

SPRINGDALE ZONING DOCUMENT

Proposed Multnomah County Code Amendments for Springdale Rural Center Zone

The proposed amendments apply to the Rural Center Code which currently applies to the Springdale Community. Many of the proposed amendments reflect requirements of the Oregon Administrative Rule 660-022, also known as the Unincorporated Communities Rule. Please note that new language is underlined (underlined) and crossed out (~~crossed out~~) language is proposed to be deleted.

The changes include:

- Addition of definitions for “Small-scale Low Impact Commercial or Industrial Use” which is linked to the size of buildings:
 - Limits on building size for commercial in both communities is 4,000 sq. ft.)
 - Limits industrial building size in Springdale to 15,000 sq. ft with a building footprint area maximum of 7,500 sq. ft
- Revision to the Purpose (35.3300) statement of the code to better reflect the code contained for the Springdale Rural Center (SRC) zoning district
- Changes back to a one acre minimum lot size for Springdale
- Moves “dwelling constructed off-site, including a mobile or modular home” to Allowed Use from Review Use
- Conditional Use Review of uses listed for small-scale low impact commercial and industrial use, this includes limiting and/or reducing the number of uses allowed conditionally
- Deletion of motels, guest ranches and Planned Developments consistent with the State Rule because these uses are not allowed in a Rural Community
- Adding on-site sewage disposal system requirements (system for new dwellings on contiguous ownership and for existing an easement on other ownership allowed), on-site stormwater, GEC requirements, farm covenants, and footprint size limitation for industrial buildings to reduce stormwater drainage impacts.
- Revising Off-Street Parking requirements to reduce the impacts of stormwater drainage through allowing gravel parking areas for new commercial and industrial uses
- Adding a standard requiring a stormwater drainage system for new commercial or industrial parking area that is certified by a Licensed Professional Engineer to meet the 10year/24hour standard
- Proposing to reduce the parking area front yard minimum setback from 30 feet to a 10 feet landscaped strip

Please review the proposed changes and if you have any questions you can ask us the questions at the September 7th meeting or you can contact George Plummer at 503-988-3043 ext. 29152 (george.a.plummer@co.multnomah.or.us) or Joanna Valencia at 503-988-3043 ext. 29637 (joanna.valencia@co.multnomah.or.us). You are also encouraged to send us your feedback and comments regarding the proposed code amendments.

This document is also available online at: www.multco.us/springdaleplan

PROPOSED CODE AMENDMENTS

§ 35.0005 DEFINITIONS.

As used in this Chapter, unless the context requires otherwise, the following words and their derivations shall have the meanings provided below.

* * *

Small-Scale Low Impact Commercial or Industrial Use - As used in the rural community of Springdale, these terms have the following meanings:

(a) A small-scale low impact commercial use is one which takes place in a building or buildings not exceeding 4,000 square feet of floor space.

(b) A small-scale low impact industrial use is one which takes place in a building or buildings not exceeding 15,000 square feet of floor space with a maximum footprint of 7,500 square feet.

SPRINGDALE RURAL CENTER - SRC

§ 35.3300- PURPOSE

~~The purposes of the Rural Center District is to provide standards and review procedures which will encourage concentrations of rural residential development, together with limited local and tourist commercial uses which satisfy area and regional needs; to provide for local employment through light industrial uses consistent with rural character and to manage the location and extent of public service centers and limit the extension of public services.~~

The purposes of the Springdale Rural Center District are to provide standards and review procedures which will encourage concentrations of rural residential development, together with small-scale low impact commercial and industrial uses that primarily serve the population of the immediate surrounding rural area and tourists traveling through the area.

§ 35.3305 AREA AFFECTED

MCC 35.3300 through 35.3385 shall apply to those lands designated SRC on the Multnomah County Zoning Map.

§ 35.3315 USES

No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the uses listed in MCC 35.3320 through 35.3330 when found to comply with MCC 35.3355 through 35.3385.

§ 35.3320 ALLOWED USES

(A) Farm use, as defined in ORS 215.203(2)(a), for the following purposes only:

- (1) Raising and harvesting of crops;
- (2) Raising of livestock and honeybees; or
- (3) Any other agricultural or horticultural purpose or animal husbandry purpose or combination thereof, except as provided in MCC 35.3330. This subsection does not permit the raising of fowl or fur-bearing animals for sale, the keeping of swine, or a feed lot.

(B) The propagation or harvesting of forest products.

