

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending the )  
Columbia County Zoning Ordinance, ) Ordinance No. 99-2  
Regarding Allowing Churches as Conditional Uses )  
in Certain Zoning Districts )

The Board of County Commissioners ordains as follows:

SECTION 1. TITLE.

This ordinance shall be known as Ordinance No. 99-2.

SECTION 2. AUTHORITY.

This ordinance is adopted pursuant to the authority of ORS 203.035, ORS 197.160 and ORS 197.610 through 197.625.

SECTION 3. PURPOSE.

The purpose of these amendments is to allow churches as conditional uses in certain rural and urban zoning districts.

SECTION 4. FINDINGS.

1. The Board of County Commissioners finds that it has recently reviewed several requests from churches for rezoning from Rural Residential (RR-5) to Community Service-Institutional (CS-I) for the purpose of building a new church and the current requirements to rezone prospective church sites in rural exception areas is unnecessarily cumbersome and procedurally difficult for the following reasons:
  - a. Rezoning to the CS-I zone requires an amendment to the Comprehensive Plan Map and application of extensive state land use goals, guidelines and administrative rule criteria to each such decision;
  - b. The CS-I zone allows a range of institutional uses with much greater potential impacts to rural areas than impacts posed by churches. This fact has required the county to consider limiting the use of CS-I zoned areas only to church use proposed in the application. This creates the appearance, if not the reality, of "spot zoning" within rural areas; and
  - c. The conditional use procedure is a more appropriate process for case-by-case

consideration of the appropriateness of the siting of a church within the rural residential zoning district. It is designed to require more specific site information about the proposed use and to apply use-specific conditions to address use compatibility issues in the rural residential area.

2. The Board of Commissioners reviewed the following Comprehensive Plan policies to ensure that the proposed amendments conform to the acknowledged Plan provisions:
  - a. Administrative Procedures Goal 2: “to provide review and revision procedures which include provisions for participation by citizens and affected interest groups.” In particular, Comprehensive Plan Administrative Procedures policies 2, 7, and 9 which call for the updating and amending of existing codes and ordinances as needed to implement the plan.
  - b. Rural Residential Policies, especially, Policy 6 which encourages development in exception areas where facilities and services are provided.
  - c. Urbanization Policies 1, 5, 6, 8 and 12. These policies are implemented through the Rural Residential zoning district, and through the provisions of the Subdivision and Partitioning Ordinance.
  - d. Public Facilities Policies 1, 2, 4, 5, 9, 13 and 18 which require that adequate types and levels of public facilities are required in advance or concurrent with development.

3. The Board of Commissioners makes the following findings of fact:
  - a. These amendments were reviewed by the county’s Citizen Planning Advisory Committees during the month of July 1999; and, each submitted comments and recommendations to the Planning Commission or the Board of Commissioners during the hearing processes. These amendments have been subject to a public hearing before the Planning Commission and two (2) hearings before the Board of County Commissioners. The Planning Commission reviewed draft proposals and took testimony regarding them at their August 2, 1999 meeting. The Board of Commissioners reviewed proposals and took testimony at the public hearing on August 25, 1999 and opened the hearing for additional testimony regarding expansions of church uses on September 15, 1999. On September 24, 1999 the Board of Commissioners deliberated and reached a tentative decision. Notices of the proposed amendments were mailed to DLCD on June 25, 1999 through the usual 45 day “Notice of Proposed Amendment”. Notice of the proposed amendments have been

advertised in the *St. Helens' Chronicle*, the *Vernonia Independent*, the *Clatskanie Chief*, the *Columbia County Review* and in the *South County Spotlight*. The notice of initial hearings followed the process described in Section 1611 of the Zoning Ordinance. Opportunity was given for comment and input by the public during all the hearings before the Planning Commission and Board of Commissioners. This satisfies the requirements of the Comprehensive Plan Administrative Policy and the implementing procedures in the Zoning Ordinance.

- b. The Board of County Commissioners finds that the proposed amendments are in compliance with Oregon Statewide Planning Goals. The Board put particular focus on the following goals: Goal 2 Land Use Planning, Goal 11 Public Facilities and Services, and Goal 14 Urbanization.
- c. The Board of County Commissioners finds that the proposed amendments are consistent with Goals 11 and 14 by prescribing minimum levels of public services for new churches and subsequent additions within the specific standards of the zone; while, regulating uses which would require premature extensions of urban services through the general criteria of the conditional use process, Section 1503.5 (A) - (G).
- d. Since the Planning Commission approval and recommendation of Option #1, out-right use of churches in the subject zones, signed by Chairman VanAtta on August 6, 1999, three (3) changes have been made to the drafts. First, in the zone specific standards for churches, the minimum lot area standard of 20,000 square feet was clarified by adding: "for pre-existing, non-conforming parcels", so that the reader will not assume authority to create substandard parcels in the zone for the purpose of locating a church. Second, also in the zone specific standards, a letter "I" was added to require a separate Conditional Use Permit for additions to approved and permitted churches and for establishing new uses not previously approved through the conditional use process. And third, a definition of the term "church" has been excluded because the Board was uncomfortable about the possibility of excluding an activity associated with church use or by excluding a particular faith. Additionally, state land use laws use the word church without definition.
- e. In a recent survey of all counties in the state, churches are allowed in rural residential zones as some form of conditional uses in all but 5 counties. Also, cities within Columbia County were polled and most cities allow churches in the residential zones through the conditional use process. The Board of County Commissioners find that it is in the best interest of the county to allow churches as conditional uses in the RR-5, R-10, R-7, RC,

EC and proposed RR-2 zoning districts.

SECTION 5. RESCISSION, AMENDMENT, ADOPTION.

1. The Board of County Commissioners adopts the findings, conclusions and recommendations in the Staff Report dated August 20, 1999; the Supplemental Staff Report dated September 10, 1999 and the Supplemental Staff Report dated September 16, 1999 attached hereto as "Exhibit 1".
2. Those provisions of the Zoning Ordinance which are in conflict with the provisions as stated in this ordinance are rescinded.
3. The amendments as shown in Attachment "A" are adopted.

SECTION 6. SEVERABILITY.

The provisions of this ordinance are severable. If any provision of this ordinance is determined to be invalid by a court of competent jurisdiction, the provision shall be considered a separate, distinct and independent provision and the decision shall not affect the validity of the remaining portions of this ordinance.

ADOPTED this 13th day of October, 1999.

