

IN THE COUNTY COURT OF THE STATE OF OREGON

FILED WASCO CTY  
THE DALLES OR.

IN AND FOR THE COUNTY OF WASCO

Nov 4 10 18 AM '99

IN THE MATTER OF AMENDMENTS TO THE WASCO )  
COUNTY COMPREHENSIVE PLAN TEXT AND MAP, )  
AND WASCO COUNTY LAND USE AND )  
DEVELOPMENT ORDINANCE TEXT AND MAP FOR )  
THE WAMIC COMMUNITY (FILES #PR-99-103-ZO-L )  
AND #PR-99-104-CP-L), PURSUANT TO PERIODIC )  
REVIEW TASK #9 FOR RURAL COMMUNITIES. )

KAREN R. LEBRETON  
COUNTY CLERK

) ORDINANCE  
) NO. 99-106  
)  
)  
)

NOW ON THIS DAY, the above-entitled matter having come on regularly for consideration, said day being one duly set in term for the transaction of public business and a majority of the Court being present; and

IT APPEARING TO THE COURT: That between November 1998 and March 1999, several community meetings were held to inform and receive input from the residents of Wamic about the proposed amendments to the Wasco County Comprehensive Plan and Land Use and Development Ordinance to meet Goal 14 and the Rural Communities Rule for Wamic; and

IT FURTHER APPEARING TO THE COURT: That on Tuesday, September 7, 1999, in the Columbia Gorge Community College, Room 1.162, 400 E. Scenic Drive, The Dalles, Oregon, the Wasco County Planning Commission met to conduct a legally notified legislative public hearing on the above matter. Those members of the Planning Commission present were determined to be qualified to hear the matter. Chairman Sandee Burbank read aloud the rules of

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evidence. The Planning Commission reviewed the record and received all testimony and evidence, then closed the public hearing; and

IT FURTHER APPEARING TO THE COURT: That the Planning Commission then deliberated, and based upon the full record and evidence and testimony presented, voted 6-0 to recommend to the County Court the approval of the proposed Comprehensive Plan and Land Use and Development Ordinance zoning and text amendments via Recommendation No. 99-106; and

IT FURTHER APPEARING TO THE COURT: That at 10:00 a.m. on October 6, 1999, in the Wasco County Courtroom, Room 202, of the Wasco County Courthouse, in The Dalles, Oregon, this Court met to conduct a legislative public hearing on the above matter. The members of the Court were determined to be qualified to hear the matter; and

IT FURTHER APPEARING TO THE COURT: That the Court reviewed the record of the Planning Commission and heard the Staff report. No testimony or evidence were received from the parties. The Court closed the hearing for further input, and then deliberated, resulting in a 3-0 vote to adopt the proposed legislative amendment to amend the "Unincorporated Communities Discussion" section of the Comprehensive Plan, and the Plan map; and to amend the Wasco County Land Use and Development Ordinance text and map. Based upon the full record and evidence and testimony presented, the Court being fully apprised in the premises, did hereby make the following findings of fact and conclusions of law:

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## FINDINGS OF FACT

1. In making its decision, the County Court recognizes and adopts the findings of fact in the Staff Report, including the input from Wamic citizens, presented to them and made a part of this record at the hearing held on September 7, 1999.
2. The request is for a comprehensive plan text and map amendment and zoning text and map amendment (Exhibit A: Comprehensive Plan text and map amendments; and Exhibit C: Wasco County Land Use and Development ordinance text and map amendments).
3. Proper notice was given and the hearing was held in accordance with procedural rules for legislative hearings and in conformity with said requirements as set forth in the Wasco County Comprehensive Plan.
4. Three (3) members of the County Court were present and were qualified to sit as decision-makers after full disclosure was made and the matter of qualifications was discussed by the Court;
5. In making its decision, the Court recognizes the procedural and legal requirements of the Wasco County Comprehensive Plan and the Wasco County Land Use and Development Ordinance and weighed fully each requirement in arriving at its decision.

## CONCLUSIONS OF LAW

1. The Court adopts the Conclusions of Law as set forth in the Staff Report dated September 7, 1999 and the Wamic Plan Map and Wamic Proposed Zoning Map.
2. The amendments are being made in accordance with Oregon Administrative Rules for Unincorporated Communities, OAR 660, Division 22.
3. The amendments are made a part of Periodic Review, consistent with the approved work plan.

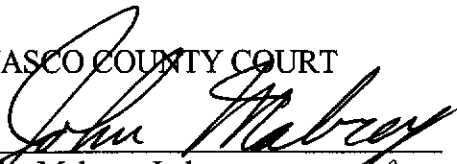
NOW, THEREFORE, THE WASCO COUNTY COURT ORDAINS AS FOLLOWS: The Wasco County Comprehensive Plan and Wasco County Land Use and Development Ordinance are hereby amended to rezone the Rural Service Center of Wamic in accordance with the Rural Communities Administrative Rules of the State of Oregon. The revised Wasco County Comprehensive Plan Text and Map amendments adopted by these ordinance amendments are

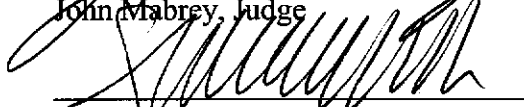
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attached as Exhibit A, and the revised Wasco County Land Use and Development Ordinance text and map amendments adopted by these ordinance amendments are attached as Exhibit C.

