

## **CHAPTER 7 - GENERAL DEVELOPMENT STANDARDS**

### **ARTICLE 70 - BASIC PROVISIONS**

#### **70.010 - PURPOSE**

The purpose of this Chapter is to develop standards for the development and division of property. The standards are designed to protect the public health, safety, and welfare.

#### **70.020 - APPLICATION**

The standards established in this Chapter shall apply to all new development, expansion of an existing development, and to all land divisions in Grant County. The area involved is all of Grant County, including all land within any urban growth boundary where a joint management agreement exists with the County.

## **ARTICLE 71 - LOT SIZE & SHAPE**

### **71.010 - LOT SIZE & SHAPE**

- A. Proposed lots or parcels in a subdivision, partition, re-plat, property line adjustment, or planned unit development, shall not be divided to a size less than the minimum requirements for the Zone the lot or parcel is located in. Lots or parcels containing less than the minimum lot size requirements may be approved provided that:
1. Not more than 20% of the lots, up to a maximum of five deficient lots or parcels, are created from an original tract; and
  2. The area deficiency is contained within the public road right of way; and
  3. The applicant provides a written statement from the Department of Environmental Quality stating that the smaller lots do not constitute a public health, safety, and welfare hazard.
- B. No lot shall be greater than four times deeper than it is wide, exclusive of the "pole" of a flag lot.

### **71.020 - FLAG LOTS**

- A. It shall be the policy of the County to encourage the construction of public roads to provide safe and identifiable access to properties. Flag lots shall not be approved unless it can be shown that:
1. Creation of a road is not practical because of extraordinary physical limitations of the parcel for construction;
  2. It will represent an efficient use of land;
  3. It will not endanger the public health, safety, or welfare;
  4. In no case shall flag lots be approved where the extension of a public road is shown on an official map and the extension will provide necessary access.
- B. The following requirements shall apply to flag lots:

1. The "flagpole" shall maintain a width of at least 25 feet as minimum access at the point of abutment to a public road and throughout its length;
  2. The "flagpole" shall not cross a live stream, ravine, irrigation ditch, or similar topographic feature without construction of a structure or fill and culvert capable of providing access for emergency vehicles. The Review Body may require certification from a registered engineer that the structure or fill and culvert has been constructed to support emergency vehicles;
  3. The "flagpole" may alter course or direction as long as the view of the location and the address of the structure or use will not be confusing for mail delivery or emergency vehicle access; and provided that a driveway can be constructed wholly within the "flagpole" with a turn that does not exceed a 50 foot radius;
  4. The grade of the flagpole shall not exceed 12% for an unsurfaced driveway or a maximum of 18% for a driveway surfaced with asphaltic concrete or Portland Cement:
    - a. The Review Body may require grading and construction which meets these standards as a part of final approval of any land division; or
    - b. When immediate construction of the driveway is not possible because of practical difficulties, the final map shall note the work has not been completed, and driveway construction shall become part of the performance agreement filed with the final plat.
  5. The "flagpole" shall not exceed in length twice the width of the lot or twice the length of the lot, whichever dimension is the lesser;
  6. Not more than one flag lot shall be created in the same subdivision or partition and it shall not abut any other flag lot.
- C. The Review Body may permit flag lotting, contrary to Sections 71.020(B)(1), (5) and (6), where the proposed development meets the criteria set out in 71.020(A).

**ARTICLE 72 - HEIGHTS AND SETBACKS**

**72.010 - PURPOSE**

The purpose of this Article is to establish and maintain minimum requirements for accessory structures, for structure heights, and for setbacks from property lines in order to provide a measure of buffering between uses, ensure adequate privacy, maintain safe visibility at road intersections, ensure access to and around buildings, and to provide access to natural light, ventilation, and sunlight.

**72.020 - STRUCTURE HEIGHT & SETBACK REQUIREMENTS**

A. The following minimum requirements shall be applied to all permitted, administrative, conditional, and accessory structures allowed except where more restrictive dimensions are specified elsewhere in this Code. All requirements are specified in feet:

STRUCTURE		SETBACK FROM PROPERTY LINE		
ZONE	HEIGHT	FRONT	SIDE	REAR
RR	35	20	10	20
S-R	35 <sub>1</sub>	20	12	10
G-C	45 <sub>2</sub>	20	10	10
G-I <sub>3</sub>	45	50	3	3
RSC-1	35	20	10	20
RIDC	PPZ <sub>4</sub>	PPZ	PPZ	PPZ
SR	PPZ	PPZ	PPZ	PPZ
PUD	PPZ	PPZ	PPZ	PPZ
AA; FP; GH	PPZ	PPZ	PPZ	PPZ
EFU – 80(160)	35	30	30	30
PF – 80(240)	35	30	30	30
MUR – 160(320)	35	30	25 <sub>5</sub>	30
GW; AH	PPZ	PPZ	PPZ	PPZ

1. Height restriction does not apply to hospitals, public schools or churches, which may be increased in height to 45 feet.
  2. Except 35 foot height limit on a lot adjacent to or across the street from a residential zone or duly platted residential subdivision.
  3. The minimum setback between a structure and a property line abutting a residential lot or use in a duly platted subdivision or residential zone shall be 50 feet, except as approved by the Planning Commission.
  4. PPZ = Per primary zone; see relevant sections, Chapter 6.
  5. For non-farm use residential parcels adjacent to farm or forest lands, side yards of 50 feet minimum required.
- B. The height of a building shall be measured using the definition in Section 11.030.
- C. The side and rear setback in a Commercial or Industrial Zone may be reduced to 0 when the side and rear property lines abut a Commercial or Industrial Zone, provided any walls of a structure placed upon the side or rear lot line are constructed to meet the fire resistance requirements of the most current edition of the Building Codes.
- D. In the Aggregate Resource Zone, pipelines, landings, docks, bridges, hydro-electric facilities, and pumping or treatment facilities may be located closer than 30 feet to any property line.
- E. In all Zones except the Commercial and Industrial Zones, all buildings shall be setback at least 60 feet from the centerline of any public street, road, or right-of-way which is surveyed and established. The Review Body may vary this standard where necessary for corner lots.
- F. Decks, paved or concrete slabs, patios or walkways which are 30 inches or higher above grade shall comply with the setback requirements set out in Article 72; decks, paved or concrete slabs, patios or walkways which are lower than 30 inches above grade are exempted from yard setback requirements, but shall comply with the special stream setbacks in Section 72.040(A).

**72.030 - SPECIAL HEIGHT REQUIREMENTS**

- A. The structures exempted from height requirements shall comply with the requirements in the Wild & Scenic Rivers Combining Zone, Article 69.3; the Airport Combining Zone, Article 69.4; and the requirements set out in Article 74.
  
- B. The following may be erected above the height limits prescribed in Section 72.020(A) of this Code:
  - 1. Roof structure for the housing of elevators, stairways, tanks, ventilating fans, and similar equipment required to operate and maintain a building;
  - 2. Fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, radio masts, and television antennas;
  - 3. Agricultural buildings including barns and silos;
  - 4. Wood waste burners, kiln drying racks, veneer dryers, lumber storage sheds, sorting sheds, sawmills, aeration towers, pollution control equipment, water reservoirs, incinerators, conveyers, hoppers, cooling towers, electrical transmission towers, structural dams, power generator plant, aircraft beacons, and air traffic control towers;
  - 5. Other similar structures.

**72.040 - SPECIAL SETBACK REQUIREMENTS**

- A. Stream Setbacks. No structure, excluding fences, boat landings, docks, bridges, hydroelectric facilities, pumping, or water treatment facilities, shall be located closer than 100 feet to the banks of any recognized water courses:
  - 1. This setback area shall be maintained, to the greatest extent feasible, in stabilized vegetation;
  - 2. Stream side vegetation that provides shading of the surface waters shall be retained;
  - 3. Existing stream side vegetation shall be maintained to the greatest extent possible during construction and development.

- B. There shall be a structure setback of 300 feet from significant rookeries or nest sites identified by the Oregon Department of Fish and Wildlife and located as a Goal 5 Resource on the Official Zoning maps for Grant County. The Department of Fish and Wildlife has mandated consultation with them to mitigate adverse impacts for all development closer than 300 feet.
- C. Setbacks for mineral and aggregate resource sites are found in Section 91.040.