Approved as to form:

By: [Signature]  
Office of County Counsel

Attest:  
By: [Signature]  
Recording Secretary

BOARD OF COUNTY COMMISSIONERS  
FOR COLUMBIA COUNTY, OREGON

By: [Signature]  
Chair

By: [Signature]  
Commissioner

By: [Signature]  
Commissioner

First Reading: 8/25/99  
Second Reading: 9/24/99  
Effective Date: 1-11-2000  
S:\BOARD\10-13-99\ORD99-2.WPD

**COLUMBIA COUNTY BOARD OF COMMISSIONERS**

Staff Report

8/20/99

**Text Amendment for Churches in Existing Zoning Districts**

**FILE NUMBER:** TA 99-2

**APPLICANT:** Land Development Services for the Board of County Commissioners

**REQUEST:** Amend Zoning Ordinance adding definition for "Church"; and, in the RR-5, R-7, R-10, RC, EC and proposed RR-2 Zones of the CCZO to allow churches as one of three Options.

**Option 1:** RR-5, R-10, R-7, RC, EC and proposed RR-2 - Allows churches as a permitted use outright if associated buildings are less than 10,000 square feet and as Conditional Use if buildings are 10,000 square feet or more.

**Option 2:** RR-5, R-10, R-7, RC, EC and proposed RR-2 - Allows churches as conditional use only.

**Option 3:** R-10 & R-7 - Allows churches as conditional uses inside the Urban Growth Boundary only

**BACKGROUND:** Columbia County does not presently allow churches as either a use permitted outright or as a conditional use in any residential designation including the RR-5, R-10, R-7, RC, EC, or proposed RR-2 zones. If a church proposes to locate on property that is zoned one of these designations they must apply to rezone the property to Community Service - Institutional (CS-I) since churches are listed as a permitted use in the CS-I zone. On June 2, 1999, the Board of County Commissioners issued Order No. 34-99, directing the Director of Land Development Services to initiate amendments to the CCZO to prescribe standards of review of proposals to site churches within the Rural Residential (RR-5) zoning district as conditional uses. Staff has expanded that directive to include all zones within areas for which a "built and committed" exception has been taken, except for Commercial Zones in the Urban Growth areas. All of these areas are similar to the RR-5 zone with respect to churches.

A telephone survey of the 35 other counties in the state indicates that churches are allowed in rural residential zones as a conditional use in most of the counties of the state with the exception of Crook, Grant, Jefferson, Morrow, and Wallowa. When asked the question of "Does your County allow churches as a conditional use in Rural Residential

Zones?"; Crook, Grant, Morrow and Wallowa all responded with a resounding "No!", while Jefferson County said that churches were deleted by DLCD during periodic review as both permitted and conditional uses? Crook County said it does not address churches in its ordinances. In Douglas County churches are permitted outright as semi-public buildings in the rural residential zone.

In Marion County in the "Acreage Residential" zone churches are permitted outright up to 20,000 square feet, and allowed as a conditional use if 20,000 square feet or more in size. The Marion County Zoning Ordinance, AR Acreage Residential Zone, states under Permitted Uses; "(J) Churches and expansions of existing churches where the church or the expanded church will be less than 20,000 square feet in total area." The Marion County Zoning Ordinance goes on to state under Conditional Uses, "(E) Churches and expansions not qualifying under 128.020(J) above, and related conference and residence facilities, and schools (elementary, middle, and high schools)."

Many of the counties review churches as conditional uses administratively with approval by the Planning Director. Linn County processes applications for churches administratively but allows the Planning Director to refer an application for a church to the Planning Commission "if there are any questions". Lincoln County under "Conditional Uses Permitted:" lists "Church, non-profit religious or philanthropic center." Yamhill County lists in the Very Low Density Residential Districts 1,2, and 5, under Conditional Uses, "I. Church, subject to Section 1101, Site Design Review." Washington County uses a type III public hearing review which allows churches under a special use permit similar to but less restrictive than a conditional use.

As added background, the 1999 Legislature passed two bills relating to siting of churches on land zoned for exclusive farm use. Neither of these House bills applies to these amendments, which only affect rural zones that already have an exception to the farm and forest goals. Speaker Snodgrass's bill, HB3282, would allow churches to build on certain prime farmlands. Governor Kitzhaber has given notice of intent to veto that bill. Another bill, HB 2389, was signed by the Governor and allows local governments to divide land in exclusive farm zones to allow siting of churches.

## FINDINGS:

This request is being processed under Sections 1606 and 1611 of the Zoning Ordinance. The pertinent sections of the ordinance are as follows:

"1606 Legislative Hearing: Requests to amend the text of the Zoning Ordinance...are legislative hearings. Legislative hearings shall be conducted in accordance with the following procedures:

- .1 A legislative amendment to the Zoning Ordinance Text or Map may be initiated at the request of the Board of Commissioners, a majority of the Commission, or the Director, or any citizen of the County may petition the Commission for such a change."

**Finding 1:** This legislative amendment was initiated at the request of the Board of County Commissioners.

Continuing with Section 1606 of the Zoning Ordinance:

- "2 Notice of a Legislative Hearing shall be published at least twice, 1 week apart in newspapers of general circulation in Columbia County. The last of these notices shall be published no less than 10 calendar days prior to the Legislative Hearing. The mailing of notice to individual property owners is not required but shall be done if ordered by the Board of Commissioners."

**Finding 2:** A hearing notice was published in the St. Helens Chronicle and Scappoose Spotlight newspapers on July 14, 1999 and, July 21, 1999, both of which are more than 10 days prior to the Planning Commission hearing date of August 2, 1999. The mailing of Notice to individual property owners shall be done if ordered by the Board of Commissioners.

"1611. Notice of Legislative Hearing: The notice of a legislative hearing shall contain the following items:

- .1 Date, time and place of the hearing;
- .2 A description of the area to be rezoned or the changes to the text;
- .3 Copies of the statement for the proposed changes are available in the Planning Department. These proposed changes may be amended at the public hearing;
- .4 Interested parties may appear and be heard;
- .5 Hearings will be held in accordance with the provisions of the Zoning Ordinance."

**Finding 3:** All of the above were included in the Notice of Public Hearing published twice in the Chronicle newspaper.

**THE PLANNING COMMISSION RECOMMENDED THE FOLLOWING DURING THEIR AUGUST 2, 1999 PLANNING COMMISSION HEARING:**

**PROPOSED AMENDMENTS**

---

Additions in **Bold**  
Deletions in ~~Strikeout~~

**Section 100 GENERAL DEFINITIONS:**

- ... .12 **Building Line:** A horizontal line that coincides with the front side of the main building.
- .13 **Church:** A religious building sited in compliance with CCZO, Section 1550, Site Design Review and served by adequate public facilities and services. For purposes of this ordinance a religious building is a building located in either a rural or urban location which serves primarily as a place of worship.
- .134 **Commission:** The Planning Commission of Columbia County, Oregon. ...

and renumber all definitions as necessary ...

