

CHAPTER 144

RURAL COMMERCIAL (R-COM) ZONING DISTRICT

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144.010. PURPOSE AND INTENT. The purpose of the Rural Commercial (R-COM) Zoning District is to implement the Comprehensive Plan policies for rural commercial development. This zone is applied to commercial lands outside of unincorporated communities and urban growth boundaries.

The intent of the R-COM Zoning District is to permit the continuation and expansion of existing uses in the district and allow for new commercial uses. It is also intended to provide for development in rural areas resulting in rural employment opportunities. Commercial activities in this zone generally consist of small scale, low impact uses which serve the needs of the surrounding rural area or the needs of the traveling public without adverse impacts on surrounding farm or forest activities. In the R-COM Zoning District, a new or expanded use may not exceed the capacity of the site itself to provide adequate water and absorb waste water.

144.020. USES SUBJECT TO SIZE LIMITATIONS. Specific uses listed under Sections 144.040 and 144.060 are subject to size limitations. These uses shall be established in a building or buildings which do not exceed the specified amount of floor space. The floor area calculation does not include outdoor storage areas.

Expansion of existing uses or establishment of new uses which would exceed to specified size limitation are subject to the following requirements:

- (A) Establishment of a new use which would exceed the size limitation standard shall require a Comprehensive Plan Amendment in the form of an exception to Statewide Planning Goal 14 as provided by the Zoning Ordinance and pursuant to ORS 197.732.
- (B) Expansion of a use existing as of May 10, 2000(date this ordinance is adopted) (see inventory included as Appendix 1) shall be limited to 4,000 square feet of floor space or 25 percent of the adopted inventory size, whichever is greater.
- (C) Expansion of an existing use which would exceed the size limitation standard shall require a Comprehensive Plan Amendment in the form of an exception to Statewide Planning Goal 14 as provided by the Zoning Ordinance and pursuant to ORS 197.732.
- (D) The new or expanded use will not have adverse impacts on surrounding farm and forest activities; and
- (E) The new or expanded use will not exceed the capacity of the site itself to provide adequate water and absorb waste water.

144.030. STANDARD INDUSTRIAL CLASSIFICATIONS. Standard Industrial Classification (SIC) code numbers for most of the uses in this zone are shown in parentheses after the listed use. The SIC codes are a coding system used by the federal government to identify specific industries. Two-digit codes are used most often in the Zoning Ordinance to describe general categories of uses. In some instances, more specific three and four-digit codes are used. A copy of the SIC Manual is available for use at the Community Development Department and provides a more detailed description of the uses described in each general category.

144.040. PERMITTED USES. The following uses and their accessory buildings and uses are permitted. All uses under this Section are subject to the applicable standards as set forth in Chapter 112 (Development Standards) and other general provisions and exceptions set forth by this ordinance.

These uses are permitted in a building or buildings which do not exceed the specified gross floor area. The floor area calculation does not include outdoor storage areas.

- (A) Lawfully established uses and structures that existed on or before (date this ordinance is adopted), not otherwise listed in the zone are allowed outright and shall not be classified as nonconforming uses (see Appendix 1).
- (B) Uses which serve the needs of the surrounding rural area or the traveling public:
 - (1) Single-family residences;