**72.050 – YARDS**

- A. Yard requirements for property abutting partial or future street right of way:
  - 1. Except as provided in Section 72.050(B), no building shall be erected on a lot which abuts a street having only a portion of its required width dedicated unless the yards provided and maintained in connection with the building have a width and/or depth needed to complete the street width, plus the width and/or depth of the yards required on the lot by this Code;
  - 2. Where an official map of the Comprehensive Plan requires the plans for widening of existing streets, connecting of existing streets, or establishment of new streets, the placement of buildings and establishment of yards shall relate to the future street boundaries as determined by the official map.
- B. No yard or open space provided around any building for the purpose of complying with the provisions of this Section shall be considered as providing a yard or open space for any other building.
- C. No yard or open space on adjoining property shall be considered as providing required yard or open space for another lot or development site.
- D. No front yards provided around any building for the purpose of complying with the regulations of this Code shall be used for public or private parking areas, garages, or other accessory buildings, except for single family residential uses or otherwise as specifically provided in this Code.
- E. If a building or group of buildings is located on two or more contiguous lots or parcels, so that the required setbacks and yards on each side of the property lines cannot be met, the lots or parcels shall be considered a single development site and the setback and yard requirements shall apply to the properties as a whole.

F. The following intrusions may project into required yards as follows:

1. Depressed Areas. In any Zone, open work fences, hedges, guard railings, or other landscaping or architectural devices for safety protection around depressed ramps, stairs, or retaining walls, may be located in required yards, provided that such devices are not more than three and one-half feet in height;
2. Projecting Building Features. The following building features may project into the required front yard no more than five feet, and into the required interior yards no more than two feet, provided that the projections are no closer than three feet to an interior lot line:
  - a. Eaves, cornices, belt courses, sills, awnings, buttresses, ramada, or other similar features;
  - b. Chimneys, fireplaces, and heating and cooling equipment, provided they do not exceed eight feet in width;
  - c. Porches, platforms, or landings which do not extend above the level of the first floor of the building;
  - d. Signs conforming to Article 74;
  - e. Access facilities for the handicapped, including wheelchair ramps, may be located in any required yard, provided that the facilities do not obscure moving vehicle traffic.

G. Front Yards:

1. If dwellings on both abutting lots are located within the front setback area, the front yard for the center lot need not exceed the average of the abutting lots;
2. If there is a dwelling on one abutting lot with a front yard of less than the required depth for the Zone, the front yard for the lot need not exceed a depth of one half way between the depth of the abutting lot and the required front yard depth;
3. When an attached or detached garage is to be built on a lot having an average elevation of at least 10 feet higher or lower than street level, the front of the garage may be located five feet from the front property line or at the point where ground elevation is five feet higher or lower than the street level, whichever is



greater. The garage and driveway shall be constructed in a manner to minimize traffic hazards.

H. Intrusions in a Residential Zone may be located in a required yard setback as follows:

1. Submersible pump insulation covers not exceeding 36 inches in height may be located in a front yard setback;
2. The following may be located in a side or rear yard setback: Submersible pump insulation covers not exceeding 36 inches in height; portable storage buildings not to exceed 120 square feet; metal patio covers; carports, provided that no more than one side is enclosed; or similar noncombustible or ornamental fixtures.

## **ARTICLE 73 - FENCES, WALLS, & SCREENS**

### **73.010 - PURPOSE**

The purpose for establishing and maintaining standards for fences, walls, and screening is to protect certain uses from intrusion, to protect the public from uses which may be hazardous, and to increase compatibility of different land uses.

### **73.020 - VISION CLEARANCE**

On all corner lots and lots located at the intersection of alleys and streets, vision clearance areas shall be triangular in shape with the following minimum distances establishing two legs of the triangle: 15 feet for corner lots and seven and one-half feet for lots at the intersection of alleys and streets. No fences, walls, hedges or vegetation exceeding three feet in height when measured from the edge of the improved roadway may be located within the vision clearance area.

**ARTICLE 74 - SIGNS**

**74.010 - PURPOSE**

The purpose of sign regulations is to support the use of signing which is maintained in a safe and attractive condition, and to preserve and enhance the County's visual environment.

**74.020 - SIGN STANDARDS**

- A. The following shall be considered the maximum size and height limitations for a sign. The size limits are in square feet and shall be considered the maximum for the total sign area:

