

1 **BEFORE THE BOARD OF COMMISSIONERS**
2 **FOR LINCOLN COUNTY, OREGON**

3 ORDINANCE # 430

4 _____
5
6 **Relating to land use planning; creating new provisions; amending LCC 1.0185, 1.0190,**
7 **1.1340, 1.1360, 1.1361, and 1.1364; and declaring an emergency.**
8 _____

9 The Lincoln County Board of Commissioners ordains as follows:

10 **SECTION 1.**

11 LCC 1.0185 is amended to read:

12 1.0185 Public Facilities Policies

13 (1) Lincoln County, with the cooperation of other shall prepare a program, units of
14 government, of coordination, and where possible, facility sharing to maximize the use of
15 available public resources of both the County and other units of government.

16 (2) Lincoln County shall encourage a quality system of public, semi-public and private
17 facilities services that includes:

- 18 (a) Adequate fire and policies protection service and facilities;
19 (b) Convenient locations for facilities used frequently by citizens;
20 (c) Solid waste disposal facilities which meet existing and future needs;
21 (d) Recycling facilities in accordance with identified needs; and
22 (e) Properly located sanitary landfills.

23 (3) Lincoln County shall work with and encourage the Lincoln County School District
24 in the provision of educational services for the citizens of the County. Lincoln County shall:

25 (a) Encourage the development of physical facilities which offer an atmosphere
26 conducive to learning and development. This includes the replacement, improvement and
27 expansion of facilities to accommodate present and future student needs. Such facilities should

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1 be conveniently located, and well designed, or facilities related to the activities and needs of
2 the County.

3 (b) Encourage the provision of adequate site facilities which are useful both to students
4 and the general County. Coordinate educational facility site development with city and county
5 recreation and community programs to enhance the potential advantages of shared use.

6 (c) Encourage the development of programs relating to basic education, adult
7 continuing education, special education, and vocational training.

8 (4) Lincoln County shall encourage the development of a system of health facilities
9 which is located with regard to population distribution.

10 (5) Lincoln County shall encourage the provision of general hospital facilities to meet
11 present and future health needs, developed in coordination with local hospital districts.

12 (6) Lincoln County shall encourage the development of specialized medical and health
13 care programs to meet the needs of the County's population.

14 (7) Lincoln County shall coordinate and promote a standardized street address
15 numbering system.

16 (8) The overall land use classification system shall include the following categories:

17 (a) Rural Community Centers and **Rural Service Centers**:

18 (A) Rural Community Centers and **Rural Service Centers** shall be defined on the basis
19 of population, a history of settlement, the existence of commercial/industrial facilities,
20 adequate public services and facilities and permanent commitment to residential land use,
21 **consistent with the requirements of OAR Chapter 660, Division 22.**

22 (B) Rural Community Centers shall be delimited by Rural *[Service]* **Community**
23 **Boundaries.**

24 (C) Those public and private services and facilities considered appropriate for Rural
25 Community Centers and **Rural Service Center** designation shall include but not be limited to
26 community water systems, sanitary sewerage (or approved subsurface or alternative waste

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1 disposal systems), rural fire protection, rural police protection, energy, communications and
2 emergency services.

3 (D) *[Developments proposed for urban]* **Residential** density within Rural Community
4 Centers shall *[be allowed only when the respective special district and other private sector*
5 *providers have agreed to provide an adequate level of urban type facilities at levels equal to*
6 *that found in incorporated areas of the County]* **ensure that cumulative development:**

7 **(i) Will not result in public health hazards or adverse environmental impacts that**
8 **violate state and federal water quality regulations; and**

9 **(ii) Will not exceed the carrying capacity of the soil or of existing water supply**
10 **resources and sewer services.**

11 (E) Subdivisions shall be encouraged within Rural Community Centers.

12 (b) Dispersed Residential:

13 (A) Dispersed Residential areas are committed to residential use and shall be defined
14 on the basis of population and as areas having a historic land use pattern of low density
15 settlement with few if any public services and facilities either existing or planned.

16 (B) Those public services and facilities considered appropriate for Dispersed
17 Residential areas shall be limited to existing services and facilities and those services and
18 facility improvements that are needed for the maintenance of the existing low density
19 residential uses.

