

SECTION 3.600 "LU" Limited Use Overlay Zone

- A. Purpose: The purpose of the "LU" Limited Use Overlay zone is to limit the list of permitted and conditional uses in an underlying zone. The "LU" zone may be applied to lands zoned using a "reasons" exception under ORS 197.732(1)(c) in order to carry out the administrative rule requirement pursuant to OAR 660-04-018(3)(a). This rule requires that uses permitted because of "reasons" be limited to those justified in the exception.

Where appropriate the "LU" zone may be applied to "physically developed" and "irrevocably committed" exceptions under ORS 197.732 (1)(a) & (b) in order to reduce the list of permitted uses in a zone to those that are suitable for a particular location. In such cases, the "LU" zone may be used to carry out the administrative rule requirements for "physically developed" and "irrevocably committed" exceptions pursuant to OAR 660-04-018 (2)(a) and (b).

B. Overlay Zone Requirements:

1. When the "LU" zone is applied, the uses permitted in the underlying zone shall be limited to those uses and general activities specifically referenced in the ordinance adopting the "LU" zone. The "LU" zone cannot be used to authorize uses other than those expressly provided in the underlying zone.
2. The "LU" zone can be used to identify appropriate uses and require a conditional use permit for other uses normally permitted outright or prohibit uses permitted outright or conditionally in the zone.
3. Reasonable conditions may be imposed by the "LU" zone when necessary to carry out the provisions of this ordinance.
4. Until the overlay zone has been removed or amended through the plan and land use regulation amendment process, the only permitted uses and general activities in the zone shall be those specifically referenced in the adopting ordinance.

C. Procedures:

1. The Limited Use Overlay zone may be applied through the rezoning process at the time the underlying zone designation is being changed.
2. It shall not be necessary to mention in the public hearing notice of a rezoning application that this overlay zone may be applied.
3. The ordinance adopting the overlay zone shall by section reference, or by name, identify those permitted uses in the zone that will remain permitted uses or become

conditional uses or be prohibited. The description of the permitted use may be qualified as necessary to achieve the intent of the "LU" zone.

D. Limitations

1. The uses and general activities subject to the rezoning are required to be limited to those uses and general activities justified in the exception, pursuant to OAR 660-04-018 (2)(a), (2)(b) or (3)(a).
2. A review of all zones in the Land Use and Development Ordinance determines that none of those zones limit the uses and general activities as required by OAR 660-04-018 (2)(a), (2)(b) or (3)(a).
3. The "LU" zone, when applied in combination with the proposed underlying zone, is consistent with the Comprehensive Plan and other applicable policies of the County.

E. Official Zoning Map

1. The official zoning map shall be amended to show an "LU" suffix on any parcel where the Limited Use Zone has been applied.
2. Subsequent amendment to the zoning map or permitted uses for any parcel with an "LU" suffix that has been limited due to an exception pursuant to ORS 197.732(1) shall require a new exception.