<b>ZONE</b>	<b>TYPE OF SIGN</b>	<b>ON</b>	<b>OFF</b>	<b>AREA sq ft</b>	<b>HEIGHT in feet</b>
RR	PROPERTY IDENTIFICATION	X		16	12
RR	ADVERTISING AGRICULTURAL PRODUCTS	X		16	12
RR	SALE FARM PRODUCTS - TEMPORARY	X		16	12
RR	HOME OCCUPATION	X		6	12
RR	SALE OF PROPERTY	X		8	12
G-C	IDENTIFICATION	X		80	20
G-C	RENTAL OF PREMISES - TEMPORARY	X		3	20
G-C	DIRECTIONAL OR REGULATOR	X	X	6	20
G-C	SALE OF PROPERTY	X		8	20
RSC-1	IDENTIFICATION	X		200	20
RSC-1	RENTAL OF PREMISES - TEMPORARY	X		3	20
RSC-1	ADVERTISING		X	150	20
RSC-1	SALE OF PROPERTY	X		8	20
PUD	RENTAL OF PREMISES - TEMPORARY	X		3	20
PUD	ATTACHED TO BUILDING	X		150	25
PUD	DETACHED	X		100	25
PUD	ADVERTISING		X	150	20

<b>ZONE</b>	<b>TYPE OF SIGN</b>	<b>ON</b>	<b>OFF</b>	<b>AREA sq ft</b>	<b>HEIGHT in feet</b>
PUD	DIRECTIONAL OR REGULATOR	X	X	6	20
PUD	SALE OF PROPERTY	X		8	20
G-I	DETACHED	X		200	20
G-I	ATTACHED TO BUILDING	X		50	20
G-I	ADVERTISING		X	150	20
RIDC	DETACHED	X		200	20
RIDC	ATTACHED TO BUILDING	X		50	20
RIDC	ADVERTISING		X	150	20
SR	PROPERTY IDENTIFICATION	X		16	12
SR	ADVERTISING AGRICULTURAL PRODUCTS	X		16	12
SR	SALE FARM PRODUCTS – TEMPORARY	X		16	12
SR	HOME OCCUPATION	X		6	12
SR	SALE OF PROPERTY	X		8	12

- B. The size limits below shall be considered the maximum allowed for the following resource zones: the Primary Forest Zone, the Multiple Use Range Zone, and the Exclusive Farm Use Zone. The size limits are in square feet:

<b>TYPE OF SIGN</b>	<b>ON</b>	<b>OFF</b>	<b>AREA sq ft</b>	<b>HEIGHT in feet</b>
PROPERTY IDENTIFICATION	X		32	20
ADVERTISING AGRICULTURAL PRODUCTS	X		32	20
SALE FARM PRODUCTS - TEMPORARY	X		32	20
HOME OCCUPATION	X		6	20
SALE OF PROPERTY	X		8	20

- C. When a piece of property which fronts two or more roads is for sale, one sign meeting the size criteria for that type of sign may be placed on each street.
- D. All sale and rental signs shall be setback 10 feet from the front property line and from any side property line which abuts a street.

- E. The attached sign for the RSC-1 Zone shall be placed flat against the building. The size of the sign shall be calculated to allow one and one-half square feet in sign area for each linear foot of building frontage paralleling a street or the maximum area listed in the table, whichever is less.
- F. The on-premises detached sign in the RSC-1 Zone shall identify a group of businesses combined as a shopping center, in addition to permitted sign areas for individual businesses in the shopping center.
- G. In the G-I Zone, one sign, attached to the building, shall be allowed for the building frontage which faces a street, when the street frontage exceeds 200 feet. The sign shall be placed flat against the wall of a building, shall not exceed the size requirements listed in Section 74.020(A), and shall not exceed 10% of the gross wall area of a building which faces the street.
- H. Signs in the Commercial and Industrial Zones may be illuminated, but shall have no flashing or moving parts.
- I. Signs for a home occupation may not be illuminated.
- J. Signs for a Bed and Breakfast Inn may be illuminated from the exterior of the sign.
- K. Property identification signs may be illuminated from the exterior of the sign.
- L. On premises identification signs shall indicate the name and nature of any occupancy and/or the name and address of the building.

#### **74.030 - GENERAL PROVISIONS**

In addition to specific sign standards listed in Section 74.020, the following provisions shall apply to all Zones:

- A. Signs erected and maintained by or under authority of any federal, state, county, city, or public utility for the purpose of conveying information, warnings, distances, or directions are exempt from sign requirements;
- B. Temporary political signs are permitted in accordance with the ORS;
- C. No permanent or temporary signs shall be erected or placed so that by reason of the position, shape, or color of the sign, it may interfere with, obstruct the view of, or be

confused with any authorized traffic sign including "Stop", "Look", "Caution", "Warning", or any other phrase, word, or symbol to interfere with, mislead, or confuse traffic;

- D. Signs shall be maintained in a neat, clean, and attractive condition;
- E. Signs shall be removed within six months after the business, product, or service is abandoned or no longer used;
- F. Signs cannot be located within a county, state, or federal right-of-way;
- G. The area of all signs shall be calculated using a measuring traverse. The measuring traverse shall be as follows:
  - 1. A rectangle to be placed on the sign face so that the top and bottom sides are parallel to the ground grade, and whose four sides touch the extreme points of the outer edge of the sign frame and background;
  - 2. If the sign is of a different geometric shape than a rectangle, then the measuring traverse is the same shape as the sign to be measured.

