the District. Use of land not associated with the management and development of forests and mineral exploration shall be discouraged to minimize the potential hazards of damage from fire, pollution and other conflicts caused by such use of land. The FM District is intended for application to rural timbered areas having natural resource and recreational value. The FM District is intended to carry out these purposes:

(1) Recognize that the commercial forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and, as such, are beneficial to the economy of the County and to the welfare of its people.

(2) Encourage the management of commercial forest lands for the continued growing, harvesting and processing of forest crops. *(Revised by Ordinance 1-82, As Amended, Effective 4.16.82)*

10.102-10 Permitted Buildings and Uses.

In the FM District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter.

(1) The management, growing and harvesting of forest crops, accessory structures to be used for equipment maintenance, communications, office use and watchmen, and those structures and facilities incidental to each such activity, such as mobile processing or harvesting facilities and equipment and seasonal mobile homes, for harvesting purposes.

(2) Facilities and test plots for experimental and research activities associated with forest management or forest products.

(3) The following farm uses.

(a) General farming, including but not limited to the growing and raising of trees, vines, shrubs, berries, vegetables nursery stock, hay, grains, seed and similar food and fibre products.

(b) Pastures and grazing.

(c) Animal husbandry, including the breeding and raising of cattle, sheep, horses, goats, pigs and rabbits: provided that such raising activities are not part of, nor conducted in conjunction with, any livestock sales yard, slaughter house or animal by-product business, and further provided goats, sheep and pigs shall be physically contained on the subject property by use of fencing or other similar means.

(d) Poultry ranching, provided the lot area is a minimum of 20 acres.

(e) Dairying, provided the lot area is a minimum of 20 acres.

(f) Raising and selling of furbearing animals.

(g) Keeping of honey bees and the production and sale of honey.

(4) Fish and game management, including accessory facilities.

(5) Recreation trails; public or private camping and picnic facilities, provided the total number of camping or picnic facility units located on a lot:

(a) Does not exceed 10 units, and

(b) If the lot is 10 acres or less in size, the number of facility units located thereon shall not exceed the number of acres.

(6) Public or private hunting and fishing preserves.

(7) Airplane strips, helipads and balloon bedding areas accessory to a permitted use.

(8) Rock quarries, including crushing, screening and stockpiling of materials, provided the location shall be at least 1,000 feet from any Zone District that is not an F-F

20, M-3, S-G or S-G/GP District for any excavation for which the amount exceeds 10,000 cubic yards annually.

(9) Mineral exploration, provided the following standards are not exceeded.

(a) A result of 500 yards of surface mining refuse annually, as defined in ORS 517.750(12); and

(b) One acre of area for the exploration, including all accessory buildings and access facilities.

(10) Disposal sites for waste materials generated through the production, harvesting or manufacturing of forest crops, excepting where such activities are located within 1,000 feet of any Zone District that is not an EFU, F-F 20, M-3, S-G, or SF/CP District.

(11) One single-family dwelling, one two-family dwelling, or one mobile home per lot.

(12) Kennel, provided the following conditions are satisfied:

(a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(b) Where lot area is less than 20 acres, the maximum number of dogs over four months of age shall be eight.

(c) Where lot area is a minimum of 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from an adjoining property.

(d) All dogs shall be owned by the kennel owner, except those temporarily kept for purposes of breeding.

(13) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).

(14) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 14-74, Effective 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.102-15 Conditional Uses.

The following uses are allowed, if first approved in compliance with the conditional use permit criteria of LC 10.320.

(1) Group quarters, transient lodgings or other residential buildings customarily provided in conjunction with permitted uses, including mobile homes for the owner's operator or employees (not to be defined as mobile home park).

(2) Public or private recreational uses which do not satisfy the requirements for camping and picnic uses allowed as a permitted use in LC 10.102-10(5) above.

(3) Disposal sites for waste materials not meeting the requirements for a permitted use in LC 10.102-10(10) above.

(4) Dams, water storage areas, power transmission stations, substations and other similar facilities, electric transmission facilities transmitting electricity in excess of 75,000 volts in any single cable or line or group of cables of lines, canals, flumes and pipelines and other communication facilities not allowed as permitted use in LC 10.102-10(1) above.

(5) Rock, sand, gravel and loam excavation which does not satisfy the requirements for an allowable permitted use as provided in LC 10.102-10(8) above.

(6) Mining operations which do not satisfy the requirements for an allowable permitted use as provided in LC 10.102-10(9) above.

(7) Signs which do not conform to the sign provisions of LC 10.102-36 below.

(8) Forest crop processing facilities not otherwise allowed as a permitted use in LC 10.102-10(1) above.

(9) Kennels which do not satisfy the requirements for kennels allowed as a permitted use in LC 10.102-10(11) above.

(10) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).

(11) Other uses similar to those listed in LC 10.102-10 and -15 above.

(12) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).

(13) Other uses not specifically authorized any place in this chapter. *(Revised by Ordinance No. 14-74, Effective 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83)*

10.102-23 Setback Requirements.

(Also see LC 10.300-15 and 15.065 - .095). Front yard setback shall be 20 feet. *(Revised by Ordinance No. 14-74, Effective 12.27.74; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.102-36 Signs.

The following restrictions shall apply only within areas within 200 feet of a street other than an approved private easement:

(1) Identification signs each not exceeding 200 square feet in area and not exceeding one sign per each one-half mile distance.

(2) One sign not exceeding 20 square feet in area pertaining to the sale or rental of property.

(3) Signs shall pertain to uses conducted within the contiguous boundaries of the FM District.

Signs in excess of these requirements may be provided by special use as provided in LC 10.102-20(7) above. *(Revised by Ordinance No. 14-74, Effective 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82)*

10.102-42 Area.

(1) The minimum area for the division of land shall be 40 acres; except that the division of forest land by lease or rental for any forest land purpose is permitted, provided, however that no structure or building may be erected appurtenant to such division of land, except those permitted under LC 10.102-10(1) through (8) above, except further, division of land for less than 40 acres is permitted conditionally, except under LC 10.102-15(1) and (2) above.

(2) A special exception to the minimum area requirements of this section may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements." *(Revised by Ordinance No. 14-74, Effective 12.27.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.102-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.102-05 through -42 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

IMPORTANT FOREST LAND DISTRICT (F-1)

10.103-05 Purpose.

Purposes of the Important Forest Land District (F-1) are:

(1) To recognize that commercial forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and as such are beneficial to the economy of the County and to the welfare of its people.

(2) To encourage the management of commercial forest lands for the continued growing, harvesting and processing of forest crops.

(3) To conserve forest land for forest uses in accordance with the LCDC Goal 4.

(4) To protect commercial forest lands from intrusion of noncompatible uses by restricting non-forest uses that create potential impacts such as:

(a) Increased fire danger and suppression costs.

(b) Smaller parceling which restricts economically feasible management practices.

(c) Economic or social hardships to a neighboring forest owner who utilizes forest management practices.

(d) Inconsistent or conflicting land management techniques.

(e) Set a precedent for additional non-forest uses and supportive facilities and services.

(f) Conversion to other non-forest uses.

(g) Difficulty in administering the Oregon Forest Practices Act.

(5) To provide for mineral exploration.

(6) To provide for farm uses.

It is the County's policy to protect forestry and agricultural operations from conflicting land uses. Nothing in this chapter is intended to interfere with normal forestry or agricultural management or practices that might result in conditions such as noise, dust or smoke, visual impacts or odors for temporary periods of time. Existing or proposed non-forest or non-farm uses (i.e., dwellings) within the Important Forest Land District (F-1) must recognize that the intent of the District is to protect resource management activities and that in the event of conflict between residential uses and normal forestry, or agricultural practices, this chapter will be interpreted in favor of resource management practices. Non-forest or non-farm uses are considered appropriate only upon demonstration that existing and potential forest uses will be retained and protected. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.103-10 Permitted Buildings and Uses.

The following nonresidential uses and activities and their accessory building and uses are permitted:

(1) The management, growing and harvesting of forest crops; accessory structures to be used for equipment maintenance, communications, office use and watchmen, and those storage areas, structures and facilities incidental to each such activity, such as mobile processing on harvesting facilities and equipment and seasonal mobile homes for harvesting purposes.

(2) Facilities and test plots for experimental and research activities associated with forest management or forest products.

(3) Farm uses (see farm use definition, LC 10.020).

(4) Fish and game management, including accessory facilities.

(5) Recreation trail; public or private camping and picnic facilities, provided the total number of camping or picnic facility units located on a lot:

- (a) Does not exceed 10 units.
- (b) If the lot is 10 acres or less in size, the number of facility units located thereon shall not exceed the number of acres.
- (6) Public or private hunting and fishing preserves.
- (7) Facilities for fixed or rotary-winged and lighter-than-air aircraft, provided such facilities are accessory to the management, growing or harvesting of forest crops.
- (8) Rock, sand, gravel and loam extraction, quarries, including crushing, screening and stockpiling of materials, provided the location shall be at least 1,000 feet from any Zone District that is not an EFU, A-1, A-2, F-2, M-3, S-G or S-G/CP District for any excavation for which the amount exceeds 10,000 cubic yards annually, and provided further that materials produced are used solely in conjunction with forest or farm use activities.
- (9) Mineral exploration, provided the following standards are not exceeded:
 - (a) One acre of area for exploration, including all accessory buildings, access facilities and surface mining refuse.
 - (b) A result of 500 cubic yards annually of surface mining refuse such as waste materials, soil, rock, liquid vegetation and other materials resulting from or displaced by surface mining operations.
- (10) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (11) Emergency forest protection facilities such as fire towers, temporary fire suppression crew quarters, fire attacking landing strips for airplanes, or other similar uses.
- (12) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.103-15 Special Uses - Director Approval.

The following uses are subject to approval by the Director pursuant to LC 14.100.

- (1) One single-family dwelling or mobile home per lot in conjunction with uses permitted under LC 10.103-10(1) through (3) above. Such use of the property must be documented by:
 - (a) Designation of the property by County Tax Assessor as receiving either forest or farm tax deferral; or
 - (b) A satisfactory forest or agricultural management plan that, if implemented, would qualify the property for forest or farm tax deferral;
 - (c) A cooperative or lease agreement with another owner of forest or farmland for management of the property.
- (2) Group quarters or transient lodging in conjunction with uses permitted under LC 10.103-10 above.
- (3) Disposal sites for waste materials generated through the production, harvesting or manufacturing of forest crops, provided, however, such sites are not within 1,000 feet of any Zone District that is not an EFU, A-1, A-2, F-2, M-3, S-G or SG/CP District.
- (4) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83)*

10.103-20 Special Uses - Hearings Official's Approval.

The following uses are subject to approval by the Hearings Official pursuant to LC 14.300.

(iv) The water supply, pump, hose and nozzle shall be maintained as a connected, operating unit ready for immediate use during periods of fire danger.

(f) Shall clearly demonstrate the necessity for siting the residential structure on the property as opposed to other areas not zoned for resource purposes.

(2) In addition to other applicable requirements set forth in LC Chapter 15 and LM Chapter 15, the following requirements for appropriate access and egress of emergency firefighting equipment shall be observed.

(a) Maintenance of a shaded fuel break within dedicated road rights-of-way.

(b) Grades and turning radii are within the capabilities of emergency equipment serving that locale.

(c) Bridge construction must be adequate to support the gross vehicle weight of emergency equipment serving that locale.

(d) Dead-end roads and streets must provide adequate turnarounds.

(3) When a use is proposed in an area designated as an important or sensitive site or winter range on the Lane County Wildlife Inventory, the Oregon Department of Fish and Wildlife shall be notified and allowed opportunity to comment.

(4) The proposed use does not interfere with farm or forest activities in the area and will be compatible with the retention of existing and potential forest uses on the surrounding forest lands considering, among other things, the rating of wildfire potential as set forth in LC 10.103-60 below. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.103-30 Signs.

The following restrictions shall apply only to areas within 200 feet of a street other than an approved easement.

(1) Identification signs, each not exceeding 200 square feet in area and not exceeding one sign per each one-half mile distance.

(2) One sign not exceeding 32 square feet in area pertaining to the sale or rental of property.

(3) Signs shall pertain to uses conducted within the contiguous boundaries of the ownership. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.103-35 Vision Clearance.

Vision clearance for all corner lots shall be a minimum of 15 feet. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 9-83, 4.29.83)*

10.103-40 Setback Requirements.

(1) Building setbacks from all property lines and public or private rights-of-way shall be as provided in LC 15.065 through 15.095.

