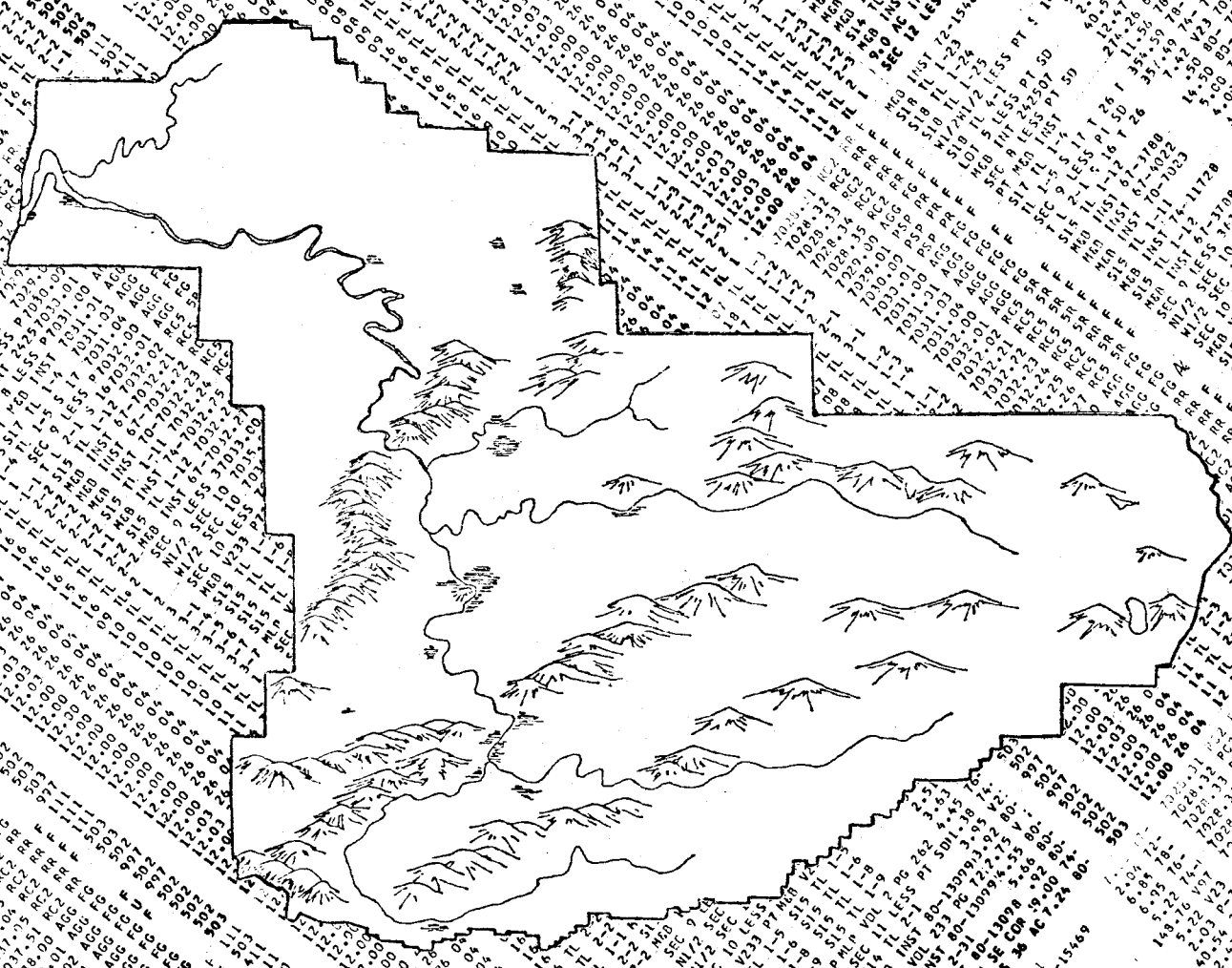


\$5.00

L-8

LAND USE & DEVELOPMENT ORDINANCE

for DOUGLAS COUNTY



Adopted December 31, 1980 - Revised Nov 21, 1984

BEFORE THE BOARD OF COMMISSIONERS OF DOUGLAS COUNTY, OREGON COUNTY, OREGON

FILED

An Ordinance Adopting the Douglas)
County Land Use and Development)
Ordinance which: Amends the Zoning)
and Land Use, Subdivision and)
Partitioning, the Comprehensive)
Plan Amendment and Addressing)
Ordinances; Adopts a Planned Unit)
Development Ordinance; and Ratifies)
the Citizen Involvement Ordinance.)

