

# **TITLE 9**

## **COMMUNITY DEVELOPMENT**

### **Subtitle 2 — Land Development Code** **Division 3 — Zoning Districts**

#### **CHAPTER 929**

#### **RURAL DEVELOPMENT ZONE CODE**

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This Chapter, LCC 929.005 to 929.999, shall be known and cited as the "Linn County Rural Development Zone Code." This Chapter may also be referred to and cited as the "Rural Development Zone Code."

[Adopted 98-002 §3 eff 3/4/98; and 99-121 §10 eff 6/30/99]

## 929.010 Compliance requirements

(A) Notwithstanding the presence or absence of any conditions, requirements, standards, or criteria with any use mentioned in this Chapter, all uses remain subject to any applicable conditions, requirements, standards, or criteria that may be set forth in other Chapters of the Land Development Code.

(B) The conditions, requirements, standards, and criteria are set forth generally in the following Chapters:

- (1) Decision criteria . . Chaps. 932, 933
- (2) Conditions . . . . . Chapter 933
- (3) Requirements . . . . . Chapter 933
- (4) Standards
  - (a) Property. . . . . Chapter 934
  - (b) Access. . . . . Chapter 935

(C) The conditional uses set forth in this Chapter are subject to approval pursuant to meeting the applicable requirements and decision criteria in LCC 932.200 to 220 and LCC Chapter 933 (Conditions, Requirements, and Decision Criteria Code).

(D) Development of all properties in the Rural Development Zone must comply with:

(1) the development standards set forth in LCC Chapter 934 (Development Standards Code), specifically 934.610 to 934.680; and

(2) Except as provided in LCC 924.100 (B), the access improvement standards set forth in LCC Chapter 935 are applicable to all principal and accessory uses permitted in the RDZ.

(E) Development of any property in the RDZ may have one or more conditions imposed on the permit.

[Adopted 98-002 §3 eff 3/4/98]

## I. AGRIBUSINESS (AB) ZONING DISTRICT

### 929.010 Statement of purpose

(A) The purposes of the Agribusiness (AB) zoning district shall be:

(1) to provide for development of a limited variety of industrial and commercial facilities or establishments necessary for and directly serving agricultural or forestry uses; and

(2) to allow those uses consistent with agricultural practices as provided in ORS Chapter 215.

(B) The establishment of this zoning district is not intended as an extension of an industrial zoning district surrounding a city.

(C) The uses permitted in this zoning district are intended for isolated rural areas.

[Adopted 98-002 §3 eff 3/4/98]

### 929.020 AB uses allowed outright

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the AB zoning district.

#### (B) *Uses allowed outright.*

(1) Farm uses. Marijuana production is subject to compliance with LCC 940.400.

(2) Cultivation, management, protection and harvest of forest crops.

(3) Storage, distribution, and sale of feed, fertilizer, seed, chemicals and other products used for commercial agricultural or timber production.

(4) Farm product receiving plants including processing, packaging, reshipment facilities and wineries except for canneries and frozen food processing plants.

(5) Livestock sales yards.

(6) Horticultural specialties such as greenhouses and nursery products.

(7) Alteration, expansion, or replacement of a dwelling or manufactured dwelling lawfully established on an authorized unit of land.

(8) One single-family dwelling or manufactured dwelling in conjunction with a farm or forest use on an authorized unit of land of at least the minimum required area.

(9) Expansion of a church, public or private school or community center owned or operated by a governmental agency or private, nonprofit, community organization which has been lawfully established on an authorized unit of land, provided such expansion does not exceed 50 percent of the gross floor area of the structure or 2,000 square feet, whichever is greater.

(10) Transportation improvements.

[Adopted 98-002 §3 eff 3/4/98; amd 16-370 §4 eff 12/14/16]

### **929.030 AB uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are permitted in the AB zoning district through a Type IIA procedure subject to the decision criteria in LCC 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) Home occupations, subject to LCC 932.830 to 932.845.

(2) Seasonal farmworker housing or forest labor camps.

(3) Temporary facilities for the primary processing of forest products.

(4) Commercial activities in conjunction with a farm use.

(5) One medical hardship dwelling, subject to LCC 932.860 to 932.895.

(6) Oil, natural gas and geothermal exploration and extraction.

(7) One caretaker dwelling for a use permitted in LCC 929.020 and 929.030, subject to LCC 932.800 to 932.815.

(8) Kennels, subject to LCC 932.400 to 932.440.

(9) Cemeteries.

(10) Storage, repair, or sale of fencing, irrigation pipe, pumps and other commercial farm or forest-related or farm-related equipment and implements.

(11) Farm or forest equipment storage and repair facilities.

(12) Bulk storage and distribution facilities for fuels, pesticides and fertilizers.

(13) Veterinarian clinic.

(14) Public or private schools.

(15) Churches.

(16) Private parks, playgrounds, hunting and fishing preserves.

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

(18) Utility facilities necessary for public service.

(19) Personal-use airports. (See **personal-use airports** in LCC 920.100 for exceptions)

(20) Public and semi-public buildings and uses.

(21) Energy generating facilities not requiring review by the Oregon Energy Facilities Siting Council.

(22) Slaughtering of animals, including attendant retail and wholesale sales, which may be conducted outside an enclosed building.

