

TITLE 9

COMMUNITY DEVELOPMENT

Subtitle 2 — Land Development Code Division 3 — Zoning Districts

CHAPTER 930

URBAN GROWTH AREA ZONE CODE

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930.005 Title; short title

This Chapter, LCC 930.005 to 930.999, shall be known and cited as the “Linn County Urban Growth Area Zone Code.” This Chapter may also be referred to and cited as the “Urban Growth Area Zone Code” or the “UGAZ Code.”

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §11 eff 6/30/99; amd 19-297 §3 eff 10/8/19]

930.010 Compliance requirements

(A) Notwithstanding the presence or absence of any conditions, requirements, standards, or criteria with any use mentioned in this Chapter, all uses remain subject to any applicable conditions, requirements, standards, or criteria that may be set forth in other Chapters of the Land Development Code.

(B) The conditions, requirements, standards, and criteria are set forth generally in the following Chapters:

- (1) Decision criteria. Chaps 932, 933
- (2) Conditions Chapter 933
- (3) Requirements. Chapter 933
- (4) Standards
 - (a) Property Chapter 934
 - (b) Access Chapter 935

(C) The conditional uses set forth in this Chapter are subject to approval pursuant to meeting the applicable requirements and decision criteria in LCC Chapter 933 (Conditions, Requirements, and Decision Criteria Code).

(D) Development of all properties in the UGAZ must comply with:

(1) Except as provided in LCC Chapter 938 the development standards set forth in LCC Chapter 934 (Development Standards Code), specifically 934.710 to 934.790; and

(2) Except as provided in LCC 935.015, the access improvement standards set forth in LCC Chapter 935 are applicable to all principal and accessory uses permitted in the UGAZ.

(E) Development of any property in the UGAZ may have one or more conditions imposed on the permit.

(F) Review of development applications for property located within the UGAZ is subject to the procedures described in the urban growth management agreement between the County and affected city.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

I. URBAN GROWTH AREA–EXCLUSIVE FARM USE–80 (UGA–EFU–80) ZONING DISTRICT

930.100 Statement of purpose

(A) The Urban Growth Area–Exclusive Farm Use–80 (UGA–EFU–80) zoning district is intended to protect areas adjacent to urban centers from the type and intensity of land division or development that would impede future urbanization of the area.

(B) The development of land within the UGA–EFU–80 zoning district is intended to be consistent with the Comprehensive Plan designation of the affected city.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.120 UGA–EFU–80 uses allowed outright

(A) The uses set forth in subsection (B) are allowed outright in the UGA–EFU–80 zoning district.

(B) The uses allowed outright in the EFU zoning district, excluding primary dwellings, are allowed outright in the UGA–EFU–80 zoning district.

[Adopted 98-002 §3 eff 3/4/98; amd 16-070 §7 eff 4/13/16; amd 19-297 §3 eff 10/8/19]

930.130 UGA–EFU–80 uses permitted through a Type IIA conditional use review

(A) The uses set forth in subsection (B), including principal and accessory buildings, may be permitted in the UGA–EFU–80 zoning district subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) The uses permitted conditionally in the EFU zoning district, excluding primary dwellings, are permitted conditionally in the UGA–EFU–80 zoning district.

[Adopted 98-002 §3 eff 3/4/98; amd 16-070 §7 eff 4/13/16; amd 19-297 §3 eff 10/8/19]

II. URBAN GROWTH AREA–FARM/FOR-EST (UGA–F/F)

930.200 Statement of purpose

(A) The Urban Growth Area–Farm/Forest zoning district (UGA–F/F) is intended to protect areas adjacent to urban centers from the type and intensity of land division or development that would impede future urbanization of the area.

(B) The development of land within the UGA–F/F zoning district is intended to be consistent with the Comprehensive Plan designation of the affected city.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.210 UGA–F/F uses allowed outright

(A) The uses set forth in subsection (B) are allowed outright in the UGA–F/F zoning district.