JOHN L. WILSON, CLERK
ORDINANCE 80-12-11

WHEREAS, Douglas County is in the process of adopting a comprehensive land use plan in conformity with state law; and

WHEREAS, Douglas County will adopt the entire plan by December 31, 1980; and

WHEREAS, Douglas County in conformance with a compliance schedule agreed upon by the County and the Land Use Conservation and Development Commission will adopt the Plan in three phases, and implementing ordinances are a part of the third phase of the Plan; and

WHEREAS, Douglas County must submit implementing ordinance to the State in conjunction with submission of its Comprehensive Plan; and

WHEREAS, it appears that notice and hearings were held pursuant to ORS Chapters 92 and 215 and that the Board considered testimony and other materials presented by citizens of the County, its planning staff and other interested persons; and

WHEREAS, it appears to the Board that these land use regulations conform in all respects to ORS 197.005 to ORS 197.430;

THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY ORDAINS AS FOLLOWS:

SECTION ONE: That the Douglas County Land Use and Development Ordinance, as presented to the Board on this day is hereby adopted as set out in the document attached and by reference made a part of this Ordinance;

REC'D JAN 8 11 43

SECTION TWO: That the Planning Director be authorized and directed to prepare for the Board of Commissioners a final Land Use and Development Ordinance publication which should be recorded with the Clerk which shall be the official document reflecting all changes and amendments accompanying this adoption ordinance.

SECTION THREE: That this ordinance be filed with the County Clerk.

Dated this 31st day of December, 1980.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, OREGON

Bill Vian
Bill Vian, Chairman

Paul T. Makinson
Paul T. Makinson, Commissioner

J.B. Long
J.B. Long, Commissioner

Debby Mendenthal
Recording Secretary

DOUGLAS COUNTY
LAND USE AND DEVELOPMENT ORDINANCE

Title	Page
Chapter 1	<u>Introductory and General Provisions</u>
Section	
1.010	Authority.....1-1
1.020	Title.....1-1
1.025	Purpose.....1-1
1.030	Scope of Regulations.....1-2
1.035	Use of a Development.....1-2
1.040	Compliance Required.....1-2
1.050	Compliance with Comprehensive Plan.....1-3
1.055	Effect on Agreements Between Parties....1-3
1.060	Interpretation.....1-3
1.070	Restrictiveness.....1-4
1.080	Severability.....1-4
1.090	Definitions.....1-4
Chapter 2	<u>Development Approval Procedures</u>
Section	
2.010	Purpose.....2-1
2.020	Review Process.....2-1
2.030	Coordination of Development Approval....2-1
2.040	Who May Apply.....2-1
2.050	Pre-Application Conference.....2-2
2.060	Application.....2-2
2.065	Notice.....2-6
2.090	Ministerial Actions of the Director.....2-8
2.100	Administrative Action Procedure of the Director.....2-8
2.110	Contents of Notice.....2-9
2.120	Administrative Action Decisions of the Director.....2-9
2.130	Notice of Decision of the Director.....2-11
2.200	Establishment of Party Status.....2-12
2.300	Hearing Procedure.....2-13
2.310	Official Notice.....2-15
2.320	Record of Proceeding.....2-16
2.330	Decision.....2-16
2.400	Appeal from Decision of the Director...2-16
2.500	Review of Decision of Hearings Offi- cer, Committee or Commission.....2-18
2.600	Review by the Commission.....2-20
2.700	Review by the Board.....2-21

