

**SECTION 3.060. ARCH CAPE RURAL COMMUNITY RESIDENTIAL ZONE
(AC- RCR).**

Section 3.062. Purpose and Intent.

The Arch Cape RCR zone is intended to accommodate the immediate and foreseeable demand for low density housing in Clatsop 5 County rural communities. This zone has been developed with the purpose to: (1) Allow residential development that is compatible with rural communities that wish to maintain a primarily single family rural residential character, (2) do not adversely impact adjacent resource lands, (3) allow for minimum lot sizes and densities, that will provide for an ultimate build out that is more commensurate with actual physical, and (4) environmental constraints, and the availability of community water and sewer facilities, and may provide for non-residential uses that are small in scale, intended for the needs of the local community or for people traveling through the rural community, and are compatible with surrounding uses.

Section 3.064. Development and Use Permitted.

The following uses and their accessory uses are permitted under a Type I permit procedure subject to applicable development standards.

- (1) One family dwelling.
- (2) Guest House subject to the following provisions
 - (A) Metering devices are not permitted on guest houses;
 - (B) Contains no cooking facilities to include any non-electrical fuel sources;
 - (C) Is no greater than one-half the size of the ground floor of the main dwelling unit on the property which is used in conjunction with the main dwelling for the temporary housing of non-paying visitors and guests; and
 - (D) A maximum of one Guest House may be allowed per main dwelling.
- (3) Accessory uses only as follows:
 - (A) In conjunction with, or following the permitting or lawful establishment of the primary use on the same lot or parcel to include, but not limited to detached garages, storage buildings.
- (4) Signs only as follows:
 - (A) Temporary "for sale" signs subject to provisions of S2.300(3)(B).
 - (B) Political signs subject to provisions of Ordinance 95-30, and
 - (C) Name plates subject to the provisions of Clatsop County Standards Document, Section S2.300.
- (5) Handicapped housing facility as defined in Section 1.030.
- (6) Home occupation, Limited.
- (7) Low intensity recreation.
- (8) Utilities, maximum utilization of existing easements and rights-of-way shall be made.

- (9) Health hardship pursuant to Section S3.025, no public notice required.
- (10) Temporary uses including use of a Recreational Vehicle during construction phase, subject to the provisions of Section 5.500.
- (11) Property line adjustment subject to provisions Section 5.200 – 5.208 and the following:
 - (A) Provided the existing parcel is not reduced below the minimum lot size, and
 - (B) Provided the lot line adjustment is within the same zone.
- (12) Partition subject to provisions of Section 5.200 –5.208, and provided the existing parcel and new parcel(s) meet the minimum lot size and dimensions.
- (13) Short term rental subject to the provisions of Clatsop County Standards Document, Section S3.470- S.3.476.
- (14) Land transportation facilities as specified in Section 3.035.

Section 3.066. Conditional Development and Use.

The following uses and their accessory uses are permitted under a Type II permit procedure subject to applicable development standards. Combined square footage of commercial uses, including their accessory uses occur in building or buildings that do not exceed the following area standards:

- (1) Two family dwelling (duplex).
- (2) Accessory uses may be permitted prior to the issuance of a development permit for the primary use, subject to an approval by the Community Development Director provided that:
 - (A) The applicant submits a letter to the Director explaining the unique or unusual circumstances and nature of the intended use; and
 - (B) Provided the property owner obtains the primary use development permit within one-year (1) from the date the accessory use development permit is issued; and
 - (C) A statement that the accessory use, during the one-year period prior to establishing the primary use is not intended for the storage of, or the establishment of a Recreational Vehicle use; and
 - (D) May be subject to other conditions of approval deemed necessary to protect the primary purpose and intent of the zone, and to provide for public health, safety and welfare.
- (3) Public or private elementary, middle, or high school.
- (4) Home occupation.
- (5) Churches or similar places of worship.
- (6) Golf Course, driving range, country club, tennis club, and similar recreation uses provided building or buildings for each commercial use does not exceed 4,000 square foot of floor area.
- (7) Park, playground, ball fields, or community center.
- (8) Day nursery or day care center, provided building or buildings for each commercial use does not exceed 4,000 square foot of floor area.
- (9) Buildings and uses of a public works, public service, or public utility nature, but not including equipment storage, repair yards, warehouses, or related activities.

- (10) Bed and Breakfast establishment subject to the standards in Clatsop County Standards Document, Section S3.464 - S3.468.
- (11) Temporary real estate office in a legally recorded subdivision.

Section 3.068. Development and Use Standards.

The following standards are applicable to permitted uses in this zone.

