

ARTICLE 27

(CS) Conservation Shorelands

SECTION 3.27.000 Purpose

The Conservation Shorelands classification is intended to preserve and protect shoreland areas containing major freshwater marshes, significant wildlife habitat, or having exceptional scenic or aesthetic quality due to their association with coastal waters. The classification provides for uses of these shorelands which are consistent with the objective of protecting their natural values. Areas designated as Urban Conservation and Resource Conservation Shorelands in the Comprehensive Plan shall be included in this classification.

SECTION 3.27.050 Permitted Uses

In the CS zone, the following uses and activities and their accessory buildings and uses are permitted subject to the provisions and exceptions set forth by this Ordinance.

1. Activities which maintain, enhance or restore major marshes, significant wildlife habitat and exceptional aesthetic resources.
2. Aids to navigation.
3. Grazing of livestock.
4. Harvesting wild crops.
5. Maintenance of dikes, culverts, roads, bridges and other existing structures.
6. Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act and Forest Practices Rules administered by the Department of Forestry for the protection of coastal shoreland resource values.
7. Research and educational observation without structures.
8. Undeveloped, low intensity, water-dependent recreation including: boat launching, fishing, hunting, wildlife observation, photography, etc.

SECTION 3.27.100 Uses Permitted with Standards

The following uses and activities and their accessory buildings and uses are permitted in the CS zone consistent with the procedures set forth in §2.060.1 and subject to conformance with applicable standards and criteria set forth in §3.27.200 (depicted in parenthesis behind each affected use) and Article 36 SUPPLEMENTARY PROVISIONS of this Chapter.

1. Aquaculture. (1,3)

2. Communication facilities such as communication tower support structures, and pipelines. (1,3)
3. Disposal of dredged material. (2)
4. Maritime museums. (2,3)
5. Public parks, historical monuments. (2,3)
6. Rehabilitation of dikes, culverts, roads, bridges and other existing structures. (2)
7. Sanitary outfalls. (2,3)
8. Transportation facilities. (2,3)
9. Uses and activities necessary to protect the natural or cultural resource values present in the unit.

SECTION 3.27.150 Uses Permitted Conditionally

In the CS zone, the following uses and activities and their accessory buildings and uses may be permitted subject to the provisions of §2.060.1, Article 39 and applicable standards and criteria set forth in §3.27.200 and Article 36 SUPPLEMENTARY PROVISIONS of this Chapter.

1. Flood and erosion preventive measures.
2. One single-family dwelling on a lot of record, as defined in Chapter 1 of this Ordinance, when compatible with the objectives and implementation standards of the Coastal Resources Element of the Plan.
3. Estuary restoration when identified in the Comprehensive Plan as a restoration site.

SECTION 3.27.200 Standards and Criteria

In the CS zone, approval of uses permitted with standards shall be based on findings which show that the proposed use complies with the following applicable standards and criteria:

1. Utilities, public communication facilities and aquaculture shall be permitted only if found to be consistent with the intent of the Resource Conservation designation and if there is no conflict with uses listed as permitted.
2. New transportation facilities, sanitary outfalls, disposal of dredged material, public parks, historical monuments and maritime museums shall be permitted only when consistent with existing resources and use.

3. Structures allowed shall not have a long term negative effect on the natural and cultural resource values being protected.
4. Fills and structures that might have adverse effects on fish runs or reduce floodplain capacity shall not be permitted in the shorelands area along Winchester Creek.

SECTION 3.27.250 Property Development Standards

1. **Area:** No standard established.
2. **Setbacks:** Except as governed by §3.35.020.4 for fences and retaining walls setbacks are as follows:
 - a. Front Yard: No structure shall be located closer than 30 feet from the front property line.
 - b. Side Yard: No structure shall be located closer than 10 feet from side property lines.
 - c. Rear Yard: No structure shall be located closer than 10 feet from rear property lines.
3. **Land Division:** Requests for land division, including subdivision, or land partition, shall be reviewed through the approval process provided in Chapter 2 of this Ordinance and shall conform to the applicable requirements of Chapter 4.