**FOREST MODEL ZONE & JEFFERSON COUNTY LDO COMPARISON**

| **FOREST MODEL ZONE – EASTERN COUNTIES** | **JEFFERSON COUNTY LDO** | **APG Notes** |
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| ***X.01 Purpose*** |  |  |
| *The purpose of the Forest (F) Zone is to protect and maintain forest lands for grazing, and rangeland use and forest use, consistent with existing and future needs for agricultural and forest products. The F zone is also intended to allow other uses that are compatible with agricultural and forest activities, to protect scenic resources and fish and wildlife habitat, and to maintain and improve the quality of air, water and land resources of the county.* *The F zone has been applied to lands designated as Forest in the Comprehensive Plan. The provisions of the F zone reflect the forest land policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-006. The minimum parcel size and other standards established by this zone are intended to promote commercial forest operations.* | 303.1 PurposeThe purpose and intent of the Forest Management Zone is to provide for timber production, harvesting, and related activities, and to help protect timber areas from fire, pollution, and encroachment of non-forestry activities. This zone is also intended to preserve and protect watersheds, scenic areas, and wildlife habitats, and to provide for recreational opportunities and agriculture. | No change.  |
| **X.02 Definitions** |  |  |
| For the purpose of this ordinance, unless otherwise specifically provided, certain words, terms, and phrases are defined as follows: |  |  |
| A. Definitions contained in ORS 197.015 and the Statewide Planning Goals.  |  |  |
| B. Auxiliary: As used in X.03B and C, means a use or alteration of a structure or land that provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and not designed to remain for the forest's entire growth cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded.  | 303.2.B. Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation. "Auxiliary" means a use or alteration of a structure or land which provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded. | No change.  |
| *C. Accessory Structure: A detached structure, the use of which is customarily incidental to that of the primary structure or the primary use of the land and which is located on the same lot or parcel as the primary structure or use, and for which the owner files a restrictive covenant in the deed records of the county agreeing that the accessory structure will not be used as a residence or rental unit.* | Not found in Section 105.  | Added to Section 105 |
| *D. Agricultural building: Any structure that is considered to be an “agricultural building” under the as defined in ORS 215.278 on a lot or parcel that is enrolled in a farm or forest deferral program with the County Assessor and for which the owner 1) submits a signed floor plan showing that only farm- or forest-related uses will occupy the building space and 2) files a restrictive covenant in the deed records of the county agreeing that the agricultural building will not be used as a residence or rental unit.* | Not found in Section 105.  | Added to Section 105 |
| E. Campground: An area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. | Campground: An area consisting of a minimum of three (3) acres with no more than ten (10) spaces per acre and designed for short-term overnight use for vacation, recreational or emergency purposes but not for residential purposes. A campground shall not include campsite utility hook-ups, intensively developed recreational uses such as swimming pools or tennis courts, or commercial activities such as retail stores or gas stations. Spaces for tents, campers, and recreational vehicles are allowed. No more than one-third, or a maximum of ten campsites, whichever is smaller, may include a yurt.303.4(B) 2. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes, and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. | Added language related to “and established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground” to definition in Section 105. |
| *F. Commercial power generating facility: A facility for the production of energy and its related or supporting facilities that:* *(1) Generates energy using means listed in ORS or OAR such as solar power, wind power, fuel cells, hydroelectric power, thermal power, geothermal power, landfill gas, digester gas, waste, dedicated energy crops available on a renewable basis or low-emission, nontoxic biomass based on solid organic fuels from wood, forest or field residues but not including the production of biofuel as authorized by ORS 215.203(2)(b)(K) in all zones that allow “Farm Use” and 215.283(1)(r) and 215.283(2)(a) in the EFU zone;* *(2) Is intended to provide energy for sale; and* *(3) Does not include a net metering project established consistent with ORS 757.300 and OAR chapter 860, division 39 or a Feed-in-Tariff project established consistent with ORS 757.365 and OAR chapter 860, division 84.* | Utility Facility: Any major structure owned or operated by a public, private or cooperative electric, fuel, communication, sewage or water company for the generation, transmission, distribution or processing of its products or for the disposal of cooling water, waste or byproducts and including power transmission lines, major trunk pipelines, power substations, dams, water towers, sewage lagoons, sanitary landfills, and similar facilities, but excluding local sewer, water, gas, telephone and power distribution lines and similar minor facilities allowed in any zone. Includes equipment or apparatus, standing alone or as part of a structure, that is used or intended to be used by a public or private utility, and necessary appurtenances including related rights-of-way and easements for the transmission of electric power, gas, water, sewerage, communication signals, telephone and any in-line facilities needed for the operation of such facilities (e.g., gas regulating stations, pumping stations, power or communication substations, dams, reservoirs, and related power houses). | No change. |
| G. Commercial Tree Species: Trees recognized for commercial production under rules adopted by the State Board of Forestry pursuant to ORS 527.715.  | No definition.  | Added to Section 105.  |
| H. Cubic Foot Per Acre: The average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey.  | Cubic Foot Per Acre: For purposes of the Forest Management zone, means the average annual increase in cubic foot volume of wood fiber per acre for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS). When NRCS data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data and be approved by the Department of Forestry. | No change.  |
| I. Cubic Foot Per Tract Per Year: The average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS) soil survey.  | Cubic Foot Per Tract Per Year: For purposes of the Forest Management zone, means the average annual increase in cubic foot volume of wood fiber per tract for fully stocked stands at the culmination of mean annual increment as reported by the USDA Natural Resource Conservation Service (NRCS). When NRCS data are not available or are shown to be inaccurate, an alternative method for determining productivity may be used. An alternative method must provide equivalent data and be approved by the Department of Forestry. | No change.  |
| J. Date of Creation and Existence: When a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot, parcel, or tract.  | Date of Creation: The recordation date of a document that creates a lot(s) or parcel(s), or the date of execution of an unrecorded land sale contract, deed or other instrument intended to create new lots or parcels. A lawfully created lot or parcel remains discrete unless the lot or parcel lines are vacated, or the lot or parcel is further divided as provided by law. In resource zones, when a lot, parcel or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot, parcel, or tract. | Replaced with MZ definition in Section 105. |
| K. Forest Lands: as defined in Goal 4, are those lands acknowledged as forest lands, or, in the case of a plan amendment. Forest lands shall include: (1) Lands that are suitable for commercial forest uses, including adjacent or nearby lands which are necessary to permit forest operations or practices; and(2) Other forested land that maintain soil, air, water, and fish and wildlife resources. | Forest Lands: Lands composed of existing and potential forest lands which are suitable for commercial forest uses, other forested lands needed for watershed protection, wildlife, and fisheries habitat and recreation, lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use, and other forested lands in urban and agricultural areas which provide urban buffers, wind breaks, wildlife and fisheries habitat, livestock habitat, scenic corridors and recreational use. | No change.  |
| L. Forest Operation: Any commercial activity relating to the growing or harvesting or any forest tree species as defined in ORS 527.620(6).  | Forest Operation: Any commercial activity relating to the growing or harvesting of any forest tree species. “Forest tree species” means any tree species capable of producing logs, fiber or other wood materials suitable for the production of lumber, sheeting, pulp, firewood or other commercial forest products except trees grown to be Christmas trees as defined in ORS 571.505 on land used solely for the production of Christmas trees. | No change.  |
| *M. Home Occupation: A limited business activity that is accessory to a residential use. Home occupations are conducted primarily within a residence or a building normally associated with uses permitted in the zone in which the property is located and are operated by a resident or employee of a resident of the property on which the business is located.*  | Home Occupation: A business carried on by a resident of the property in the dwelling or in an accessory building on the same parcel in such a manner that does not impair the outward appearance of the property in the ordinary meaning of the term, does not cause or lead to an unreasonable increase in the flow of traffic in the neighborhood, or the production of noise or other forms of environmental pollution. | No change. |
| N. Irrigated: Agricultural land watered by an artificial or controlled means, such as sprinklers, furrows, ditches, or spreader dikes. An area or tract is “irrigated” if it is currently watered, or has established rights to use water for irrigation, including such tracts that receive water for irrigation from a water or irrigation district or other provider. An area or tract within a water or irrigation district that was once irrigated shall continue to be considered "irrigated" even if the irrigation water was removed or transferred to another tract. | Irrigated Land: Cropland watered by an artificial or controlled means, such as sprinklers, furrows, ditches or spreader dikes. An area or tract is “irrigated” if it is currently watered, or has established rights to use water for irrigation, including lands that receive water for irrigation from a water or irrigation district or other provider. For purposes of review of applications in farm zones, a parcel or tract within a water or irrigation district that was once irrigated continues to be considered “irrigated” even if the irrigation water was removed or transferred to another tract. | No change. |
| O. Medical Hardship: “Medical hardship” means a temporary circumstance caused by serious illness or infirmity, authorized by a licensed medical practitioner (Medical Doctor, Physicians Assistant or Nurse Practitioner). | No Definition. 422.3 Temporary Medical Hardship Dwelling | Added to Section 105. |
| P. Mining, aggregate: This use includes all or any part of the process of mining by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse and the construction of adjacent or off-site borrow pits except those constructed for use as access roads. “Mining” does not include excavations of sand, gravel, clay, rock or other similar materials conducted by a landowner or tenant on the landowner or tenant’s property for the primary purpose of reconstruction or maintenance of access roads and excavation or grading operations conducted in the process of farming or cemetery operations, on-site road construction or other on-site construction or nonsurface impacts of underground mines. | Mining: All or any part of the process of mining by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse and the construction of adjacent or off-site borrow pits except those constructed for use as access roads. For purposes of Exclusive Farm Use and Range Land zones, a permit is required to mine more than 1,000 cubic yards of material or to excavate preparatory to mining a surface area of more than one acre. For all other zones, a permit is required to mine more than 5,000 cubic yards of mineral or more than one acre of land within a period of 12 consecutive calendar months. Mining does not include: (1) excavations conducted by a landowner or tenant on the landowner or tenant’s property for the primary purpose of construction, reconstruction or maintenance of access roads; (2) excavationor grading conducted in the process of farm or cemetery operations; (3) excavation or grading conducted for on-site road construction or other on-site construction; or, (4) nonsurface impacts of underground mines. | Added “aggregate” to definition. Added missing MZ language related to restrictions.  |
| *Q. Net Metering Power Facility: A facility for the production of energy that:**(1) Generates energy using means listed in ORS or OAR such as solar power, wind power, fuel cells, hydroelectric power, landfill gas, digester gas, waste, dedicated energy crops available on a renewable basis or low-emission, nontoxic biomass based on solid organic fuels from wood, forest or field residues but not including the production of biofuel as authorized by ORS 215.203(2)(b)(K) in all zones which allow “Farm Use” and 215.283(1)(r) in the Exclusive Farm Use zone;**(2) Is intended to offset part of the customer-generator’s requirements for energy;**(3) Will operate in parallel with a utility’s existing transmission and distribution facilities;**(4) Is consistent with generating capacity as specified in ORS 757.300 and/or OAR 860-039-0010 as well as any other applicable regulations;**(5) Is located on the same tract as the use(s) to which it is accessory and the power generating facility, tract, and use(s) are all under common ownership and management.* | Net metering: The difference between the electricity supplied over the electric distribution system and the electricity generated by the small wind energy system which is fed back into the electric distribution system over a billing period | No change.  |