**THE PLANNING COMMISSION'S PREFERRED OPTION IS AS FOLLOWS:**

***AMENDED***

**OPTION 1:** *Allows churches as permitted uses in the RR-5, R-10, R-7, RC, EC and proposed RR-2 zones. (By striking out any square feet cut off)*

(RURAL ZONE)

Section 600 RURAL RESIDENTIAL - 5 RR-5

601 **Purpose:** This district is designed for rural areas where parcels at the time of initial zoning designation are committed to non-resource uses consistent with County acknowledged exception areas. Uses in this zoning district are anticipated to be predominantly residential with a rural level of public services; i.e., domestic water from private wells, sewage disposal using on-site systems, adequate fire and emergency service by fire districts, and road access consistent with the County Transportation Plan and County Road Standards. Other uses shall be those



**COLUMBIA COUNTY BOARD OF COMMISSIONERS  
Supplemental Staff Report**

September 10, 1999  
"Allow Churches in Certain Zones"  
Text Amendment

FILE NUMBER: TA 99-2

APPLICANT: Columbia County Land Development Services

REQUEST: Amend Columbia County Zoning Ordinance to Allow Churches under 1 of 3 options in the RR-5, R-10, R-7, RC, EC, and proposed RR-2 Zones

BACKGROUND: The Board held a Public Hearing on this text amendment on August 25, 1999. The Staff Report was presented by Glen Higgins. The need to amend the Zoning Ordinance was identified, recently, when a couple of churches attempted to build new churches in the Rural Residential designation because of their inability to continue services at their present location, both in cities. The County's current code requires a full Comprehensive Plan amendment and zone change to the Community Service zone to allow a church to be sited. Most other counties in the state allow churches in some manner, usually as conditional uses, in their rural residential zones. Most cities within Columbia County allow churches as conditional uses in their residential zones.

The Planning Commission has recommended that churches be allowed as an outright use in the above zones subject to the Site Design review criteria. Planning staff has recommended that churches be allow as conditional uses in the above referenced zones subject to Section 1503 criteria, specific criteria of the zone and Site Design Review criteria.

ISSUES RAISED AT AUGUST 25, 1999 PUBLIC HEARING AND STAFF RESPONSE:

- 1) Most testimony presented by church members or pastors were in favor of either Option 1 or 2 which allowed churches in some manner in these zones. A couple of individuals testified that churches should be allowed only in urban designated areas (Option 3). All testimony preferred not trying to define churches, thereby defining church activities.

ff response: None.

Testimony was presented by Pat Zimmerman and discussion followed concerning the siting of new "mega" churches with membership of up to 5,000. The concern was the impact that such a facility would have on the rural character of the county's rural zones.

Staff's response: Staff believes that the normal conditional use process considering such planning criteria as the characteristics of the site and surrounding area for compatibility and suitability, including the existence of improvements such as transportation systems, public facilities and services are adequate to control the future siting of future large churches. The Conditional Use Permit requirements of Section 1503.5 are attached as Attachment A.

- 3) **Pat Zimmerman, representing the Scappoose CPAC, was concerned about once a church has been established on a rural site the county would have no control over future expansions, and the church could introduce objectionable uses at a future date.**

Staff's response: Staff believes that, under the current code, substantial additions to a church would trigger an additional permit review. A conditional use permit is granted for a particular sized building for a particular use at a specified intensity. However, reasonable expansions could occur with either site design review or a simple building permit if minor enough.

In order to underscore this staff interpretation, language may be added to the proposed amendments expressing this requirement. Present zone specific criteria includes the following with possible added language in **bold**:

9 Churches shall meet the following standards:

- A. Minimum Lot Area: Twenty Thousand (20,000) square feet;
- B. Minimum Street Frontage: One hundred (100) feet;
- C. Shall be located within 1,000 feet from a collector or arterial road;
- D. Shall be capable of providing adequate fire flow;
- E. Shall be capable of treating sewage on-site if not connected to a community sewer;
- F. Maximum coverage of the parcel shall not exceed 50% of land area;
- G. Shall meet the setback standards for residential structures;
- H. Conceptual Site Plans demonstrating compliance with the standards of this section shall be submitted with all applications;
- I. **A separate conditional use permit is required for additions exceeding 25% of the existing structure(s) usable floor area and for the establishment of additional uses such as full time schools or full time day care centers which substantially increase the traffic service or environmental impacts on the surrounding area, if that use was not approved in the original application.**

## CUP

- C. A revoked permit may not be reinstated. A new application must be made to the Commission.
5. Granting a Permit: The Commission may grant a Conditional Use Permit after conducting a public hearing, provided the applicant provides evidence substantiating that all the requirements of this ordinance relative to the proposed use are satisfied and demonstrates the proposed use also satisfies the following criteria:
- A. The use is listed as a Conditional Use in the zone which is currently applied to the site;
  - B. The use meets the specific criteria established in the underlying zone;
  - C. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features;
  - D. The site and proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use;
  - E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district;
  - F. The proposal satisfies the goals and policies of the Comprehensive Plan which apply to the proposed use;
  - G. The proposal will not create any hazardous conditions.
6. Design Review: The Commission may require the Conditional Use be subject to a site design review by the Design Review Board or Planning Commission.

**COLUMBIA COUNTY BOARD OF COMMISSIONERS**  
**Supplemental Staff Report**

September 16, 1999, 1999  
 "Allow Churches in Certain Zones"  
 Text Amendment

FILE NUMBER: TA 99-2

APPLICANT: Columbia County Land Development Services

REQUEST: Amend Columbia County Zoning Ordinance to Allow Churches As One of Three Options in the RR-5, R-10, R-7, RC, EC, and proposed RR-2 Zones

The Board deliberated toward a decision on proposed amendment options on September 15, 1999. The Board allowed limited testimony concerning proposed special conditional use criteria to be applied in the review of conditional use applications for churches in RR-5, R-10, R-7, RC, EC, and proposed RR-2 zoning districts under amendment Option 2 presented in the 8/20/99 Staff Report. In response to the testimony and discussion, the Board asked Staff to:

1) Clarify staff language in draft conditional use criterion I. which read:

- I. A separate conditional use permit is required for additions exceeding 25% of the existing structure(s) usable floor area and for the establishment of additional uses such as full time schools or full time day care centers which substantially increase the traffic service or environmental impacts on the surrounding area, if that use was not approved in the original application.**

Specifically, the language needed to be clarified as to how the 25% expansion would be determined in cases where there were more than one expansion over time involving more than one building and/or new buildings or accessory use on the site.