Chapter 3 Zoning Regulations

Article 1	Introductory Provisions	
Section	3.1.010	Preface.....3-1
	3.1.020	Zone Classifications.....3-1
	3.1.030	Location of Zones.....3-2
	3.1.040	Zoning Maps.....3-2
	3.1.050	Amendment of Maps.....3-2
	3.1.060	Location of Maps.....3-2
	3.1.070	Interpretation of Boundaries.....3-2
	3.1.080	Overlay Districts.....3-3
Article 2	Timberland Resource	(TR).....3-8
3	Exclusive Farm Use - Grazing	(FG).....3-13
4	Exclusive Farm Use - Cropland	(FC).....3-19
5	Farm Forest	(FF).....3-25
6	Agriculture and Woodlot	(AW).....3-31
7	Public Reserve	(PR).....3-35
8	Rural Residential - 5	(5R).....3-38
9	Rural Residential - 2	(RR).....3-41
10	Rural Residential - 1	(1R).....3-44
11	Suburban Residential	(RS).....3-47
12	Single-Family Residential	(R-1).....3-50
13	Multiple Family Residential	(R-2).....3-53
14	Residential - High Density and Professional Office	(R-3).....3-56
15	Limited Commercial	(C-1).....3-59
16	Tourist Commercial	(CT).....3-61
17	Community Commercial	(C-2).....3-64
18	General Commercial	(C-3).....3-68
19	Marine Commercial	(MC).....3-72
20	Light Industrial	(M-1).....3-77
21	Medium Industrial	(M-2).....3-79
22	Heavy Industrial	(M-3).....3-82
23	Marine Industrial	(MRI).....3-84
24	Estuarine Natural	(EN).....3-88
25	Estuarine Conservation	(EC).....3-91
26	Estuarine Development	(ED).....3-95
27	Conservation Shorelands	(CS).....3-99
28	Marine Rural/Rural Water Dependent Shorelands	(MR).....3-102
29	Water Impoundment	(WI).....3-105
30	Floodplain Overlay	(FP).....3-107
31	Zero Lot Line Residential Development.....	3-122
32	Supplementary Provisions for Natural Resource Areas.....	3-129
33	Beaches & Dunes Overlay	(BD).....3-135
34	Shorelands Overlay	(SO).....3-137
35	Supplementary Provisions.....	3-139
Section	3.35.000	Similar Uses.....3-139
	3.35.010	Maintenance of Minimum Requirements.....3-139

3.35.020	General Exception to Yard Requirements.....	3-139
3.35.030	General Exceptions to Building Height Requirements.....	3-139
3.35.040	Projections from Buildings.....	3-140
3.35.050	Access.....	3-140
3.35.100	Off-Street Parking.....	3-140
3.35.150	Off-Street Loading.....	3-143
3.35.200	General Provisions - Off-Street Parking and Loading.....	3-143
3.35.300	Architecturally Controlled Districts (AC).....	3-145
3.35.400	Cultural, Historic and Archeological Resources Overlay (CHA).....	3-145
3.35.500	Geologic Hazards Overlay (GH).....	3-146
3.35.600	Potential Water Impoundment Overlay (WO).....	3-147
3.35.700	Dredge Material Disposal and Mitigation Site Overlay (D/MO).....	3-148
3.35.800	Airport Impact Overlay (AIO).....	3-149
3.35.900	North Umpqua Park or Public Recreation Area Overlay (PO).....	3-151
36	Supplementary Provisions - Estuarine and Shoreland Areas.....	3-153
37	Non-Conforming Uses.....	3-159
38	Zone Changes.....	3-164
39	Conditional Use Approvals.....	3-166
40	Variances	3-168
	Administrative Variance - Building Setback.....	3-169
41	Temporary Use Permit.....	3-170
42	Division of TR, EFU and FF Lands.....	3-172
43	Approval for Nonfarm Dwelling on Substandard Lot of Record in FG, FC or FF Zone.....	3-178
44	Division of Non-Resource Lands in Resource Areas.....	3-181
45	Resource Related Building Permits on Nonconforming Lots of Record.....	3-182
46	Administrative Variance - Temporary Use of Mobile Home.....	3-184
47	Administrative Variance - Minimum Parcel Size.....	3-185
48	Limited Maintenance and Repair Facility.....	3-188
49	Restricted Maintenance and Repair Facility....	3-189
50	[Reserved for Expansion].....	3-190
51	Mobile Home Parks.....	3-192
52	Administration and Enforcement.....	3-197
53	Zoning Text Amendments.....	3-204

Chapter 4 Land Divisions

Section	4.000	Purpose.....	4-1
	4.050	Definitions.....	4-1
	4.100	General Requirements and Standards of Design and Develop- ment for Preliminary Plans.....	4-1
	4.150	Preliminary Subdivision Plan Approval.....	4-10
	4.200	Final Subdivision Plat Approval.....	4-14
	4.250	Land Partitioning Approval.....	4-23
	4.300	Amendments to Preliminary Plans and Final Plats or Maps.....	4-30
	4.350	Miscellaneous Street Dedications and Provisions for Approval of Lots Abutting Private Streets for Issuance of Building Permits.....	4-30
	4.400	Improvements.....	4-36
	4.410	Public Roads.....	4-37
	4.415	Special Improvement Standards for Subdivision or Partitions Located In Rural Residential Areas.....	4-47
	4.420	Private Roads.....	4-50
	4.425	Private Road Construction Standards for Roads Serving 15-50 Parcels.....	4-57
	4.450	Variances.....	4-60
	4.475	Administrative Variances for Rural Road Standards.....	4-61
	4.500	Penalty and Enforcement on Violation.....	4-62
	4.550	Repeal and Transferral Provisions.....	4-62