(23) Livestock feedlots.

(24) Firearm training facility.

(25) Staging area subject to LCC 932.700 to 932.770.

(26) Marijuana production, processing, wholesaling, retailing, research and testing, subject to LCC 933.200, LCC 933.220 and LCC Chapter 940.

(27) Landscape contracting business and landscaping supplies and similar uses.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99; amd 16-370 §4 eff 12/14/16; amd 17-090 §1 eff 5/2/17]

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## **II. FREEWAY INTERCHANGE COMMERCIAL (FIC) ZONING DISTRICT**

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### **929.110 Statement of purpose**

(A) The purpose of the Freeway Interchange Commercial (FIC) zoning district shall be to permit the use of freeway interchange property to fill the immediate needs of motorists and commerce.

(B) The uses permitted in this zoning district are intended to serve the rural and traveling population.

[Adopted 98-002 §3 eff 3/4/98]

### **929.120 FIC uses allowed outright**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the FIC zoning district.

(B) *Uses allowed outright.*

(1) Automobile and truck services set forth in this subsection located within a building or buildings with a total size not to exceed 3,750 square feet.

(a) Service station.

(b) Repair, including the sale of parts as a secondary use.

(2) Food and beverage facilities located within a building or buildings with a total size not to exceed 3,750 square feet including:

(a) Restaurant.

(b) Convenience grocery store.

(3) Alteration, expansion or replacement of a dwelling lawfully established on a property prior to the establishment of the FIC zoning district.

(4) Expansion of a church, public or private school or community center owned or operated by a governmental agency or private nonprofit community organization which has been lawfully established on a property provided such expansion does not exceed 50% of the gross floor area of the structure of 5,000 square feet, whichever is greater.

(5) Limited farm use.

(6) Cultivation, management, protection and harvest of forest crops, but excluding timber processing operations, maintenance and repair facilities for timber vehicles or equipment.

(7) Residential home in an existing dwelling.

(8) Transportation improvements.

[Adopted 98-002 §3 eff 3/4/98]

### **929.130 FIC uses permitted through conditional use review**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses may be permitted in the FIC zoning

district through the procedure established in LCC Chapter 921 (Land Development Administration Code) for a conditional use review subject to the decision criteria in LCC Chapter 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) Parks. Office and customer retail support services must be located within a building or buildings with a total size not to exceed 3,750 square feet. Guests may not camp for more than 120 days per calendar year, nor may guest's recreational vehicles be on the property for more than 120 days per calendar year. Recreational vehicles may not be rented or stored on the site.

(2) Accessory structures for uses permitted conditionally, subject to applicable building size limitations.

(3) Utility facilities necessary for public service.

(4) One caretaker dwelling for a use permitted in this section, subject to LCC 932.800 to 932.815.

(5) Public and semi-public buildings and uses to be located within a building or buildings with a total size not to exceed 3,750 square feet. The size limitation does not apply to fire stations, police stations, utility substations, schools or churches.

(6) Staging area subject to LCC 932.700 to 932.770.

(7) Alteration, restoration, or replacement of a lawfully established dwelling requiring that the Director make a decision based on a review of information not limited to the development permit application.

(8) Marijuana production, processing, wholesaling, retailing, research and testing, subject to LCC 933.200, LCC 930.220 and LCC Chapter 940.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99; amd 11-352 §1 eff 10/12/11; amd 16-370 §4 eff 12/14/16]

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### **III. HEAVY INDUSTRIAL (HI) ZONING DISTRICT**

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## 929.210 Statement of purpose

(A) The purpose of the Heavy Industrial (HI) zoning district is to permit the continuation and expansion of existing industrial land uses; to provide the opportunity for new, resource-related and rural-scale industrial uses; and to provide economic development opportunities on qualifying abandoned or diminished mill sites consistent with applicable *Plan* policies.

[Amd 04-056 §1 eff 3/31/04]

(B) The Heavy Industrial zoning district is intended for manufacturing activities which are dependent upon close proximity to natural resources or raw materials; or which need a relatively isolated location because of operational characteristics.

(C) The HI zoning district provides for land uses which have potential for conflicts with other uses. Small-scale, rural-dependent businesses are permitted as outlined below.

(D) The expansion or replacement of certain existing urban industrial uses identified in LCC 929.240 are permitted and described in detail in the *Comprehensive Plan*.

[Adopted 98-002 §3 eff 3/4/98; amd 11-352 §1 eff 10/12/11]

## 929.220 HI uses allowed outright

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the HI zoning district.

(B) *Uses allowed outright.*

(1) Agricultural uses.

(a) Equipment repair and storage.  
(b) Warehouses for agricultural products.  
(c) Receiving station.  
(d) Nursery.  
(e) Commercial activity in conjunction with a farm use.

(2) Small-scale, rural-dependent businesses performing maintenance, repair or other structural or site improvements or fabrication of parts principally for rural residents or rural industrial activities. The development is limited to no more than three uses per exception site or one use per property in an exception area, whichever

is greater. No use shall have a building or combined building size totaling more than 5,000 square feet and a site size not to exceed three acres.

(3) Automotive and truck services set forth in this subsection located within a building or buildings with a total size not to exceed 3,750 square feet.

(a) Service station.

