

Lane Code
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GENERAL PROVISIONS

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)*

10.025-50 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)*

10.025-55 Prohibited uses.

The following marijuana uses, as these terms are defined in Lane Code 16.090 are prohibited in all zoning districts of Lane Code Chapter 10.

1. Marijuana processing
2. Marijuana production
3. Marijuana research
4. Marijuana retail sales
5. Marijuana testing laboratory
6. Marijuana wholesale distribution *(Revised by Ordinance No. 15-08, Effective 12.15.15)*

10.090 Compliance with LC Chapter 15, Roads.

Development subject to the provisions of this chapter shall comply with LC Chapter 15, Roads. *(Revised by Ordinance No. 10-04, Effective 6.4.04)*

10.095 Districts.

In order to carry out the purpose and provisions of this chapter areas within the County may be classified in one or more of the following Districts:

	<u>Section</u>
EFU 20	EXCLUSIVE FARM USE 20 DISTRICT10.100
NR	NATURAL RESOURCE DISTRICT10.101
FM	FOREST MANAGEMENT DISTRICT10.102
F-1	IMPORTANT FOREST LAND DISTRICT10.103
F-2	FOREST LAND DISTRICT10.104
F-F	20 FARM-FORESTRY 20 DISTRICT10.105

A-1	IMPORTANT AGRICULTURAL LAND DISTRICT	10.106
A-2	AGRICULTURAL LAND DISTRICT	10.107
GR 10	GENERAL RURAL DISTRICT	10.108
AGT	AGRICULTURAL, GRAZING, TIMBER-RAISING DISTRICT	10.110
GR-I	GENERAL RURAL I DISTRICT	10.112
GR-II	GENERAL RURAL II DISTRICT	10.113
/R	RECREATIONAL DISTRICT	10.115
/IA	INTERIM AGRICULTURE COMBINING DISTRICT	10.120
/U	INTERIM URBANIZING COMBINING DISTRICT	10.122
PR	PUBLIC RESERVE DISTRICT	10.125
RR	RURAL RESIDENTIAL DISTRICT	10.130
RA	SUBURBAN RESIDENTIAL DISTRICT	10.135
R-1	SINGLE-FAMILY RESIDENTIAL DISTRICT	10.140
RG	GARDEN APARTMENT RESIDENTIAL DISTRICT	10.145
RP	RESIDENTIAL-PROFESSIONAL DISTRICT	10.150
CA	RURAL COMMERCIAL DISTRICT	10.154
C-1	LIMITED COMMERCIAL DISTRICT	10.155
C-2	NEIGHBORHOOD COMMERCIAL DISTRICT	10.160
C-3	COMMERCIAL DISTRICT	10.165
CT	TOURIST COMMERCIAL DISTRICT	10.166
M-1	LIMITED INDUSTRIAL DISTRICT	10.170
M-2	LIGHT INDUSTRIAL DISTRICT	10.175
M-3	HEAVY INDUSTRIAL DISTRICT	10.180
/SI	SPECIAL INDUSTRIAL COMBINING DISTRICT	10.181
MH	MOBILE HOME DISTRICT	10.185
AO	AIRPORT OPERATIONS DISTRICT	10.200
AV	AIRPORT VICINITY DISTRICT	10.201
SG	SAND, GRAVEL & ROCK PRODUCTS DISTRICT	10.205
SG/CP	SAND, GRAVEL & ROCK PRODUCTS - CONTROLLED PROCESSING DISTRICT	10.210
/QM	QUARRY AND MINE OPERATIONS COMBINING DISTRICT	10.220
NE	NATURAL ESTUARY DISTRICT	10.225
CE	CONSERVATION ESTUARY DISTRICT	10.230
DE	DEVELOPMENT ESTUARY DISTRICT	10.235
/SN	SIGNIFICANT NATURAL SHORELANDS COMBINING DISTRICT	10.240
/PW	PRIME WILDLIFE SHORELANDS COMBINING DISTRICT	10.245
/NRC	NATURAL RESOURCES CONSERVATION COMBINING DISTRICT	10.250
/RD	RESIDENTIAL DEVELOPMENT SHORELANDS 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.

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 dwelling or one mobile home per land unit used for persons employed on the premises in conjunction with a farm use.	(1)	(2) ²	(3) ³	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

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.

