

# DEVELOPER PACKET



## ***Prepared for:***

*Justin Krug  
Cascade Hasson Sotheby's  
International Realty  
503-754-0793  
justin@justinkrug.com*

## **Subject Parcels**

21028 Highway 99E NE  
Parcel ID# 510652  
Tax Lot # 041W13BD/03300  
Aurora, OR 97002

***Compliments of:*** Land Development & Builder Services

## THIS PACKET INCLUDES:

- Property Profile & Trio
- Maps
- Marion County Zoning C

# DEVELOPER PACKET



## PROPERTY PROFILE AND TRIO

## Property Information Report

21028 HIGHWAY 99E NE AURORA, OR 97002-9213

### Ownership Information

**Owner Name:**

GREGORY STOERMER

DANIELLE STOERMER

**Mailing Address:**

29292 SW HEATER RD SHERWOOD, OR 97140-5009

### Property Description

**County:** Marion

**Map / Tax Lot:** 041W13BD/03300

**Account Num:** 510652

**Census:** 0102.00

**Property ID:** 510652

**Owner Occ.:** No

**Land Use:** Office Bldg (General)

**Zoning:** C

**Subdivision:**

**Legal Description:**

ACRES 0.37

### Property Characteristics

**Property Type:** COMMERCIAL

**Building SF:** 2,296

**Heat:**

**House Style:**

**Living Area SF:** 2,296

**Cooling:**

**Year Built:**

**Square Feet:** 2,296

**Foundation:**

**Bedrooms:**

**1st Floor SF:** 2,296

**Exterior:**

**Bathrooms:**

**2nd Floor SF:**

**Roof Style:**

**Lot Size:** 16,117

**3rd Floor SF:**

**Roof Cover:**

**Acres:** 0.37

**Attic SF:**

**Fireplaces:**

**Garage Type:**

**Bsmnt SF:**

**Bsmnt Type:**

**Garage SF:**

**Fin Bsmnt SF:**

### Assessment Information

**Real Market Value:** \$ 293,180

**Taxes:** \$ 3,160.92

**Land Value:** \$ 99,100

**Imp. Value:** \$ 194,080

**Total Assessed Value:** \$ 205,590

**Levy Code:** 15069

**Assessed Yr:** 2023

**Tax Year:** 2023

**M-5 Rate:**

### Previous Sale Information

**Sale Amount:**

**Sale Date:**

**Document Num:**

## Transaction History

| <u>Sale Date</u> | <u>Sale Amount</u> | <u>HPI<br/>Sale Amount</u> | <u>Document<br/>Type</u> | <u>Reception<br/>Num</u> | <u>Book/Page</u> |
|------------------|--------------------|----------------------------|--------------------------|--------------------------|------------------|
| 12/2/2014        | \$ 228,500         | \$ 492,600                 | Wd                       |                          | 3655/76          |

This information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said Services may be discontinued. No liability is assumed for any errors in this report.

*All information provided by ValueCheck, Inc is deemed reliable, but not guaranteed.  
Accuracy of the information may vary by county.*

**Copyright © 2024 ValueCheck, Inc.**

Property Identificaton

**Account ID:**  
510652  
**Tax Account ID:**  
510652  
**Tax Roll Type:**  
Real Property  
**Situs Address:**  
21028 HIGHWAY 99E NE AURORA OR 97002  
**Map Tax Lot:**  
041W13BD03300  
**Owner:**  
STOERMER, GREGORY & STOERMER, DANIELLE  
29292 SW HEATER RD  
SHERWOOD, OR 97140

**Manufactured Home Details:**  
**Other Tax Liability:**  
**Subdivision:**  
**Related Accounts:**

Owner History

| Grantee                                                                         | Grantor                                                    | Sales Info                           | Deed Info                                       |
|---------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------|-------------------------------------------------|
| STOERMER,GREGORY & STOERMER,DANIELLE<br>29292 SW HEATER RD<br>SHERWOOD OR 97140 | ENRIGHT,BRENDAN<br>21028 HIGHWAY 99E NE<br>AURORA OR 97002 | 12/3/2014<br>\$228,500.00<br>33<br>2 | 12/3/2014<br>36550076<br>WD<br>510652, 510653   |
| ENRIGHT,BRENDAN<br>21028 HIGHWAY 99E NE<br>SHERWOOD OR 97140                    | CONKEY,JUDITH A                                            | 3/19/1992<br>\$95,000.00<br>12<br>2  | 3/19/1992<br>13340494<br>DEED<br>510652, 510653 |
| 3111 BALBOA SE<br>SHERWOOD OR 97140                                             | CONKEY,JUDITH A                                            | 3/19/1992<br>\$95,000.00<br>15<br>1  | 3/19/1992<br>09400126<br>CONT<br>510652         |
| CONKEY,JEFF & JUDITH<br>6424 S LONE ELDER RD<br>SHERWOOD OR 97140               | SAGER,CECIL W & PATSY R ET AL                              | 11/22/1989<br>\$80,750.00<br>15<br>1 | 11/22/1989<br>07330374<br>WD<br>510652          |