(b) Repair, including the sale of parts as a secondary use.

(4) Fuel distribution and storage, including the processing, distribution and sale of firewood.

(5) Forest products.

(a) Equipment repair and storage.

(b) Manufacturing of lumber, plywood, strandboard, paper and shakes

(6) Existing uses identified in LCC 929.220 to 929.240 (only existing use is permitted at identified site).

(7) Utility facility necessary for public service.

(8) Alteration, expansion or replacement of a dwelling lawfully established on an authorized unit of land prior to the establishment of the HI zoning district.

(9) Limited farm use.

(10) Transportation improvements.

[Adopted 98-002 §3 eff 3/4/98]

## 929.230 HI uses permitted through a Type IIA conditional use review

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are permitted in the HI zoning district through a Type IIA procedure subject to the decision criteria in LCC 933.200 to 933.220.

(B) *Uses permitted through conditional use review.*

(1) Slaughter house.

(2) Rendering plant.

(3) Cannery.

(4) Energy generating facilities producing power for public sale.

(5) Personal use airports. (See **personal-use airports** in LCC 920.100 for exceptions)

(6) Public-use airports

(7) Uses permitted conditionally in the LI zoning district, excluding public and private schools and public safety and transportation facilities.

(8) Wrecking yard or junkyard limited to an area not to exceed five acres.

(9) Recycling of metals, glass, paper and other similar material limited to an area not to exceed five acres.

(10) One caretaker dwelling for a use permitted in LCC 929.220 to 929.240, subject to LCC 932.800 to 932.815.

(11) Staging area, subject to LCC 932.700 to 932.770.

(12) Manufacture or storage of highly combustible materials or explosives.

(13) Alteration, restoration, or replacement of a lawfully established dwelling requiring that the Director make a decision based on a review of information not limited to the development permit application.

(14) Industrial development on an abandoned or diminished mill site not otherwise allowed under LCC 929.220 or permitted under LCC 929.230, subject to the criteria and procedures in LCC 932.200 through 932.299. The development is subject to the qualification and delineation of the mill site pursuant to the criteria and procedures identified in LCC 932.220.

(15) Marijuana production, processing, wholesaling, retailing, research and testing, subject to LCC 933.200, LCC 930.220 and LCC Chapter 940.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99; amd 04-056 §1 eff 3/31/04; amd 11-352 §1 eff 10/12/11; amd 16-370 §4 eff 12/14/16]

## 929.240 HI uses permitted through an urban exception

All principle uses set forth in this section, including expansion and replacement, and uses accessory to those principle uses are permitted at the locations set forth in the table in this section and any subsequent changes of these tax-lot numbers from remapping. Expansion of an

existing use is permitted on the area shown on the urban exception map.

| Site | Use                                      | Location                    |
|------|--|-----------------------------|
| I-1  | Contractor office, shop and storage yard | T9, R1W, S14, TL 1801.      |
| I-7  | Manufacture of metal products            | T11, R3W, S33, TL 502       |
| I-12 |  | T12, R4W, S3, TL 202 & 205. |
| I-33 | Manufacture of concrete products         | T12, 2W, S2, TL 2002        |

[Adopted 98-002 §3 eff 3/4/98; amd 2014-356 §12 eff 11/5/2014]

## IV. LIMITED INDUSTRIAL (LI) ZONING DISTRICT

### 929.310 Statement of purpose

(A) The purpose of the Limited Industrial (LI) zoning district is primarily to permit the continuation and expansion of existing industrial land uses; to provide the opportunity for new resource-related and rural-scale industrial uses; and to provide economic development opportunities on qualifying abandoned or diminished mill sites consistent with applicable *Plan* policies.

[Amd 04-056 §1 eff 3/31/04]

(B) The Limited Industrial zoning district is intended primarily for land uses which are dependent upon close proximity to natural resources or raw materials or which need a relatively isolated location because of operational characteristics.

(C) Small-scale, rural-dependent businesses are permitted as set forth in LCC 929.320 to 929.340.

(D) The expansion and replacement of certain existing urban industrial uses identified in LCC 929.340 is permitted and described in detail in the *Comprehensive Plan*.

[Adopted 98-002 §3 eff 3/4/98; amd 11-352 §1 eff 10/12/11]

### 929.320 LI uses allowed outright

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the LI

zoning district provided all such uses, other than off-road parking and other activities which by necessity must be conducted in the open, are to be conducted entirely within an enclosed building.

(B) *Uses allowed outright.*

(1) Agricultural uses.

- (a) Equipment repair and storage.
- (b) Warehouses for agricultural products.
- (c) Receiving station.
- (d) Nursery.
- (e) Commercial activity in conjunction with a farm use.

(2) Forest products uses.

- (a) Equipment repair and storage.
- (b) Processing of milled lumber into building materials.

(3) Small-scale, rural-dependent businesses performing maintenance, repair or other structural or site improvements or fabrication of parts principally for rural residents or rural industrial activities, limited to no more than three uses per exception site or one use per property in an exception area, whichever is greater. No use shall have a building or combined building size totaling more than 5,000 square feet and a site size not to exceed three acres.

(4) Automotive and truck services set forth in this paragraph located within a building or buildings with a total size not to exceed 3,750 square feet.

