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AUG 14 2002

UMATILLA COUNTY RECORDS ^{35 21} THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Implementing)
Umatilla County Transportation) ORDINANCE NO. 2002-08
System Plan by Amending)
Comprehensive Plan and)
Development Code)

WHEREAS in 1991, in accordance with ORS 197.712 and the Statewide Planning Goal 12 (Transportation), the Land Conservation and Development Department adopted rules for local governments to create transportation system plans; and

WHEREAS pursuant to Chapter 660, Division 12, of the Oregon Administrative Rules, and specifically OAR 660-12-0045, Umatilla County, as part of its Comprehensive Plan, adopted by Ordinance No. 2002-04, a Transportation System Plan for Umatilla County; and

WHEREAS to implement the Transportation System Plan, changes were needed to the Comprehensive Plan and the Development Code;

WHEREAS the public hearings on implementation of the TSP were held before the Umatilla County Planning Commission on June 28, 2001, August 23, 2001, September 27, 2001, November 29, 2001 and March 21, 2002, which recommended approval of the amendments; and

WHEREAS on August 14, 2002, a public hearing was held by the Board of Commissioners to consider the implementation of the TSP and amendments to the Comprehensive Plan and Development Code.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains as follows:

1. The Umatilla County Comprehensive Plan is amended to include the following provisions as part of the section on Transportation, pages XV-1 through XV-6:

Notation of Amendments
Deleted - *[italics]*
Added - **bold**

DATED this 14th of August, 2002.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Emile M. Holeman

Emile M. Holeman, Chair

William S. Hansell

William S. Hansell, Commissioner

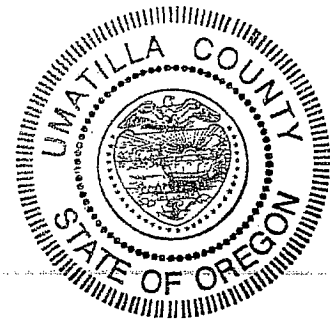
Dennis D. Doherty

Dennis D. Doherty, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Jean Humphreys

Records Officer



TRANSPORTATION

All segments of Umatilla County's economy depend on the County's transportation network for movement inside County borders and to markets outside of the area. Fortunately the County and particularly the developing West County has access to five modes of transportation. Interstate and state highways flow east-west and north-south in the County. The Port of Umatilla provides commercial freight use of the Columbia River. Railroad lines including Union Pacific's major switch-yard at Hinkle, bring [passenger and] freight service to Umatilla County. Two municipal airports make a wide variety of services available to county and regional residents; i.e. agriculture, freight, passenger, business. Natural gas and oil pipelines transport fuel to the county and to other areas. Local traffic between urban areas and highways travels on a fairly extensive county **and state** road[s] network. Mass transit is presently limited to long distance commercial bus lines and small fleet bus systems that serve some transportation needs of senior citizens.

The ability of existing services and facilities to serve future regional needs, and the specific requirements necessary to provide balanced forms of transportation for all segments of the county's future population, hinge upon cooperative city/county development of transportation [master] **system** plans. A major mechanism insuring this cooperative effort is found within the ["Roads"] "**Transportation**" section of the Joint Management Agreements entered into with all cities of Umatilla County. A Transportation [Master] **System** Plan will also serve to assist state/federal transportation agencies in setting priorities and planning improvements in their areas of responsibilities.

FINDING	POLICY
<p>1. [There is a lack of coordinated planning which addresses the specific inter-relationships of all modes of transportation (e.g. air, water, rail, bicycle, road, footpaths, etc.).] To satisfy the requirements of Oregon Administrative Rule 660-012 implementing Statewide Planning Goal 12, Umatilla County has developed a Transportation System Plan.</p>	<p>1. [Develop a Transportation Master Plan which integrates cities' and regional systems. (See West County Master Road Plan in back pocket of Plan.)] The Transportation System Plan (TSP) is an element of this Comprehensive Plan and identifies the general location of transportation improvements, changes in specific alignment of proposed County Road and highway projects that will be permitted without plan amendment.</p>
<p>2. Transportation planning within urban growth boundaries is important to insure adequate transportation facilities in the County.</p>	<p>2. [To facilitate coordination transportation, plans within urban growth boundaries shall be coordinated with during the formation of the Transportation Master Plan.] To facilitate transportation system coordination within urban growth boundaries, the cities' TSPs shall apply within the UGB and shall be co-adopted by the County and addressed in the city/county joint management agreements.</p>
<p>3. In preparation for State Highway projects, ODOT prepares Environmental Impact Statements (EIS) and Environmental Assessments (EA).</p>	<p>3. County will consider the findings of ODOT's draft EIS and EA as integral parts of the land use decision-making procedures. Other actions required, such as a goal exception or plan amendment will be combined with review of the draft EA or EIS and land use approval process.</p>

FINDING	POLICY
<p>4. Existing transportation systems require periodic repair and maintenance.</p>	<p>4. Operation, maintenance, repair, and preservation of existing transportation facilities shall be allowed without land use review, except where specifically regulated.</p>
<p>5. A major cost in development of freeways, highways and county roads is the purchase of the right-of-way and displacement of existing uses along the right-of-way.</p>	<p>[5. As a part of the Transportation Master Plan, develop a Future Road Zone to be applied between the time a road location is determined and the right-of-way is acquired.]</p> <p>5A. New development proposals will be reviewed for consistency with the County and Cities' Transportation System Plans.</p> <p>5B. County shall protect the function of existing or planned roadways or roadway corridors through the application of appropriate land use regulations.</p>
<p>6. [Existing paragraph 6 deleted] [7] An important airport industrial complex lies in the northeast corner of the City of Pendleton's urban growth boundary where topography and location require a well-planned transportation system to insure its full and efficient development.</p>	<p>6. [Existing paragraph 6 deleted] [7] [When developing and finalizing the County's Transportation Master Plan,] Consider designating an arterial road from Barnhart Interchange on I-84 to the west side of this industrial park, to provide a level and more energy efficient route for business and manufacture-related traffic.</p>

FINDING	POLICY
<p>7. [8] Uncontrolled access on state highways can constitute a threat to public health and welfare as well as create excessive public expense.</p>	<p>7. [8] Access onto state highways shall be limited, consolidated, and otherwise be controlled as much as feasible. Access control shall emphasize coordination of traffic and land use patterns through the use of frontage roads and location of access connection points, see [ODOT, Access Control Guidebook] OAR 734.051. ODOT will be provided notice of land use applications and development permits that have access or frontage onto State Highways.</p>
<p>8. [10] Private easements to land locked lots are often not wide enough to serve adjoining properties or [improved] adequate for access of the public and emergency services.</p>	<p>8. [10] Require improvement of, and width dedication for accesses approved through the development standards application process.</p>
<p>9. [Existing paragraph 9 deleted] [11] Many county and public roads are not constructed to an acceptable County standard, and development is increasing along these roads.</p>	<p>9. [Existing paragraph 9 deleted] [11] Subdivision of land not on road constructed to County standards [and] or not accepted for maintenance responsibility by the County or state shall not be permitted. A subdivision road shall be public and maintained by a public agency or [a] homeowners association.</p>
<p>10. [12] The Port of Umatilla transportation facilities are assets to the County and expansion is needed to support the rapidly growing local economy.</p>	<p>10. [12] Promote development of additional facilities at the Port and seek to improve transportation linkages to that river area consistent with the Transportation System Plan.</p>

FINDING	POLICY
11. [13] Some loss of transportation services has occurred due to developing incompatible adjacent land uses.	11. [13] Factors of increased traffic volume, speed, flow, loss of service and accessibilities will be considered when reviewing land use and development requests.
12. [14] The County economy is sometimes adversely affected by discriminatory state/federal rail and highway freight regulations.	12. [14] Encourage equitable ICC and PUC freight regulations.
13. [15] Bridges across the Umatilla River to serve development north and west of Hermiston have been suggested.	13. [15] <i>[Determine]</i> Coordinate need, means and appropriate bridge locations <i>[as part of the Transportation Master Plan Study]</i> with west county cities and affected agencies consistent with the County and City TSPs.
14. [16] Interstate shipments of hazardous materials are regulated by federal and state agencies, however accident potential remains a threat to the health, safety and welfare of county citizens.	14. [16] Seek notification of special hazardous materials shipments for county review, comment and possible control.
15. [17] Branch rail lines are a continuing factor in the economic health of smaller towns.	15. [17] Encourage preservation and expansion of existing lines and rail company service.