(B) The uses allowed outright in the F/F zoning district, excluding primary dwellings, are allowed outright in the UGA–F/F zoning district.

[Adopted 98-002 §3 eff 3/4/98; amd 16-070 §7 eff 4/13/16; amd 19-297 §3 eff 10/8/19]

930.220 UGA–F/F uses permitted through a Type IIA conditional use review

(A) The uses set forth in subsection (B), including principal and accessory buildings, may be permitted in the UGA–F/F zoning district, subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) The uses permitted conditionally in the F/F zoning district, excluding primary dwellings, are permitted conditionally in the UGA–F/F zoning district.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

III. URBAN GROWTH AREA–HEAVY INDUSTRIAL (UGA–HI) ZONING DISTRICT

930.300 Statement of purpose

(A) The purpose of the Urban Growth Area–Heavy Industrial (UGA–HI) zoning district is to provide areas appropriate for heavy industrial development that does not require full urban services.

(B) The designation allows manufacturing and related businesses that have the potential for conflicts with surrounding land uses.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.310 UGA–HI uses allowed outright

(A) The uses set forth in subsection (B) are allowed outright in the UGA–HI zoning district.

(B) The uses set forth in LCC 930.410 are allowed outright in the UGA–HI zoning district.

[Adopted 98-002 §3 eff 3/4/98; amd 98-432 §2 eff 10/21/98; amd 19-297 §3 eff 10/8/19]

930.320 UGA–HI uses permitted through a Type IIA conditional use review

(A) The uses set forth in subsection (B), including principal and accessory buildings, may be permitted in the UGA–HI zoning district subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) *Uses permitted conditionally.*

(1) The uses set forth in LCC 930.420.

(2) The manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of products conducted fully or partially outside.

(3) Commercial retail sales and services integral to a use permitted in paragraph (1) of this subsection.

(4) One caretaker residence for a use permitted in LCC 930.430, subject to LCC 932.800 to 932.815.

(5) Slaughterhouse.

(6) Rendering plant.

(7) Solid waste disposal site, subject to LCC 932.500 to 932.580.

(8) Utility or energy-generating facility.

(9) Fuel distribution facility.

(10) Storage of highly combustible, corrosive, toxic or explosive materials.

(11) Wrecking yard or junkyard.

(12) Staging area, subject to LCC 932.700 to 932.770.

(13) Public-use airport.

(14) Forest products

(a) Equipment repair and storage.

(b) Manufacturing of lumber, plywood, strandboard, paper, shakes, wood chips, and similar wood products.

(15) Home occupation, subject to LCC 932.830 to 932.850

[Adopted 98-002 §3 eff 3/4/98; amd 98-432 §2 eff 10/21/98; amd 15-172 §1 eff 6/17/2015; amd 19-297 §3 eff 10/8/19]

IV. URBAN GROWTH AREA-LIMITED INDUSTRIAL (UGA-LI) ZONING DISTRICT

930.400 Statement of purpose

(A) The purpose of the Urban Growth Area-Limited Industrial (UGA-LI) zoning district is to provide areas appropriate for limited industrial development that does not require full urban services.

(B) The designation allows manufacturing and related businesses with limited external impacts and limited potential for conflicts with surrounding land uses.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.410 UGA-LI uses allowed outright

(A) The uses set forth in subsection (B) are allowed outright in the UGA-LI zoning district.

(B) *Uses allowed outright.*

(1) Limited farm use.

(2) Managing and harvesting of forest resources, excluding primary timber processing.

(3) An existing site-built dwelling or manufactured home may be altered, expanded, or replaced with:

(a) a site-built dwelling, or

(b) a manufactured home, subject to LCC 934.790.

(4) Sales stand not to exceed 300 square feet in sales area for agricultural products cultivated or raised on the premises.