## **ARTICLE 75 - OFF-STREET PARKING, PEDESTRIAN AND BICYCLE CIRCULATION**

### **75.010 - PURPOSE**

The purpose of off-street parking is to establish and maintain areas for efficient and convenient parking for residential, civic, commercial, and industrial uses and to provide a safe means for discharging people and products from ground transportation.

### **75.020 - APPLICATION**

When a structure is erected or enlarged, or the use of an existing structure is changed, off street parking spaces, loading areas, and access shall be provided as set out in this Article. Off-street parking shall not occur in any right-of-way required by this Code. If parking facilities have been provided in conjunction with an existing use, the facilities shall not be reduced.

### **75.030 - OFF STREET PARKING**

Off-street parking shall be provided on the development site or within 400 feet of the development site to be served by the parking facility. All parking must be located on the same lot or parcel as the development or on a lot or parcel under the same ownership as the development site unless a special covenant or agreement is approved by the Review Body, which will dedicate the parking to the development.

### **75.040 - PARKING AREA DESIGN**

- A. All public or private parking areas and parking spaces, except those required in conjunction with a single-family dwelling on a single lot, shall be designed and laid out to conform to the minimum standards as set forth in this Section and the property development standards of the Zone in which the parking area is located.
- B. Groups of three or more parking spaces on a single lot, except those in conjunction with single family dwellings, shall be served by a service road so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service roads shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic ingress and egress, ensure the maximum safety of pedestrians and vehicular traffic on the site, but in no case shall two-way and one-way driveways be less than 20 feet and 12 feet wide respectively.

- C. Public parking areas which are a permitted use shall be designed and laid out in conformance with this Section.
- D. Parking space dimensions shall be as follows:
  - 1. Truck or recreational vehicle parking space shall be designed to adequately accommodate the proposed use;
  - 2. Standard parking space shall be no less than nine(9) feet wide by 18 feet long;
  - 3. Compact parking space shall be no less than eight(8) feet wide by 16 feet long.
- E. Bicycle racks or designated handicapped parking may be required when parking exceeds 20 spaces per parking area.

#### **75.050 - PARKING SPACES**

The actual number of parking spaces required for a development or use will be set by the applicant.

#### **75.060 - PARKING AREA IMPROVEMENTS**

All public or private parking areas which contain three or more parking spaces and outdoor vehicle sales areas, shall be improved according to the following:

- A. If the parking area is not paved, then it shall be surfaced with rock or shale;
- B. All parking areas, except those in conjunction with a single-family dwelling, shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property without the express permission of the property owner;
- C. All parking areas, except those required in conjunction with a single-family dwelling, shall provide a substantial bumper which will prevent cars from encroachment on abutting private or public property;
- D. Except for single-family dwellings and vehicle sales areas, all parking areas, including service roads, which do not abut a Commercial or Industrial Zone shall be enclosed along all interior property lines which do not abut the Commercial or Industrial Zone, by a fence or wall not less than four feet and not more than six feet in height. The fence or



wall shall meet the standards for visual clearance and front and interior yard requirements as established for the Zone in which it is located:

1. If the fence or wall is not located on the property line, the area between the fence or wall and the property line shall be landscaped with lawn or low growing evergreen ground cover or vegetative or rock mulch;
  2. All plant vegetation in this area shall be adequately maintained and any fence or wall shall be maintained in good condition. Adequate provisions shall be maintained to protect walls, fences, or plant materials from being damaged by vehicles using the parking area.
- E. Any lights provided to illuminate any public or private parking area or vehicle sales area shall be shielded or arranged to reflect the light away from any abutting or adjacent Residential Zone.

**75.070 - PEDESTRIAN AND BICYCLE CIRCULATION**

- A. On-site facilities shall be provided that accommodate safe and convenient pedestrian and bicycle access within new subdivisions, multi-family developments, planned development, shopping centers and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers within one-half mile of the development. Residential developments shall include roads with sidewalks and access ways. Pedestrian circulation through parking lots shall be provided in the form of access ways.