Property Details

**Property Class:**  
201  
**RMV Property Class:**  
201  
**Zoning:**  
(Contact Local Jurisdiction)

**AV Exemption(s):**  
**RMV Exemption(s):**  
**Deferral(s):**  
**Notes:**

Land/On-Site Developments for Tax Account ID 510652

| ID | Type | Acres | Sq Ft | Levy Code Area |
|----|------|-------|-------|----------------|
|----|------|-------|-------|----------------|

| ID | Type                                   | Acres | Sq Ft | Levy Code Area |
|----|----------------------------------------|-------|-------|----------------|
| 1  | 002 Market CMLST Commercial Small Town | 0.26  | 11517 | 15069          |
| 2  | 002 Market CMLST Commercial Small Town | 0.11  | 5000  | 15069          |

**Improvements/Structures for Tax Account ID 510652**

| ID | Type       | Stat CClass         | Make/Model | Class | Area/Count | Year Built | Levy Code Area |
|----|------------|---------------------|------------|-------|------------|------------|----------------|
| 1  | COMMERCIAL | 581 OFFICE LOW RISE |            |       | 2296       |            | 15069          |

**Value Information (per most recent certified tax roll)**

|                               |           |
|-------------------------------|-----------|
| <b>RMV Land Market:</b>       | \$99,100  |
| <b>RMV Land Spec.</b>         | \$0       |
| <b>Assess.:</b>               |           |
| <b>RMV Structures:</b>        | \$194,080 |
| <b>RMV Total:</b>             | \$293,180 |
| <b>AV:</b>                    | \$205,590 |
| <b>SAV:</b>                   | \$0       |
| <b>Exception RMV:</b>         | \$0       |
| <b>RMV Exemption Value:</b>   | \$0       |
| <b>AV Exemption Value:</b>    | \$0       |
| <b>Exemption Description:</b> | None      |
| <b>M5 Taxable:</b>            | \$293,180 |
| <b>MAV:</b>                   | \$205,590 |
| <b>MSAV:</b>                  | \$0       |

Graph shows tax roll Real Market Value and Maximum Assessed Value of this property for past 10 years. For a detailed explanation, please see definition of Assessed Value above (hover over the "i").

**Assessment History**

| Year | Improvements RMV | Land RMV | Special Mkt/Use | Exemptions | Total Assessed Value |
|------|------------------|----------|-----------------|------------|----------------------|
| 2023 | \$194,080        | \$99,100 | \$0/\$0         | None       | \$205,590            |
| 2022 | \$177,650        | \$99,100 | \$0/\$0         | None       | \$199,610            |
| 2021 | \$161,500        | \$99,100 | \$0/\$0         | None       | \$193,800            |
| 2020 | \$161,500        | \$99,100 | \$0/\$0         | None       | \$188,160            |
| 2019 | \$156,900        | \$99,100 | \$0/\$0         | None       | \$182,680            |
| 2018 | \$149,970        | \$99,100 | \$0/\$0         | None       | \$177,360            |
| 2017 | \$149,970        | \$99,100 | \$0/\$0         | None       | \$172,200            |
| 2016 | \$129,230        | \$99,100 | \$0/\$0         | None       | \$167,190            |
| 2015 | \$159,030        | \$99,100 | \$0/\$0         | None       | \$162,330            |
| 2014 | \$145,690        | \$99,100 | \$0/\$0         | None       | \$157,610            |

**Taxes: Levy, Owed**

**Taxes Levied 2023-24:** \$3,160.92  
**Tax Rate:** 15.3749  
**Tax Roll Type:** R  
**Current Tax Payoff Amount:** \$0.00

| <b>Year</b> | <b>Total Tax Levied</b> | <b>Tax Paid</b> |
|-------------|-------------------------|-----------------|
| 2023        | \$3,160.92              | \$3,160.92      |
| 2022        | \$3,260.31              | \$3,260.31      |
| 2021        | \$3,172.52              | \$3,172.52      |
| 2020        | \$3,086.74              | \$3,086.74      |
| 2019        | \$3,016.69              | \$3,016.69      |
| 2018        | \$2,857.46              | \$2,857.46      |
| 2017        | \$2,705.71              | \$2,705.71      |

**Tax Payment History**

| <b>Year</b> | <b>Receipt ID</b> | <b>Tax Paid</b> | <b>Discount</b> | <b>Interest</b> | <b>Amount Paid</b> | <b>Date Paid</b> |
|-------------|-------------------|-----------------|-----------------|-----------------|--------------------|------------------|
| 2023        | 3914127           | -\$3,160.92     | \$94.83         | \$0.00          | \$3,066.09         | 11/8/2023        |
| 2022        | 3899046           | -\$3,260.31     | \$97.81         | \$0.00          | \$3,162.50         | 11/16/2022       |
| 2021        |                   | -\$3,172.52     | \$95.18         | \$0.00          | \$3,077.34         | 11/18/2021       |
| 2020        | 3870001           | -\$189.22       | \$0.00          | \$5.05          | \$194.27           | 7/6/2021         |
| 2020        |                   | -\$2,897.52     | \$0.00          | \$13.72         | \$2,911.24         | 11/27/2020       |
| 2019        | 3848746           | -\$3,016.69     | \$0.00          | \$201.11        | \$3,217.80         | 7/6/2020         |
| 2018        | 223010            | -\$2,857.46     | \$85.72         | \$0.00          | \$2,771.74         | 11/14/2018       |
| 2017        | 313857            | -\$2,705.71     | \$0.00          | \$180.37        | \$2,886.08         | 6/26/2018        |

