

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Amending)
Umatilla County Development) ORDINANCE NO. 2026-07
Code to Update and Revise)
Multiple Sections)

WHEREAS the Board of Commissioners has ordained Ordinance No. 83-04, adopting the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances;

WHEREAS the Planning Department staff drafted a number of updates to the code affecting exclusive farm use and grazing farm zone lands incorporating legislative and administrative rules governing farm and forest zones.

WHEREAS the Umatilla County Planning Commission held a public hearing regarding the proposed amendments on July 23, 2026, and forwarded the proposed amendments to the Board of Commissioners with a recommendation for adoption;

WHEREAS the Board of Commissions held a public hearing on September 2, 2026, to consider the proposed amendments, and voted to approve the amendments to the Land Development Ordinance with revisions.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the adoption of the following amendments to the County Land Development Ordinance, codified in Chapter 152 of the Umatilla County Code of Ordinances, to amend as follows (Strikethrough text is deleted; Underlined/Italicized text is added):

§ 152.003 DEFINITIONS

C

CHILD CARE FACILITY. A child care facility is a facility that is certified under ORS 329A.280(3); preschool recorded program or school-age recorded program recorded under ORS 329A.255; or parent cooperative, as defined in ORS 329A.250. Child care facilities care for more than 16 children.

D

DAYCARE or NURSERY. An establishment enrolling ~~four or more~~ children between the ages of two and five years and where tuition, fees, or other forms of compensation for the care of children is charged, and which may or may not be licensed or approved to operate as a day care, child care, or nursery. See Child Care Facility and Family Child Care Home.

F

FAMILY CHILD CARE HOME. A family child care home is a child care center that is caring for not more than 16 children and is certified under ORS 329A.280(2) or is registered under ORS 329A.330.

§ 152.003 DEFINITIONS

C

CURRENT EMPLOYMENT OF LAND FOR FARM USE. See FARM USE definition.

§ 152.003 DEFINITIONS

F

(2) CURRENT EMPLOYMENT OF LAND FOR FARM USE means:

(f) Except for land under a single family dwelling, land under buildings supporting accepted farm practices, including the processing facilities allowed by ORS 215.283 (1)(~~u~~)(r) and the processing of farm crops into biofuel as commercial activities in conjunction with farm use under ORS 215.283 (2)(a);

§ 152.003 DEFINITIONS

M

MINOR BETTERMENT. For the purpose of existing transmission lines and facilities of utility companies and agencies, minor betterment includes and is limited to the following:

1. Adding, removing or replacing pole structures within the same utility corridor, easement or right-of-way width and;

2. New poles are not to exceed 150% of the overall size (diameter and height) of the existing pole and;

3. Voltage increases shall not exceed 200% of the existing line's voltage. For purposes of determining minor betterment, voltage increases shall be cumulative. For example, a line upgrading from 69kV to 115kV and subsequently 250kV is not considered minor betterment.

§ 152.013 MOBILE HOMES.

(B) Application. An application for a zoning permit for a mobile home shall be made to the Planning Department. Except as provided herein, the Planning Department shall issue zoning permits for mobile homes and accessories thereto as authorized by other sections of this chapter upon compliance with the following requirements:

- (3) The mobile home shall be served by a sewage disposal system approved by the Department of Environmental Quality or County Environmental Health;

§ 152.063 DEVELOPMENT STANDARDS.

In the EFU zone, the following dimensional and development standards shall apply:

(E) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

- (1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set

back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.088 DEVELOPMENT STANDARDS.

In the GF zone, the following dimensional and development standards shall apply:

(E) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.105 DEVELOPMENT / DIMENSIONAL STANDARDS

In a Non-Resource Zone, the following standards shall apply:

(F) Stream setback to permit better light, air, vision, stream or pollution control, protect fish and wildlife area, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields shall be set back from the mean high-water line or mark along all streams, lakes or wetlands, a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet.

§ 152.119 DIMENSIONAL STANDARDS. [UC Zone]

(C) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the main high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100

feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.134 DIMENSIONAL STANDARDS.

In a RR-2 Zone, the following standards shall apply:

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake, or wetland, but in no case closer than 50 feet;

§ 152.159 DIMENSIONAL STANDARDS.

In a RR-4 Zone, the following standards shall apply:

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes, and wetlands the following setbacks

shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.164 DIMENSIONAL STANDARDS.

In a RR-10 Zone, the following standards shall apply:

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes, and wetlands the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.174 DIMENSIONAL STANDARDS.

In a MUF, Multiple Use Forest, Zone the following division, dimensions and standards shall apply:

(E) Stream setback. To permit or afford better light, air, vision, stream pollution control, protect fish and wildlife areas and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.219 DIMENSIONAL STANDARDS.

In a FR, Forest Residential, Zone the following divisions, dimensions and standards shall apply:

(E) Stream setback. To permit or afford better light, air, vision, stream pollution control, protect fish and wildlife areas and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installation, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles

to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.234 DIMENSIONAL STANDARDS.