FINDING	POLICY
<p>16. [18] [Hermiston and Pendleton] Airports are experiencing increases in traffic and are undergoing improvements in accordance with their Airport Master Plans.</p>	<p>16. [18] Continue to cooperate in protecting the existing and planned elements of the airports from incompatible neighboring land uses through the use of airport hazard zoning and joint management agreements with each city.</p>
<p>17. [19] Resource utilization roadways contribute to erosion and people/wildlife conflicts.</p>	<p>17. [19] Seek to control erosion through programs developed by the [Soil Conservation] Natural Resource Conservation Service or Soil and Water Conservation District and seek cooperation with the State Forestry Department (through the Forest Practices Act) and the Department of Fish and Wildlife (through road closures and other measures).</p>
<p>18. [20] Major transmission lines (fuel, [and electricity] power and communication) traverse the county. [with] Additional new lines or pipelines could be proposed through the county.</p>	<p>18. [20] The county will review right-of-way acquisitions and proposals for transmission lines and pipelines so as to minimize adverse impacts on the community.</p>
<p>19. [21] County residents without access to private autos have limited alternatives available.</p>	<p>19. [21] Support existing public transit [e.g., QUINTRA] and seek additional opportunities for the Transportation [Master] System Plan.</p>

FINDING	POLICY
20. [22] Home/work carpooling offers energy savings while reducing traffic congestion.	20. [22] Request large industrial[/] and commercial development proposals, consider sponsoring carpooling programs.
21. [23] The extensive county road system requires [continuing maintenance] continued upgrading to meet increasing service demands.	21. [23] [Maintenance of existing roads] The upgrading of the county road system shall be a key element in the Transportation [Master] System Plan.
22. [24] Snow removal along State Highway 204 has become difficult due to inappropriate setbacks for dwellings and the removal of vegetation.	22. [24] Setbacks along State Highway 204 shall be set back a minimum of 130 feet from the centerline of the highway, and vegetation should be retained wherever possible to protect dwellings from snow blowers.
23. [25] There is a lack of adequate off-highway parking in the Tollgate area.	23. [25] The County should encourage the location of new off-highway parking along Highway 204.
24. [3] Large expanses of [vacant] undeveloped and agricultural land to the south of Hermiston lie near the Hinkle Rail Classification Yard, I-84, the Hermiston Airport, and agricultural market roads.	24. [3] [Designate the] Continue to reserve the Hinkle-Feedville area now covered with the Future Industrial (FI) Overlay Zone for industrial and agri-business uses to compliment its existing uses and its unique transportation opportunities.

FINDING	POLICY
<p>25. [4] <i>[The route of Interstate 82 to connect I-84 in western Umatilla County, with I-90 to the north, and the location of its interchanges will have effects on the advantages of each of several potential locations]</i> The development of I-82 after the County's Comprehensive Plan was acknowledged established new interchanges which could effect the location of industries, commercial businesses and highway-oriented business.</p>	<p>25A. [4] Examine interchanges and other potential commercial and industrial locations for appropriateness of development <i>[after the route and interchanges of I-82 are established]</i> taking into consideration access, sewer and water availability and environmental conditions.</p> <p>25B. Identify and evaluate factors limiting development in this area.</p>
<p>26. Umatilla County has areas of historical and recreational interest without established access to road systems.</p>	<p>26. Umatilla County shall encourage the development of bikeways and pedestrian accessways to existing and potential activity centers.</p>

FINDING	POLICY
<p>27. Measures are needed to protect airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation.</p> <p>A. The PUA-S Overlay Zone shall be applied to privately owned privately used airports for both the airport site and approach areas.</p> <p>B. A Private Use Airport Zone may be developed for application to privately owned publicly used airports for the airport site with the PUA-S Overlay Zone being applied to the approach areas.</p> <p>C. Publicly owned publicly used airports are already under protective overlay zoning specific to the airport.</p>	<p>27. Umatilla County shall adopt and implement an airport zone, supporting Airport Safety Overlay Zones, or similar protective measures for airports (as defined in ORS 836.610) in Umatilla County.</p>
<p>28. As Umatilla County increases in population and changes with development over time, transportation system needs also change.</p>	<p>28. Review and update the County Transportation System Plan periodically, as often as time, resources and funding allow and as the need to update arises.</p>

2. The Umatilla County Development Code, codified at Umatilla County Code of Ordinances, Chapter 152, is amended to include and be as follows:

§ 152.003 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly

indicates or requires a different meaning.

ACCESS. A way or means of approach to provide pedestrian, bicycle, or motor vehicular

entrance or exit to a property.

ACCESS CLASSIFICATION. A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.

ACCESS CONNECTION. Any driveway, street, turnout or other means of providing for the movement of vehicles to or from the public roadway system.

ACCESS MANAGEMENT. The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.

ACCESSWAY. A walkway that provides pedestrian and bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.

AIRPORT APPROACH SAFETY ZONE. The land that underlies the approach surface, excluding the Runway Approach Zone.

AIRPORT HAZARD. Any structure, object of natural growth, or use of land, which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport, or is otherwise hazardous to such landing or taking off.

AIRPORT IMAGINARY SURFACES.

Those imaginary areas in space which are defined by the Approach Surface, Transitional Surface, Horizontal Surface, and Conical Surface and in which any object extending above these imaginary surfaces is an obstruction.

APPROACH SURFACE.

A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the Primary Surface. The inner edge of the approach surface is the same width as the Primary Surface and extends to a width of: 1,250 feet for utility runway having only visual approaches; 1,500 feet for a runway other than a utility runway having only visual approaches; 2,000 feet for a utility runway having a nonprecision instrument approach; 3,500 feet for a nonprecision instrument runway other than utility, having visibility minimums greater than three-fourths of a statute mile; 4,000 feet for a nonprecision instrument runway having visibility minimums as low as three-fourths statute mile; and 16,000 feet for precision instrument runways. The Approach Surface extends for a horizontal distance of 5,000 feet at a slope of 20 feet outward to each foot upward (20:1) for all utility and visual runways; 10,000 feet at a slope of 34 feet outward for each foot upward (34:10) for all nonprecision instrument runways other than utility; and for all precision instrument runways extends for a horizontal distance of 10,000 feet at a slope of 50 feet outward for each foot upward (50:1); thence slopes upward 40 feet outward for each foot upward (40:1) an additional distance of 40,000 feet.

BICYCLE. A vehicle designed to operate on the ground on wheels, propelled solely by human power, upon which any person or persons may ride, and with two tandem wheels at least 14 inches in diameter. An adult tricycle is considered a bicycle.

BICYCLE FACILITIES. A general term denoting improvements and provisions made to accommodate or encourage bicycling, including

parking facilities and all bikeways.

