

SECTION 3.072. MILES CROSSING, JEFFERS GARDENS AND WESTPORT RURAL COMMUNITY RESIDENTIAL ZONE (RCR)

Section 3.074. Purpose and Intent.

The Miles Crossing, Jeffers Gardens and Westport RCR zone is intended to accommodate the immediate and foreseeable demand for low density housing in Clatsop County rural communities. This zone has been developed with the purpose to: (1) allow residential development that is compatible with rural communities that wish to maintain a primarily single family rural residential character, (2) do not adversely impact adjacent resource lands, e.g. farm or forest, (3) allow for minimum lot sizes and densities, that will provide for an ultimate build out that is more commensurate with actual physical, and environmental constraints, and the availability of community water and sewer, and (4) may provide for non-residential uses that are small in scale, intended for the needs of the local community or for people traveling through the rural community, and are compatible with surrounding uses.

Section 3.076. Development and Use Permitted (RCR).

The following uses and their accessory uses are permitted under a Type I permit procedure subject to applicable development standards. Combined square footage of commercial uses, including their accessory uses occur in building or buildings that do not exceed the following area standards:

- 1) One family dwelling.
- 2) Accessory Dwelling Unit (ADU) per Section 1.030.
- 3) Guesthouse per Section 1.030.
- 4) Accessory buildings per Section 1.030 are permitted only as follows:
 - (A) In conjunction with, or following the permitting or lawful establishment of the principal use on the same tract. Accessory buildings are limited to uninhabitable spaces such as detached garages, storage buildings, garden sheds, greenhouses, shops, etc.
- 5) Signs only as follows:
 - (A) Temporary signs, subject to the provisions of S2.300
 - (B) Nameplates subject to the provisions of Clatsop County Standards Document, Section S2.300.
- 6) Handicapped housing facility as defined in Section 1.030.
- 7) Home occupation, Limited.
- 8) Low intensity recreation.
- 9) Utilities, maximum utilization of existing easements and rights-of-way shall be made.
- 10) Farm use.
- 11) Roadside stand for farm products grown on the premises, subject to provisions of S5.032-S5.033.
- 12) Health hardship pursuant to Section S3.025, no public notice required.
- 13) Temporary uses including use of a Recreational Vehicle during construction phase, subject to the provisions of Section 5.500.

- 14) Land transportation facilities as specified in Section 3.035.

Section 3.078. Conditional Development and Use.

The following uses and their accessory uses are permitted under a Type II permit procedure subject to applicable development standards. Combined square footage of commercial uses, including their accessory uses occur in building or buildings that do not exceed the following area standards:

- 1) Two family dwelling (duplex).
- 2) Accessory uses may be permitted prior to the issuance of a development permit for the primary use, subject to an approval by the Community Development Director provided that:
 - (A) The applicant submits a letter to the Director explaining the unique or unusual circumstances and nature of the intended use; and
 - (B) Provided the property owner obtains the primary use development permit within one-year (1) from the date the accessory use development permit is issued; and
 - (C) A statement that the accessory use, during the one-year period prior to establishing the primary use is not intended for the storage of, or the establishment of a Recreational Vehicle use; and
 - (D) May be subject to other conditions of approval deemed necessary to protect the primary purpose and intent of the zone, and to provide for public health, safety and welfare.
- 3) Public or private elementary, middle, or high school.
- 4) Home occupation.
- 5) Boat ramps subject to Section 4.080-4.095 for areas identified as Coastal Shorelands in the Comprehensive Plan.
- 6) Churches or similar places of worship.
- 7) Golf Course, driving range, country club, tennis club, and similar recreation uses and provided building or buildings for each commercial use does not exceed 4,000 square foot of floor area.
- 8) Park, playground, ball fields, or community center.
- 9) Day nursery or day care center, not part of a primary residential use and provided building or buildings for each commercial use does not exceed 4,000 square foot of floor area.
- 10) Buildings and uses of a public works, public service, or public utility nature, but not including equipment storage, repair yards, warehouses, or related activities.
- 11) Bed and Breakfast establishment subject to the standards in Clatsop County Standards Document, Section S3.464-S3.468.
- 12) Temporary real estate office in a legally recorded subdivision.
- 13) By a Type III procedure, any uses determined by the Planning Commission to be similar in use and compatibility to those uses described under sections 1-12 above, subject to the provisions of section 5.060, provided building or buildings for each commercial use does not exceed 4,000 square feet of floor area.