20 (C) Water systems shall be individual or approved community water systems.
21 Sewerage shall be by means of individual on-site subsurface disposal, community drain fields
22 or spray irrigation of effluent disposal systems. Dispersed Residential areas shall be served by
23 rural fire protection districts where available. Where rural fire protection districts are not
24 established, special performance standards shall be applied to ensure adequate protection of the
25 surrounding natural resources.

26 (9) Lincoln County shall review the siting of all major proposed public utility facilities,
27 such as power substations and transmission lines.

1 (10) Lincoln County shall encourage the State of Oregon to assist the County in
2 obtaining public facility and other improvement funds for host recreation counties such as
3 Lincoln County.

4 (11) Forest and agricultural lands may be designated for the siting of public facility use
5 with the following findings:

6 (a) There is a need for a new public facility in the area;

7 (b) Alternative sites for the proposed facility were examined and found to be less
8 suitable;

9 (c) Social, environmental, economic and energy consequences of locating a new facility
10 on the agricultural or forest lands were identified and considered before the site was chosen;
11 and

12 (d) The facility use is found to be compatible with other adjacent forest or agricultural
13 uses.

14 (12) Future school sites shall be reviewed by the County to ensure compatibility with
15 surrounding land uses.

16 (13) All existing school sites shall be designated for school use.

17 (14) Lincoln County shall rely on the Lincoln County School District for the provision
18 of public education.

19 (15) Lincoln County shall work with the Lincoln County School District in planning
20 and implementation of needed facilities and improvements. Facilities and improvements
21 needed for public education are as set out in the Comprehensive Building Plan of the Lincoln
22 County School District as approved May 1979, and amended December 16, 1980.

23 (16) Lincoln County in coordination with affected service districts, shall determine the
24 type, level, and extent of sewer and water facilities necessary to support planned development
25 in Plural Community Centers and Rural Service Centers by the first plan update.

26 (17) Lincoln County supports the Big Rock Creek Dam project as a source of water for
27 Lincoln County.

1 (18) Lincoln County shall work with public water systems (OAR 333-42-200 to 250) to
2 identify improvements necessary to provide an adequate water supply in accordance with the
3 Oregon Drinking Water Quality Act.

4 (19) Lincoln County shall encourage the aggregation of water systems. The Lincoln
5 County Water Facilities Development Plan, HGE, 1974, should be updated as set out in the
6 Inventory to coordinate facility development with plan designations.

7 (20) Lincoln County shall require certification of an adequate water supply prior to
8 final approval in all development including source of supply, reservoir capacity and line size
9 consistent with OAR chapter 333, as updated.

10 (21) Lincoln County shall review building permits for an adequate water supply.

11 (22) Rural fire protection districts shall be encouraged to expand service boundaries to
12 include lands designated for residential use.

13 **SECTION 2.**

14 LCC 1.0190 is amended to read:

15 **1.0190 Plan Designations**

16 The purpose of plan designations is to define and set down on maps what the citizens
17 and property owners of Lincoln County consider to be appropriate uses of the land. These
18 designations are the conclusions wrought from the consideration of facts and information
19 presented and evaluated through the process of developing this comprehensive plan. The
20 following plan designations are set out on the Lincoln County Comprehensive Plan Maps.

21 (1) **Forest Lands:** Forest lands represent nearly 90 percent of Lincoln County, and are
22 its major resource. These are mainly held in large ownership patterns and covered by
23 commercial stands of Douglas fir, true fir, hemlock, cedar, and spruce. uses such as raising
24 and harvesting of the forest crop and existing recreation facilities are primary. Secondary uses
25 such as new recreation facilities, public and private utilities, and dwellings may be included by
26 county review.

1 (2) Agricultural Lands: Agricultural lands represent nearly 2 percent of the lands in
2 Lincoln County. These ownerships lie along the river and creek valleys and are mainly used
3 for grazing and small gardens with some commercial agriculture. The primary use of these
4 properties is intended to be agricultural to maintain their current resource value. uses such as
5 agriculture, forestry, dwellings necessary for farm use and existing public recreation facilities
6 are primary. Secondary uses such as farm help residences, quarrying, new recreation facilities,
7 and similar uses may be included by County review.