BIKEWAY. Any road, path, or way that is some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The five types of bikeways are:

(1) **Multi-use Path.** A paved 10 to 12-foot wide way that is physically separated from motorized vehicular traffic; typically shared with pedestrians, skaters, and other non-motorized users.

(2) **Bike Lane.** A 4 to 6-foot wide portion of the roadway that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.

(3) **Shoulder Bikeway.** The paved shoulder of a roadway that is 4 feet or wider; typically shared with pedestrians in rural areas.

(4) **Shared Roadway.** A travel lane that is shared by bicyclists and motor vehicles.

(5) **Multi-use Trail.** An unpaved path that accommodates all-terrain bicycles; typically shared with pedestrians.

BOUNDARY ADJUSTMENT.

(1) Any adjustment of a tax lot or parcel line by the relocation of a common boundary where:

(a) An additional parcel is not created, except as allowed due to mortgage or ownership restrictions, and as addressed by the recording of a Covenant Not to Sell Separately; and

(b) Where the existing parcel reduced in size by the adjustment is not reduced more than 11% below the minimum lot size established by the zoning district where the proposed boundary adjustment is located unless

the parcel is already substandard-sized; and

(c) Where the tax lot is not within a platted subdivision; and

(d) Where the parcel is not within a partition platted since January 1, 1990.

(2) An adjustment of a tax lot or parcel line created prior to January 1, 1990 where it can be shown by a survey from a surveyor licensed in Oregon that the surveyed boundary lines do not correspond with physical boundary marks (such as fences) thought to be the true property lines by adjoining property owners, when these physical boundary markers have existed for at least 10 years, proof of which shall be provided by the person seeking the change of the lot.

(3) An amendment to a recorded sub-division or partition plat to correct errors or omissions of data on the plat, as provided in O.R.S. 92.170.

CONICAL SURFACE. Extends 20 feet outward for each one foot upward (20:1) for 4,000 feet beginning at the edge of the horizontal surface (5,000 feet from the center of each end of the Primary Surface of each visual and utility runway or 10,000 feet for all nonprecision instrument runways other than utility at 150 feet above and airport elevation) and upward extending to a height of 350 feet above the airport elevation.

CORNER CLEARANCE. The distance from an intersection of a public or private road to the nearest access connection, measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.

COUNTY ROAD. A Public Road under the jurisdiction of a county that has been designed as a county road by the Board of Commissioners.

CROSS ACCESS. A service drive

providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

EASEMENT. A grant of one or more property rights by a property owner to or for use by the public, or another person or entity.

FRONTAGE ROAD A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the arterial street. (see also Service Roads)

FUNCTIONAL AREA (Intersection). That area beyond the physical intersection of two roads that comprises decision and maneuver distance, plus any required vehicle storage length.

FUNCTIONAL CLASSIFICATION. A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

HORIZONTAL SURFACE. A horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging runways 5,000 feet from the center of each end of the Primary Surface of each visual or utility runway and 10,000 feet from the center of each end of the Primary Surface of all other runways and connecting the adjacent arcs by lines tangent to those arcs.

JOINT ACCESS (or Shared Access). A driveway connecting two or more contiguous sites to the public street system.

LAND DIVISION. To divide a tract of land into two or more tracts, parcels or lots when such area or tract of land exists as a unit or contiguous units of land under single ownership, and to adjust the common boundaries between two or more tracts, parcels, or lots.

LOT. A unit of land that is created by a

subdivision of land. For purposes of administering the zoning provisions of this Development Code, the word **LOT** also refers to units of land created in accordance with this chapter by the partitioning process, or to a unit of land recorded in the County Records Office or County Assessor's Office prior to the adoption of the county zoning ordinance of 1972 on July 19, 1972.

LOT DEPTH. The average distance measured from the front lot line to the rear lot line.

LOT, FLAG. A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way line.

LOT FRONTAGE. That portion of a lot extending along a street right-of-way line.

LOT, THROUGH (also called a double frontage lot). A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lots.

NEGOTIATE. Any activity preliminary to the execution of a binding agreement for the sale of land in a subdivision or partition, including, but not limited to, advertising, solicitation and promotion of the sale of such land

NEIGHBORHOOD ACTIVITY CENTER. An attractor or destination for residents of surrounding residential areas. Includes, but is not limited to existing or planned schools, parks, shopping areas, transit stops, employment areas.

NOISE SENSITIVE AREA. Within 1,500 feet of an airport or within established noise contour boundaries exceeding 55 DNL.

NONCONFORMING ACCESS FEATURES. Features of the property access that existed prior to the date of ordinance adopting and do not conform with the requirements of this ordinance.

NONPRECISION INSTRUMENT RUNWAY. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved, or planned, or indicated on an FAA or state planning document or military service airport planning document.

PARCEL. A unit of land that is created by a partitioning of land.

PARTITION. Either an act of partitioning land or an area or tract of land partitioned.

PARTITION LAND. To divide an area or tract of land into two or three parcels within a calendar year. **PARTITION LAND** does not include: (1) Division of land resulting from lien foreclosure; (2) Division of land resulting from the creation of cemetery lots; (3) Divisions of land resulting from foreclosure of recorded contracts; (4) Adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable zoning ordinance; (5) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes provided that such road or right-of-way complies with the applicable Comprehensive Plan and O.R.S. 215.213(2)(p) to (r) and O.R.S. 215.283(2)(q) to (s); (6) A sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highway, county roads, city streets or other right of way purposes when the sale or grant is part of a property line adjustment incorporating the excess right of way into adjacent property.

PARTITION PLAT. Includes a final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a major or minor

partition.

PLAT. Includes a final subdivision plat, replat or partition plat.

PEDESTRIAN FACILITIES. A general term denoting improvements and provisions made to accommodate or encourage walking, including sidewalks, accessways, crosswalks, ramps, paths, and trails.

PLACE OF PUBLIC ASSEMBLY. Structure of place which the public may enter for such purposes as deliberation, education, worship, shopping, entertainment, amusement, awaiting transportation, or similar activity.

PRECISION INSTRUMENT RUNWAY. A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), Microwave Landing System (MLS), Global Positioning Satellite (GPS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is not indicated by an FAA approved airport layout plan; any other FAA or state planning document, or military service airport planning document.

PRIMARY SURFACE. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the Primary Surface extends 200 feet beyond each end of that runway. When the runway has no specially prepared hard surface, or planned hard surface, the Primary Surface ends at each end of that runway. The width of the primary Surface is 250 feet for utility runways having only visual approaches, 5,000 feet for utility runways having nonprecision instrument approaches, 5,000 feet for other than utility runways having only visual approaches or nonprecision instrument approaches with visibility minimums greater than three-fourths of a mile and 1,000 feet for nonprecision instrument runways with visibility minimums of three-fourths of a mile or less and for precision instrument runways.

PRIVATE ROAD. Any roadway for vehicular travel that is not a Public Road.

PUBLIC ROAD. A road over which the public has a right of use that is a matter of public record.

REASONABLE ACCESS. The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the roadway, as consistent with the purpose and intent of this ordinance and any applicable plans and policies of the county.

REASONABLY DIRECT. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

REPLAT. Includes a final map of the reconfiguration of lots and easements of a recorded subdivision or partition plat and other writings containing all the descriptions, location, specifications, dedications and provisions and information concerning a recorded subdivision.

REPLATTING. The reconfiguration of lots or parcels and easements, or the adjustment of common boundaries between lots or parcels within a recorded subdivision or partition. This action, upon the recording of the "replat" map, serves to vacate the original lots or parcels and easements (this is a county definition based on O.R.S. 92.185).

RIGHT-OF-WAY. Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.

ROAD or STREET. A public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining or agricultural purposes.