(2) All buildings shall be set back 100 feet from ordinary high water of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.103-50 Area.

Divisions of land shall be approved upon satisfactory findings that the division:

(a) Is compatible with forest uses in the area, and does not interfere with forest practices as defined and regulated under the Oregon Forest Practices Act (ORS 527.610 to 527.730).

FOREST LAND DISTRICT (F-2)

10.104-05 Purpose.

The Forest Land District (F-2) is intended to carry out the following purposes:

- (1) To encourage forestry and agriculture as the dominant uses of such lands;
- (2) To allow non-forest and non-farm uses only upon a finding that such uses will assure the retention of forest lands for forest uses and are consistent with those uses permitted in LC 10.106 and 10.107;
- (3) To preserve such lands for the production of forest and agricultural products and ensuring that conversion of such lands to non-forest and non-farm uses, when necessary and appropriate, occurs in an orderly and compatible manner;
- (4) To be used in remote areas of the County not appropriate for more intensive development than permitted by the regulation of this District.

It is County's policy to protect forestry and agricultural operations from conflicting land uses. Nothing in this chapter is intended to interfere with normal forestry or agricultural management or practices that might result in conditions such as noise, dust or smoke, visual impacts or odors for temporary periods of time. Existing or proposed non-forest or non-farm uses (i.e., dwellings) within the Forest Land District (F-2) must recognize that the intent of the District is to protect resource management activities and that in the event of conflict between residential uses and normal forestry or agricultural practices, this chapter will be interpreted in favor of resource management practices.
(Revised by Ordinance No. 16-80, Effective 9.27.80)

10.104-10 Permitted Buildings and Uses.

The following types of nonresidential buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- (1) The management, growing and harvesting of forest products, including Christmas tree raising;
- (2) Farm uses (see farm use definition, LC 10.020);
- (3) Sale of agricultural products and livestock grown or raised on the premises;
- (4) Accessory buildings and uses customarily provided in conjunction with a farm or forest use;
- (5) Facilities for fixed or rotary-winged and lighter-than-air aircraft, provided such facilities are accessory to the management, growing or harvesting of forest crops;
- (6) Commercial activities in conjunction with a farm use, provided such activities are conducted by the owner or operator of the farm use and do not constitute a separate business or enterprise;
- (7) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions);
- (8) Rock sand, gravel or loam excavation and extraction, provided:
 - (a) Materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration;
 - (b) Total excavation and extraction does not exceed 5,000 cubic yards annually;
 - (c) Materials produced are used solely in conjunction with forest or farm use activities.
- (9) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). (Revised by Ordinance No. 16-80, Effective 9.27.80)

10.104-15 Special Uses - Director Approval.

The following uses subject to approval by the Director pursuant to LC 14.100:

(1) One single-family dwelling or one mobile home per lot in conjunction with uses permitted under LC 10.104-10(1) and (2) above. Such use of the property shall be documented by:

(a) Designation of the property by the County Assessor as receiving either forest or farm tax deferral; or

(b) A satisfactory or farm management plan that, if implemented, would qualify the property for forest or farm tax deferral; or

(c) A cooperative or lease agreement with another owner of forest or farmland for management of the subject property.

(2) One single-family dwelling or one mobile home per lot not in conjunction with uses permitted under LC 10.104-10(1) and (2) above or a lot or parcel created for such purpose, provided that:

(a) The addition and location of new structures and improvements, including dwellings, roads, utilities, fences, wells, etc., will not impose limitations upon existing farm or forestry practices in the area;

(b) The use will not detrimentally affect the farm or forestry operations of the area through increased use of roads, interference with farm or forestry uses or practices or demand for public facilities;

(3) Public and semipublic buildings and structures rendering a direct service to the public in local areas such as fire stations or utility substations.

(4) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 16-83, 9.14.83)*

10.104-20 Special Uses - Hearings Official Approval.

The following uses, and no others, subject to approval by the Hearings Official pursuant to LC 14.300.

(1) The following uses, when such uses are operated as a separate business or enterprise not in conjunction with a farm use in certain locations determined not to be detrimental to the forest or agricultural character of the area and to be of benefit to the community at large, for example, along railroads, major highways or in small population centers:

(a) Hop, nut and fruit dryers.

(b) Feed mixing and storage facilities.

(c) Hullers.

(d) Mint distilleries.

(e) Seed processing, packing, shipping and storage.

(f) Plants for the storage, packing or wholesaling of agricultural products produced on the premises.

(g) Feed lots.

(h) Temporary and portable sawmills, barkers and chippers.

(i) Wine processing.

(j) Any other similar activities or other allied farm commercial activities.

(2) Animal hospitals; kennels.

(3) Churches.

(4) Public and private schools.

(5) Parks, playgrounds and community centers owned and operated by a governmental agency or a nonprofit community organization.

(ii) A water pump capable of pumping not less than 20 gallons per minute;

(iii) Sufficient water outlets, together with serviceable hose not less than three-quarters inch inside diameter and a nozzle to reach the dwelling and nearby improvements;

(iv) The water supply, pump, hose and nozzle shall be maintained as a connected, operating unit ready for immediate use during periods of fire danger.;

(e) Shall clearly demonstrate the necessity for siting the residential structure on the property as opposed to other areas not zoned for resource purposes.

(2) In addition to other applicable requirements set forth in LC Chapter 15 and LM Chapter 15, the following requirements for appropriate access and egress of emergency firefighting equipment shall be observed:

(a) Maintenance of a shaded fuel break within dedicated road rights-of-way;

(b) Grades and turning radii are within the capabilities of emergency equipment serving that locale;

(c) Bridge construction must be adequate to support the gross vehicle weight of emergency equipment serving that locale;

(d) Dead-end roads and streets must provide adequate turnarounds.

(3) When a use is proposed in an area designated as an important or sensitive site or winter range on the Lane County Wildlife Inventory, the Oregon Department of Fish and Wildlife shall be notified and allowed opportunity to comment.

(4) The proposed use will not alter the stability of the overall land use pattern in the area nor interfere with farm and forest practices and will be compatible with the retention of existing and potential forest uses on the surrounding forest lands considering, among other things, the rating of wildfire potential as set forth in LC 10.104-50 below. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 9-83, 4.29.83)*

10.104-30 Setback Requirements.

(1) Building setbacks from all property lines and public or private rights-of-way shall be as provided for in LC 15.065 through 15.095.

(2) All buildings shall be setback 100 feet from ordinary high water of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.104-35 Vision Clearance.

Vision clearance for corner lots shall be a minimum of 15 feet. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 9-83, 4.29.83)*

10.104-40 Area.

(Also see LC 10.300-20)

(1) Divisions of land shall be approved upon a finding that the division:

(a) Is compatible with forest and farm uses in the area and does not interfere with forest practices as defined and regulated under the Oregon Forest Practices Act or farm use as defined in ORS 215.203.

(b) Does not alter the stability of the overall land use pattern in the area.

(c) Results in parcels of sufficient size to carry out the intent and purpose of the F-2 District taking into consideration permitted uses, physical characteristics and productive capacity of the land. Is consistent with the forest lands and agricultural lands Goals and Policies of the Lane County Comprehensive Plan.

development than permitted by the regulations of this District. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82; 9-83, 4.29.83)*

10.105-10 Permitted Buildings and Uses.

In the F-F 20 District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- (1) The following farm uses:
 - (a) General farming, including, but not limited to, the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fibre products.
 - (b) Pastures and grazing.
 - (c) The raising, tending or breeding of cattle, horses, sheep, goats, bees, swine, fowl or furbearing animals; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock yard, slaughter house or animal by-product business.
 - (d) Dairying.
- (2) The management, growing and harvesting of forest products, including Christmas tree raising.
- (3) The following uses, when such uses are operated on the same property as, by the owner or operator of, and customarily provided in conjunction with a use permitted in LC 10.105-10(1) and (2) above, and are not a separate business or enterprise.
 - (a) Hop, nut and fruit driers.
 - (b) Feed mixing and storage facilities.
 - (c) Hullers.
 - (d) Mint distilleries.
 - (e) Seed processing, packing, shipping and storage.
 - (f) Plants for the storage or packing of agricultural products produced on the premises.
 - (g) Wine processing.
 - (h) Temporary and portable sawmills, barkers and chippers.
 - (i) Any other similar processing and allied farm commercial activities approved by the Planning Commission.
- (4) Sale of agricultural products and livestock grown or raised on the premises.
- (5) One single-family dwelling per lot or one mobile home per lot.
- (6) Guest house.
- (7) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.
- (8) Airplane strips and helipads for the private use of owner or operator of the property and private hunting and fishing preserves.
- (9) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (10) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.
- (11) Kennel, provided the following conditions are satisfied:
 - (a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.
 - (b) Where the lot area is less than 20 acres, the maximum number of dogs over four months of age shall be eight.
 - (c) Where lot area is a minimum of 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall

be required for all such dogs in excess of eight and shall be located at least 100 feet from an adjoining property.

(d) All dogs shall be owned by the kennel owner, except those temporarily kept for the purposes of breeding.

(12) Family day care facility in a permitted residence.

(13) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been inventoried and designated in the applicable Comprehensive Plan as a historic structure meeting the standards of ORS 358.480.

(14) Residential Home.

(15) Winery, developed only as specifically defined in LC 10.020, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited:

(a) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places;

(b) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 10.300-05(2)(a)(vii).

(16) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead; and operations for the exploration for minerals as defined by ORS 517.750.

(17) Creation of restoration of, or enhancement of wetlands.

(18) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 17-73, 1.16.74; 9-75, 7.2.75; 3-76, 4.7.76; 1-82, As Amended, 4.16.82; 9-83, 4.29.83; 3-91, 5.17.91)*

10.105-15 Conditional Uses.

The following conditional uses, subject to a Conditional Use Permit granted pursuant to the general provisions of this chapter providing for the granting of Conditional Use Permits (LC 10.320).

(1) The following uses, when such uses are operated as a separate business or enterprise not in conjunction with a farm use in certain locations determined not to be detrimental to the agricultural character of the area and to be of benefit to the community at large; for example, along railroads, major highways or in small population centers.

(a) Hop, nut and fruit dryers.

(b) Feed mixing and storage facilities.

(c) Hullers.

(d) Mint distilleries.

(e) Seed processing, packing, shipping and storage.

(f) Plants for the storage, packing or wholesaling of agricultural products produced on the premises.

(g) Feed lots.

(h) Temporary and portable sawmills, barkers and chippers.

(i) Wine processing.

(j) Any other similar activities or other allied farm commercial activities.

(2) Animal hospitals; kennels which do not satisfy the requirements for kennels allowed as a permitted use in LC 10.105-10(11) above.

- (3) Churches.
- (4) Public and private schools.
- (5) Parks, playgrounds and community centers.
- (6) Lodges and grange halls.
- (7) Electric transmission facilities transmitting electric current in excess of 75,000 volts in any single cable or line or group of cables or lines.
- (8) Flood control facilities and irrigation projects.
- (9) Radio and TV transmission towers.
- (10) Stables, riding academies and commercial riding; provided such activities are contained on the property authorized for Conditional Use Permits approval.
- (11) Airports, heliports or aircraft landing fields.
- (12) Cemeteries.
- (13) Golf courses.
- (14) Penal farms.
- (15) Radio and TV stations.
- (16) Rock, sand, gravel and loam excavations, extraction of mineral resources, with incidental processing.
- (17) Sanitary landfills.
- (18) Tourist parks.
- (19) Camping vehicle parks.
- (20) Campgrounds.
- (21) Rental facilities for storing boats and recreational vehicles.
- (22) Sewage treatment facilities.
- (23) Other uses not specifically authorized any place in this chapter.
- (24) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (25) Seasonal farm worker housing.
- (26) Room and board arrangements for a maximum of five unrelated persons in an existing dwelling otherwise permitted by this district, and also provided that such a facility will not force a significant change in accepted farm or forest practices on surrounding lands devoted to forest use, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm and forest use.
- (27) Subsurface resource recovery operations as follows:
 - (a) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted by LC 10.105-10(16) above.
 - (b) Mining of aggregate and other mineral and other subsurface resources to an amount exceeding 1,000 total cubic yards of material or excavation preparatory to mining a surface area of more than one acre.
 - (c) Processing, as defined in ORS 517.750, of aggregate into asphalt or portland cement; provided such processing does not take place within two air miles of a vineyard planted at the time the initial processing application is made.
 - (d) Processing of other mineral resource and other subsurface resources.
- (28) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 17-73, 1.16.74; 6-75, 3.26.75; 9-75, 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78; 5-81, 4.8.81; 3-91, 5.17.91)*

10.105-20 Accessory Dwellings.