In a MR Zone, the following divisions, dimensions and standards shall apply:

(E) Stream setback. To permit better light, air, vision, stream pollution control, fish and wildlife areas and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet, and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream or lake, but in no case closer than 50 feet;

§ 152.241 DIMENSIONAL STANDARDS.

In the Depot Industrial Zone, the following dimensional standards shall apply, unless other dimensional standards are approved through the Master Plan process.

(A) Lot size. The minimum lot size shall be one acre unless written proof from the

Department of Environmental Quality or County Environmental Health is provided that shows an approvable subsurface disposal system can be located on less than one acre;

§ 152.250 DIMENSIONAL AND DESIGN STANDARDS. In the RSC Zone, the following dimensional and design standards shall apply:

(C) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such a septic tank and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the streams, lakes or wetland, but in no case closer than 50 feet;

§ 152.256 DIMENSIONAL STANDARDS. In an RRSC Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such a septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the streams, lakes or wetland, but in no case closer than 50 feet;

§ 152.264 DIMENSIONAL STANDARDS. In a CRC Zone the following standards shall apply:

(G) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply: all sewage disposal installations, such a septic tanks and septic drain fields shall be setback from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet, and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the county may permit the location of these facilities

closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.280 DIMENSIONAL STANDARDS.

In a TC Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided that shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§152.286 DIMENSIONAL STANDARDS.

In an RTC Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or

County Environmental Health is provided that shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.294 DIMENSIONAL STANDARDS.

In an AB Zone, the following dimensional standards shall apply:

(A) Lot size. The lot size shall be a minimum of one acre. A smaller minimum lot size may be allowed if the use located or proposed for the lot does not require a subsurface disposal system, or written proof if obtained from the Department of Environmental Quality or County Environmental Health to show that an approvable subsurface system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural

scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

152.306 DIMENSIONAL STANDARDS. In a LI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles

to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§152.312 DIMENSIONAL STANDARDS. In an RLI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland,

but in no case closer than 50 feet;

§152.318 DIMENSIONAL STANDARDS.

In an LRLI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided which shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.325 DIMENSIONAL STANDARDS.

In a HI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided that

shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the ~~DEQ~~ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§152.331 DIMENSIONAL STANDARDS.

In an RHI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided that shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as

septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the DEQ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.334 C DIMENSIONAL STANDARDS. In an LRHI Zone, the following dimensional standards shall apply:

(A) Lot size. The minimum lot size shall be one acre unless written proof from the Department of Environmental Quality or County Environmental Health is provided that shows that an approvable subsurface disposal system can be located on less than one acre;

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the DEQ Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings

Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.339 DIMENSIONAL STANDARDS. In a FU-10 Zone the following standards shall apply:

(D) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and vistas along the streams, lakes or wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drain fields, shall be set back from the mean high-water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality or County Environmental Health finds that a closer location will not endanger health, the Hearings Officer may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

§ 152.540 DIMENSIONAL STANDARDS. In a UDR Zone, the following dimensional standards shall apply;

(A) Minimum Parcel. The minimum lot size shall be one acre unless written proof, from the Department of Environmental Quality or County Environmental Health is provided which shows that an approvable subsurface disposal system can be permitted, or the minimum lot size shall be the minimum necessary to carry out the intent and purpose of the proposed use and is also consistent with the purpose and intent of the DR Zone.

§ 152.566 DIMENSIONAL STANDARDS.

In the UDM Zone, the following dimensional standards shall apply;

(A) Minimum Parcel. The minimum lot size shall be one acre unless written proof, from the Department of Environmental Quality or County Environmental Health is provided which shows that an approvable subsurface disposal system can be permitted, or the minimum lot size shall be the minimum necessary to carry out the intent and purpose of the proposed use and is also consistent with the purpose and intent of the UDM Zone.

§ 152.572 BOUNDARY ADJUSTMENTS.

(A) Land parcels of less than the minimum allowed in a zone may be transferred by legal document from one tax lot to another, on approval of the Planning Director and the Department of Environmental Quality or County Environmental Health, provided that no resulting tax lot is less than the minimum allowed in that zone;

§ 152.616 STANDARDS FOR REVIEW OF CONDITIONAL USES AND LAND USE DECISIONS.

(S) Commercial recreation use.

(15) A favorable site suitability report from the Department of Environmental Quality or County Environmental Health, whichever is applicable, is obtained for the proposed use(s) and is submitted with the conditional use application;

(TT) Recreational resort facilities.

(16) A favorable site suitability report from the Department of Environmental Quality or County Environmental Health, whichever is applicable, shall be obtained for the proposed

use(s) and shall be submitted with the application;

§ 152.682 CONTENTS OF TENTATIVE PLANS.

(B) Written and supplementary information.

(7) A general (site suitability) report from the Department of Environmental Quality or County Environmental Health as to the sewage disposal potential of each parcel (four acres or less size) pertaining to either the parcels partitioned or the remaining parcel.

§ 152.721 PRE-FILING CONFERENCE; PROPERTY LINE ADJUSTMENT APPLICATION.