RUNWAY APPROACH ZONE (RAZ).

An area off the runway end (formerly the clear zone) used to enhance the protection of people and property on the ground. The RAZ is trapezoidal in shape and centered about the extended runway centerline. It begins 200 feet (60 m) beyond the end of the arcs usable for takeoff or landing. The RAZ dimensions are functions of the type of aircraft and operations to be conducted on the runway.

SAFE AND CONVENIENT. Bicycle and pedestrian routes that are:

- (1) Reasonably free from hazards, and
- (2) Provides a reasonably direct route of travel between destinations, considering that the optimum travel distance is one-half mile for pedestrians and three miles for bicyclists.

SALE or SELL. Includes every disposition or transfer of land in a subdivision or partition or an interest or estate therein.

SIGNIFICANT CHANGE IN TRIP GENERATION. A change in the use of the property, including land, structures or facilities, or an expansion of the size of the structures or facilities causing an increase in the trip generation of the property exceeding: (1) for gravel surfaced County roads, 30 vehicles of less than 10,000 pounds Gross Vehicle Weight (GVW) and/or 20 vehicles of greater than 10,000 pounds GVW; (2) for paved County roads, 75 vehicles of less than 10,000 GVW; and (3) for State paved Highways, 150 vehicles of 10,000 pounds GVW or less and/or 100 vehicles of greater than 10,000 pounds GVW.

STUB-OUT (Stub-street). A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

SUBDIVIDE LAND. To divide land into four or more lots within a calendar year.

SUBDIVISION. Either an act of

subdividing land or an area or a tract of land subdivided.

SUBDIVISION PLAT. Includes a final map and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

SUBSTANTIAL ENLARGEMENTS OR IMPROVEMENTS. A 10 percent increase in existing square footage or 50 percentage increase in assessed valuation of the structure.

TRANSITIONAL SURFACE. Extend seven feet outward for each one foot upward (7:1) beginning on each side of the Primary Surface which point is the same elevation as the runway surface, and form the sides of the approach surfaces thence extending upward to a height of 150 feet above the airport elevation (Horizontal Surface).

UTILITY RUNWAY. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

VISUAL RUNWAY. A runway that is intended solely for the operation of aircraft using visual approach procedures with no instrument approach procedures has been approved, or planned, or indicated on an FAA or state planning document or military service airport planning document.

WALKWAY. A hard-surfaced area intended and suitable for pedestrians, including sidewalks and the surfaced portions of accessways.

§152.017 CONDITIONS FOR DEVELOPMENT PROPOSALS.

(A) The proposed use shall not impose an undue burden on the public transportation system. Any increase meeting the definition of significant change in trip generation constitutes

an undue burden.

(B) For developments likely to generate a significant increase in trip generation, applicant shall be required to provide adequate information, such as a traffic impact study or traffic counts, to demonstrate the level of impact to the surrounding system. The scope of the impact study shall be coordinated with the providers of the transportation facility.

(C) The applicant or developer may be required to mitigate impacts attributable to the project. Types of mitigation may include such improvements as paving, curbing, bridge improvements, drainage, installation or contribution to traffic signals, construction of sidewalks, bikeways, accessways or paths. The determination of impact or effect should be coordinated with the providers of affected transportation facilities.

(D) Dedication of land for roads, transit facilities, sidewalks, bikeways, paths, or accessways may be required where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed use.

§ 152.018 ACCESS MANAGEMENT AND STREET CONNECTIVITY:

(A) The intent of this code is to manage access to land development while preserving the flow of traffic in terms of safety, capacity, functional classification, and level of service. Major roadways, including highways, arterials, and collectors serve as the primary network for moving people and goods. These transportation corridors also provide access to businesses and homes and have served as the focus for commercial and residential development. If access points are not properly designed, these roadways will be unable to accommodate the needs of development and retain their primary transportation function. This code balances the right of reasonable access to private property with the right of the citizens of Umatilla County

and the State of Oregon to safe and efficient travel. To achieve this policy intent, state and local roadways have been categorized in the Transportation System Plan by function and classified for access purposes based upon their level of importance and function. Regulations have been applied to these roadways for the purpose of reducing traffic accidents, personal injury, and property damage attributable to poorly designed access systems, and to thereby improve the safety and operation of the roadway network. This will protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well-designed road and access systems and discouraging the unplanned subdivision of land.

(B) This section shall apply to all arterials and collectors within the County and to all properties that abut these roadways.

(C) This section is adopted to implement the access management policies of the County as set forth in the Transportation System Plan.

(D) Corner Clearance

(1) Corner clearance for connections shall meet or exceed the minimum connection spacing requirements for that roadway.

(2) New connections shall not be permitted within the functional area of an intersection as defined by the connection spacing standards of this ordinance, unless no other reasonable access to the property is available.

(3) Where no other alternatives exist, the County may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e. right in/out, right in only, or right out only) may be required.

(E) Joint Use Driveways and Cross Access.

(1) Adjacent commercial or office properties identified as major traffic generators (generating more than 400 daily trips as defined by the Institute of Transportation Engineers Trip Generation Manual), shall provide a cross access drive and pedestrian access to allow circulation between sites.

(2) A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

(a) A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.

(b) A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles

(c) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.

(d) A unified access and circulation system plan for coordinated or shared parking areas is encouraged.

(3) Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.

(4) Pursuant to this section, property owners shall:

(a) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;

(b) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to Umatilla County and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

(c) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

(5) Umatilla County may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:

(a) Joint access driveways and cross access easements are provided in accordance with this section.

(b) The site plan incorporates a unified access and circulation system in accordance with this section.

(c) The property owner enters into a written agreement with the county, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway

(6) Umatilla County may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make the development of a unified or shared access and circulation system impractical.

(F) Access Connection and Driveway Design.

(1) Driveways shall meet the following standards:

(a) If the driveway is a one way in or one way out drive, then the driveway shall be a minimum width of 10 feet and shall have appropriate signage designating the driveway as a one way connection.

(b) For two-way access, each lane shall have a minimum width of 10 feet.

(2) Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.

(3) The length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

(G) Nonconforming Access Features.

(1) Legal access connections in place as of September 15, 2002 that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions: When new access permits are requested; Change in use, enlargements, or improvements that will increase trip generation.

(H) Requirements for Phased Development Plans.

(1) In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as single properties in relation to the access standards of this ordinance. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area are responsible for compliance with the requirements of this ordinance and both shall be cited for any

violation.

(2) All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.

ESTABLISHMENT OF ZONES

§ 152.041 OVERLAY ZONES

(D) Overlay subdistricts established in this chapter shall include the following:

<i>Overlay Zones</i>	<i>Abbreviated Designation</i>
Private Use Safety Airport Overlay Zone	PUA-S

EFU EXCLUSIVE FARM USE ZONE

§ 152.056 USES PERMITTED OUTRIGHT.

In an EFU zone, the following uses and their accessory uses are permitted without a zoning permit, pursuant to §§ 152.007 and 152.027:

(C) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(D) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(E) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation. Projects not specifically identified in TSP shall follow procedures for the Comprehensive Plan Amendment process.

(F) Landscaping as part of a transportation

facility.

(G) Emergency measures necessary for the safety and protection of property

(H) Construction of a road as part of an approved land partition and consistent with the applicable land division regulations.

§ 152.060 CONDITIONAL USES PERMITTED.

In an EFU zone the following uses may be permitted conditionally via administrative review (§ 153.769), subject to the requirements of this section, applicable supplementary regulations in §§ 152.010 through 152.016 and §§ 152.545 through 152.562, and §§ 152.610 through 152.616. Specific standards for some of the conditional uses listed below are contained in §152.616. A zoning permit is required following the approval of a conditional use pursuant to §152.025. Existing uses classified as conditional uses and listed in this section may be expanded subject to administrative review and subject to the requirements listed in this section, except that expansions on a parcel or tract classified as high value farmland will not be permitted.