Accessory dwellings are allowed as specified in LC 10.370. *(Revised by Ordinance No. 5-81, Effective 4.8.81)*

IMPORTANT AGRICULTURAL LAND DISTRICT (A-1)

10.106-05 Purpose.

The Important Agricultural Land District (A-1) is intended to provide areas for the continued practice of commercial agriculture, permit only those activities compatible with commercial agriculture, to guarantee the preservation and maintenance of areas so classified. It is adopted as an Exclusive Farm Use District as provided for by ORS 215.203 through ORS 215.263.

The Important Agricultural Land District is to be applied to land designated as agricultural by the Comprehensive Plan and possessing the following characteristics:

- (1) Land having soils of Class I, II, III or IV as identified by the US Soil Conservation Service or lands suitable for farm use pursuant to LCDC Goal 3; and
- (2) Land where the predominant activity is commercial agriculture and where application of this District is necessary for the continuation of such activities, and
- (3) Land in an area that is relatively free from non-farm uses; and
- (4) Land in an area where the predominant soils are of the type classified as "prime" or "soils of local importance" by the United States Department of Agriculture Soil Conservation Service. Other surrounded or adjacent lands may also be included in the Important Agricultural Land District where such inclusion is necessary to preserve and protect the integrity of commercial agriculture.

It is County's policy to protect forestry and agricultural operations from conflicting land uses. Nothing in this chapter is intended to interfere with normal forestry or agricultural management or practices that might result in conditions such as noise, dust or smoke, visual impacts or odors for temporary periods of time. Existing or proposed non-forest or non-farm uses (i.e., dwellings) within the Important Agricultural Land District (A-1) must recognize that the intent of the District is to protect resource management activities and that, in the event of conflict between residential uses and normal forestry or agricultural practices, this chapter will be interpreted in favor of resource management practices. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.106-10 Uses.

Within an A-1 District only the following uses and buildings are permitted pursuant to the review process and criteria as specified in Table I below. The number opposite the proposed use under the column describing the land unit under consideration will indicate the appropriate review process described in LC 10.106-12.

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (1) Farm uses (See "Farm Use" definition.) | (1) | (1) | (1) | (1) | (1) |
| (2) Accessory buildings customarily provided in conjunction with a use permitted in this District. | (1) | (1) | (1) | (1) | (1) |

Table I

Buildings & Uses

Land Unit
(See LC 10.100-40)

NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed

| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
|--|-------------------------|-----------------------------------|--|-------------------------|----------------------|
| (3) One single-family dwelling or one mobile home per land unit in conjunction with a farm use as defined in this chapter. | (1) | (2) ⁹ | (3) ¹⁰ | (4) ¹¹ | N/A |
| (4) One single-family dwelling or one mobile home per land unit used for persons employed on the premises in conjunction with a farm use. | (1) | (2) ¹² | (3) ¹³ | N/A | N/A |
| (5) Mobile homes in addition to those permitted in (4) above for persons employed on the premises in conjunction with a farm use. | (11) | (11) | (11) | N/A | N/A |
| (6) One single-family dwelling or one mobile home per land unit not in conjunction with a farm use. Such use shall not be in addition to those permitted under (3), (4) and (5) above or (7) below. | (13) | (13) | (13) | (13) | (13) ¹⁴ |
| (7) One single-family dwelling or one mobile home per land unit occupied by a relative whose assistance on the farm is or will be required by the farm operator. | (1) | (1) | (1) | (1) | N/A |
| (8) Public and semi-public buildings and structures rendering direct utility service to the public in local areas, such as fire stations, utility substations, electrical transmission facilities transmitting electric current 150,000 volts or less in any single cable or line or group of cables or lines, radio and TV receiving or broadcasting facilities, pump stations and wells, | (1) | (1) | (1) | (1) | (1) |

⁹ If proposed on a parcel created under the review process specified at LC 10.106-12(2) or LC 10.106-12(3), the structure will be considered as a permitted use and not require approval as a special use.

¹⁰ See #9.

¹¹ If proposed on a parcel created under the review process specified at LC 10.106-12(9) below, the structure will be considered as a permitted use and not require approval as a special use.

¹² See #9.

¹³ See #9.

¹⁴ See #11.

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| except commercial facilities for the purpose of generating power for public use by sale. | | | | | |
| (9) Commercial activities that are in conjunction with a farm use. | (4) | (4) | (4) | (4) | (4) |
| (10) Propagation or harvesting of a forest product. | (1) | (1) | (1) | (1) | (1) |
| (11) Flood control or irrigation projects and facilities. | (12) | (12) | (12) | (12) | (12) |
| (12) Rock, sand, gravel or loam extraction and extraction provided: | | | | | |
| (a) Materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration and are used in conjunction with a farm use. | | | | | |
| (b) Total excavation or extraction does not exceed 5,000 cubic yards annually. | (4) | (4) | (4) | (4) | N/A |
| (13) Electrical generation facilities, canals, flumes, pipelines and similar facilities, including electrical transmission facilities transmitting electric current in excess of 150,000 volts in any single cable or line or group of cables or lines. | (12) | (12) | (12) | (12) | (12) |
| (14) Minor Rural Home Occupations (see LC 10.342-05 through LC 10.342-25) provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices. | (11) | (11) | (11) | (11) | N/A |
| (15) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment, facilities or buildings | (11) | (11) | (11) | (11) | (11) |

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|---|---------------------------------|-----------------------------------|--|-------------------------|------------------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| necessary for its operation. | | | | | |
| (16) Land Divisions. | (6) | (7) | (8) | (9) | (10) |
| (17) Family day care facility in an existing residence or a residence established in accordance with the applicable review processes set forth above. | (1) | (1) | (1) | (1) | (1) |
| (18) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been inventoried and designated in the applicable Comprehensive Plan as a historic structure meeting the standards of ORS 358.480. | | | | | |
| | | | | | Refer to 10.106-10(3) above. |
| (19) Seasonal farm worker housing. | (11) | (11) | (11) | (11) | N/A |
| (20) Residential Home in an existing residence or a residence established in accordance with the applicable review processes set forth above. | (1) | (1) | (1) | (1) | (1) |
| (21) Winery, developed only as specifically defined in LC 10.020, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited: | | | | | |
| (a) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places; | | | | | |
| (b) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 10.300-05(2)(a)(vii). | (1) | (1) | (1) | (1) | N/A |
| (22) Room and board | (11) | (11) | (11) | (11) | N/A |

Table I

Buildings & Uses

Land Unit
(See LC 10.100-40)

NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed

| Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
|-------------------------|-----------------------------------|--|-------------------------|----------------------|
|-------------------------|-----------------------------------|--|-------------------------|----------------------|

arrangements for a maximum of five unrelated persons in an existing dwelling otherwise permitted by this district, and also provided that such a facility will not force a significant change in accepted farm or forest practices on surrounding lands devoted to forest use, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm and forest use.

(23) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead; and operations for the exploration for minerals as defined by ORS 517.750.

| | | | | |
|-----|-----|-----|-----|-----|
| (1) | (1) | (1) | (1) | (1) |
|-----|-----|-----|-----|-----|

(24) Subsurface resource recovery operations as follows:

(a) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted by LC 10.106-10(23) above.

(b) Mining of aggregate and other mineral and other subsurface resources to an amount exceeding 1,000 total cubic yards of material or excavation preparatory to mining a surface area of more than one acre.

(c) Processing, as defined in ORS 517.750, of aggregate into asphalt or portland cement; provi-

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| ded such processing does not take place within two air miles of a vineyard planted at the time the initial processing application is made. | | | | | |
| (d) Processing of other mineral resource and other subsurface resources. | (5) | (5) | (5) | (5) | (5) |
| (25) Creation of, restoration of, or enhancement of wetlands. | (1) | (1) | (1) | (1) | (1) |
| (26) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). | (1) | (1) | (1) | (1) | (1) |
| (27) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). | (11) | (11) | (11) | (11) | (11) |

(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 3-91, 5.17.91)

10.106-12 Review Process.

For uses listed in Table I above, the following review processes are applicable:

- (1) Permitted Use. Review is limited to determination of qualifications.
- (2) Special Use.

(a) Subject to approval of the Planning Director pursuant to LC 14.100, and

(b) The subject property is a unit of contiguous ownership less than that specified in LC 10.360-10, but equal to or greater than the median ownership of farm units within the immediate area. Immediate area shall mean the section in which the subject property is located along with the eight surrounding and adjacent sections, excluding such areas as may lie outside the boundaries of Lane County, Oregon. Farm units shall mean any property having a property classification beginning with the digit "5" or ending with the digit "2" or "3" as shown on the latest approved tax roll. Ownerships of less than 10 acres shall not be included in the calculations of the median area.

- (3) Special Use.

(a) Subject to approval of the Planning Director pursuant to LC 14.100, and

(b) The subject property, although smaller in size than commercial farm units in the immediate area.

(i) Is unique in that the types of products produced, while following accepted farming practice, are not found in the immediate area, and

(ii) Will contribute in a substantial way to the agricultural economy of the County, and

(1) Commercial Farm Unit is a contiguous ownership meeting the area requirements of LC 10.360-10.

(2) Special Commercial Farm Unit I is a contiguous ownership meeting the area requirements set forth in LC 10.106-12(2).

(3) Special Commercial Farm Unit II is a contiguous ownership meeting the requirements set forth in LC 10.106-12(3).

(4) Farm Unit is any contiguous ownership used for farm use as defined by this chapter and not meeting the requirements of LC 10.106-20(1), (2) or (3) above.

(5) Non-farm Unit is any parcel of land not used for farm purposes as defined by this chapter. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82)*

10.106-30 Nonconforming Uses and Use of Preexisting Parcels.

(1) A legally established non-farm use existing at the time zone is applied and is unintentionally destroyed by fire, other casualty or natural disaster may be reestablished to its previous nature and extent, but the reestablishment shall meet all building, plumbing, sanitation, State Building Code and LC Chapter 15, Setback Requirements.

(2) If a preexisting parcel meets the minimum area requirements of this section for a commercial farm parcel, uses may be established as provided in this section.

(3) Except as provided in LC 10.106-30(1) above, if a preexisting parcel does not meet the minimum area requirements of this section for a commercial farm parcel, the parcel is deemed a non-farm lot and any proposed single-family dwelling, mobile home and accessory building shall be deemed a non-farm use. Any other use listed in LC 10.106-10 above may be established in accordance with procedures and criteria in LC 10.106-10. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82)*

10.106-40 Setback Requirements.

(1) Building setbacks from all property lines and public or private rights-of-way shall be as provided in LC 15.065 through LC 15.095.

(2) All buildings or structures shall be set back 100 feet from ordinary high waterline of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.106-50 Conflicting Provisions.

No provision of this section shall be construed to authorize any use included within the definition of farm use or specially authorized as a non-farm use in ORS 215.203 and 215.213. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.106-60 Applications.

Any application submitted for review under this section must state which land unit and review process is applicable. Failure to meet the applicable criteria and standards shall result in denial of the application. Consideration of the request under different criteria (i.e., those applicable to a different land unit) shall be only upon the submission of a new application. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82)*

10.106-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.106-05 through -60 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway

AGRICULTURAL LAND DISTRICT (A-2)

10.107-05 Purpose.

The Agricultural Land District (A-2) is to define areas suitable for some agricultural activities, but are not well suited for commercial agriculture due to poorer soil conditions, presence of potentially incompatible land uses, inefficient parcel sizes and configurations or similar constraints. It is adopted as an Exclusive Farm Use District as provided for by ORS 215.203 through ORS 215.263.

The Agricultural Lands District (A-2) is to be applied to lands:

- (1) Having soils of Class I, II, III or IV as identified by the US Soil Conservation Service, or
- (2) Having suitability for farm use; or
- (3) Necessary to permit farm practices on adjacent or nearby lands although having soils other than Class I through IV; and
- (4) Not deemed suitable for designation as Important Agricultural Land (A-1), but otherwise defined as agricultural land by Statewide Goal 3.

It is County's policy to protect forestry and agricultural operations from conflicting land uses. Nothing in this chapter is intended to interfere with normal forestry or agricultural management or practices that might result in conditions such as noise, dust or smoke, visual impacts or odors for temporary periods of time. Existing or proposed non-forest or non-farm uses (i.e., dwellings) within the Agricultural Land District (A-2) must recognize that the intent of the District is to protect resource management activities and that in the event of conflict between residential uses and normal forestry or agricultural practices, this chapter will be interpreted in favor of resource management practices. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82)*

10.107-10 Uses.