SIGNED this 6<sup>th</sup> day of October, 1999.

WASCO COUNTY COURT

  
John Mabrey, Judge

  
Scott McKay, Commissioner

  
Dan Ericksen, Commissioner

Approved as to Form:

  
Eric J. Nisley  
Wasco County District Attorney

Attachments: Exhibit A: Comprehensive Plan Text and Map Amendments  
Exhibit C: Wasco County Land Use and Development Ordinance Text and Map Amendments.

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## EXHIBIT "A"

### Amendments to the Unincorporated Communities discussion of the Comprehensive Plan

#### Wamic Rural Community

#### 1. General Background

Under the original 1983 comprehensive plan, Wamic was designated as a rural service center, with plan designations for residential commercial, and industrial. Zoning largely reflected the comprehensive plan designations. Through a plan amendment and zone change in 1989, 5.1 acres was included into the rural service center boundary. This 5.1 acre site was given a limited use overlay to allow for a restaurant and is currently the site of the Sportsman Pub and Grub (formerly Grandma Maggies Restaurant).

Water pollution due to failing septic systems have been identified as a problem by the Wasco County Sanitarian in the residential areas of Wamic. This is caused primarily by a high water table and saturated soils.

#### 2. Planning under the Rural Community for Unincorporated Community Regulations

Under the Administrative Rule for Unincorporated Communities, OAR 660, Division 22, Wamic meets the definition of an "Rural Community". Wamic has the following characteristics which make it a "Rural Community" under the rule

1. Consists primarily of permanent residential dwellings;
2. Has at least two other land uses the provide commercial, industrial, or public uses including schools, churches, grange halls post offices to the community, surrounding rural area, or to persons traveling through the area;
3. Is unincorporated;
4. Was either identified in a county's acknowledged comprehensive plan as a "rural community", service center", "rural center" "resort community" or similar term before this rule was adopted (October 28, 1994).

Under the administrative rule, rural unincorporated communities are required to have a public facilities plan if existing sewer or water facilities are insufficient for current need...or ...there is a history of failing septic systems or wells, or a community sewage or water system is projected to be needed by the next periodic review.

Wamic is served by a public water system, but does not have a public sewer system. Since acknowledgement of the comprehensive plan, the Wamic Special Sewer District has been established to protect groundwater and surface water (Tygh Creek) The Sewer District boundary is the same as the Rural Center boundary. A Wastewater Facilities Plan is currently being developed to address current health hazard issues and at the same time plan for future growth in the Wamic RC. This plan is also in compliance with the requirement of the administrative rule. The facilities plan is being developed concurrent to this revisions process and will be incorporated by reference into the comprehensive plan.

Existing development in the Wamic Unincorporated Community has not varied greatly from the county's acknowledged comprehensive plan. Uses include: a combination grocery/clothing/hardware store; a combination garage/repair shop; telephone office; restaurant and church. The Wamic elementary school was closed in 1998 and has been converted into a Community Center.

Recently the Smock Prairie Schoolhouse was moved from its original site to Wamic. This is the only inventoried Goal 5 resource within the boundaries of Wamic.

Land surrounding the Wamic unincorporated Community boundary is zoned Exclusive Farm Use, (A-1 (160)). The Comprehensive Plan designation for the surrounding properties is Agriculture. During the OAR 660 Division 22 revisions, the boundaries of the RC were not expanded beyond the existing boundaries of the Rural Service Center. There were no contentious issues during the process of implementing the Rural Community designation. Essentially, the community voiced a desire to keep things the same. There was consensus by the community of the need to address a sewer system.

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**LAND USE INVENTORY – WAMIC**

Zone	Acres	Developed Tax Lots	Vacant Tax lots
Agriculture	0	0	0
Commercial	14.3	2	9
Residential	76.9	42	19
Industrial	12.8	1	3
<b>TOTALS</b>	<b>104</b>	<b>45</b>	<b>21</b>

Maximum No. potential new lots:

Existing sewer connections: No

Existing public water hook ups: 55 served by the Wamic Cooperative water Assn. The sources is two wells: Well #1 is located west of the last street in Wamic, is approximately 389 feet deep and pumps approximately 60 gallons per minute; Well #2 is off of Price Road, north of Wamic by D.A. Butcher property. A reservoir is also located at this site.