³ 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					
(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)
(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)

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	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					
(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)
(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)

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					
(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
(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)

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					
(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.	(11)	(11)	(11)	(11)	(11)
(31) Transportation facilities and uses as specified in LC 10.500-15(1) through (13).	(6)	(7)	(8)	(9)	(10) ⁸
(32) Transportation facilities and uses as specified in LC 10.500-15(14) through (17).	(1)	(1)	(1)	(1)	(1)

(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; 10-04, 6.4.04)

10.100-12 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 as provided in LC 10.316, 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

⁸ See #1.

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 as provided in LC 10.316, and
 (b) The subject property although smaller in size than other 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

(iii) Will help maintain agricultural processors and established farm markets in that the proposed operation is on land of similar size and productivity as other producers of the same products in the region.

(4) Special Use.

(a) Subject to approval of the Planning Director as provided in LC 10.316, and

(b) (i) Is compatible with and not hazardous to existing farm uses and uses permitted in the surrounding Zoning District(s).

(ii) Is consistent with the purpose of ORS 215.243.

(iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.

(iv) Does not materially alter the stability of the overall land use pattern of the area.

(v) Is situated upon land generally unsuitable for the production of farm crops or livestock, considering the terrain, adverse soil or land condition, drainage and flooding, vegetation, location and size of tract.

(vi) Will not be adversely affected by natural hazards, such as floods, slides and erosion.

The above-listed criteria are intended to be consistent with those provided in ORS 215.213(3).

(5) Special Use.

(a) Subject to approval of the Hearings Official as provided in LC 10.317, and

(b) (i) Is compatible with and not hazardous to existing farm uses and uses permitted in the surrounding Zoning District(s).

(ii) Is consistent with the purpose of ORS 215.243.

(iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.

(iv) Does not materially alter the stability of the overall land use pattern of the area.

(v) Is situated upon land generally unsuitable for the production of farm crops or livestock, considering the terrain, adverse soil or land condition, drainage and flooding, vegetation, location and size of tract.

(vi) Will not be adversely affected by natural hazards, such as floods, slides and erosion.

The above-listed criteria are intended to be consistent with those provided in ORS 215.213(3).

(6) Subject to approval of the Land Development Review Committee Chairman (Planning Director) as provided in LC Chapter 13. Land division resulting in parcels meeting the area requirements of LC 10.360-10 shall be deemed as conforming with ORS 215.243.

(7) (a) Subject to approval of the Land Development Review Committee Chairman (Planning Director) as provided in LC Chapter 13, 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 sur-

rounding 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. Findings of compliance with this criterion shall be deemed as complying with ORS 215.243.

(8) Subject to approval of the Land Development Review Chairman (Planning Director) as provided in LC Chapter 13, and

(a) (i) Is compatible with existing farm uses and uses permitted in the surrounding Zoning District(s).

(ii) Is consistent with the purpose of ORS 215.243.

(iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.

(vi) Does not materially alter the stability of the overall land use pattern of the area.

(b) The subject property, although smaller in size than other 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

(iii) Will help maintain agricultural processors and established farm markets in that the proposed operation is on land of similar size and productivity as other producers of the same products in the region.

Findings of compliance with these criteria shall be deemed as complying with ORS 215.243.

(9) Subject to approval of the Land Development Review Committee Chairman (Planning Director) as provided in LC Chapter 13, and

(a) (i) Is compatible with existing farm uses and uses permitted in the surrounding Zoning District(s).

(ii) Is consistent with the purpose of ORS 215.243.

(iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.

(iv) Does not materially alter the stability of the overall land use pattern of the area.

(b) (i) Agricultural land will be maintained as a natural and economic asset.

(ii) There will be no intrusion into the block of agricultural land surrounding the subject property.

(iii) There will be no urban development.

(iv) The owners of property will be encouraged to maintain the Exclusive Farm Use Zone.

The above-listed criteria are intended to be consistent with those provided in ORS 215.243 as required by ORS 215.263(3).

(c) (i) The parcel to be divided is marginal agricultural land.

(ii) The parcel to be divided cannot now or in the foreseeable future be found profitable.

(iii) Parcels slightly larger than the parcel to be divided cannot be economically farmed.

(iv) Most farming operations in the area are on farms of the size proposed by the division.

(v) Greater agricultural utilization will result from breaking the undivided parcel into small farms as proposed.

(10) Subject to approval of the Land Development Review Committee Chairman (Planning Director) as provided in LC Chapter 13.

- (a) (i) Is compatible with existing farm uses and uses permitted in the surrounding Zoning District(s).
- (ii) Is consistent with the purpose of ORS 215.243.
- (iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.
- (iv) Does not materially alter the stability of the overall land use pattern of the area.
- (v) Is situated upon land generally unsuitable for the production of farm crops or livestock, considering the terrain, adverse soil or land condition, drainage and flooding, vegetation, location and size of tract.