| *R. Non-Commercial/Stand Alone Power Generating Facility: A facility for the production of energy that:**(1) Generates energy using means listed in ORS or OAR such as solar power, wind power, fuel cells, hydroelectric power, landfill gas, digester gas, waste, dedicated energy crops available on a renewable basis or low-emission, nontoxic biomass based on solid organic fuels from wood, forest or field residues but not including the production of biofuel as authorized by ORS 215.203(2)(b)(K) in all zones which allow “Farm Use” and 215.283(1)(r) in the Exclusive Farm Use zone;**(2) Is intended to provide all of the generator’s requirements for energy for the tract or the specific lawful accessory use that it is connected to;**(3) Operates as a standalone power generator not connected to a utility grid; and**(4) Is located on the same tract as the use(s) to which it is accessory and the power generating facility, tract, and use(s) are all under common ownership and management.* | No definitions | Added to Section 105. |
| S. Open play field: A large, grassy area with no structural improvements intended for outdoor games and activities by park visitors. The term does not include developed ball fields, golf courses or courts for racquet sports. | No Definition | Added to Section 105. |
| T. Outdoor Mass Gathering: A gathering, as defined by ORS 433.735, that is an actual or reasonably anticipated assembly of more than 3,000 [more than 500] persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period and which is held primarily in open spaces and not in any permanent structure. Any decision for a permit to hold an outdoor mass gathering as defined by statute is not a land use decision and is appealable to circuit court. Outdoor mass gatherings do not include agri-tourism events and activities as provided for by ORS 215.283(4). | Section 422.6 | No change. |
| U. Preparation: As it applies to the definition of “Farm use” in ORS 215.203, preparation includes but is not limited to the cleaning, treatment, sorting or packaging of farm products or by-products. | C. “Preparation” of products or by-products includes but is not limited to the cleaning, treatment, sorting, composting or packaging of the products or by- products. | No change.  |
| V. Primary processing of forest products: The initial treatments of logs or other forest plant or fungi materials to prepare them for shipment for further processing or to market, including, but not limited to, debarking, peeling, drying, cleaning, sorting, chipping, grinding, sawing, shaping, notching, biofuels conversion, or other similar methods of initial treatments. | 303.2 G. Temporary portable facility for the primary processing of forest products. The primary processing of a forest product means the use of a portable chipper, stud mill, or other similar methods of initial treatment of a forest product in order to enable its shipment to market. The processing facility shall be located on the parcel on which the forest products are grown, or on a contiguous parcel. | No change.  |
| *W. Private Park: Land that is used for low impact, casual recreational uses such as picnicking, boating, fishing, swimming, camping, and hiking or nature-oriented recreational uses such as viewing and studying nature and wildlife habitat, and may include play areas and accessory facilities that support the activities listed above, but does not include tracks for motorized vehicles or areas for target practice or the discharge of firearms.* | No Definition | Added to Section 105.  |
| *X. Public Park: A public area intended for open space and outdoor recreation use that is owned and managed by a city, county, regional government, state or federal agency, or park district and that may be designated as a public park in the applicable comprehensive plan and zoning ordinance.* | No Definition | Added to Section 105. |
| *Z. Structure: Anything constructed, erected or air-inflated, permanent or temporary, which requires location on the ground. Among other things, structure includes buildings, walls, fences, billboards, poster panels, food stands and parking lots. Retaining walls less than four (4) feet in height are not considered structures for the sake of general property line setbacks.* | Structure: A building or other major improvement that is built, installed or constructed. Among other things, structures include buildings, retaining walls, decks, communication towers, and bridges, but do not include minor improvements such as fences, swimming pools, utility poles, flagpoles, irrigation system components and similar items that are not customarily regulated through zoning ordinances. | No change.  |
| AA. Tract: One or more contiguous lots or parcels in the same ownership as provided in ORS 215.010(2).  | Tract: One or more contiguous lots or parcels under the same ownership | No change.  |
| *BB. Temporary Structure or Use: A non-permanent structure, or one used for a limited time, or a use or activity that is of a limited duration.* | Not found.  | Added to Section 105.  |
| CC. Youth Camp: A facility either owned or leased, and operated by a state or local government, or a nonprofit corporation as defined under ORS 65.001, to provide an outdoor recreational and educational experience primarily for the benefit of persons 21 years of age and younger. Youth camps do not include any manner of juvenile detention center or juvenile detention facility.  | 303.4 L. Youth camps. A youth camp is a facility either owned or leased, and operated by a state or local government, or a nonprofit corporation as defined under ORS 65.001, to provide an outdoor recreational and educational experience primarily for the benefit of persons twenty-one (21) years of age and younger. Youth camps do not include any manner of juvenile detention center or juvenile detention facility. Youth camps shall comply with the following: | No change.  |
| DD. Yurt: A round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.  | Yurt: A round domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance. | No change.  |
| **X.03 Non-Residential Uses Permitted** |  |  |
| In the Forest zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this ordinance: | 303.2 In a Forest Management Zone the following uses are permitted outright. However, any use involving the construction of a building must be reviewed by the Planning Director under the Administrative Review procedures of Section 903.4 for compliance with the siting standards in Section 303.7, the fire safety standards in Section 426 and any other requirements of this ordinance: | No change.  |
| A. Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash. | 303.2 A. Management, propagation, and harvesting of forest products in conformance with the Oregon Forest Practices Act including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash. | No change.  |
| B. Temporary on-site structures that are auxiliary to and used during the term of a particular forest operation. | 303.2 B. Temporary on-site structures which are auxiliary to and used during the term of a particular forest operation. "Auxiliary" means a use or alteration of a structure or land which provides help or is directly associated with the conduct of a particular forest practice. An auxiliary structure is located on site, temporary in nature, and is not designed to remain for the forest's entire growth cycle from planting to harvesting. An auxiliary use is removed when a particular forest practice has concluded. | No change. |
| C. Physical alterations to the land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities. | 303.2 C. Physical alterations to the land auxiliary to forest practices including, but not limited to, those made for purposes of exploration, mining, commercial gravel extraction and processing, landfills, dams, reservoirs, road construction or recreational facilities. | No change.  |
| *D. Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources.* | 303.2 D. Uses to conserve soil, air and water quality and to provide for wildlife and fisheries resources. | No change.  |
| *E. Farm use as defined in ORS 215.203.* | 303.2 E. Farm use as defined in Section 105. | No change.  |
| *F. Local distribution lines (e.g., electric, telephone, natural gas) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment that provides service hookups, including water service hookups.* | 303.2 F. Local distribution lines (e.g., electric, telephone, natural gas) and accessory equipment (e.g., electric distribution transformers, poles, meter cabinets, terminal boxes, pedestals), or equipment which provides service hookups, including water service hookups. | No change.  |
| *G. Temporary portable facility for the primary processing of forest products.* | 303.2 G. Temporary portable facility for the primary processing of forest products. The primary processing of a forest product means the use of a portable chipper, stud mill, or other similar methods of initial treatment of a forest product in order to enable its shipment to market. The processing facility shall be located on the parcel on which the forest products are grown, or on a contiguous parcel. | No change.  |
| H. Climbing and passing lanes within the right of way existing as of July 1, 1987. | Not found.  | Added as 303.2(P) |
| I. Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result. | Not found.  | Added as 303.2(Q) |
| J. Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed. | Not found.  | Added as 303.2(R) |
| K. Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways. | Not found.  | Added as 303.2(S) |
| *L. Exploration for mineral and aggregate resources as defined in ORS chapter 517.* | 303.2 H. Exploration for mineral and aggregate resources as defined in ORS Chapter 517. | No change.  |
| *M. Private hunting and fishing operations without any lodging accommodations.* | 303.2 I. Private hunting and fishing operations without any lodging accommodations. | No change.  |
| *N. Towers and fire stations for forest fire protection.* | 303.2 J. Towers and fire stations for forest fire protection. | No change.  |
| *O. Water intake facilities, canals and distribution lines for farm irrigation and ponds.* | 303.2 K. Water intake facilities, canals and distribution lines for farm irrigation and ponds. | No change.  |
| P. Uninhabitable structures accessory to fish and wildlife enhancement. | 303.2 M. Uninhabitable structures accessory to fish and wildlife enhancement. | No change.  |
| *Q. Temporary forest labor camps.* | 303.2 N. Temporary forest labor camps. | No change.  |
| *R. Exploration for and production of geothermal, gas, oil, and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head.* | 303.4 C. Exploration for and production of geothermal, gas, oil, and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head, subject to the standards in Section 411. |  |
| *S. An outdoor mass gathering of more than 3,000 persons that is not anticipated to continue for more than 120 hours in any three-month period, as provided in ORS 433.735.* | Not found.  | Added as 303.2(P) |
| *T. An agricultural building, as defined in ORS 455.315, customarily provided in conjunction with farm use or forest use. A person may not convert an agricultural building authorized by this section to another use.*  | Not found.  | Added as 303.2(T) |
| **X.04 Non-Residential Uses Permitted Subject to Standards** |  |  |
| In the Forest zone, the following non-residential uses and activities and their accessory buildings and uses are permitted subject to county review and the specific standards for the use set forth as noted below, as well as the general standards for the zone [and any other applicable siting and design standards and review process in the zoning ordinance]: |  |  |
| *A. Destination resorts, subject to ORS 197.435 to 197-467 and Goal 8.* | 303.4 I. A destination resort on property identified as destination resort-eligible by the County Comprehensive Plan subject to the standards in section 430 of this ordinance. |  |
| B. Youth camps subject to Section X.11. | 303.4 L. Youth camps. A youth camp is a facility either owned or leased, and operated by a state or local government, or a nonprofit corporation as defined under ORS 65.001, to provide an outdoor recreational and educational experience primarily for the benefit of persons twenty-one (21) years of age and younger. Youth camps do not include any manner of juvenile detention center or juvenile detention facility. Youth camps shall comply with the following: |  |
| *C. Any outdoor gathering of more than 3,000 persons that is expected to continue for more than 120 hours in any three-month period is subject to review by a county planning commission under ORS 433.763.* | Not found | Added as 303.3(P) |
| **X.05 Permitted Residential Uses Subject to Standards** |  |  |
| In the Forest zone, the following residential uses and their accessory buildings and uses are permitted subject to county review and the specific standards for the use set forth as noted below, as well as the general standards for the zone [and any other applicable siting and design standards and review process in the zoning ordinance]: | 303.6 A dwelling may be approved by the Planning Director under the Administrative Review procedures in Section 903.4 if found to comply with the criteria in this section, the siting standards in Section 303.7, the fire safety standards in Section 426, and any other applicable requirements of this ordinance. | Added X.07N to 303.6, which applies to all residential uses but for caretaker residences.  |
| *A. Caretaker residences for public parks and public fish hatcheries subject to Subsection X.07.N.* | 303.2 L. Caretaker residences for public parks and public fish hatcheries. | Added X.07N to 303.2(L) |
| B. A large tract forest dwelling subject to Subsection X.07.A and X.07.N. | 303.6.C Large Tract Forest Dwelling | See X.07A for details.  |
| C. An ownership of record dwelling subject to Subsections X.07.B and X.07.N. | 303.6.D Lot of Record Dwelling | See X.07B for details.  |
| D. A template dwelling subject to Subsection X.07.C and X.07.N. | 303.6.E Forest Template Dwelling | See X.07C for details.  |
| *E. Alteration, restoration or replacement of a lawfully established dwelling subject to Subsections X.07.D and X.07.N.*  | 303.6.A Alteration, restoration or replacement of a lawfully established dwelling may be approved if the existing dwelling meets all of the following: | See X.07D for details.  |
| **X.06 Conditional Uses**  |  |  |
| In the Forest zone, the following uses and their accessory buildings and uses are permitted subject to county review, any specific standards for the use set forth in Section X.07, the conditional use review criteria in Section X.08 and the general standards for the zone [and any other applicable standards and review process in the zoning ordinance]: | 303.3 Uses Permitted Subject to Administrative Review. The following uses may be approved by the Planning Director under the Administrative Review procedures in Section 903.4, if found to comply with the approval criteria in Section 303.5, the siting standards in Section 303.7, the fire safety standards in Section 426, and any other applicable requirements of this ordinance.303.4 Conditional Uses In a Forest Management Zone, the following uses may be approved after review by the Planning Commission at a public hearing in accordance with the procedures in Section 903.5. In order to be approved, the use must comply with the criteria in Section 303.5 and Section 602, the siting standards in Section 303.7, the fire safety standards in Section 426 and any other applicable requirements of this ordinance. | No change.  |