(7) If either of the lots or parcels will be reduced below four acres in size and where a sanitary sewage disposal system is required, submit either of the following:

(a) A site suitability approval from the Department of Environmental Quality or County Environmental Health for the lot or parcel where a dwelling/building may be sited; or,

(b) Proof that the lot or parcel can accommodate a replacement drain field if an authorized Department of Environmental Quality or County Environmental Health sanitary sewage disposal system already exists.

§ 152.774 APPROVAL OF OTHER AGENCIES.

(A) A zoning permit, issued by the county for any use or structure which will have plumbing of any kind, or be connected to a sanitary subsurface disposal system, shall not become

valid until the applicant obtains written approval from the Oregon Department of Environmental Quality or County Environmental Health, or other agency responsible for the permitting and inspection of sanitary disposal systems, for the connection to the sanitary subsurface disposal system.

§152.102 USES PERMITTED

(B) *Uses permitted with a zoning permit.* In a NR Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to §152.025:

(5) Signs Type 2, 3, 4, 5, 6 as defined in § 152.546;

(6) Family child care home.

§152.103 CONDITIONAL USES PERMITTED

In a NR Zone, the following uses and their accessory uses are permitted conditionally subject to the requirements of § 152.610 through 152.616 of this chapter:

(A) ~~Day care or nursery~~ Child care facility as provided in § 152.616 (V);

§152.116 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a

UC, Unincorporated Community, Zone the following uses and their accessory uses may be permitted upon the issuance of a zoning permit, pursuant to § 152.025:

(13) ~~Day care, nursery~~ Family child care home;

(14) Child care facility.

§ 152.131 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a RR-2 Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025:

(7) ~~Day care, nursery~~ Family child care home;

(8) Child care facility.

§ 152.156 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a RR-4 Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025:

(7) ~~Day care, nursery~~ Family child care home;

(8) Child care facility.

§ 152.161 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a

RR-10 Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025:

(7) ~~Day care, nursery~~ Family child care home;

(8) Child care facility.

§ 152.171 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a MUF Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025:

(17) ~~Day care, nursery~~ Family child care home;

(18) Child care facility.

§ 152.216 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a FR Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025:

(7) ~~Day care, nursery~~ Family child care home;

(8) Child care facility.

§ 152.231 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a MR Zone, the following uses and their

accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025:

(6) ~~Day Care or Nursery~~. Family child care home;

(7) Child care facility;

(7) (8) Special exemptions pursuant to § 152.575 and 152.576;

(8) (9) Model homes.

§ 152.237 USES PERMITTED.

(C) Retail and service commercial uses permitted with a zoning permit. In the DI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025 and subject to the requirements of § 152.239 through § 152.241 of this chapter. Retail and service commercial uses are only permitted in Subarea 1.

(3) ~~Day care/nursery~~ Child care facility;

§ 152.246 USES PERMITTED.

(B) *Uses Permitted with a Zoning Permit.* In an RSC Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025 and subject to the requirements of §§ 152.248 through § 152.250.

(21) Wholesale businesses where no manufacturing, compounding, processing or treatments of the products for wholesale are conducted-;

(22) Child care facility.

§ 152.252 USES PERMITTED.

(B) *Uses Permitted with a Zoning Permit.* In an RRSC Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to § 152.025 and subject to the requirements of § 152.254 through § 152.256.

(21) Wholesale businesses where no manufacturing, compounding, processing or treatments of the products for wholesale are conducted-;

(22) Child care facility.

§ 152.261 USES PERMITTED.

(B) *Uses permitted with a zoning permit.* In a CRC Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025 and subject to the requirements of § 152.263 through 152.264:

(7) Signs: Type 2, 4, 5, 7, 8, 9, 10, 11 as defined in § 152.546-;

(8) Child care facility.

§ 152.262 CONDITIONAL USES PERMITTED.

In a CRC Zone the following uses and their accessory uses are permitted conditionally subject to the requirements of § 152.610 through 152.616 and 152.263 through 152.264, and upon the issuance of a zoning permit:

~~(F) Day care or nursery as provided in § 152.616 (V);~~

~~(G)~~ (F) Rural commercial uses related to/primarily designed to provide service to farm or forest industry. These farm/forest rural commercial uses shall not be subjected to a size limitation. These uses shall be approved by the Planning Commission.

~~(H)~~ (G) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are:

...

~~(I)~~ (H) Construction of rest areas, weigh stations, temporary storage, and processing sites.

~~(J)~~ (I) If review under this Section indicates that the use or activity is inconsistent with the

Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

§ 152.276 USES PERMITTED.

(B) Uses permitted with a zoning permit. In a TC Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025 and subject to the requirements of §§ 152.278 through 152.280 of this chapter:

(10) Signs: Type 4, 5, 6, 7, 8, 9, Umatilla County Development Code, Revision Date June 18, 2025, Page 192 of 484 10, 11, 12 as defined in § 152.546;:-

(11) Child care facility.

§152.282 USES PERMITTED.