Section 3.080. Development and Use Standards.

The following standards are applicable to permitted uses in this zone.

- 1) Lot sizes:
 - (A) Parcels not served by an approved public community sewer system, shall have a minimum parcel size of 1 acre and a minimum width of 150 feet. Parcels served by an approved public community sewer system, shall have a minimum parcel size of 7,500 square feet and a minimum width of 75 feet.
 - (B) Lot size for conditional developments shall be based upon:
 - 1) the site size need of the proposed use,
 - 2) the nature of the proposed use in relation to the impacts on nearby properties, and
 - 3) consideration of state sanitation requirements, local setback and other criteria and standards of this ordinance.
 - (C) Maximum lot coverage for residential or non-residential use including accessory structures: 40%.
 - (D) Two family dwelling (duplex) minimum lot size on sewer, 15,000 sq.ft.
 - (E) Cluster developments are subject to the provisions of S3.150-S3.161.
 - (F) Other development and use standards as required to meet State sanitation requirements and local setback and ordinance requirements.
- 2) New development, lot width/depth dimension shall not exceed a 1:3 ratio.
- 3) Required front yard setback for any structure, measured from the abutting edge of the right-of-way, when front line abuts:
 - (A) Major arterial: fifty feet (50).
 - (B) Minor arterial: thirty feet (30).
 - (C) Major collector: thirty feet (30).
 - (D) Minor collector: twenty-five feet (25).
 - (E) Local street: twenty feet (20).
- 4) Required rear yard setback for any structure, measured from the edged of the property boundary within the Rural Community Zone, twenty feet (20), and excluding any portion of the parcel that has a different zone, e.g. split zones.
 - (A) Exception on a corner lot: 5 feet.
 - (B) Exception when adjacent to resource zones, all structures: fifty feet (50).
- 5) Required side yard:
 - (A) Minimum side yard: ten feet (10), except on a corner lot, the minimum street side yard measured from the abutting edge of the right-of-way shall be twenty feet (20).
 - (B) For lots of record created prior to September 30, 1980 that are less than the minimum lot size required, side yards shall be five feet (5).
 - (C) Exception when adjacent to resource zones, all structures: fifty feet (50).
- 6) An accessory structure separated from the established main use may be located in the required rear and side yard setback except in the required street side of a corner lot provided it is no closer than five (5) feet to a property line.

- 7) The setback for all structures shall be thirty-five feet (35) from the line of non-aquatic vegetation.
- 8) Maximum building height: thirty-five feet (35).
- 9) All new developments and cumulative or incremental expansion of an existing footprint greater than twenty-five percent (25%) shall indicate on the building permit how storm water is to be drained from the property or retained on site. The Building Official or County Engineer may require the installation of culverts, dry wells, retention facilities, or other mitigation measures, where development may create adverse storm drainage impacts on surrounding properties, adjacent streams or wetlands, and particularly on low lands from runoff on slopes greater than twenty-five percent (25%).
- 10) In areas where the parcel or lot has the potential to be further partitioned or subdivided, the Community Development Director shall, where practicable, require that roads be designated and located so as to facilitate the future division of land in a manner that accommodates smaller lot sizes and the extension of street and utilities and may require a potential development plat showing the location of potential lots and the rights-of-way improvements, to include those identified in the County Transportation System Plan (TSP).
- 11) Conditional Development and Use are subject to the following limitations and requirements:
 - (A) The proposed development shall be consistent with the Clatsop County Comprehensive Plan.
 - (B) The proposed development shall include safe ingress and egress.
- 12) All standards as set forth in the Clatsop County Standards Document, as amended.

Section 3.082. Additional Development and Use Standards:

All planned development and subdivisions may be required to cluster land uses and designate areas as permanent common open space. The development shall be reviewed according to Section 4.130 for Planned Developments or Clatsop County Standards Document, Section S3.150 for Cluster Developments. The minimum percentage of common open space shall be thirty percent (30%) excluding roads.

Section 3.084. State and Federal Permits

If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Division a copy of the state or federal permit.