

SECTION 3.010: RURAL RESIDENTIAL 2 ACRE AND 10 ACRE ZONE (RR-2) (RR-10)

- (1) **PURPOSE:** The purpose of the RR zone is to provide for the creation and use of small-acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes.
- (2) **USES PERMITTED OUTRIGHT:** In the RR zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this Ordinance.
 - (a) Single-family dwelling.
 - (b) Mobile or Manufactured Home.
 - (c) Recreational vehicle used during the construction or placement of a use for which a building or placement permit has been issued.
 - (d) Home occupations according to the provisions of Section 4.140 of this Ordinance.
 - (e) Farm uses, including aquaculture.
 - (f) Forest uses.
 - (g) Roadside stands for produce grown on the premises.
 - (h) Signs, subject to Section 4.020.
 - (i) Electrical distribution lines.
- (3) **USES PERMITTED CONDITIONALLY:** In the RR zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all other applicable supplementary regulations contained in this Ordinance.
 - (a) Planned Developments subject to Section 3.080, or Mixed Use Developments subject to Section 4.130. The number of attached single family dwelling units in a cluster shall be established in the Planned Development approval process and may exceed four units per cluster if it is demonstrated that benefits in protection of natural conditions, better views, or access will be achieved by such clustering. This shall apply only to RR/PD zoned property located within a community growth boundary.
 - (b) Mobile or manufactured home, in those areas identified in Section 5.160 as being subject to special mobile/manufactured home standards, which do not comply with those standards.

- (c) Cottage industries.
- (d) Recreational vehicle where not allowed outright by Section 5.130.
- (e) A temporary real estate sales office.
- (f) Churches and schools.
- (g) Accessory structures or accessory uses without an on-site primary structure.
- (h) Nonprofit community meeting buildings.
- (i) Cemeteries.
- (j) Fire or ambulance stations.
- (k) Golf courses and associated facilities.
- (l) Animal hospital, kennel, or other animal boarding service.
- (m) Towers for communications, wind energy conversion systems, or structures having similar impacts.
- (n) Public utility facilities, including substations and transmission lines.
- (o) Mining, quarrying, and the processing and storage of rock, sand, gravel, peat, or other earth products; on a contiguous ownership of 10 or more acres.
- (p) Small-scale primary wood processing facilities, such as a shake mill, chipper, or stud mill, on a contiguous ownership of 10 or more acres.
- (q) Rural industries on a contiguous ownership of 10 or more acres.
- (r) Foster family homes accommodating six or more children or adults.
- (s) Bed and breakfast enterprise.
- (t) Temporary placement of a mobile home or recreational vehicle to be used because of health hardship, subject to Section 6.050.
- (u) Parks, recreational campgrounds, primitive campgrounds hunting and fishing preserves, and other recreational uses and associated facilities, on a contiguous ownership of 10 or more acres.

- (v) Residential care, training, or treatment facility as defined by ORS 443.400; any facility which provides care, training, or treatment for six or more physically, mentally, emotionally, or behaviorally disabled individuals. Facilities that provide for five or less are addressed as ADULT FOSTER HOMES or FOSTER FAMILY HOMES.
 - (w) Home occupations according to the provisions of Section 4.140 of this Ordinance.
- (4) STANDARDS: Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:
- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.
 - (b) The minimum parcel/lot size is 10 acres for lots/parcels rezoned Rural Residential on or after October 4, 2000.
 - (c) Parcels less than two acres in size that were legally established prior to December 18, 2002 may be built upon provided that all other requirements of this Ordinance and other applicable development requirements are met.
 - (d) Lots in an approved preliminary subdivision plat that is being maintained in an active status as of the date of adoption of this Ordinance may be built upon after approval and recording of the final plat.
 - (e) The minimum lot width and depth shall both be 100 feet.
 - (f) The minimum front yard shall be 20 feet.
 - (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
 - (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.
 - (i) The maximum building height shall be 35 feet, except on ocean or bay frontage lots, where it shall be 24 feet. Higher structures may be permitted only according to the provisions of Article 8.
 - (j) Livestock can be located closer than 100 feet to a nonfarm residential building on an adjacent lot only if one of the following conditions are met:
 - 1. The location of the livestock is a nonconforming use according to the provisions of Article VII of this Ordinance.

2. The property has been taxed at the farm use rate during three of the past five year.
 3. The location of the livestock has been reviewed and approved as a conditional use according to the provisions of Article VI of this Ordinance.
- (k) No residential structure shall be located within 100 feet of an F-1, F, or SFW-20 zone boundary, unless it can be demonstrated that natural or man-made features will act as an equally effective barrier to conflicts between resource and residential used; or that a residential structure could not otherwise be placed on the property without requiring a variance to the 100 foot requirement. In either case, all yard requirements in this zone shall still apply.