(B) Uses permitted with a zoning permit. In a RTC Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025 and subject to the requirements of §§ 152.284 through 152.286 of this chapter:

(10) Signs: Type 4, 5, 6, 7, 8, 9, Umatilla County Development Code, Revision Date June 18, 2025, Page 192 of 484 10, 11, 12 as defined in § 152.546;:-

(11) Child care facility.

§ 152.302 USES PERMITTED.

(B) Uses permitted with a zoning permit. In an LI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §152.025 and subject to the requirements of §152.304 through 152.306 of this chapter:

(20) Truck sales, service, storage and maintenance;:

(21) Child care facility.

§ 152.303 CONDITIONAL USES PERMITTED; GENERAL CRITERIA.

(A) In a LI Zone, the following uses and their accessory uses are permitted, conditionally, subject to the requirements of §§ 152.610 through 152.616, 152.303 and 152.306 and upon the issuance of a zoning permit:

~~(11) Day care center as provided in § 152.616 (V);-~~

~~(12)~~ (11) Junkyard as provided in § 152.616 (E), except this use is prohibited on properties with frontage on Highway 395;

~~(13)~~ (12) Major manufacturing, repairing, compounding, fabricating, assembling, processing, or storage as provided in § 152.616 (LL) industries having any one of the

following characteristics:

...

~~(14)~~ (13) Mobile home or trailer park as provided in § 152.616 (NN);

~~(15)~~ (14) Public or semi-public use as provided in § 152.616 (SS);

~~(16)~~ (15) Sand or gravel storage yard as provided in § 152.616 (XX) except this use is prohibited on properties with frontage on Highway 395;

~~(17)~~ (16) Wood processing facilities as provided in § 152.616 (GGG);

~~(18)~~ (17) Utility facility as provided in § 152.616 (CCC);

~~(19)~~ (18) Other buildings and uses similar to the list above which shall not have any different or more detrimental effect upon the adjoining neighborhood areas or districts than the buildings and uses specifically listed providing that it has the approval of the Planning Director or Planning Commission.

~~(20)~~ (19) Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are:

...

~~(21)~~ (20) Construction of rest areas, weigh stations, temporary storage, and processing sites.

~~(22)~~ (21) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.

...

§152.308 USES PERMITTED.

(B) Uses permitted with a zoning permit. In the RLI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025 and subject to the requirements of §§152.310 through 152.312 of this chapter:

(21) Wholesale business, storage building or warehouse, in conjunction with farm or forest use;

(22) Child care facility.

§152.314 USES PERMITTED.

B) Uses permitted with a zoning permit. In the LRLI Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025 and subject to the requirements of §§152.316 through 152.318 of this chapter:

(22) Wholesale business, storage building or warehouse, in conjunction with farm or forest use;

(23) Child care facility.

§ 152.616 STANDARDS FOR REVIEW OF CONDITIONAL USES AND LAND USE DECISIONS.

[page 327] Quick links to each listed use:

(V) ~~Day care or nursery:~~ Child care facility.

[page 337]

(V) ~~Day care or nursery:~~ Child care facility.

- (1) The activity is compatible with the existing surrounding land uses;
- (2) The site has direct access to a dedicated public or county road or state highway;
- (3) At least 100 square feet of outdoor play area per child is provided;
- (4) A sight obscuring fence at least four feet high shall separate the play area from abutting lots;
- (5) Landscaping may be a requirement around the site, to buffer it from adjacent uses;
- (6) Complies with other conditions as deemed necessary provided in § 152.615

§ 152.058 (EFU) USES PERMITTED WITH A ZONING PERMIT.

(F) *Alteration, restoration or replacement dwelling.* A lawfully established dwelling may be altered, restored or replaced under ORS 215.283 (1) (p) if the county determines that the existing dwelling to be altered, restored or replaced has the following:

(1) Intact exterior walls and roof structures;

(2) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(3) Interior wiring for interior lights;

(4) A heating system; and

(5) The existing dwelling was assessed as a dwelling for purposes of ad valorem taxation since the later of:

(a) The previous five property tax years before the date of the permit application; or

(b) The date that the dwelling was erected upon or affixed to the land and became subject to property tax assessment.

(6) The replacement dwelling:

(a) May be sited on any part of the same lot or parcel; and

(b) Must comply with all applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.

(c) Must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.

~~(d) Must comply with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:~~

~~(i) The dwelling is in an area identified as extreme or high wildfire risk on the statewide map of wild fire risk described in ORS 477.490; or~~

~~(ii) No statewide map of wildfire risk has been adopted.~~

(7) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055.

(8) The property owner must execute and record in the deed records of the county a statement (covenant) that the dwelling which qualified for replacement has been removed, demolished or converted to an allowable non-residential use.

(9) The property owner must sign and record a Covenant Not to Sue with regard to normal farming practices is a requirement of the replacement dwelling approval.

(10) If the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use (split zoned property), the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of this section and ORS 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling;

(11) The county planning director, or the director's designee, shall maintain a record of the lots and parcels that do not qualify for the siting of a new replacement dwelling under this subsection including a copy of the deed restrictions filed under this section.

(12) An application under this section must be filed within three years following the date that the dwelling last possessed all the features listed in (1) (a) of this section.