Chapter 5 Planned Unit Development

Section	5.000	Purpose.....	5-1
	5.050	Definitions.....	5-1
	5.100	Application of PD District.....	5-2
	5.150	Criteria to Apply PD District.....	5-2
	5.200	PUD Preliminary Development Plan Approval.....	5-3
	5.250	Development Standards for Pre- liminary Development Plan.....	5-6
	5.251	Minimum Site Size.....	5-6
	5.252	Permitted Uses.....	5-6
	5.253	Residential Density.....	5-7
	5.254	Building Spacing.....	5-9
	5.255	Open Space.....	5-9
	5.256	Environmental Design.....	5-11
	5.257	Traffic Circulation.....	5-12
	5.258	Perimeter Design.....	5-12
	5.300	Development Phasing.....	5-12
	5.350	Duration of PUD Approval.....	5-13

5.400	Extension of Approval.....	5-14
5.450	PUD Final Approval.....	5-14
5.500	Expiration of Approval.....	5-17
5.550	Amendments to Approved Preliminary or Final Plans.....	5-17

Chapter 6 Quasi-Judicial Plan Amendments

Section	6.100	Purpose.....	6-1
	6.200	Initiation of Amendment.....	6-1
	6.300	Application Dates.....	6-1
	6.400	Fee.....	6-1
	6.500	Application Form and Content and Amendment Standards.....	6-2
	6.600	Notice.....	6-3
	6.700	Hearing by Hearings Officer.....	6-3
	6.800	Decision of the Hearings Officer.....	6-3
	6.900	Board Action.....	6-3

Chapter 7 Addressing Program

Section	7.010	Title.....	7-1
	7.020	Purpose.....	7-1
	7.030	Exceptions.....	7-1
	7.040	Definitions.....	7-1
	7.050	Duplication of Names.....	7-2
	7.060	Existing Names.....	7-2
	7.070	Designation of Streets.....	7-2
	7.080	Numbering System.....	7-3
	7.090	Private Streets or Roadways.....	7-3
	7.100	Mobile Home Parks.....	7-3
	7.110	Establishing the System.....	7-4
	7.120	Display of Numbers.....	7-4
	7.130	Street Signing.....	7-4
	7.140	Review of Decision of the Director.....	7-5
	7.150	Enforcement.....	7-5

Chapter 8 Citizen Involvement Program

Section	8.010	Purpose.....	8-1
	8.020	Committee for Citizen Involvement.....	8-1
	8.030	Creation of Planning Advisory Committees.....	8-2
	8.040	Membership Requirements.....	8-3
	8.050	Applications and Appointments.....	8-3
	8.060	Terms of Appointment.....	8-4
	8.070	Removal and Resignation.....	8-5
	8.080	Liability.....	8-5
	8.090	Duties, Responsibilities and Functions of Planning Advisory Committee Members.....	8-6

8.100	Implementation Measures.....	8-9
8.110	Director Responsibilities For Citizen Participation and Coordination.....	8-9

Chapter 9 Cultural and Historic Resources Conservation

Section	9.000	Title.....	9-1
	9.010	Purpose.....	9-1
	9.020	Historic Resource Review Committee.....	9-1
	9.030	Officers, Meetings, Rules, and Procedures.....	9-2
	9.040	Functions, Powers and Duties.....	9-3
	9.050	Historic Resource Register.....	9-5
	9.060	Changes of the Historic Resource Register.....	9-5
	9.070	Alterations or Exterior Remodeling.....	9-6
	9.080	Demolition.....	9-7
	9.085	Historic Sites and Monuments.....	9-8
	9.090	Signs and Plaques.....	9-9
	9.100	Planning Director's Responsibilities to the Committee and Douglas County's Historic Resource Register.....	9-9

Appendix

- A. Amendments
- B. Fee Schedule