Police: County Sheriff patrol

Church: Wamic Community Church

Elementary School: closed in 1998

Community Center: former school

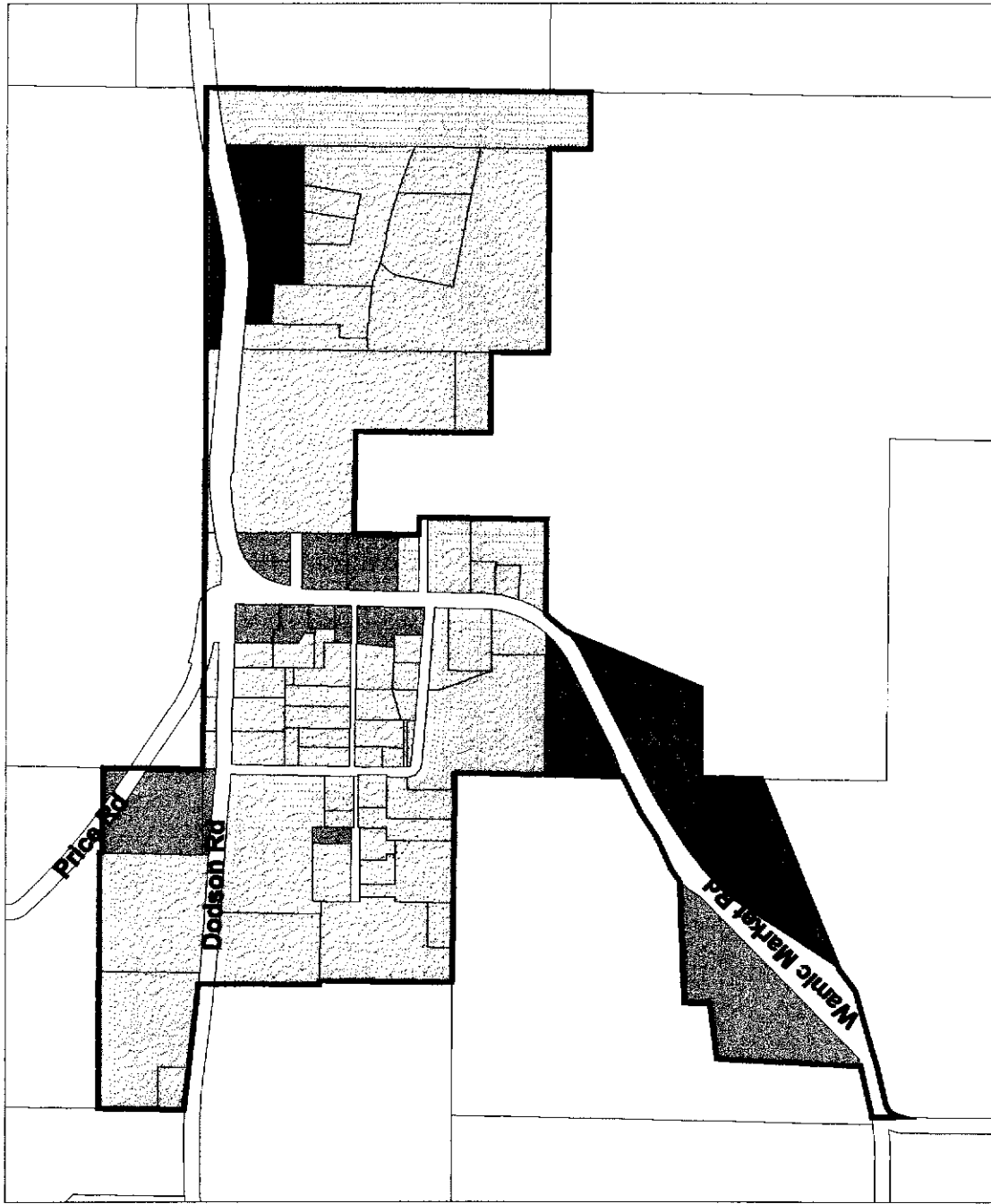
Post Office: yes

Fire Department: Pine Hollow Volunteer

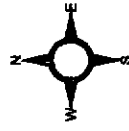
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**Exhibit A**  
**Wasco County Comprehensive Plan**  
**Wamic Rural Community**  
**Ordinance No. 99-107**



- Parcels
- Rural Center Boundary
- Zoning
  - Commercial
  - Industrial
  - Residential

