

## SECTION 3.601 “RC-TV-R” TYGH VALLEY RESIDENTIAL ZONE

- A. Purpose: The purpose of the “RC-TV-R” Tygh Valley Residential zone is to provide for single family residential use where single family dwellings, including manufactured homes, may be located on single-family lots/parcels, where manufactured home parks may be established conditionally if designed in accordance with zoning density standards and where single-family residential uses plus related compatible uses can be sited. This zone is designed for parcels 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 “RC-TV-R” Tygh Valley Residential zone shall comply with the following regulations.

- B. Uses Permitted Without Review Uses: The following uses are permitted on lands designated in the “TV-R” Tygh Valley Residential zone without review. 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 and Chapter 10 – Fire Safety Standards:

1. Minor Home occupation that:
  - a. Is carried on within a dwelling only by members of the family who reside in the dwelling;
  - b. Does not serve clients or customers on-site;
  - c. Does not produce odor, dust, glare, flashing lights or noise;
  - d. Does not occupy more than 25 percent of the floor area of the dwelling;
  - e. Does not include the on-premises display of sale of stock in trade; and
  - f. If the home occupation does not meet the standards above it shall be reviewed pursuant to subsection E(1) below.
2. Utility Facilities (Minor).

- C. Uses Permitted Subject to Ministerial/Type I Review: The following uses are permitted on a legal parcel on lands designated “TV-R” Tygh Valley Residential zone subject to subsection F - Property Development Standards, Chapter 10 - Fire Safety Standards as well as any other listed, referenced or applicable standards.

This review involves an evaluation by Planning Department staff but only requires

formal zoning approval if the use is required to be reviewed by Building Codes. If the use does not require formal zoning approval but is requested by the applicant for future documentation, the applicant will be charged the appropriate ministerial review fee.

1. One Single-family dwelling/manufactured home on each legal lot/parcel subject to Chapter 4 – Supplemental Provisions - Section 4.1260. Pre-existing sub standard lots/parcels must provide proof of adequate sewer and water subject to DEQ standards. New lots/parcels which have tested to a higher density (see property development standards) shall adhere to the well and/or sub-surface septic system location requirements approved in conjunction with a partition and concurrent binding site plan.

2. Buildings and structures accessory to a lawfully established use. This also includes buildings less than 200 square feet in area, buildings less than 10 feet in height, and decks including those less than 30” from the ground.

3. Additions to, and replacement of, a lawfully established building or structure.

4. Non-commercial/stand alone power generating facilities and Meteorological Towers Subject to Chapter 19 - Standards for Energy Facilities - Section 19.020. Small scale commercial power generating facilities may be allowed under this provision if allowed by Section 19.030.

D. Uses Permitted Subject to Standards/Type II Review: The following uses may be permitted on a legal parcel on lands designated “TV-R” Tygh Valley Residential zone subject to subsection F - Property Development Standards, Chapter 10 - Fire Safety Standards, Chapter 20 - Site Plan Review only if the request includes off-street parking, off-street loading or bicycle parking, as well as any other listed, referenced or applicable standards.

1. Non-commercial/stand alone power generating facilities and Meteorological Towers subject to Chapter 19 - Standards for Energy Facilities - Section 19.020. Small scale commercial power generating facilities may be allowed under this provision if allowed by Section 19.030.

2. Partitions, Property Line Adjustments and Subdivisions subject to Chapter 21 - Land Divisions.

E. Uses Permitted Subject to Conditionally Use Review/Type II or Type III: 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 may be permitted on a legal parcel on lands designated “RC-TV-R” Tygh Valley Residential zone subject to subsection F

- Property Development Standards, Chapter 5 - Conditional Use Review, Chapter 10 - Fire Safety Standards, Chapter 20 - Site Plan Review only if the request includes off-street parking, off-street loading or bicycle parking, as well as any other listed, referenced or applicable standards.

1. Major Home occupation, subject to chapter 20 - Site Plan Review - Section 20.090.
2. Non-commercial/stand alone power generating facilities and Meteorological Towers Subject to Chapter 19 - Standards for Energy Facilities - Section 19.020. Small scale commercial power generating facilities may be allowed under this provision if allowed by Section 19.030.
3. Electrical Transmission Facilities & Natural Gas or Petroleum Product Pipelines subject to Chapter 19 - Standards for Energy Facilities - Section 19.030.
4. Related or Supporting Facilities to a Commercial Power Generating Facility subject to Chapter 19 - Standards for Energy Facilities - Section 19.030.
5. Utility facilities (Major), necessary for public service except landfills.
6. Public parks, recreation areas and community or neighborhood centers.
7. Public and semi-public buildings and uses not otherwise specified in this section.
8. Golf courses.
9. Mobile home parks subject to the density of the “RC-TV-R” zone and the provisions of Chapter 16 - Mobile Home Parks.
10. Bed and breakfast inns.
11. Multi-family dwelling complex.
11. Planned Unit Developments subject to section Chapter 18 – Planned Unit Development.
12. Retirement Center or nursing home.
13. Church.