- (1) Lot sizes:
 - (A) Parcels not served by an approved public community sewer system, shall have a minimum parcel size of one (1) acre, and a minimum width of 120 feet.
 - (B) Parcels served by an approved community, municipal or public sewer system shall have a minimum parcel size of 7,500 square feet, and a minimum width of 60 feet with lot sizes varying according to the following requirements:

Slope	Minimum Lot Size/Density
0-12%	7,500 sq.ft./ 1 dwelling unit, 15,000 sq.ft./2 dwelling units
13-25%	7,500 sq.ft/1 dwelling unit 15,000 per acre, 2 dwelling units/acre
> 25%	1 dwelling unit/acre

- (C) Lot size for conditional developments shall be based upon:
 - 1) the site size need of the proposed use,
 - 2) the nature of the proposed use in relation to the impacts on nearby properties, and
 - 3) consideration of sewer district impacts and requirements, local setback and other criteria and standards of this ordinance.
- (D) Maximum lot coverage for residential or non-residential use: 40%.
- (E) Two family dwelling (duplex) minimum lot size 15,000 sq.ft.
- (F) Cluster developments are subject to the provisions of S3.150-S3.161.
- (G) Other development and use standards as required to meet State sanitation requirements and local setback and ordinance requirements.
- (H) New development, lot width/depth dimension shall not exceed a 1:3 ratio.
- (2) Required front yard setback, measured from the abutting edge of the right-of-way, when front line abuts:
 - (A) Major arterial: fifty feet (50).
 - (B) Minor arterial: thirty feet (30).
 - (C) Major collector: thirty feet (30).
 - (D) Minor collector: twenty-five feet (25).
 - (E) Local street: twenty feet (20).
- (3) Required rear yard: twenty feet (20).
 - (A) Exception on corner lot: 5 feet.
 - (B) Exception when adjacent to resource zones, all structures: fifty feet (50).

- (4) Required side yard:
 - (A) Minimum side yard: 10 feet, except on a corner lot, the minimum street side yard measured from the abutting edge of the right-of-way, shall be twenty feet (20).
 - (B) For lots of record created prior to September 30, 1980 that are less than the minimum lot size required, side yards shall be five feet (5).
 - (C) Exception when adjacent to resource zones, all structures: fifty feet (50).
- (5) For lots abutting the oceanshore, the ocean yard shall be determined by the oceanfront setback line established by Section S3.015 Oceanfront Setback.
- (6) An accessory structure separated from the established main building may be located in the required rear and side yard setback except in the required street side of a corner lot provided that it is no closer than five feet (5) to a property line.
- (7) Maximum building height: twenty-six feet (26).
 Except for ocean front lots, which shall have a maximum height of: eighteen feet

The height of a structure is measured from the average grade of the undisturbed ground at the four principal corners of the proposed structure. To determine height:

- (A) Construction/building plans submitted for use permitted in this zone shall show the elevations of the undisturbed ground prior to construction as measured at the four principal corners of the proposed structure on a plot plan. A permanently accessible control point shall be established outside of the building's footprint.
 - (B) Photographs of the undisturbed site shall be required. Photographs need not be professional or aerial photographs, but can be taken using a Polaroid or other camera.
 - (C) To verify the height, a survey by a registered surveyor may be required by the Community Development Director.
- (8) All new developments and cumulative or incremental expansion of an existing footprint greater than twenty-five percent shall indicate on the building permit how storm water is to be drained from the property or retained on site. The Building Official or County Engineer may require the installation of culverts, dry wells, retention facilities, or other mitigation measures, where development may create adverse storm drainage impacts on surrounding properties, adjacent streams or wetlands, and particularly on low lands or on slopes greater than twenty-five percent.
 - (9) In areas where the parcel or lot has the potential to be further partitioned or subdivided, the Community Development Director shall, where practicable, require that roads be designated and located so as to facilitate the future division of land in a manner that accommodates smaller lot sizes and the extension of street and utilities and may require a potential development plat showing the location of potential lots and the rights-of-way improvements, to include those identified in the County Transportation System Plan (TSP).

- (10) Conditional Development and Use are subject to the following limitations and requirements:
 - (A) The proposed development shall be consistent with the Clatsop County Comprehensive Plan.
 - (B) The proposed development shall include safe ingress and egress.
- (11) All standards as set forth in the Clatsop County Standards Document, as amended.

Section 3.068. Additional Development and Use Standards:

- (1) Where a buffer of trees exists along properties abutting Highway 101, a buffer of 25 feet in width shall be maintained or planted when the property is developed.
- (2) All planned development and subdivisions shall be required to cluster land uses and designate areas as permanent common open space. The development shall be reviewed according to Section 4.130 for Planned Developments or Clatsop County Standards Document, Section S3.150 for Cluster Developments. The minimum percentage of common open space shall be 30% excluding roads.
- (3) The setback for all structures shall be thirty-five feet (35) from the line of non-aquatic vegetation, the Community Development Director or Hearings Officer may grant a variance to this standard when the size of a lot or natural topography would create a hardship; and a
- (4) A twenty-five (25) foot buffer of native, non-invasive vegetation combined with proper removal of noxious weeds shall be maintained along Arch Cape and Asbury Creeks.

Section 3.070 State and Federal Permits.

If any state or federal permit is required for a development or use, an applicant, prior to issuance of a development permit or action, shall submit to the Planning Department a copy of the state or federal permit.