(U) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and

zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(V) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(W) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

GF GRAZING/FARM ZONE

§ 152.081 USES PERMITTED OUTRIGHT.

In a GF zone, the following uses and their accessory uses are permitted without a zoning permit, pursuant to §§ 152.007 and 152.027:

(C) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(D) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(E) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(F) Landscaping as part of a transportation facility.

(G) Emergency measures necessary for the safety and protection of property

(H) Construction of a road as part of an approved land partition and consistent with the applicable land division regulations.

§152.085 CONDITIONAL USES PERMITTED.

In the GF zone the following uses may be permitted conditionally via administrative review (§ 152.769), subject to the requirements of § 152.086, applicable supplementary regulations in §§152.010 through 152.016 and §§152.545 through 152.562, and applicable §§152.610 through 152.615. Specific standards for some of the conditional uses listed below are contained in § 152.616. A zoning permit is required following the approval of a conditional use pursuant to § 152.025. Existing uses classified as conditional use and listed in this section may be expanded subject to administrative review and subject to the requirements listed in this section, except expansions on a parcel or tract meeting the definition of high value farmland will not be permitted.

(U) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be

compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(V) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(W) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

U-C UNINCORPORATED COMMUNITY ZONE

§ 152.116 USES PERMITTED.

(A) Uses Permitted Outright. In a U-C zone, the following uses and their accessory uses are permitted without a zoning permit:

(4) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(5) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(6) Projects specifically identified in

the Transportation System Plan as not requiring further land use regulation.

(7) Landscaping as part of a transportation facility.

(8) Emergency measures necessary for the safety and protection of property

(9) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(10) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§152.117 CONDITIONAL USES PERMITTED.

(A) In a U-C Zone, the following uses and their accessory uses may be permitted conditionally subject to the requirements of §§ 152.610 through 152.616 of this chapter:

(14) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(a) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(b) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(c) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features

(d) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(15) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(16) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

RR-2 RURAL RESIDENTIAL ZONE

§ 152.131 USES PERMITTED.

(A) Uses permitted outright. In a RR-2 Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Farm use, as defined in O.R.S. 215.203 and set out in § 152.043, except livestock feed yards and sale yards, hog or poultry farms and the raising of fur-bearing animals or hogs, and except the dwelling and other buildings customarily provided in conjunction with farm use referred to in O.R.S. 215.203(2)(a).

(2) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(3) Installation of culverts, pathways,

medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(4) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(5) Landscaping as part of a transportation facility.

(6) Emergency measures necessary for the safety and protection of property

(7) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(8) Construction of a road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§ 152.132 CONDITIONAL USES PERMITTED.

In a RR-2 Zone, the following uses and their accessory uses are permitted conditionally subject to the requirements of §§ 152.610 through 152.616 of this chapter:

(Q) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(R) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(S) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

RR-4 RURAL RESIDENTIAL ZONE

§ 152.156 USES PERMITTED.

(A) Uses permitted outright. In a RR-4 Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Farm use, as defined in O.R.S. 215.203 and set out in § 152.043, except livestock feed yards and sale yards, hog or poultry farms and the raising of fur-bearing animals or hogs, and except the dwellings and other buildings customarily provided in conjunction with farm use referred to in O.R.S. 215.203(2)(a).

(2) Normal operation, maintenance,

repair, and preservation activities of existing transportation facilities.

(3) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(4) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(5) Landscaping as part of a transportation facility.

(6) Emergency measures necessary for the safety and protection of property

(7) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(8) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§152.157 CONDITIONAL USES PERMITTED.

In a RR-4 Zone, the following uses and their accessory uses are permitted conditionally subject to the requirements of §§ 152.610 through 152.616:

(Q) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the

draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(R) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(S) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

MUF-10 MULTIPLE USE FOREST

§ 152.171 USES PERMITTED.

(A) Uses permitted outright. In a MUF-10 Zone, the following uses and their accessory uses are permitted without a zoning permit:

(3) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(4) Installation of culverts, pathways,

medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(5) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(6) Landscaping as part of a transportation facility.

(7) Emergency measures necessary for the safety and protection of property

(8) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(9) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§ 152.172 CONDITIONAL USES PERMITTED.

In a MUF-10 Zone, the following uses and their accessory uses are permitted, subject to the requirements of §§ 152.610 through 152.616 inclusive and upon the issuance of a zoning permit:

(L) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(M) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(N) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

FR-5 FOREST RESIDENTIAL ZONE

§ 152.216 USES PERMITTED.

(A) Uses permitted outright. In an FR Zone, the following uses and their accessory uses are permitted without a zoning permit:

(3) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(4) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(5) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(6) Landscaping as part of a transportation facility.

(7) Emergency measures necessary for the safety and protection of property

(8) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(9) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§ 152.217 CONDITIONAL USES PERMITTED.

In a FR Zone, the following uses and their accessory uses are permitted, subject to and upon the issuance of a zoning permit:

(L) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(M) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

MR MOUNTAIN RESIDENTIAL

§ 152.231 USES PERMITTED.

(A) Uses permitted outright. In a MR Zone, the following uses and their accessory uses are permitted without a zoning permit:

(3) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(4) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(5) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(6) Landscaping as part of a transportation facility.

(7) Emergency measures necessary for the safety and protection of property

(8) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(9) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§ 152.232 CONDITIONAL USES PERMITTED

In a MR Zone, the following uses and their accessory uses may be permitted conditionally subject to the requirements of § 152.610 through 152.616 and upon the issuance of a Zoning Permit. *Note for commercial development proposed in Tollgate area: see also specific Multiple Use Plan Map section for Tollgate exception area policies in Comprehensive Plan.*

(A) Church or church camp retreat;

(B) Commercial activity, including but not limited to a restaurant, sporting goods supply and souvenir or novelty shop to support recreational-residential uses allowed in this zone;

(C) Commercial Recreational Use, including but not limited to marina, riding stable, gun club, resort, motel, lodge, recreational camp, dude ranch, or similar resort type establishment;

(D) Primary processing facility for locally harvested forest products including but not limited to a portable chipper or stud mill;

(E) Utility facility;

(F) Park, playground, campground, and fishing and hunting preserves for public or private use;

(G) Public or semi-public use;

(H) Boarding of horses for profit or horse stables;

(I) Home occupations carried on by residents as an accessory use with their dwelling;

(J) Special exceptions pursuant to §152.575 through 152.576

(K) Personal-Use landing strip for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. A personal-use landing strip as used in this section means an airstrip restricted except for aircraft emergencies to use by the owner and on an infrequent and occasional basis by his invited guests, and by commercial aviation activities in connection with agricultural or forestry operations. No aircraft may be based on a personal-use landing strip other than those owned or controlled by the owner of the airstrip. Exception to the activities through waiver action by the Aeronautics Division in specific instances. A personal-use airport lawfully existing as of September 1, 1975 shall continue to be permitted subject to any applicable regulations of the Aeronautics Division.

(L) Model homes.

(M) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(N) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(O) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§ 152.233 [152.232] DIMENSIONAL STANDARDS.

In a MR Zone, the following divisions, dimensions and standards shall apply:

(A) Minimum lot area.

(1) For dwellings, seasonal cabins, recreational vehicles, trailers, mobile homes, two acres;

(2) Conditional uses. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and DEQ considering the protection of public health, the size needed to accommodate the use and its accessory uses, and the objective to minimize the impact on surrounding properties.