RECORDING REQUESTED BY:

GRANTOR:  
Brendan Enright  
21028 Highway 99E NE  
Aurora, OR 97002

GRANTEE:  
Gregory Stoermer and Danielle Stoermer  
26291 NE Butteville Rd.  
Aurora, OR 97002

SEND TAX STATEMENTS TO:  
Gregory Stoermer and Danielle Stoermer  
**26291 NE Butteville Rd**  
**Aurora, OR 97002**

AFTER RECORDING RETURN TO:  
Gregory Stoermer and Danielle Stoermer  
26291 NE Butteville Rd  
Aurora, OR 97002

Escrow No: 3626070829DIS-TTPOR44

R10652 & R10653

21028 Highway 99E NE  
Aurora, OR 97002

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

Brendan Enright, Grantor, conveys and warrants to

Gregory Stoermer and Danielle Stoermer, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Marion, State of Oregon:

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$228,500.00. (See ORS 93.030)

**Subject to and excepting:**

Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and easements of Record, if any.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS**

3626070829DIS-TTPOR44  
Deed (Warranty-Statutory)

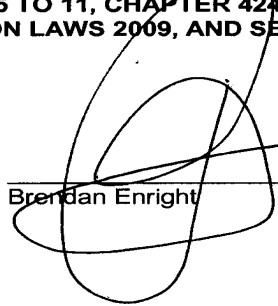
47814035558

Ticor Title #



AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 12/2/14

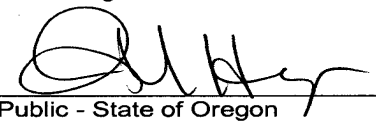
  
Brendan Enright

State of OREGON

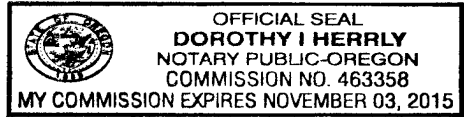
COUNTY of Clackamas

This instrument was acknowledged before me on Dec 2, 2014

by Brendan Enright

  
Notary Public - State of Oregon

My commission expires: 11/3/15



## PRELIMINARY REPORT

(Continued)

Order No.: 471814035558-TTMIDWIL18

### EXHIBIT "A"

Beginning at an iron rod which is North 10 feet, West 999.46 feet and North 0° 8' East 102 feet from the center of Section 13, Township 4 South, Range 1 West of the Willamette Meridian, in the City of Aurora, Marion County, Oregon; thence North 0° 8' East 153 feet to an iron rod; thence West 89.3 feet, more or less, to an iron rod in the East right of way line of the Pacific Highway as realigned in 1933; thence South 11° 7' West 30.38 feet, more or less, along said right of way line to the point of curvature; thence continuing on said right of way line 125.03 feet, more or less, to a point which is 120 feet, more or less, West of the place of beginning; thence East 120 feet, more or less, to the point of beginning.

ALSO: Beginning at an iron rod which is North 10 feet, West 999.46 feet and North 0° 8' East 102 feet from the center of Section 13, Township 4 South, Range 1 West of the Willamette Meridian, Marion County, Oregon; thence North 0° 8' East 153 feet to an iron rod; thence East 15 feet; thence South 0° 8' West 153 feet; thence West 15 feet to the point of beginning.

**REEL: 3655**

**PAGE: 76**

**December 03, 2014, 03:47 pm.**

CONTROL #: 373555

State of Oregon  
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: \$ 56.00

BILL BURGESS  
COUNTY CLERK

THIS IS NOT AN INVOICE.

---

# DEVELOPER PACKET



MAPS





PACIFIC HY 99E NE

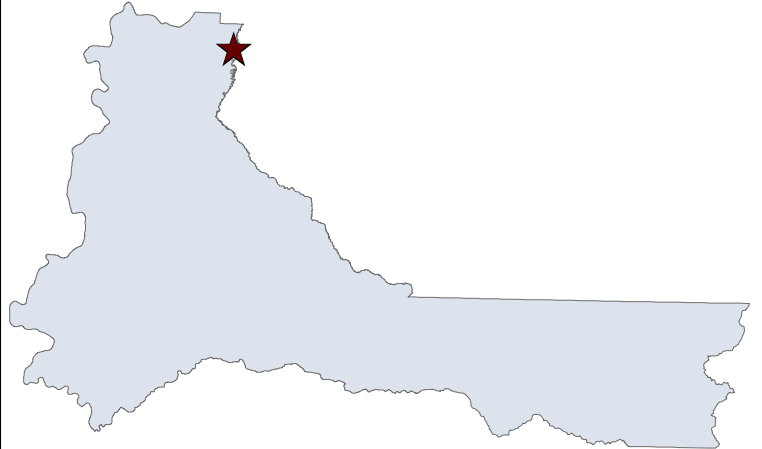
FILBERT ST NE

OTTAWAY RD NE



04 1W 13BD

04 1W 13BD  
AURORA



MARION COUNTY, OREGON  
SE1/4 NW1/4 SEC13 T4S R1W W.M.  
SCALE 1" = 100'

