

## **ARTICLE 7.00 R-2 RURAL RESIDENTIAL USE ZONE**

### **7.01 PURPOSE**

The Rural Residential Zone is intended to provide minimum standards for development of residential uses in those areas designated on Zoning maps as Rural Residential. Development shall be in accord with Rural Residential Land Use Plan classification provisions.

### **7.02 PERMITTED USES**

The following uses may be established in an R-2 Zone:

1. Any use permitted outright in an R-1 Zone.

### **7.03 CONDITIONAL USES**

The following uses may be established in an R-2 Zone subject to County review under Article 24.03 Quasi-Judicial land use decision, the applicable standards in Article 21.00 Conditional Uses, Section 20.10 Site Plan Requirements and Section 20.11 Off Street Parking and Loading requirements:

1. Cemetery.
2. Schools, parks, or playgrounds.
3. Golf course.
4. Grange hall, community center or church.
5. Geothermal exploration and development.
6. Aggregate and mineral exploration, mining and processing.
7. Utility facilities.
8. Other public buildings or facility.
9. Radio or television transmitter or tower.
10. Home occupations.
11. Planned unit development.
12. Commercial activities undertaken in conjunction with farm use.
13. One manufactured dwelling in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident.
  - a. The manufactured dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling.
  - b. The permit authorizing such manufactured homes shall be reviewed every two years. When the hardship ends, the temporary dwelling shall be removed.

- c. As used in this section “hardship” means a medical hardship or hardship for the care of an aged or infirmed person or persons.
  - d. Each application for a temporary hardship dwelling shall include a Letter to Primary Care Provider and Certificate by Primary Care Physician. Biannual review requires the applicant to complete and submit a new Certificate by Primary Care Physician to the County Planning Department.
14. One accessory dwelling unit (ADU).
- a. Subject to the following:
    - A. The lot or parcel is two (2) acres or greater in size;
    - B. One single-family dwelling is sited on the lot or parcel which is not subject to an order declaring it a nuisance or subject to any pending action under ORS 105.550 to 105.600;
    - C. If the lot or parcel is in an area identified on a statewide map of wildfire risk described in ORS 477.490 as within the wildland-urban interface, the lot or parcel and accessory dwelling unit will comply with any applicable minimum defensible space requirements for wildfire risk reduction established by the State Fire Marshal under ORS 476.392 and any applicable local requirements for defensible space established by a local government pursuant to ORS 476.392;
    - D. If no statewide map of wildfire risk has been adopted or if the lot or parcel is not in an area identified on a statewide map of wildfire risk described in ORS 477.490 as within the wildland-urban interface, the accessory dwelling unit will comply with the provisions of any applicable local requirements for defensible space established by a local government pursuant to ORS 476.392 and the accessory dwelling unit will have adequate access for firefighting equipment, safe evacuation and staged evacuation areas; and
    - E. A site plan drawn to scale will be submitted that identifies the property lines of the subject property, the location of the existing dwelling, the location of the proposed accessory dwelling unit, the distance between the existing dwelling and the proposed accessory dwelling unit, the distance from the proposed accessory dwelling unit to all property lines and the square footage of the proposed accessory dwelling unit.
  - b. In the event approval is granted, the following standards and limitations shall apply:
    - A. The accessory dwelling unit cannot be located more than 100 feet from the existing dwelling.
    - B. The accessory dwelling unit is limited to 900 square feet of useable floor space<sup>1</sup>.

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<sup>1</sup> One Story Structures: The footprint of the entire ADU structure, minus non-useable floor space components such as attached garages, decks, or porch covers. Two Story Structures: The footprint of the entire ADU structure, plus the stair area for the first floor, minus non useable floor space components such as attached garages, decks, or porch covers.

- C. The accessory dwelling unit will comply with all applicable state laws relating to water supply, sanitation and wastewater disposal.
- D. The accessory dwelling unit cannot be utilized for vacation rental occupancy
- E. The lot or parcel cannot be subdivided or partitioned so that the existing single-family dwelling is situated on a different lot or parcel than the accessory dwelling unit.
- F. The lot or parcel is served by a fire protection service provider with professionals who have received training or certification described in ORS 181A.410.

15. Water bottling facilities.

#### **7.04 MINIMUM LOT SIZE**

The lot size in the R-2 Zone shall be two acres where Oregon Department of Environmental Quality subsurface sewage disposal approval can be obtained; or where public services such as public access, and public water supply or public sewer already exist or are needed to avoid an identified public health hazard.

#### **7.05 DEVELOPMENT STANDARDS**

The following standards shall apply to all development in the R-2 Zone.