Within an A-2 District only the following uses and buildings are permitted pursuant to the review process and criteria as specified in Table I below. The number opposite the proposed use under the column describing the land unit under consideration will indicate the appropriate review process described in LC 10.107-12.

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (1) Farm uses (See "Farm Use" definition). | (1) | (1) | (1) | (1) | (1) |
| (2) Accessory buildings customarily provided in conjunction with a use permitted in this District. | (1) | (1) | (1) | (1) | (1) |

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|---|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (3) One single-family dwelling or one mobile home per land unit in conjunction with a farm use as defined in this chapter. | (1) | (2) ¹ | (3) ² | (4) ³ | N/A |
| (4) One single-family dwelling or one mobile home per land unit used for persons employed on the premises in conjunction with a farm use. | (1) | (2) ⁴ | (3) ⁵ | N/A | N/A |
| (5) Mobile homes in addition those permitted in (4) above for persons employed on the premises in conjunction with a farm use. | (11) | (11) | (11) | N/A | N/A |
| (6) One single-family dwelling or one mobile home per land unit not in conjunction with a farm use. Such use shall not be in addition to those permitted under (3), (4) and (5) above or (7) below. | (13) | (13) | (13) | (13) | (13) ⁶ |
| (7) One single-family dwelling or one mobile home per land unit occupied by a relative whose assistance on the farm is or will be required by the farm operator. | (1) | (1) | (1) | (1) | N/A |

¹ If proposed on a parcel created under the review process specified at LC 10.107-12(7) or LC 10.107-12(8) below, the structure will be considered as a permitted use and not require approval as a special use.

² See #1.

³ If proposed on a parcel created under the review process specified at LC 10.107-12(9) or LC 10.107-12(10) below, the structure will be considered as a permitted use and not require approval as a special use.

⁴ See #1.

⁵ See #1.

⁶ If proposed on a parcel created under the review process specified at LC 10.107-12(10) below, the structure will be considered as a permitted use and not require approval as a special use.

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm Unit | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (8) Public and semipublic buildings and structures rendering direct utility service to the public in local areas, such as fire stations, utility substations, electrical transmission facilities transmitting electric current 150,000 volts or less in any single cable or line or group of cables or lines, radio and TV receiving or broadcasting facilities, pump stations and wells, except commercial facilities for the purpose of generating power for public use by sale. | (1) | (1) | (1) | (1) | (1) |
| (9) The keeping of dogs, accessory to a residence, provided the following conditions are satisfied. | | | | | |
| (a) The maximum number of dogs over four months of age shall be eight. | | | | | |
| (b) For more than three dogs over four months of age there shall be at least 5,000 square feet of lot area for each dog on the lot. | | | | | |
| (c) All dogs shall be owned by the property owners, except those temporarily kept for purposes of breeding. | (1) | (1) | (1) | (1) | (1) |
| (10) Propagation or harvesting of a forest product. | (1) | (1) | (1) | (1) | (1) |
| (11) Churches. | (1) | (2) ⁷ | (3) ⁸ | N/A | (4) |
| (12) Public and private schools. | (1) | (2) | (3) | N/A | (4) |
| (13) Operations for the exploration of geothermal resources as defined by ORS 522.005. | (1) | (1) | (1) | (1) | (1) |
| (14) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005. | (5) | (5) | (5) | (5) | (5) |

⁷ See #1.

⁸ See #1.

Table I

Buildings & Uses

Land Unit
(See LC 10.100-40)

NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed

| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
|--|-------------------------|-----------------------------------|--|-------------------------|----------------------|
| (15) Commercial activities that are in conjunction with a farm use. | (4) | (4) | (4) | (4) | N/A |
| (16) Parks, playgrounds or community centers owned and operated by a governmental agency or a nonprofit community organization. | (5) | (5) | (5) | (5) | (5) |
| (17) Private parks, playgrounds, hunting and fishing preserves, and campgrounds, including facilities for recreational vehicles, but specifically excluding mobile home parks. | (5) | (5) | (5) | (5) | (5) |
| (18) Flood control or irrigation projects and facilities. | (12) | (12) | (12) | (12) | (12) |
| (19) Electrical generation facilities, canals, flumes, pipelines and similar facilities, including electrical transmission facilities transmitting electric current in excess of 150,000 volts in any single cable or line of cables or lines. | (12) | (12) | (12) | (12) | (12) |
| (20) Rock, sand, gravel or loam extraction and extraction provided: | | | | | |
| (a) Materials produced are for the sole purpose of the owner or operator and are not offered for sale or remuneration and are used in conjunction with a farm use. | | | | | |
| (b) Total excavation or extraction does not exceed 5,000 cubic yards annually. | (4) | (4) | (4) | (4) | N/A |
| (21) Exploration, mining and processing of aggregate or other mineral resources or other subsurface resources which exceed the requirements for a special use as provided for in (19) above. | (5) | (5) | (5) | (5) | (5) |

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|---|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (22) Personal-use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities as defined in ORS 215.213(2)(g). | (12) | (12) | (12) | (12) | (12) |
| (23) Feed lots. | (5) | (5) | (5) | (5) | (5) |
| (24) Minor Rural Home Occupations (see LC 10.342-25 through 10.342-25), provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within the accessory buildings that have a primary function of supporting farming practices. | (11) | (11) | (11) | (11) | N/A |
| (25) Major Rural Home Occupations see (LC 10.342-05 through 10.342-25), provided, however, such activity is conducted exclusively by the residents and is within a dwelling allowed under (3), (4) or (5) above or is within accessory buildings that have a primary function of supporting farming practices. | (12) | (12) | (12) | (12) | N/A |
| (26) Golf courses. | (12) | (12) | (12) | (12) | (12) |
| (27) Temporary or portable sawmills, barkers and chippers. Such a use may be approved for a one-year period which is renewable. These facilities are intended for primary processing of a forest product. Forest products means timber grown upon a parcel of land or contiguous land where the primary processing facility is located. | (11) | (11) | (11) | (11) | (11) |
| (28) Boarding of horses for profit. | (12) | (12) | (12) | (12) | (12) |

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|---|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (29) A site for the disposal of solid waste approved by the governing body of a city or county or both and for which a permit has been granted under ORS 459.245 by the Department of Environmental Quality, together with equipment, facilities or buildings necessary for its operation. | (11) | (11) | (11) | (11) | (11) |
| (30) Land Divisions. | (6) | (7) | (8) | (9) | (10) |
| (31) Family day care facility in an existing residence or a residence established in accordance with the applicable review processes set forth above | (1) | (1) | (1) | (1) | (1) |
| (32) A replacement dwelling to be used in conjunction with farm use if the existing dwelling has been inventoried and designated in the applicable Comprehensive Plan as a historic structure meeting the standards of ORS 358.480. | | | | | |
| | | | Refer to 10.107-10(3) above. | | |
| (33) Seasonal farm worker housing. | (11) | (11) | (11) | (11) | N/A |
| (34) Residential Home in an existing residence established in accordance with the applicable review processes set forth above. | (1) | (1) | (1) | (1) | (1) |
| (35) Winery, developed only as specifically defined in LC 10.020, provided that the vineyards described in the definition of winery are planted or that the long-term contract for vineyard produce is executed, and further provided that the following conditions are shown at the time of application to be satisfied in a manner that demonstrated conflicts with accepted farming or forest practices on adjacent lands are limited: | | | | | |

Table I

Buildings & Uses

Land Unit
(See LC 10.100-40)

| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | Com- mercial Farm Unit I | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
|---|-----------------------------------|-----------------------------------|--|-------------------------|----------------------|
| (a) A 100-foot setback is maintained from all property lines to the outside perimeter of the winery and all associated public gathering places; | | | | | |
| (b) There is provision of direct road access to the site, including adequate internal circulation, and parking as defined in LC 10.300-05(2)(a)(vii). | (1) | (1) | (1) | (1) | N/A |
| (36) Room and board arrangements for a maximum of five unrelated persons in an existing dwelling otherwise permitted by this district, and also provided that such a facility will not force a significant change in accepted farm or forest practices on surrounding lands devoted to forest use, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm and forest use. | (11) | (11) | (11) | (11) | N/A |
| (37) Operations for the exploration for and production of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead; and operations for the exploration for minerals as defined by ORS 517.750. | (1) | (1) | (1) | (1) | (1) |
| (38) Subsurface resource recovery operations as follows: (i) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted by LC 10.107-10(37) above. | | | | | |

Table I

| Buildings & Uses | Land Unit (See LC 10.100-40) | | | | |
|--|---------------------------------|-----------------------------------|--|-------------------------|----------------------|
| | Com- mercial Farm | Com- mercial Farm Unit I | Special Commer- cial Farm Unit II | Special Farm Unit | Non- Farm Unit |
| NOTE. (1) shown in the Land Unit column indicates a permitted use. All special uses requiring review. N/A=Not Allowed | | | | | |
| (ii) Mining of aggregate and other mineral and other subsurface resources to an amount exceeding 1,000 total cubic yards of material or excavation preparatory to mining a surface area of more than one acre. | | | | | |
| (iii) Processing, as defined in ORS 517.750, of aggregate into asphalt or portland cement; provided such processing does not take place within two air miles of a vineyard planted at the time the initial processing application is made. | | | | | |
| (iv) Processing of other mineral resource and other subsurface resources. | (5) | (5) | (5) | (5) | (5) |
| (39) Creation of, restoration of, or enhancement of wetlands. | (1) | (1) | (1) | (1) | (1) |
| (40) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). | (1) | (1) | (1) | (1) | (1) |
| (41) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). | (11) | (11) | (11) | (11) | (11) |

(Revised by Ordinance No. 16-80, Effective 9.27.80; 1-82, As Amended, 4.16.82; 3-91, 5.17.91)

10.107-12 Review Process.

For uses listed in Table I above, the following review processes are applicable:

- (1) Permitted Use. Review is limited to determination of qualifications.
- (2) Special Use.

- (a) Subject to approval of the Planning Director pursuant to LC 14.100,

and

- (b) The subject property is a unit of contiguous ownership less than that specified in LC 10.360-10 but equal to or greater than the median ownership of farm units within the immediate area. Immediate area shall mean the section in which the subject property is located along with the eight surrounding and adjacent sections, excluding such areas as may lie outside the boundaries of Lane County, Oregon. Farm units shall mean any property having a property classification beginning with the digit "5" or ending with the digit "2" or "3" as shown on the latest approved tax roll. Ownerships of less than 10 acres shall not be included in the calculations of the median area.

(1) Commercial Farm Unit is a contiguous ownership meeting the area requirements of LC 10.360-10.

(2) Special Commercial Farm Unit I is a contiguous ownership meeting the area requirements set forth in LC 10.107-12(2).

(3) Special Commercial Farm Unit II is a contiguous ownership meeting the requirements set for in LC 10.107-12(3).

(4) Farm Unit is any contiguous ownership used for farm use as defined by this chapter and not meeting the requirements of LC 10.107-30(1), (2) or (3) above.

(5) Non-Farm Unit is any parcel of land not used for farm purposes as defined by this chapter. *(Revised by Ordinance No. 1-82, As Amended, Effective 4.16.82)*

10.107-40 Setback Requirements.

(1) Setbacks from all property lines and public or private rights-of-way shall be as provided in LC 15.065 through 15.095.

(2) All buildings or structures shall be set back 100 feet from ordinary high waterline of any Class I stream, provided, however, a lesser setback may be authorized in conjunction with a special use after evaluation of impact on riparian vegetation. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.107-45 Vision Clearance.

Vision clearance for corner lots or parcels shall be a minimum of 15 feet. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.107-50 Nonconforming Uses and Use of Preexisting Parcels.

(1) A legally established non-farm use existing at the time this zone is applied and is unintentionally destroyed by fire, other casualty or natural disaster may be reestablished to its previous nature and extent, but the reestablishment shall meet all building, plumbing, sanitation, State Building Code and LC Chapter 15, Setback Requirements.

(2) If a preexisting parcel meets the minimum area requirements of this section for a commercial farm parcel, uses may be established as provided in this section.

(3) Except as provided in LC 10.107-50 (1) above, if a preexisting parcel does not meet the minimum area requirements of this section for a commercial farm parcel, the parcel is deemed a non-farm lot and any proposed single-family dwelling, mobile home and accessory building shall be deemed a non-farm use. Any other use listed in LC 10.107-10 above may be established in accordance with procedures and criteria in LC 10.107-10. *(Revised by Ordinance No. 1-82 As Amended, Effective 4.16.82)*

10.107-60 Applications.

