

Chapter 550
ZONES FOR UNINCORPORATED COMMUNITIES

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550.01 Purpose. The purpose of this Chapter is to establish the uses permitted in Baker County's Unincorporated Communities.

550.02 Zones for Unincorporated Communities. There are three zones in the County applicable to Unincorporated Communities:

- A. Rural Service Area Zone (RSA)
- B. Rural Commercial Zone (RC)
- C. Rural Industrial Zone (RI)

550.03 Rural Service Area Zone (RSA)

- A. Uses Permitted Through a Type I Procedure. In a RSA Zone, the following uses and their accessory uses shall be permitted when authorized in accordance with the provisions of Section 115.05:
 - 1. Single-family residential dwellings.
 - 2. Local distribution utility facilities as described in Chapter 150.
 - 3. Type I Minor Home Occupations, subject to the provisions of Section 225.02.
 - 4. A Residential Wind Power Generation Facility, subject to the provisions of Chapter 750.
 - 5. A Small-Scale Solar Power Generation Facility, if measuring less than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
 - 6. A Commercial-Scale Solar Power Generation Facility, if measuring less than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
 - 7. Special events permitted through the provisions of Chapter 235 of this ordinance.
- B. Uses Permitted Through a Type II Procedure. In a RSA Zone, the following uses and their accessory uses may be permitted when authorized in accordance with the provisions of Section 115.06:
 - 1. Temporary Medical Hardship Dwellings subject to the provisions of Section 510.06.

2. Commercial use limited to 4,000 square feet of floor area.
 3. New motels and hotels up to 35 units, only if served by an existing community sewer system (new hotels and motels are not allowed outside an Unincorporated Community).
 4. Industrial use involving the primary processing of raw material(s) produced in the area.
 5. Industrial use limited to 10,000 square feet of floor area.
 6. Museums directly associated with a historical event or site located in or near the community.
- C. Uses Permitted Through a Type III Procedure. In a RSA Zone, the following uses and their accessory uses may be permitted when authorized in accordance with the provisions of Section 115.07. These uses shall require a Conditional Use Permit as described in Chapter 210 and shall be subject to the provisions of this Section:
1. Type III Major Home Occupations, subject to the provisions of Section 225.04.
 2. Major utility facilities, as defined in Chapter 150.
 3. Churches.
 4. Public or private schools.
 5. Public Buildings.
 6. A Small-Scale Solar Power Generation Facility, if measuring more than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
 7. A Commercial-Scale Solar Power Generation Facility, if measuring more than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
 8. A Utility-Scale Solar Power Generation Facility, subject to the provisions of Chapter 760.
 9. Special events permitted through the provisions of Chapter 235 of this ordinance.
- D. Additional Criterion for Conditional Uses. In addition to the requirements of Chapter 210, those Conditional Uses listed in Section 550.03(C) must meet the following requirement:
1. The proposed use is intended as a valid service contribution to the rural area.
- E. Minimum Lot Size. In an RSA Zone, the minimum lot size shall be determined by the Department of Environmental Quality as necessary for the protection of the public health, but shall be no less than 7,500 square feet, subject to the approval of the Department of Environmental Quality regarding sub-surface sewage disposal.

550.04 Rural Commercial Zone (RC)

- A. Purpose. The Rural Commercial classification is intended to maintain pre-existing rural area commercial uses and to create and enhance opportunities for small scale, low impact and rural resources related commercial uses. Uses which serve the traveling public are also consistent with this classification. It is intended that new uses will not exceed the capacity of the area to provide water and will not use a public sewage disposal system.
- B. Uses Permitted Through a Type I Procedure:
1. A Residential Wind Power Generation Facility, subject to the provisions of Chapter 750.
 2. A Small-Scale Solar Power Generation Facility, if measuring less than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
 3. A Commercial-Scale Solar Power Generation Facility, if measuring less than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
 4. Special events permitted through the provisions of Chapter 235 of this ordinance.
- C. Uses Permitted Through a Type II Procedure:
1. In the RC Zone, the following uses and their accessory uses shall be permitted when authorized in accordance with the provisions of Section 115.06 and the general provisions and exceptions set forth by this Ordinance:
 - a. Commercial uses that require proximity to rural resources and/or rely on rural resources for day to day operation.
 - b. Non-resource commercial uses permitted under Goals 3 and 4.
 2. In the RC Zone, the following uses and their accessory uses shall be permitted in a building or buildings not exceeding 3,000 square feet of floor space when authorized in accordance with the provisions of Section 115.06 and the general provisions and exceptions set forth by this Ordinance:
 - a. Retail sales of previously prepared agricultural or forestry products.
 - b. Veterinary clinic.
 - c. Grocery store.
 - d. Antique, art, gift, handicraft, novelties or other similar stores; and second hand stores if conducted wholly within an enclosed building.
 - e. Restaurant, café or delicatessen.
 - f. Sporting goods sales, including outdoor recreational equipment rental and repair.