## **ARTICLE 76 - RURAL/WILDLAND FIRE SAFETY STANDARDS**

### **76.010 - PURPOSE**

The purpose of this Article is to establish standards for the placement of structures, and access to properties in areas where wildfires pose a risk to property and human lives.

### **76.020 - APPLICATION OF STANDARDS**

- A. The provisions of this Article shall apply to all lands zoned Primary Forest in Grant County.
- B. Replacement or substantial improvement of legally pre existing dwellings requires compliance with the development standards set out in Sections 76.030(C), (D), (E), (I), (J) and (L).
- C. Other mandatory fire safety provisions of this Code will not be required for replacement or substantial improvements unless the structure has not been habitable for more than one year, or the building is not being replaced at its pre existing location.
- D. The provisions of Section 76.050 shall apply to any fireworks operation in the Rural Industrial Development Combining Zone.

### **76.030 - DEVELOPMENT STANDARDS**

All site development will meet or exceed all of the following standards:

- A. A plot plan shall be submitted to the Review Body in conformance with the standards of this Section;
- B. No dwelling shall be sited on slopes greater than 40%;
- C. All structures shall be placed or constructed with a minimum separation as described in the adopted Building Codes to reduce the risk of fire spreading from one structure to another;
- D. All dwellings shall have a fire retardant roof and each chimney must have a spark arrestor;

- E. Adequate access for fire fighting vehicles shall be provided to within 50 feet of all habitable structures including manufactured dwellings and other significant buildings constructed or placed, after the effective date of this Code:
1. A structure or fill and culvert shall be provided to cross a live stream, ravine, irrigation ditch, or similar topographic feature in order to provide access for emergency vehicles;
  2. While the responsibility to provide adequate access rests with the property owner, the Review Body may require certification from an engineer registered in the State of Oregon that the structure or fill and culvert has been constructed to support emergency vehicles grossing a minimum of 50,000 lbs;
  3. Any structure or fill and culvert shall be maintained to the design capacity by the owner of the property.
- F. Adequate horizontal and vertical clearance shall be created and maintained on driveways to permit emergency vehicle access to the dwelling;
1. Minimum surface width shall be 12 feet. Width shall be increased to a minimum of 14 feet in curves with a centerline radius of less than 150 feet to ensure emergency vehicles remain on an all weather surface;
  2. An all weather surface does not require paving;
  3. Shrubbery and brush should be cleared from each side of the right-of-way, and tree branches should be trimmed to 14 feet above the road.
- G. Grades on driveways shall not exceed 18% as described in Grant County Land Development Code.
1. An un-surfaced driveway shall not exceed a grade of 12%, or a driveway surfaced with asphaltic concrete or Portland Cement shall not exceed a maximum grade of 18%;
  2. Grade transitions shall not exceed 1% in three feet, on driveways in excess of 100 feet;
  3. There shall be a turnout for every 400 feet of driveway length;

4. Driveways shall be extended to within 50 feet of habitable structures including manufactured dwellings and other significant buildings, and shall terminate in an approved cul de sac, clear area, or other turnaround arrangement.
  5. Gate widths shall be a minimum of 14 feet unless on a curve where minimum driveway width is 14 feet, then the gate shall be a minimum of 16 feet.
- H. Subdivisions shall not be permitted in box canyons using one way access roads;
- I. The dwelling must be located as follows:
1. In a fire protection district protecting structures, or the applicant must provide evidence of a contract providing residential fire protection for the dwelling; or
  2. If the dwelling is not located in a fire protection district protecting structures, the applicant provides evidence of a request to be included in the district; or
  3. If subsections 1 and 2 are not practical, an alternative may be developed utilizing a fire sprinkling system, on-site equipment and water storage, or other methods that are reasonable given site conditions.
- J. The applicant must provide evidence of a domestic water supply from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of groundwater or surface water and not from a Class II stream as designated by the Oregon Department of Fish and Wildlife. For the purpose of this subsection, evidence of a domestic water supply means;
1. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or
  2. A water use permit issued by the Water Resources Department for the use described in the application; or
  3. Verification from the Water Resources Department that a water use permit is not required for the use described in the application;
  4. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.