| *A. Log scaling and weigh stations.*  | 303.3 C. Log scaling and weigh stations. | No change.  |
| *B. Forest management research and experimentation facilities as defined by ORS 526.215 or where accessory to forest operations.* | 303.3 N. Forest management research and experimentation facilities as defined by ORS 526.215 or where accessory to forest operations. This use includes research and experimentation instituted and carried on by the State Board of Higher Education to aid in the economic development of the State of Oregon, to develop the maximum yield from the forest lands of Oregon, to obtain the fullest utilization of the forest resource, and to study air and water pollution as it relates to the forest products industries. | No change.  |
| *C. A manufactured dwelling or recreational vehicle, or the temporary residential use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative subject to Subsection X.07.E, X.07N, and Section X.08.*  | 303.6 B. Temporary Medical Hardship Dwelling. | See X.07E for details.  |
| *D. Parking of up to seven dump trucks and seven trailers.* | Not found.  | Added as 303.3(Q) |
| *E. Home occupations subject to Subsection X.07.F.*  | 303.3 L. Home occupations, subject to the standards in Section 410. As a condition of approval, a written statement shall be recorded with the deed or written contract with the County Clerk which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules. | See X.07F for details.  |
| *F. Permanent facility for the primary processing of forest products subject to X.07O.*  | 303.3 A. Permanent facility for the primary processing of forest products. | See X.07O for details.  |
| *G. Permanent logging equipment repair and storage.*  | 303.3 B. Permanent logging equipment repair and storage. | No change.  |
| *H. Private seasonal accommodations for fee hunting operations subject to SubsectionsX.07G, X.09 and X.10.* | 303.4 J. Private seasonal accommodations for fee hunting operations subject to the following requirements: 1. Accommodations shall be limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; 2. Only minor incidental and accessory retail sales are permitted; and3. Accommodations shall be occupied only temporarily for the purpose of hunting during game bird and big game hunting seasons authorized by the Oregon Fish and Wildlife Commission. | No change.  |
| *I. Private accommodations for fishing occupied on a temporary basis may be allowed subject to Subsections X.07.H, X.09 and X.10.*  | 303.4 K. Private accommodations for fishing occupied on a temporary basis subject to the following requirements: 1. Accommodations shall be limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; 2. Only minor incidental and accessory retail sales are permitted; 3. Accommodations shall be occupied only temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and4. Accommodations must be located within 1/4 mile of fish bearing Class I waters. 5. As a condition of approval, a written statement shall be recorded with the deed or written contract with the County Clerk which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules. | No change.  |
| *J. Mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520, and not otherwise permitted under Subsection X.03R (e.g., compressors, separators and storage serving multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517.*  | 303.4 D. Mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520, and not otherwise permitted under subsection (C), above, (e.g., compressors, separators and storage serving multiple wells), subject to the standards in Section 411. | Updated ton include “and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517.” |
| *K. Temporary asphalt and concrete batch plants as accessory uses to specific highway projects.*  | 303.3 K. Temporary asphalt and concrete batch plants as accessory uses to specific highway projects. | No change.  |
| L. Transportation improvements on rural lands allowed by and subject to the requirements of OAR 660-012-0065. | Not found.  | Added as 303.3(R) |
| *M. Construction of additional passing and travel lanes requiring the acquisition of right of way but not resulting in the creation of new land parcels.* | Not found.  | Added as 303.3(S) |
| *N. Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels.* | Not found.  | Added as 303.3(T) |
| *O. Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right of way is required but not resulting in the creation of new land parcels.* | Not found.  | Added as 303.3(U) |
| *P. Expansion of existing airports.*  | 303.3 M. Expansion of existing airports. | No change.  |
| *Q. Television, microwave and radio communication facilities and transmission towers.*  | 303.3 D. Television, microwave and radio communication facilities and transmission towers. Approval of a wireless communication tower is also subject to the requirements of Section 427 | No change.  |
| *R. New electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g., gas, oil, geothermal, telephone, fiber optic cable) with rights-of-way 50 feet or less in width.*  | 303.3 J. New electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g., gas, oil, geothermal, telephone, fiber optic cable) with rights-of-way 50 feet or less in width. | No change.  |
| *S. Water intake facilities, related treatment facilities, pumping stations, and distribution lines.*  | 303.3 G Water intake facilities, related treatment facilities, pumping stations, and distribution lines; | No change.  |
| *T. Reservoirs and water impoundments.*  | 303.3 H. Reservoirs and water impoundments. As a condition of approval, a written statement shall be recorded with the deed or written contract with the county which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules. | No change.  |
| *U. Disposal site for solid waste approved by the governing body of a city or county or both and for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation.*  | 303.4 A. Disposal site for solid waste approved by the governing body of a city or county or both and for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation. | No change.  |
| *V. Commercial utility facilities for the purpose of generating power subject to Subsection X.07.I.*  | 303.4 F. Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than ten acres from use as a commercial forest operation unless an exception is taken pursuant to OAR chapter 660, division 004. | No change.  |
| *W. Aids to navigation and aviation.*  | 303.3 F. Aids to navigation and aviation. | No change.  |
| *X. Firearms training facility as provided in ORS 197.770(2).*  | 303.4 G. Firearms training facility. | Updated to include ORS reference.  |
| *Y. Fire stations for rural fire protection.*  | 303.3 E. Fire stations for rural fire protection. | No change.  |
| *Z. Cemeteries.*  | 303.3 I. Cemeteries. | No change.  |
| *AA. Storage structures for emergency supplies to serve communities and households that are located in tsunami inundation zones subject to Subsection X.07.K.*  | n/a | n/a |
| *BB. Public parks subject to Subsection X.07.L.*  | 303.4 H. Public parks including only those uses specified under OAR 660-034-0035 or 660-034-0040, whichever is applicable. | No change.  |
| *CC. Private parks and campgrounds subject to Subsection X.07.M.* | 303.4 B. Private parks and campgrounds. Recreational activities associated with a private park must be appropriate in a forest environment. Campgrounds in private parks shall comply with the following:1. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 004. 2. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes, and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. 3. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. 4. Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. No more than one-third, or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. 5. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites, except electrical service may be provided to yurts. 6. Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. 7. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6 month period. 8. As a condition of approval, a written statement shall be recorded with the deed or written contract with the County Clerk which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules. | No change.  |
| **X.07 Use Standards** |  |  |
| A. A large tract forest dwelling authorized under ORS 215.740 may be allowed on land zoned for forest use if it is sited on a tract that does not include a dwelling and complies with other provisions of law, including the following:  | 303.6.C.2. The tract on which the dwelling will be sited does not currently include a dwelling; | No change.  |
| (1) The tract is at least 240 contiguous acres or 320 acres in one ownership that are not contiguous but are in the same county or adjacent counties and zoned for forest use. A deed restriction shall be filed pursuant to paragraph (3) for all tracts that are used to meet the acreage requirements of this subsection.  | 303.6.C A large tract dwelling may be approved if all of the following criteria are met:1. The dwelling will be sited on a tract:a. Of at least 240 contiguous acres; orb. Of at least 320 noncontiguous acres that are under the same ownership, are located in Jefferson County or adjacent counties, and are zoned for forest use. | No change.  |
| (2) A tract shall not be considered to consist of less than 240 acres because it is crossed by a public road or a waterway.  | A tract shall not be considered to consist of less than the required acreage because it is crossed by a public road or waterway. | No change.  |
| (3) Where one or more lots or parcels are required to meet minimum acreage requirements:(a) The applicant shall provide evidence that the covenants, conditions and restrictions form adopted as "Exhibit A" in OAR chapter 660, division 6 has been recorded with the county clerk of the county or counties where the property subject to the covenants, conditions and restrictions is located. (b) The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions and restrictions is located. | 303.6.C.4. No dwellings will be allowed on other lots or parcels that make up the tract under subsection (1)(a), or on the noncontiguous parcels that were used to meet the acreage requirement in subsection (1)(b). Irrevocable deed restrictions precluding all future rights to construct a dwelling on the other lots or parcels that make up the tract or to use the noncontiguous parcels to total acreage for future siting of dwellings for present and any future owners shall be recorded with the deed for each lot and parcel. The deed restrictions shall remain in effect until the parcels are no longer subject to protection under the goals for agricultural lands or forest lands. | Replaced with MZ standards.  |
| B. Lot of record dwelling | 303.6.D | See below.  |
| (1) The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in paragraph (4): (a) Since prior to January 1, 1985; or (b) By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985. | 303.6.D.1. The lot or parcel on which the dwelling will be sited was lawfully created and was acquired and owned continuously by the present owner as defined in subsection (2) below:a. Since prior to January 1, 1985; orb. By devise or by intestate succession from a person who acquired and had owned continuously the lot or parcel since prior to January 1, 1985; | No change.  |
| (2) The tract on which the dwelling will be sited does not include a dwelling;  | 303.6.D. 3. The tract on which the dwelling will be sited does not include a dwelling; | No change.  |
| (3) The lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling exists on another lot or parcel that was part of that tract.  | 303.6.D. 4. If the lot or parcel on which the dwelling will be sited was part of a tract on November 4, 1993, no dwelling currently exists on another lot or parcel that was part of that tract; | No change.  |
| (4) For purposes of this subsection, “owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or combination of these family members.  | 303.6.D. 2. For purposes of this subsection, “owner” includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in- law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild of the owner or a business entity owned by any one or combination of these family members; | No change.  |
| (5) The dwelling must be located on a tract that is composed of soils not capable of producing 4,000 cubic feet per year of commercial tree species and is located within 1,500 feet of a public road as defined under ORS 368.001 that provides or will provide access to the subject tract. The road shall be maintained and either paved or surfaced with rock and shall not be: (a) A United States Bureau of Land Management road; or (b) A United States Forest Service road unless the road is paved to a minimum width of 18 feet, there is at least one defined lane in each direction and a maintenance agreement exists between the United States Forest Service and landowners adjacent to the road, a local government or a state agency. | 303.6.D.5. The tract on which the dwelling will be sited is composed of soils not capable of producing 4,000 cubic feet per year of commercial tree species;303.6.D.6. The tract on which the dwelling will be sited is located within 1,500 feet of a maintained public road that is either paved or surfaced with rock. The road shall not be a U.S. Bureau of Land Management (BLM). The road shall not be a U.S. Forest Service (USFS) road unless the road is paved to a minimum width of 18 feet, there is at least one defined lane in each direction, and a maintenance agreement exists between the USFS and landowners adjacent to the road, a local government or a state agency; | Updated to include ORS reference.  |
| (6) When the lot or parcel on which the dwelling will be sited lies within an area designated in an acknowledged comprehensive plan as habitat of big game, the siting of the dwelling shall be consistent with the limitations on density upon which the acknowledged comprehensive plan and land use regulations intended to protect the habitat are based; and  | 303.6.D.7. When the lot or parcel on which the dwelling will be sited lies within a designated big game habitat area, the siting of the dwelling shall be consistent with the standards in Section 321; | No change.  |
| (7) When the lot or parcel on which the dwelling will be sited is part of a tract, the remaining portions of the tract shall be consolidated into a single lot or parcel when the dwelling is allowed.  | 303.6.D. 9. When the lot or parcel where the dwelling is to be sited is part of a tract, the remaining portions of the tract shall be consolidated into a single lot or parcel. | Added language related to “when the dwelling is allowed.” |
| C. A single family “template” dwelling authorized under ORS 215.750 on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:  | 303.6.E. Forest Template Dwelling A forest template dwelling may be approved if all of the following criteria are met: | Updated to include ORS reference.  |
