

## SECTION 500 – RURAL RESIDENTIAL DISTRICTS

### 503. LOW DENSITY RESIDENTIAL DISTRICTS (LDR-12,000, LDR-9,000, LDR-6,750)

[Last Amended 06/28/18; Ord. 906]

#### 503.01 Purpose.

The purpose of the LDR Districts is to provide for high-density rural residential development on selected lands identified as Low Density Residential in the Comprehensive Plan. The LDR Districts are intended to accommodate rural residential development in locations generally adjacent to urban centers and are characterized by patterns of subdivision or partitioning creating a scale of service and access requirements that are complementary or similar to city residential zones. Depending upon location, LDR Districts may be converted in a timely and orderly manner through annexation to city residential lands. The LDR Districts shall apply only to those lands zoned LDR at the time of adoption of this ordinance.

#### 503.02 Permitted Uses.

In the LDR Districts, the following uses shall be permitted subject to the standards and limitations set forth in subsection 503.06:

- A. Principal Dwelling;
- B. Subdivisions, subject to the land division requirements set forth in Ordinance 205;
- C. Residential planned unit developments, subject to Section 903 of this ordinance and the land division requirements set forth in Ordinance 205;
- D. Accessory uses;
- E. Temporary structures as may be required during construction of an authorized permanent structure. Such temporary structure shall be removed upon final inspection of the permanent structure by the Building Inspector;
- F. Manufactured home storage and temporary sales offices for permitted uses, pursuant to the Type A application procedure set forth in Section 1301 and subject to Section 1009 for temporary permits;
- G. Signs, pursuant to the sign provisions set forth in Section 1006;
- H. Residential home. [Added 3/19/98; Ord. 643]
- I. Accessory dwelling unit within an urban growth boundary, subject to the standards in Section 1014. [Added 06/28/18; Ord. 906]

#### 503.03 Conditional Uses.

In the LDR Districts, pursuant to the Type B application procedure set forth in Section 1301, and subject to the conditional use review criteria listed in Section 1202, and any other applicable criteria established by this ordinance, the following uses may be allowed conditionally:

- A. Home occupation, as defined by this ordinance, subject to the standards and limitations set forth in Section 1004;
- B. Kindergarten, pre-school nursery, or day care facility in conjunction with a principal dwelling on the same parcel, subject to the standards for day care facilities set forth in Section 1008;
- C. Utility facilities, subject to Section 1101 for site design review;
- D. Duplex or multi-family dwelling, subject to the planned unit development requirements in Section 903; and
- E. Residential facility, subject to the planned unit development requirements in Section 903.

[Added 8/13/98, Ord. 657]

#### **503.04 Prohibited Uses.**

Uses of land and water not specifically mentioned in this section are prohibited in the LDR Districts.

#### **503.05 Nonconforming Uses.**

Nonconforming uses found in the LDR Districts are subject to the provisions of Section 1205 as well as any other applicable provisions of this ordinance.

#### **503.06 Standards and Limitations.**

In the LDR Districts, the following standards and limitations shall apply:

- A. Dwelling Density.
  - 1. The maximum overall dwelling density for any new development shall not exceed:
    - (a) One (1) dwelling per twelve thousand (12,000) square feet in the LDR-12,000 District;
    - (b) One (1) dwelling per nine thousand (9,000) square feet in the LDR-9,000 District; and
    - (c) One (1) dwelling per six thousand seven hundred fifty (6,750) square feet in the LDR-6,750 District.
  - 2. Not more than one (1) principal dwelling shall be permitted on any parcel, except in the case of a planned unit development, and except as follows:
    - (a) For the division of any contiguous lands under the same ownership, parcel sizes may be averaged provided that the maximum overall density of the applicable LDR District is not exceeded and provided that no parcel shall be below the applicable minimum parcel size established by subsection 503.06(B). In the case of parcel-size averaging, appropriate conditions shall be imposed to prevent redivision of oversized parcels which would exceed the

maximum overall residential density requirements of the applicable LDR District.

B. Parcel Size and Dimension.

1. LDR-12,000 District.

- (a) Newly-Created Parcels. The minimum size of any newly-created parcel shall be twelve thousand (12,000) square feet, except as follows:
  - i. in the case of parcel-size averaging, the minimum parcel size shall be nine thousand (9,000) square feet; and
  - ii. in the case of a duplex or multi-family planned unit development, the minimum parcel size shall be two (2) acres.
- (b) Pre-existing Lots of Record. Any permitted or conditional use provided for in this District may be established on a substandard pre-existing lot of record, subject to the applicable requirements of this section. In addition, prior to issuance of a building permit for a principal dwelling, the provisions of Section 1204 shall be satisfied.
- (c) Depth-to-Width Ratio. The maximum depth-to-width ratio for any newly-created parcel shall be 3:1.