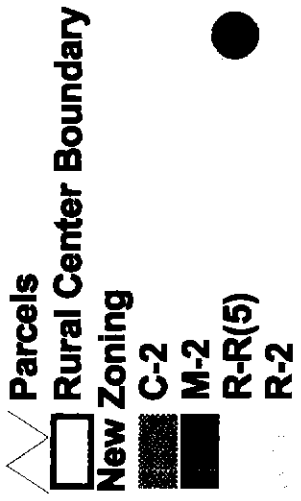
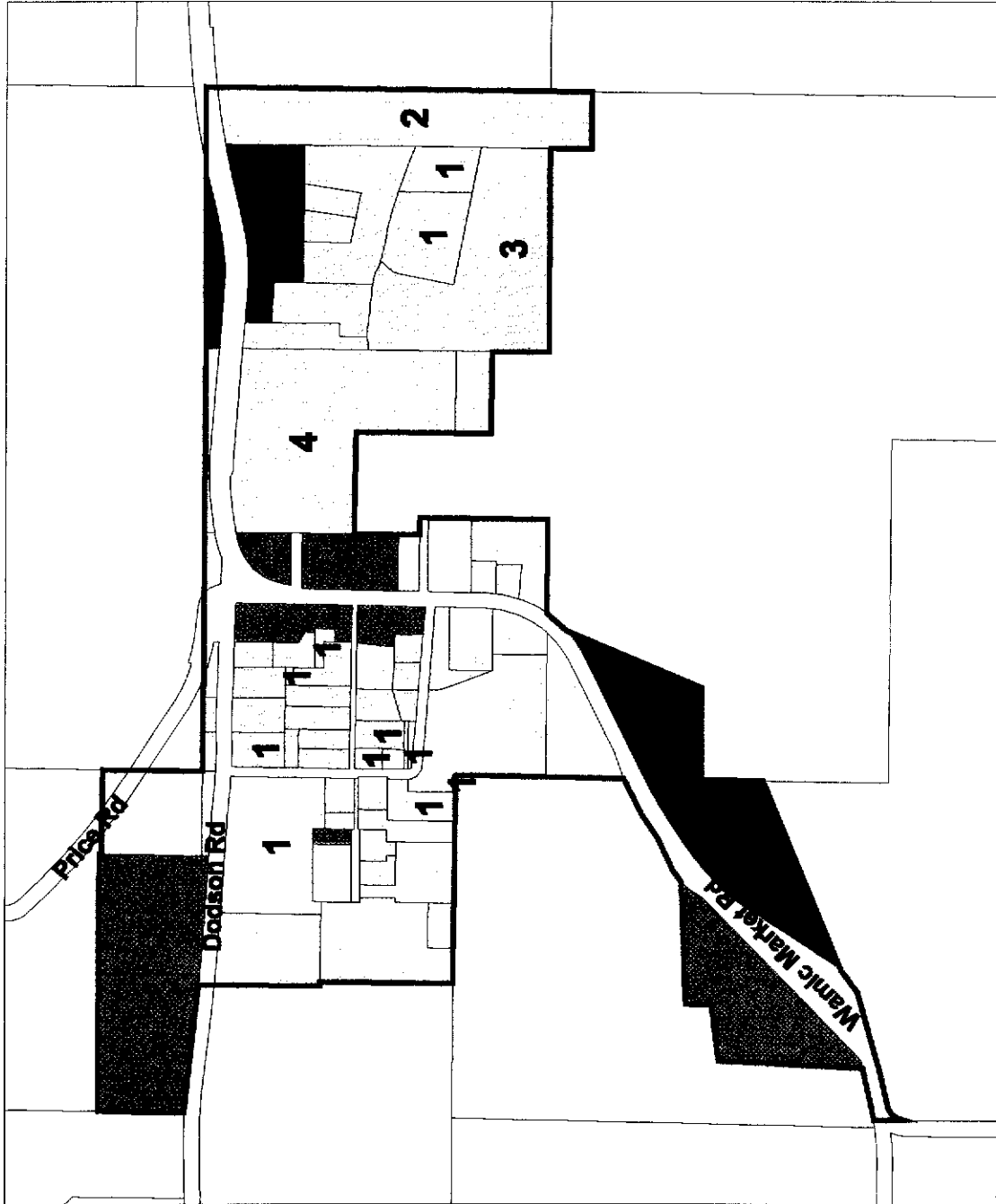


Wasco County GIS  
 August 1999

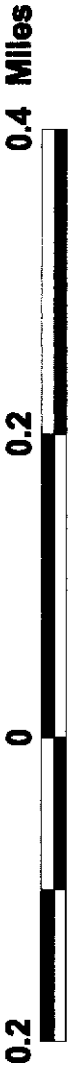
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# Exhibit C Wamic Zoning Map Ordinance No. 99-106



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EXHIBIT " C "

SECTION 3.310 ~~RC~~ Wam-R-2" RESIDENTIAL ZONE

NOTE: Wording in **BOLD** indicates new text, wording in **BOLD AND DOUBLE UNDERLINED** indicates text consistent with the Oregon Administrative Rule, wording which is ~~strikeout~~ indicates wording that is being eliminated;

A. Purpose

The purpose of the "R-2" Residential zone is to provide for a single family residential use including mobile homes plus related compatible uses such as schools and parks. ~~This zone is designed for those areas adjacent or close to existing cities or areas of urban character but not necessarily served by a public water or public sewer system.~~

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "R-2" Residential zone shall comply with the following regulations.

B. Permitted Uses

In the "R-2" Residential zone the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

1. **One** single-family dwelling, including mobile homes except single-wides, **on each legal lot/parcel** provided that the minimum average density is maintained and proper sanitation approvals are obtained. **Dwellings on pre-existing sub standard lots/parcels must be connected to a Department of Environmental Quality permitted community or municipal sewer system.**
2. Buildings accessory to a single-family dwelling such as garages, store-rooms, woodsheds, laundry rooms, playhouses, hobby shop or similar and related accessory uses.
3. Home occupation, subject to Chapter 20.