The above-listed criteria are intended to be consistent with those provided in ORS 215.213(3).

- (b) (i) Agricultural land will be maintained as a natural and economic asset.
- (ii) There will be no intrusion into the block of agricultural land surrounding the subject property.
- (iii) There will be no urban development.
- (iv) The owners of property will be encouraged to maintain the exclusive farm use zone.

- (c) Where the parcel(s) are proposed on land valued at true cash value for farm use under ORS 308.370, evidence has been submitted that the proposed parcel(s) have been disqualified for valuation at true cash value for farm use under ORS 308.370.

The above-listed criteria are intended to be consistent with those provided in ORS 215.243 as required by ORS 215.263(3).

(11) Special Use.

- (a) Subject to approval of the Planning Director as provided in LC 10.316, and
- (b) (i) Is compatible with and not hazardous to existing farm uses and uses permitted in the surrounding Zoning District(s).
- (ii) Is consistent with the purpose of ORS 215.243.
- (iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.
- (iv) Does not materially alter the stability of the overall land use pattern of the area.
- (v) Will not be adversely affected by natural hazards, such as floods, slides, erosion.

(12) Special Use.

- (a) Subject to approval of the Hearings Official as provided in LC 10.317, and
- (b) (i) Is compatible with and not hazardous to existing farm uses and uses permitted in the surrounding Zoning District(s).
- (ii) Is consistent with the purpose of ORS 215.243.
- (iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.
- (iv) Does not materially alter the stability of the overall land use pattern of the area.
- (v) Will not be adversely affected by natural hazards, such as floods, slides, erosion.

(13) Special Use.

- (a) Subject to approval of the Planning Director as provided in LC 10.316, and
- (b) (i) Is compatible with existing farm uses and uses permitted in the surrounding Zoning District(s).
- (ii) Is consistent with the purpose of the Zoning District and ORS 215.243.
- (iii) Does not interfere seriously with accepted farming practices on adjacent lands devoted to farm use.
- (iv) Does not materially alter the stability of the overall land use pattern of the area.

(v) Is situated upon land generally unsuitable for the production of farm crops or livestock, considering the terrain, adverse soil or land condition, drainage and flooding, vegetation, location and size of tract.

(vi) Will not be adversely affected by natural hazards, such as floods, slides erosion.

(vii) Will not cause hazardous conditions.

(viii) Where the dwelling or mobile home is proposed on land valued at true cash value for farm use under ORS 308.370, evidence has been submitted that the lot or parcel upon which the dwelling or mobile home is proposed has been disqualified for valuation at true cash value for farm use under ORS 308.370.

The above-listed criteria are intended to be consistent with those provided in ORS 215.213(3). *(Revised by Ordinance 1-82, As Amended, Effective 4.16.82)*

10.100-20 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 13-72, Effective 7.21.72)*

10.100-23 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 for a main building; five feet for an accessory building or structure.

(b) Street side yard -- 20 feet.

(3) Rear yard setback shall be 20 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; 3-76, 4.7.76)*

10.100-30 Land Division Requirements.

Land within the EFU District shall be subject to the following provisions in addition to the requirements of LC Chapter 13.

(1) Land division shall be effected only by partition as defined by LC Chapter 13. Subdivision of land as defined by LC Chapter 13 is expressly prohibited.

(2) The division of land by lease or rental for any farm use purpose is permitted and shall not be subject to the provisions of LC Chapter 13. No structure or building may be erected appurtenant to such a division, except those permitted under LC 10.100-10(2). *(Revised by Ordinance 1-82, As Amended, Effective 4.16.82; 18-07, 12.27.18)*

10.100-40 Land Units.

For purposes of using Table I (LC 10.100-10), the following shall apply:

(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 10.100-12(2).

(3) Special Commercial Farm Unit II is a contiguous ownership meeting the area requirements set forth in LC 10.100-12(3).

(4) Farm Unit is any contiguous ownership used for farm use as defined by this chapter and not meeting the requirements of LC 10.100-40(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 1-82, As Amended, Effective 4.16.82)*

10.100-45 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 10.100-45(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 10.100-10 above may be established in accordance with procedures and criteria in LC 10.100-10. *(Revised by Ordinance 1-82, As Amended, Effective 4.16.82)*

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)*

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ARE RESERVED FOR FUTURE EXPANSION