Any application submitted for review under this section must state which land unit and review process is applicable. Failure to meet the applicable criteria and standards shall result in denial of the application. Consideration of the request under different criteria (i.e., those applicable to a different land unit) shall be only upon the submission of a new application. *(Revised by Ordinance No. 1-82 As Amended, Effective 4.16.82; 16-83, 9.14.83)*

10.107-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.107-05 through -60 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones

(LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

GENERAL RURAL DISTRICT (GR 10)

10.108-05 Purpose.

The General Rural District is intended to define and protect areas suitable for mixed grazing, agriculture, limited timber production and low-intensity development compatible with the rural environment. It is appropriate for areas with the following characteristics:

(1) The land is not well-suited for large-scale agriculture or timber production because of:

(a) Marginal or poor soil conditions, erosion potential, slope, lack of groundwater or similar physical constraints, or

(b) The presence of potentially incompatible uses or inefficient lot sizes and configurations, and

(2) The area lacks the services and facilities required to support more intensive development. *(Revised by Ordinance No. 9-75, Effective 7.2.75)*

10.108-10 Permitted Buildings and Uses.

In the General Rural District, the following types of structures and uses are permitted as described in this section and subject to the general provisions and exceptions set forth in this chapter:

(1) The following farm uses:

(a) General farming, including, but not limited to, the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fibre products.

(b) Pastures and grazing.

(c) Except as limited by LC 10.108-15(1), the raising, tending or breeding of cattle, horses, sheep, goats or bees for the primary purpose of selling animals or animal products for profit, or for the primary purpose of personal, domestic use; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughterhouse or animal by-product business.

(d) The raising, tending, or breeding of swine, fowl or furbearing animals for the primary purpose of personal domestic use. Such use shall include, but not be limited to, the raising of animals for shows, competitions or projects sponsored or directed by a school, club or other social or educational organization.

(2) The management, growing and harvesting of forest products, including Christmas trees.

(3) Sale of agricultural products grown or raised on the premises, provided that the sales floor area does not exceed 300 square feet.

(4) One single-family dwelling or two-family dwelling per lot, or one mobile home per lot.

(5) Guest houses.

(6) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.

(7) Minor Rural Home Occupation. (See LC 10.342)

(8) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.

(9) Kennels, provided the following conditions are satisfied:

(a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(b) Where the lot area is 20 acres or less, the maximum number of dogs over four months of age shall be eight.

(c) Where lot area exceeds 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from any adjoining property.

(d) All dogs shall be owned by the kennel owner except those temporarily kept for purposes of breeding.

(10) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 9-75, Effective 7.2.75; 3-76, 4.7.76)*

10.108-15 Conditional Uses.

The following types of buildings and uses may be allowed, subject to the granting of a Conditional Use Permit in accordance with the general provisions of this chapter regarding such permits (LC 10.320), and subject to the general provisions and exceptions set forth in this chapter.

(1) The following animal husbandry uses where such uses are intended for the primary purpose of selling animals or animal products for profit.

- (a) Raising, tending or breeding of swine.
- (b) Raising, tending or breeding of furbearing animals.
- (c) Feed lots.
- (d) Raising, tending or breeding of fowl for meat or egg production.

(2) The following uses, when such uses constitute a separate business or enterprise not incidental or accessory to a farm use:

- (a) Hop, nut and fruit driers.
- (b) Feed mixing and storage facilities.
- (c) Hullers.
- (d) Mint distilleries.
- (e) Seed processing, packing, shipping and storage.
- (f) Plants for the storage or packing of agricultural products.
- (g) Temporary and portable sawmills, barkers and chippers.
- (h) Other similar processing and farm commercial activities.

(3) Airports, heliports or aircraft landing fields.

(4) Animal hospitals.

(5) Campgrounds.

(6) Camping vehicle parks.

(7) Cemeteries.

(8) Churches.

(9) Correctional institutions.

(10) Dams, water storage areas, power transmission stations, substations and other similar facilities; electric transmission facilities transmitting electricity in excess of 75,000 volts in any single cable or line or group of cables or lines; canals, flumes and pipelines.

(11) Day nurseries and kindergartens.

(12) Flood-control facilities and irrigation projects.

(13) Golf courses.

(14) Group care homes.

(15) Hospitals.

(16) Hunting and fishing lodges.

- (17) Kennels which do not satisfy the requirements for kennels allowed as a permitted use.
- (18) Lodges and grange halls.
- (19) Major Rural Home Occupations. (See LC 10.342)
- (20) Nursing homes.
- (21) Parks, playgrounds and community centers.
- (22) Penal farms.
- (23) Public and private schools.
- (24) Radio and TV stations.
- (25) Radio and TV transmission towers.
- (26) Rock, sand, gravel and loam excavations, extraction of mineral resources, with incidental processing.
- (27) Sanitariums.
- (28) Solid waste disposal facilities.
- (29) Stables, riding academies and commercial riding.
- (30) Tourist parks.
- (31) Rental facilities for storing boats and recreational vehicles.
- (32) Sewage treatment facilities.
- (33) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).
- (34) Other uses not specifically authorized anywhere in this chapter. *(Revised by Ordinance No. 9-75, Effective 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78; 5-81, 4.8.81)*

10.108-20 Accessory Dwellings.

Accessory dwellings are allowed as specified in LC 10.370. *(Revised by Ordinance No. 5-81, Effective 4.8.81)*

10.108-23 Setback Requirements.

The minimum setback distances for any main or accessory building in a General Rural District shall be those specified in LC 15.065 through 15.095. *(Revised by Ordinance No. 9-75, Effective 7.2.75)*

10.108-42 Area.

(Also see LC 10.300-20)

(1) The minimum area for the division of land shall be 10 acres, except that the division of agricultural land by lease or rental for any farm use purpose is permitted, provided however, that no structure or building may be erected appurtenant to such division of land except those permitted under LC 10.108-10(6) above, and except further, division of land for less than 10 acres is permissible for uses permitted under LC 10.108-10(8) above and permitted conditionally in the GR 10 District.

(2) For each accessory dwelling or mobile home unit approved under LC 10.108-20 above, the lot shall contain an average area of five acres per such accessory unit.

(3) A special exception to the minimum area requirements of this section may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements." *(Revised by Ordinance No. 9-75, Effective 7.2.75; 3-76, 4.7.76; 5-81, 4.8.81)*

10.108-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.108-05 through -42 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not

necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. *(Revised by Ordinance No. 4-02, Effective 4.10.02)*

AGRICULTURE, GRAZING, TIMBER RAISING DISTRICT (AGT)

10.110-05 Purpose.

The Agriculture, Grazing, Timber Raising District is intended to provide areas for rural density residential development and continuation of farm uses and timber production where compatible with each other. It is appropriate to be applied to areas which have, by nature of use and land division activity, already begun a transition from rural to urban use, primarily in the outer portions of the rural-urban fringe areas where public facilities and services will be necessary before intensive urbanization should occur, and in rural lands with marginal suitability for agricultural production. *(Revised by Ordinance 13-72, Effective 7.21.72)*

10.110-10 Permitted Buildings and Uses.

In the AGT District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter.

- (1) The following farm uses:
 - (a) General farming, including, but not limited to, the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fibre products.
 - (b) Pastures and grazing.
 - (c) The raising, tending or breeding of cattle, horses, sheep, goats or bees for the primary purpose of selling animals or animal products for profit, or for the primary purpose of personal, domestic use; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughterhouse or animal by-product business, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.110-42(6) below.
 - (d) The raising, tending or breeding of swine, fowl or fur-bearing animals for the primary purpose of personal domestic use. Such use shall include, but not be limited to, the raising of animals for shows, competitions or projects sponsored or directed by a school, club or other social or educational organization, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.110-42(6) below.
- (2) The management, growing and harvesting of forest products, including Christmas tree raising.
- (3) One single-family dwelling or two-family dwelling per lot or one mobile home per lot.
- (4) Normal accessories for a mobile home, such as awning, cabana, ramada, patio, carport, garage or storage building, pursuant to an original Mobile Home Use Permit or subsequent permit for only accessories.
- (5) Guest house.
- (6) Lodges and grange halls.
- (7) Public and semipublic buildings and structures essential to the physical and economic welfare of an area, such as, fire stations, substations, pump stations and wells,

provided that interior yards shall be a minimum of 25 feet, and no stockpiling or storage of materials shall be allowed.

(8) Sale of agricultural products grown or raised on the premises, provided the sales floor area does not exceed 300 square feet.

(9) Minor Rural Home Occupations (see LC 10.342 for Rural Home Occupations provisions).

(10) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.

(11) Kennel, provided the following conditions are satisfied:

(a) The maximum number of dogs over four months of age shall be eight.

(b) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(c) All dogs shall be owned by the occupant of the premises, except those temporarily kept for purpose of breeding.

(12) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance 13-72, Effective 7.21.72; 9-75, 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78)*

10.110-15 Conditional Uses.

The following conditional uses, subject to Conditional Use Permit granted pursuant to the general provisions of this chapter providing for the granting of Conditional Use Permits (LC 10.320);

(1) The following animal husbandry uses, where such uses are intended for the purpose of selling animals or animal products for profit:

(a) Raising, tending or breeding of swine.

(b) Raising, tending or breeding of fowl for meat or egg production.

(c) Dairying.

(d) Raising, tending or breeding of rabbits.

(2) The following uses:

(a) Hop, nut and fruit driers.

(b) Feed mixing and storage facilities.

(c) Hullers.

(d) Mint distilleries.

(e) Seed processing, packing, shipping and storage.

(f) Plants for the storage or packing of agricultural products produced on the premises.

(g) Temporary and portable sawmills, barkers and chippers.

(h) Any other similar processing and allied farm commercial activities.

(3) Sale of agricultural products raised on the premises where the sales floor area exceeds 300 square feet; the sale of livestock grown and raised on the premises.

(4) Animal hospitals, kennels which do not satisfy the requirements for kennels allowed as a permitted use.

(5) Churches.

(6) Schools.

(7) Day nurseries.

(8) Group care homes.

(9) Hospitals, nursing homes and sanitariums.

(10) Stables, riding academies and commercial riding; provided such activities are contained on the property authorized for Conditional Use Permit approval.

(11) Radio and TV transmission towers.

(12) Stadiums.

- (13) Electric transmission facilities transmitting electric current in excess of 75,000 volts on any single cable or line or group of cables or lines.
- (14) Flood control facilities and irrigation projects.
- (15) Airports, heliports or aircraft landing fields.
- (16) Cemeteries.
- (17) Correctional institutions.
- (18) Sanitary landfills.
- (19) Golf courses.
- (20) Jails.
- (21) Parks, playgrounds and community organizations.
- (22) Penal farms.
- (23) Radio and TV stations.
- (24) Rock, sand, gravel and loam excavations, extraction of mineral resources, with incidental processing.
- (25) Sewage treatment plants.
- (26) Mobile home parks.
- (27) Tourist parks.
- (28) Camping vehicle parks.
- (29) Campgrounds.
- (30) Major Rural Home Occupations (see LC 10.342 for Rural Home Occupation provisions).
- (31) Rental facilities for storing boats and recreational vehicles.
- (32) Sewage treatment facilities.
- (33) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).
- (34) Other uses not specifically authorized any place in this chapter. *(Revised by Ordinance 13-72, 7.21.72; 6-75, 3.26.75; 9-75, 7.2.75; 3-76, 4.7.76; 11-78, 8.11.78; 2-81, 4.10.81; 5-81, 4.8.81)*

10.110-20 Accessory Dwellings.

Accessory dwellings are allowed as specified in LC 10.370. *(Revised by Ordinance 5-81, Effective 4.8.81)*

10.110-03 Setback Requirements.

(Also see LC 10.300-15 and 15.065 - .095).

- (1) Front yard setback shall be 20 feet.
- (2) Side yard setback shall be as follows:
 - (a) Interior yard 10 feet for a main building; five feet for an accessory building or structure. *(Revised by Ordinance 13-72, Effective 7.21.72; 6-75, 3.26.75; 9-75, 7.2.75; 3-76, 4.7.76)*

10.110-28 Vision Clearance.

Vision clearance for corner lots shall be a minimum of 15 feet. *(Revised by Ordinance 13-72, Effective 7.21.72)*

10.110-35 Off-Street Parking.