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4. Planned Unit Development.
5. Subdivisions **subject to Chapter 21.**

C. Uses Permitted Conditionally

In the "R-2" Residential zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 and this section:

1. Hospitals and schools (kindergartens, elementary, junior high and high), provided setbacks are established from side and rear property lines of at least fifty (50) feet.
2. Public parks, recreation areas and community or neighborhood centers.
3. Public and semi-public buildings and uses not otherwise specified in this section.
4. Golf courses.
5. Utility facilities necessary for public service **except landfill.**
6. Bed and breakfast inns. ~~(added 2-89)~~

D. Property Development Standards

1. Property Size ❖

- a. New lots or parcels served by an approved community, municipal or public water system and an approved community or public sewage system shall have a minimum property size of one (2) acre with a one hundred twenty-five (125) foot average lot width.
- b. New lots or parcels served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum property size of two (2) acres with a one

hundred twenty-five (125) foot average lot width.

- c. New lots or parcels not served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum width of 300 feet with a minimum area of five (5) acres. In addition, an applicant shall demonstrate that:

1. The lot or parcel can meet DEQ on-site sewage disposal rules then in effect, which can be demonstrated either prior to land division approval or as a condition of such approval.

2. Setbacks -

- a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty (40) percent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depth shall establish the front yard depth of the entire frontage.
- b. Side Yard - No structure other than a fence shall be located closer than fifteen (15) feet from side property lines for interior lots and twenty (20) feet from exterior side property lines for corner building sites.
- c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.
4. Height - Maximum height for all dwellings shall be thirty-five (35) feet. (Revised 1-92)

Detached accessory structures shall not exceed a maximum height of eighteen (18) feet. (Added 1-92)

5. Stream Setbacks - All structures or similar permanent fixtures shall be setback from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.
6. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.
  - a. Signs shall not be illuminated or capable of movement.
  - b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.
  - c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.
7. Parking - Off street parking shall be provided in accordance with Chapter 4.
8. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River. (Added 5-93)

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SECTION 3.310 ~~§~~ RC-Wam-R-5" RESIDENTIAL ZONE

NOTE: Wording in **BOLD** indicates new text, wording in **BOLD AND DOUBLE UNDERLINED** indicates text consistent with the Oregon Administrative Rule, wording which is ~~strikeout~~ indicates wording that is being eliminated;

A. Purpose

The purpose of the "R-5" Residential zone is to provide for a single family residential use including mobile homes plus related compatible uses such as schools and parks. ~~This zone is designed for those areas adjacent or close to existing cities or areas of urban character but not necessarily served by a public water or public sewer system.~~

Buildings or structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "R-5" Residential zone shall comply with the following regulations.

B. Permitted Uses

In the "R-5" Residential zone the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

1. **One single-family dwelling, including mobile homes except single-wides, on each legal lot/parcel including mobile homes with a minimum of eight hundred (800) square feet of floor area subject to Section 4.160 provided that the minimum average density is maintained and proper sanitation approvals are obtained. Dwellings on pre-existing sub standard lots/parcels must be connected to a Department of Environmental Quality permitted community or municipal sewer system.**
2. Buildings accessory to a single-family dwelling such as garages, store-rooms, woodsheds, laundry rooms, playhouses, hobby shop or similar and related accessory uses.

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3. Home occupation, subject to Chapter 20.
4. Planned Unit Development.
5. Subdivisions **subject to Chapter 21.**

C. Uses Permitted Conditionally

In the "R-5" Residential zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 and this section:

1. Hospitals and schools (kindergartens, elementary, junior high and high), provided setbacks are established from side and rear property lines of at least fifty (50) feet.
2. Public parks, recreation areas and community or neighborhood centers.
3. Public and semi-public buildings and uses not otherwise specified in this section.
4. Golf courses.
5. Utility facilities necessary for public service **except landfill.**
6. Bed and breakfast inns. ~~(added 2-89)~~

D. Property Development Standards

1. Property Size ❖

- a. New lots or parcels served by an approved community, municipal or public water system and an approved community or public sewage system shall have a minimum property size of five (5) acre with a three hundred (300) foot average lot width.

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b. New lots or parcels not served by either an approved community, municipal or public water system or an approved community or public sewage system shall have a minimum width of 300 feet with a minimum area of five (5) acres. In addition, an applicant shall demonstrate that:

1. The lot or parcel can meet DEQ on-site sewage disposal rules then in effect, which can be demonstrated either prior to land division approval or as a condition of such approval.

2. Setbacks -

a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty (40) percent of the frontage is developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such depth shall establish the front yard depth of the entire frontage.

b. Side Yard - No structure other than a fence shall be located closer than fifteen (15) feet from side property lines for interior lots and twenty (20) feet from exterior side property lines for corner building sites.

c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all dwellings shall be thirty-five (35) feet. (Revised 1-92)

Detached accessory structures shall not exceed a maximum height of eighteen (18) feet. (Added 1-92)

5. Stream Setbacks - All structures or similar

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permanent fixtures shall be setback from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

6. Signs - Signs shall not extend over a public right-of-way or project beyond the property line.
  - a. Signs shall not be illuminated or capable of movement.
  - b. Signs shall be limited to twelve (12) square feet in area and shall describe only uses permitted and conducted on the property which the sign is located.
  - c. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.
7. Parking - Off street parking shall be provided in accordance with Chapter 4.
8. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River. (Added 5-93)

**EXHIBIT "C"**

**SECTION 3.420 "RCWam C" WAMIC COMMERCIAL ZONE DRAFT**

NOTE: Wording in **BOLD** indicates new text, wording in **BOLD AND DOUBLE UNDERLINED** indicates text consistent with the Oregon Administrative Rule, wording which is ~~strikeout~~ indicates wording that is being eliminated;

Purpose

The purpose of the "C-2" Commercial Zone is to provide areas for localized shopping facilities. It is intended to preserve and enhance areas with a wide range of retail sales and service establishments serving both long and short term needs in compact areas.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "C-2" Commercial Zone shall comply with the following regulations.