| (1) Capable of producing zero to 20 cubic feet per acre per year of wood fiber if: (a) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and (b) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels. | 2.a. Capable of producing 0 to 20 cubic feet per acre per year of wood fiber and all or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and at least three dwellings existed on January 1, 1993, and continue to exist on the other lots or parcels; | No change.  |
| (2) Capable of producing 21 to 50 cubic feet per acre per year of wood fiber if: (a) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and (b) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels. | 2.b. Capable of producing 21 to 50 cubic feet per acre per year of wood fiber and all or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and at least three dwellings existed on January 1, 1993, and continue to exist on the other lots or parcels; or, | No change.  |
| (3) Capable of producing more than 50 cubic feet per acre per year of wood fiber if: (a) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160 acre square centered on the center of the subject tract; and (b) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels. | 2.c. Capable of producing more than 50 cubic feet per acre per year of wood fiber and all or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and at least three dwellings existed on January 1, 1993, and continue to exist on the other lots or parcels. | No change.  |
| (4) Lots or parcels within urban growth boundaries shall not be used to satisfy eligibility requirements. | 2. d. Lots or parcels within an urban growth boundary shall not be used to satisfy the eligibility requirements under this subsection. | No change.  |
| (5) A dwelling is in the 160-acre template if any part of the dwelling is in the 160-acre template.  | 4. If the tract on which the dwelling will be sited is 60 acres or larger and abuts a road or perennial stream, the measurement required by subsection (2) above shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the subject tract and that is to the maximum extent possible aligned with the road. However, one of the three required dwellings shall be on the same side of the road or stream as the tract, and:a. Be located within the 160-acre rectangle; orb. Be within one-quarter (¼) mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.c. A dwelling is considered to be in the 160-acre rectangle if any part of the dwelling is in the rectangle. | No change.  |
| (6) Except as provided by paragraph (7), if the subject tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160 acre rectangle that is one mile long and 1/4 mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.  | 3. If the tract on which the dwelling will be sited abuts a road that existed on January 1, 1993, the measurement required by subsection (2) above may be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the subject tract and that is to the maximum extent possible aligned with the road; | Added reference to 303.6(E)(4).  |
| (7) The following applies where a tract 60 acres or larger abuts a road or perennial stream. (a) The measurement shall be made in accordance with paragraph (6). However, one of the three required dwellings shall be on the same side of the road or stream as the tract, and:(i) Be located within a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream; or (ii) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160 acre rectangle, and on the same side of the road or stream as the tract. (b) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling. | 4. If the tract on which the dwelling will be sited is 60 acres or larger and abuts a road or perennial stream, the measurement required by subsection (2) above shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the subject tract and that is to the maximum extent possible aligned with the road. However, one of the three required dwellings shall be on the same side of the road or stream as the tract, and:a. Be located within the 160-acre rectangle; orb. Be within one-quarter (¼) mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.c. A dwelling is considered to be in the 160-acre rectangle if any part of the dwelling is in the rectangle.5. If a road crosses the tract on which the dwelling will be sited, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling; | Updated reference from (2) to (3), consistent with the OAR. |
| (a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan, acknowledged land use regulations, or other provisions of law;  | 6. The proposed dwelling is not prohibited by, and complies with, applicable provisions of the Comprehensive Plan, this Ordinance, and other applicable provisions of law; and | Replaced subsection (6) and (7) with X.07D(8).  |
| (b) Unless it complies with the requirements of Sections X.09 and X.10;  | 303.6 DwellingsA dwelling may be approved by the Planning Director under the Administrative Review procedures in Section 903.4 if found to comply with the criteria in this section, the siting standards in Section 303.7, the fire safety standards in Section 426, and any other applicable requirements of this ordinance. | See above.  |
| (c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under paragraph X.07A(3) for the other lots or parcels that make up the tract are met; or (d) If the tract on which the dwelling will be sited includes a dwelling. | 7. No dwellings will be allowed on other lots or parcels that make up the tract. Irrevocable deed restrictions precluding all future rights to construct a dwelling on the lots or parcels that make up the tract or to use the tract to total acreage for future siting of dwellings for present and any future owners unless the tract is no longer subject to protection under the goals for agricultural lands or forest lands shall be recorded with the deed for each lot and parcel. | See above.  |
| (9) Where other lots or parcels that make up a tract in Subsection (8):(a) The applicant shall provide evidence that the covenants, conditions and restrictions form adopted as "Exhibit A" in OAR chapter 660, division 6 has been recorded with the county clerk of the county or counties where the property subject to the covenants, conditions and restrictions is located. (b) The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions and restrictions is located. | Not found | Added as 303.6(E)(7) |
| D. Alteration, restoration or replacement of a lawfully established dwelling, where Subsections (1) or (2) apply:  | 303.6 A. Alteration, restoration or replacement of a lawfully established dwelling may be approved if the existing dwelling meets all of the following: |  |
| (1) Alteration or restoration of a lawfully established dwelling that: (a) Has intact exterior walls and roof structures; (b) Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system; (c) Has interior wiring for interior lights; and(d) Has a heating system. | 303.6.A.1. Has intact exterior walls and roof structures; 2. Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system; 3. Has interior wiring for interior lights; 4. Has a heating system; and | No change.  |
| (2) In the case of replacement, is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling.  | 303.6.A.5. In the case of replacement, is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling. | No change.  |
| E. A temporary hardship dwelling is subject to the following: | 303.6.B. Temporary Medical Hardship Dwelling. |  |
| (1) One manufactured dwelling, or recreational vehicle, or the temporary residential use of an existing building may be allowed in conjunction with an existing dwelling as a temporary use for the term of the hardship suffered by the existing resident or relative, subject to the following:  | A manufactured dwelling or recreational vehicle, or the temporary residential use of an existing building, in conjunction with an existing dwelling, may be approved as a temporary use for the term of a hardship suffered by the existing resident or a relative, subject to compliance with Section 422.3 and the following: | No change.  |
| (a) The manufactured dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If the manufactured home will use a public sanitary sewer system, such condition will not be required;  | 422.3.A.3. The additional dwelling will use the same subsurface sewage disposal system used by the existing dwelling if the County Sanitarian determines that the system is adequate to accommodate the additional dwelling. If the County Sanitarian determines that an additional septic system must be installed, a condition of approval will require that one of the septic systems be decommissioned when the hardship is over. | No change.  |
| (b) The county shall review the permit authorizing such manufactured homes every two years; and  | 422.3. B. A temporary medical hardship dwelling shall be authorized for a period not to exceed two years from the date of initial approval. The authorization may be renewed for additional two year periods provided that all requirements of the original approval continue to be met and a letter from a physician is submitted stating that the person with the hardship continues to require care and assistance. | No change.  |
| (c) Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use.  | 422.3.C. Within three months of the end of the hardship, the temporary manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use. However, a temporary manufactured home or existing building that has been converted to residential use may become the permanent residence if the formerly permanent dwelling is remove or demolished within three months of the end of the hardship and any requirements for replacement dwellings are met. “End of the hardship” means the person with the hardship no longer resides on the property or no longer requires care and assistance. | No change.  |
| (2) A temporary residence approved under this section is not eligible for replacement under Subsection X.05.E. Department of Environmental Quality review and removal requirements also apply.  | 303.A.6. A temporary medical hardship dwelling may not be replaced. However, at such time as the hardship ends the temporary dwelling may replace the permanent dwelling provided the permanent dwelling is removed, demolished or converted to an allowable nonresidential use as required in subsection (5). | No change.  |
| (3) As used in this section “hardship” means a medical hardship or hardship for the care of an aged or infirm person or persons. | 422.3.A.1. The temporary medical hardship dwelling will be occupied by a relative of the existing resident of the property, if the relative suffers from a medical hardship, or by a caregiver for the existing resident, if the resident suffers from the hardship. “Relative” includes a child, parent, stepparent, grandchild, grandparent, step-grandparent, sibling, stepsibling, niece, nephew or first cousin. “Hardship” means a medical hardship or hardship for the care of an aged or infirm person or persons. | No change.  |
| F. A home occupation: | L. Home occupations, subject to the standards in Section 410. As a condition of approval, a written statement shall be recorded with the deed or written contract with the County Clerk which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules. | See below.  |
| (1) Shall be operated by a resident or employee of a resident of the property on which the business is located; | Not found | Added as 303.3(L)(1) |
| (2) Shall employ on the site no more than five full-time or part-time persons *at any given time;* | 410.2.G. The home occupation will be conducted by the residents of the property. The home occupation will employ no more than one additional employee if the property is in a residential zone, or no more than five additional employees if the property is in an Exclusive Farm Use A-1, Exclusive Farm Use A-2, Range Land or Forest Management zone. Employees or contractors who work off-site and do not come to the property to park, pick up equipment or materials or for any other work-related reason will not be counted toward the number of employees that are allowed. | No change.  |
| (3) Shall be operated substantially in:(a) The dwelling; or(b) Other buildings normally associated with uses permitted in the zone in which the property is located, except that such other buildings may not be utilized as bed and breakfast facilities or rental units unless that are legal residences; and | 410.2.A. The home occupation will be secondary to the main use of the property as a residence. It will be operated substantially in the dwelling or in an accessory building on the same property. | No change.  |
| (4) Shall not unreasonably interfere with other uses permitted in the zone in which the property is located. | Not found.  | Added as 303.3(L)(2) |
| *(5) The home occupation shall be accessory to an existing, permanent dwelling on the same parcel.*  | 410.2.D D. The home occupation will be completely conducted within an enclosed building. There will be no outside storage of materials or supplies or display of goods. | No change.  |
| *(6) No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.*  | 410.2. C. The home occupation will be conducted in a manner that will not cause the generation/emission of sounds, noises, fumes, glare, or vibrations, using normal senses and taking measurements from any lot line of the parcel. Electrical or mechanical equipment that creates visible or audible interference in radio or television reception or causes fluctuations in line voltage outside of the home occupation is prohibited. | No change.  |
| *(7) All off-street parking must be provided on the subject parcel where the home occupation is operated.* | 410.2. F. The home occupation will not result in more than five additional vehicles parking at the site at any given time. Any needed parking space shall be off-street in a location other than in a required front setback | No change.  |
| *(a) Employees must use an approved off-street parking area.**(b) Customers visiting the home occupation must use an approved off-street parking area. No more than [2-5] vehicles from customers/visitors of the home occupation can be present at any given time on the subject parcel.* | Not found | Added as 303.3(L)(4) |
| *(8) [One (1) or more] signs, up to a total of [32 square feet in area], are permitted.*  | Not found.  | Added as 303.3(L)(5) and referenced Section 406 |
| *(9) Retail sales shall be limited or accessory to a service. [Alternative: Activity may be listed under prohibited home occupations.]* | 410.2. H. Retail sales will be limited to items that are accessory to a service being provided. Retail sales of seasonal items will be limited to the appropriate season of the year. |  |
| *(10) Prohibited Home Occupations* *(a) Retail sale of a product on the premises. [Alternative: “Retail sales or professional services, other than by appointment only.”]* *(b) Auto or vehicle oriented activities (repair, painting, detailing, wrecking, transportation services, or similar activities).* | Not found.  | Added as 303.3(L)(6) |