(13) Construction of a replacement dwelling approved under this section must commence no later than four years after the approval of the application under this section becomes final.

(14) If an applicant is granted a deferred replacement permit under this section, the deferred replacement permit:

(a) Does not expire but the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issued; and

(b) May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.

§ 152.059 EFU LAND USE DECISIONS

(K) DWELLINGS

(1) Primary Farm Dwelling on High Value Farmland.

A Primary Farm Dwelling customarily provided in conjunction with farm use may be allowed on high value farmland as defined in § 152.003 if the following standards (income test) are met:

(m) The applicant shall submit to the County an IRS tax return transcript and any other

information the county may require that demonstrates compliance with the gross farm income requirements in paragraph (a).

§ 152.059 EFU LAND USE DECISIONS

(K) DWELLINGS

(2) Primary Farm Dwelling on Non-High Value Farmland.

A Primary Farm Dwelling customarily provided in conjunction with farm use as the primary farm dwelling may be allowed on non-high value farmland as defined in § 152.003 if the following standards are met:

(b) Income Test. A dwelling may be considered customarily provided in conjunction with farm use as a primary farm dwelling, if:

(xii) The applicant shall submit to the County an IRS tax return transcript and any other information the county may require that demonstrates compliance with the gross farm income requirements in paragraph (i).

§ 152.059(K)(4) LOT OF RECORD ON HIGH VALUE FARMLAND

(g) To site a Lot of Record Dwelling on high value farmland, the Planning Commission, or the designated Hearings Officer in the county,

must determine that:

(ii) The Lot of Record Dwelling will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use, as provided in § 152.061 and provided here for convenience:

(+) (A) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

(2) (B) Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.

(C) For purposes of subsection (A) and (B), a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:

(1) Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation;

(2) An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices This assessment applies practice by practice and farm by farm; and

(3) An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.

(4) For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.

(5) For purposes of subsection (A) and (B), potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsection (A) and (B).

(6) In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection (A) and (B).

§ 152.060 CONDITIONAL USES PERMITTED.

In an EFU zone the following uses may be permitted conditionally via administrative review (§ 152.769), subject to the requirements of this section, the applicable criteria in § 152.061, § 152.610 through 152.615, 152.617 and § 152.545 through 152.562. A zoning permit is required following the approval of a conditional use pursuant to § 152.025. Existing uses classified as conditional uses and listed in this section may be expanded subject to administrative review and subject to the requirements listed in OAR 660, Division 033.

(GG) Family Child Care Homes, as provided in OAR 660-033-0130, pursuant to § 152.617(I)(GG).

§ 152.617 STANDARDS FOR REVIEW: CONDITIONAL USES AND LAND USE DECISIONS ON EFU AND GF ZONED LANDS.

Two sections: (I) EFU AND GF ZONE CONDITIONAL USES (II) EFU AND GF ZONE LAND USE DECISIONS

The following standards shall apply for review by the Planning Director or designated planning authority of the specific conditional uses and land use decisions listed below:

(I) EFU AND GF ZONE CONDITIONAL USES

[page 364]

Quick links to each listed use:

...

(GG) Family Child Care Homes

[page 394]

(GG) Family Child Care Homes

1. A family child care home is a child care facility that is caring for not more than 16 children and is certified under ORS 329A.280(2) or is registered under ORS 329A.330.

2. A family child care home is considered a residential use of property.

3. Siting of family child care homes on EFU and GF lands is limited to the following:

- a. The family child care home must occur in a lawfully established or pre-existing dwelling.

- b. The dwelling shall not have been approved as an accessory farm worker dwelling, farm relative dwelling, or farm worker housing.
- c. The dwelling shall have direct access to a County Road or State Highway.
- d. The applicant shall provide proof of fire protection from a fire district.
- e. Perimeter fencing around outdoor play/yard areas shall be provided and be composed of a generally accepted fencing material.
- f. Sufficient landscaping shall be installed and maintained for the life of the family child care home.
- g. The location of the family child care home shall not be used as justification for a future zone change.
- h. The property owner must sign and record a Covenant Not to Sue with regard to normal

farming practices.

- i. Approval is subject to § 152.061 and §152.615.

§ 152.061 STANDARDS FOR ALL CONDITIONAL USES.

The following limitations shall apply to all conditional uses in an EFU zone. Uses may be approved only where such uses:

(A) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

(B) Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.

(C) For purposes of subsection (A) and (B), a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:

(1) Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest

practices on each forest operation;

(2) An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices This assessment applies practice by practice and farm by farm; and

(3) An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.

(4) For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.

(5) For purposes of subsection (A) and (B), potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsection (A) and (B).

(6) In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection (A) and (B).

§ 152.085 CONDITIONAL USES PERMITTED.

(C) Parks:

(1) Private parks, playgrounds, hunting and fishing preserves and campgrounds on a parcel or tract not meeting the definition of ~~non~~-high value farmland as provided in § 152.617 (I) (O).

§ 152.236 APPLICABILITY & SUBAREA DESCRIPTIONS.