LEGEND

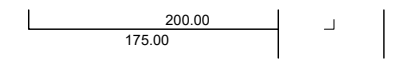
- LINE TYPES**
- Taxlot Boundary Historical Boundary
  - Road Right-of-Way Easement
  - Railroad Right-of-Way Railroad Centerline
  - Private Road ROW Taxcode Line
  - Subdivision/Plat Bndry Map Boundary
  - Waterline - Taxlot Bndry Waterline - Non Bndry

- CORNER TYPES**
- + 1/16TH Section Cor. ⊞ 1/4 Section Cor.
  - ⊙ DLC Corner ⊞ 16, 15 Section Corner
  - ⊞ 21, 22

**NUMBERS**  
Tax Code Number  
**00 00 0**

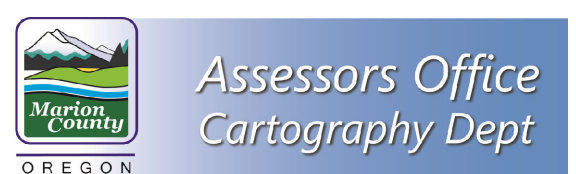
Acreege **0.25 AC** All acres listed are Net Acres, excluding any portions of the taxlot within public ROWs

**NOTES**  
Tick Marks: A tick mark in the road indicates that the labeled dimension extends into the public ROW



| CANCELLED NUMBERS |  |
|-------------------|--|
| 200               |  |
| 2350              |  |
| 2400              |  |
| 3900              |  |
| 4000              |  |
| 4100              |  |
| 4801              |  |
| 6000              |  |

DISCLAIMER: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT [www.co.marion.or.us](http://www.co.marion.or.us)