| *(11) Permitting.* *(a) Home occupations shall be subject to a conditional use permit process, pursuant to [local ordinance citation], unless all of the requirements of (b) can be met.* *(b) An in-home commercial activity is not considered a home occupation and does not require a land use permit where all of the following criteria can be met. The in-home activity:**(i) Meets the criteria under X.07F(3) (4) (6) and (7)**(ii) Is conducted within a dwelling only by residents of the dwelling.**(iii) Does not occupy more than [25 percent] of the combined floor area of the dwelling including attached garage and one accessory structure.* *(iv) Does not serve clients or customers on-site.* *(v) Does not include the on-site advertisement, display or sale of stock in trade, other than vehicle or trailer signage.* *(vi) Does not include the outside storage of materials, equipment or products.* | Section 410 | No change.  |
| G. Private seasonal accommodations for fee hunting operations are subject to the following requirements:(1) Accommodations are limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; (2) Only minor incidental and accessory retail sales are permitted; and (3) Accommodations are occupied temporarily for the purpose of hunting during either or both game bird or big game hunting seasons authorized by the Oregon Fish and Wildlife Commission. | 303.4.J. Private seasonal accommodations for fee hunting operations subject to the following requirements: 1. Accommodations shall be limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; 2. Only minor incidental and accessory retail sales are permitted; and3. Accommodations shall be occupied only temporarily for the purpose of hunting during game bird and big game hunting seasons authorized by the Oregon Fish and Wildlife Commission. | No change.  |
| H. Private accommodations for fishing occupied on a temporary basis are subject to the following requirements:(1) Accommodations limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; (2) Only minor incidental and accessory retail sales are permitted; (3) Accommodations occupied temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and(4) Accommodations must be located within one-quarter mile of fish-bearing Class I waters. | K. Private accommodations for fishing occupied on a temporary basis subject to the following requirements: 1. Accommodations shall be limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; 2. Only minor incidental and accessory retail sales are permitted; 3. Accommodations shall be occupied only temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and4. Accommodations must be located within 1/4 mile of fish bearing Class I waters. 5. As a condition of approval, a written statement shall be recorded with the deed or written contract with the County Clerk which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules. | No change.  |
| I. A Commercial Utility Facility for the purpose of generating power shall not preclude more than 10 acres from use as a commercial forest operation. | 303.4. F. Utility facilities for the purpose of generating power. A power generation facility shall not preclude more than ten acres from use as a commercial forest operation unless an exception is taken pursuant to OAR chapter 660, division 004. | No change.  |
| *J. Solid waste disposal facilities shall meet the performance and permitting requirements of the Department of Environmental Quality under ORS 459.245, shall meet the requirements of Section X.08 and shall comply with the following requirements.* | 303.4.A. Disposal site for solid waste approved by the governing body of a city or county or both and for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation. | No change.  |
| *(1) The facility shall be designed to minimize conflicts with existing and permitted uses allowed under plan designations for adjacent parcels as outlined in policies of the Comprehensive Plan.* *(2) The facility must be of a size and design to minimize noise or other detrimental effects when located adjacent to farm, forest and grazing dwellings(s) or a residential zone.**(3) The facility shall be fenced when the site is located adjacent to dwelling(s) or a residential zone and landscaping, buffering and/or screening shall be provided.* *(4) The facility does not constitute an unnecessary fire hazard. If located in a forested area, the county shall condition approval to ensure that minimum fire safety measures will be taken, which may include but are not limited to the following:* *(a) The area surrounding the facility is kept free from litter and debris.* *(b) Fencing will be installed around the facility, if deemed appropriate to protect adjacent farm crops or timber stand.* *(c) If the proposed facility is located in a forested area, construction materials shall be fire resistant or treated with a fire retardant substance and the applicant will be required to remove forest fuels within [30 feet] of structures.* *(5) The facility shall adequately protect fish and wildlife resources by meeting minimum Oregon State Department of Forestry regulations.* *(6) Access roads or easements for the facility shall be improved to the county’s Transportation System Plan standards and comply with grades recommended by the Public Works Director.* *(7) Road construction for the facility must be consistent with the intent and purposes set forth in the Oregon Forest Practices Act to minimize soil disturbance and help maintain water quality.**(8) Hours of operation for the facility shall be limited to [8 am – 7 pm].**(9) Comply with other conditions deemed necessary.* | Not found | Added to 303.4(A) |
| K. Storage structures for emergency supplies are subject to the following requirements:(1) Areas within an urban growth boundary cannot reasonably accommodate the structures; (2) The structures are located outside tsunami inundation zones and consistent with evacuation maps prepared by Department of Geology and Mineral Industries (DOGAMI) or the local jurisdiction; (3) Sites where the structures could be co-located with an existing use approved under this subsection are given preference for consideration; (4) The structures are of a number and size no greater than necessary to accommodate the anticipated emergency needs of the population to be served; (5) The structures are managed by a local government entity for the single purpose of providing for the temporary emergency support needs of the public; and (6) Written notification has been provided to the County Office of Emergency Management of the application for the storage structures. | n/a | n/a |
| L. Public parks may include:(1) All uses allowed under Statewide Planning Goal 4;(2) The following uses, if authorized in a local or park master plan that is adopted as part of the local comprehensive plan, or if authorized in a state park master plan that is adopted by OPRD:(a) Campground areas: recreational vehicle sites; tent sites; camper cabins; yurts; teepees; covered wagons; group shelters; campfire program areas; camp stores;(b) Day use areas: picnic shelters, barbecue areas, swimming areas (not swimming pools), open play fields, play structures;(c) Recreational trails: walking, hiking, biking, horse, or motorized off-road vehicle trails; trail staging areas;(d) Boating and fishing facilities: launch ramps and landings, docks, moorage facilities, small boat storage, boating fuel stations, fish cleaning stations, boat sewage pumpout stations;(e) Amenities related to park use intended only for park visitors and employees: laundry facilities; recreation shops; snack shops not exceeding 1500 square feet of floor area;(f) Support facilities serving only the park lands wherein the facility is located: water supply facilities, sewage collection and treatment facilities, storm water management facilities, electrical and communication facilities, restrooms and showers, recycling and trash collection facilities, registration buildings, roads and bridges, parking areas and walkways;(g) Park Maintenance and Management Facilities located within a park: maintenance shops and yards, fuel stations for park vehicles, storage for park equipment and supplies, administrative offices, staff lodging; and(h) Natural and cultural resource interpretative, educational and informational facilities in state parks: interpretative centers, information/orientation centers, self-supporting interpretative and informational kiosks, natural history or cultural resource museums, natural history or cultural educational facilities, reconstructed historic structures for cultural resource interpretation, retail stores not exceeding 1500 square feet for sale of books and other materials that support park resource interpretation and education.(3) Visitor lodging and retreat facilities if authorized in a state park master plan that is adopted by OPRD: historic lodges, houses or inns and the following associated uses in a state park retreat area only:(a) Meeting halls not exceeding 2000 square feet of floor area; (b) Dining halls (not restaurants). | H. Public parks including only those uses specified under OAR 660-034-0035 or 660-034-0040, whichever is applicable. | No change.  |
| M. Private Campgrounds and Campsites.  | 303.4.B Private parks and campgrounds. Recreational activities associated with a private park must be appropriate in a forest environment. Campgrounds in private parks shall comply with the following: | No change.  |
| (1) Campgrounds in private parks may be permitted, subject to the following: | 303.4.B Private parks and campgrounds. Recreational activities associated with a private park must be appropriate in a forest environment. Campgrounds in private parks shall comply with the following: | No change.  |
| (a) Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4.  | 1. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 004. | No change.  |
| (b) A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites.  | 3. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. | No change.  |
| (c) Campgrounds authorized by this rule shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.  | 6. Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. | No change.  |
| (d) Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive six-month period.  | 7. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6 month period. | No change.  |
| (2) Campsites within campgrounds meeting the requirement of X.07M(1) and permitted pursuant to Section X.08 must comply with the following: | 4. Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. No more than one-third, or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. | No change.  |
| (a) Allowed uses include tent, travel trailer or recreational vehicle; yurts are also allowed uses, subject to X.07M(2)(c).  | 4. Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. No more than one-third, or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. | No change.  |
| (b) Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except that electrical service may be provided to yurts.  | 5. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites, except electrical service may be provided to yurts. | No change.  |
| (c) No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation.  | 4. Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. No more than one-third, or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. | No change. |
| N. For single-family dwellings, the landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. | Not found.  | Added to 303.2(L) – Caretaker residences for public parks and public fish hatcheries. 303.6 – Dwellings |
| O. Permanent facility for the primary processing of forest products may be permitted where the facility is: | 303.3.A. Permanent facility for the primary processing of forest products.  | See below.  |
| (1) Located in a building or buildings that do not exceed 10,000 square feet in total floor area, or(2) Located in an outdoor area that does not exceed one acre excluding laydown and storage yards, or(3) Located in a combination of indoor and outdoor areas described in Subsections (1) and (2); and(4) Adequately separated from surrounding properties to reasonably mitigate noise, odor, and other impacts generated by the facility that adversely affect forest management and other existing uses, as determined by the governing body. | Not found | Added to 303.A |
| **X.08 Conditional Use Review Criteria** |  |  |
| A use authorized by Section X.06 of this zone may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands.  | 303.5 Approval CriteriaUses listed in Sections 303.3 and 303.4 may be approved if they comply with the following criteria: | No change.  |
| A. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.  | A. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands; and | No change.  |
| B. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel. | B. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel. | No change.  |
| C. A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized by subsections X.06(C) temporary hardship dwelling, X.06(E) home occupations, X.06(I) Private accommodations for fishing, X.06(T) reservoirs and water impoundments, and X.06(CC) private parks and campgrounds.  | Found in:303.3(H) – Reservoirs and water impoundments303.3(L)(3) – Home occupations303.4(B)(8) – private parks and campgrounds303.4(K)(5) – Private accommodations for fishing303.6(B)(2) – Temporary medical hardship dwelling.  | No change.  |
| *D. The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria:**(1) The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;**(2) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;**(3) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;**(4) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and**(5) The use is or can be made compatible with existing uses and other allowable uses in the area.* | Not found.  | Added to 303.5(C) |
| **X.09 Siting Standards for Dwellings and Structures in Forest Zones** |  |  |
| The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest zones. These criteria are designed to make such uses compatible with forest operations, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this section together with the requirements of Section X.10 to identify the building site:  | 303.7 Siting StandardsThe following siting standards shall apply to all new dwellings and structures in the Forest Management zone. The standards are designed to make uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. The standards shall not be used to deny a structure that would otherwise be allowed, but shall be considered to identify the most appropriate building site. Replacement dwellings and accessory structures that will be located within 100 feet of the existing dwelling are presumed to comply with the siting standards.  | No change.  |
| A. Dwellings and structures shall be sited on the parcel so that: (1) They have the least impact on nearby or adjoining forest or agricultural lands; (2) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized; (3) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and (4) The risks associated with wildfire are minimized. | A. Dwellings and structures shall be sited on the parcel so that:1. They have the least impact on nearby or adjoining forest or agricultural lands;2. Adverse impacts on forest operations and accepted farming practices on the tract will be minimized;3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and4. The risks associated with wildfire are minimized. | No change.  |