8 (3) Dispersed Residential: Dispersed residential areas are located on marine terraces
9 and valley floors. Residential use densities shall be as necessary for on-site sewer disposal and
10 water supply. Uses such as forestry, farming and rural residential subdivisions, and existing
11 public recreation facilities, quarrying, sanitary land fills, government uses and similar uses may
12 be included by County review.

13 (4) Rural Community Centers: **Rural Community Center is an overlay designation**
14 **intended to identify and establish the boundaries of unincorporated communities**
15 **pursuant to OAR 660, Division 22.** Rural community centers are existing service
16 communities where small lots have been platted, commercial services have developed and
17 community facilities are located. These are areas where utility systems may be present or
18 would be appropriate in the future to solve identified problems. These factors indicate a need
19 for a certain level of residential growth to accomplish and pay for needed improvements. **The**
20 **Rural Community Center designation may also be applied to unincorporated**
21 **communities where an exception to Goal 14 has been authorized. Plan designations**
22 **within Rural Community Centers may provide for uses such as residential, [existing]**
23 **public uses and [recreation] facilities, and commercial and industrial activities limited to those**
24 **which are existing or [compatible to the surrounding activities are primary. Multi-family**
25 **areas may be permitted where access is directly onto a collector road, and where community**
26 **sewerage is available. Commercial areas may be permitted where arterial access is available**
27 **and a frontage road or potential for access to residential areas is available without crossing a**

1 *highway. Secondary uses such as new public recreation facilities, public utilities, government*
2 *uses, and similar uses may be included by County review]* **are small scale and low impact, or**
3 **are uses intended to serve the community and surrounding rural area or the travel needs**
4 **of people passing through the area. In communities where an exception to Goal 14 has**
5 **been authorized, commercial and industrial uses of any scale and intensity may be**
6 **provided for, consistent with the acknowledged exception.**

7 (5) Rural Service Center: Rural service centers are areas where [*small lots have been*
8 *platted and]* **commercial or industrial uses** [*service has]* **have developed which provide**
9 **goods and services to the surrounding rural areas or to persons traveling through the**
10 **area, and also include some residential development. Commercial and** [*commercial]* **in-**
11 **dustrial activities should be limited to those which are existing or necessary for providing**
12 **goods and services** [*and compatible]* **to the surrounding rural area or to persons traveling**
13 **through the area, or which are small scale and low impact.** [*Uses such as farm implement*
14 *stores, grocers, laundry, auto and truck service stations, existing public recreation facilities,*
15 *and community halls are primary. Secondary uses such as new recreational facilities,*
16 *government use, restaurant, bar or tavern, new public utilities, or similar uses may be included*
17 *by County review].*

18 (6) Suburban Residential: Building and facilities must be in place at the time of
19 adoption of this plan or be inside of an established Urban Growth Boundary to acquire this
20 designation. If a small residential lot lies along an improved road between two lots with
21 buildings it is also considered committed. Water must be available either by individual or
22 community system. These represent the minimum; if more facilities are present then the area is
23 further justified as built and committed. **primary uses are single-family residential,**
24 **multi-family residential where urban facilities and services are available, and existing public**
25 **recreation facilities. Secondary uses such as community facilities, new public recreation**
26 **facilities, government uses and similar uses may be included by County review.**

1 (7) General Commercial: This area is provided to accommodate the normal range of
2 business activities and meet the day-to-day needs of the community. Uses such as retail store,
3 repair shop, barber shop, beauty shop, motel, community hall are primary. Secondary use such
4 as service stations or drive-ins and outdoor amusement center may be included by County
5 review.

6 (8) Industrial: This area is provided to accommodate the more intensive and large scale
7 commercial enterprises and industrial uses. Uses such as implement sales, storage or repairs,
8 lumber or building materials sales and storage, and tire sales and repair are primary. Uses
9 which require special standards such as quarrying pulp mill, gas or petroleum manufacturing,
10 airport, and auto wrecking may be included by County review.