2. LDR-9,000 District.

- (a) Newly-Created Parcels. The minimum size of any newly-created parcel shall be nine thousand (9,000) square feet, except as follows:
  - i. in the case of parcel-size averaging, the minimum parcel size shall be six thousand seven hundred fifty (6,750) square feet; and
  - ii. in the case of a duplex or multi-family planned unit development, the minimum parcel size shall be two (2) acres.
- (b) Pre-existing Lots of Record. Any permitted or conditional use provided for in this District may be established on a substandard pre-existing lot of record, subject to the applicable requirements of this section. In addition, prior to issuance of a building permit for a principal dwelling, the provisions of Section 1204 shall be satisfied.
- (c) Depth-to-Width Ratio. The maximum depth-to-width ratio for any newly-created parcel shall be 3:1.

3. LDR-6,750 District.

- (a) Newly-Created Parcels. The minimum size of any newly-created parcel shall be six thousand seven hundred fifty (6,750) square feet, except as follows:

- i. in the case of parcel-size averaging, the minimum parcel size shall be six thousand (6,000) square feet; and
  - ii. in the case of duplex or multi-family planned unit development, the minimum parcel size shall be one (1) acre.
- (b) Pre-existing Lots of Record. Any permitted or conditional use provided for in this District may be established on a substandard pre-existing lot of record, subject to the applicable requirements of this section. In addition, prior to issuance of a building permit for a principal dwelling, the provisions of Section 1204 shall be satisfied.
  - (c) Depth-to-Width Ratio. The maximum depth-to-width ratio for any newly-created parcel shall be 3:1.

C. Setbacks.

The following setback requirements apply to all LDR Districts unless varied or waived under a Planned Unit Development, subject to Section 903:

- 1. Front Yard. The minimum front yard setback shall be thirty (30) feet except as follows:
  - (a) No dwelling shall be located within one hundred (100) feet of the property line of an existing extraction or mining operation nor less than two hundred (200) feet from an existing extraction operation; and
  - (b) The minimum setback for all yards for signs shall be five (5) feet.
- 2. Side and Rear Yard. The minimum side and rear yard setbacks shall be ten (10) feet except as provided in this subsection.
- 3. An accessory structure not more than fifteen (15) feet in height, at least sixty (60) feet from a road, and at least ten (10) feet from any dwelling may be located a minimum distance of three (3) feet from the property line in a side yard or rear yard.
- 4. A swimming pool may be located in a required rear yard, provided it lies a minimum of five (5) feet from the rear property line.
- 5. Fences, walls and hedges may be permitted in any required yard or along the edge of any yard, subject to the clear-vision area requirements of subsection 503.06(F).

[Subsection C amended 7/9/98, Ord. 648]

D. Parcel Coverage.

For any parcel of one (1) acre or more, but less than ten (10) acres, the maximum parcel coverage shall be ten (10) percent. For any parcel of less than one (1) acre, the maximum parcel coverage shall be fifteen (15) percent.

E. Access.

Before a dwelling may be established on any parcel as provided in this section, the parcel shall have a legal, safe and passable means of access by abutting at least twenty (20) feet either directly upon a public road, or by a private easement which is at least thirty (30) feet in width for its entire length and which also abuts upon a public road for at least thirty (30) feet. Nothing in this section shall be construed to vary or waive the requirements for creation of new access contained in any Land Division Ordinance legally adopted by Yamhill County.

F. Clear-Vision Areas.

A clear-vision area shall be maintained on the corner of any parcel at the intersection of any two of the following: County roads, public roads, private roads serving four or more parcels; and railroads. A clear-vision area shall contain no sight-obscuring structures or plantings exceeding thirty (30) inches in height within a triangle formed by the lot corner nearest the intersection, and the two points twenty (20) feet from this corner as measured along the parcel lines adjacent to the intersecting rights-of-way. Trees exceeding this height may be located such that their branches extend into this triangle, provided they are maintained to allow at least twelve (12) feet of visual clearance within the triangle below the lowest hanging branches.

G. Height.

1. The maximum building height for any dwelling shall be twenty-five (25) feet;
2. The maximum building height for all other structures shall be forty-five (45) feet, except for accessory structures on any lot of less than ten (10) acres the maximum building height shall be twenty-five (25) feet; and
3. Appurtenances usually required to be placed above the roof level and not intended for human occupancy such as spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys and wind generators are not subject to the height limitations of this ordinance.

H. Occupancy of Recreational Vehicles

One (1) recreational vehicle shall be permitted to be parked on any parcel in conjunction with a principal dwelling, and may be used for the temporary accommodation of guests for a period of up to 30 days total in any year. In no case shall any recreational vehicle be used as a principal dwelling or rented unless and until the necessary permits have been obtained.

[Amended 7/9/98; Ord. 648]

I. Off-Street Parking.

1. In the LDR Districts, sufficient area must be provided to allow for at least one (1) emergency vehicle turnaround; and
2. Parking requirements for those uses which may generate traffic beyond what is normally expected in the LDR Districts shall be determined by the Director subject to the provisions of Section 1007.