- (2) Grocery stores, where the buildings do not exceed 3,500 square feet of floor space (54);
 - (3) Antique, art, gift, handicraft, novelties or other similar stores and second hand stores, with sales and storage conducted wholly within an enclosed building(s) which does not exceed 2,500 square feet of floor space (593, 599);
 - (4) Retail sporting goods and guide services, where the buildings do not exceed 2,500 square feet of floor space (594, 7999);
 - (5) Automobile service stations and repair garages, including towing services, provided that repair is conducted wholly within an enclosed building(s) which does not exceed 3,500 square feet of floor space (75);
 - (6) Eating and drinking places (except those serving alcoholic beverages), where the buildings do not exceed 3,500 square feet of floor space (58);
 - (7) Veterinarian clinics, where the buildings do not exceed 4,000 square feet of floor space (excluding outdoor kennels, pens, or holding areas) (074);
 - (8) Governmental, public and quasi-public structures: special district (e.g. water and sewage disposal office etc.), city, county, state and federal, where the buildings do not exceed 4,000 square feet of floor space (91, 92, 93, 94, 95, 96, 97);
 - (9) Barber or beauty shops, where the buildings do not exceed 2,500 square feet of floor space (72);
- (C) Uses which complement natural resource industries:
- (1) Retail sales of previously prepared agricultural or forest products, where the buildings do not exceed 4,000 square feet of floor space;
 - (2) Wineries, including wine tasting rooms and sales, as defined in Section 110.595(B), where the buildings do not exceed 4,000 square feet of floor space (2084);
 - (3) Farm or forest implement and equipment sales when the sales area is fenced or a landscaped buffer is provided, where the buildings do not exceed 4,000 square feet of floor space;
 - (4) Farm or forest related equipment, machinery or truck repair, including associated service parts facilities, within an enclosed building, where the buildings do not exceed 4,000 square feet of floor space;
 - (5) Feed or agricultural supplies store, excluding wholesale distributions, where the buildings do not exceed 4,000 square feet of floor space;
 - (6) Farm or forest products stand, designed and used for the sale of farm crops, special forest products and livestock grown on farms in the local agricultural area, including the retail sale of incidental items accounting for no more than 25 percent of the total sales of the farm or forest stand. Farm or forest products stands do not include structures designed for residential occupancy or to accommodate activities other than the sale of farm crops, special forest products and livestock, such as structures for banquets, public gatherings or entertainment.
- (D) Uses which are small-scale, low-impact:
- (1) Contracting business office, where the buildings do not exceed 2,500 square feet of floor space (15, 16, 17).
- (E) Transportation Improvements [Amended by Ordinance 01-01]
- (F) Wind energy systems, meteorological towers, and photovoltaic systems that are not commercial power generating facilities, but not including wind energy systems utilizing a tower and meteorological towers that require tower lighting, are located in an adopted urban growth boundary, or that would require modification to the height or type of construction standards described in Section 112.135(C)(1). Wind energy systems utilizing towers and meteorological towers are subject to standards listed in Sections 112.135 and 112.137.

Roof-mounted, building-integrated, building-mounted and architectural wind energy systems that extend no more than an additional 5 feet above the highest ridge of the building's roof or 15 feet above the highest eave, whichever is higher, and do not exceed the height limitation of the zone, are subject to the standards listed in Section 112.137. Photovoltaic systems are subject to the standards described in Section 112.138. [Amended by Ordinance 09-06]

144.050. USES SUBJECT TO ADMINISTRATIVE REVIEW. The following uses are permitted, subject to review and approval under the prescriptive standards specified herein and as may otherwise be indicated by federal, state and local regulations and permits:

- (A) Wind energy systems utilizing a tower and meteorological towers outside of an adopted urban growth boundary that are not commercial power generating facilities that would utilize a tower(s) that requires lighting or that requires modification to the height or type of construction standards described in Section 112.135(C)(1), as provided in Sections 112.135 and 112.137. [Amended by Ordinance 09-06]

144.060. CONDITIONAL USES. When authorized under the procedure provided for conditional uses in Chapter 119 of this ordinance, the following uses will be permitted in any R-COM Zone. The uses identified in subsection (C) of this section shall be established in a building not to exceed 3,500 square feet of floor space. The floor area calculation does not include outdoor storage areas.

- (A) Uses which serve the needs of the surrounding rural area or the traveling public:
 - (1) Communications tower, subject to section 112.135 (48); [Amended by Ordinance 04-09]
 - (2) Living History Museum (84);
 - (3) Cottage Industry Home Occupation in conjunction with a residence that existed on the effective date of this ordinance (see Section 116.040);
 - (4) Bed and Breakfast Facility. A Bed and Breakfast Facility may be authorized within a single-family dwelling subject to the following standards:
 - (a) The Bed and Breakfast Facility shall be operated by a resident(s) of the dwelling in which the Bed and Breakfast Facility is located.
 - (b) The number of guest bedrooms shall not exceed five.
 - (c) The length of stay for any guest shall not exceed 15 consecutive nights.
 - (d) Food service may be provided only to overnight guests of the Bed and Breakfast Facility. Food service may include the service of meals other than breakfast.
 - (5) Recreational vehicle park as defined in Section 110.466 (703); and
 - (6) Public Utilities (exempted from these regulations are: underground pipes and conduits and above ground electric transmission distribution, communication signal lines on a single pole system) (49).
- (B) Uses which complement natural resource industries:
 - (1) Lumber yards, excluding outdoor storage areas;
 - (2) Nurseries for the primary sale of plants, seeds, related garden supplies, excluding wholesale distribution (526);
 - (3) Commercial activities in conjunction with farm or forest use including activities related to the processing, distribution, and retail marketing of farm or forest products a portion of which are produced on-site;
 - (4) Processing facility for farm or forest products (20, 24);
- (C) Uses which are small-scale, low-impact:
 - (1) Eating and drinking places, where alcoholic beverages are served (58);