(B) Pre-existing, non-conforming lots. Dwellings, seasonal cabins, recreational vehicles,

trailers, and mobile homes shall be allowed after the issuance of a zoning permit on these lots provided that setback regulations are met according to division (C) of this section;

(C) Setback. No building shall be located closer than 20 feet from a lot line;

(D) Minimum lot width. For residential purposes, no lot shall be longer than two and one-half times its width;

(E) Stream setback. To permit better light, air, vision, stream pollution control, fish and wildlife areas and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drainfields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet, and the Department of Environmental Quality finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream or lake, but in no case closer than 50 feet;

(2) All structures, buildings or similar permanent fixtures shall be setback from the high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the highwater line or mark.

RSC RETAIL/SERVICE COMMERCIAL

§ 152.246 USES PERMITTED

(A) Uses Permitted Outright. In an RSC Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Normal operation, maintenance, repair, and preservation activities of existing

transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan except for those that are located in exclusive farm use or forest zones.

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses Permitted with a Zoning Permit. In an RSC Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to §§ 152.025 and 152.279:

(1) Automobile service station;

(2) Automobile, truck or motorcycle sales lot;

(3) Automobile, truck or motorcycle repair shop or parts store;

(4) Blacksmith or machine shop;

(5) Bottling works;

(6) Custom meat cutting, curing and cold storage locker;

- (7) Eating or drinking establishment;
- (8) Financial institution;
- (9) Food store;
- (10) Gift store;
- (11) Green house or nursery;
- (12) Information center;
- (13) Motel, hotel;
- (14) Office building;
- (15) Plumbing or sheet metal shop;
- (16) Public or semi-public uses;
- (17) Retail sales outlets;
- (18) Service-oriented businesses;
- (19) Sporting goods or bait shop;
- (20) Signs: Type 2, 3, 4, 5, 7, 8, 9,

10, 11;

(21) Wholesale businesses where no manufacturing, compounding, processing or treatment of the products for wholesale are conducted.

**§152.247 CONDITIONAL USES
PERMITTED.**

In a RSC Zone, the following uses and their accessory uses are permitted, subject to the requirements of §§ 152.610 through 152.616 and upon the issuance of a zoning permit:

(K) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development

subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(L) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(M) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

CRC COMMERCIAL RURAL CENTER

§ 152.261 USES PERMITTED.

(A) Uses permitted outright. In a CRC Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Farm use, as defined in O.R.S. 215.203 and set out in § 152.043, except livestock feed yards and sale yards, hog or poultry farms and the raising of fur-bearing animals and except the dwellings and other buildings customarily provided in conjunction with farm use referred to in O.R.S. 215.203(2)(a).

(2) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(3) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(4) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(5) Landscaping as part of a transportation facility.

(6) Emergency measures necessary for the safety and protection of property

(7) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(8) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§ 152.262 CONDITIONAL USES PERMITTED.

In a CRC Zone the following uses and their accessory uses are permitted conditionally subject to the requirements of §§ 152.610 through 152.616 and upon the issuance of a zoning permit:

(I) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(J) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(K) If review under this Section indicates that the use or activity is inconsistent with the

Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

TC TOURIST COMMERCIAL

§ 152.276 USES PERMITTED.

(A) Uses permitted outright. In a TC Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan .

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses permitted with a zoning permit. In a TC Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Automobile service station;

(2) Boarding, lodging or rooming house;

(3) Eating or drinking establishment;

(4) Food store limited to 2,500 square feet;

(5) Gift shop;

(6) Information center;

(7) Laundromat;

(8) Motel, hotel;

(9) Sporting goods or bait shop;

(10) Signs.

§152.277 CONDITIONAL USES PERMITTED.

In a TC Zone, the following uses and their accessory uses are permitted subject to the requirements of §§ 152.610 through 152.616 and upon the issuance of a zoning permit:

(F) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(G) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(H) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

A-B AGRIBUSINESS

§ 152.291 USES PERMITTED.

(A) Uses permitted outright. In an AB Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Farm use as defined in O.R.S. 215.203 and set out in § 152.003, except livestock feed yards and sale yards, hog or poultry farms, and the raising of fur-bearing animals, and except the dwellings and other buildings customarily provided in conjunction with farm use referred to in O.R.S. 215.203(2)(a).

(2) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(3) Installation of culverts, pathways,

medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(4) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(5) Landscaping as part of a transportation facility.

(6) Emergency measures necessary for the safety and protection of property

(7) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(8) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§152.292 CONDITIONAL USES PERMITTED.

In an AB Zone, the following uses and their accessory uses are permitted conditionally subject to the requirements of §§ 152.610 through 152.616 of this chapter:

(O) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(P) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(Q) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

LI LIGHT INDUSTRIAL ZONE

§ 152.306 USES PERMITTED

(A) Uses permitted outright. In an LI Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) Uses permitted with a zoning permit. In an LI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §§ 152.025 and 152.309 of this chapter:

(1) Blacksmith or machine shop;

(2) Bottling works;

(3) Contractor's equipment storage yard;

(4) Custom meat cutting and cold storage locker;

(5) Food products manufacturing, excluding meat, fish, salt, sauerkraut, sugar, vinegar and yeast products;

(6) Grain elevator or flour mill;

(7) Greenhouse or nursery;

(8) Hauling, freighting and trucking yard or terminal;

(9) Ice or cold storage plant;

(10) Information center;

(11) Manufacturing, compounding, assembling or treatment of products made from the following prepared materials: bond, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paint (no boiling), paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood and yarns, but not including rendering plant;

(12) Mini-warehouses;

(13) Plumbing or sheet metal shop;

(14) Professional office building;

(15) Signs: Type 3, 4, 5, 7, 8, 9, 10, 11;

(16) Tire recapping;

(17) Veterinary clinic or animal hospital, but not kennels;

(18) Welding shop;

(19) Wholesale business, storage building or warehouse;

(20) Truck sales, service, storage and maintenance.

§ 152.308 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.

(A) In a LI Zone, the following uses and their accessory uses are permitted, conditionally, subject to the requirements of §§ 152.610 through 152.616, and upon the issuance of a zoning permit:

(18) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed

as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(a) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(b) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(c) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(d) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(19) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(20) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

HI HEAVY INDUSTRIAL ZONE

§ 152.321 USES PERMITTED

(A) Uses permitted outright. In an HI Zone, the following uses and their accessory uses

are permitted without a zoning permit:

(1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(3) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(4) Landscaping as part of a transportation facility.

(5) Emergency measures necessary for the safety and protection of property

(6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan .

(7) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

(B) In a HI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to §§ 152.025 and 152.324 of this chapter:

(1) Automobile wrecking yard;

(2) Concrete block and pipe manufacturing;

(3) Concrete manufacturing plant;

(4) Contractor's equipment storage yard;

(5) Food products manufacturing, excluding meat, fish, salt, sauerkraut, sugar,

vinegar and yeast products;

(6) Grain elevator or flour mill;

(7) Hauling, freighting and trucking yard;

(8) Ice and cold storage;

(9) Junkyard;

(10) Manufacturing, repairing, compounding, fabricating, assembling, processing, treating, parking or storage, except as modified by § 152.323(A);

(11) Rendering plant;

(12) Sand or gravel storage yard;

(13) Signs: Type 3, 4, 5, 8, 9, 11;

(14) Tire recapping;

(15) Utility facility;

(16) Welding shop;

(17) Wholesale business, storage building or warehouse;

(18) Wood processing facilities.

§ 152.322 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.

(A) In an HI Zone, the following uses and their accessory uses are permitted conditionally, subject to the requirements of §§ 152.610 through 152.616 and upon the issuance of a zoning permit:

(9) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development

subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(a) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(b) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(c) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(d) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(10) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(11) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

FU-10 FUTURE URBAN ZONE

§ 152.336 USES PERMITTED.

