

BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of Text Amendments)
to the Curry County Zoning Ordinance)
Related to the Rural Commercial Zone) ORDINANCE NO. 12-01

The Curry County Board of Commissioners ordains as follows:

Section 1: Findings

1. These amendments to the Curry County Zoning Ordinance were proposed to promote reuse and redevelopment of existing buildings in rural communities that are no longer being used for their original intended purpose.
2. Notice of the proposed amendments was forwarded to the Department of Land Conservation and Development ("DLCD") on October 12, 2011.
3. Following published notice on January 18, 2012, as required by law, the Board of Curry County Commissioners held a public hearing on January 31, 2012, to consider this ordinance.

Section 2: Amendments

The Curry County Zoning Ordinance is amended as shown in Attachment "A." The Planning Division staff is authorized to insert clean copies of the approved text into the Curry County Zoning Ordinance following adoption of this ordinance by the Board.

Section 3: Severance Clause

If any section, subsection, sentence, clauses or phrases of this ordinance is, for any reason, held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

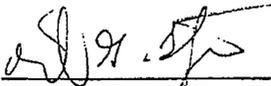
Section 4: Effective Date:

Consistent with ORS Chapters 197 and 215, this ordinance shall take effect upon its passage.

Dated this 31st day of January, 2012.

CURRY COUNTY BOARD OF COMMISSIONERS

BOARD OF CURRY COUNTY COMMISSIONERS



David G. Itzen, Chair

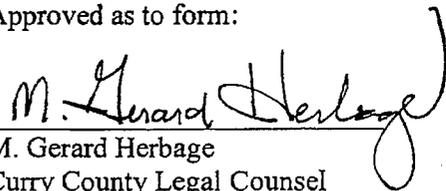


Bill Waddle, Vice Chair



George Rhodes, Commissioner

Approved as to form:



M. Gerard Herbage
Curry County Legal Counsel

ATTACHMENT "A"

CURRY COUNTY ZONING ORDINANCE

RURAL COMMERCIAL ZONE

(BOC Meeting Date: January 31, 2012)

Proposed text amendments to the *Curry County Zoning Ordinance* to the Rural Commercial (RC) zone.

Added text is in **bold**; Deleted text is ~~struck through~~

Section 3.130. Rural Commercial Zone (RC).

Purpose of Classification: The RC zoning classification is applied to all rural lands with existing commercial uses in built and committed exceptions areas to the Statewide Planning Goals as of the date of adoption of this ordinance. All future rezoning to this zoning designation shall **either be limited to areas where a rural exception has already been taken or shall** require an exception to Goals 3 ~~and/or 4~~, 14 ~~and other~~ Goals which ~~are~~ ever is applicable to the specific site. Land uses shall be limited to commercial; **church; school; community building for public or non-profit organization; single-family residential; multiple-family residential; residential care; or mixed (commercial and residential)** uses appropriate for the rural area in which ~~it~~ **the property** is located. Commercial uses in this zoning designation must be compatible with any adjacent agricultural or forestry uses and are limited to development which is suitable to individual water wells and septic systems or existing public utilities.

Section 3.131. Uses Permitted Outright.

The following uses and their accessory uses are permitted outright:

1. Single family dwelling or mobile home on each contiguous ownership or platted subdivision lot approved prior to August 12, 1986 or lot subsequently approved at the minimum lot size specified by this zone.
2. Existing retail, professional or service establishments may be continued and expanded including the expansion of existing structures to a total of 2500 square feet.
3. **Single family, multiple family, residential care, or mixed (commercial and residential) use in existing non-residential structures/buildings constructed prior to February 13, 1989. Commercial uses in existing non-residential structures shall be limited to the uses listed in Section 3.132(1, 7, 12, 13).**

Section 3.132. Conditional Uses Subject to Administrative Approval by the Director.

The following uses may be allowed provided a land use application is submitted pursuant to Section 2.060 of the Curry County Zoning Ordinance and the Planning Director approves the proposed use based upon relevant standards for review in this ordinance. Numbers in parenthesis following the uses indicate the standards described in Section 7.040 that must be met to approve the use.

1. New retail, professional, or service establishment, or expansion of an existing structure to greater than 2500 square feet in area which is appropriate for and limited to serving the requirements of the rural area in which it is located and which shall not have adverse impacts on any farm or forest uses on adjacent lands. The following are specific uses allowed:
 - a. grocery or food store;
 - b. general hardware, farm supply or feed store;
 - c. appliance, small engine, pump sales or repair shop;
 - d. art studio or gallery;
 - e. barber or beauty shop;
 - f. bakery;
 - g. book or stationary shop;
 - h. garden supply, greenhouse or nursery which includes retail sales;
 - i. restaurant, cafe or tavern;
 - j. professional office such as, real estate sales, legal office, accountant office, etc.;
 - k. handicraft or gift store including the manufacture of such goods on the premises; and
 - l. other uses of a similar type and scale to those listed in ~~a-m~~ **a through k** above.
2. Home occupation. (7)
3. Trailer, camping or recreational vehicle temporarily used as a residence during construction of a permitted use or to temporarily provide watchman security for

material that cannot be reasonably stored in an established commercial storage facility.

4. One manufactured home in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. (17)
5. Television, microwave, and radio communication facilities and transmission antenna towers.
6. Utility facilities necessary for public service, (e.g. fire stations, utility substations, parks for public use, etc.) except commercial facilities for the purpose of generating power for public use by sale. (5)
- ~~7. Approval of a division of land under Section 3.133.~~
78. Church, school or community building for public or non-profit organizational use.
89. Repair garage provided there is no outside storage of vehicles or of equipment being repaired.
910. Recreational vehicle park/rural or campground. (6)
1011. Automobile service station.
1112. Mini storage facility.
1213. Medical, dental, or veterinary clinic.
13. **Residential care facility.**

Section 3.133. Lot Size and Dwelling Density.

This zoning designation is applied to all existing rural commercial uses and dwellings on the date of adoption of this ordinance. These preexisting commercial uses are confined to no more than the contiguous ownership in existence at the time of plan adoption.

Rezoning of land to this designation or division of land to create new parcels or to site additional uses as provided in this zone shall meet the following criteria:

1. have the minimum impact on any adjacent resource lands;
2. be of the minimum size necessary to fulfill the need; **and**
3. shall meet any lot size requirements determined for proper installation and operation of water supply and sewage disposal systems. ~~and~~

~~4. no division of land shall be allowed that will create a vacant parcel that is less than five acres in size unless the county has approved a Goal 2 exception to Goal 14 and any other applicable Goals.~~

Section 3.134. Set-Backs.

See Article IV.

Section 3.135. Height of Buildings.

See Article IV.

Section 3.136. Off-Street Parking and Loading.

See Article IV.