11 (9) Water Dependent: The water dependent designation shall apply to coastal shore
12 lands in urbanizable areas which are especially suited for water-dependent uses. In order to
13 protect these valuable shore land areas, uses shall be limited to commercial, industrial or public
14 uses which can be carried out only on, in, or adjacent to water areas because they require
15 access to the water body for water-borne transportation, recreation, energy production, or
16 source of water.

17 (10) Water Dependent/Water Related: The water dependent/water related designation
18 is intended to recognize the unique values of certain coastal shore land areas consistent with
19 the priority of uses set forth in the coastal shore lands policy element. This designation shall
20 apply to shore land areas which may be suitable for a mixture of water-dependent and
21 water-related uses. Uses which are consistent with the designation of the adjacent coastal
22 water body and are water-dependent or water-related, as defined in the Lincoln County Estuary
23 Management Plan, are primary.

24 (11) Coastal Shorelands: Coastal shore lands is an overlay designation which applies
25 to areas within the Coastal Shorelands Boundary, as defined in Coastal Shorelands policy
26 element. Within this designation when such uses are found to be consistent with the additional
27 policies of this designation.

1 (12) Estuarine Management Units: The estuarine management unit designation applies
2 to estuarine areas below the head of tide and includes estuarine waters, tidelands and
3 submerged lands up to Mean Higher High Water (MHHW) and tidal marshes inland to the line
4 of non-aquatic vegetation. This designation is assigned in order to recognize and protect the
5 unique environmental, economic and social values of each of the County's estuaries and
6 associated wetlands. The estuarine management unit designation is further defined into
7 "natural," "conservation," and "development" areas as specified in the Estuarine Resources
8 policy element. Uses are as set forth in the Lincoln County Estuary Management Plan.

9 **SECTION 3.**

10 LCC 1.1340 is amended to read:

11 1.1340 Residential Zone R-4

12 In an R-4 zone the following regulations shall apply:

13 (1) Uses Permitted Outright:

14 The following uses and their accessory uses are permitted subject to the applicable
15 provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.7599, and 1.1901 to 1.1999:

16 (a) A use permitted outright in the R-3 zone.

17 (2) Conditional Uses Permitted:

18 The following uses and their accessory uses may be permitted subject to the applicable
19 provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and 1.1901 to
20 1.1999.

21 (a) A use permitted as a conditional use in the R-3 zone.

22 (b) Clinic.

23 (c) Club, lodge, or fraternal organization.

24 (d) Hotel, motel, or resort, **when served by a public or community sewer system,**
25 with accessory commercial uses provided that:

26 (A) They are located within the main building or buildings.

1 (B) They are limited to gift shops, eating and drinking establishments, and similar
2 facilities.

3 (C) They do not exceed ten percent of the total floor area of the main use.

4 (e) Private museum, art gallery, or similar facility.

5 (f) Professional office.

6 (3) Standards:

7 Except as provided in LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699 and
8 1.1901 to 1.1999 the following standards shall apply:

9 (a) Lot Size and Dimensions:

10 The minimum lot size and dimensions shall be as follows:

11 (A) Standards for single family dwelling units shall be the same as in the R-1 zone.

12 (B) The minimum lot area per dwelling unit shall be 2,500 square feet when a lot is
13 served by both a public or community water supply system and sewage disposal system,

14 (C) The minimum lot area per dwelling unit shall be 15,000 square feet when a lot is
15 served by either a public or community water supply system, or a public or community sewage
16 disposal system.

17 (D) The minimum lot area per dwelling unit shall be at least 2 acres when a lot is not
18 served by either a public or community sewage or water supply system.

19 (E) The depth to width ratio shall not exceed 2 1/2 to 1 on lots less than 25,000 square
20 feet and 3 1/2 to 1 on lots 25,000 square feet or larger.