The DI Zone applies to three distinct subareas within Umatilla County that are identified for industrial development in the approved Redevelopment Plan. Permitted and conditional uses are tailored to the characteristics of each area.

(A) Subarea 1. Subarea 1 is intended to accommodate a range of distribution/commerce uses that can maximize the economic development

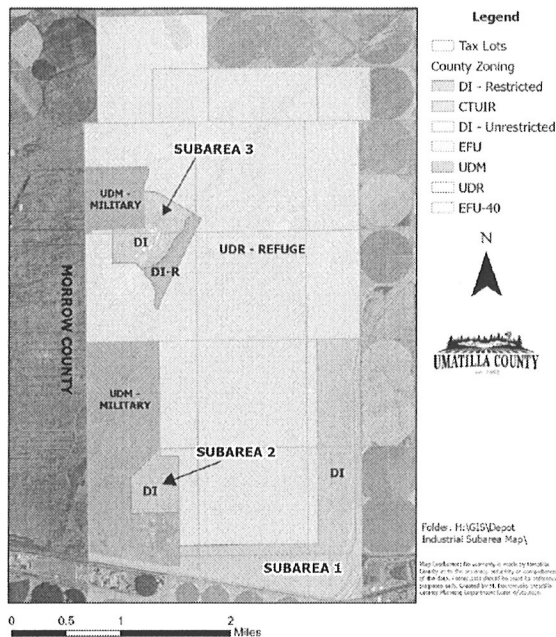
potential of a large, unique site located at the junction of two interstate freeways. With immediate accessibility to interchanges to I-84 on the south and I-82 on the east, Subarea 1 is intended primarily for land-intensive freight related uses that can take advantage of easy truck access on and off the interstate system and avoid traffic congestion and other community impacts within urban areas.

(B) Subarea 2. Subarea 2 is intended to accommodate general storage, warehouse and distribution uses that can largely utilize existing buildings and facilities in this subarea. Access to Subarea 2 is only available through the security gate to the Military area. Therefore, the range of permitted and conditional industrial uses for Subarea 2 is more limited.

(C) Subarea 3. Subarea 3 is intended to accommodate a range of general industrial uses that can leverage the substantial and recent investment in buildings, infrastructure and other site improvements constructed to support the Umatilla Chemical Disposal Facility mission. Following closure and decommissioning, the incinerator building will be removed as a condition of state and federal permits. However, existing investments and infrastructure in this area can be a significant economic development asset for Umatilla County.

(D) Subarea Map.

FORMER UMATILLA CHEMICAL DEPOT
DEPOT INDUSTRIAL SUBAREA MAP



§ 152.254 LIMITATIONS ON USES.

In the RRSC Zone, the following limitations and conditions shall apply:

(A) Outside storage areas shall be screened with a site-obscuring fence so that the area shall not be exposed to view from without outside the property;

§ 152.336 USES PERMITTED.

(B) Uses permitted with a zoning permit. In a FU-10 Zone, the following uses and their

accessory uses are permitted upon the issuance of a zoning permit, pursuant to §152.025;

(6) Residential Home (Adult Foster Care) or residential treatment facility as defined in ORS 443.400;

issuance of a zoning permit, pursuant to §152.025;

(8) A maximum of one Accessory Dwelling Unit (ADU) per tax lot, provided the tax lot already contains a single family dwelling and where lot size and building separation can comply with all requirements for septic replacement. The ADU is subject to the following provisions:

(a) The ADU may be a detached building, a portion of a detached accessory building, or a unit attached or interior to the primary dwelling;

(b) The ADU shall not exceed 1,500 square feet of total floor area, or 85% of the primary dwelling's total floor area, whichever is smaller. Total floor area includes attached garage and patio area;

(c) A detached accessory dwelling shall provide one or more rooms and satisfy the requirements to meet the County's definition of a dwelling per §152.003, including connection to an authorized septic system;

(d) Conversion of an existing legal non-conforming structure to an ADU is allowed, provided that the conversion does not increase the non-conformity;

(e) Both converted structures and new structures utilized as an ADU shall meet all building code and septic requirements.

§ 152.336 USES PERMITTED.

(B) Uses permitted with a zoning permit. In a FU-10 Zone, the following uses and their accessory uses are permitted upon the

(f) ADUs shall meet all other dimensional standards of the FU-10 zone

§ 152.648 CREATION OF ROADS, EASEMENTS AND RIGHTS-OF-WAY; MINIMUM STANDARDS.

(11) Flag Lot Standards

(a) Flag lots shall not be permitted when the result would be to increase the number of properties requiring direct and individual access connections to the State Highway System, County Roads or other arterials.

(b) Flag lots may be permitted for residential development when necessary to achieve planning objectives, such as reducing direct access to roadways, providing internal platted lots with access to a residential street, or preserving natural or historic resources, under the following conditions:

(1) Flag lot driveways shall be separated by at least twice the minimum frontage requirement of that zoning district.

(2) The flag driveway shall ~~have a minimum width of 10 feet and maximum width of 20 feet~~ comply with the applicable easement

width standards found in 152.648(D) Rural Road Standards.

