

309 RURAL RESIDENTIAL FARM FOREST 5-ACRE DISTRICT (RRFF-5)

[The title of Section 309 changed by Ord. ZDO-224, 5/31/11]

309.01 PURPOSE

Section 309 is adopted to implement the policies of the Comprehensive Plan for Rural areas.

[Amended by Ord. ZDO-224, 5/31/11]

309.02 AREA OF APPLICATION

Property may be zoned Rural Residential Farm Forest 5-Acre District when the site has a Comprehensive Plan designation of Rural; the criteria in Policy 11.2 of the Rural section of Chapter 4 of the Comprehensive Plan are satisfied; and the criteria in Section 1202 are satisfied.

[Amended by Ord. ZDO-224, 5/31/11]

309.03 PRIMARY USES

The following are primary uses in the Rural Residential Farm Forest 5-Acre District:

- A. One detached single-family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;
- B. Current employment of land for general farm uses, including:
 - 1. Raising, harvesting, and selling of crops;
 - 2. Feeding, breeding, selling, and management of livestock, poultry, fur-bearing animals, or honeybees;
 - 3. Selling of products of livestock, poultry, fur-bearing animals, or honeybees;
 - 4. Dairying and the selling of dairy products;
 - 5. Preparation and storage of the products raised on such lands for man's use and animal use;
 - 6. Distribution by marketing or otherwise of products raised on such lands; and
 - 7. Any other agricultural use, horticultural use, animal husbandry, or any combination thereof;

- C. The propagation or harvesting of a forest product. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.04 regarding a development restriction that may apply if excessive tree removal occurs;
- D. Public and private conservation areas and structures for the conservation of water, soil, forest, or wildlife habitat resources;
- E. Fish and wildlife management programs;
- F. Public and private parks, community gardens, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, stables, and similar casual uses provided that such uses are not intended for the purpose of obtaining a commercial profit;
- G. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;
- H. Utility carrier cabinets, subject to Section 830; and
- I. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

[Amended by Ord. ZDO-224, 5/31/11]

309.04 ACCESSORY USES

The following are accessory uses in the Rural Residential Farm Forest 5-Acre District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Home occupations, including bed and breakfast homestays, subject to Section 822;
- C. Produce stands, subject to the parking requirements of Section 1015;
- D. Signs, subject to Section 1010;
- E. Guest houses, subject to Section 833;
- F. Solar energy systems;
- G. Rainwater collection systems;
- H. Electric vehicle charging stations for residents and their nonpaying guests; and
- I. Family daycare providers.

[Amended by Ord. ZDO-224, 5/31/11]

309.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use in the Rural Residential Farm Forest 5-Acre District, pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsections 835.05(A)(2) and (3), subject to Section 835.

[Amended by Ord. ZDO-224, 5/31/11]

309.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the Rural Residential Farm Forest 5-Acre District, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800.

1. Churches, subject to Section 804;
2. Schools, subject to Section 805, except as restricted by Subsection 309.07(E);
3. Daycare facilities, subject to Section 807;
4. Cemeteries, subject to Section 808;
5. Service and recreational uses that exceed the limits of Subsection 309.03(F), subject to Section 813;
6. Operations conducted for the exploration, mining, and processing of geothermal resources, aggregate and other mineral resources, or other subsurface resources, subject to Section 818;
7. Sanitary landfills and debris fills, subject to Section 819;
8. Hydroelectric facilities, subject to Section 829;
9. Bed and breakfast residences and inns, subject to Section 832;
10. Composting facilities, subject to Section 834;
11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;
12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines;
13. Aircraft land uses;

14. Commercial recreational uses that exceed the limits of Subsection 309.03(F);
15. Commercial or processing activities that are in conjunction with timber and farm uses; and
16. Home occupations to host events, subject to Section 806.

[Amended by Ord. ZDO-224, 5/31/11]

309.07 PROHIBITED USES

The following are prohibited uses in the Rural Residential Farm Forest 5-Acre District:

- A. Uses of structures and land not specifically permitted;
- B. Except as approved pursuant to Subsection 902.01(B)(4), a subdivision or partition within the urban growth boundaries of Sandy, Molalla, Estacada, and Canby resulting in the creation of one or more lots or parcels of less than five acres in size;
- C. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size;
- D. Subdivisions in areas defined as Future Urban in Chapter 4 of the Comprehensive Plan; and
- E. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.

[Amended by Ord. ZDO-224, 5/31/11]

309.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;
 2. Provide for fire safety and protection of all structures;
 3. Protect the privacy and livability of dwellings and yard areas; and
 4. Preserve, within urban growth boundaries, large parcels of land for future development at urban densities.

- B. Minimum Lot Size: New lots of record shall be a minimum of five acres in size, except as restricted by Subsections 309.07(B) through (D) or as modified by Section 902, 1013, or 1014. For the purpose of complying with the minimum lot size standard, lots that front on existing county or public roads may include the land area between the front property line and the middle of the road right-of-way.
- C. Minimum Front Yard Setback: 30 feet; however, there shall be no minimum front yard setback for bus shelters and roadside stands of no more than 400 square feet in area and no more than 16 feet in height.
- D. Minimum Side Yard Setback: 10 feet.
- E. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.
- F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map V-5, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.
- G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.
- H. Variances: The requirements of Subsections 309.08(B) through (E) may be modified pursuant to Section 1205.

[Amended by Ord. ZDO-224, 5/31/11]

309.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.
- B. Future Urban Areas: A partition in an area defined as Future Urban by Chapter 4 of the Comprehensive Plan shall be approved only if the proposed locations of improvements, including easements, dedications, structures, wells, and on-site sewage disposal systems are consistent with the orderly future development of the property at appropriate urban densities on the basis of the criteria in Subsection 301.02.
- C. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

[Amended by Ord. ZDO-224, 5/31/11]