21 **(F) Hotels, motels or resorts outside of Urban Growth Boundaries or**
22 **acknowledged Goal 14 exception areas shall be limited to no more than 35 units.**

23 (b) Yards, Special Setbacks:

24 Yards and special setbacks shall be the same as required in the R-1 zone.

25 (c) Building Height:

26 No building shall exceed a height of 35 feet.

27 (d) Lot Coverage:

1 Buildings shall not occupy more than 40 percent of the total lot area.

2 **SECTION 4.**

3 LCC 1.1360 is amended to read:

4 1.1360 Tourist Commercial Zone C-T

5 In a C-T zone the following regulations shall apply:

6 (1) Uses Permitted Outright:

7 The following uses and their accessory uses are permitted subject to the applicable
8 provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, and 1.1901 to 1.1999:

9 (a) A use permitted outright in the R-4 zone.

10 (b) Automobile service station, including minor repair provided it is conducted entirely
11 within an enclosed building.

12 (c) Barber or beauty shop.

13 (d) Boat launching or moorage facility, marina, boat charter service.

14 (e) Car wash.

15 (f) Clinic.

16 (g) Club, lodge, or fraternal organization.

17 (h) Food store.

18 (i) Gift shop.

19 (j) Hotel, motel, or resort, **when served by a public or community sewer system.**

20 (k) Indoor commercial amusement or recreation establishment such as bowling alley,
21 theater, or pool hall.

22 (L) Laundromat.

23 (m) Office.

24 (n) Private museum, art gallery, or similar use.

25 (o) Restaurant, bar, or tavern.

26 (p) Retail sale of sporting goods, or bait.

27 (2) Conditional Uses Permitted:

1 The following uses and their accessory uses may be permitted, subject to the applicable
2 provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and 1.1901 to
3 1.1999:

4 (a) A use permitted as a conditional use in the R-4 zone.

5 (b) Recreational vehicle park.

6 (c) Outdoor recreation development.

7 (d) Outdoor commercial amusement or recreation establishment such as miniature golf
8 course or drive-in theater, but not including uses such as race track or automobile speedway.

9 (e) Automobile repair garage provided all repair shall be conducted entirely within an
10 enclosed building.

11 (f) Signs, advertising.

12 (g) Heliport.

13 (h) Pilings, piers, docks, and similar in water structures.

14 (i) Mini-storage.

15 (3) Standards:

16 Except as provided in LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and
17 1.1901 to 1.1999 the following standards shall apply:

18 (a) Residential uses shall be subject to lot size, dimension, coverage, yard, and building
19 height and special setback standards of the R-4 zone.

20 (b) All yards abutting a lot in a residential zone shall be a minimum of ten (10) feet.

21 (c) No structure shall be located closer than 30 feet from the right-of-way of any state
22 highway, nor 30 feet from the right-of-way of any collector or arterial street

23 (d) No building shall exceed a height of 35 feet.

24 (e) Outdoor storage shall be screened with a sight-obscuring fence.

25 **(f) Non-residential uses outside of Urban Growth Boundaries or acknowledged**
26 **Goal 14 exception areas shall be limited to a building or buildings not exceeding 4,000**
27 **square feet of floor space.**

1 **(g) Non-residential uses outside of Urban Growth Boundaries, acknowledged**
2 **Goal 14 exception areas, Rural Community Centers, or Rural Service Centers shall be**
3 **limited to a building or buildings not exceeding 3,500 square feet of floor space.**

4 **(h) Notwithstanding paragraphs (f) and (g) of this subsection, any conforming**
5 **use existing as of the effective date of this amendment may be expanded in floor area up**
6 **to thirty percent, provided other applicable dimensional standards are met.**

7 **(i) Hotels, motels or resorts within Rural Community Centers or Rural Service**
8 **Centers not subject to an acknowledged Goal 14 exception shall be limited to no more**
9 **than 35 units. Hotels, motels or resorts outside of Urban Growth Boundaries, Goal 14**
10 **exception areas, Rural Community Centers, or Rural Service Centers shall be limited to**
11 **no more than 25 units.**

12
13 **SECTION 5.**

14 LCC 1.1361 is amended to read:

15 1.1361 Retail Commercial Zone C-1

16 In a C-1 zone the following regulations shall apply:

17 (1) Uses Permitted Outright:

18 The following uses and their accessory uses are permitted subject to the applicable
19 provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, and 1.1901 to 1.1999:

20 (a) A use permitted outright in the R-4 zone.