The complexity and difficulty in administering the draft condition considering the many possible modifications which could be proposed to the originally approved Church conditional use permit over time, staff recommends that condition "I." be replaced with the following criterion:

- I. A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church use:**
- a. **The addition of usable building area on the site.**
  - b. **The addition of site area.**

**The establishment of additional uses such as full-time day schools or full time day care centers.**

This criterion will encourage churches to develop master site plans for their facilities and uses and present them to the County in logical phases which can be properly evaluated using conditional use and site design review standards criteria.

2) Draft a criterion which would set an absolute limit on the building area on a church site.  
The following language would meet that intent:

**J. The maximum building area on the site shall not exceed 20,000 square feet.**

If amended with both criteria as modified/added, criterion for granting a conditional use for Churches would read as follows:

.9 Churches shall meet the following standards:

- A. Minimum Lot Area: Twenty Thousand (20,000) square feet, **for pre-existing non-conforming parcels;**
- B. Minimum Street Frontage: One hundred (100) feet;
- C. Shall be located within 1,000 feet from a collector or arterial road;
- D. Shall be capable of providing adequate fire flow;
- E. Shall be capable of treating sewage on-site if not connected to a community sewer;
- F. Maximum coverage of the parcel shall not exceed 50% of land area;
- G. Shall meet the setback standards for residential structures;
- H. Conceptual Site Plans demonstrating compliance with the standards of this section shall be submitted with all applications;
- I. **A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church use:**
  - a. **The addition of usable building area on the site.**
  - b. **The addition of site area.**
  - c. **The establishment of additional uses such as full-time day schools or full time day care centers.**
- J. **The maximum area of buildings on the site shall be 20,000 square feet.**  
(This J. Criteria could be added to any of the zones but not others, i.e. RR-5)

**STAFF RECOMMENDATION:**

Staff recommends approval of replacement language for criterion "I." above. Staff believes that the conditional use and design review criteria are sufficient to limit the maximum size of church buildings based on the particular characteristics of a proposed site and surrounding area without recourse to a specified maximum area criterion such as criterion "J."

Additions in **Bold**  
 Deletions in ~~Strikeout~~

## Section 600 RURAL RESIDENTIAL - 5

RR-5

601 Purpose: This district is designed for rural areas where parcels at the time of initial zoning designation are committed to non-resource uses consistent with County acknowledged exception areas. Uses in this zoning district are anticipated to be predominantly residential with a rural level of public services; i.e., domestic water from private wells, sewage disposal using on-site systems, adequate fire and emergency service by fire districts, and road access consistent with the County Transportation Plan and County Road Standards. Other uses shall be those customary to such areas, including farm and forest uses, **churches**, and home occupations of a rural character.

602 Permitted Uses:

- .1 Single family detached dwellings.
- .2 Farm use as defined in ORS 215.203(2).
- .3 The propagation and harvesting of forest products.
- .4 Structures accessory to permitted uses when sited in accordance with ~~Section 603.1:~~ **the following:**
  - A. **If attached to the main building or separated by a breezeway, they shall meet the front and side yard requirements of the main building.**
  - B. **If detached from the main building, they must be located behind the front wall of the main building or a minimum of 30 feet from the front lot or parcel line.**
  - C. **Detached accessory buildings shall have a minimum setback of 5 feet from the rear and/or side lot or parcel line.**

603 ~~Uses Permitted Under Prescribed Conditions~~ **Conditional Uses:**

~~.1~~ Accessory buildings may be allowed if they fulfill the following requirements:

~~A.~~ ~~If attached to the main building or separated by a breezeway, they~~

shall meet the front and side yard requirements of the main building.

~~B. If detached from the main building, they must be located behind the front wall of the main building or a minimum of 30 feet from the front lot or parcel line.~~

~~C. Detached accessory buildings shall have a minimum setback of 5 feet from the rear and/or side lot or parcel line.~~

- .21 Signs as provided in Section 1300.
- .32 Off-street parking and loading as provided in Section 1400.
- .43 Home occupations consistent with ORS 215.448, as provided in Section 1507.
- .4 Churches when sited in accordance with Section 1550, Site Design Review, and other applicable provisions of this ordinance.**

Standards:

- .1 The minimum lot or parcel size for uses permitted under Section 602 and 603.4 shall be 5 acres.
- .2 Dwellings permitted in the RR-5 zone must meet all of the following standards:
  - A. Have access to a public or private domestic water source meeting state and county standards; and
  - B. Be approved for an individual subsurface sewage system or be served by a public or community sewer system; and
  - C. Be within and can be served by a rural fire district.
- .3 The minimum average lot or parcel width shall be 100 feet.
- .4 The minimum average lot or parcel depth shall be 100 feet.
- .5 Lots or parcels shall conform to the following requirements before a building permit may be issued for construction on the property;
  - A. All lots or parcels legally recorded on or after June 4, 1991 shall have a minimum of 50 feet of usable frontage on a public right-of-way. The entire public right-of-way adjacent to the property shall be improved in accordance with the requirements of the Columbia

County Road Standards. In lieu of such improvements, the owner or developer of the lot or parcel may secure a surety bond, or place cash in escrow or trust, to insure that the improvements will be completed according to the procedure outlined in Section 801 of the Columbia County Subdivision and Partitioning Ordinance.

- B. All lots or parcels legally recorded before June 4, 1991 shall have a minimum of 50 feet of usable frontage on a public right-of-way or private non-exclusive easement. One-half of the public right-of-way or private non-exclusive easement adjacent to the lot or parcel shall be improved in accordance with the requirements of the Columbia County Road Standards. If the parcel to be developed abuts the end of a private non-exclusive access easement, one-half of the width of the easement shall be improved to current County Road Standards from the property line of the subject parcel to its connection to a public right-of-way. In lieu of such improvements, the owner or developer of the lot or parcel may secure a surety bond, or place cash in escrow or trust, to insure that the improvements will be completed according to the procedure outlined in Section 801 of the Columbia County Subdivision and Partitioning Ordinance. However, in the sole discretion of the Board, in lieu of the improvements or cash or surety bond to secure such improvements, the Board may require the owner or developer of the lot or parcel to put up cash in an amount equivalent to the cost of such improvements dedicated toward the improvement of the entire road rather than just the portion adjacent to the lot or parcel.
- .6 No residential structures shall be constructed closer than 30 feet to a property line. Where the property abuts resource zoning, the setback shall be increased to 50 feet.
- .7 Unless otherwise prohibited, the maximum building height for all non-farm, non-forest structures shall be 35 feet or 2-1/2 stories, whichever is less.
- .8 Unless otherwise prohibited, structures such as barns, silos, windmills, antennas, chimneys, or similar structures may exceed the height limitations to a maximum height of 50 feet.
- .9 **Churches shall meet the following standards:**
- A. **Minimum Lot Area: Twenty Thousand (20,000) square feet for pre-existing, non-conforming parcels;**
  - B. **Minimum Public Street Frontage: One hundred (100) feet;**
  - C. **Shall be located within 1000 ft. of a collector or arterial road;**
  - D. **Shall be capable of providing adequate fire flow;**



- E. Shall be capable of treating sewage on-site if not connected to sewer;
- F. Maximum coverage of the parcel shall not exceed 50% of land area;
- G. Shall meet the setback standards for residential structures;
- H. Conceptual Site Plan demonstrating compliance with the standards of this section shall be submitted with all applications;
- I. A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church use:
  - a. The addition of usable building area on the site;
  - b. The addition of site area;
  - c. The establishment of additional uses such as full-time day schools or full-time day care centers.