(3) In no instance shall flag lots constitute more than 10 percent of the total number of building sites in a recorded or unrecorded plat, or three lots or more, whichever is greater.

(4) The lot area occupied by the flag driveway shall not be counted as part of the required minimum lot area of that zoning district.

(5) No more than one flag lot shall be permitted per private right-of-way or access easement.

(6) The flag driveway shall be dedicated as an access easement when it provides access to other properties or has the potential to provide access to other properties.

§ 152.617 (II) EFU AND GF LAND USE DECISIONS.

(8) Alteration, restoration or replacement of a lawfully established dwelling that has been removed, or destroyed by fire or natural hazard.

(a) A lawfully established dwelling may be altered, restored or replaced under this section if the county determines

based on evidence that the dwelling to be altered, restored or replaced formerly had:

- (i) Intact exterior walls and roof structure;
- (ii) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
- (iii) Interior wiring for interior lights; and
- (iv) A heating system; and

(b) If the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation since the ~~last~~ later of:

- (i) Five years before the date of the destruction or demolition; or
- (ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment.

(c) The land use permit application under this section must be filed within three years following the date that the dwelling last possessed all the features listed under (a) of this section.

(d) The replacement dwelling:

(i) May be sited on any part of the same lot or parcel; and

(ii) Must comply with applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling; and

(iii) Must comply with applicable siting standards and with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction; and

~~(iv) Must comply with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:~~

~~1. The dwelling is in an area identified as extreme or high~~

~~wildfire risk on the statewide
map of wildfire risk described
in ORS 477.490; or~~

~~2. No statewide map of wildfire
risk has been adopted.~~

(e) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use:

(i) Within three months after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055; and

(ii) The applicant must record in the deed records of the county a statement that the dwelling has been removed, demolished or converted to a nonresidential use.

(f) Covenant Not to Sue. All dwellings approved within the EFU and GF zones require the landowners to sign and record in the deed records for the County a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action

or claim is allowed under ORS 30.936 or 30.937.

(g) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of this section and ORS 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling.

(h) Construction of a replacement dwelling approved under this section must commence no later than four years after the approval of the application under this section becomes final.

(i) The county planning director, or the director's designee, shall maintain a record of the lots and parcels that do not

qualify for the siting of a new dwelling under this subsection including a copy of the deed restrictions filed under this section.

(j) If an applicant is granted a deferred replacement permit under this section, the deferred replacement permit:

(i) Does not expire but the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issued; and

(ii) May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.

§ 152.617 STANDARDS FOR REVIEW: CONDITIONAL USES AND LAND USE DECISIONS ON EFU AND GF ZONED LANDS.

(I) EFU AND GF ZONE CONDITIONAL USES PERMIT

(O) Private parks, private playgrounds, private hunting and fishing preserves and private campgrounds on a parcel or tract

predominately in farm use but not meeting the definition of high value farmland. A “private park” means an area devoted to low-intensity, outdoor, recreational uses for which enjoyment of the outdoors in an open space, or on land in its natural state, is a necessary component and the primary focus.

§ 152.305 DESIGN REVIEW.

(2) The Planning Director or ~~his~~ an authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

§ 152.324 DESIGN REVIEW.

(2) The Planning Director or ~~his~~ an authorized agent may require landscaping around the building(s) or the property lines to insure conformance with county policies;

§ 152.625 AUTHORIZATION TO GRANT OR DENY VARIANCES.

The Planning Director may grant a variance to the requirements of this chapter where it can be shown that owing to special and unusual circumstances related to a specific lot, strict application of this chapter would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for a purpose not authorized within the zone in which the proposed use would be located. In granting a variance, the Planning Director

or an authorized agent may attach conditions which ~~he~~ they finds necessary to protect the best interest of the surrounding property or vicinity or otherwise achieve the purposes of this chapter.

§ 152.669 FINAL PLAT. [Subdivision]

(D) Technical review and standards for approval of final plat.

(3) Following review and signature of a subdivision or cluster development plat by the County Surveyor, the Planning Director shall determine whether the final plat and supplementary material substantially conform with the approved tentative plat and with the applicable requirements of this chapter, including any conditions imposed by the Planning Commission. If the Planning Director determines that the final plat does not conform with the approved tentative plan, the applicant shall be so advised and afforded an opportunity to make corrections. When the plat is found to be in conformity after corrections are made by the subdivider or owner, it shall be signed and dated by the County Planning Director and County Planning Commission Chairman. If the owner or subdivider provides compelling reasons why a condition or requirement that the Planning Director finds inconsistent cannot be complied with, the Planning Director may elect to resubmit the plat back to the Planning Commission for further review. Upon

scheduling a new hearing according to § 152.771, the Planning Commission shall either determine that the owner's or subdivider's reasons are not sufficient to rescind the conditions or requirements originally imposed, or that the new fact or reasons presented are sufficient to rescind or modify said conditions or requirements. When the matter of inconsistency is settled by the Planning Commission, the final plat shall be signed by the Planning Director and Planning Commission Chair~~man~~ indicating final approval. Approval of a final plat by the Planning Commission shall not constitute or effect an acceptance by the public of the dedication of any street, easement or public road shown on the plat;

§ 152.766 APPEALS.