A. Permitted Uses

In the "C-2" Commercial Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this Ordinance:

1. Any **new commercial service, or retail use that will be located within an existing building or structure**. ~~permitted in the "R-C" zone. (revised 2-89)~~

~~2. Amusement establishments, including billiard hall, dance hall, and bowling alley when enclosed within a building, but excluding skating rink, shooting gallery, penny arcade, roller coaster or similar noisy amusements.~~

~~3. Auditoriums.~~

~~4. Automobile, truck and trailer sales establishments.~~

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- ~~5. Baths, public.~~
- ~~6. Battery sales and service.~~
- ~~7. Blueprinting and photostating.~~
- ~~8. Business college.~~
- ~~9. Cabinet shop, enclosed within the building as a retail business only and in which not more than 3,000 board feet of lumber may be stored.~~
- ~~10. Cleaning and pressing establishment.~~
- ~~11. Dairy products store, retail only.~~
- ~~12. Department store.~~
- ~~13. Express or telegraph office.~~
- ~~14. Feed and seed store, retail only, and enclosed within the building.~~
- ~~15. Fur shop, retail, dealing in furs and hides prepared elsewhere.~~
- ~~16. Furniture store.~~
- ~~17. Garden supplies store or florist shop, including greenhouse as a retail business only.~~
- ~~18. Harness shop or leather goods or luggage store.~~
- ~~19. Ice storage building, not more than five tons in capacity.~~
- ~~20. Music store.~~
- ~~21. Pawn shop.~~

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- ~~22. Painting shop, enclosed within the building.~~
- ~~23. Pet shop.~~
- ~~24. Plumbing or sheet metal shop, enclosed within the building.~~
- ~~25. Private club, lodge or fraternal organization.~~
- ~~26. Printing, lithographing, and publishing.~~
- ~~27. Public garage, including usual automobile repairs and servicing and enclosed within the building. When a public garage is within fifty (50) feet of an "A" or an "R" zone, there shall be no openings in the building walls facing the boundaries of an "A" or "R" zone other than stationary windows, except where such building walls abut streets or alleys.~~
- ~~28. Restaurant, tea room, cafeteria, including drive in restaurant.~~
- ~~29. Retail stores and shops.~~
- ~~30. Secondhand store or antique shop, enclosed within the building.~~
- ~~31. Self service laundry.~~
- ~~32. Stadium, recreation building or natatorium.~~
- ~~33. Signs as permitted by ordinances and codes of the County.~~
- ~~34. Studio, music, art or voice, but excluding moving picture studio.~~
- ~~35. Travel agency.~~
- ~~37. Tire shop, enclosed within the building.~~

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~~37. Undertaking establishment.~~

~~38. Upholstering shop or interior decorating store.~~

~~39. Welfare organizations including mission.~~

~~40. Retail outlet for alcoholic liquor.~~

**B. Uses Permitted Subject to Site Plan Review**

The following uses and their accessory uses are permitted subject to the applicable provisions of this Chapter and Chapters 20 Site Plan Review and Chapter 4 Off street Parking.

1. A building or buildings not exceeding 4,000 square feet of floor space to be used by any combination of the following uses:

- a. Retail or service business
- b. Eating or drinking establishment.
- c. Offices
- d. Veterinary clinic and kennel entirely within an enclosed building.
- e. Public garage, including usual automobile repairs and servicing enclosed within the building that:

1. When within fifty (50) feet of an "A" or "R" zone, there shall be no openings in the building walls facing the boundaries of an "A" or "R" zone other than stationary windows, except where such building walls abut streets or alleys.

- f. Residential use in the same building as a use permitted in this subsection (B)

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C. Uses Permitted Conditionally

In the "C-2" Commercial Zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 and this section:

- ~~1. Any residential use or conditional use permitted in "R-C" zone. (added 2-89)~~
1. Motel with a maximum of 35 units, only if served by a community sewer system as defined in OAR 660-22-101(2).
2. Automobile service stations.
3. Wind energy conversion system subject to the provisions of Chapter 19.
4. Utility facilities necessary for public service.
5. Recreational Vehicle Park ???
6. Church
7. Place of public assemble (stadium, auditorium, recreation building or natatorium) note- moved from permitted uses.
8. Public or semi public buildings note- moved from permitted uses.
9. Commercial amusement establishments when enclosed in a building(stadium, theatre, bowling alley, theatre). Note - moved from permitted uses.

