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CHAPTER 5. ZONE DISTRICTS

5.1 GENERAL PROVISIONS

5.1.1 Purpose

These zoning regulations are established pursuant to Oregon Revised Statutes, Chapter 215, for the purpose of promoting the health, safety, and general welfare of the people of Jackson County, and to achieve the following objectives:

- A) To implement the Statewide Planning Goals;
- B) To implement the County Comprehensive Plan;
- C) To provide a guide for the growth and development of unincorporated areas of the County;
- D) To establish zoning districts within which the needs of agriculture, forestry, commerce, industry, residences, and other land uses can be appropriately met;
- E) To provide minimum standards within zoning districts for the uses of land, location and height of buildings, density of population, signs, and off-street parking facilities;
- F) To facilitate adequate provision of services and facilities, such as water, sewerage, schools, parks, transportation, utilities, and other public requirements; and
- G) To encourage urban level growth in appropriate urbanizable areas and ensure the orderly transition from rural to urban development.

5.1.2 Compliance With District, Use, and Dimensional Standards Required

- A) ***Resource Districts (Chapter 4)***
While the County's authority under Oregon law to regulate development in the unincorporated areas is broad, development in the Forest and Farm districts is strictly governed by state law. Development will be conducted in accordance with Chapter 4, Chapter 6 (Sections 6.4 and 6.5), and all other applicable provisions of this Ordinance (e.g., Chapters 7 through 10).
- B) ***All Other Districts: Chapters 5, 6, 7 and 8***
In all other districts except the resource districts, no building or structure will be erected, converted, enlarged, reconstructed, removed, replaced, or altered for use, nor will any land, building, or structure be used or changed, except in accordance with the zoning district regulations of this Chapter, and all other applicable regulations of this Ordinance.

5.1.3 Overlay Districts

- A) Where the property is classified in an overlay district as well as a general use district, then the regulations governing development in the overlay

district (Chapter 7) will apply in addition to the regulations governing development in the underlying district.

- B) In the event of a conflict between general standards applicable in a zone and the standards of an overlay district that apply to a particular property, the overlay district standards control.

5.1.4 Official Zoning Map(s)¹

- A) ***Incorporation Into This Ordinance***

The designations, locations, and boundaries of the zoning and overlay districts established by this Ordinance will be shown on the Official Zoning Maps of Jackson County ("Official Zoning Maps"). The Official Zoning Maps will be numbered, dated, and signed by the Board of Commissioners and maintained by the Jackson County Development Services Department. These maps and all notations, references, and data shown thereon are incorporated by reference into this Ordinance, and will be as much a part of the Ordinance as if all were fully described herein.

- B) ***Application of Zoning Districts***

- 1) ***General Map Designations***

This Ordinance establishes base zoning districts for the Official Zoning Maps. The map symbols and abbreviated designations for these districts appear in Sections 5.2 through 5.6 following the name of each district. The Official Zoning Maps are intended to implement the Comprehensive Plan and are a site-specific embodiment of goals, findings, and policies found in the Jackson County Comprehensive Plan.

- 2) ***Special Map Designations***

Special map designations also are displayed on the official maps and take four basic forms:

- a) ***Areas of Special Concern***

Areas that are designated as Areas of Special Concern are generally identified on the Zoning Maps by the letters "ASC." Use of this land is governed by the provisions of this Ordinance as well as conditions specific to the Area of Special Concern, which are set forth in Chapter 7.

- b) ***Urban Growth Boundaries***

Areas within established Urban Growth Boundaries (e.g., urbanizable areas) are identified on the Official Zoning Maps to indicate areas that are needed for urban expansion over a 20-year time period from the date each agreement is adopted.

- c) ***Urban Reserve Areas***

Areas within established Urban Reserve Areas are identified on the Official Zoning Maps to indicate areas that

¹ Ordinance 2012-6, effective 9/23/12

are needed for urban expansion over a 30 to 50-year time period from the date each agreement is adopted.

d) *Unincorporated Communities*

Areas within unincorporated communities are identified on the Official Zoning Maps to indicate rural communities, rural service centers, and urban unincorporated communities (such as White City).