- (a) Service station.
- (b) Repair, including the sale of parts as a secondary use.

(5) Existing uses identified in LCC 929.340 (only existing use is permitted at identified site).

(6) Alteration, expansion or replacement of a dwelling lawfully established on a authorized unit of land prior to the establishment of the LI zoning district.

(7) Utility facilities necessary for public service.

(8) Transportation improvements.

(9) Limited farm use.

(10) Public safety and transportation facilities.

[Adopted 98-002 §3 eff 3/4/98; amd 11-352 §1 eff 10/12/11]

**929.330 LI uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are permitted in the LI zoning district through a Type IIA procedure and the decision criteria in LCC 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) Wrecking yard or junkyard limited to an area not to exceed five acres.

(2) Recycling of metals, glass, paper and other similar material limited to an area not to exceed five acres.

(3) Storage of highly combustible materials or explosives.

(4) Fuel distribution and storage, including the processing, distribution and sale of firewood.

(5) One medical hardship dwelling, subject to LCC 932.860 to 932.895.

(6) Airports. (See **personal-use airports** in LCC 920.100 for exceptions).

(7) Public and private schools up to a maximum of 15,000 square feet of building area.

(8) Accessory structures for uses permitted conditionally.

(9) One caretaker residence for a use permitted in LCC 929.320 and 929.330 subject to LCC 932.800 to 932.815.

(10) Kennel, subject to LCC 932.400 to 932.440.

(11) Staging area, subject to LCC 932.700 to 932.770.

(12) Alteration, restoration, or replacement of a lawfully established dwelling requiring that the Director make a decision based on a review of information not limited to the development permit application.

(13) Industrial development on an abandoned or diminished mill site not otherwise allowed under LCC 929.220 or permitted under

LCC 929.230, subject to the criteria and procedures in LCC 932.200 through 932.299. The development is subject to the qualification and delineation of the mill site pursuant to the criteria and procedures identified in LCC 932.220.

(14) Marijuana production, processing, wholesaling, retailing, research and testing, subject to LCC 933.200, LCC 930.220 and LCC Chapter 940.

(15) Family Entertainment Center, including indoor facilities in a building or buildings with total size not to exceed 3,750 square feet and outdoor facilities.

(16) Home occupations, subject to LCC 932.830 to 932.845.

[Adopted 98-002 §3 eff 3/4/98; amd 98-432 §2 eff 10/21/98; amd 99-121 §10 eff 6/30/99; amd 04-056 §1 eff 3/31/04; amd 16-370 §4 eff 12/14/16; amd 18-023 §2 eff 2/6/18; amd 22-326 §1 eff 9/27/22]

### **929.340 LI uses permitted outright through an urban exception**

(A) Definitions. For purposes of this section “replacement” means that a use identified in this section may be replaced only by a use that is specified in this section or is determined by the Director to be closely similar in nature to a use identified in this section.

(B) Expansion and replacement of the principle uses set forth in this section and uses accessory to those principle uses are permitted outright at the locations identified on the “Urban Exceptions” map of the *Comprehensive Plan*. Those locations are also set forth in the table in this section.

(C) The tax-lot numbers set forth in the table in this section are subject to change by the County Assessor at any time. A change in the tax-lot number does not affect the authority recognized and granted by this section.

| Site | Use                                | Location                        |
|------|------------------------------------|---------------------------------|
| I-6  | Sale and repair of appliances      | T11, R4W, S 32, TL 1104         |
|      | Sale and repair of cars and trucks | T11, R4W, S 32 TL 1103          |
|      | Sale and manufacture of furniture  | T11, R4W, S32, TL 1100 and 1102 |

|      |   |   |
|------|---|---|
|      | Self-service storage facility                         | T11, R4W, S32, TL 1301  |
|      | Sale and repair of recreational vehicles and trailers | T11, R4W, S 32, TL 1201   |
|      | Sale and repair of boats                              | T11, R4W, S 32, TL 1105   |
|      | Manufacture of ornamental iron                        | T11, R4W, S 32, TL 1105   |
| I-13 | Sale and repair of manufactured homes                 | T12, R3W, S5, TL 501  |
|      | Contractor office, shop and storage yard              | T12, R3W, S5, TL 600  |
| I-20 | Self-service storage facility                         | T13, R1W, S4, TL 909  |
| I-24 | Manufacture of metal detectors                        | T13, R1E, S30C, TL 500 (2.43 ac.) & 801; TL13, R1E, S31BB, TL 100, 101, 200 & 201 |
| I-32 | Manufacture of pumps and meters                       | T12, R5W, S1, TL 1200   |
| I-44 | Manufacturing and repair facilities                   | T12, R3W, S6, TL 900 & 1000   |
| I-46 | Contractor office, shop and storage yard              | T12, R1W, S32, TL 1400  |
| I-49 | Contractor office, shop and storage yard              | T12, R3W, S28, TL 1900  |

[Adopted 98-002 §3 eff 3/4/98; amd 11-352 §1 eff 10/12/11; amd 15-340 §2 eff 11/10/15 ]

## **V. RURAL COMMERCIAL (RCM) ZONING DISTRICT**

### **929.410 Statement of purpose**

(A) The purpose of the Rural Commercial (RCM) zoning district shall be to provide for a restricted scale of commercial development in rural areas.