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10. Public or private school.
11. Child care center
12. Parks, playgrounds or community centers owned by a governmental agency or non-profit community organization. (goal 3).
13. Medical center in a building or buildings not exceeding 4,000 square feet of floor space.
14. Water supply or treatment facility.

D. Property Development Standards

1. Property Size - The minimum property size for commercial development shall be determined based on the amount of area required for proper sanitation, off-street parking, loading, **landscaped area**, maintenance of setbacks and compatibility with adjacent uses.
2. Sewer and water requirements - Applicant must obtain approval for an on-site sewage disposal system or if applicable, obtain a Department of Environmental Quality (DEQ) Waste Water Pollution control facility (WPCF) permit before approval or as a condition of approval of the land use permit.
3. The county shall notify the Wamic Water and Sewer District of land use action made under this chapter.

2.4 Setbacks

- a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except

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where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

- b. Side Yard - Where the side of a lot or parcel in a "C-2" zone abuts the side of an "A" or an "R" zone, there shall be a side yard of not less than seven (7) feet.

In all cases, on a corner lot or parcel, there shall be a side yard setback of ten (10) feet from exterior side property lines for corner building sites. In other cases, a side yard for commercial buildings shall not be required.

- c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property lines.

~~3.5~~ Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

~~4.6~~ Height - Maximum height for all structures shall be thirty-five (35) feet.

~~5.7~~ Stream Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle.

~~6.8~~ Signs - Signs shall pertain only to goods and services sold on the premises. No sign shall project above or beyond the building. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage and shall be placed flat against the walls of the buildings. Signs shall not be placed upon walls or surfaces abutting an "A" or an



"R" zone. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.

~~9.~~ Parking - Off street parking shall be provided in accordance with Chapter 4 to **Subsections B and C of this section.**

~~8.10~~ Site Plan Review - Provisions of Chapter 20 shall apply to **Subsections B and C of this section.**

~~9.11~~ Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River. (Added 5-93)

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EXHIBIT "C"

SECTION 3.520 "RC-Wam M-2" WAMIC MEDIUM INDUSTRIAL ZONE

NOTE: Wording in **BOLD** indicates new text, wording in **BOLD AND DOUBLE UNDERLINED** indicates text consistent with the Oregon Administrative Rule, wording which is ~~strikeout~~ indicates wording that is being eliminated.

A. Purpose

The purpose of the "M-2" Medium Industrial Zone is to create, preserve and enhance areas containing a wide range of manufacturing and related establishments, and is typically appropriate to areas providing a wide variety of sites with good rail or highway access.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the "M-2" Medium Industrial Zone shall comply with the following regulations.

B. Permitted Uses

In the "M-2" Medium Industrial Zone, the following uses and activities and their accessory buildings and uses **are permitted in a building or buildings not exceeding 10,000 sq. ft. of floor space** are permitted subject to the general provisions and exceptions set forth by this Ordinance:

~~1. Any use permitted in the "M-1" Light Industrial zone except commercial uses, either within or outside a building. Note - this are being listed below.~~

1.2. Any manufacturing, processing, repair, research, assembly, wholesale or storage uses, excepting the manufacture of explosives, the slaughter of animals, and the rendering of fats.

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~~3. Storage and maintenance yards. Note - this is expanded in item no.~~

~~2.4 Railroad yard, shipyard and barge docking facilities.~~

~~5. Concrete batching plants and the manufacture and sale of concrete products. Note - moved to a conditional use.~~

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Note - The following are uses that are listed as permitted uses in the M-1 zone and are listed here for simplification. Those which are redundant have been deleted.

- ~~1. Any use permitted in the "C-2" Commercial Zone.~~
- ~~2. Art glass works and ceramics manufacturing using only electric kilns and excluding the grinding of clay.~~
3. Assembly, rebuilding, repair and maintenance of motor vehicles, including painting and upholstery.
4. Wholesale business, storage warehousing, transfer company and trucking companies.
- ~~5. Public utility buildings and service yards.~~
- 6.5 Contractor's offices and equipment storage yard, or storage and rental of equipment commonly used by contractors.
- ~~7. Cold storage plants, including storage and office.~~
- ~~8. Feed, seed and fuel stores conducted wholly within a completely enclosed building except that packaged materials may be stored in an enclosed outside yard.~~
- 9.6 Light manufacturing, **compounding** or assembly, fabricating or packaging of products from previously prepared materials such as cloth, plastic, paper,

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leather, metal, stone, canvas, bone, cellophane, cork, feather, fiber, shell, tobacco, wax, wire, wood yards, and paint not employing a boiling process.