(C) Residential use consisting of a single family dwelling constructed on a Lot of Record.

(1) A single family dwelling constructed off-site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:

(a) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.

(b) The dwelling shall be attached to a foundation for which a building permit has been obtained.

(c) The dwelling shall have a minimum floor area of 600 square feet.

(D) Public and private conservation areas and structures for the protection of water, soil, open space, forest and wildlife resources.

(E) Type A home occupations pursuant to the definition and restrictions of MCC 35.0005.

(F) Accessory Structures:

(1) Structures or uses listed below when customarily accessory or incidental to any use permitted or approved in this district:

- (a) Garages or carports;
- (b) Pump houses;
- (c) Garden sheds;
- (d) Workshops;
- (e) Storage sheds;
- (f) Greenhouses;
- (g) Woodsheds;
- (h) Shelter for pets, horses or livestock and associated buildings such as: manure storage, feed storage, tack storage, and indoor exercise area;
- (i) Swimming pools, pool houses, hot tubs, saunas, and changing rooms;
- (j) Sport courts;
- (k) Gazebos, pergolas, and detached decks;
- (l) Fences, gates, or gate support structures; and
- (m) Similar structures.

(2) If the accessory structure is a building, then to be an “allowed use” the foot print of the building in combination with the footprint of all other accessory buildings on the property shall not exceed 2500 square feet.

(3) If the accessory structure has a bathroom or kitchen facilities, then prior to issuance of the building permit the property owner shall record a deed restriction with County Records

that states that the owner understands and agrees that the structure cannot be occupied as a dwelling.

(4) Buildings in conjunction with farm uses as defined in ORS 215.203 are not subject to these provisions.

(G) Family Day Care.

(H) Actions taken in response to an emergency/disaster event as defined in MCC 35.0005 pursuant to the provisions of MCC 35.0535.

(I) Signs, as provided in this chapter.

(J) Transportation facilities and improvements that serve local needs or are part of the adopted Multnomah County Functional Classification of Trafficways plan, except that transit stations and park and ride lots shall be subject to the provisions of Community Service Uses.

§ 35.3325 REVIEW USES

~~(A) Residential use, consisting of a single family dwelling constructed off site, including a mobile or modular home placed on a Lot of Record, subject to the following conditions:~~

~~(1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200, relating to mobile homes.~~

~~(2) The dwelling shall be attached to a foundation for which a building permit has been obtained.~~

~~(3) The dwelling shall have a minimum floor area of 600 square feet.~~

(B) Temporary uses when approved pursuant to MCC 35.0510 and 35.0515.

(C) Wholesale or retail sales, limited to those products raised or grown on the premises, subject to the following condition:

The location and design of any building, stand, or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Planning Director may be appealed to

the approval authority pursuant to MCC 35.0785 and 35.0790.

(D) Off-street parking and loading;

(E) Property Line Adjustment pursuant to the provisions of MCC 35.3360.

(F) Placement of Structures necessary for continued public safety, or the protection of essential public services or protection of private or public existing structures, utility facilities, roadways, driveways, accessory uses and exterior improvements damaged during an emergency/disaster event. This includes replacement of temporary structures erected during such events with permanent structures performing an identical or related function. Land use proposals for such structures shall be submitted within 12 months following an emergency/disaster event. Applicants are responsible for all other applicable local, state and federal permitting requirements.

(G) Lots of Exception pursuant to the provisions of MCC 35.3360.

(H) Wireless communication facilities that employ concealment technology or co-location as described in MCC 35.6177(B) pursuant to the applicable approval criteria of MCC 35.6175 through 35.6188.

(I) Consolidation of Parcels and Lots pursuant to MCC 35.7794 and Replatting of Partition and Subdivision Plats pursuant to MCC 35.7797.

(J) Structures or uses customarily accessory or incidental to any use permitted or approved in this district, which do not meet the “accessory structures” standard in MCC 35.3320 Allowed Uses.

§ 35.3330 CONDITIONAL USES

The following uses may be permitted when found by the approval authority to satisfy the applicable ordinance standards: Commercial and industrial uses shall be limited to small-scale low impact as defined in MCC 35.0005.

(A) Community Service Uses pursuant to the provisions of MCC 35.6000 through 35.6230.