- g. Automobile service station and repair garages, provided that greasing and tire repairing are performed completely within an enclosed building.
- h. General store or mercantile.
- i. Seed and garden supplies, agricultural supplies and machinery sales store.
- j. Nurseries (landscape items).
- k. Taverns.
- l. Public and semi-public buildings and uses.
- m. Parks, playgrounds or community centers.
- n. Single-family residence in conjunction with a permitted use.
- o. A dwelling above a commercial structure.
- p. Farm and forest machinery repair.
- q. Manufacture of products used in agricultural or forestry operations for sale on premises only; such as hay trailers, fencing and water tanks.
- r. Manufacture of handicraft goods for sale on premises only; such as wooden wares, pottery, tile and archery wares.

D. Uses Permitted Through a Type III Procedure. In the RC Zone, the following uses and their accessory buildings and uses may be when authorized in accordance with the provisions of Section 115.07. These uses shall also require a Conditional Use Permit as described in Chapter 210:

1. Manufactured Home Parks.
2. Recreational Vehicle Parks.
3. Specialized commercial recreational facilities.
4. Non-resource commercial uses conditionally permitted under Goals 3 and 4.
5. Public Buildings.
6. A Small-Scale Solar Power Generation Facility, if measuring more than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
7. A Commercial-Scale Solar Power Generation Facility, if measuring more than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
8. A Utility-Scale Solar Power Generation Facility, subject to the provisions of Chapter 760.

9. Special events permitted through the provisions of Chapter 235 of this ordinance.

E. Development Standards:

1. Area. No standard established, except that:

- a. The site shall be of sufficient size to accommodate an on-site sewer system and water system, unless such system can be accessed by easement or water is to be provided by a public provider; and
- b. For residential uses, the standards of the RR Zones (RR-2 or RR-5) shall apply.

2. Coverage. No more than 60% of the property shall be covered by all buildings located thereon.

3. Setbacks.

- a. Front Yard. Fifteen (15) feet from the public right-of-way.
- b. Side Yard. Five (5) feet.
- c. Rear Yard. No rear yard setback is required when abutting a commercial or industrial designated parcel. When not abutting a commercial or industrial parcel, no structure other than a fence or sign shall be located closer than five (5) feet from the rear property line.
- d. Vision Clearance. Vision clearance on corner properties shall be a minimum of 20 feet.
- e. Resource Land. Any development which has a yard area abutting a Goal 3 or 4 resource zone shall have no structures other than a fence or sign located closer than 25 feet from the Goal 3 or Goal 4 designated land.

4. Height. Maximum height of any structure shall be 35 feet.

5. Signs. See Chapter 730.

6. Parking. Off-street parking shall be provided in accordance with Chapter 330.

7. Access. Access improvements may be required by Baker County on County Roads for uses authorized in the RC Zone. Such improvements shall be directly related to the impact of the use on adjacent properties and vehicular movement.

550.05 Rural Industrial Zone (RI)

A. Purpose. The Rural Industrial classification is intended to maintain pre-existing rural area industrial uses and to create and enhance opportunities for small scale, low impact and resource related industrial uses. It is also intended to provide for new uses that will not exceed the capacity of the area to provide water and absorb sewage. While uses located within this zone are intended to provide employment opportunities, it is the intent of this zone to support resource related industries and rural levels of industrial development which have a limited impact on surrounding uses, communities and cities and which do not require public sewage disposal.