~~10. Light fabrication and repair shops such as blacksmith, cabinet, electric motor, heating, machine, sheet metal, stone monuments, upholstery and welding.~~  
**Welding and machine shop**

~~11. Manufacture of food products, pharmaceuticals, and the like, but not including the production of fish or meat products, or fermented foods, such as sauerkraut, vine gar, or the like; or the rendering of fats and oils.~~

~~12. 7. Laundry and cleaning service industries.~~

~~13. 8 Wood products manufacture but excluding paper and pulp manufacture and planing and lumber mill.~~

~~14. 9 Manufacture of electric, electronic or optical instruments or devices.~~

~~15. 10 Engineering and laboratory research.~~

~~16. 11. Retail or combination retail whole lumber and building materials yard, not including concrete mix.~~

~~17. 12. Outdoor storage when enclosed by a fence, wall or sight obscuring landscaping; all of which shall be maintained.~~

~~18. 13 Circus, rodeo or like activity.~~

~~19. Collection, packaging, storage and reprocessing of recyclable materials such as newspaper, cardboard, glass, metal, plastic and oil.~~

~~20. Veterinary or pet clinic or hospital, kennel or hatchery.~~

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~~21. Barge docking, loading and storage facilities.~~

~~22. Moving and storage of furniture and household goods.~~

~~23. Uses customarily incidental to any of the above uses and accessory buildings, when located on the same lot or land parcel.~~

~~24. One mobile home or watchman's quarters in conjunction with a permitted or conditional use. Note - Moved to Conditional Use.~~

~~25. Uses similar to those permitted in Section 3.510(B) that are not specifically listed under the "M-2" or "M-3" zones, provided that:~~

~~a. The use is not objectionable due to odor, dust, smoke, noise, vibration or appearance.~~

~~b. Items manufactured, processed or produced in this zone shall be primarily for wholesale.~~

~~c. One single family dwelling in conjunction with such use may be permitted.~~

~~26. Energy facilities and commercial energy facilities subject to the provisions of Chapter 19.~~

~~27. Utility facilities necessary for public service.~~

**14. Similar manufacturing, repairing, fabricating, processing, parking or storage uses not listed above.**  
Note - to replace No. 25 above more concisely.

**C. Uses Permitted Conditionally**

In the "M-2" Medium Industrial Zone, the following uses and activities and their accessory buildings and uses are permitted when authorized by the Approving Authority upon

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satisfactory demonstration of compliance with the standards of this Ordinance as required in Chapter 5 and this section:

~~Any use, except residential, permitted conditionally in the "M-1" zone. (revised 2-89) Note - These will be listed instead.~~

1. One mobile home or watchman's quarters in conjunction with a permitted or conditional use.
2. Concrete batching plants and the manufacture and sale of concrete products.

Note - The following are permitted uses in the M-1 zone.

- ~~1. Any residential use permitted as a conditional use in the "C-2" zone. (added 2-89)~~
2. Automobile Service Stations.
3. Junk yard or automotive wrecking yard enclosed with a view-obscuring fence or wall.
4. Recreation areas and facilities, including but not limited to: golf courses.
5. Bulk storage of petroleum or gas.
6. Operations conducted for the exploration, mining and processing of aggregate and other minerals as subsurface resources. (added 2-89)

D. Property Development Standards

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1. The minimum property size for development shall be determined based on the amount of area required for proper sanitation, off street parking and loading, **landscaped area**, maintenance of setbacks and compatibility with adjacent areas.
2. **Sewer and water requirements - Applicant must obtain approval for an on-site disposal system or if applicable obtain a Department of Environmental Quality (DEQ) Waste water Pollution control facility (WPCF) permit before approval or as a condition of approval of the land use permit.**

3. The county shall notify the Wamic Water and Sewer District of land use actions made under this chapter.

24. Setbacks

- a. Front Yard - No structure other than a fence or sign shall be located closer than twenty (20) feet from the rights-of-way of a public road.
- b. Side Yard - Where the side of a lot in the "M-2" Medium Industrial Zone abuts the side of a lot in an "A" or an "R" zone, there shall be a side yard of not less than seven (7) feet in width for buildings not exceeding two and one-half (2 & 1/2) stories in height; for buildings exceeding two and one-half stories in height, such side yard shall be increased three (3) feet in width for every story or portion thereof that such buildings' height exceeds two and one-half stories.

On corner lots, there shall be a side yard on the street side of such lots of not less than ten (10) feet in width for buildings not exceeding two and one-half (2 & 1/2) stories in height; for buildings exceeding two and one-half stories in height, such side yard shall be increased three (3) feet for each story or portion thereof that

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such buildings exceed two and one-half stories in height, but such side yard need not exceed twenty (20) feet in width.

Accessory buildings on a corner lot shall not project into the required side yard on the street side of such lot beyond the side of the main building on such lot. In other cases, a side yard for industrial or commercial buildings shall not be required.

c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property line.

5. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4-6 Height - Maximum height for all structures shall be seventy-five (75) feet.

5.7 Stream Setbacks - All structures, or similar permanent fixtures (except hydroelectric facilities) shall be set back from the high water line or mark along all streams or lakes a minimum distance of fifty (50) feet when measured horizontally at a right angle. Exception may be granted upon a demonstration that the proposed use will not have an adverse effect on streams or lakes.

6-8 Signs - No standard established except no sign shall be placed upon walls or surfaces abutting an "A" or an "R" zone.

7-9 Parking - Off street parking shall be provided in accordance with Chapter 4.

8-10. Site Plan Review - Provisions of Chapter 20 shall apply.

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9.11. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and the Columbia River.  
(Added 5-93)

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