(B) The following small-scale low impact Conditional Uses pursuant to the provisions of MCC 35.6300 through 35.6660:

(1) Rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses including:

(a) Automobile Repair,

(b) Restaurant,

(c) Tavern

(d) Professional Office,

(e) Garden supply store,

(f) Hardware store,

(g) Retail bakery,

(h) Service station,

(i) Beauty and barber shop,

(j) Video tape rental,

(2) The following industrial uses conducted within an enclosed building that entail the manufacturing and processing of:

(a) Apparel and other finished products made from fabric;

(b) Millwork, veneer, plywood, and structural wood members;

(c) Wood containers;

(d) Wood products, not elsewhere classified;

(e) Furniture and fixtures;

(f) Stone, clay, glass products except: cement, ready-mix concrete, and minerals and earths ground or otherwise treated;

(g) Fabricated metal products;

(h) Household appliances;

(i) Electric lighting and wiring equipment;

(j) Communications equipment;

(k) Electronic components and accessories;

(l) Motor vehicle parts and accessories;

(m) Laboratory apparatus and analytical, optical, measuring, and controlling instruments;

(n) Food and kindred products.

(3) Automotive repair;

(4) Commercial or industrial uses allowable in the EFU or CFU district, and agricultural support services. These uses shall not be

~~(1) Limited rural service commercial uses such as local stores, shops, offices, repair shops, and similar uses;~~

~~(2) Tourist commercial uses such as restaurants, taverns, gas stations, motels, guest ranches, and similar uses;~~

~~(3) The following Light Manufacturing Uses conducted within an enclosed building which require the daily employment of twenty or fewer persons;~~

~~(a) The manufacture, compounding, processing, packaging, treatment, storage or wholesale distribution of such products as bakery goods, fruits, vegetables, sea foods, dairy products, candy, confections, beverages including brewing and bottling, miscellaneous food products, ice and cold storage plant, drugs, pharmaceuticals, perfumes, toilet soaps, toiletries, barber and beauty supplies, and similar items, but not sauerkraut, vinegar or pickles manufacture;~~

~~(b) The manufacture, compounding, assembling, treatment, storage or wholesale distribution of articles or merchandise from previously prepared materials such as bone, cellophane, canvas, cloth, cork, feathers, felt, fur, glass, hair, foam, lacquer, leather (but not tanning), paper or paperboard, plastics, precious or semi precious metals or stones, shell, textiles, tobacco, wood (except as provided~~

~~in the GM and HM districts), yarns and paints;~~

~~(c) The manufacture, assembly, packaging, repair, storage or wholesale distribution of articles such as electrical appliances, lighting and communication equipment, electronic, radio or television equipment, parts or accessories, professional, scientific, optical, photographic or controlling instruments, amusement devices, small parts assembly, jewelry, musical instruments, toys, sporting goods, novelties, rubber or metal stamps;~~

~~(d) The manufacture, finishing, refinishing, repair, storage or wholesale distribution of furniture, office or store fixtures, small boats, upholstery, cabinets, office, computing or accounting machines, electric and neon signs, billboards and other signs;~~

~~(e) Business, professional, executive, administrative, wholesale, contractor or similar office, clinic, service or studio, trade, business or commercial school, research, experimental or testing laboratory;~~

~~(f) Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting, or photo processing;~~

~~(g) Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting or similar contractor's office, shop, warehouse, equipment sales or maintenance;~~

~~(h) Retail or wholesale lumber, building materials, garden supplies sales and tools, or small equipment sales, rental, repair or servicing;~~

~~(i) Laundry for carpets, uniforms, linens, rags, rugs and similar items, dyeing plant, dry cleaning not using explosive or inflammable materials;~~

~~(j) Automobile, light truck, motorcycle and recreational vehicle repair or maintenance, body and fender work, painting, parts and glass replacement, upholstery, engine, radiator or battery rebuilding, tire recapping, commercial, industrial or fleet vehicle parking and auto detailing;~~

~~(k) Metal or sheet metal shop, ornamental iron works, welding, blacksmithing, electroplating, tool and hardware manufacture, machine shop not using a drop hammer or large capacity punch press;~~

~~(l) Warehouse, furniture and household goods storage, moving equipment rental, distribution plant, parcel delivery, wholesaling of durable and non-durable goods, light and heavy equipment sales, rental or repair, fuel and ice distribution;~~

~~(m) Manufacture of non-structural clay products, ornamental clay, concrete, plaster or plastics casting, stone and purchased glass products cutting, polishing or installation; and~~

~~(n) Collection, recycling, sorting, baling or processing of previously used materials such as rags, paper, metals, glass or plastics;~~

~~(4) Commercial processing of agricultural or forestry products primarily grown in the vicinity.~~