B. Uses Permitted Through a Type I Procedure:

1. A Residential Wind Power Generation Facility, subject to the provisions of Chapter 750.
2. A Small-Scale Solar Power Generation Facility, if measuring less than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
3. A Commercial-Scale Solar Power Generation Facility, if measuring less than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
4. Special events permitted through the provisions of Chapter 235 of this ordinance.

C. Uses Permitted Through a Type II Procedure:

1. In the RI Zone, the following uses and their accessory uses shall be permitted when authorized in accordance with the provisions of Section 115.06:
 - a. Industrial uses existing on or before June 30, 2005, not otherwise listed in this zone, and, if in a building or buildings, the total square footage does not exceed 7,500 square feet.
 - b. Resource related industrial uses that require proximity to rural resources and/or rely on rural resources for day to day operation.
 - c. Non-resource industrial uses permitted under Goals 3 and 4.
 - d. One manufactured home or watchman's quarters in conjunction with a permitted or conditional use.
2. In the RI Zone, the following uses and their accessory buildings and uses are permitted in a building or buildings not exceeding 7,500 square feet of floor space shall be permitted when authorized in accordance with the provisions of Section 115.06 and the general provisions and exceptions set forth by this Ordinance:
 - a. Freight and truck storage, repair, service, staging and point of operation for resource related trucking operations such as log trucks, chip trucks and gravel trucks and accessory equipment.
 - b. Welding and machine shop.
 - c. Wholesale business, storage buildings, warehouses and bulk fuel storage facilities.

- d. Manufacturing or compounding of items used in the agricultural or forest products industry and other items which, due to impacts, are hazardous or incompatible in densely populated areas.
- e. Storage of industrial equipment or supplies.

D. Uses Permitted Through a Type III Procedure. In the RI Zone, the following uses may be permitted when authorized in accordance with the provisions of Section 115.07. These uses shall require a Conditional Use Permit as described in Chapter 210:

1. Salvage yard.
2. Automobile wrecking yard.
3. Slaughterhouse.
4. Manufacture and/or storage of explosives.
5. Disposal site (not to be visible from a public arterial roadway).
6. Public Buildings.
7. A Small-Scale Solar Power Generation Facility, if measuring more than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
8. A Commercial-Scale Solar Power Generation Facility, if measuring more than 3 acres and with net-metering not exceeding 50% of the average expected annual energy production, subject to the provisions of Chapter 760.
9. A Utility-Scale Solar Power Generation Facility, subject to the provisions of Chapter 760.
10. Special events permitted through the provisions of Chapter 235 of this ordinance.

E. Development Standards.

1. Area. No standard established, except that the site shall be of sufficient size to accommodate an on-site sewer system and water system, unless such system can be accessed by easement or water is to be provided by a public provider.
2. Coverage.
 - a. Sixty percent (60%) building coverage is allowable provided that space for servicing, parking, deliveries, and building access have been provided.
 - b. Buildings supporting a use existing on or before June 30, 2005, may be expanded up to 7,500 square feet.
3. Setbacks.

- a. Front Yard. 15 feet from the public right-of-way.
 - b. Side and Rear Yard. Side and rear yards shall be a minimum of five (5) feet.
 - c. Vision Clearance. Vision clearance on corner properties shall be at least 10 feet.
 - d. Resource Land. Any development which is abutting a Goal 3 or Goal 4 resource zone shall have no structures other than a fence or sign located closer than 25 feet from the Goal 3 or Goal 4 designated land.
4. Height. No structure shall exceed a height of 35 feet except where approved by the Oregon State Fire Marshal.
 5. Signs. See Chapter 730.
 6. Parking. Off-street parking shall be provided in accordance with Chapter 330.
 7. Environmental Quality. All uses in the RI Zone shall comply with standards adopted by the Environmental Quality Commission for air, land, water and noise.
 8. Access. Access improvements may be required by Baker County, on County Roads, for uses authorized in the RI Zone. Such improvements shall be directly related to the impact of the use on adjacent properties and vehicular movement.