| B. Siting criteria satisfying Subsection A may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.  | B. Criteria in section (A) may be met through setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees. | No change.  |
| C. The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, 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; (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. 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. | C. The applicant must provide evidence that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR Chapter 629). For purposes of this section, 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; or2. A water use permit issued by the Water Resources Department for the use described in the application if water will be obtained from a stream, creek, river, lake or other surface water source; or3. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. 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. | No change.  |
| D. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.  | D. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of an easement or long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance. |  |
| E. Approval of a dwelling shall be subject to the following requirements:  | E. If the lot or parcel is more than 30 acres, a condition of approval for a dwelling will require the following: |  |
| (1) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;  | 1. The owner of the tract shall plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules. The Community Development Department will notify the county assessor of the above condition at the time the dwelling is approved; | No change.  |
| (2) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;  | 1. The owner of the tract shall plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules. The Community Development Department will notify the county assessor of the above condition at the time the dwelling is approved; | No change.  |
| (3) Stocking survey report:(a) If the lot or parcel is more than 30 acres, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;  | E. If the lot or parcel is more than 30 acres, a condition of approval for a dwelling will require the following:…2. The property owner shall submit a stocking survey report to the county assessor. The Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules. The Assessor will inform the Department of Forestry if the survey report indicates that minimum stocking requirements have not been met. | No change.  |
| (b) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and | 3. Upon notification by the Assessor, the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department determines that the tract does not meet those requirements, the Department will notify the owner and the Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372. | No change.  |
| (4) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. | F. As a condition of approval for a dwelling, the owner shall sign and record in the deed records for the county the following declaration: "Declarant and declarant's heirs, legal representatives, assigns, and lessees, hereby acknowledge and agree to accept by the placement of this deed declaration, or the acceptance and recording of this instrument, that the property herein described is situated on or near farm and or forest land, and as such may be subject to common, customary, and accepted agricultural and forest practices, which ordinarily and necessarily may produce noise, dust, smoke, and other types of visual, odor, and noise pollution. This deed declaration binds the land owner and the land owner’s successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937." | No change.  |
| **X.10 Fire-Siting Standards for Dwellings and Structures** |  |  |
| The following fire-siting standards or their equivalent shall apply to all new dwelling or structures in a forest zone:  | Section 426 – Fire Safety Standards.  | No change.  |
| A. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the governing body determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards that shall comply with the following: | 426.2. D. Fire Fighting Protection. Where possible, dwellings shall be located within a fire district that provides structural fire protection. If the property is not in a fire district, the following standards shall be met:1. The property owner shall provide evidence that they have requested that the nearest fire district either annex the property, or provide fire protection by contract if annexation is not possible. If the fire district will not provide protection, the County may require alternative fire protection measures, including one or more of the recommended standards in Section 426.3. | No change.  |
| (1) The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions; | 426.3 D. An automatic fire sprinkler system shall be installed.426.3.E. Onsite firefighting equipment and water storage shall be provided. The water supply shall contain at least 4,000 gallons at all times. Road access to within 15 feet of the water source shall be provided for fire apparatus, with a turnaround adequate to accommodate the firefighting equipment. Permanent signs shall be posted along the access route to show the location of the emergency water source. If providing road access to the water source is not feasible, the water source shall be equipped with a minimum 2 ½ inch dry standpipe assembly equipped with NST (National Standard Thread) fittings to enable fire equipment to draught water. | No change.  |
| (2) If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second; | 426.3.E. Onsite firefighting equipment and water storage shall be provided. The water supply shall contain at least 4,000 gallons at all times. Road access to within 15 feet of the water source shall be provided for fire apparatus, with a turnaround adequate to accommodate the firefighting equipment. Permanent signs shall be posted along the access route to show the location of the emergency water source. If providing road access to the water source is not feasible, the water source shall be equipped with a minimum 2 ½ inch dry standpipe assembly equipped with NST (National Standard Thread) fittings to enable fire equipment to draught water. | No change.  |
| (3) 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; and | 426.4 Timing of Compliance with StandardsA. Compliance with the standards in subsections 426.2 (A) through (D) will be verified at the time of application for a building permit. Building permits will not be issued unless the building plans clearly show that the standards will be met.B. The standards in subsections 426.2 (E) through (G) must be met at or prior to beginning framing of the building, or prior to placement of a manufactured home.No building inspections other than for the forms and foundation will be approved until the standards are met.C. If the proposal is for an agricultural building or equine facility that is exempt from obtaining building permits, the applicant shall provide evidence that all standards are met at the time of application for the exemption. The exemption will not be approved until the standards are met. | No change.  |
| (4) Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.  | 426.3.E. Onsite firefighting equipment and water storage shall be provided. The water supply shall contain at least 4,000 gallons at all times. Road access to within 15 feet of the water source shall be provided for fire apparatus, with a turnaround adequate to accommodate the firefighting equipment. Permanent signs shall be posted along the access route to show the location of the emergency water source. If providing road access to the water source is not feasible, the water source shall be equipped with a minimum 2 ½ inch dry standpipe assembly equipped with NST (National Standard Thread) fittings to enable fire equipment to draught water. | No change.  |
| B. Road access to the dwelling shall meet road design standards described in OAR 660-006-0040.  | 426.2.E. Emergency Vehicle Access. Access to within 50 feet of all buildings shall be constructed to the following standards unless a variance has been granted in accordance with Section 426.5. However, existing access to a lawfully established building that does not meet these standards need not be upgraded to comply with the standards when an improvement to the building or a proposed accessory building is valued at less than $10,000, provided that the existing access is adequate to provide ingress and egress by fire protection vehicles. | No change.  |
| C. The owners of the dwellings and structures shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by the Oregon Department of Forestry [and shall demonstrate compliance with Table X.1].  | 426.2.G. Fuel Breaks. Irrigated agricultural land and properties that are inside an Urban Growth Boundary are exempt from the fuel break requirements, but must comply with all other fire safety standards. Fuel breaks shall not be developed within riparian protection areas required by Section 419.1. In all other areas, fuel breaks are required that meet the following standards, unless a variance has been granted in accordance with Section 426.5:1. A primary fuel break shall be developed and maintained around all buildings. The fuel break shall be at least 30 feet wide, or to the property line, whichever is the shortest distance. The fuel break shall be measured from the furthest extension of the structure, including attached carports, the outside edge of a deck, and the edge of roof eaves. The goal within the primary fuel break is to remove fuels that will produce flame lengths in excess of one foot. Brush, downed limbs and other dead plant material must be removed. The primary fuel break should contain primarily non- flammable ground cover such as asphalt, concrete, rock, brick, bare soil, green grass, or succulent ground cover. Combustible ground cover or plant materials, such as bark mulch or accumulated leaves and needles, are prohibited within twelve inches of buildings. Herbaceous plants such as groundcovers, bedding plants, bulbs and perennial flowers are permitted provided they are kept green during the fire season. Dry grass is allowed if kept less than four inches in height. Isolated groupings of deciduous ornamental shrubbery and trees, native trees or other low plants (less than 24 inches) are allowed when maintained in a green condition free of dead plant material and ladder fuels, and provided they are arranged and maintained in such a way that minimizes the possibility a fire can spread to adjacent vegetation. Healthy trees are permitted, provided they are pruned to remove branches that are dead or that are less than 10 vertical feet above the ground. A 15-foot clearance between tree limbs and stovepipes or chimney outlets must be maintained. No branches may overhang within 25 vertical feet of a roof. Areas under decks shall be kept free of firewood, stored flammable materials, leaves and needles.2. A fuel break shall be developed and maintained immediately adjacent to any driveway that is more than 150 feet in length. The fuel break shall extend at least ten feet from each side of the centerline of the driveway, or to the property line, whichever is the shortest distance. A minimum clear height of at least 14½ feet shall be maintained for the entire width of the driveway and fuel break. The driveway fuel break shall meet the same requirements as outlined in subsection (1) for ground cover and limbing of trees. | No change.  |
| D. The dwelling shall have a fire retardant roof.  | 426.2.A. Roof Coverings. New buildings, reroofing of existing buildings, and additions to buildings that will have a roof area more than 50 percent of the existing roof area, shall have Underwriter’s Laboratory rated Class A or B roofing or equivalent, or tile or metal roofing. Wood roofing of any type, including pressure treated wood shingles or shakes, is prohibited. | No change.  |
| E. The dwelling shall not be sited on a slope of greater than 40 percent.  | 426.2.C. Slope New dwellings shall be located on a slope of less than 40 percent, based on the natural grade. | No change.  |
| F. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.  | 426.2.B. Chimneys and Stovepipes. The openings of all chimneys and stovepipes shall be completely covered with a spark arrester which is constructed of 12 USA standard gauge wire which has openings no larger than ½ inch in size. | No change.  |
| **X.11 Youth Camps** |  |  |
| A. The purpose of this section is to provide for the establishment of a youth camp that is generally self-contained and located on a parcel suitable to limit potential impacts on nearby and adjacent land and to be compatible with the forest environment.  | L. Youth camps. A youth camp is a facility either owned or leased, and operated by a state or local government, or a nonprofit corporation as defined under ORS 65.001, to provide an outdoor recreational and educational experience primarily for the benefit of persons twenty-one (21) years of age and younger. Youth camps do not include any manner of juvenile detention center or juvenile detention facility. Youth camps shall comply with the following: |  |
| B. Changes to or expansions of youth camps established prior to the effective date of this section shall be subject to the provisions of ORS 215.130.  | Not found | Added as 303.4(L)(10) |
| C. An application for a proposed youth camp shall comply with the following:  | See below.  | See below.  |
| (1) The number of overnight camp participants that may be accommodated shall be determined by the governing body, or its designate, based on the size, topography, geographic features and any other characteristics of the proposed site for the youth camp. Except as provided by paragraph X.11C(2) a youth camp shall not provide overnight accommodations for more than 350 youth camp participants, including staff.  | 1. The number of overnight camp participants that may be accommodated shall be determined by the Planning Commission or Board of Commissioners, but shall not exceed overnight accommodations for more than 350 youth camp participants, including staff. However, if requested in the application and approved by the County, the number of overnight participants may exceed the approved number for up to eight (8) nights during the calendar year. | No change.  |
| (2) The governing body, or its designated may allow up to eight (8) nights during the calendar year when the number of overnight participants may exceed the total number of overnight participants allowed under paragraph X.11C(1).  | 1. The number of overnight camp participants that may be accommodated shall be determined by the Planning Commission or Board of Commissioners, but shall not exceed overnight accommodations for more than 350 youth camp participants, including staff. However, if requested in the application and approved by the County, the number of overnight participants may exceed the approved number for up to eight (8) nights during the calendar year. | No change.  |
| (3) Overnight stays for adult programs primarily for individuals over 21 years of age, not including staff, shall not exceed 10 percent of the total camper nights offered by the youth camp.  | 2. Overnight stays for adult programs primarily for individuals over twenty-one years of age, not including staff, shall not exceed 10% of the total camper nights offered by the youth camp. | No change.  |