~~(C) Planned Development pursuant to the provisions of MCC 35.4300 through 35.4360. If the property is outside of an “acknowledged unincorporated community”, then the applicable current “planned unit developments” standards within the Oregon Administrative Rules Chapter 660, Division 004 shall also be satisfied.~~

(D) Existing legally established small-scale low impact light industrial uses permitted by MCC 35.3330 (B) (3) may be expanded up to a daily total of 40 employees, based on findings that:

(1) The proposed expansion is a result of normal growth of the existing use and not required as a result of diversification of the business;

(2) The use provides a public benefit to the rural center by employing primarily persons who reside within the rural center or surrounding rural area, and this same employment pattern will continue with the proposed expansion;

(3) The proposed expansion satisfies the applicable elements of Comprehensive Framework Plan Policies:

- (a) No. 20 – Arrangement of Land Uses;
- (b) No.30 – Industrial Location (Isolated Light Industrial);
- (c) No. 36 – Transportation System Development Requirements;
- (d) No. 37 – Utilities; and
- (e) No. 38 – Facilities.

(4) The proposed expansion satisfies the Design Review provisions of MCC 35.7000 through 35.7070.

(E) Type B home occupation as provided for in MCC 35.6650.

~~(F) Large Fills as provided for in MCC 35.6700 through 35.6720.~~

§ 35.3355 DIMENSIONAL REQUIREMENTS AND DEVELOPMENT REQUIREMENTS.

All development proposed in this district shall comply with the applicable provisions of this section.

(A) Except as provided in MCC 35.3360, 35.3370, 35.3375 and 35.4300 through 35.4360, the minimum lot size for new parcels or lots shall be one acre, ~~for those RC zoned lands inside the boundary of an “acknowledged unincorporated community”. For RC zoned properties outside an “acknowledged unincorporated community” the minimum lot size is two acres except for those properties within one mile of the Urban Growth Boundary and then the minimum lot size shall be as currently required in the Oregon Administrative Rules Chapter 660, Division 004 (20 acre minimum as of October 4, 2000).~~

(B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.

(C) Minimum Yard Dimensions - Feet

Front	Side	Street Side	Rear
30	10	30	30

Maximum Structure Height – 35 feet

Minimum Front Lot Line Length – 50 feet.

(D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The county Road Official shall determine the necessary right-of-way widths based upon the county “Design and Construction Manual” and the Planning Director shall determine any additional yard requirements in consultation with the Road Official.

(E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

(F) On-site sewage disposal, storm water/drainage control, water systems unless these services are provided by public or community source, required parking, and yard areas shall be provided on the contiguous ownership.

(1) Sewage and stormwater disposal systems for existing development may be off-site in easement areas reserved for that purpose.

(2) Stormwater/drainage control systems are required for new impervious surfaces that are greater than 400 square feet in area. The system shall be adequate to ensure that the rate of runoff from the lot for the 10 year 24-hour storm event is no greater than that before the development.

(G) Grading and erosion control measures sufficient to ensure that visible or measurable erosion does not leave the site shall be maintained during development. A grading and erosion control permit shall be obtained for development that is subject to MCC Chapter 29.

(H) New, replacement, or expansion of existing dwellings shall minimize impacts to existing farm uses on adjacent land (contiguous or across the street) by:

(1) Recording a covenant that implements the provisions of the Oregon Right to Farm Law in ORS 30.936 where the farm use is on land in the EFU zone; or

(2) Where the farm use does not occur on land in the EFU zone, the owner shall re-record a covenant that states he recognizes and accepts that farm activities including tilling, spraying, harvesting, and farm management activities during irregular times, occur on adjacent property and in the general area.

(I) New, replacement or expansion of existing industrial use buildings shall minimize stormwater drainage impacts by limiting the footprint of the building or buildings to 7,500 square feet of the maximum 15,000 square feet.

§ 35.3360 LOTS OF EXCEPTION AND PROPERTY LINE ADJUSTMENTS

(A) Lots of Exception

An exception to permit creation of a parcel of less than one acre, out of a Lot of Record, may be authorized when in compliance with the dimensional requirements of MCC 35.3355(C) through (E). Any exception shall be based on the following findings :

(1) The Lot of Record to be divided has two or more permanent *habitable dwellings*;

(2) The permanent *habitable dwellings* were lawfully established on the Lot of Record before October 4, 2000;

(3) Each new parcel created by the partition will have at least one of the *habitable dwellings*; and

(4) The partition will not create any vacant parcels on which a new dwelling could be established.