There shall be at least one permanently reserved parking space, or private garage, on the same lot, or attached to or made a part of the main building. Such parking space shall be not less than eight feet wide and 18 feet long. The parking space or garage shall be provided at the time of the erection of the main building, and it shall have adequate provisions for ingress and egress by standard-sized automobiles. For parking space

- (1) The land is not well-suited for full-time commercial agriculture or timber production because of:
- (a) Marginal or poor soil conditions, erosion potential, slope, lack of groundwater, or similar physical constraints, or
 - (b) The presence of potentially incompatible uses or inefficient lot sizes and configurations; and
- (2) The area lacks the services and facilities required to support more intensive development, or
- (3) Land that is built upon or committed to other use to the degree it is no longer available for resource purposes. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.112-10 Permitted Buildings and Uses.

In the GR-I District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- (1) The following farm uses:
- (a) General farming, including, but not limited to the growing and raising of trees, Christmas trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fiber products.
 - (b) Pastures and grazing.
 - (c) The raising, tending or breeding of cattle, horses, sheep, goats or bees for the primary purpose of selling animals or animal products for profit or personal, domestic use; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughter house or animal by-product business, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.112-40(4) below.
 - (d) The raising, tending or breeding of swine, fowl or fur-bearing animals for the primary purpose of personal domestic use. Such use shall include, but not be limited to, the raising of animals for shows, competitions or projects sponsored or directed by a school, club or other social or educational organization, provided further that such uses on lots of less than five acres shall be subject to the area requirements of LC 10.112-40(4) below.
- (2) The management, growing and harvesting of forest products.
- (3) Sale of agricultural products grown or raised on the premises, provided that the sales floor area does not exceed 300 square feet.
- (4) One single-family dwelling per lot or one mobile home per lot.
- (5) Guest houses.
- (6) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.
- (7) Minor Rural Home Occupation. (See LC 10.342)
- (8) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.
- (9) Kennels, provided the following conditions are satisfied:
- (a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.
 - (b) Where the lot area is 20 acres or less, the maximum number of dogs over four months of age shall be eight.
 - (c) Where lot area exceeds 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from any adjoining property.

(d) All dogs shall be owned by the kennel owner, except those temporarily kept for purposes of breeding.

(10) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

10.112-15 Special Uses-Planning Director Approval.

(1) The following uses subject to approval by the Planning Director pursuant to LC 14.100:

(a) Commercial activities in conjunction with a farm or forest use, provided that such activities are conducted by the owner or operator of the farm or forest use and provided further that they do not constitute a separate business or enterprise.

(b) The following animal husbandry uses where such uses are intended for the primary purpose of selling animals or animal products for profit.

(i) Raising, tending or breeding of swine.

(ii) Raising, tending or breeding of furbearing animals.

(c) Raising, tending or breeding of fowl for meat or egg production.

(d) Accessory dwellings for persons employed on the premises.

(2) Special uses shall be approved by the Planning Director unless there is a specific finding the use or activity will result in one of the following:

(a) The use will be incompatible with existing uses in the area and with uses permitted in surrounding Zoning District(s).

(b) The use is not consistent with the purpose of the GR-1 District.

(c) The use will interfere with accepted farming or forestry practices on lands in the surrounding area that are devoted to such use.

(d) The use will be adversely affected by known natural hazards, such as floods, slides, erosion.

(e) The use will create a hazardous natural condition such as erosion, landslide, flooding. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

10.112-20 Special Uses-Hearings Official Approval.

(1) The following uses subject to approval by the Hearings Official pursuant to LC 14.300:

(a) Animal hospitals.

(b) Campgrounds, camping vehicle parks, tourist parks.

(c) Cemeteries.

(d) Churches.

(e) Dams, water storage facilities, power generation or transmission facilities, substations and similar facilities; electric transmission facilities transmitting electricity in excess of 150,000 volts in any single cable or line or group of cables or lines; canals, flumes and pipe lines; flood control facilities and irrigation projects.

(f) Day Care nurseries.

(g) Golf courses.

(h) Group care homes.

(i) Kennels which do not satisfy the requirements for kennels as a permitted use.

(j) Lodges and grange halls.

(k) Major Rural Home Occupations.

(l) Nursing homes.

(m) Parks, playgrounds and community centers.

(n) Public and private schools.

(o) Radio and television transmission facilities.

(p) Rock, sand, gravel, loam, excavation, extraction of mineral resources with incidental processing.

(q) Solid waste disposal facilities.

(r) Stables, riding academies and commercial riding.

(s) Storage facilities for boats and recreational vehicles.

(t) Sewage treatment facilities.

(u) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).

(v) Other uses similar to the above and not specifically authorized anywhere in this chapter.

(2) Special uses shall be approved by the Hearings Official unless there is a specific finding that the proposed use or activity will result in one of the following:

(a) Will adversely affect the livability or appropriate development of abutting properties and the surrounding vicinity, taking into consideration, among other things, the anticipated density, bulk and noise level of the use or activity.

(b) Be adversely affected by existing or reasonably anticipated uses and the surrounding vicinity.

(c) Be unduly potentially affected by natural hazards, such as floods, slides or faults.

(d) Result in a substantial adverse effect on existing uses and on the natural resources or scenic character in the general vicinity.

(e) Result in significant undue water or air pollution. In making this determination, at least the following may be considered.

(i) The relation of flood plains.

(ii) The nature of soil and subsoil and their ability to adequately support waste disposal.

(iii) The slope of the land and its effect on effluents.

(iv) The availability of streams approved or capable of being approved for the disposal of treated effluents.

(v) Applicable climatical conditions.

(vi) The applicable water and air regulations.

(f) Not have water of sufficient quantity and quality available for the reasonably foreseeable needs of the subdivision or development.

(g) Cause an unreasonable burden on existing or future community facility systems.

(h) Cause unreasonable soil erosion or reduction in the capacity of the land to hold water which would result in a dangerous, unhealthy or otherwise undesirable condition.

(i) Cause unreasonable road congestion or unsafe conditions with respect to use of existing or proposed roadways.

(j) Place an unreasonable burden on the ability of local governmental agencies to provide public services. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 16-83, 9.14.83)*

10.112-30 Setback Requirements.

The minimum setback distances for any main or accessory building in the General Rural-1 District shall be those specified in LC 15.065 through LC 15.095. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

GENERAL RURAL II DISTRICT (GR-II)**10.113-05 Purpose.**

The General Rural II District (GR-II) is intended to define and protect areas suitable for mixed grazing, agriculture, limited timber production, and low-intensity development compatible with the rural environment. It is appropriate for areas with the following characteristics:

(1) The land is not well-suited for full-time commercial agriculture or timber production because of:

(a) Marginal or poor soil conditions, erosion potential, slope, lack of groundwater or similar physical constraints, or

(b) The presence of potentially incompatible uses or inefficient lot sizes and configurations.

(2) The area lacks the services and facilities required to support more intensive development.

(3) Areas designated as Rural II by the Comprehensive Plan. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

10.113-10 Permitted Buildings and Uses.

In the GR-II District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter.

(1) The following farm uses.

(a) General farming, including, but not limited to, the growing and raising of trees, Christmas trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, seed and similar food and fiber products.

(b) Pastures and grazing.

(c) The raising, tending or breeding of cattle, horses, sheep, goats, bees, swine, fowl or fur-bearing animals; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughter house or animal by-product business.

(d) Dairying.

(2) The management, growing and harvesting of forest products.

(3) Sale of agricultural products grown or raised on the premises, provided that the sales floor area does not exceed 300 square feet.

(4) One single-family dwelling per lot or one mobile home per lot.

(5) Guest houses.

(6) Accessory buildings and uses customarily provided in conjunction with a use permitted in this District.

(7) Minor Rural Home Occupation. (See LC 10.342)

(8) Public and semipublic buildings and structures rendering direct service to the public in local areas, such as fire stations, utility substations, pump stations and wells.

(9) Kennels, provided the following conditions are satisfied:

(a) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(b) Where the lot area is 20 acres or less, the maximum number of dogs over four months of age shall be eight.

(c) Where lot area exceeds 20 acres and when more than eight dogs over four months of age are accommodated, kennel structures and fenced runs shall be required for all such dogs in excess of eight and shall be located at least 100 feet from any adjoining property.

(d) All dogs shall be owned by the kennel owner except those temporarily kept for purposes of breeding.

(10) Commercial activities in conjunction with a farm or forest use, provided that such activities are conducted by the owner or operator of the farm or forest use and provided further that they do not constitute a separate business or enterprise.

(11) Rock, sand, gravel or loam excavation or extraction, provided materials produced are for the sole use of the owner or operator and are not offered for sale or remuneration and provided further the total excavation or extraction does not exceed 5,000 cubic yards annually.

(12) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

10.113-15 Special Uses - Planning Director Approval.

(1) The following uses subject to approval by the Planning Director pursuant to LC 14.100:

(a) Accessory dwellings for persons employed on the premises.

(2) Special Uses shall be approved by the Planning Director, unless there is a specific finding that use or activity will result in one of the following:

(a) The use will be incompatible with existing uses in the area and with uses permitted in surrounding Zoning Districts.

(b) The use is not consistent with the purpose of the GR-II District.

(c) The use will interfere with accepted farming or forestry practices on lands in the surrounding area that are devoted to such use.

(d) The use will be adversely affected by known natural hazards, such as floods, slides, erosion.

(e) The use will create a hazardous natural condition such as erosion, landslide, flooding. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 10-82, 7.9.82; 16-83, 9.14.83)*

10.113-20 Special Uses - Hearings Official Approval.

(1) The following uses subject to approval by the Hearings Official pursuant to LC 14.300:

(a) Animal hospitals.

(b) Campgrounds, camping vehicle parks, tourist parks.

(c) Cemeteries.

(d) Churches.

(e) Dams, water storage facilities, power generation or transmission facilities, substations and similar facilities; electric transmission facilities transmitting electricity in excess of 150,000 volts in any single cable or line or group of cables or lines; canals, flumes and pipelines; flood control facilities and irrigation projects.

(f) Day care nurseries.

(g) Golf courses.

(h) Group care homes.

(i) Kennels which do not satisfy the requirements for kennels as a permitted use.

(j) Lodges and grange halls.

(k) Major Rural Home Occupations.

(l) Nursing homes.

(m) Parks, playgrounds and community centers.

(n) Public and private schools.

(o) Radio and television transmission facilities.

(p) Rock, sand, gravel, loam excavation, extraction of mineral resources with incidental processing.

(q) Solid waste disposal facilities.

(r) Stables, riding academies and commercial riding.

(s) Storage facilities for boats and recreational vehicles.

(t) Sewage treatment facilities.

(u) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).

(v) Other uses similar to the above and not specifically authorized in this chapter.

(2) Special Uses shall be approved by the Hearings Official, unless there is a specific finding that the proposed use or activity will result in one of the following:

(a) Will adversely affect the livability or appropriate development of abutting properties and the surrounding vicinity, taking into consideration, among other things, the anticipated density, bulk and noise level of the use or activity.

(b) Be adversely affected by existing or reasonably anticipated uses and the surrounding vicinity.

(c) Be unduly potentially affected by natural hazards, such as floods, slides or faults.

(d) Result in a substantial adverse effect on existing uses and on the natural resources or scenic character in the general vicinity.

(e) Result in significant undue water or air pollution. In making this determination, at least the following may be considered:

(i) The relation to floodplains.

(ii) The nature of soil and subsoil and their ability to adequately support waste disposal.

(iii) The slope of the land and its effect on effluents.

(iv) The availability of streams approved or capable of being approved for the disposal of treated effluents.

(v) Applicable climactical conditions.

(vi) The applicable water and air regulations.

(f) Not have water of sufficient quantity and quality available for the reasonably foreseeable needs of the subdivision or development.

(g) Cause an unreasonable burden on existing or future community facility systems.

(h) Cause unreasonable soil erosion or reduction in the capacity of the land to hold water which would result in a dangerous, unhealthy or otherwise undesirable condition.

(i) Cause unreasonable road congestion or unsafe conditions with respect to use of existing or proposed roadways.

(j) Place an unreasonable burden on the ability of local governmental agencies to provide public services. *(Revised by Ordinance No. 16-80, Effective 9.27.80; 16-83, 9.14.83)*

10.113-30 Setback Requirements.

The minimum setback distance for any main or accessory building in the General Rural II District shall be those specified in LC 15.065 through 15.095. *(Revised by Ordinance No. 16-80, Effective 9.27.80)*

(a) Approval of a conceptual plan for the property to achieve ultimate densities provided in the Metropolitan Area Plan, which may include a redivision plan in a manner described in LC 13.070(4).