(C) An action or decision of the Hearings Officer may be appealed to the Board of Commissioners within 15 days of his decision.

(1) The appeal stating the reasons for appeal pursuant to the criteria for review must be in writing and be filed with the Planning Director or ~~the secretary of the Planning Department~~ an authorized agent.

§ 152.546 TYPES OF SIGNS.

(I) *Type 9.* One projecting or free-standing sign not to exceed 20 feet in height nor ~~65~~ 90

square feet in area for each face. The minimum setback for any part of a sign shall be 10 feet, ~~or shall be at the discretion of the Planning Director and shall be measured horizontally from the lot line to the nearest part of the sign.~~ A projecting or freestanding sign ~~shall be allowed only by a ruling of the Planning Director and shall be limited to those businesses for which an attached flat sign is not suitable due to the nature of the business or the characteristics of the lot.~~ Signs mounted to fences are classified as free-standing signs. ~~The following additional standards apply to Type 9 signs on properties in the RSC zone and in the LI zone where the subject property has frontage on Highway 395:-~~

The following additional standards apply to Type 9 signs on properties in the RSC zone and in the LI zone where the subject property has frontage on Highway 395:

(a) Large Properties. When the lineal frontage of a property exceeds 300 feet, an additional freestanding sign ~~shall~~ may be permitted for each 300 feet of lineal property frontage. Each freestanding sign must be at least 150 feet from any other freestanding sign on the same site along the lineal property frontage.

(b) Combined Signs. ~~Owners of Two or more owners of adjacent separate properties and uses~~ may combine their respective frontages and erect one freestanding sign

with combined square footage per face of a maximum of 100 square feet. No other Type 9 freestanding signs shall be permitted on the premises ~~and agreement between property owners for this purpose shall be recorded for posterity.~~

(c) Sign Construction. A freestanding sign shall be directly supported by poles or foundation supports in or upon the ground. No external cross braces, guy wires, "T" frames, "A" frames, "trusses," or similar bracing systems shall be used to buttress, balance, or support a freestanding sign.

(d) Temporary Signs. One temporary banner sign, balloon sign, or A frame sign ~~shall~~ may be permitted for each principal use and shall be limited to a display period of a maximum of 30 continuous days twice during the calendar year. Maximum sign area shall not exceed 50 square feet.

§ 152.722 STANDARDS FOR APPROVAL.

The Planning Department staff shall examine the application for completeness and compliance with the following standards:

(I) A property line adjustment may include a parcel(s) created through a partition plat for property within a ~~resource zone (i.e., EFU, GF, etc.);~~ any zone, subject to the following requirements:

(1) A survey may be required pursuant to § 152.644 (6); and,

(2) The property line adjustment application shall be reviewed by the County Surveyor; and,

(3) The application shall follow the process outlined in § 152.721 through 152.725.†; and;

(4) ~~A property line adjustment shall not include a parcel(s) created through a partition plat for property within a nonresource zone (i.e., Rural Residential, Commercial, etc.).~~

§ 152.771 PUBLIC HEARING REQUIREMENTS.

(I) Unless a continuance of the hearing is requested per division (E) of this section, any participant at the first evidentiary hearing may request prior to the conclusion of the hearing that the record remain open pursuant to ORS ~~197.763~~ 197.797 for at least seven days after the hearing for the submittal of additional testimony.

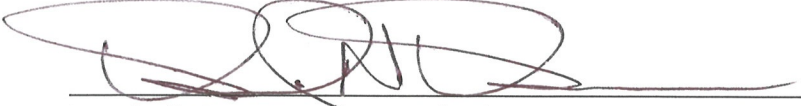
FURTHER by unanimous vote of those present, the Board of Commissioners deems this Ordinance necessary for the immediate preservation of public peace, health, and safety; therefore, it is adjudged and decreed that an emergency does exist in the case of this Ordinance and it shall be in full force and effect from and after its adoption.

FIRST READING: August 19, 2026

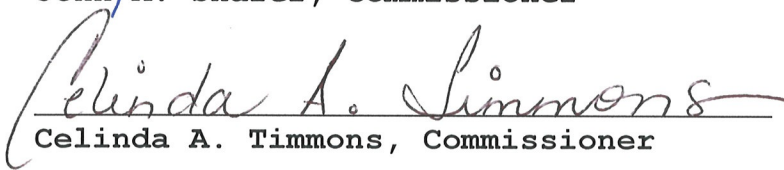
SECOND READING: September 2nd, 2026

DATED this 2nd day of September, 2026.

UMATILLA COUNTY BOARD OF COMMISSIONERS

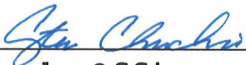

Daniel N. Dorran, Chair


John M. Shafer, Commissioner


Celinda A. Timmons, Commissioner

ATTEST:

OFFICE OF COUNTY RECORDS


Records Officer