C) ***Interpretation of Zoning Map Boundaries***

Initial Zoning boundary interpretations will be made by Planning Staff using maps generated by the County's Geographic Information System (GIS) data base, and printed GIS maps. In case of any dispute regarding the Zoning classification of property subject to this Ordinance, the original maps contained in the Official County Records will control. Where uncertainty exists with respect to the boundaries of the Zoning districts shown on the Official Zoning Maps, the Director will use the following rules to interpret the Official Zoning Maps:

- 1) Where the Official Zoning Maps show a zoning district boundary line located within or following a street or alley right of way, railroad or utility line right of way, easement, or waterway, the district boundary will be considered to be in the center of the right of way, easement, or waterway. If the actual location of such right of way, easement, or waterway, as indicated in a recorded legal description of such, varies slightly from the location shown on the Official Zoning Maps, then the actual location will control;
- 2) Where the Official Zoning Maps show a boundary line as being located a specific distance from a street line or other physical feature, this distance will control;
- 3) Where the Official Zoning Maps show a district boundary to approximately coincide with a property line, urban growth boundary, or municipal border, the property line, urban growth boundary, or municipal border will be considered to be the district boundary, unless a specific distance from a street line or other physical feature is shown;
- 4) Where the Official Zoning Maps show a district boundary to not coincide or approximately coincide with any street, alley, railroad, waterway, or property line, and no dimensions are shown, the location of the boundary will be determined by use of the scale appearing on the Official Zoning Maps;
- 5) In instances where a parcel includes two or more zoning districts described in Sections 5.3 through 5.6, or a combination of one or more of those districts with a resource district described in Section 5.2, each part of the parcel will be used in conformity with the standards established by this Ordinance for the zoning district in which that part is located. See also Section 4.2.6(B)(3) [Roth v. Wood & Jackson County, LUBA 2000-083 & 2001-121]; and
- 6) When urban growth and other community boundaries include public rights-of-way, the entire right-of-way that abuts lands within

the urban growth or community boundary is also within the boundary, unless otherwise specified in a city or County ordinance adopting the boundary.

D) ***Measurements on the Zoning Maps***

County staff may use standard engineering scales, rulers, or other measuring devices as necessary to determine distances on the Official Zoning Maps. Where these measurements are disputed, aggrieved persons may appeal the staff determination through a Type 2 review process.

5.1.5 Establishment of Zoning Districts

Sections 5.2 through 5.7 set forth the name and description of all zoning districts established for the purposes of this Ordinance.

5.2 RESOURCE DISTRICTS

The purposes of the resource districts are set forth below. The resource districts are fundamentally different from all other districts established in the County. While the County's authority under Oregon law to regulate development in the rural residential, urban residential, commercial, and industrial districts is broad, the County's authority to regulate development in the resource districts is strictly governed by state law. For this reason, the uses permitted and the standards for development in the resource districts are set forth in a separate part of this Ordinance: Chapter 4: Resource Districts. All uses in the resource districts will comply with the general dimensional standards set forth in Chapter 8.

5.2.1 Exclusive Farm Use (EFU)

This district is intended to conserve agricultural land, and implements the Oregon Agricultural Land Use Policy, ORS 215.243, Oregon Administrative Rules, and Statewide Planning Goal 3 (Agricultural Lands). See Section 4.2 of this Ordinance.

5.2.2 Forest Resource (FR); Woodland Resource (WR); Open Space Reserve (OSR)

These districts are intended to conserve forest lands and implement the Oregon Administrative Rules, and Statewide Planning Goal 4 (Forest Lands). See Section 4.3 of this Ordinance.

5.2.3 Aggregate Removal (AR)

The purpose of this district is: to allow the development and use of significant mineral and aggregate resources subject to uniform operating standards; to balance and resolve conflicts between surface mining activities and activities on surrounding land; and to ensure the protection of natural resources and the reclamation of mined land. See Section 4.4 of this Ordinance.

5.3 RURAL RESIDENTIAL ZONING DISTRICTS

The purposes of the rural residential zoning districts are set forth below. The allowed uses for each of the districts are set forth in Table 6.2-1. All uses must comply with the applicable development standards of this Ordinance.

5.3.1 RESERVED

5.3.2 Rural Residential (RR-2.5, RR-5, RR-5(A), RR-10, RR-00)

The purpose of the rural residential zoning districts is to provide for large-lot residential areas, consistent with the predominant rural character of the area and

the physical capability of the land. The RR-00 district is established for areas where there are physical limitations in water, or land resources or service availability, or for areas where rural residential divisions could inhibit future urban development.

5.4 URBAN RESIDENTIAL ZONING DISTRICTS

The purposes of the urban residential zoning districts are set forth below. The allowed uses for each of the districts are set forth in Table 6.2-1. All uses must comply with the applicable development standards of this Ordinance.

5.4.1 Urban Residential (UR-1, UR-4, UR-6, UR-8, UR-10)

The purpose of these districts is to encourage, provide, and protect suitable environments for single- and multiple-family residences within urbanized areas of the County where public services and facilities are available, and to provide planned residential areas with densities up to 10 dwellings per acre.

5.4.2 Urban High-Density Residential (UR-30)

This district establishes high-density residential developments up to 30 dwellings per acre in existing urban areas where public services and facilities are available.