(B) The zoning district permits uses which are intended to provide a convenient location for rural residents to obtain household commodities or to operate small-scale, service businesses.

(C) It is the intent of this zoning district to allow commercial activities which will be used primarily by rural residents.

[Adopted 98-002 §3 eff 3/4/98]

**929.420 RCM uses allowed outright**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the RCM zoning district.

**(B) *Uses allowed outright.***

(1) Retail uses listed below located within a building or buildings with a total size not to exceed 3,750 square feet.

- (a) Antique store.
- (b) General store.
- (c) Barber or beauty shop.
- (d) Restaurant.
- (e) Bar, tavern.
- (f) Arts and crafts sales and production.
- (g) Grocery store.

(h) Garden center, nursery (greenhouses not included in building size standard).

(2) Automotive and truck services listed below located within a building or buildings with a total size not to exceed 3,750 square feet.

- (a) Service station.
- (b) Repair, including the sale of parts as a secondary use.

(3) Professional and business offices located in a building or buildings with a total size not to exceed 2,500 square feet.

(4) One caretaker residence for a use allowed in this section, subject to LCC 932.800 to 932.815.

(5) Alteration, expansion or replacement of a dwelling lawfully established on an authorized unit of land prior to the establishment of the RCM zoning district.

**(6) Limited farm use.**

(7) Cultivation, management, protection and harvest of forest crops, but excluding timber-processing operations or maintenance and repair facilities for timber vehicles or equipment.

(8) Residential home in an existing dwelling.

(9) Expansion of a church, public or private school or community center owned or operated by a governmental agency or private,

nonprofit, community organization which has been lawfully established on a authorized unit of land, provided such expansion does not exceed 50% of the gross floor area of the structure of 5,000 square feet, whichever is greater.

(10) Commercial activities in conjunction with farm use.

(11) Transportation improvements.

[Adopted 98-002 §3 eff 3/4/98]

**929.430 RCM uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses may be permitted in the RCM zoning district through a Type IIA and decision criteria in LCC 933.200 and 933.220.

**(B) *Uses permitted through conditional use review.***

(1) Veterinarian clinic.

(2) Kennel to be located within a building or buildings with a total size not to exceed 3,750 square feet, subject to LCC 932.400 to 932.40.

(3) Sign painting and repair to be located within a building or buildings with a total size not to exceed 3,750 square feet.

(4) Utility facilities necessary for public service.

(5) Public and semi-public buildings and uses to be located within a building or buildings with a total size not to exceed 3,750 square feet. The size limitation does not apply to fire stations, police stations, utility substations, schools or churches.

(6) Staging area, subject to LCC 932.700 to 932.770.

(7) Accessory structures for uses permitted conditionally, subject to applicable building size limitations.

(8) Radio and transmission facility to be located within a building or buildings with a total size not to exceed 3,750 square feet.

(9) Parks. Office and customer retail support services must be located within a building

or buildings with a total size not to exceed 3,750 square feet.

(10) Alteration, restoration, or replacement of a lawfully established dwelling requiring that the Director make a decision based on a review of information not limited to the development permit application.

(11) Marijuana production, processing, wholesaling, retailing, research and testing, subject to LCC 933.200, LCC 930.220 and LCC Chapter 940.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99; amd 11-352 §1 eff 10/12/11; amd 16-370 §4 eff 12/14/16]

## **VI. RURAL CENTER (RCT) ZONING DISTRICT**

### **929.510 Statement of purpose**

(A) The purpose of the Rural Center (RCT) zoning district shall be to recognize existing development in unincorporated rural communities identified as rural centers in the *Comprehensive Plan* and to provide for orderly development of rural centers.

(B) The RCT zoning district is intended to ensure development at densities that will not require urban services.

(C) The RCT zoning district is composed of three zoning districts (RCT-1, RCT-2½, and RCT-5) which are distinguished only by property size standards.

[Adopted 98-002 §3 eff 3/4/98]

### **929.520 RCT uses allowed outright**

(A) All principle uses set forth in subsection (B) of this section, excluding manufactured dwellings used as storage buildings, and uses accessory to those principle uses are allowed outright in the RCT zoning district.

#### *(B) Uses allowed outright.*

(1) One single-family dwelling or one manufactured dwelling per authorized unit of land.

(2) Limited farm use.

(3) Cultivation, management, protection, and harvest of forest crops but excluding timber

processing operations or maintenance and repair facilities for timber vehicles or equipment.

(4) Buildings not to exceed 300 square feet in gross sales area for the sale of agricultural products grown or raised on the premises.

(5) Expansion of a church, public or private school, or community center owned or operated by a governmental agency or private nonprofit community organization which has been lawfully established on an authorized unit of land, provided such expansion does not exceed 50 percent of the gross floor area of the structure or 2,000 square feet, whichever is greater.

(6) Residential home.

(7) Family day care provider.

(8) Transportation improvements.

[Adopted 98-002 §3 eff 3/4/98]

### **929.530 RCT uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section, excluding manufactured dwellings used as storage buildings, and uses accessory to those principle uses may be permitted in the RCT zoning district through a Type IIA procedure subject to the decision criteria in LCC 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) One medical hardship dwelling, subject to LCC 932.860 to 932.895.