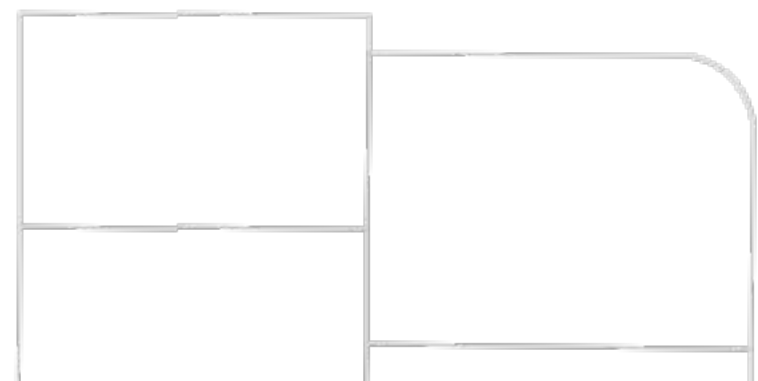
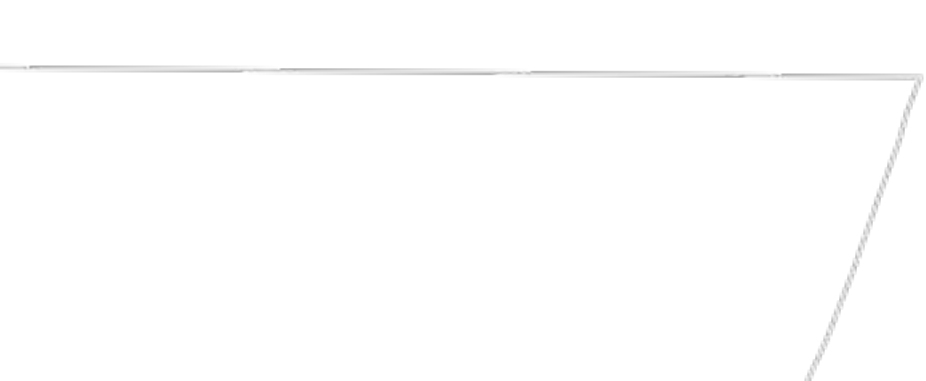
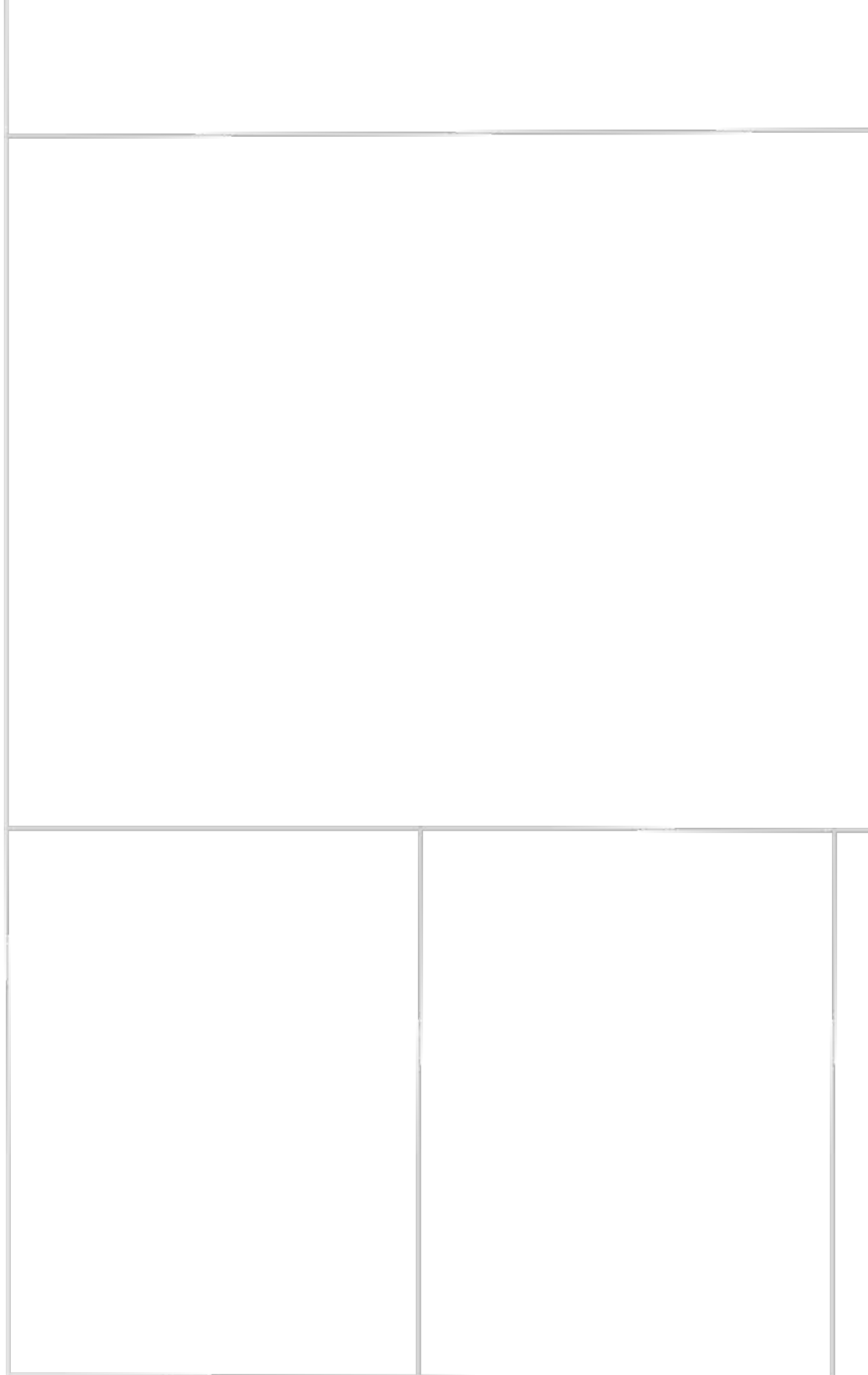