5.4.3 White City Urban Residential (WCUR-4, WCUR-6, WCUR-8, WCUR-10, WCUR-30)

Within the White City Urban Unincorporated Community urban residential areas provide for urban levels of residential development with densities up to 10 dwellings per acre for single family dwellings and up to 30 dwellings per acre for multiple-family dwellings where public services and facilities are available. Unless otherwise specified in Chapter 12, development in the WCUR districts is subject to all the same requirements as the urban residential districts described in Section 5.4.1 and 5.4.2, above.

5.5 COMMERCIAL ZONING DISTRICTS

The purposes of the commercial zoning districts are set forth below. The allowed uses for each of the districts are set forth in Table 6.2-1. All uses must comply with the applicable development standards of this Ordinance.

5.5.1 General Commercial (GC)

The purpose of this district is to provide locations for larger retail service commercial centers along major highways and within existing urban areas where public services and facilities are available.

5.5.2 Interchange Commercial (IC)

The purpose of this district is provide for commercial uses that serve the immediate needs of the traveling public, and are located at freeway interchanges with state highways or county roads.

5.5.3 Neighborhood Commercial (NC)

The purpose of a small neighborhood commercial center is to conveniently provide basic commodities for residential neighborhoods and to provide a mix of commercial and residential uses that are within easy walking or short driving distance of residential neighborhoods and alternative transportation systems. Because of their pedestrian orientation, drive-thru's and uses that rely solely on auto trips are prohibited (OAR 660-012-0060(5)(a))

5.5.4 Rural Service Commercial (RS)

The purpose of this district is to provide basic commodities to rural areas for which a specialized RS district has not been adopted. These include the community core areas of the Foots Creek, Savage Creek, and Trail Rural Service Center areas.

5.5.5 Unincorporated Communities Rural Service Commercial (ARS, RRS, SVRS)

The purpose of these districts is to provide basic commodities to the Applegate (ARS), Ruch (RRS) and Sams Valley (SVRS) unincorporated communities.

5.6 INDUSTRIAL ZONING DISTRICTS

The purposes of the industrial zoning districts are set forth below. The allowed uses for each of the districts are set forth in Table 6.2-1. All uses must comply with the applicable development standards of this Ordinance.

5.6.1 General Industrial (GI)

The purpose of this district is to provide for heavy industrial uses.

5.6.2 Light Industrial (LI)

The purpose of this district is to provide for light manufacturing and fabrication. In addition, this district allows limited retail commercial and office uses in existing and new industrial parks when such uses are subordinate to industrial uses.

5.7 SITE-SPECIFIC ZONING DISTRICTS

5.7.1 Limited Use (LU), a Type 4 review

The purpose of this district is to limit uses and activities to those justified in a Comprehensive Plan Amendment "Reasons" exception statement adopted by the County and acknowledged by the state pursuant to ORS 197.732(1)(c) as required by OAR 660-004-0018(4)(a), or to recognize existing lawfully established nonconformities as permitted uses (see Section 13.3). A Comprehensive Plan Amendment "Reasons" exception adopted by the County, and acknowledged by the State pursuant to OAR 660-004-0022(1), may or may not include a minor map amendment to designate the property LU at the County's discretion. Similarly, a rezone to LU to recognize the continued existence of a legal nonconforming use may be approved where the use is:

- A) Of a non-industrial nature;
- B) The use has continuously existed for 20 or more years; and
- C) No citations have been issued by the County against the use.

It is intended that uses and activities in a Limited Use district will be those uses and activities specified in the Ordinance adopting the LU designation, together with other similar, related, accessory and supplemental uses consistent with the acknowledged Ordinance adopting the designation for the property. In no event will the predominant use in an LU district be industrial. Uses in the LU district will be subject to other applicable standards, statutes, and rules governing sewage disposal, noise, and air and water quality.

5.7.2 Rural Limited Industrial (RLI), a Type 4 review

The purpose of this district is to provide for industrial uses that rely on site-specific natural resources for their processes and activities, or create a byproduct of substantial direct benefit to resource-producing lands or uses. Such uses are more appropriately located outside an urban growth boundary. Natural resources associated with the RLI use must be located on the subject parcel or lands immediately adjacent to it. Such industrial uses are inappropriate in an urban industrial setting because of the nature of their operating characteristics, but can be made compatible with rural land uses. A Comprehensive Plan Amendment Goal exception adopted by the County, and acknowledged by the State may or may not include a minor map amendment to designate the property RLI at the County's discretion.

5.7.3 Rural Use (RU) District

The purpose of this district is to provide a designation for lands that are not urban or urbanizable and do not meet the state definitions of agricultural or forest land. Designation as a Rural Use zoning district is subject to a binding site plan review in accordance with the development standards of this ordinance (e.g., Chapters 7 through 10).