SECTION 3.050: WATER-DEPENDENT DEVELOPMENT ZONE (WDD)

- (1) **PURPOSE AND AREAS INCLUDED:** The purpose of this zone is to designate shoreland areas which are especially suited for water-dependent recreational , commercial and industrial uses. Areas within the WDD zone may include, but are not limited to:
 - (a) Areas with deep water close to shore and supporting land transportation facilities.
 - (b) Areas with potential for aquaculture.
 - (c) Areas adjacent to protected areas subject to scour which would require little dredging for use as marinas.
 - (d) Areas with potential for recreational utilization of coastal water resources or riparian resources.

- (2) **USES PERMITTED WITH STANDARDS (PS):** In a WDD zone the following uses and their accessory uses are permitted with standards (PS), provided that any applicable development standards in Section 3.140 have been met.
 - (a) Maintenance and repair of either existing structures or facilities which are in conformance with Goals 17 requirements or nonconforming structures or facilities.
 - (b) Water-dependent industrial uses, including, but not limited to:
 1. Piers, wharves and other terminal and transfer facilities for passengers or water-borne commerce such as fish, shellfish, timber or timber products.
 2. Water intake and discharge structures.
 3. Facilities for the extraction of minerals, aggregate, petroleum, natural gas, earth products or geothermal resources (as defined by Subsection 4 of ORS 533.010) which require access to a water body during the extraction procedure.
 4. Water access structure of facilities which require access to a water body as a part of the manufacture, assembly, fabrication or repair of marine equipment, due to the size of the craft or equipment.
 5. Aquaculture facilities, including hatchery sites or fish release/recapture sites, which require access to or use of water.

- (c) Water-dependent commercial facilities, including commercial marinas, docks and moorages (including seaplane moorages).
 - (d) Water-dependent recreational facilities, including private docks and moorages in conjunction with a residence or group of residences.
 - (e) Other water-dependent uses. A use is determined to be water-dependent when it can be carried out only on, in or adjacent to water, and the location or access is needed for:
 - 1. Water-borne transportation.
 - 2. Recreation.
 - 3. A source of water (such as energy production, cooling of industrial equipment or wastewater, or other industrial processing).
 - (f) Structural shoreline stabilization, subject to Shoreline Stabilization Standards in Section 6.050.
 - (g) Temporary uses not requiring substantial structural or capital improvements prior to development; including but not limited to:
 - 1. Farm uses.
 - 2. Forest uses.
 - 3. Public open space and low-intensity outdoor recreation.
 - (h) Signs subject to Section 4.020.
- (3) **USES PERMITTED CONDITIONALLY:** In a WDD zone the following conditional uses and their accessory uses are permitted subject to the provisions of Article 6 only if they will not preclude or unduly conflict with existing or potential water-dependent use on the site or in the vicinity.
- (a) Water-related uses. A use is determined to be water-related when in use:
 - 1. Provides goods and/or services that are directly associated with water-dependent uses (supplying materials to, or using products of, water-dependent uses); and
 - 2. If not located near the water, would experience a public loss of quality in the goods and services offered. Evaluation of public loss of quality will involve

a subjective consideration of economic, social and environmental consequences of the use.

(b) Water-related uses can include, but are not limited to, the following:

1. Water-related industrial uses such as:

a. Fish or shellfish processing plants; or

b. Warehousing and/or other storage areas for marine equipment or water-borne commerce.

2. Water-related commercial uses, such as:

a. Fish or shellfish retail or wholesale outlets;

b. Marine craft or marine equipment sales establishments;

c. Sport fish cleaning, smoking or canning establishments;

d. Charter fishing offices;

e. Retail trade facilities in which the majority of products such as ice, bait, tackle, nautical charts, gasoline, or other products incidental to or used in conjunction with water-dependent use;

f. Restaurants which provide a view of the waterfront, and which are in conjunction with a water-dependent or other water-related uses, such as a seafood processing plant or a charter office.

(c) Energy facilities and utilities.

(d) Land transportation facilities.

(e) New dike construction, if required for a water-dependent use.

(f) Residential structure for a owner or caretaker of an approved water-dependent or water related uses.

(g) Restoration actions subject to the restoration standards in Section 3.140.

(4) STANDARDS:

(a) The minimum yards for any structure on a lot adjacent to a residential zone shall be

a 5 foot side yard on the side adjacent to the residential zone. The front yard setback shall be one-half of the front yard requirement in the adjacent residential zone. Setback requirements of Section 4.080 shall also be met.

- (b) For commercial-residential structures, no yards shall be required except as provided in (a) above.
 - (c) The maximum building height shall be 24 feet. Higher structures may be permitted by the Planning Department according to the provisions of Article 8.
 - (d) Outdoor storage shall be screened with a sight-obscuring fence.
 - (e) Accessory uses or structures are limited in size of lot coverage to a maximum of ten percent of the lot or parcel size.
 - (f) If applicable, the standards and requirements of Sections 4.070, 4.080 and 4.090 shall be met.
- (5) ADMINISTRATIVE PROVISIONS:
- (a) The following public agencies shall be notified according to the procedures of Article VI of all conditional use applications in the WDD zone; The Oregon Department of Fish and Wildlife, Oregon Division of State Lands, Oregon Department of Land Conservation and Development, Oregon Department of Economic Development, U. S. Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, U. S. Army Corps of Engineers and the locally affected Port District.