(b) Special development restrictions in addition to those otherwise required by the provisions of this chapter, on the location of buildings and onsite sewage disposal facilities to reserve land for future development consistent with LC 10.122-45(2)(a) above.

(3) The waiver or modification of the requirements of LC 10.122-45(2) above, as applied to construction permits and mobile home placement permits, may be granted only in the manner provided in LC 10.330, Variances. *(Revised by Ordinance No. 10-82, Effective 7.9.82)*

10.122-50 Conceptual Plan Considerations.

The determination of the proper conceptual plan for achieving ultimate densities provided in Metropolitan Area Plan, as required by LC 10.122-40(1)(a) and LC 10.122-45(2)(a), above, shall include consideration of the following:

(1) The ultimate density proposed for the property in the Eugene-Springfield Metropolitan Area Plan.

(2) The existing character of the property and its potential for more intensive development.

(3) The existing and potential future development of adjacent properties, as designated in the Metropolitan Area Plan, and any redivision plans for such properties approved in accordance with LC 13.070(4).

(4) Existing long-range plans to provide public facilities to the area.

(5) A basic standard of 6,000 square feet in area per dwelling unit for determination of ultimate densities in areas designated "Low Density Residential" in the Metropolitan Area Plan.

(6) Provision for achieving an average gross density of greater than 10 dwelling units per acre for areas designated "Medium Density Residential" in the Metropolitan Area Plan. *(Revised by Ordinance No. 10-82, Effective 7.9.82)*

PUBLIC RESERVE DISTRICT (PR)

10.125-10 Permitted Buildings and Uses.

In the PR District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

(1) A dwelling arranged, intended and designated exclusively for one family, and accessory buildings such as, garages, storerooms, wood sheds, laundries, greenhouses, animal shelters, or similar and related accessory uses; provided, however, that there shall not be more than three buildings allowed as accessory to any single-family dwelling.

(2) Hunting and fishing lodges, dude ranches, resort hotels.

(3) Public and semi-public buildings, such as:

(a) Schools.

(b) Libraries, art galleries and museums.

(c) Hospitals, sanitariums, hot baths and rest homes.

(d) Institutions for education, philanthropic or eleemosynary (charitable)

uses.

(e) Private clubs, fraternities and lodges.

(f) Parks, playgrounds, winter sports, golf courses and recreational use.

(g) Governmental buildings and uses (federal, state, county, municipal or other governmental divisions).

(4) Kennel, provided the following conditions are satisfied:

(a) The maximum number of dogs over four (4) months of age shall be five (5).

(b) For more than three (3) dogs over four (4) months of age, there shall be at least five thousand (5,000) square feet of lot area for each dog on the lot.

(c) All kennel structures and fenced runs accommodating a total of more than three (3) dogs over four (4) months of age shall be maintained at least one hundred (100) feet from an adjoining property.

(d) All dogs shall be owned by the occupant of the premises, except those temporarily kept for purposes of breeding.

(5) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.125-15 Conditional Uses.

The following conditional uses, subject to a conditional use permit granted pursuant to the provisions of this chapter providing for the granting of conditional use permits (LC 10.320).

(1) Any of the conditional uses set forth in the general Conditional Use Permit Section (LC 10.320-15).

(2) Kennels which do not satisfy the requirements for kennels allowed as a permitted use.

(3) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.125-21 Height.

(Also see LC 10.300-10). No building or structure, nor the enlargement of any building or structure, shall be hereafter erected to exceed two and one-half (2-1/2) stories or more than thirty-five (35) feet in height. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.125-23 Setback Requirements.

(Also see LC 10.300-15 and 15.065)

(1) Front yard setback shall be twenty-five (25) feet.

(2) Interior side yard setback shall be ten (10) feet for an interior side or rear yard. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 6-75, 3.26.75)*

10.125-28 Vision Clearance.

(1) Vision clearance for corner lots shall be a minimum of fifteen feet.

(2) Vision clearance for alley-street intersections shall be a minimum of seven and one-half feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.125-35 Off-Street Parking.

(1) Residential use. At least one permanently reserved parking space or private garage shall be provided for each single-family dwelling.

(2) Lodges, dude ranches and resort hotels shall provide and maintain sufficient off-street parking to adequately care for the automobiles of owners, employees and patrons, with ingress and egress to the highway properly controlled to give reasonable protection to the automotive traffic.

(3) Public and semi public buildings shall provide and maintain a minimum of one off-street parking space for each one thousand square feet of building floor area. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.125-36 Signs.

Signs and nameplates may be installed as follows:

(1) One nameplate not exceeding six square feet in area for each dwelling unit, indicating the name of the homesite or the name of the occupant.

(2) One sign not exceeding thirty-five square feet in area for buildings other than dwellings; provided that such sign shall be attached to and parallel with the front wall of the building.

(3) One sign not exceeding six square feet in area, pertaining to the sale or rental of property. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.125-42 Area.

(Also see LC 10.300-20).

(1) Size of Lot.

(a) Residential lots and lots for governmental buildings shall have a minimum average width of eighty feet and a minimum area of eight thousand square feet, except that where a lot has an average width of less than eighty feet and an area of less than eight thousand square feet as of May 31, 1949, such lot may be occupied by a single-family residence.

(b) Lots for other uses as specified under LC 10.125-10(2) and (3) shall have a minimum width of two hundred feet and a minimum area of one acre.

(2) Percent of Coverage. The main building and accessory buildings located on any building site or lot shall not cover in excess of thirty percent of the lot area. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

RURAL RESIDENTIAL DISTRICT (RR)

10.130-05 Purpose.

The Rural Residential District is intended to provide opportunities for persons who desire to live in a rural neighborhood setting. This district may be applied to rural communities, rural service centers, minor or major development centers and other rural neighborhoods in the more isolated portions of Lane County, as more specifically provided in LC 10.130-42 below. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 3-76, 4.7.76)*

10.130-10 Permitted Buildings and Uses.

In the RR District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

(1) One single-family dwelling or two-family dwelling per lot or one mobile home per lot.

(2) Guest house.

(3) General farming, including the growing and raising of trees, vines, shrubs, berries, vegetables, nursery stock, hay grains, and similar food and fibre products.

(4) The raising, tending or breeding of cattle, horses, sheep, goats, or bees, poultry, fur-bearing animals and swine for the purpose of personal domestic use; such animal husbandry shall not be a part of, nor be conducted in conjunction with, any livestock sales yard, slaughter house, or animal by-product business. Such use shall include, but not be limited to, the raising of animals for shows, competitions, or projects

sponsored or directed by a school club, or other social or educational organization provided that:

(a) Cows, horses, sheep, goats or swine cannot be kept on lots having an area of less than one acre. The minimum area for the keeping or raising of such animals (other than their young under the age of six months) on less than five acres shall be as follows:

| | |
|---------------------|---|
| Horse | One per acre, plus one additional for every 15,000 square feet. |
| Cow | One per acre, plus one additional for every 10,000 square feet. |
| Goat or sheep | Five per acre, plus one additional for every 2,000 square feet. |
| Swine | One per acre. |

(b) The number of chickens, fowl and/or rabbits (over the age of six months) shall not exceed one for each 500 square feet of property. The number of young chickens, fowl and/or rabbits (under the age of six months) allowed on the property at any one time shall not exceed three times the allowable number of chickens, fowl and/or rabbits over the age of six months.

(c) The number of colonies of bees allowed on a lot shall be limited to one colony for each 2,000 square feet of lot area.

(d) Animal runs, stables, barns, corrals of less than one-half acre, chicken or fowl pens, and colonies of bees shall be located on the rear half of the property, but not closer than 70 feet from the front property line nor closer than 40 feet from any residence or other property line.

(e) Animals, chickens, and/or fowl shall be properly caged or housed, and proper sanitation shall be maintained at all times. All animal and poultry food shall be stored so as to be rodent-proof.

When an RR District is reclassified to another district, all those animal uses in LC 10.130-10(4) above, shall be required to comply with the requirements of said district for such land uses with a period of six months from the date of reclassification.

(5) Home occupations (see LC 10.340 for Home Occupation provisions).

(6) Public and semipublic buildings and structures essential to the physical and economic welfare of an area, such as fire stations, substations, pump stations and wells, provided that interior yards for these uses shall be a minimum of 25 feet and no stockpiling or storage of materials shall be allowed.

(7) Accessory buildings and uses customarily provided in conjunction with a use permitted in this district.

(8) Kennel, provided the following conditions are satisfied:

(a) The maximum number of dogs over four months age shall be five.

(b) For more than three dogs over four months of age, there shall be at least 5,000 square feet of lot area for each dog on the lot.

(c) All kennel structures and fenced runs accommodating a total of more than three dogs over four months of age shall be maintained at least 100 feet from an adjoining property.

(d) All dogs shall be owned by the occupant of the premises, except those temporarily kept for purposes of breeding.

(9) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 17-73, 1.16.74; 3-76, 4.7.76)*

10.130-15 Conditional Uses.

The following conditional uses, subject to a conditional use permit granted pursuant to the general provisions of this chapter providing for the granting of conditional use permits (LC 10.320):

- (1) Churches.
- (2) Lodges and grange halls.
- (3) Public and private schools.
- (4) Parks, playgrounds or community centers.
- (5) Electric transmission facilities transmitting electric current in excess of 75,000 volts on any single cable or line or group of cable or lines.
- (6) Radio and TV transmission towers.
- (7) Cemeteries.
- (8) Golf courses.
- (9) Stables, riding academies and commercial riding.
- (10) Mobile home parks.
- (11) Penal farms.
- (12) Kennels which do not satisfy the requirements for kennels allowed as a permitted use.
- (13) Sewage treatment facilities.
- (14) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).
- (15) Other uses not specifically authorized any place in this chapter. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 3-76, 4.7.76; 11-78, 8.11.78)*

10.130-21 Height.

(Also see LC 10.300-10.) No building or structure, nor the enlargement of any building or structure, shall be hereafter erected to exceed two and one-half stories or more than 35 feet in height, except hospitals, public schools or churches, which may be increased in height to three stories or 45 feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.130-23 Setback Requirements.

(Also see LC 10.300-15 and 15.065-.095.)

- (1) Front yard setback shall be 20 feet.
- (2) Side yard setback shall be as follows:
 - (a) Interior yard -- 15 feet.
 - (b) Street side yard -- 20 feet.
- (3) Rear yard setback shall be 20 feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 6-75, 3.26.75; 3-76, 4.7.76)*

10.130-28 Vision Clearance.

Vision clearance for corner lots shall be a minimum of 15 feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 3-76, 4.7.76)*

10.130-35 Off-Street Parking.

There shall be at least one permanently reserved parking space, or a private garage on the same lot or attached to or made a part of the main building. Such parking space shall be not less than eight feet wide and 18 feet long. The parking space or garage shall be provided at the time of the erection of the main building, and it shall have adequate provisions for ingress and egress by standardized automobiles. For parking space requirements for buildings other than dwellings, see the general Off-Street Parking Section (LC 10.300-05). *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

include, but not necessarily be limited to, the severity of the slope, potential flood and other natural hazards, stability for foundations as well as suitability for subsurface sewage disposal.

(3) A special exception to the minimum area requirements of this section may be approved in accordance with LC 10.350, "Special Exceptions to Minimum Area Requirements." (*Revised by Ordinance No. 13-72, Effective 7.21.72; 3-76, 4.7.76; 9-76, 8.22.76; 17-78, 9.27.78*)

10.130-95 Telecommunication Towers.

Notwithstanding the requirements in LC 10.130-05 through -42 above, telecommunication facilities are allowed subject to compliance with the requirements of LC 10.400 and with applicable requirements elsewhere in LC Chapter 10 including but not necessarily limited to: the Floodplain Combining Zone (LC 10.271); Greenway Development Permit (LC 10.322); the Coastal Resource Management Combining Zones (LC 10.240, 10.245, 10.250, 10.255, 10.260, 10.265, and 10.270); and Federal or State of Oregon inventories and regulations applicable to delineated wetlands and waters of the nation or state. (*Revised by Ordinance No. 4-02, Effective 4.10.02*)

SUBURBAN RESIDENTIAL DISTRICT (RA)

10.135-10 Permitted Buildings and Uses.

In the RA District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter.