21 (b) Retail store or shop such as food store, drug store, apparel store, hardware store,
22 furniture store, or similar establishment.

23 (c) Repair shop for the type of good offered for sale in those retail trade establishments
24 permitted in a C-1 zone provided, all repair and storage shall occur entirely within an enclosed
25 building.

26 (d) Personal or business service establishment such as barber or beauty shop, laundry or
27 dry cleaning establishment, tailor shop, or similar establishment.

- 1 (e) Clinic.
- 2 (f) Financial institution.
- 3 (g) Club, lodge, or fraternal organization.
- 4 (h) Hotel, **when served by a public or community sewer system.**
- 5 (i) Indoor commercial amusement or recreation establishment such as bowling alley,
- 6 theater, or pool hall.
- 7 (j) Mortuary.
- 8 (k) Newspaper office, print shop.
- 9 (L) Office.
- 10 (m) Private museum, art gallery, or similar facility.
- 11 (n) Restaurant, bar, or tavern.
- 12 (o) Beachfront protective structures.
- 13 (2) Conditional Uses Permitted:
- 14 The following uses may be permitted subject to the applicable provisions of LCC
- 15 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and 1.1901 to 1.1999:
- 16 (a) A use permitted as a conditional use in the R-4 zone.
- 17 (b) Recreational vehicle park.
- 18 (c) Outdoor commercial amusement or recreation establishment such as miniature golf
- 19 course or drive-in theater, but not including uses such as race track or automobile speedway.
- 20 (d) A use permitted outright or a conditional use permitted in the C-1 zone with drive-
- 21 in service facilities such as an automobile service station or a drive-in restaurant.
- 22 (e) Signs, advertising.
- 23 (f) Heliport.
- 24 (g) Pilings, piers, docks, and similar in water structures.
- 25 (h) Mini-storage.
- 26 (3) Standards:

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1 Except as provided in LCC 1.140 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and
2 1.1901 to 1.1999 all standards which apply in the C-T zone shall apply in the C-1 zone.

3 **SECTION 6.**

4 LCC 1.1364 is amended to read:

5 1.1364 Planned Industrial Zone I-P

6 In an I-P zone the following regulations shall apply:

7 (1) Uses Permitted Outright:

8 The following uses and their accessory uses are permitted subject to the applicable
9 provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, and 1.1901 to 1.1999:

10 (a) Farm use.

11 (b) Forestry, including the management, production, and harvesting of forest products
12 and of related natural resources in forest areas and including rock extraction and processing for
13 use in forest access roads.

14 (c) Residence for caretaker or night watchman.

15 (d) Beachfront protective structures.

16 (2) Conditional Uses Permitted:

17 The following uses and their accessory uses may be permitted subject to the applicable
18 provisions of LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and 1.1901 to
19 1.1999:

20 (a) A use involving manufacture, research, repair, assembly, processing, fabricating,
21 packing, distribution, warehousing, wholesaling, mini-storage, or storage provided that the use
22 does not create a public nuisance, noise, smoke, odor, or dust, or because it constitutes a fire,
23 explosion, or other physical hazard.

24 (b) Heliports and related uses.

25 (c) Animal hospital.

26 (d) Automobile, truck, or trailer sales, service, storage, rental, or repair.

27 (e) Automobile speedway, race track.