- (2) General merchandise stores (53);
 - (3) Boat, camper and trailer storage (see Specific Conditional Uses, Section 119.150(C));
 - (4) Public warehousing and storage (422);
 - (5) Equipment rental and leasing (735);
 - (6) Any other commercial use, where the buildings do not exceed 3,500 square feet of floor space, provided that:
 - (a) The use will not have adverse impacts on surrounding farm and forest activities; and
 - (b) The use will not exceed the capacity of the site itself to provide adequate water and absorb waste water.
- (D) Wind energy systems utilizing a tower and meteorological towers within an adopted urban growth boundary up to 100 feet in height that are not commercial power generating facilities, as provided in Sections 112.135 and 112.137. [Amended by Ordinance 09-06]

144.070. ACCESSORY USES PERMITTED UNDER PRESCRIBED CONDITIONS.

Customary accessory uses shall comply with the following:

- (1) No separate permit shall be issued for the construction of any type accessory building prior to that of the main buildings.
- (2) All accessory buildings shall maintain the same yard setback requirements as the main buildings.

Appendix 1
Rural Commercial Properties Inventory
September 1, 1998

<u>Number</u>	<u>Tax Map ID</u>	<u>Location</u>	<u>Uses</u>	<u>Size (acres)</u>	<u>Bldg. Size (sq. ft.)</u>
1	7522CB 300	Hwy 223 – North of Dallas	Auto towing/Wrecking	0.57	12,660
2	7522CB 400	Hwy 223 – North of Dallas	Auto body shop	0.14	Vacant
3	7522CB 500	Hwy 223 – North of Dallas	Auto body shop	0.36	4,800
4	7522CB 600	Hwy 223 – North of Dallas	Construction Co/Pump Co. offices	0.36	2,304
5	7522CB 700	Hwy 223 – North of Dallas	Construction Co. (equipment)	0.49	2,588
6	7522CB 1200	Hwy 223 – North of Dallas	Construction Co. (equipment)	0.77	Vacant
7	7522CB 1700	Hwy 223 – North of Dallas	Construction Co. (equipment)	0.98	Vacant
8	7522CB 800	Hwy 223 – North of Dallas	Construction Co. (equipment)	0.99	Vacant
9	7522CB 1900	Hwy 223 – North of Dallas	Construction Co. (equipment)	0.56	Vacant
10	687 1000	Van Duzer Corridor	Restaurant	1.00	1 home
11	687 1001	Van Duzer Corridor	Restaurant	7.89	2,140
12	6810 1100	West of Grand Ronde	Restaurant	2.85	1,232
13	6810 1200	West of Grand Ronde	Logging Co.	4.42	2,640
14	8518 1501	3905 Kings Valley Hwy.	Second-hand store	1.00	1,592
15	8622 600	18425 Falls City Road	Appliance store (closed)	1.02	6,958
16	756 500	Hwy. 22 – Salt Creek	Salt Creek Store	0.86	3,302
17	756 600	Hwy. 22 – Salt Creek	Salt Creek Store	1.13*	Vacant
18	6712C 700	Business 18 – Willamina	Mini-storage warehouse/residence	5.20	2,400 mini-storage, 896 gen.use
		*Remaining 4.75 acres are zoned AR-5			

Appendix 2
Rural Commercial Property Inventory
Post September 1, 1998

<u>Number</u>	<u>Tax Map ID</u>	<u>Location</u>	<u>Uses/ Authorization/ Establishment Date</u>	<u>Size (acres)</u>	<u>Bldg. Size (sq. ft.)</u>	<u>Ordinance</u>
1	9519 302, 1000	15290 Airlie Road	body and paint shop / single-family dwelling PA 02-01, ZC 02-01, CU 00-01	0.63	1,600 shop, manufactured dwelling	No. #02-03, August 21, 2002
2	6811 600, 1700	29795 Salmon River Highway	Retail Commercial store 1930 dwelling 2 farm buildings	2.50 ¹	4,296 1,344 576; 216	No. # 01-02 ² ; May 18, 2001

¹ The subject property contains 5.00 acres and the northern 2.5 acres are located in the Farm Forest Zone.

² The Ordinance also applies the Limited Use Overlay B that limits development due to limited Highway capacity. See ordinance for specific provisions, limitations, and allowances.