| (4) The use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.  | 303.4 Conditional UsesIn a Forest Management Zone, the following uses may be approved after review by the Planning Commission at a public hearing in accordance with the procedures in Section 903.5. In order to be approved, the use must comply with the criteria in Section 303.5 and Section 602, the siting standards in Section 303.7, the fire safety standards in Section 426 and any other applicable requirements of this ordinance. | No change.  |
| (5) A campground as described in Subsection X.07M shall not be established in conjunction with a youth camp.  | 3. A campground as described in Section 303.4(B) shall not be established in conjunction with a youth camp. | No change.  |
| (6) A youth camp shall not be allowed in conjunction with an existing golf course.  | 4. A youth camp shall not be allowed in conjunction with an existing golf course. | No change.  |
| (7) A youth camp shall not interfere with the exercise of legally established water rights on adjacent properties.  | 5. A youth camp shall not interfere with the exercise of legally established water rights on adjacent properties. | No change.  |
| D. The youth camp shall be located on a lawful parcel that is:  | See below.  | See below.  |
| (1) Suitable to provide a forested setting needed to ensure a primarily outdoor experience without depending upon the use or natural characteristics of adjacent and nearby public and private land. This determination shall be based on the size, topography, geographic features and any other characteristics of the proposed site for the youth camp, as well as, the number of overnight participants and type and number of proposed facilities. A youth camp shall be located on a parcel of at least 80 acres.  | 6. a. At least 80 acres;b. Suitable to provide a forested setting needed to ensure a primarily outdoor experience without depending upon the use or natural characteristics of adjacent and nearby public and private land. This determination shall be based on the size, topography, geographic features and any other characteristics of the proposed site for the youth camp, as well as the number of overnight participants and type and number of proposed facilities; | No change.  |
| (2) Suitable to provide a protective buffer to separate the visual and audible aspects of youth camp activities from other nearby and adjacent lands. The buffers shall consist of forest vegetation, topographic or other natural features as well as structural setbacks from adjacent public and private lands, roads, and riparian areas. The structural setback from roads and adjacent public and private property shall be 250 feet unless the governing body, or its designate sets a different setback based upon the following criteria that may be applied on a case-by-case basis: (a) The proposed setback will prevent conflicts with commercial resource management practices; (b) The proposed setback will prevent a significant increase in safety hazards associated with vehicular traffic; and (c) The proposed setback will provide an appropriate buffer from visual and audible aspects of youth camp activities from other nearby and adjacent resource lands. | 6.d. Suitable to provide a protective buffer to separate the visual and audible aspects of youth camp activities from other nearby and adjacent lands. The buffers shall consist of forest vegetation, topographic or other natural features as well as structural setbacks from adjacent public and private lands, roads, and riparian areas. The structural setback from roads and adjacent public and private property shall be 250 feet unless the County determines that a proposed lesser setback will:i. Prevent conflicts with commercial resource management practices;ii. Prevent a significant increase in safety hazards associated with vehicular traffic; andiii. Provide an appropriate buffer from visual and audible aspects of youth camp activities from other nearby and adjacent resource lands. | No change.  |
| (3) Suitable to provide for the establishment of sewage disposal facilities without requiring a sewer system as defined in OAR 660-011-0060(1)(f). Prior to granting final approval, the governing body or its designate shall verify that a proposed youth camp will not result in the need for a sewer system.  | 6.c. Suitable to provide for the establishment of sewage disposal facilities without requiring a sewer system as defined in OAR 660-011-0060(1)(f); and | Added language related “shall verify that a proposed youth camp will not result in the need for a sewer system.” |
| E. A youth camp may provide for the following facilities: (1) Recreational facilities limited to passive improvements, such as open areas suitable for ball fields, volleyball courts, soccer fields, archery or shooting ranges, hiking and biking trails, horseback riding or swimming that can be provided in conjunction with the site's natural environment. Intensively developed facilities such as tennis courts, gymnasiums, and golf courses shall not be allowed. One swimming pool may be allowed if no lake or other water feature suitable for aquatic recreation is located on the subject property or immediately available for youth camp use. (2) Primary cooking and eating facilities shall be included in a single building. Except in sleeping quarters, the governing body, or its designate, may allow secondary cooking and eating facilities in one or more buildings designed to accommodate other youth camp activities. Food services shall be limited to the operation of the youth camp and shall be provided only for youth camp participants. The sale of individual meals may be offered only to family members or guardians of youth camp participants. (3) Bathing and laundry facilities except that they shall not be provided in the same building as sleeping quarters. (4) Up to three camp activity buildings, not including primary cooking and eating facilities. (5) Sleeping quarters including cabins, tents or other structures. Sleeping quarters may include toilets, but, except for the caretaker's dwelling, shall not include kitchen facilities. Sleeping quarters shall be provided only for youth camp participants and shall not be offered as overnight accommodations for persons not participating in youth camp activities or as individual rentals. (6) Covered areas that are not fully enclosed. (7) Administrative, maintenance and storage buildings; permanent structure for administrative services, first aid, equipment and supply storage, and for use as an infirmary if necessary or requested by the applicant. (8) An infirmary may provide sleeping quarters for the medical care provider (e.g. Doctor, Registered Nurse, Emergency Medical Technician, etc.). (9) A caretaker's residence may be established in conjunction with a youth camp prior to or after June 14, 2000, if no other dwelling exists on the subject property. | 7. A youth camp may include the recreational, cooking, eating, bathing, laundry, sleeping, administrative and other facilities listed in OAR 660-006-0031(6). A caretaker’s residence may be established in conjunction with a youth camp if no other dwelling exists on the property. | No change.  |
| F. A proposed youth camp shall comply with the following fire safety requirements:  | 8. A fire safety protection plan that includes the following shall be developed for the youth camp: | Updated to include X.11F(1) |
| (1) The fire siting standards in Section X.10;  | Not found.  | Added.  |
| (2) A fire safety protection plan shall be developed for each youth camp that includes the following: (a) Fire prevention measures; (b) On site pre-suppression and suppression measures; and (c) The establishment and maintenance of fire safe area(s) in which camp participants can gather in the event of a fire. | 8. A fire safety protection plan that includes the following shall be developed for the youth camp:a. Fire prevention measures;b. The establishment and maintenance of fire safe area(s) in which camp participants can gather in the event of a fire; andc. On-site pre-suppression and suppression measures. At a minimum, the on-site fire suppression capability shall include:i. A 1,000 gallon mobile water supply that can access all areas of the camp;ii. A 30-gallon per minute water pump and an adequate amount of hose and nozzles;iii. A sufficient number of fire fighting hand tools; andiv. Trained personnel capable of operating all fire suppression equipment at the camp during designated periods of fire danger. | No change.  |
| (3) Except as determined under paragraph (4), a youth camp's on-site fire suppression capability shall at least include: (a) A 1000 gallon mobile water supply that can access all areas of the camp; (b) A 30 gallon-per-minute water pump and an adequate amount of hose and nozzles; (c) A sufficient number of fire-fighting hand tools; and (d) Trained personnel capable of operating all fire suppression equipment at the camp during designated periods of fire danger. | 8.c. On-site pre-suppression and suppression measures. At a minimum, the on-site fire suppression capability shall include:i. A 1,000 gallon mobile water supply that can access all areas of the camp;ii. A 30-gallon per minute water pump and an adequate amount of hose and nozzles;iii. A sufficient number of fire fighting hand tools; andiv. Trained personnel capable of operating all fire suppression equipment at the camp during designated periods of fire danger. | No change.  |
| (4) An equivalent level of fire suppression facilities may be determined by the governing body, or it’s designate. The equivalent capability shall be based on the Oregon Department of Forestry's (ODF) Wildfire Hazard Zone rating system, the response time of the effective wildfire suppression agencies, and consultation with ODF personnel if the camp is within an area protected by ODF and not served by a local structural fire protection provider.  | d. An equivalent level of fire suppression facilities may be approved if the camp is within an area protected by the Oregon Department of Forestry (ODF). The equivalent capability shall be based on the ODF Wildfire Hazard Zone rating system, the response time of the effective wildfire suppression agencies, and consultation with ODF personnel. | No change.  |
| (5) The provisions of paragraph (4) may be waived by the governing body, or its designate, if the youth camp is located in an area served by a structural fire protection provider and that provider informs the governing body in writing that on-site fire suppression at the camp is not needed.  | e. The on-site fire suppression measures in (c) may be waived if the youth camp is within a fire district that provides structural fire protection and the fire district indicates in writing that on-site fire suppression at the camp is not needed. | No change.  |
| G. The governing body, or its designate, shall require as a condition of approval of a youth camp, that the land owner of the youth camp sign and record in the deed records for the county a document binding the land owner, or operator of the youth camp if different from the owner, and the land owner's or operator's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.  | Not found.  | Added as 303.4(L)(9) |
| **X.12 Land Divisions** |  |  |
| A. The minimum parcel size for new forest parcels is 80 (eighty) acres. | 303.9 Minimum Parcel SizeThe minimum parcel size in the Forest Management zone is 80 acres or one-eighth Section, except as specified in this Section. If the parcel is in a Wildlife Overlay Zone, the minimum lot size requirements in Section 321 supersede this section if they require a larger minimum lot size. Land divisions to create new parcels less than the 80 acre minimum parcel size may be approved subject to the requirements and procedures of Chapter 7 and compliance with the following standards: | No change.  |
| B. New land divisions less than the parcel size in Subsection A may be approved for any of the following circumstances:  | See below.  | No change.  |
| (1) For the uses listed in the following subsections provided that such uses have been approved pursuant to section X.08and the parcel created from the division is the minimum size necessary for the use. | A. A new parcel may be created for the following uses, provided that the use has been approved by the County and the parcel created from the division is the minimum size necessary for the use: | No change.  |
| (a) X.03R. Exploration for and production of geothermal, gas, oil, and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the well head. | 12. Exploration for and production of geothermal, gas, oil, and other associated hydrocarbons, as described in Section 303.4(C).  | No change.  |
| (b) X.04A. Destination resorts, subject to ORS 197.435 to 197.467 and Goal 8. | 17. Residential lots in a destination resort, as described in Sections 303.4(I) and 430. | No change.  |
| (c) X.06A. Log scaling and weigh stations | 3. Log scaling and weigh station, as described in Section 303.3(C). | No change.  |
| (d) X.06F. Permanent facility for the primary processing of forest products subject to X.07O.  | 1. Permanent facility for the primary processing of forest products, as described in Section 303.3(A). | No change.  |
| (e) X.06G. Permanent logging equipment repair and storage.  | 2. Permanent logging equipment repair and storage, as described in Section 303.3(B). | No change.  |
| (f) X.06J. Mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520, and not otherwise permitted under Subsection X.03.O (e.g., compressors, separators and storage serving multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517.  | 13. Mining and processing of oil, gas, or other subsurface resources, as described in Section 303.4(D). | No change.  |
| (g) X.06Q. Television, microwave and radio communication facilities and transmission towers.  | 4. Television, microwave and radio communication facilities and transmission towers, as described in Section 303.3(D). | No change.  |
| (h) X.06S. Water intake facilities, related treatment facilities, pumping stations, and distribution lines.  | 7. Water intake facilities, related treatment facilities, pumping stations, and distribution lines, as described in Section 303.3(G). | No change.  |
| (i) X.06T. Reservoirs and water impoundments.  | 8. Reservoirs and water impoundments, as described in Section 303.3(H). | No change.  |
| (j) X.06U. Disposal site for solid waste approved by the governing body of a city or county or both and for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation.  | 10. Disposal site for solid waste, as described in Section 303.4(A). | No change.  |
| (k) X.06V. Commercial utility facilities for the purpose of generating power subject to Subsection X.07.I.  | 14. Utility facilities for the purpose of generating power, as described in Section 303.4(F). | No change.  |
| (l) X.06W. Aids to navigation and aviation.  | 6. Aids to navigation and aviation, as described in Section 303.3(F). | No change.  |
| (m) X.06X. Firearms training facility as provided in ORS 197.770(2).  | 15. Firearms training facility, as described in Section 303.4(G). | No change.  |