1. All Structures shall be set back from property lines a minimum of 20-feet front yard, 10-feet back yard, and 5-feet side yards, except that on a corner lot the side yard on the street side shall be a minimum of 20-feet.
2. The highest floor of a permanently or temporarily occupied dwelling shall not exceed 35 feet.
3. Minimum lot width shall be 100 feet.
4. The minimum lot depth shall be 100 feet.
5. Animals other than cats, dogs and other domestic pets shall be provided at least 10,000 square feet of area and shall be limited to the following density per 10,000 square feet:
  - a. One horse, cow or pig.
  - b. Five sheep or goats.
  - c. Twenty-four chickens or rabbits.
  - d. A nursing horse or cow up to 200 days of age, or a sheep or goat up to 100 days, shall not be considered in calculating the number of allowable animals.
6. Parking space shall be in accord with Section 20.11 of this ordinance.
7. Signs shall be limited to the following:
  - a. All off-premise signs within view of any State Highway shall be regulated by State regulation under ORS Chapter 377 and receive building permit approval.
  - b. All on-premise signs shall meet the Oregon Administrative Rule regulations for on-premise signs which have the following standards:

- A. Maximum total sign area for one business is 8% of building area plus utilized parking area, or 2,000 square feet, whichever is less.
  - B. Display area maximum is 825 square feet for each face of any one sign, or half the total allowable sign area, whichever is less.
  - C. Businesses which have no buildings located on the premises or have buildings and parking area allowing a sign area of less than 250 square feet may erect and maintain on-premises signs with the total allowable area of 250 square feet, 125 square feet maximum for any one face of a sign.
  - D. Maximum height of freestanding signs adjacent to interstate highways is 65 feet, for all other highways is 35 feet, measured from the highway surface or the premises grade, whichever is higher to the top of the sign.
- c. All on-premise signs within view or 660 feet of any State Highway shall obtain permit approval from the Permit Unit, Oregon State Highway Division. No sign shall be moving, revolving or flashing, and all lighting shall be directed away from residential use or zones, and shall not be located so as to detract from a motorists vision except for emergency purposes.
  - d. All dwelling addresses shall be uniquely designated in accordance with the Union County Road Naming and Addressing Ordinance (Court Order 1988-03) on signs clearly visible and placed at the intersection of the driveway and named road. Rural address markers provided and installed by the Union County Public Works Department shall not be removed, modified or obstructed.
  - e. Signs identifying pertinent information such as "dead end road", "bridge out", and so forth, shall be appropriately placed as designated by Union County.
  - f. Signs identifying location of a fire-fighting water source and each assess to that source shall be permanently identified and shall indicate whether it is a fire hydrant, a dry hydrant, or another type of water supply.

## **7.06 FIRE SITING STANDARDS**

Fire siting standards shall apply only to new dwellings and related structures in the R-1 Zone where the predominant use is forestry [OAR 660-06-055(3)] and where dwellings are on cropland or rangeland within ¼ mile of forestland areas.

1. A new dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the governing body or the nearest rural fire protection district determines that inclusion within a fire protection district or contracting for residential fire protection is impracticable, the applicant shall provide an alternate means of protecting the dwelling from fire hazards. The means selected shall include a fire sprinkling system, on site equipment and water storage or other methods which are reasonable, given the site conditions. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use. Road access shall be provided to within 15 feet of the water's edge for fire fighting

pumping units. The road access shall accommodate the turnaround of fire fighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

In addition to the domestic water source, emergency water storage for dwellings in forested areas during Department of State Forestry designated fire season shall have a minimum capacity of 500 gallons (year-round source) inside rural fire protection districts, 1000 gallons in an enclosed container outside rural fire protection districts or 4,000 gallons for open water impoundments outside rural fire protection districts, with a 20 gallon per minute pump and an adequate length of hose and nozzle or an equivalent supply. A gravity flow system, gas powered pump or generator shall be provided in case of a power failure. Property owner/developer shall document each water source and provide that documentation to the appropriate fire protection agency.

## 2. Access and Evacuation

- a. Road Construction – All public and private roads shall be constructed to Union County Zoning, Partition and Subdivision Ordinance Section 25.09, Table 7-2 standards; and
  - A. Public Roads, bridges, culverts, road surfaces and other structures in the roadbed shall be constructed and maintained to support a gross vehicle weight of 80,000 pounds.
  - B. Private Roads, bridges, culverts, road surfaces and other structures in the roadbed shall be constructed and maintained to support a gross vehicle weight of 50,000 pounds.
- b. No public or private road shall be constructed with a curve radius of less than 48 feet, measured from the centerline.
- c. A vertical clearance of 14 feet 6 inches.
- d. Driveways in excess of 200 feet long require 20 feet wide by 40 feet long turnouts at a maximum spacing of 1/2 the driveway length or 400 feet, whichever is less.
- e. Dead-end roads over 100 feet in length shall have turnarounds of not less than 48 feet radius or where appropriate, a hammerhead turnaround.
- f. Road grades shall not exceed an average of 8% with a maximum of 12% on short pitches, except that Union County shall permit steeper grades where they can be reasonably mitigated and agreed upon by the appropriate fire department or rural fire protection district.