(A) Uses permitted outright. In a FU-10 Zone, the following uses and their accessory uses are permitted without a zoning permit:

(1) Farm use, as defined in O.R.S. 215.203 and set out in § 152.003, except livestock feed yards and sales yards, hog or poultry farms and the raising of fur-bearing animals and except the dwellings and other buildings customarily provided in conjunction with farm uses referred to in O.R.S. 215.203(2)(a).

(2) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.

(3) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.

(4) Projects specifically identified in the Transportation System Plan as not requiring further land use regulation.

(5) Landscaping as part of a transportation facility.

(6) Emergency measures necessary for the safety and protection of property

(7) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.

(8) Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division ordinance.

§152.337 CONDITIONAL USES PERMITTED.

In a FU-10 Zone, the following uses and their accessory uses are permitted conditionally subject to the requirements of §§ 152.610 through 152.616 of this chapter:

(M) Construction, reconstruction, or widening of highways, roads, bridges or other

transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA shall be reviewed and used as the basis for findings to comply with the following criteria:

(1) The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.

(2) The project is designed to minimize avoidable environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities.

(3) The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

(4) Project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this ordinance.

(N) Construction of rest areas, weigh stations, temporary storage, and processing sites.

(O) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

LAND DIVISIONS

Part 1. GENERAL PROVISIONS

§ 152.641 DEFINITIONS.

[Section deleted and combined with §152.003]

§ 152.648 CREATION OF ROAD EASEMENTS, PRIVATE ROADS AND RIGHTS-OF-WAY; MINIMUM STANDARDS.

(A) *Creation of roads.* The creation of a road shall be in conformance with the requirements of this chapter and the Transportation System Plan adopted by the county or other policy implementing the County's Comprehensive Plan. No street or road shall be established without the Planning Commission first reviewing the proposal and the Board of Commissioners accepting the road for public use. All streets and roads shall be dedicated. Any dedication of a road by deed is not effective and cannot be recorded without the consent and the acceptance of the Board of Commissioners. Streets cannot be dedicated by deed.

(B) *Creation of easements, private roads and public rights-of-way.* A private easement or right-of-way, or any other device created to provide access to property which is not otherwise described or controlled by this chapter, shall be submitted to and approved by the Planning Director and shall be described and recorded in the County Records Office. If, in the opinion of the Planning Director, the proposed easement, private road or right-of-way would involve new or modified standards of policy, the Planning Director may refer the matter to the Planning Commission for a decision.

(C) Cul-de-sacs or permanent dead-end roads may be used as part of a development plan; however, through roads are encouraged except where topographical, environmental, or existing adjacent land use constraints make connecting roads infeasible. Where cul-de-sacs are planned, easements or rights of way shall be provided, when deemed appropriate, connecting the end of cul-de-sacs to other roads, or to provide

connectivity to adjacent properties.

(D) Rural Road standards.

TABLE 1: RURAL ROAD STANDARDS

Classification	Surface Width	Right of Way Width	Minimum Posted Speed
Private Roads and Public Rights of Way			
Option 1	16 feet	30 feet	n/a
Option 2	22 feet	60 feet	n/a
Local Road ¹			
Option 1 - Residential	26-28 feet	60 feet	15-25 mph
Option 2 - Industrial	30 feet	60 feet	15-25 mph
Major and Minor Collector			
Option 1	32-40 feet	60 feet	25-35 mph
Option 2 - Urban	40 feet	60 feet	35-55 mph
Arterial Roads			
Option 1	36-40 feet	60 feet	35-55 mph
Option 2 - Urban	40 feet	60 feet	35-55 mph

Note: The rural arterial road design standards above apply only to roadways that are under county jurisdiction, and do not apply to state highways.

TABLE 2: Shoulder Widths On Rural Roads**

Road Use	Local Roads	Major and Minor Collectors	Arterial Roads
ADT under 400	2 feet	2 feet	4 feet
ADT over 400 DHV* under 100	2 feet	4 feet	6 feet
DHV 100-200	4 feet	6 feet	6 feet
DHV 200-400	6 feet	8 feet	8 feet
DHV over 400	8 feet	8 feet	8 feet

*DHV (Design Hour Volume) is the expected traffic volume in the peak design hour (usually at commuter times).

Source: 1991 Oregon Bicycle and Pedestrian Plan.

** Widths not provided for private roads and public rights of way

¹To be used in new County Road construction and in areas of County Road improvements needed due to development.

(1) Private Roads and Public Rights of Way. See Table 1. These roadways are established as ingress-egress easements to provide legal access to parcels. Although these are not roads in the County Road system, they are under County jurisdiction and are included to recognize their existence and to set standards for their creation. Unless otherwise stated in this Chapter, an easement for roadway purposes shall have a minimum width of 30 feet if the easement serves three or fewer lots. If the easement will serve more than three lots or has the potential of serving more than three lots to provide conductivity, then the easement shall have a minimum width of 60 feet, unless an exception is granted by the Board of Commissioners.

(a) Option 1 is to be used for easements serving 3 parcels or less and includes a 16 foot surface width with a minimum 30 foot easement width. Option 2 is to be used for easements serving 4 or more parcels. This standard includes a 22 foot surface width with a 60-foot easement width.

(b) The specific engineering and design standards for private roads and public rights of way are addressed and approved by the County Public Works Department. Option 2 may also apply to roads dedicated as public roads within a platted subdivision.

(2) Local Roads. See Table 1. Local roads shall have 12-13-foot travel lanes. The road may include shoulders (see Table 2); however, bikeways typically are not needed on rural local roads, since motor vehicle speeds shall be slow and population densities are low. If rural subdivision densities are greater than one dwelling per acre, or if a school or other neighborhood attraction is located within walking ($\frac{1}{2}$ mile) or bicycling distance (2 miles) of a rural subdivision, then sidewalks, pathways, or 6-foot shoulders on both sides of the roadway shall be provided. A 10-foot separated multi-use path on one side of the road may be considered if conditions prohibit sidewalks, paths, or shoulders on both sides of the roadway.

(3) Rural Collectors. See Table 1. All rural collectors shall have two 12-foot travel lanes and include shoulders (see Table 2). In rural areas where rural subdivisions, schools, or commercial centers attract pedestrians, the shoulder shall be 6 feet, regardless of ADTs.

(4) Rural Arterials. See Table 1. All rural arterials shall have two 12-foot travel lanes and include shoulders (see Table 2). In rural areas where rural subdivisions, schools, or commercial centers attract pedestrians, the shoulder shall be 6 feet, regardless of ADTs.

(5) Corner Clearance

(a) Corner clearance for connections shall meet or exceed the minimum connection spacing requirements for that roadway.

(b) New connections shall not be permitted within the functional area of an intersection or interchange as defined by the connection spacing standards of this ordinance, unless no other reasonable access to the property is available.

(c) Where no other alternatives exist, the County may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections (i.e. right in/out, right in only, or right out only) may be required.

(6) Joint and Cross Access

(a) Adjacent commercial or office properties classified as major traffic generators (i.e. shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites.

(b) A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:

(1) A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.

(2) A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;

(3) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;

(4) A unified access and circulation system plan for coordinated or shared parking areas is encouraged.

(c) Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.

(d) Pursuant to this section, property owners shall:

(1) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;

(2) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the County and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

(3) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

(e) The County may reduce required separation distance of access points where they prove impractical, provided all of the

following requirements are met:

(1) Access driveways and cross access easements are provided in accordance with this section.

