

ARTICLE 43 - ENVIRONMENTAL PROTECTION ZONE (EP)

Section 43.00 - Purpose and Intent

To provide protection and maintenance of soil stability, overall water quality, watersheds, natural drainage areas, fish and wildlife habitat and natural areas. The purpose of the EP Zone is also to permit the qualification of lands for preferential taxation assessment. The zone is applied to areas which if developed may be hazardous to human life and cause economic hardship or dislocation. The Environmental Protection Zone is used to implement the Environmental Plan designation and can also be used as an overlay or combining zone.

Section 43.10 - Permitted Uses

- A. Low intensity recreation, agriculture, and water use (irrigation).
- B. Culverts, utilities and/or other necessary roadway crossings provided substantial alteration to stream floodplain areas does not occur. If substantial alteration is proposed, compliance with Article 44 - Floodplain Zone is required.
- C. Uses proposed in areas either designated Floodplain, Floodplain Hazard or Geologic Hazard shall be subject to applicable provisions in either Article 44 – Floodplain Zone or Article 45 - Geologic Hazard Zone.

Section 43.20 - Other Conditions to Use and Occupancy

Uses not listed above but allowed in the base zone may be allowed provided affirmative findings are presented to the Planning Director that the proposed development complies with the following conditions:

- A. Proposed development has been approved by a registered (State of Oregon) engineer, geologist or architect.
- B. Subsurface sewage disposal drainfield shall be set back a minimum of 100 feet from the ordinary high water mark of streams.
- C. All applicable requirements and standards of the base zone shall be met
- D. Empty chemical, pesticide, herbicide, insecticide or rodenticide containers shall be disposed of as outlined in Oregon Administrative Rule 340-63-130 (Chapter 340, Division 63 - DEQ).
- E. Use of fill material, which inhibits stream, flood flow and/or endangers other property will not be permitted.

- F. Permits shall not be issued to remove common varieties of mineral materials not locatable under mining laws.
- G. Lands, which are determined to be unsuitable to develop, may be used for computation of density allowance.
- H. Timber harvesting along streams shall be conducted in compliance with forest practices as defined and regulated under the Oregon Forest Practices Act (January 10, 1980).

Section 43.30 - Development Standards

- A. Maximum Height: 35-feet
- B. Setbacks, minimum:
 - 1. Front: 50-feet from the centerline of any local street or 20 feet from the right-of-way line, whichever is greater. 60 feet from the centerline of any arterial street or 20 feet from the right-of-way line, whichever is greater.
 - 2. Rear: 20-feet.
 - 3. Side:
 - Interior: 10-feet
 - Exterior, side or corner lot: 50- feet from the centerline of any street.
 - 4. Setbacks between buildings: 10-feet minimum.
 - 5. Accessory farm buildings may be located within 10 feet of the rear property line.
 - 6. Minimum lot size for new lots or parcels: Compliance with one of the following: (a) as required by the base zone; or (b) must be consistent with the requirements of the predominant adjacent (abutting) zone.
 - 7. Vision clearance: Vision clearance for corner lots shall be a minimum of 35 feet.