## 3. Defensible Space

- a. Fuel Load Reduction – Each residential dwelling or structure in forested areas shall maintain a defensible space of not less than 30-feet.
- b. Ground Fuel – Dead and down material shall be removed. Ground fuel within the defensible space shall be treated (mowed, mulched, converted to compost, etc.) or removed annually or more frequently as directed by the Oregon Department of Forestry.

- c. Thinning and Pruning – Live vegetation within the defensible space shall have all dead material removed and shall be thinned and pruned to reduce fire intensity and rate of spread.
  - d. Dead Trees – Dead trees within a dwelling's defensible space shall be removed.
  - e. Ladder Fuels – No ornamental shrubbery, single species trees or similar plants shall provide means of rapidly transmitting fire from native growth to structures. Vegetation under trees, within the defensible space, shall be maintained at a height that will preclude it functioning as a "ladder" for fire to travel from ground vegetation into the tree crown.
  - f. Landscaping – Where landscaping is desired, the applicant may choose from a recommended list of recognized fire resistant vegetation, found in the Fire Resistant Plants for Home Landscapes.
  - g. Secondary Fuel Breaks – The applicant for a dwelling within a predominantly forested area or within ¼ mile of a predominantly forested area shall contact Oregon Department of Forestry or the applicable Rural Fire Protection District to determine whether it is necessary to establish a secondary fuel break. If required, a secondary fuel break extending a minimum of 100 feet in all directions is required to reduce fuels so that the overall intensity of any wildfire would be lessened. Vegetation within the secondary fuel break shall be pruned and spaced. Small trees, brush and dead fuels underneath and around larger trees shall be removed.
  - h. Secondary Fuel Break Maintenance – If the Oregon Department of Forestry or applicable Rural Fire Protection District determines a secondary fuel break is necessary in addition to the defensible space, the property owner shall maintain the fuel modification outside of the defensible space. If the property owner does not permanently reside on the property, then the property owner shall arrange for annual secondary fuel break maintenance.
  - i. Defensible Space Maintenance – The property owner shall maintain a defensible space of 30 feet around the primary dwelling. If the property owner does not permanently reside on the property, then the property owner shall arrange for annual defensible space maintenance.
  - j. Location – The dwelling shall not be sited on a slope of greater than 40 percent. New dwellings located closer than 30 feet to a vegetated slope may require special mitigation measures as recommended by an Oregon Department of Forestry Forester. Wider breaks, called secondary fuel breaks, may be required on slopes greater than 30 percent on advice of a State Forester.
4. Design and Construction – All buildings in identified forestland areas or within one quarter mile of a forestland area shall be designed, located and constructed to comply with Oregon's residential building code and with its fire siting standards. In case of conflict between Oregon's residential building code and these fire siting standards, the more stringent fire protection requirements shall be utilized to mitigate the combustibility of structures exposed to potential wildfire.

- a. Roofing – Only fire-retardant roof covering assemblies rated Class A, B, or C shall be used. Wood shingle and shake roofs are not permitted.
- b. Re-roofing or Roofing Repair of Existing Structures and Dwellings – When 50% or more of the roof covering of any building is repaired or replaced within one year, the roof covering shall be made to comply with these fire siting standards. Ventilation shall be made to comply with Oregon's residential building code.
- c. Attic and Sub-floor Ventilation – All vents shall be screened with a corrosion-resistant, noncombustible wire mesh in accordance with Oregon's residential building code.
- d. Eaves – Eaves shall be boxed in with ½ inch nominal sheathing or noncombustible materials.
- e. Overhanging Projections and Buildings – Porches, decks, patios, balconies, similar undersides of overhangs or the underside of overhanging buildings shall be constructed in accordance with Oregon's residential building code using heavy timber, one-hour fire resistive material or noncombustible material.
- f. Chimneys and Flues – Every fire place and wood/pellet stove chimney and flue shall be provided with an approved spark arrestor constructed of a minimum 12-gauge welded wire or woven wire mesh, with the openings not to exceed ½ inch. Vegetation shall not be allowed within 10 feet of a chimney outlet.
- g. Mobile and Manufactured Homes – shall be skirted with noncombustible materials.