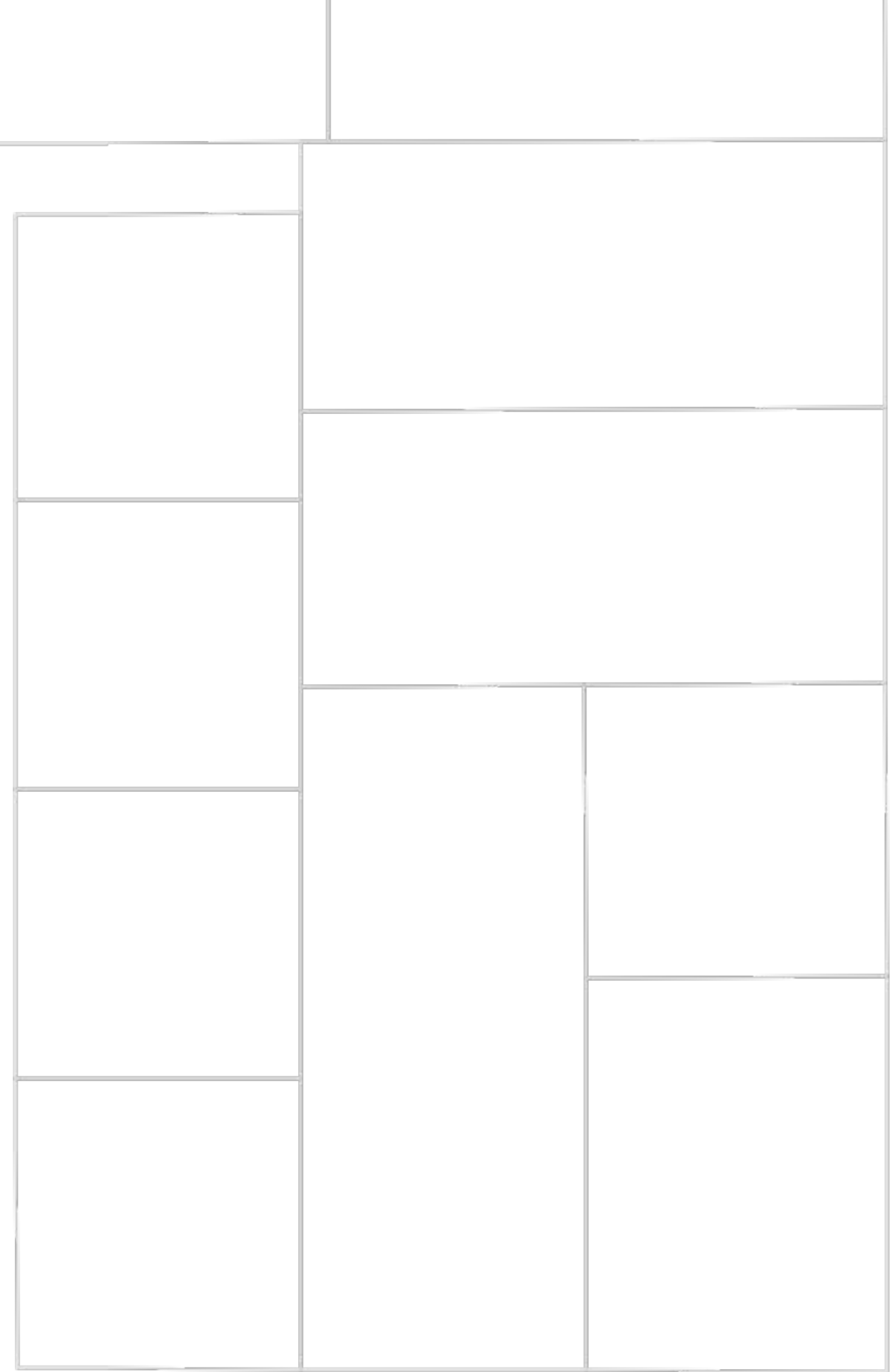
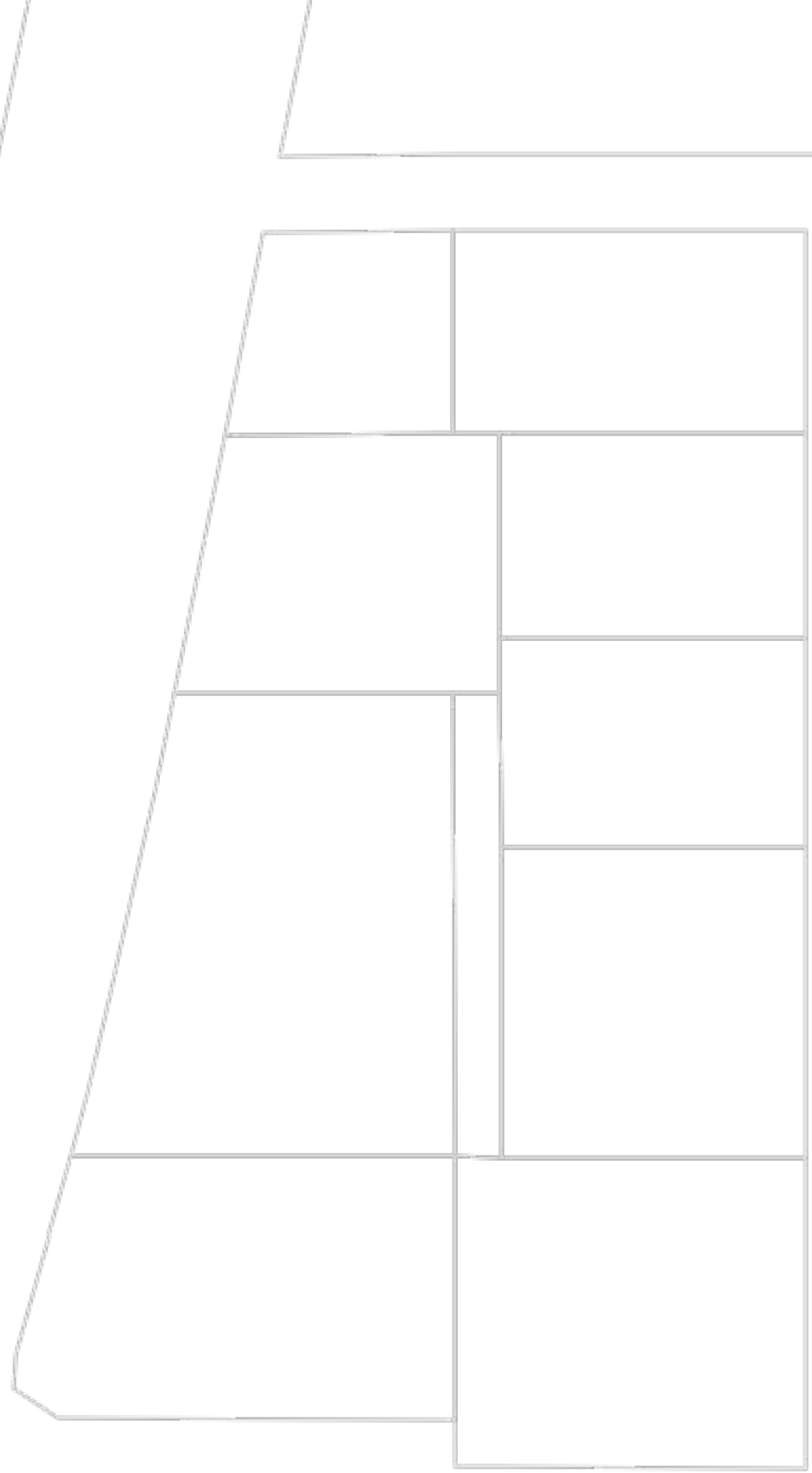
PLOT DATE: 6/13/2022