- K. If a water supply is required for fire protection, it shall be a pond, swimming pool, lake, or similar body of water containing at least 4000 gallons or a stream having a continuous year round flow of at least one cubic foot per second. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use. Road access to within 15 feet of the water's edge shall be provided for pumping units:
1. The road access shall accommodate the turnaround of fire fighting equipment during the fire season;
  2. Permanent signs shall be posted along the access route to indicate the location of the emergency water source, as required by OAR 660 06 035 (1), as adopted March 1, 1990.
- L. The Primary Safety Zone shall be delineated in Section 76.030(L)(6) around structures, and shall be maintained as follows:
1. Use of landscape plants within the Primary Safety Zone shall be of a low fuel and low growing variety;
  2. Trees should be pruned to remove dead and low (less than eight feet) branches and remove any limbs that are touching any structure;
  3. Trees should be pruned to provide an eight foot clearance between branches and chimneys and stove pipes. No branches overhanging a roof line;
  4. Trees shall be thinned to 15 feet spacing between trunks;
  5. Underbrush, dry leaves, twigs, weeds and debris shall be removed, and combustible materials limited;
  6. The goal within the primary zone should be to exclude fuels that will produce flame lengths in excess of one foot:

SIZE OF THE PRIMARY SAFETY ZONE		
SLOPE	SAFETY ZONE IN FEET	SAFETY ZONE DOWN SLOPE IN FEET
0%	100	0
10%	100	50
20%	100	75
25%	100	100
40%	100	150

**76.040 - IDENTIFICATION NUMBERS**

House numbers shall be posted on lots in a manner to clearly direct emergency equipment to the location of the dwelling. Numbers shall be at least three inches high, light reflective, and posted at driveway entrance and all intersections thereafter.

**76.050 - FIREWORKS**

The assembly, manufacturing, or preparation of products included in the definition of fireworks as provided in ORS 480.110(1) shall be conditioned upon the following, in addition to all other requirements of this Code:

- A. At no time shall more than five pounds of any active ingredient of the products be compounded or present on the premises in an unpackaged form;
- B. Fire flow capability shall be provided for the use at a rate of 500 gallons per minute and that water shall be provided from a municipal source or on site storage with a minimum capacity as determined by the fire protection agency or company providing fire protection;
- C. A fuel break shall be provided around the facility for a distance of at least 100 feet in all directions. The fuel break shall be maintained at all times;
- D. The fuel break shall be wholly on the subject property or easements and shall be secured to provide for the maintenance of the fuel break;
- E. All license and permit requirements from state and federal agencies shall be obtained prior to the commencement of operation of the facility;

- F. The operation shall be conducted in accordance with the most current edition of the National Fire Protection Association Standards 1124 as adopted in 1984;
- G. The facility shall be built to the standards required for any facility using Class "A" explosives as set forth in the most current edition of the National Fire Protection Association Standards 1124 as adopted in 1984;
- H. A direct alarm system to emergency services shall be installed and maintained at all times;
- I. There shall not be on site testing of the products being assembled, manufactured, or prepared;
- J. A binding contract with a fire protection service shall be in effect at all times for any facility located outside of a fire protection district.

**ARTICLE 77 - MINIMUM STANDARDS FOR A MANUFACTURED HOME/MOBILE HOME ON INDIVIDUAL LOT AS A SINGLE-FAMILY DWELLING**

**77.010 - PURPOSE**

A manufactured home/mobile home permitted as a single-family dwelling on an individual lot shall be in compliance with the following standards and regulations as a minimum.

- A. The manufactured home/mobile home shall be a 14-foot wide or double-wide unit and shall contain at least 660 square feet of space as determined by measurement of the exterior dimensions of the unit exclusive of any trailer hitch device.
- B. The manufactured home/mobile home unit shall be manufactured after June 15, 1976, and bear the Oregon Manufactured Dwelling Standard "Insignia of Compliance". All pre-owned and pre-occupied units (i.e. used) shall be inspected by a certified Building Official prior to installation and occupancy to ensure compliance with applicable standards required for the "Insignia of Compliance" and to ensure that such units are in a condition to not be detrimental to the public health, safety and general welfare or to adjoining properties.
- C. The manufactured home/mobile home shall be installed according to the manufacturer's instructions approved by the Oregon State Manufactured Dwelling Standard, and all road and transient lights, wheels, and the hitch shall be removed.
- D. The manufactured home/mobile home shall have a continuous perimeter of skirting that shall be composed of the same material and finish as the exterior of the manufactured home/mobile home or of brick, concrete, or masonry block. Such skirting shall be secure against the entrance of animals, but there shall be provisions for ventilation and access to the space under the unit.
- E. All plumbing, electric and gas service connections shall be made according to instructions approved by the Oregon State Manufactured Dwelling Standard.
- F. All manufactured home/mobile home accessory buildings and structures shall comply with state and local construction and installation standards. Manufactured home/mobile home accessory structures include porches and steps, awnings, cabanas, carports, or any other structure or addition that depends in part on the manufactured home/mobile home for its structural support, or in any manner is immediately adjacent to or attached to the manufactured home/mobile home. Such structures or additions shall not total more than