605 Lot or parcel of Record: A lot or parcel lawfully created by a subdivision plat, or by a deed or sales contract, and of record in the County Clerk's office prior to the adoption of minimum parcel size provisions in the rural residential zone, is not required to meet minimum parcel size requirements, and shall be eligible to receive a building permit for any use permitted by Section 602 without complying with lot or parcel width or depth requirements. In addition, a dwelling may be placed on a lot or parcel of record without connecting to a public or community water system, if the lot or parcel (either individually or as aggregated contiguous lots or parcels):

1. is located outside of a recorded subdivision;
2. is located within a recorded subdivision, where the subdivision has no more than 35 lots which are less than 2.3 acres in size; OR
3. is located within a recorded subdivision and contains 2.3 or more acres.

The uses on a lot or parcel of record must otherwise comply with all other applicable regulations.

607 Two or more existing dwellings on a parcel: Notwithstanding the lot or parcel size provisions of this zone, the Director may approve the partitioning of a lawfully created lot or parcel in this zone, upon which two or more lawfully established permanent dwellings exist, into a number of parcels equal to the number of dwellings on the lot or parcel, upon findings by the Director that the lot or parcel meets all of the following requirements:

- A. The creation of the separate parcels will have no adverse impact on farm or forestry practices in the area or on the parcels, and
- B. Each parcel to be created will have a habitable dwelling thereon, and

- C. The configuration of the parcels will permit the establishment of an alternate septic system drain field on each parcel, in an area approved by the county sanitarian, in case the existing drain field fails.

Additions in **Bold**  
 Deletions in ~~Strikeout~~

**Section 700 SINGLE-FAMILY RESIDENTIAL**

R-10

701 Purpose: The Single-Family Residential (R-10) District is intended to provide minimum development standards for low density residential uses in unincorporated urban growth boundaries where public water and public sewer exist, or are programmed, and where resource activities are declining.

702 Permitted Uses:

- .1 A single family detached dwelling.
- .2 Structures accessory to permitted uses when sited in accordance with Section 705.7.

703 Conditional Uses:

- .1 Home occupations in accordance with ORS 215.448.
- .2 **Churches when sited in accordance with Section 1550, Site Design Review, and other applicable provisions of this ordinance.**

704 Criteria for Approval of Conditional Uses:

- .1 Signs shall be in accordance with Section 1300.
- .2 Off-street parking shall be in accordance with Section 1400.

705 Standards:

.1 Lot or Parcel Sizes:

- A. The minimum lot or parcel size without public water or public sewer shall be one acre.
- B. The minimum lot or parcel size with public water and public sewer shall be 10,000 square feet.

.2 Lot or Parcel Dimensions:

- A. The minimum average lot or parcel width shall be 70 feet.
- B. The minimum average lot or parcel depth shall be 100 feet.
- C. All lots or parcels shall have a minimum of 50 foot of usable

frontage on a public right-of-way; except a driveway to a single parcel to be used for residential purposes may use a non-exclusive easement for access to a public or county road.

.3 Building Setbacks:

- A. Front yard setbacks shall have a minimum depth of 25 feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots or parcels shall be the average of the setbacks of the main structures on abutting lots or parcels on either side, if both lots or parcels are occupied. If one lot or parcel is occupied and the other is vacant, the setback shall be the setback of the occupied lot or parcel, plus one-half the remaining distance to the required 25 foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be 25 feet.
- B. Side yard setbacks shall be a minimum of 10 feet.
- C. Rear yard setbacks shall be a minimum of 20 feet to the main building.
- D. Setbacks for insufficient right-of-way. The minimum front or side yards, or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Commission shall determine the necessary right-of-way width and the additional yard setback requirements in such cases.

.4 Lot or Parcel Coverage: The lot or parcel coverage shall not exceed 30 percent of the total area of the lot or parcel.

.5 Height Limitations: The maximum height of a structure shall not exceed 35 feet or 2-1/2 stories, whichever is less.

.6 Off-Street Parking: Two off-street parking spaces shall be provided as required in Section 1400.

.7 Accessory Buildings: Accessory buildings may be allowed if they fulfill the following requirements:

- 705.7 A. If attached to the main building or separated by a breezeway, they shall fulfill the front and side yard requirements of the main building.
- B. If detached and located behind the rear-most line of the main

building, or a minimum of 55 feet from the front lot or parcel line, whichever is greater, any one story accessory building may be located adjacent to a rear and/or side lot or parcel line not fronting on a street, when in compliance with the Building Code.

- C. All other detached accessory buildings shall have a minimum setback of 5 feet from the rear or side lot or parcel lines.

**.8 Churches shall meet the following standards:**

- A. **Minimum Lot Area: Twenty Thousand (20,000) square feet for pre-existing, non-conforming parcels;**
- B. **Minimum Public Street Frontage: One hundred (100) feet;**
- C. **Shall be located within 1000 ft. of a collector or arterial road;**
- D. **Shall be capable of providing adequate fire flow;**
- E. **Shall be connected to sewer;**
- F. **Maximum coverage of the parcel shall not exceed 50% of land area;**
- G. **Shall meet the setback standards for residential structures;**
- H. **Conceptual Site Plan demonstrating compliance with the standards of this section shall be submitted with all applications.**
- I. **A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church use:**
  - a. **The addition of useable building area on the site;**
  - b. **The addition of site area;**
  - c. **The establishment of additional uses such as full-time day schools or full-time day care centers.**

706 Lots of Record: Lots or parcels lawfully created by a subdivision plat, or by a deed or sales contract, and of record in the County Clerk's office, shall be eligible to receive a building permit for any use permitted in this District, if such permit would have been issued otherwise but for the lot or parcel width, depth, or area, but subject to all other regulations of this zone.

707 Subdivisions and Partitions: All subdivision and partition requests shall conform to the applicable standards set out in the Subdivision and Partitioning Ordinance.