F. Property Development Standards

1. Property Size - The purpose of this section is to ensure compliance with state rules and statutes requiring that unincorporated communities be zoned in a manner

ensuring that when fully built out development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations, and will not exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

- a. New lots or parcels served by an approved community, municipal or public water system shall have a minimum average width of 250 feet and a minimum area of 2 acres.

Lot/parcel owners can elect to test to a higher density, up to .5 acres, with a minimum average lot width of 100', by providing the Wasco County Planning Department with a concurrent binding site plan in addition to meeting the requirements of **Section Chapter 21 – Land Divisions**. This site plan shall indicate an approved location for sub-surface septic system(s) which shall not adversely impact neighboring properties and prevent them from testing to a higher density. The primary determinant of impacts to adjacent properties will be based on adequate setback of septic facilities from adjoining properties to ensure the full well setback is not required to be provided by adjacent property owners. See Diagram 1 below. The site plan shall be reviewed by both the Wasco County Sanitarian and Watermaster prior to acceptance by the Planning Department.

- b. New lots or parcels not served by an approved community, municipal or public water system, evaluated in accordance with state laws governing review of public facilities plans in rural communities, shall have a minimum average width of 250 feet and a minimum area of 4 acres.

Lot or parcel owners can elect to test to a higher density, up to 1.5 acres with a minimum average lot width of 150', by providing the Wasco County Planning Department with a concurrent binding site plan in addition to meeting the requirements of **Section Chapter 21 – Land Divisions**. This site plan shall indicate an approved location for well(s) and sub-surface septic system(s) which will not adversely impact neighboring properties and prevent them from testing to a higher density. The primary determinant of impacts to adjacent properties will be based on adequate setback of septic and well facilities from adjoining properties to ensure the full septic and well setback is not required to be provided by adjacent property owners. See Diagram 1 below. The site plan shall be reviewed by both the Wasco County Sanitarian and Watermaster prior to acceptance by the Planning Department.

## 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

percent (40%) 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 seven (7) feet from side property lines for interior lots and ten (10) feet from exterior side property lines for corner building sites.
  - c. Rear Yard - No structure other than a fence shall be located closer than fifteen (15) feet from the rear property line.
  - d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all water bodies a minimum distance of fifty (50) feet when measured horizontally at a right angle.
  - e. Agricultural setbacks - Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land which is currently used for or is suitable for agriculture use shall be set back a minimum of 100 feet from the common property line.
3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.
4. Height - Maximum height for all structures shall be thirty five (35) feet with the exception of lights for athletic fields which shall be the minimum height necessary for the intended purpose.

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

5. Floodplain - Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740 - Flood Hazard Overlay **(EPD 1)**.
6. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:
- a. Signs shall not extend over a public right-of-way or project beyond the property line.
  - 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 with the exception of athletic field scoreboards which shall be the minimum size for the

intended purpose.

- 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.
  - d. Illuminated, flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.
  - e. Signs capable of movement shall be prohibited.
7. Parking - Off street parking shall be provided in accordance with Chapter 20 - Site Plan Review.
  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 waterways. The exterior of shielding and hooding materials shall be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.
  9. Building Orientation - New buildings shall have their primary orientation to the street utilizing features such as front porches, windows, doorways, and walkways.
  10. Garage/Carport Placement - Garages and carports are encouraged to be located on the side of the single family dwelling.
  11. Manufactured dwelling provisions - In addition to the minimum set-up and stand requirements established by the Oregon State Department of Commerce, Building Codes Division, manufactured dwellings shall:
    - a. Be at least 18 feet wide and enclose a space of not less than 1,000 square feet.
    - b. Be placed on an excavated and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 12 inches above grade. If the home is placed on a basement, the 12 inch limitation shall not apply.
    - c. Have a minimum roof pitch which is 3 feet in height for each 12 feet in width.
    - d. Be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family dwellings constructed under the state building code as defined in ORS 455.010.

- e. Be encouraged to have an attached or detached garage or a carport.

12. Access

- a. No access will be allowed off of US Highway 197.
- b. Spacing- Parcels/lots fronting Highway 197 shall have their access off ORE Highway 216 or Wamic Market Road at least 500 feet from the junction of Highway 197.
- c. All accesses fronting ORE Highway 216 shall have a minimum spacing of 500 feet.

Diagram 1. Two Acre Density Test Model