- (1) A single-family dwelling.
- (2) A two-family dwelling (duplex), on corner lot.
- (3) Accessory buildings on the rear half of the building site used as garages, storerooms, wood sheds, work shops, laundries, playhouses, greenhouses, poultry houses, animal shelters, or similar and related accessory uses for which a special permit has been issued; provided, however, that there shall be not more than four buildings allowed as accessory to any single-family dwelling.
- (4) Parks, playgrounds, golf courses or community centers owned and operated by a governmental agency, or private commercial playgrounds for which a special permit has been issued.
- (5) Hospitals, provided that any buildings used for hospital purposes shall provide and maintain setbacks from side and rear property lines, except on the street side of corner lots, of at least fifty feet; provided, however, alleys contiguous to or within the property being used for hospital purposes may be included in the required setback.
- (6) Schools (elementary, junior high and high); provided setbacks are established as given in (5), above.
- (7) Privately-operated kindergartens or day nurseries; provided the residential character of the building is maintained.
- (8) Churches, provided setbacks are maintained from side and rear property lines, except on the street side of corner lots, of at least twenty feet; provided, however, alleys contiguous to or within the property being used may be included in the required setback. A parsonage (freestanding or attached to a church by a vestibule) shall be considered as a residential structure.
- (9) Public buildings such as fire stations, libraries, substations, pump stations and community buildings; provided that side and rear yards shall be twenty percent of the property width, but not less than ten feet nor necessarily more than thirty feet.
- (10) Crop cultivation or farm and truck gardens, including plant nurseries.

(11) The hatching and raising of poultry and fowl, the raising of rabbits, bees, and the like, and the keeping of domestic animals except pigs, as an incidental use; provided that:

(a) Cows, horses, sheep or goats cannot be kept on lots having an area of less than twenty thousand (20,000) square feet, and under no circumstances shall they be kept for commercial purposes. The total number of all such animals (other than their young under the age of six (6) months) allowed on a lot shall be limited to the square footage of the lot divided by the total minimum areas required for each animal as listed below:

Horse 10,000 sq. ft. area
 Cow 10,000 sq. ft. area
 Goat or sheep 5,000 sq. ft. area

(b) The number of chickens, fowl and/or rabbits (over the age of six (6) months) shall not exceed one for each five hundred (500) square feet of property; provided that no roosters over the age of six (6) months shall be kept. The number of young chickens, fowl and/or rabbits (under the age of six (6) months) allowed on the property at any one time shall not exceed three (3) times the allowable number of chickens, fowl and/or rabbits over the age of six (6) months.

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

(d) Animal runs or barns, chicken or fowl pens, and colonies of bees shall be located on the rear half of the property, but no closer than seventy (70) feet from the front property line nor closer than fifty (50) feet from any residence.

(e) Animals, chickens, and/or fowl shall be properly caged or housed, and proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.

(12) When an RA District is reclassified to another district as hereinafter listed, those land uses granted under (11), above shall be completely discontinued within a period of six (6) months from the date of reclassification.

(13) Home occupations. (See LC 10.340 for home occupation provisions.)

(14) Kennel, provided the following conditions are satisfied:

(a) The maximum number of dogs over four (4) months of age shall be five (5).

(b) For more than three (3) dogs over four (4) months of age, there shall be at least five thousand (5,000) square feet of lot area for each dog on the lot.

(c) All kennel structures and fenced runs accommodating a total of more than three (3) dogs over four (4) months of age shall be maintained at least one hundred (100) feet from an adjoining property.

(d) All dogs shall be owned by the occupant of the premises, except those temporarily kept for purposes of breeding.

(15) Family day care facility in a permitted residence.

(16) Residential Home.

(17) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 3-91, 5.17.91)*

10.135-15 Conditional Uses.

The following conditional uses, subject to a conditional use permit granted pursuant to the provisions of this chapter providing for the granting of conditional use permits (LC 10.320).

(1) Any of the conditional uses set forth in the general conditional use permit section (LC 10.320-15).

(2) Group Care Homes including residential care facilities as defined by ORS 197.660(1).

(3) Kennels which do not satisfy the requirements for kennels allowed as a permitted use.

(4) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 3-91, 5.17.91)*

10.135-21 Height.

(Also see LC 10.300-10.) No building or structure, nor the enlargement of any building or structure, shall be hereafter erected to exceed two and one-half stories or more than thirty-five feet in height, except hospitals, public schools or churches, which may be increased in height to three stories or forty-five feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.135-23 Setback Requirements.

(Also see LC 10.300-15 and 15.065.)

(1) Front Yard. Front yards shall be not less than fifteen feet deep.

(2) Side Yard. On interior lots and interior side of corner lots there shall be a side yard of not less than five feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 6-75, 3.26.75)*

10.135-26 Lot Coverage.

The main building and accessory buildings located on any building site or lot shall not cover in excess of thirty (30) percent of the lot area. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.135-28 Vision Clearance.

(1) Vision clearance for corner lots shall be a minimum of fifteen feet.

(2) Vision clearance on alley-street intersections shall be a minimum of seven and one-half feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.135-35 Off-Street Parking.

There shall be at least one permanently reserved parking space, or a private garage on the same lot or attached to or made a part of the main building. Such parking space shall be not less than eight feet wide and eighteen feet long. The parking space or garage shall be provided at the time of the erection of the main building, and it shall have adequate provisions for ingress and egress by standard-sized automobiles. For parking space requirements for buildings other than dwellings, see the general Off-Street Parking section (LC 10.300-05). *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.135-36 Signs.

Signs and nameplates may be installed as follows.

(1) One nameplate not exceeding one and one-half square feet in area for each dwelling unit, indicating the name of the occupant, or the occupation in the case of LC 10.140-10(10) and (11), above.

(2) One sign not exceeding twelve square feet in area for buildings other than dwellings.

(3) One sign not exceeding six square feet, pertaining to the sale or rental of property; provided that such sign shall be attached to and parallel with the front wall of the building.

(4) One sign not exceeding eighteen square feet in area will be allowed on a tract of land advertising the sale of the property, subject to approval of the Planning Department. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.135-40 Lot Dimensions.

(Also see LC 10.300-20.) Residential lots shall have a minimum average width of sixty feet and a minimum lot area per dwelling of six thousand square feet except that a nonconforming lot of record may be occupied by any use permitted in this section. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1)

10.140-10 Permitted Buildings and Uses.

In the R-1 District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- (1) A dwelling arranged, intended and designated exclusively for one family.
- (2) Accessory buildings on the rear half of the building site used as garages, storerooms, woodsheds, workshops, laundries, playhouses, or similar and related accessory uses for which a special permit has been issued, provided, however, that there shall be not more than two buildings allowed as accessory to any single-family dwelling.
- (3) Parks, playgrounds or community centers owned and operated by a governmental agency, or private, non-commercial playgrounds for which a special permit has been issued.

(4) Hospitals may be allowed by special permit after public hearing and examination of the location has convinced the Planning Commission that such a structure will not be detrimental to adjacent and surrounding property, and provided that any buildings used for hospital purposes shall provide and maintain setbacks from side and rear property lines of at least fifty feet, except on the street side of corner lots, alleys contiguous to or within the property being used for hospital purposes may be included in the required setback.

(5) Schools (elementary, junior high and high), provided setbacks are established as given in (4), above.

(6) Privately operated kindergartens or day nurseries, provided the residential character of the building is not changed.

(7) Churches (except rescue missions or temporary revival), provided setbacks are maintained from side and rear property lines except on the street side of a corner lot of at least twenty feet, provided, however, that alleys contiguous to or within the property being used may be included in the required setback. A parsonage (freestanding or attached to a church by a vestibule) shall be considered as a residential structure.

(8) Public buildings such as fire stations, libraries, substations, pump stations and community buildings; provided that side and rear yards shall be twenty percent of the property width, but not less than ten feet nor necessarily more than thirty feet.

(9) Crop cultivation or farm and truck gardens.

(10) The office of a physician, dentist, minister of religion or other person authorized by law to practice medicine or healing; provided that (1) such office is situated in the same dwelling unit as the home of the occupant; (2) such office shall not be used for the general practice of medicine, surgery and dentistry, but may be used for consultation and emergency treatment as an adjunct to a principal office; (3) there shall be no assistants employed.

(11) Home occupations. (See LC 10.340 for permit provisions.)

(12) Kennel, provided the following conditions are satisfied:

(a) The maximum number of dogs over four (4) months of age shall be five (5).

(b) For more than three (3) dogs over four (4) months of age, there shall be at least five thousand (5,000) square feet of lot area for each dog on the lot.

(c) All kennel structures and fenced runs accommodating a total of more than three (3) dogs over four (4) months of age shall be maintained at least one hundred (100) feet from an adjoining property.

(d) All dogs shall be owned by the occupant of the premises, except those temporarily kept for purposes of breeding.

(13) Family day care facility in a permitted residence.

(14) Residential Home.

(15) Transportation facilities and uses as specified in LC 10.500-15(1) through (13). *(Revised by Ordinance No. 13-72, Effective 7.21.72; 3-91, 5.17.91)*

10.140-15 Conditional Uses.

The following conditional uses, subject to a conditional use permit granted pursuant to the provisions of this chapter providing for the granting of Conditional Use Permits (LC 10.320).

(1) Any of the conditional uses set forth in the general Conditional Use Permit section (LC 10.320-15).

(2) Kennels which do not satisfy the requirements for kennels allowed as a permitted use.

(3) Transportation facilities and uses as specified in LC 10.500-15(14) through (17). *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.140-21 Height.

(Also see LC 10.300-10). No building or structure, nor the enlargement of any building or structure, shall be hereafter erected to exceed two and one-half stories or more than thirty-five feet in height, except hospitals, public schools or churches, which may be increased in height to three stories or forty-five feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.140-23 Setback Requirements.

(Also see LC 10.300-15 and 15.065.)

(1) Front Yard. Front yards shall be not less than fifteen feet deep.

(2) Side Yard. On interior lots there shall be a side yard of not less than five feet.

(3) Rear Yard. Rear yards shall be not less than five (5) feet deep. *(Revised by Ordinance No. 13-72, Effective 7.21.72; 6-75, 3.26.75)*

10.140-26 Lot Coverage.

The main building and accessory buildings located on any building site or lot shall not cover in excess of thirty (30) percent of the lot area. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.140-28 Vision Clearance.

(1) Vision clearance for corner lots shall be a minimum of fifteen feet.

(2) Vision clearance on alley-street intersections shall be a minimum of seven and one-half feet. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.140-35 Off-Street Parking.

There shall be at least one permanently reserved parking space, or a private garage on the same lot or attached to or made a part of the main building. Such parking space shall be not less than eight feet wide and eighteen feet long. The parking space or garage shall be provided at the time of the erection of the main building, and it shall have adequate provisions for ingress and egress by standard-sized automobiles. For parking space requirements for buildings other than dwellings, see the general Off-Street Parking section (LC 10.300-05). *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.140-36 Signs.

Signs and nameplates may be installed as follows:

(1) One nameplate not exceeding one and one-half square feet in area for each dwelling unit, indicating the name of the occupant, or the occupation in the case of LC 10.140-10(10) and (11), above.

(2) One sign not exceeding twelve square feet in area for buildings other than dwellings.

(3) One sign not exceeding six square feet, pertaining to the sale or rental of property; provided that such sign shall be attached to and parallel with the front wall of the building.

(4) One sign not exceeding eighteen square feet in area will be allowed on a tract of land advertising the sale of the property, subject to approval of the Planning Department. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

10.140-40 Lot Dimensions.

(Also see LC 10.300-20.) Residential lots shall have a minimum average width of sixty feet and a minimum lot area per dwelling of six thousand square feet except that a nonconforming lot of record may be occupied by any use permitted in this section. *(Revised by Ordinance No. 13-72, Effective 7.21.72)*

GARDEN APARTMENT RESIDENTIAL DISTRICT (RG)**10.145-10 Permitted Buildings and Uses.**

In the RG District, the following types of buildings and uses are permitted as hereinafter specifically provided for by this section, subject to the general provisions and exceptions set forth in this chapter:

- (1) Single-family dwelling.
- (2) Two-family dwelling (duplex).
- (3) Multiple dwelling.
- (4) Court apartment, boarding house.
- (5) Townhouse.
- (6) Church.
- (7) Schools, public and private (elementary, junior high, senior high).
- (8) Public building or structure essential to the physical and economic welfare of the area in which located, such as a fire station, library, substation, pump station, reservoir; provided that each interior side and rear yard shall be a minimum of 25 feet in width. No stockpiling or storage of equipment or materials shall be allowed.
- (9) Accessory buildings and structures.
- (10) Private parking area.
- (11) Private parking garage.
- (12) Home occupations. (See LC 10.340 for provisions.)
- (13) Family day care facility in a permitted residence.