Additions in **Bold**  
Deletions in ~~Strikeout~~

**Section 710 SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL R-7**

711 Purpose: The Single-Family and Two-Family Residential District is intended to provide minimum development standards for low and medium density residential uses in unincorporated urban growth boundaries where public water and public sewer exist, or are programmed, and where resource activities are declining.

712 Permitted Uses:

- .1 A single-family detached dwelling.
- .2 Two-family dwellings (duplexes).
- .3 Structures accessory to permitted uses when sited in accordance with Section 715.7.

713 Conditional Uses:

- .1 Home occupations in accordance with ORS 215.448.
- .2 **Churches when sited in accordance with Section 1550, Site Design Review, and all other applicable provisions of this ordinance.**

714 Criteria for Approval of Conditional Uses:

- .1 Signs shall be in accordance with Section 1300.
- .2 Off-street parking shall be in accordance with Section 1400.

715 Standards:

- .1 Lot or Parcel Sizes:
  - A. The minimum lot or parcel size without public water or public sewer shall be 1 acre for single-family dwellings and 1-1/2 acres for two-family dwellings.
  - B. The minimum lot or parcel size with public water and sewer shall be 7,000 square feet for single-family dwellings and ten thousand square feet for two-family dwellings.
- .2 Lot or Parcel Dimensions:

- A. The minimum average lot or parcel width shall be 60 feet.
- B. The minimum average lot or parcel depth shall be 80 feet.
- C. All lots or parcels shall have a minimum of 50 foot of usable frontage on a public right-of-way; except a driveway to a single parcel to be used for residential purposes may use a non-exclusive easement for access to a public or county road.

.3 Building Setbacks:

- A. Front yard setbacks shall have a minimum depth of 20 feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots or parcels shall be the average of the setbacks of the main structures on abutting lots or parcels on either side, if both lots or parcels are occupied. If one lot or parcel is occupied and the other is vacant, the setback shall be the setback of the occupied lot or parcel plus  $\frac{1}{2}$  the remaining distance to the required 20 foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be 20 feet.
- B. Side yard setbacks shall be a minimum of 7-1/2 feet and 10 feet on corner lots or parcels abutting the street.
- C. Rear yard setbacks shall be a minimum of 20 feet to the main building.
- D. Setbacks for insufficient right-of-way. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

.4 Lot or Parcel Coverage: The lot or parcel coverage shall not exceed 35 percent of the total area of the lot or parcel .

.5 Height Limitation: The maximum height of a structure shall be 35 feet or 2-1/2 stories, whichever is less.

.6 Off-street Parking: Off-street parking shall be provided as required in Section 1400.

.7 Accessory Buildings: Accessory buildings may be allowed if they fulfill the following requirements:

- A. If attached to the main building or separated by a breezeway, they shall fulfill the front and side yard requirements of the main building.
- B. If detached and located behind the rear-most line of the main building, or a minimum of 50 feet from the front lot or parcel line, whichever is greater, any one story accessory building may be located adjacent to a rear and/or side lot or parcel line not fronting on a street when in compliance with the Building Code.
- C. All other detached accessory buildings shall have a minimum setback of 5 feet from the rear or side lot or parcel lines.

**.8 Churches: May be allowed if they fulfill the following requirements:**

- A. Minimum Lot Area: Twenty Thousand (20,000) square feet for pre-existing, non-conforming parcels;**
- B. Minimum Public Street Frontage: One hundred (100) feet;**
- C. Shall be located within 1000 ft. of a collector or arterial road;**
- D. Shall be capable of providing adequate fire flow;**
- E. Shall be connected to sewer;**
- F. Maximum coverage of the parcel shall not exceed 50% of land area;**
- G. Shall meet the setback requirements for residential structures;**
- H. Conceptual Site Plan demonstrating compliance with the standards of this section shall be submitted with all applications;**
- I. A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church use:**
  - a. The addition of useable building area on the site;**
  - b. The addition of site area;**
  - c. The establishment of additional uses such as full-time day schools or full-time day care centers.**

716 Lots of Record: Lots or parcels lawfully created by a subdivision plat, or by a deed or sales contract, and of record in the County Clerk's office, shall be eligible to receive a building permit for any use permitted in this district, if such permit would have been issued otherwise but for the lot or parcel width, depth, or area, but subject to all other regulations of this zone.

717 Subdivisions and Partitions: All subdivision and partition requests shall conform to the applicable standards set out in the Subdivision and Partitioning Ordinance.



Additions in **Bold**  
 Deletions in ~~Strikeout~~

**Section 650 RURAL COMMUNITY DISTRICT**

RC

651 Purpose: The Rural Community zone is intended to sustain existing unincorporated rural communities in the County without changing their essential rural character, by permitting, under certain circumstances, residential development at greater densities than on Rural Residential zoned lands surrounding the communities, plus small low-impact commercial uses intended to serve the community or surrounding areas, small low-impact industrial uses dependent on local resources, and institutional, utility and recreation facilities.

652 Permitted Uses:

- .1 Single family detached dwellings.
- .2 Farm use as defined by ORS 215.203(2).
- .3 The propagation and harvesting of forest products.
- .4 Structures accessory to permitted uses when sited in accordance with Section 653.2.

653 ~~Uses Permitted Under Prescribed Conditions:~~ **Conditional Uses:** The following uses may be approved in accordance with the conditions noted for each use:

- .1 Home occupations consistent with ORS 215.448, as provided in Section 1507 .
- .2 Accessory buildings when they fulfill the following requirements.
  - A. If attached to the main building or separated by a breezeway, they shall meet the front and side yard requirements of the main building.
  - B. If detached from the main building, they must be located behind the front wall of the main building or a minimum of 20 feet from the front lot line, whichever is greater.
  - C. Detached accessory buildings shall have a minimum setback of 5 feet from the rear and/or side lot line.
- .3 Signs as provided in Section 1300.
- .4 Off-street parking and loading as provided in Section 1400.

- .5 A Planned Development District as provided in Section 1200.
- .6 The following small-scale, low-impact commercial and industrial uses may be approved if the proposed use has been determined to be necessary for the continuation of the Rural Community and its surrounding environs, and if approved by the Planning Commission according to Section 1550, Design Review Standards. See Sections 654.8 and 654.9 for area limitations of commercial and industrial uses permitted in the RC zone.
- A. Professional services, including financial, medical and dental, social services, real estate, legal, artistic, and similar uses.
  - B. General retail trades, including groceries, bakeries, hardware stores, seed and feed stores, and similar uses.
  - C. Personal and business services, including private day care centers, preschools, kindergartens, self-service laundries, barber and hair styling shops, and similar uses.
  - D. Automotive service stations and repair shops.
  - E. Small equipment repair and service
  - F. Restaurants, taverns, lounges, and similar uses.
  - G. Institutional uses, as permitted in Section 1000
  - H. Public utility uses, as permitted in Section 1010
  - I. Recreational facilities and parks, as permitted in Section 1020.
  - J. Industrial uses necessary for the primary processing or manufacture of locally available natural resources, such as timber, minerals and agricultural produce, as per OAR 660-04-022(3)(a).
- .7 Mobile home parks, when sited in accordance with Section 730.
- .8 Churches when sited in accordance with the provisions of Section 1550, Site Design Review, and other provisions of this ordinance.**

654 Standards:

- .1 The minimum lot or parcel size for all uses permitted under Sections 652 and 653 shall be 40,000 square feet per use.
- .2 The minimum average lot or parcel width shall be 75 feet.