(2) The site plan incorporates a unified access and circulation system in accordance with this section.

(3) The property owner enters into a written agreement with the County, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.

(f) The Planning Commission may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

(6) Access Connection and Driveway Design

(a) Driveways shall meet the following standards:

(1) If the driveway is a one way in or one way out drive, then the driveway shall be a minimum width of 10 feet and shall have appropriate signage designating the driveway as a one way connection.

(2) For two-way access, each lane shall have a minimum width of 10 feet.

(b) Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.

(c) The length of driveways shall be designed in accordance with the anticipated

storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

(7) Requirements for Phased Development Plans

(a) In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as single properties in relation to the access standards of this ordinance. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans. The owner and all lessees within the affected area are responsible for compliance with the requirements of this ordinance and both shall be cited for any violation.

(b) All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.

(8) Nonconforming Access Features

(a) Legal access connections in place as of September 15, 2002 that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:

(1) When new access connection permits are requested;

(2) Change in use or enlargements or improvements that will increase trip generation.

(9) Reverse Frontage

(a) Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification.

(b) When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to the County and recorded with the deed. A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located with the public right-of-way.

(10) Flag Lot Standards

(a) Flag lots shall not be permitted when the result would be to increase the number of properties requiring direct and individual access connections to the State Highway System or other arterials.

(b) Flag lots may be permitted for residential development when necessary to achieve planning objectives, such as reducing direct access to roadways, providing internal platted lots with access to a residential street, or preserving natural or historic resources, under the following conditions:

(1) Flag lot driveways shall be separated by at least twice the minimum frontage requirement of that zoning district.

(2) The flag driveway shall have a minimum width of 10 feet and maximum width of 20 feet.

(3) In no instance shall flag lots constitute more than 10 percent of the total number of building sites in a recorded or unrecorded plat, or three lots or more, whichever is greater.

(4) The lot area occupied by the flag driveway shall not be counted as part of the required minimum lot area of that zoning district.

(5) No more than one flag lot shall be permitted per private right-of-way or access easement.

(11) Lot Width-to-Depth Ratios

(a) To provide for proper site design and prevent the creation of irregularly shaped parcels, the depth of any lot or parcel shall not exceed 3 times its width (or 4 times its width in rural areas) unless there is a topographical or environmental constraint or an existing man-made feature such as a railroad line.

(12) Cul-de-Sacs and Accessways

(a) Accessways for pedestrians and bicyclists shall be 10 feet wide and located within a 20-foot-wide right-of-way or easement. If the streets within the subdivision are lighted, the accessways shall also be lighted. Stairs or switchback paths may be used where grades are steep.

(b) Accessways for pedestrians and bicyclists shall be provided at mid-block where the block is longer than 600 feet.

(c) The Hearings Body or Planning Director may determine, based upon evidence in the record, that an accessway is impracticable. Such evidence may include but is not limited to:

(1) Physical or topographic conditions make an accessway connection impractical. Such conditions include but are not limited to freeways, railroads, extremely steep slopes, wetlands, or other bodies of water where a connection cannot reasonable be provided.

(2) Buildings or other

existing development on adjacent lands physically preclude a connection now or in the future, considering potential for redevelopment.

(3) Where accessways would violate provisions of leases, easements, covenants, restrictions, or other agreements existing as of May 1, 1995 that preclude a required accessway connection.

(13) Shared Access

(a) Subdivisions with frontage on the state highway system shall be designed into shared access points to and from the highway. Normally a maximum of two accesses shall be allowed regardless of the number of lots or businesses served. If access off of a secondary street is possible, then access should not be allowed onto the state highway. If access off of a secondary street becomes available, then conversion to that access is encouraged, along with closing the state highway access.

(b) ~~New direct accesses to~~ individual one and two family dwellings shall be prohibited on all but District-level State Highways.

(14) Connectivity

(a) Road systems of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this Section.

(b) Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to provide access to abutting properties or to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turn-around unless specifically exempted by the Public Works Director, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.

(c) Minor collector and local residential access roads shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Connections shall be designed to avoid or minimize through traffic on local streets. Appropriate design and traffic control such as four-way stops and traffic calming measures are the preferred means of discouraging through traffic.

(15) Subdivisions

(a) A subdivision shall conform to the following standards:

(1) Each proposed lot must be buildable in conformance with the requirements of this ordinance and all other applicable regulations.

(2) Each lot shall abut a public or private road for the required minimum lot frontage for the zoning district where the lots are located.

(3) If any lot abuts a street right-of-way that does not conform to the design specifications of this code, the owner may be required to dedicate up to one-half of the total right-of-way width required by this ordinance.

(b) Further subdivision of the property shall be prohibited unless the applicant submits a plat or development plan in accordance with requirements in this ordinance.

(16) Pedestrian Access and Circulation.

(a) Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.

(17) Commercial Development Standards.

(a) Commercial buildings, particularly retail shopping and offices, shall be oriented to the road, near or at the setback line. A main entrance shall be oriented to the road. For lots with more than two front yards, the building(s) shall be oriented to the two busiest roads.

(b) Off-street motor vehicle parking for new commercial developments shall be located at the side or behind the building(s).

(E) Bikeways shall be required along urban arterials and collector roads with ADTs greater than 3,000.

§ 152.684 STANDARDS FOR APPROVAL.

In granting approval of a Type II Land Division, the Planning Director shall find that the Type II Tentative Plan and required supplementary material:

(G) Dedicated road or public recorded easement shall be provided to each parcel and conform to right-of-way and improvement standards as follows:

(1) If a recorded easement for access purposes in a Type II Land Division will serve three or fewer lots and will not likely serve other parcels or lots due to existing conditions, such as topography or the size or shape of land, or the parcels are not buildable lots, a minimum of a 30 foot right-of-way shall be required. The 30-foot easement shall be improved with a surface width of at least 16-feet and be improved to a standard as determined by the Umatilla County Public Works Director.

(2) If the partition is located within a rural fire district or a hospital district which provides service, emergency vehicle considerations for recorded easements which dead-end shall provide either circle drives or

driveway turn-arounds. The Planning Director or Public Works Director shall determine which type of emergency vehicle access above is most appropriate. Circle drives and turnarounds shall be improved to the same standard as the road they serve, shall be kept clear and shall be of adequate circumference to provide turn around space for emergency vehicles.

(3) If a public road or recorded easement for access purposes in a Type II Land Division will serve four or more lots and will likely serve additional parcels due to development pressures in the area, or likely be an extension of a future road as specified in a future road plan, a minimum of a 60 foot right-of-way shall be required unless otherwise granted by the Board of Commissioners. The 60-foot easement shall be improved with a surface width of at least 22-feet and be improved to a standard as determined by the Umatilla County Public Works Director.

(4) All recorded easements or dedicated public roads required in the Type II Land Division shall install road signs at intersections with named or numbered county roads, state highways, or with other existing easements or public roads within or abutting the partitioned land. Such signs shall be of a type approved by the Public Works Director. Easement or public road names or numbers shall be the same as existing named or numbered county or public roads if an extension of such county or public road. All other road names or numbers shall be selected by the Planning Director. Road signs shall be installed and maintained by the county, provided the partitioner pays the expense of the initial investment of making and placing the sign.

(5) Existing County or Public Roads shall be improved pursuant to the requirements of this chapter.

(6) Shall obtain necessary approval and/or permits from either the State Highway Department or County Public Works Director for

location, design, and improvement standards of access points onto County Roads, (approved) public roads, or state highways.

§ 152.777 TIME LIMITS ON DECISION-MAKING.

(A) Pursuant to O.R.S. 215.427, once an application for a land use request is deemed to be complete, the county has 120 days within which to render a final decision on the request.