AURORA  
04 1W 13BD



04 1W 13BD

OTTA  
20



# DEVELOPER PACKET



## MARION COUNTY ZONING





**CHAPTER 17.145  
C (COMMERCIAL ZONE)**

| Section    | Title                                             | Page |
|------------|---------------------------------------------------|------|
| 17.145.010 | Purpose                                           | 1    |
| 17.145.020 | Permitted Uses                                    | 1    |
| 17.145.030 | Conditional Uses                                  | 2    |
| 17.145.040 | Approval Standards for Conditional Uses           | 2    |
| 17.145.050 | Scale of Commercial Uses                          | 3    |
| 17.145.060 | Prohibited and Lawfully Established Existing Uses | 3    |
| 17.145.070 | Exemptions for Resource Related Uses              | 3    |
| 17.145.080 | Property Development Standards                    | 4    |
| 17.145.090 | Landscaping                                       | 4    |

**17.145.010 PURPOSE.** The purpose of the C (commercial) zone is to implement the rural development policies of the Comprehensive Plan and recognize existing commercial uses in rural and natural resource areas of the county. This zone is applied to land committed to, or intended for, commercial uses outside urban unincorporated communities, rural communities, and rural service centers, as those terms are defined in the Comprehensive Plan and Oregon Administrative Rules. The purpose and intent of the commercial zone is to provide for the location, in rural areas, of needed commercial uses which are not dependent upon urban services. The C zone encourages orderly and compatible development of commercial uses, including agricultural related industry, on rural lands. These lands are suited for commercial use due to marginal agricultural soils, adverse circumstances such as shape, proximity to railroad or transmission line corridors or proximity to markets or resources. The commercial zone may be appropriate in rural areas designated in the Marion County Comprehensive Plan as commercial or locations that meet the intent of the zone.

The uses within the C zone are functionally classified by description of the particular activity or by reference to a category in the “Standard Industrial Classification Manual, (SIC).” The SIC index number is referenced as an aid to interpretation of uses. Where the term used to describe a use is defined in Chapter 17.110 MCC, the definition takes precedence over any SIC classification.

**17.145.020 PERMITTED USES.** Within any C zone no building, structure, or premises shall be used, or arranged, except as permitted by this ordinance. Only the following uses may be permitted at a scale appropriate to serve the rural area, subject to MCC 17.145.050:

- A. Agricultural services and Forestry (SIC 07 and 08, except 0752 kennels);
- B. Offices for building construction contractors, heavy construction contractors and special trade contractors (SIC 15, 16, and 17);
- C. Glass products made of purchased glass (SIC 323);
- D. Transportation and warehousing (SIC 40, 41, 4212, 4225, 43, 4491, 4492, 45, 47);
- E. Communication (SIC 48, except 4812 cellular telephone communications, see subsection (W)(2) of this section);
- F. Motor vehicle wholesale (SIC 5012);
- G. Retail sales (SIC 52, 53, 54, 56, 57, 58, 59, except 598 fuel dealers, see subsection (W)(3) of this section);
- H. Financial, insurance and real estate offices (SIC 60, 61, 62, 63, 64, 65 and 67);
- I. Recreation vehicle parks and campsites (SIC 7033);
- J. Services (SIC 72, 73, except crematories and heavy construction equipment rental and leasing);

- K. Automotive repair, services, and parking (SIC 75, except 7521 automobile parking);
- L. Retail and service (SIC 76, except 7692 welding shop and 7699 blacksmith);
- M. Amusement and recreation (SIC 79, except 7948 racing facilities);
- N. Professional offices (SIC 80, 81, 87);
- O. Career, trade or commercial schools (SIC 824 and 829 and as defined in Chapter 17.110 MCC);
- P. Schools, elementary and secondary (as defined in Chapter 17.110MCC);
- Q. Non-profit membership organizations (SIC 86);
- R. Sheet metal shop;
- S. Caretaker's dwelling;
- T. Fire station;
- U. Public and private utility facilities and buildings including cooperatives necessary for public service;
- V. Laboratory seed and soil testing, research;
- W. The following uses are subject to special standards:
  1. Mobile home towing service (see limited use, MCC 17.125.070);
  2. Wireless communication facilities attached subject to MCC 17.125.110 and pursuant to 17.115.110.
  3. Fuel oil distribution firm (see limited use, MCC 17.125.060);
  4. Automobile parking lot when developed as described in Chapter 17.118 MCC (SIC 7521);
- X. Uses legally established and existing on the date of adoption of this ordinance. Such uses are permitted pursuant to this section only on the lot(s) or parcel(s) where they existed on the date of adoption of this ordinance, subject to MCC 17.145.060.

**17.145.030 CONDITIONAL USES.** When authorized under the procedure provided for conditional uses in this ordinance, the following uses will be permitted in a C zone, subject to MCC 17.145.050:

- A. Crematories;
- B. Fee fishing pond or lake;
- C. Kennels (boarding and raising of animals);
- D. Mineral Resource Sites (see specific conditional uses, MCC 17.120.410 through 17.120.480);
- E. Heliport;
- F. Wireless communication facilities (see specific conditional uses, MCC 17.120.080);
- G. U-haul concrete mix store;
- H. Utilities - secondary truck parking and material storage yard;
- I. Welding shop (SIC 7692);
- J. Blacksmith (SIC 7699);
- K. Colleges and universities (SIC 822);
- L. Cabinet shop and sales firm (see specific conditional uses, MCC 17.120.050);
- M. Boat, camper and trailer storage area or lot (see specific conditional uses, MCC 17.120.030);
- N. Home occupations, subject to MCC 17.120.075;
- O. Retail and service uses not listed in MCC 17.145.020 and not exceeding 3,500 square feet of floor.