- .3 The minimum average lot or parcel depth shall be 75 feet.
- .4 All parcels shall have a minimum of 50 feet of usable frontage on a public right-of-way; except a driveway to a single parcel to be used for residential purposes may use a non-exclusive easement for access to a public or county road.
- .5 No primary structures shall be constructed closer than 20 feet to a property line. Where the property abuts resource zoning, the setback shall be increased to 50 feet.
- .6 Unless otherwise prohibited, the maximum building height for all non-forest, non-farm structures shall be 35 feet or 2½ stories, whichever is less.
- .7 Unless otherwise prohibited, structures such as barns, silos, windmills, antennas, chimneys, or similar structures may exceed the height limitations to a maximum height of 50 feet.
- .8 For the purposes of Section 653.6, a small-scale, low-impact commercial use is defined as one that does not exceed 4,000 sq.ft. of floor space.
- .9 For the purposes of Section 653.6, a small-scale, low-impact industrial use is defined as one that does not exceed 10,000 sq.ft. of floor space.
- .10 **Churches: May be allowed if they fulfill the following requirements:**
  - A. **Minimum Lot Area: Twenty Thousand (20,000) square feet for pre-existing, non-conforming parcels;**
  - B. **Minimum Public Street Frontage: One hundred (100) feet;**
  - C. **Shall be located within 1000 ft. of a collector or arterial road;**
  - D. **Shall be capable of providing adequate fire flow;**
  - E. **Shall be capable of treating sewage on-site if not connected to community sewer;**
  - F. **Maximum coverage of the parcel shall not exceed 50% of land area;**
  - G. **Shall meet the setback standards for primary structures;**
  - H. **Conceptual Site Plan demonstrating compliance with the standards of this section shall be submitted with all applications;**
  - I. **A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church use:**
    - a. **The addition of usable building area on the site;**
    - b. **The addition of site area;**
    - c. **The establishment of additional uses such as full-time day schools or full-time day care centers.**

655 Lots of Record: Lots lawfully created by a subdivision plat or a deed or sales contract and of record in the County Clerk's office, shall be eligible to receive a building permit for any use permitted by Section 652 or 653, if such permit would have been issued otherwise but for the lot width, depth, or area, but subject to all other regulations of this zone.

Additions in **Bold**  
 Deletions in ~~Strikeout~~

## Section 670 EXISTING COMMERCIAL

EC

671 Purpose: This District is intended to assure the continuation and limited expansion of all lawful commercial activities occurring on the date of this Ordinance, regardless of type or location. This zone will be used to implement the Existing Commercial plan designation. This zoning designation is intended to recognize the legitimacy of the existing commercial use of a parcel while not directly implying that commercial activities are appropriate for a specific area.

672 Permitted Uses:

- .1 All permitted and conditional uses allowed in the Neighborhood Commercial (C-4) District.

673 ~~Uses Permitted Under Prescribed Conditions:~~ **Conditional Uses:**

- .1 Lawful commercial activities existing on the effective date of this Ordinance.
- .2 Accessory buildings may be allowed if they fulfill the following requirements:
  - A. If attached to the main building or separated by a breezeway, they shall meet the front and side yard requirements of the main building.
  - B. If detached from the main building, they must be located behind the main building or a minimum of 30 feet from the front lot or parcel line, whichever is greater.
  - C. Detached accessory buildings shall have a minimum setback of 5 feet from the rear and/or side lot line.
- .3 Signs as provided in Section 1300.
- .4 Off-street parking and loading as provided in Section 1400.
- .5 Home occupations consistent with ORS 215.448.

**.6 Churches when sited in accordance with Section 1550, Site Design Review, and other provisions of this ordinance.**

674 Standards:

- .1 The minimum lot or parcel size for uses permitted under Sections 672 and 673 shall be 5 acres.
- .2 The minimum lot or parcel size for uses permitted under Section 672 and 673 shall be 2 acres when it can be shown that:
  - A. The use is served by a public or community water system;
  - B. Adequate area exists on the property to facilitate an individual subsurface sewage system; or, the property is served by a public or community sewer system;
  - C. The property has direct access onto a public right-of-way; and,
  - D. The property is within, and is capable of being served by, a rural fire district.
- .3 No primary structure shall be constructed closer than 30 feet to a property line. Where the property abuts resource zoning, the setback shall be increased to 50 feet.
- .4 Unless otherwise prohibited, the maximum building height shall be 35 feet or 2-1/2 stories, whichever is less.
- .5 Unless otherwise prohibited, structures such as barns, silos, windmills, antennas, chimneys, or similar structures may exceed the height limitations to a maximum height of 50 feet.
- .6 Churches: May be allowed if they fulfill the following requirements:**
  - A. Minimum Lot Area: Twenty Thousand (20,000) square feet for pre-existing, non-conforming parcels;**
  - B. Minimum Public Street Frontage: One hundred (100) feet;**
  - C. Shall be located within 1000 ft. of a collector or arterial road;**
  - D. Shall be capable of providing adequate fire flow;**
  - E. Shall be able to treat sewage on-site or be connected to a community sewer;**
  - F. Maximum coverage of the parcel shall not exceed 50% of land area;**
  - G. Shall meet the setback standards for primary structures;**

- H. **Conceptual Site Plan demonstrating compliance with the standards of this section shall be submitted with all applications.**
- I. **A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church use:**
  - a. **The addition of usable building area on the site;**
  - b. **The addition of site area;**
  - c. **The establishment of additional uses such as full-time day schools of full-time day care centers.**

675 Lots of Record: Lots or parcels lawfully created by a subdivision plat, or by a deed or sales contract, and of record in the County Clerk's office, shall be eligible to receive a building permit for any use permitted by Sections 672 and 673, if such permit would have been issued otherwise but for the lot or parcel width, depth, or area, but subject to all other regulations of this zone.

676 Subdivisions and Partitions: All subdivision and partition requests shall conform to the applicable standards of the Subdivision and Partitioning Ordinance.