(2) Accessory structures for uses permitted conditionally.

(3) Home occupations, subject to LCC 932.830 to 932.845.

(4) Expanded animal husbandry including the raising, tending, pasturing or breeding of pigs or fur bearing animals provided that such activities are not a part of, or conducted in conjunction with any livestock sales yard, slaughter house or animal by-products business.

(5) Temporary facilities for the primary processing of forest products.

(6) The breeding, boarding and training of horses for profit.

(7) Radio or television stations, transmitters, receivers, and towers.

(8) Utility facilities necessary for public service.

(9) Public and semi-public buildings and uses.

(10) Farm product receiving plants, including wineries but excluding canneries and frozen food processing.

(11) Storage, distribution, or sale of feed, fertilizer, seed, chemicals or other products used for commercial agricultural or timber production.

(12) Infilling an existing manufactured dwelling park subject to LCC 932.600 to 932.680.

(13) Staging areas.

(14) The following are small-scale commercial uses not to exceed 2,000 square feet in total floor area allowed in RCT zoning districts.

(a) Grocery store.

(b) Laundromat.

(c) Barber or beauty shop.

(d) Garden center, nursery (greenhouses not included in building size standard).

(e) Arts and crafts sales and production.

(f) Restaurant.

(g) Bar, tavern.

(h) General store.

(15) Public or private schools.

(16) Churches.

(17) Parks, playgrounds, hunting and fishing preserves, and community centers.

(18) Golf course.

(19) Contractor office or shop, located within a building or buildings not to exceed 3,750 square feet.

(20) Storage facility principally serving rural residents or rural business, located within a building or buildings not to exceed 3,750 square feet.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99; amd 20-035 §1 eff 4/7/20]

## **VII. RURAL RESIDENTIAL (RR) ZONING DISTRICT**

### **929.610 Statement of purpose**

(A) The purpose of the Rural Residential (RR) zoning district shall be:

(1) to provide areas suitable for rural residential development thus preserving land of higher productivity for agricultural and forest resource use;

(2) to provide for limited agricultural and forest uses where appropriate; and

(3) to preserve and maintain the rural character of areas designated for such acreage homesites.

(B) The RR zoning district is also intended to ensure development at densities that will not require urban services.

(C) The RR zoning district is composed of four zoning districts which are distinguished only by minimum property size standards.

(D) One residential zoning district is not interchangeable with another residential zoning district without approval through the procedural processes described in LCC 921.800 to 921.840 and the rural residential land policies in the *Comprehensive Plan*.

[Adopted 98-002 §3 eff 3/4/98]

### **929.620 RR uses allowed outright**

(A) All principle uses set forth in subsection (B) of this section, excluding manufactured dwellings used as storage buildings, and uses accessory to those principle uses are allowed outright in the RR zoning district.

(B) *Uses allowed outright.*

(1) One single-family dwelling or one manufactured dwelling per authorized units of land.

(2) Limited farm use.

(3) Cultivation, management, protection or harvest of forest crops but excluding timber processing operations or maintenance and repair facilities for timber vehicles or equipment.

(4) A building for the sale of agricultural products grown or raised on the premises. The building is not to exceed 300 square feet in gross sales area.

(5) Expansion of a church, public or private school or community center owned or operated by a governmental agency or private, nonprofit, community organization which has been lawfully established on a authorized units of land, provided such expansion does not exceed 50 percent of the gross floor area of the structure or 2,000 square feet, whichever is greater.

(6) Residential home.

(7) Family day care provider.

(8) Transportation improvements.

[Adopted 98-002 §3 eff 3/4/98]

## **929.630 RR uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section, excluding manufactured dwellings used as storage buildings, and uses accessory to those principle uses may be permitted in the RR zoning district through a Type IIA procedure and the decision criteria in LCC 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) One medical hardship dwelling, subject to LCC 932.860 to 932.895.

(2) Accessory structures and uses for uses permitted conditionally.

(3) Home occupations, subject to LCC 932.830 to 932.845.

(4) Temporary facilities for the primary processing of forest products.

(5) The breeding, boarding and training of horses for profit.

(6) Cemeteries.

(7) Expanded animal husbandry including the raising, tending, pasturing or breeding of pigs or fur-bearing animals provided that such activities are not a part of, or conducted in conjunction with, any livestock sales yard, slaughter house or animal by-products business.

(8) Public and semi-public buildings and uses.

(9) Utility facilities necessary for public service.

(10) Radio, television or telephone transmission or receiving facilities, but excluding transmission stations.

(11) Small-scale, commercial uses not to exceed 2,000 square feet in total floor area including, but not limited to, grocery stores, laundromats, general stores, retail nurseries and agricultural product sales buildings, excluding livestock sales and auction yards.

(12) Infilling an existing manufactured dwelling park subject to LCC 932.600 to 932.680.

(13) Public or private schools.

(14) Churches.

(15) Parks, playgrounds, hunting and fishing preserves.

(16) Community centers owned and operated by a governmental agency or a nonprofit, community organization.

(17) Golf courses.

(18) Personal-use airports. (See **personal-use airports** in LCC 920.100 for exceptions).