| (n) X.06Y. Fire stations for rural fire protection.  | 5. Fire station, as described in Section 303.3(E). | No change.  |
| (o) X.06Z. Cemeteries.  | 9. Cemetery, as described in Section 303.3(I). | No change.  |
| (p) X.06BB. Public parks subject to Subsection X.07.L.  | 16. Public parks, as described in Section 303.4(H). | No change.  |
| (q) X.06CC. Private parks and campgrounds subject to Subsection X.07.M. | 11. Private parks and campgrounds, as described in Section 303.4(B). | No change.  |
| (2) For the establishment of a parcel for a dwelling that has existed since before June 1, 1995, subject to the following requirements: (a) The parcel established may not be larger than five acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall not be larger than 10 acres; and (b) The parcel that does not contain the dwelling is not entitled to a dwelling unless subsequently authorized by law or goal and the parcel either: (i) Meets the minimum land division standards of the zone; or (ii) Is consolidated with another parcel, and together the parcels meet the minimum land division standards of the zone. | B. A new parcel may be created for an existing dwelling provided: 1. The new parcel shall not be larger than five acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall be no larger than ten acres;2. The dwelling existed prior to June 1, 1995; and3. The remaining parcel, not containing the dwelling:a. Meets the 80 acre minimum lot or parcel size, or is consolidated with another parcel and together the parcels meet the minimum lot size; andb. Is not entitled to a dwelling unless subsequently authorized by law or goal.4. The applicant for a division under this subsection shall provide evidence that a restrictive deed declaration on the remaining parcel not containing the dwelling has been recorded with the Jefferson County Clerk. The restriction shall prohibit a dwelling on the parcel, unless authorized by law or goal. The restriction shall be irrevocable unless a statement of release is signed by the Planning Director indicating that the Comprehensive Plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to Statewide Planning Goals pertaining to agricultural land or forest land. | No change.  |
| (3) To allow a division of forest land to facilitate a forest practice as defined in ORS 527.620 that results in a parcel that does not meet the minimum area requirements of Subsection A. Approvals shall be based on findings that demonstrate that there are unique property specific characteristics present in the proposed parcel that require an amount of land smaller than the minimum area requirements of Subsection A in order to conduct the forest practice. Parcels created pursuant to this paragraph: (a) Are not eligible for siting of a new dwelling; (b) May not serve as the justification for the siting of a future dwelling on other lots or parcels; (c) May not, as a result of the land division, be used to justify redesignation or rezoning of resource lands; and (d) May not result in a parcel of less than 35 acres, unless the purpose of the land division is to: (i) Facilitate an exchange of lands involving a governmental agency; or (ii) Allow transactions in which at least one participant is a person with a cumulative ownership of at least 2,000 acres of forest land. | C. A new parcel may be created to facilitate a forest practice as defined in ORS 527.620. Approval shall be based on findings which demonstrate that there are unique property specific characteristics present in the proposed parcel that require an amount of land smaller than the 80 acre minimum lot or parcel size in order to conduct the forest practice. Parcels created pursuant to this subsection: 1. Shall not be eligible for siting of a new dwelling;2. Shall not serve as justification for the siting of a future dwelling on other lots or parcels;3. Shall not, as a result of the land division, be used to justify rezoning of resource lands; and4. Shall not result in a parcel of less than 35 acres, unless:a. The purpose of the land division is to facilitate an exchange of lands involving a governmental agency; or,b. The purpose of the land division is to allow transactions in which at least one participant is a person with a cumulative ownership of at least 2,000 acres of forest land.5. If associated with the creation of a parcel where a dwelling is involved, the division shall not result in a parcel less than 80 acres, or 160 acres if the dwelling was approved as a large tract forest dwelling under subsection 303.6(C). | No change.  |
| (4) To allow a division of a lot or parcel zoned for forest use if: (a) At least two dwellings lawfully existed on the lot or parcel prior to November 4, 1993; (b) Each dwelling complies with the criteria for a replacement dwelling under paragraph X.07D(1); (c) Except for one parcel, each parcel created under this paragraph is between two and five acres in size; (d) At least one dwelling is located on each parcel created under this paragraph; and (e) The landowner of a parcel created under this paragraph provides evidence that a restriction prohibiting the landowner and the landowner’s successors in interest from further dividing the parcel has been recorded with the county clerk of the county in which the parcel is located. A restriction imposed under this paragraph shall be irrevocable unless a statement of release is signed by the county planning director of the county in which the parcel is located indicating that the comprehensive plan or land use regulations applicable to the parcel have been changed so that the parcel is no longer subject to statewide planning goals protecting forestland or unless the land division is subsequently authorized by law or by a change in a statewide planning goal for land zoned for forest use. | D. When there is more than one dwelling on a parcel, a new parcel may be created for each dwelling if the following requirements are met1. At least two dwellings lawfully existed on the lot or parcel prior to November 4, 1993;2. Each dwelling complies with the standards for a replacement dwelling pursuant to subsection 303.6(A);3. Except for one lot or parcel, each lot or parcel created will be between two and five acres in size;4. At least one dwelling will be located on each lot or parcel;5. None of the dwellings were approved under a land use regulation that required removal of the dwelling or that prohibited subsequent division of the lot or parcel; and6. The applicant shall provide evidence that a restrictive deed declaration has been recorded with the County Clerk prohibiting the landowner and the land owner’s successors in interest from further dividing the lot or parcel. The restriction imposed under this subsection shall be irrevocable unless a statement of release is signed by the Director indicating that the Comprehensive Plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to Statewide Planning Goal 4 (Forest Lands) or unless the land division is subsequently authorized by law or by a change in Statewide Planning Goal 4. | No change.  |
| (5) To allow a proposed division of land to preserve open space or parks, as provided in ORS 215.783.  | E. A land division to create two parcels for the purpose of allowing a provider of public parks or open space, or a not-for-profit land conservation organization, to purchase one of the resulting parcels may be approved, provided that:1. The parcel created by the land division that is not sold to a provider of public parks or open space, or a not-for-profit land conservation organization must comply with the following:a. If the parcel contains a dwelling or another use allowed under ORS 215, the parcel must be large enough to support continued residential use or other use allowed on the parcel; orb. If the parcel does not contain a dwelling, the parcel is eligible for siting a dwelling as may be authorized in a state park under ORS 195.120, or as may be authorized under Section 303.6, based on the size and configuration of the parcel.2. As a condition of approval before the final plat is signed, the provider of public parks or open space, or not-for-profit land conservation organization shall record with the County Clerk an irrevocable deed restriction prohibiting the provider or organization and their successors in interest from establishing a dwelling on the parcel or developing the parcel for any use not authorized in the FM zone except park or conservation uses.3. As a condition of approval, if the land division results in the disqualification of a parcel for a special assessment described in ORS 308A.718 or the withdrawal of a parcel from designation as riparian habitat under ORS 308A.365, the owner must pay additional taxes as provided under ORS 308A.371 or 308A.700 to 308A.733 before the final plat is signed. | No change.  |
| C. A lot or parcel may not be divided under paragraph X.12B(4) if an existing dwelling on the lot or parcel was approved under a statute, an administrative rule or a land use regulation as defined in ORS 197.015 that required removal of the dwelling or that prohibited subsequent division of the lot or parcel.  | D. When there is more than one dwelling on a parcel, a new parcel may be created for each dwelling if the following requirements are met1. At least two dwellings lawfully existed on the lot or parcel prior to November 4, 1993;2. Each dwelling complies with the standards for a replacement dwelling pursuant to subsection 303.6(A);3. Except for one lot or parcel, each lot or parcel created will be between two and five acres in size;4. At least one dwelling will be located on each lot or parcel;5. None of the dwellings were approved under a land use regulation that required removal of the dwelling or that prohibited subsequent division of the lot or parcel; and6. The applicant shall provide evidence that a restrictive deed declaration has been recorded with the County Clerk prohibiting the landowner and the land owner’s successors in interest from further dividing the lot or parcel. The restriction imposed under this subsection shall be irrevocable unless a statement of release is signed by the Director indicating that the Comprehensive Plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to Statewide Planning Goal 4 (Forest Lands) or unless the land division is subsequently authorized by law or by a change in Statewide Planning Goal 4. | No change.  |
| D. Restrictions (1) An applicant for the creation of a parcel pursuant to paragraph X.12B(2) shall provide evidence that a restriction on the remaining parcel, not containing the dwelling, has been recorded with the county clerk. The restriction shall allow no dwellings unless authorized by law or goal on land zoned for forest use except as permitted under Subsection B. (2) A restriction imposed under this subsection shall be irrevocable unless a statement of release is signed by the county planning director of the county where the property is located indicating that the comprehensive plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to statewide planning goals pertaining to agricultural land or forest land. | B. A new parcel may be created for an existing dwelling provided: 1. The new parcel shall not be larger than five acres, except as necessary to recognize physical factors such as roads or streams, in which case the parcel shall be no larger than ten acres;2. The dwelling existed prior to June 1, 1995; and3. The remaining parcel, not containing the dwelling:a. Meets the 80 acre minimum lot or parcel size, or is consolidated with another parcel and together the parcels meet the minimum lot size; andb. Is not entitled to a dwelling unless subsequently authorized by law or goal.4. The applicant for a division under this subsection shall provide evidence that a restrictive deed declaration on the remaining parcel not containing the dwelling has been recorded with the Jefferson County Clerk. The restriction shall prohibit a dwelling on the parcel, unless authorized by law or goal. The restriction shall be irrevocable unless a statement of release is signed by the Planning Director indicating that the Comprehensive Plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to Statewide Planning Goals pertaining to agricultural land or forest land. | No change.  |
| E. A landowner allowed a land division under Subsection B shall sign a statement that shall be recorded with the county clerk of the county in which the property is located, declaring that the landowner will not in the future complain about accepted farming or forest practices on nearby lands devoted to farm or forest use.  | F. A landowner granted approval of a land division under subsections (A) through (E) shall sign a statement that shall be recorded with the County Clerk, declaring that the landowner and the landowner’s successors in interest will not in the future complain about accepted farming or forest practices on nearby lands devoted to farm or forest use. | No change.  |
| F. The county governing body or its designate may not approve a property line adjustment of a lot or parcel in a manner that separates a temporary hardship dwelling or home occupation from the parcel on which the primary residential use exists.  | Not found.  | Added as 303.9(G) |
| G. A division of a lawfully established unit of land may occur along an urban growth boundary where the parcel remaining outside the urban growth boundary is zoned for forest use and is smaller than the minimum parcel size, provided that:(1) If the parcel contains a dwelling, it must be large enough to support continued residential use. (2) If the parcel does not contain a dwelling:(a) It is not eligible for siting a dwelling, except as may be authorized under ORS 195.120; (b) It may not be considered in approving a redesignation or rezoning of forest lands, except to allow a public park, open space, or other natural resource use; and(c) The owner of the parcel shall record with the county clerk an irrevocable deed restriction prohibiting the owner and all successors in interest from pursuing a cause of action or claim of relief alleging injury from farming or forest practices for which a claim or action is not allowed under ORS 30.936 or 30.937. | Not found | Added as 303.9(H) |
| **X.13 Development Standards**  |  |  |
| All dwellings and structures approved pursuant to Article [Chapter] X shall be sited in accordance with this Section.A. Lot Size Standards. Lot size shall be consistent with the requirements of Section X.12.B. Setbacks. (1) Front Yard: All buildings or structures with the exception of fences shall be setback a minimum of [30 - 50 feet] from the property line.(2) Rear Yard: [10 - 30 feet](3) Side Yard: [5 - 30 feet]C. Height. (1) Dwellings shall not exceed a height of [30 - 45] feet. (2) Non-residential structures shall not exceed a height of [30 -100] feet. | 303.10 Setback Requirements:A. In the Forest Management Zone, the minimum setback from all property lines shall be 40 feet. However, a larger setback may be required to comply with the siting standards in Section 303.7 and the fire safety standards in Section 426. B. Stream Setbacks: All residences, buildings or similar permanent fixtures shall be set back from streams or lakes in accordance with the standards in Section 419. | No change.  |