~~requirements of the main building:~~

- ~~B. If detached from the main building, they must be located behind the front wall of the main building or a minimum of 30 feet from the front lot line.~~
- ~~C. Detached accessory structures shall have a minimum setback of 5 feet from the rear and/or side lot line.~~

- .2 1 Signs as provided in Section 1300.
- .3 2 Off-street parking and loading as provided in Section 1400.
- .4 3 Home occupations consistent with ORS 215.448, as provided in Section 1507 .
- .4 **Churches when sited in accordance with Section 1550, Site Design Review, and other applicable provisions of this ordinance.**

624 Standards:

- .1 The minimum lot size for uses permitted under this section shall be 2 acres.
- .2 Dwellings permitted under this section must meet all of the following standards:
- A. be connected to an existing public or community water district providing adequate domestic water; and
  - B. be approved for an individual subsurface septic system, or be served by a public or community sewer system; and
  - C. have direct access onto a public right-of-way meeting applicable County road standards; and
  - D. be within and can be served by a rural fire protection district.
- .3 The minimum average lot width shall be 100 feet.
- .4 The minimum average lot depth shall be 100 feet.
- .5 Lots or parcels shall conform to the following requirements before a building permit may be issued for construction on the property;



Additions in **Bold**  
Deletions in ~~Strikeout~~

## Section 620 RURAL RESIDENTIAL - 2

RR-2

621 Purpose: This district is designed for rural areas where lot sizes at the time of initial zoning are predominantly two acres or less. The intent is to recognize existing areas, not to create substantially new two acre parcel areas. Uses in this zoning district will be predominantly residential with a rural level of public services; i.e., domestic water from water districts, sewage disposal using on-site systems, adequate fire and emergency service by fire districts, and rural road standards per County plans and regulations. Other uses will be those customary to such areas, including farm and forest uses, **churches**, and home occupations of a rural character.

622 Permitted Uses:

- .1 Single family detached dwellings.
- .2 Farm use as defined in ORS 215.203 (2).
- .3 Propagation and harvesting of forest products.
- .4 Structures accessory to permitted uses when sited in accordance with ~~Section 623.1~~ **the following**:
  - A. **If attached to the main building or separated by a breezeway, they shall meet the front and side yard requirements of the main building.**
  - B. **If detached from the main building, they must be located behind the front wall of the main building or a minimum of 30 feet from the front lot line.**
  - C. **Detached accessory structures shall have a minimum setback of 5 feet from the rear and/or side lot line.**

623 Uses Permitted Under Prescribed Conditions: **Conditional Uses**

~~.1~~ Accessory structures may be allowed if they fulfill the following requirements:

- ~~A.~~ **If attached to the main building or separated by a breezeway, they shall meet the front and side yard**

- A. All lots or parcels legally recorded on or after June 4, 1991 shall have a minimum of 50 feet of usable frontage on a public right-of-way. The entire public right-of-way adjacent to the property shall be improved in accordance with the requirements of the Columbia County Road Standards. In lieu of such improvements, the owner or developer of the lot or parcel may secure a surety bond, or place cash in escrow or trust, to insure that the improvements will be completed according to the procedure outlined in Section 801 of the Columbia County Subdivision and Partitioning Ordinance.
- B. All lots or parcels legally recorded before June 4, 1991 shall have a minimum of 50 feet of usable frontage on a public right-of-way or private non-exclusive easement. One-half of the public right-of-way or private non-exclusive easement adjacent to the lot or parcel shall be improved in accordance with the requirements of the Columbia County Road Standards. *If the parcel to be developed abuts the end of a private non-exclusive access easement, one-half of the width of the easement shall be improved to current County Road Standards from the property line of the subject parcel to its connection to a public right-of-way.* In lieu of such improvements, the owner or developer of the lot or parcel may secure a surety bond, or place cash in escrow or trust, to insure that the improvements will be completed according to the procedure outlined in Section 801 of the Columbia County Subdivision and Partitioning Ordinance. However, in the sole discretion of the Board, in lieu of the improvements or cash or surety bond to secure such improvements, the Board may require the owner or developer of the lot or parcel to put up cash in an amount equivalent to the cost of such improvements dedicated toward the improvement of the entire road rather than just the portion adjacent to the lot or parcel.
- .6 No dwelling shall be constructed closer than 30 feet to a property property line. Where the property abuts resource zoning, the setback shall be increased to 50 feet.
- .7 Unless otherwise prohibited, the maximum building height for all non-farm, non-forest structures shall be 35 feet or 2½ stories, whichever is less.
- .8 Unless otherwise prohibited, structures such as barns, silos, windmills, antennas, chimneys, or similar structures may exceed the height limitations to a maximum height of 50 feet.
- .9 **Churches: May be allowed if they fulfill the following requirements:**

- A. **Minimum Lot Area: Twenty Thousand (20,000) square feet for pre-existing, non-conforming parcels;**
- B. **Minimum Public Street Frontage: One hundred (100) feet;**
- C. **Shall be located within 1000 ft. of a collector or arterial road;**
- D. **Shall be capable of providing adequate fire flow;**
- E. **Shall be capable of treating sewage on-site if not connected to a community sewer;**
- F. **Maximum coverage of the parcel shall not exceed 50% of land area;**
- G. **Shall meet the setback standards for residential structures;**
- H. **Conceptual Site Plan demonstrating compliance with the standards of this section shall be submitted with all applications.**
- I. **A new conditional use permit shall be required for the following modifications to a prior conditional use permit granted for a church:**
  - a. **The addition of usable building area on the site;**
  - b. **The addition of ste area;**
  - c. **The establishment of additional uses such as full-time day schools or full-time day care centers.**

625 Lot or parcel of Record: A lot or parcel lawfully created by a subdivision plat, or by a deed or sales contract, and of record in the County Clerk's office prior to the adoption of minimum parcel size provisions in the rural residential zone, is not required to meet minimum parcel size requirements, and shall be eligible to receive a building permit for any use permitted by Section 622 without complying with lot or parcel width or depth requirements.

The uses on a lot or parcel of record must otherwise comply with all other applicable regulations.

626 Two or More Existing Dwellings on a Parcel: Notwithstanding the lot size provisions of this zone but including all other provisions of the zone, the Director may approve the partitioning of a lawfully created lot or parcel in this zone, upon which two or more lawfully established permanent dwellings exist, into a number of parcels equal to the number of dwellings on the lot or parcel, upon findings by the Director that the lot or parcel meets all of the following requirements:

- A. Creation of the separate parcels will have no adverse impact on farm or forestry practices in the area or on the parcels.
- B. Each parcel to be created has a habitable dwelling thereon at the time of partition.

- C. The configuration of the parcels will permit the establishment of an alternative septic system drain field on each parcel, in an area approved by the county sanitarian, in case the existing drain field fails.