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99]

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## **VIII. URBAN DEVELOPMENT (UD-I) ZONING DISTRICT**

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### **929.710 Statement of purpose**

(A) The purpose of the Urban Development (UD-I) zoning district is to recognize sites which are developed with urban types of commercial/industrial uses.

(B) The Urban Development-I (UD-I) zoning district may only be applied to those Highway 34 sites which have been approved through a Goal 14 developed or committed exception.

(C) It is the intent of the UD-I zoning district to permit the continuation and expansion of existing uses and their replacement with similar uses.

(D) The UD-I zoning district is applied to specific sites identified in the *Comprehensive Plan*.

(E) The UD-I zoning district and the UD-II zoning district s are not interchangeable; the respective UD zoning district can only be applied to an urban exception which is developed with the uses described in that zoning district.

[Adopted 98-002 §3 eff 3/4/98]

### **929.720 UD-I uses allowed outright**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the UD-I zoning district provided all such uses, other than off-road parking and other activities which by necessity must be conducted in the open, are to be conducted entirely within an enclosed building.

(B) *Uses allowed outright.*

(1) Professional and business offices.

(2) Agricultural related uses such as:

(a) Agricultural supply store.

(b) Warehouses for agricultural products.

(c) Wholesale distribution or sales facilities.

(d) Commercial activity in conjunction with a farm use.

(3) Warehousing and distribution of durable and non-durable goods.

(4) Manufacturing or repair involving.

(a) Metal.

(b) Wood.

(c) Plastic.

(5) Research laboratories.

(6) Manufacture or repair of scientific, precision or electronic instruments.

(7) Automotive repair, including the sales of parts as a secondary use.

(8) Commercial sales and services integral to a use allowed in this section.

(9) Utility facility necessary for public service.

(10) Alteration, expansion or replacement of a lawfully established dwelling on an authorized unit of land prior to the establishment of the UD-1 zoning district.

(11) Transportation improvements

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99]

### **929.730 UD-I uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are permitted in the UD-I zoning district through a Type IIA procedure and the decision criteria in LCC 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) One caretaker residence for a use permitted in LCC 929.720, subject to LCC 932.800 to 932.815

(2) Accessory structures for uses permitted conditionally.

(3) Public and semi-public buildings and uses.

(4) Staging area, subject to LCC 932.700 to 932.770.

(5) Alteration, restoration, or replacement of a lawfully established dwelling requiring that the Director make a decision based on a review of information not limited to the development permit application.

(6) Cafés and restaurants, or expansion of existing cafés or restaurants, not to exceed 2,000 square feet in total floor area.

(7) A change in the operational design or characteristics of an existing café or restaurant.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99; amd 13-073 §1 eff 2/27/13]

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## **IX. URBAN DEVELOPMENT (UD-II) ZONING DISTRICT**

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### **929.810 Statement of purpose**

(A) The purpose of the Urban Development (UD-II) zoning district is to recognize sites which are developed with urban types of commercial/industrial uses.

(B) The Urban Development-II (UD-II) zoning district may only be applied to those Highway 34 sites which have been approved through a Goal 14 developed or committed exception.

(C) The UD-II zoning district is applied to larger developed and committed areas which have several urban uses.

(D) It is the intent of the UD-II zoning district to permit the continuation and expansion of existing uses and their replacement with similar uses.

(E) The UD-II zoning district is applied to specific sites identified in the *Comprehensive Plan*.

(F) The UD-I zoning district and the UD-II zoning district s are not interchangeable; the respective UD zoning district can only be applied to an urban exception which is developed with the uses described in that zoning district.

[Adopted 98-002 §3 eff 3/4/98]

## **929.820 UD-II uses allowed outright**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the UD-II zoning district provided all such uses, other than off-road parking and other activities which by necessity must be conducted in the open, are to be conducted entirely within an enclosed building.

(B) *Uses allowed outright.*

(1) Agricultural related uses such as:

- (a) Implement dealer.
- (b) Equipment storage and repair.
- (c) Agricultural supply store.
- (d) Warehouses for agricultural products.
- (e) Wholesale distribution or sales facilities.

(f) Receiving station.

(g) Commercial activity in conjunction with a farm use.

(2) Uses related to the forest industry such as:

- (a) Equipment repair and storage.
- (b) Processing of milled lumber into building materials.

(c) Logging and wood manufacturing supply store.

(d) Lumber and building material sales.

(3) Construction and contractor uses such as:

(a) Construction or contractor equipment storage yard.

(b) Welding, sheet metal or machine shop.

(c) Cabinet shop.

(d) Sign painting, sale, repair or manufacture.

(e) Equipment repair.

(4) Transportation, storage and distribution uses such as:

(a) Fuel distribution and storage.

(b) Self-service storage facility.

(5) Sales, service and repair of manufactured dwellings, recreational vehicles, campers, trailers and boats.

(6) Automobile and truck services such as:

(a) Repair.

(b) Painting.

(7) Commercial retail sales and services integral to a use allowed in this section.

(8) Utility facility necessary for public service.

(9) Alteration, expansion or replacement of a lawfully established dwelling on a authorized unit of land prior to the establishment of the UD-II zoning district.

(10) Garden shop, retail nursery.

(11) Limited farm use.