30% of the total living space of the mobile home and such structures or additions combined. Roofing and siding materials shall be of similar material and color and complimentary to the existing manufactured home/mobile home unit.

- G. The owner of the property shall remove the foundation and all accessory structures and additions to the manufactured home/mobile home and permanently disconnect sewer, water and other utilities if the manufactured home/mobile home is removed from its foundation unless otherwise authorized by the County. In the event the owner fails to accomplish said work within 30 days from the date on which the manufactured home/mobile home is moved, the County may perform such work and place a lien against the property for the cost of such work. This condition shall not apply in the event that the manufactured home/mobile home is replaced on the original foundation, or on the original foundation as modified, or by another approved manufactured home/mobile home within 30 days of the original unit's removal. Said lien may be initiated by the County Court.

## **ARTICLE 78 - AUTOMOBILE WRECKING YARD REQUIREMENTS**

### **78.010 - AUTOMOBILE WRECKING YARD OR JUNK YARD**

In considering a Conditional Use application for an automobile wrecking yard or junk yard, the Planning Commission may require that it be enclosed and screened from public view by a sight-obscuring fence not less than six feet in height. If applicable, the Planning Commission shall be assured that the proposal is or will be in conformance with applicable State regulations.

## ARTICLE 79 - MOBILE HOME PARK STANDARDS

### 79.010 - MOBILE HOME PARK

- A. Sewage disposal shall be approved by the Department of Environmental Quality.
- B. The space provided for each mobile home shall be provided with piped potable water, electrical and sewage connections and shall not be less than 40 feet in length.
- C. The number of spaces for mobile homes shall not exceed 12 for each acre of the total area in the mobile home park, except that the commission may vary this density as follows:
  - 1. If dedicated open space equals 50% or more of the total area of the park, a maximum 10% increase in units per acre may be granted.
  - 2. If in addition to (1) a maintained playground area with approved equipment, such as goal posts, swings, slides, etc., is provided, the maximum increase in units per acre may be increased an additional 5%.
  - 3. If in addition to (1) and (2) an approved recreation/community building is provided an additional 10% increase of units/acre may be allowed (maximum total increase possible-25%).
- D. No mobile home in the park shall be located closer than 15 feet from another mobile home or from a general use building in the park. No mobile home or other building or structure shall be within 25 feet of a public street property boundary or 10 feet of another property boundary.
- E. A mobile home permitted in the park shall meet the following standards as determined by an inspection by the Building Official.
  - 1. It shall have a State insignia indicating compliance with Oregon State Home Construction Standards in effect at the time of manufacture.
  - 2. It shall contain not less than 225 square feet of space as determined by measurement of the exterior of the unit exclusive of any trailer hitch device.
- F. A mobile home permitted in the park shall be provided with a continuous skirting.

- G. The land which is used for park purposes may be required to be surrounded, except at entry and exit places, by a sight-obscuring fence or hedge not less than six feet in height.
- H. If the park provides spaces for 50 or more mobile home units, each vehicular way in the park shall be named and marked with signs which are similar in appearance to those used to identify public streets. A map of the named vehicular ways shall be provided to the appropriate fire departments.
- I. Open Space. A minimum of at least 2,500 square feet plus 100 square feet per mobile home space may be required to be provided for a recreational play area group or community activities. (No play area is required if the individual mobile home spaces contain in excess of 4,000 square feet.)
- J. Parking Space Requirements. A parking space shall be provided for each mobile home space on the site. In addition, guest parking spaces shall also be provided in every mobile home park within 200 feet of the mobile home spaces served and at a ratio of one parking space for each two mobile home spaces.
- K. Roadways within the park shall be improved with an all-weather dustless surface and shall not be less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 20 feet in width if parking is not permitted on the edge of the roadway and an adequate designated area is provided and improved for guest parking and tenant recreational vehicles.
- L. No mobile home park shall be created on a site less than one acre, except as approved by the Planning Commission.