- 1 (f) Automobile wrecking yard, junk yard.
- 2 (g) Boat launching or moorage facility, marina, boat charter service.
- 3 (h) Boat or marine equipment sales, service, storage, rental, or repair.
- 4 (i) Extraction and processing of rock, sand, gravel, or other earth product.
- 5 (j) Feed or seed store.
- 6 (k) Governmental structure or use of land.
- 7 (L) Implement, machinery, heavy equipment sales, service, storage, rental or repair.
- 8 (m) Lumber or building materials sales and storage.
- 9 (n) Newspaper office, printing shop.
- 10 (o) Plumbing, heating, electrical, or paint contractors storage, repair, or sales shop.
- 11 (p) Public park, playground, golf course, or similar recreation area.
- 12 (q) Public utility facility.
- 13 (r) Radio or television transmitter or tower.
- 14 (s) Restaurant, bar, or tavern.
- 15 (t) Solid waste transfer station.
- 16 (u) Solid waste debris site or facility complying with LCC 2.1035 (8). A conditional
17 use permit issued pursuant to this paragraph shall be reviewed for compliance by the Planning
18 Division every three years on or about each three year anniversary from the date of issuance.
19 The compliance review shall include, but is not limited to, a site visit and a review of any
20 complaints received. The Planning Division shall refer any non-compliance to the
21 Commission for possible initiation of proceedings to revoke the conditional use permit in
22 accordance with LCC 1.1605. Every conditional use permit issued pursuant to this paragraph
23 shall contain the following statement: NOTICE: This conditional use permit is subject to a
24 mandatory compliance review every three years from the date of issuance.
- 25 (v) Tire sales, repair, retreading, or vulcanizing.
- 26 (w) Signs, advertising.
- 27 (x) Bank and similar lending institutions.

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- 1 (y) Theater/performing arts center.
- 2 (z) Pilings, piers, docks, and similar in-water structures.
- 3 (3) Prohibited Uses:
- 4 The following uses are prohibited:
- 5 (a) Cement, lime gypsum, or plaster of Paris manufacturer.
- 6 (b) Explosives storage or manufacture.
- 7 (c) Fertilizer manufacture.
- 8 (d) Gas manufacture.
- 9 (e) Glue manufacture.
- 10 (f) Petroleum or petroleum refining.
- 11 (g) Pulp mill.
- 12 (h) Rendering plant.
- 13 (i) Smelting or refining of metallic ore.
- 14 (j) Other uses similar to the above.
- 15 (4) Standards:
- 16 Except as provided in LCC 1.1401 to 1.1499, 1.1501 to 1.1599, 1.1601 to 1.1699, and
- 17 1.1901 to 1.1999 the following standards shall apply:
- 18 (a) All yards abutting a lot in a residential zone shall be a minimum of 20 feet.
- 19 (b) No structure shall be located closer than 30 feet from the right-of-way of any State
- 20 highway or any collector or arterial street.
- 21 (c) No building height limitation for nonresidential structures.
- 22 (d) Outdoor storage abutting or facing a street or highway or a lot in a residential zone
- 23 shall be screened with a sight-obscuring fence.
- 24 (e) **Except as otherwise allowed by ORS Chapter 197, uses in the I-P zone outside**
- 25 **of Urban Growth Boundaries shall be limited to a building or buildings not exceeding**
- 26 **40,000 square feet of floor space.**

1 **(f) Notwithstanding paragraph (e) of this subsection, any conforming use existing**
2 **as of the effective date of this amendment may be expanded in floor area up to thirty**
3 **percent, provided other applicable dimensional standards are met.**

4 (5) Special Standards:

5 The following procedure shall apply to all conditional uses. The Planning Division or
6 the Planning Commission shall seek to determine whether:

7 (a) A proposed use is suitable for the property in question, considering the long-range
8 industrial potential for the zone, and further considering that piece-meal development of the
9 zone may limit the possibility for meeting this potential.

10 (b) Setbacks of buildings, parking and loading areas, and storage areas or development
11 should be increased.

12 (c) Special landscaping, screening, and/or fencing requirements are appropriate.

13 (d) Any additional conditions need to be met to insure compatibility of the proposed
14 use with existing and future development in the surrounding area.

15
16

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in **boldfaced** type.

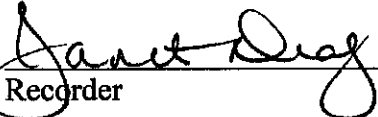
1 **SECTION 7.**


2 This Ordinance being necessary for the immediate preservation of the public peace,
3 health and safety, an emergency is declared to exist and this Ordinance shall take effect upon
4 its passage.

DATED this 21st day of July, 2004.

LINCOLN COUNTY BOARD OF COMMISSIONERS

  
Don Lindly, Chair Jean Cowan, Commissioner Terry N. Thompson, Commissioner

ATTESTED TO:

Recorder

APPROVED AS TO FORM:

Wayne Belmont, County Counsel

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in **boldfaced** type.