(5) Accessory structures and uses.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.420 UGA-LI uses permitted through a Type IIA conditional use review

(A) The uses set forth in subsection (C), including principal and accessory buildings, may be permitted in the UGA-LI zoning district, subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) The operations of all uses permitted by this section are to be conducted entirely within an enclosed building except for storage of inventory and temporary activities which by necessity must be conducted in the open.

(C) *Uses permitted conditionally.*

(1) The manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of products conducted wholly indoors, excluding slaughterhouses, rendering plants and canneries.

(2) General laboratory or research facility.

(3) Retail sales or services integral to uses permitted in paragraphs (1) or (2) of this subsection.

(4) Warehouses or storage buildings including “mini-storage” facilities.

(5) Wholesale distribution facility.

(6) Gas station.

(7) Sales, rental, storage or repair (including paint and body shops) of motorized vehicles or boats.

(8) Sales, rental, storage or repair of agricultural equipment or heavy equipment.

(9) Lumber or other building material sales yard, either wholesale or retail.

(10) Nursery, either wholesale or retail.

(11) Office, shop or storage associated with contracting or professional services.

(12) One caretaker residence for a use permitted in this section, subject to LCC 932.800 to 932.815.

(13) Truck, train, bus or freight terminal.

(14) Utility facility, including communication facilities, but excluding power generation facilities.

(15) Public and semi-public buildings and uses.

(16) Auction house.

(17) Flea market.

(18) Veterinarian clinic.

(19) Personal use airport. (See personal-use airports in LCC 920.100 for exceptions)

(20) Public-use airport.

(21) Home occupation, subject to LCC 932.830 to 932.850.

[Adopted 98-002 §3 eff 3/4/98; amd 98-432 §2 eff 10/21/98; amd 19-297 §3 eff 10/8/19]

V. URBAN GROWTH AREA–RURAL COMMERCIAL (UGA–RCM) ZONING DISTRICT

930.500 Statement of purpose

(A) The Urban Growth Area–Rural Commercial (UGA–RCM) zoning district is intended to protect areas adjacent to urban centers from the type and intensity of land division or development that would impede future urbanization of the area.

(B) The development of land within a UGA–RCM zoning district is intended to be consistent with the Comprehensive Plan designation of the affected city.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.510 UGA–RCM uses allowed outright

(A) The uses set forth in subsection (B) are allowed outright in the UGA–RCM zoning district.

(B) The uses set forth in LCC 929.420 are allowed outright in the UGA–RCM zoning district.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.520 UGA–RCM uses permitted through a Type IIA conditional use review

(A) The uses set forth in subsection (B), including principal and accessory buildings, may be permitted in the UGA–RCM zoning district, subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) The uses set forth in LCC 929.430 are permitted conditionally in the UGA–RCM zoning district.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

VI. URBAN GROWTH AREA–RURAL RESIDENTIAL (UGA–RR) ZONING DISTRICT

930.600 Statement of purpose

(A) The purpose of the Urban Growth Area–Rural Residential (UGA–RR) zoning district shall be to provide for residential development within adopted urban growth boundaries and to allow for limited agricultural and forest uses where appropriate.

(B) The three UGA–RR zoning districts (UGA–RR–1, UGA–RR–2½ and UGA–RR–5) are distinguished only by their minimum property size standards.

(C) Land use actions within the UGA–RR zoning district are subject to the provisions of the urban growth management agreement between the County and the affected city.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.610 UGA–RR uses allowed outright

(A) The uses set forth in subsection (B) and their accessory buildings and uses, excluding manufactured structures used as storage buildings, are allowed outright in the UGA–RR zoning district.

(B) *Uses allowed outright.*

(1) One single-family site-built dwelling or one manufactured home. Placement of a manufactured home is subject to LCC 934.790.