(12) Transportation improvements.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99]

## **929.830 UD-II uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are permitted in the UD-II zoning district through a Type IIA procedure and the decision criteria in LCC 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) One caretaker residence for a use permitted in LCC 929.820, subject to LCC 932.800 to 932.815.

(2) Accessory structures for uses permitted conditionally.

(3) Public and semi-public buildings and uses.

(4) Staging area, subject to LCC 932.700 to 932.770.

(5) Alteration, restoration, or replacement of a lawfully established dwelling requiring that the Director make a decision based on a review of information not limited to the development permit application.

(6) Marijuana production, processing, wholesaling, retailing, research and testing, subject to LCC 933.200, LCC 933.220 and LCC Chapter 940.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §10 eff 6/30/99; amd 15-087 §2 eff 3/25/15; amd 16-370 §4 eff 12/14/16]

## **X. NON-RESOURCE (NR) ZONING DISTRICT**

### **929.910 Statement of purpose**

(A) The purpose of the Non-resource (NR) zoning district shall be:

(1) To implement the Non-resource Plan designation.

(2) To permit low-density residential development in suitable locations while reducing potential conflicts with agriculture and forestry.

(B) The NR zoning district is composed of two zoning districts which are distinguished only by minimum property size standards.

(C) One non-resource zoning district is not interchangeable with another non-resource zoning district without approval through the procedural processes described in LCC 921.800 to 921.840 and the non-resource land policies in the *Comprehensive Plan*.

[Adopted04-043 §2 eff 4/28/04]

### **929.920 NR uses allowed outright**

(A) All principle uses set forth in subsection (B) of this section, excluding manufactured dwellings used as storage buildings, and uses accessory to those principle uses are allowed outright in the NR zoning district.

(B) *Uses allowed outright*

(1) One single-family dwelling or one manufactured dwelling per authorized unit of land.

(2) Family day care provider.

(3) Residential home.

(4) Farm use.

(5) A building for the sale of agricultural products grown or raised on the premises. The building shall not exceed 300 square feet in gross sales area.

(6) Cultivation, management, protection or harvest of forest crops but excluding timber processing operations or maintenance and repair facilities for timber vehicles or equipment.

(7) Transportation improvements.

[Adopted04-043 §2 eff 4/28/04; amd 16-206 §2 eff 7/5/16]

### **929.930 NR uses permitted through a Type IIA conditional use review**

(A) All principle uses set forth in subsection (B) of this section, excluding manufactured dwellings used as storage buildings, and uses accessory to those principle uses may be permitted in the NR zoning district through a Type IIA procedure and the decision criteria in LCC 933.200 and 933.220.

(B) *Uses permitted through conditional use review.*

(1) One medical hardship dwelling, subject to LCC 932.860 to 932.895.

(2) Accessory structures and uses for uses permitted conditionally.

(3) Home occupations, subject to LCC 932.830 to 932.845.

(4) Temporary facilities for the primary processing of forest products.

(5) Cemeteries.

(6) Public and semi-public buildings and uses.

(7) Utility facilities necessary for public service.

(8) Radio, television or telephone transmission or receiving facilities, but excluding transmission stations.

[Adopted04-043 §2 eff 4/28/04; amd 16-206 §2 eff 7/5/16]

## **XI. PUBLIC SERVICES (PS) ZONING DISTRICT**

## **929.950 Statement of purpose**

(A) The purpose of the Public Services (PS) zoning district shall be:

(1) To implement the Public Services Plan designation.

(2) TO provided for the provision of needed public facilities, public services, public uses, and support facilities in appropriate locations.

(3) To provide for the public health, safety and welfare while protecting rural land uses and community values.

[Adopted 16-206 §2 eff 7/5/16]

## 929.955 PS uses allowed outright

(A) All principle uses set forth in subsection (B) of this section and uses accessory to those principle uses are allowed outright in the PS zoning district subject to an approved site plan, compliance with the development standards in LCC Chapter 934, and other applicable Code requirements

(B) *Uses allowed outright*

### (1) Limited farm use.

(2) Cultivation, management, protection and harvest of forest crops, but excluding timber processing operations and maintenance and repair facilities for timber vehicles or equipment.

### (3) Armory.

(4) Public and semi-public buildings and uses, including law enforcement, fire, ambulance and road maintenance facilities and services.

(5) Public Parks subject to LCC 932.950.

[Adopted 16-206 §2 eff 7/5/16]

## **Statutory References and Authorities:**

ORS 197; 203; 215

## Legislative History of Chapter 929:

Adopted 98-002 eff 3/4/98

## Amendments to 98-002

#1 98-432 eff 10/21/98

#2 99-121 §10 eff 6/30/99

#3 04-056 §1 eff 3/31/04

#4 04-043 §2 eff 4/28/04

- #5 11-352 §1 eff 10/12/11
- #6 13-073 §1 eff 2/27/13
- #7 14-356 §12 eff 11/5/14
- #8 15-087 §2 eff 3/25/15
- #9 15-340 §2 eff 11/10/15
- #10 16-206 §2 eff 7/5/15
- #11 16-370 §4 eff 12/14/16
- #12 17-090 §1 eff 5/2/17
- #13 18-023 §2 eff 2/6/18
- #14 20-035 §1 eff 4/7/20
- #15 22-326 §2 eff 9/27/22

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