**17.145.040 APPROVAL STANDARDS FOR CONDITIONAL USES.** Conditional use requests in the C zone are subject to the following criteria:

- A. The use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use;
- B. The proposed use will not, by itself or in combination with existing uses, result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations;
- C. The proposed use will not, by itself or in combination with existing uses, exceed the carrying capacity of the soil or of existing water supply resources and sewer services;
- D. The traffic generated by the proposed use is consistent with the identified function, capacity, and level of service of transportation facilities serving the use; or improvements are imposed that maintain the

existing level of service;

- E. The proposed use will not create significant adverse effects on existing uses or permitted uses on adjacent land, considering such factors as noise, dust and odors; and,
- F. The proposed use shall not have industrial or manufacturing processes that require water or discharges of wastewater except upon demonstration that the use has an on-site sewage disposal site approved by Marion County or the Oregon Department of Environmental Quality.

**17.145.050 SCALE OF COMMERCIAL USES.**

- A. New permitted and conditional uses may be established up to a maximum of 3,500 square feet of floor area.
- B. Lawfully established uses existing as of the date of adoption of this ordinance may be expanded up to 3,500 square feet of floor area, or an additional 25 percent of the floor area that existed as of the date of adoption of this ordinance, whichever is greater.
- C. Public uses are not subject to size limitations.
- D. Except as established in subsections (B) and (C) of this section, for a use to exceed the square foot limitations requires taking an exception to Goal 14. Such exception shall be processed as an amendment to the Marion County Comprehensive Plan.

**17.145.060 PROHIBITED AND LAWFULLY ESTABLISHED EXISTING USES.**

- A. The following uses are prohibited:
  - 1. Uses of structures and land not specifically permitted in the commercial zone.
  - 2. New residential dwellings, except when accessory to a primary use. However, a dwelling that legally existed at the time of adoption of the ordinance codified in this title shall not be a nonconforming use, and may be remodel, expanded, or replaced.
- B. Lawfully established commercial uses that existed prior to zoning or established through the applicable land use process on or before the date of the ordinance codified in this title, not otherwise listed in the zone, are allowed outright and shall not be classified as non-conforming uses.
- C. All other lawfully established, existing uses and structures not specifically permitted in the C zone shall be considered nonconforming uses subject to the provisions of Chapter 17.114 MCC.

**17.145.070 EXEMPTIONS FOR RESOURCE RELATED USES.** Agriculture, forestry and forestry products, and resource related uses that can demonstrate the following are exempt from size and height limitations. Resource related uses may also have an option of being established as uses within county resource zones.

- A. The commercial activity must be primarily a customer or supplier of farm, forest, or natural resource related uses.
- B. The commercial activity must enhance the farming, forestry, or natural resource related enterprises of the local community.
- C. The agriculture, forestry, or natural resource related activities and commercial activities must occur together in the local community.
- D. The products and services provided must be essential to the practice of agriculture, forestry or natural resource preservation and utilization.

**17.145.080 PROPERTY DEVELOPMENT STANDARDS.**

- A. Height. The maximum height of any structure shall be 35 feet.
- B. Setbacks.
  - 1. Front Yard - No structure other than a fence, wall, or sign shall be located closer than 20 feet from a public right-of-way. When by ordinance a greater setback or a front yard of greater depth is required than specified in this section, then such greater setback line or front yard depth shall apply (see Chapter 17.113 MCC).
  - 2. Side and rear yard. No side or rear yard setback is required where abutting property is zoned for commercial or industrial use. Where not abutting a commercial or industrial zone, structures other than fences, walls, and signs shall comply with the following setbacks:
    - a. Residential or public zone: 10 feet
    - b. Farm or forest zone: 30 feet
  - 3. Parking. Parking spaces may abut a public right-of-way and side and rear property lines adjacent to commercial, industrial, or public zones, subject to the landscaping requirements in MCC 17.145.090. Parking spaces shall be set back a minimum of 10 feet from residential, agricultural, and forest zones and shall be screened with a six-foot fence, wall or hedge.
- C. Lot Area/Lot Coverage. There is no minimum lot size.
- D. Parking. The off-street parking and loading requirements of Chapter 17.118 MCC apply.
- E. Access to State Highways. Any new or expanded use with frontage on a state highway shall demonstrate that the property has access approved by the Oregon Department of Transportation or approved access to an alternative public right-of-way.
- F. Traffic Analysis. Demonstrate that the development will be consistent with the identified function, capacity, and level of service of transportation facilities serving the site. A transportation impact analysis, approved by the Marion County department of public works, may be required prior to building permit approval.
- G. Sewage Disposal. Demonstrate that the development will not exceed the existing carrying capacity of the local sewage disposal system or has an on-site sewage disposal site approved by Marion County or the Department of Environmental Quality.

**17.145.090 LANDSCAPING.** The following provisions apply to lots and parcels upon which a new structure is erected, or where a graveled or unimproved lot is paved, or a lot is newly developed for the outdoor sale or display of merchandise, goods or services:

- A. Front yards shall be provided with a landscaped area at least three feet wide adjacent to the right-of-way line, exclusive of through direct driveways, on every lot upon which a new structure is erected, or where a graveled or unimproved lot is paved, or a lot is newly developed for the outdoor sale or display of merchandise, goods or services.
- B. Side and rear yards abutting a residential zone shall be landscaped adjacent to parking and loading zones.