- (2) Limited farm use.
- (3) Cultivation, management, protection, and harvest of forest crops but excluding timber processing operations or maintenance and repair facilities for timber vehicles or equipment.
- (4) Buildings not to exceed 300 square feet in gross sales area for the sale of agricultural products grown or raised on the premises.
- (5) Expansion of a church, public or private school, or community center owned or operated by a governmental agency or private nonprofit community organization which has been lawfully established on an authorized unit of land, provided such expansion does not exceed 50 percent of the gross floor area of the structure or 2,000 square feet, whichever is greater.
- (6) Residential home.
- (7) Family day care provider.
- (8) Accessory Dwelling Unit.

[Adopted 98-002 §3 eff 3/4/98; amd 18-108 §2 eff 7/1/18; amd 19-297 §3 eff 10/8/19]

930.620 UGA–RR uses permitted through a Type IIA conditional use review

(A) The uses set forth in subsection (B) and their accessory buildings and uses, excluding manufactured structures used as storage buildings, may be permitted in the UGA–RR zoning district, subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) *Uses permitted conditionally.*

- (1) One medical hardship dwelling, subject to LCC 932.860 to 932.895.
- (2) Home occupation, subject to LCC 932.830 to 932.850.
- (3) Temporary facility for the primary processing of forest products.
- (4) The breeding, boarding and training of horses for profit.
- (5) Cemetery.
- (6) Public and semi-public buildings and uses.

- (7) Utility facility necessary for public service.
- (8) Radio, television or telephone transmission or receiving facilities, but excluding transmission stations.
- (9) Infilling an existing manufactured dwelling park subject to LCC 932.600 to 932.680.
- (10) Public or private school.
- (11) Church.
- (12) Park, playground, or hunting and fishing preserve.
- (13) Community center owned and operated by a governmental agency or a nonprofit community organization.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §11 eff 6/30/99; amd 19-297 §3 eff 10/8/19]

930.630 [repealed]

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

VII. URBAN GROWTH AREA–URBAN GROWTH MANAGEMENT (UGA–UGM) ZONING DISTRICT

930.700 Statement of purpose

(A) The Urban Growth Area–Urban Growth Management (UGA–UGM) zoning district is located within a city’s urban growth area (UGA).

(B) The intent of the UGA–UGM zoning district is to manage land uses within the UGA in a manner that allows for effective future urban development.

(C) The UGA–UGM zoning district permits limited uses that will be compatible with future urbanization at the time of city annexation or delayed annexation.

(D) The four UGA–UGM zoning districts (UGA–UGM–2½, UGA–UGM–5, UGA–UGM–10, and UGA–UGM–20) are distinguished only by their minimum property size standards.

(E) Land use actions within the UGA–UGM zoning district are subject to the provi-

sions of the urban growth management agreement between the County and the affected city.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.710 UGA–UGM uses allowed outright

(A) The uses set forth in subsection (B), excluding manufactured structures used as storage buildings, are allowed outright in the UGA–UGM zoning district.

(B) *Uses allowed outright.*

(1) Limited farm use.

(2) The managing and harvesting of forest resources but excluding primary timber processing.

(3) An existing single-family site-built dwelling or manufactured home may be altered, expanded, or replaced with:

(a) a site-built dwelling, or

(b) a manufactured home, subject to LCC 934.790.

(4) Sales stand not to exceed 300 square feet in sales area for agricultural products cultivated or raised on the premises.

(5) Accessory structures and uses, except for manufactured dwellings used as storage buildings.

(6) Family day care provider.

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

930.720 UGA–UGM uses permitted through a Type IIA conditional use review

(A) The uses set forth in subsection (B), including principal and accessory buildings, may be permitted in the UGA–UGM zoning district, subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) *Uses permitted conditionally.*

(1) One, single-family site-built dwelling or manufactured home located within an area designated for future residential development in the city’s comprehensive plan. Placement of a manufactured home is subject to LCC 934.790.

(2) One medical hardship dwelling, subject to LCC 932.860 to 932.895.

(3) Public and semi-public buildings and uses.