(B) Property Line Adjustment

Pursuant to the applicable provisions in MCC 35.7790, the approval authority may grant a property line adjustment between two contiguous Lots of Record upon finding that the approval criteria in (1) and (2) are met. The intent of the criteria is to ensure that the property line adjustment will not increase the potential number of lots or parcels in any subsequent land division proposal over that which could occur on the entirety of the combined lot areas before the adjustment.

(1) The following dimensional and access requirements are met:

(a) The relocated common property line is in compliance with all minimum yard and minimum front lot line length requirements;

(b) If the properties abut a street, the required access requirements of MCC 35.3385 are met after the relocation of the common property line; and

(2) At least one of the following situations occurs:

(a) The lot or parcel proposed to be reduced in area is larger than 1 acre prior to the adjustment and remains 1 acre or larger in area after the adjustment, or

(b) The lot or parcel proposed to be enlarged in area is less than 2 acres in area prior to the adjustment and remains less than 2 acres in area after the adjustment.

Ord. 982, reenacted by Ord. 997.

(B) A Lot of Record which has less than the minimum lot size for new parcels or lots, less than the front lot line minimums required, or which does not meet the access requirement of MCC 35.3385, may be occupied by any allowed use, review use or conditional use when in compliance with the other requirements of this district.

(C) Except as otherwise provided by MCC 35.3360, 35.3375, and 35.4300 through 35.4360, no sale or conveyance of any portion of a lot other than for a public purpose shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

(D) The following shall not be deemed to be a lot of record:

(1) An area of land described as a tax lot solely for assessment and taxation purposes;

(2) An area of land created by the foreclosure of a security interest.

(3) An area of land created by court decree.

§ 35.3370 LOT OF RECORD

(A) In addition to the *Lot of Record* definition standards in MCC 35.0005, for the purposes of this district the significant dates and ordinances for verifying zoning compliance may include, but are not limited to, the following:

(1) July 10, 1958, SR and R zones applied;

(2) July 10, 1958, F-2 zone applied;

(3) December 9, 1975, F-2 minimum lot size increased, Ord. 115 & 116;

(4) October 6, 1977, RC zone applied, Ord. 148 & 149;

(5) October 13, 1983, zone change to RC for some properties, Ord. 395;

(6) October 4, 2000, Oregon Administrative Rules Chapter 660 Division 004 applied a minimum 2 acre lot size to RC zoned areas outside “acknowledged unincorporated communities” except where properties are within one mile of the Urban Growth Boundary the minimum is 20 acres;

(7) May 16, 2002, Lot of Record section amended,

§ 35.3375 LOT SIZES FOR CONDITIONAL USES

The minimum lot size for a Conditional Use permitted pursuant to MCC 35.3330, except subpart (C) thereof, shall be based upon:

(A) The site size needs of the proposed use;

(B) The nature of the proposed use in relation to its impact on nearby properties; and

(C) Consideration of the purposes of this district.

§ 35.3380 OFF-STREET PARKING AND LOADING

Off-street parking and loading shall be provided as required by MCC 35.4100 through 35.4220 except as identified below for Review Uses and Conditional Uses:

(A) New, replacement or expansion of existing commercial, industrial, or community service developments shall minimize stormwater drainage impacts for off-street parking by:

(1) Surfacing

(a) All areas used for parking, loading or maneuvering of vehicles shall be surfaced with a gravel "mix," wherein the fine particles are removed at the production yard, which provides a durable and dustless surface capable with a wheel load carrying capacity of 4,000 pounds.

(b) Approaches to public rights-of-way shall be paved for a minimum distance of 21' from the fog line, or for a greater distance when required by the County Engineer.

(2) A stormwater drainage system, shall be installed for parking lots, that is designed and certified by an Oregon Registered Profession Engineer to ensure that the rate of runoff for the 10 year 24 hour storm event is no greater than that which existed prior to development at the property line.

(3) Off-street parking for new, replacement or expansion of existing commercial or industrial developments shall provide a minimum of 10 foot landscaped front yard setback. All other minimum yard dimensions for parking shall be as required in the Off-Street Parking and Loading Code Section.

§ 35.3385 ACCESS

All lots and parcels in this district shall abut a street, or shall have other access determined by the approval authority to be safe and convenient for pedestrians and passenger and emergency vehicles, except as provided for Lots of Record at MCC 35.3370(B).