(4) Expansion of lawfully established public or semi-public buildings or uses, provided the expansion does not exceed 50 percent of the gross floor area of the structure or 2,000 square feet, whichever is greater.

(5) Residential home provided that the residence will be located within an area designated for future residential or commercial development in the city’s comprehensive plan

(6) Home occupation, subject to LCC 932.830 to 932.850.

(7) Utility facility, including communication facilities, but excluding power generation facilities.

(8) Alteration, restoration, or replacement of a lawfully established dwelling requiring that the Director make a decision based on a review of information not limited to the development permit application.

[Adopted 98-002 §3 eff 3/4/98; amd 99-121 §11 eff 6/30/99; amd 19-297 §3 eff 10/8/19]

930.730 [repealed]

[Adopted 98-002 §3 eff 3/4/98; amd 19-297 §3 eff 10/8/19]

VIII. URBAN GROWTH AREA–AGRI-BUSINESS (UGA–AB) ZONING DISTRICT

930.800 Statement of purpose

(A) The purpose of the Urban Growth Area–Agribusiness (UGA–AB) zoning district is to provide for development of industrial and commercial facilities or establishments necessary for and directly serving commercial agricultural uses that do not require full urban services.

(B) The development of land within a UGA–AB zoning district is intended to be cons-

istent with the Comprehensive Plan designation of the affected city.

[Adopted 19-297 §3 eff 10/8/19]

930.810 UGA–AB uses allowed outright

(A) All principal uses set forth in subsection (B) and uses accessory to those principal uses are allowed outright in the UGA–AB zoning district.

(B) *Uses allowed outright.*

(1) Limited farm use.

(2) Cultivation, management, protection and harvest of forest crops.

(3) Storage, distribution, and sale of feed, fertilizer, seed, chemicals and other products used for commercial agricultural or timber production.

(4) Horticultural specialties such as greenhouses and nursery products.

(5) An existing single-family site-built dwelling or manufactured home may be altered, expanded, or replaced with:

(a) a site-built dwelling, or

(b) a manufactured home, subject to LCC 934.790.

(6) Transportation improvements.

[Adopted 19-297 §3 eff 10/8/19]

930.820 UGA–AB uses permitted through a Type IIA conditional use review

(A) All principal uses set forth in subsection (B), including principal and accessory buildings, may be permitted in the UGA–AB zoning district, subject to a Type IIA conditional use permit review process, if the decision criteria in LCC 933.250 to 933.260 are met.

(B) *Uses permitted conditionally.*

(1) Home occupation, subject to LCC 932.830 to 932.850.

(2) Commercial activity in conjunction with a farm use.

(3) One medical hardship dwelling, subject to LCC 932.860 to 932.895.

(4) One caretaker dwelling for a use permitted in LCC 930.810 and 930.820, subject to LCC 932.800 to 932.815.

(5) Storage, repair, or sale of fencing, irrigation pipe, pumps and other commercial farm or forest-related or farm-related equipment and implements.

(6) Farm or forest equipment storage and repair facility.

(7) Bulk storage and distribution facility for fuels, pesticides and fertilizers.

(8) Veterinarian clinic.

(9) Utility facility necessary for public service, including communication facilities, but excluding power generation facilities.

(10) Public and semi-public buildings and uses.

(11) Slaughtering of animals, including attendant retail and wholesale sales, which are conducted inside an enclosed building.

(12) Farm product receiving plant including processing, packaging, reshipment facilities and wineries except for canneries and frozen food processing plants.

[Adopted 19-297 §3 eff 10/8/19]

Statutory References and Other Authorities:
ORS 197; 203; 215

Legislative History of Chapter 930:

Adopted 98-002 eff 3/4/98

Amendments to 98-002

#1 98-432 eff 10/21/98

#2 99-121 §11 eff 6/30/99

#3 15-172 §1 eff 6/17/15

#4 16-070 §7 eff 4/13/16

#5 18-108 §2 eff 7/1/18

#6 19-297 §3 eff 10/8/19
