

9-01 [Zoning Code for the City of Vernonia]

9-01.01 [Introductory Provisions]

9-01.01-10 [Title]

This chapter shall be known as the Zoning Code for the City of Vernonia.

9-01.01-20 [Purpose]

The purpose of this ordinance is to implement the Comprehensive plan policies and to preserve the character of the community; to aid in the rendering of fire and police protection; to provide for adequate light, air, and open spaces; to lessen congestion; to encourage the orderly growth of the city; to prevent undue concentration of population; to facilitate adequate provisions for community utilities and facilities such as water, sewerage, electrical distribution systems, transportation, schools, parks, and other public requirements; to conserve and improve the value of property, providing for economic stability and growth; and in general, to promote public health, safety, convenience, and general welfare.

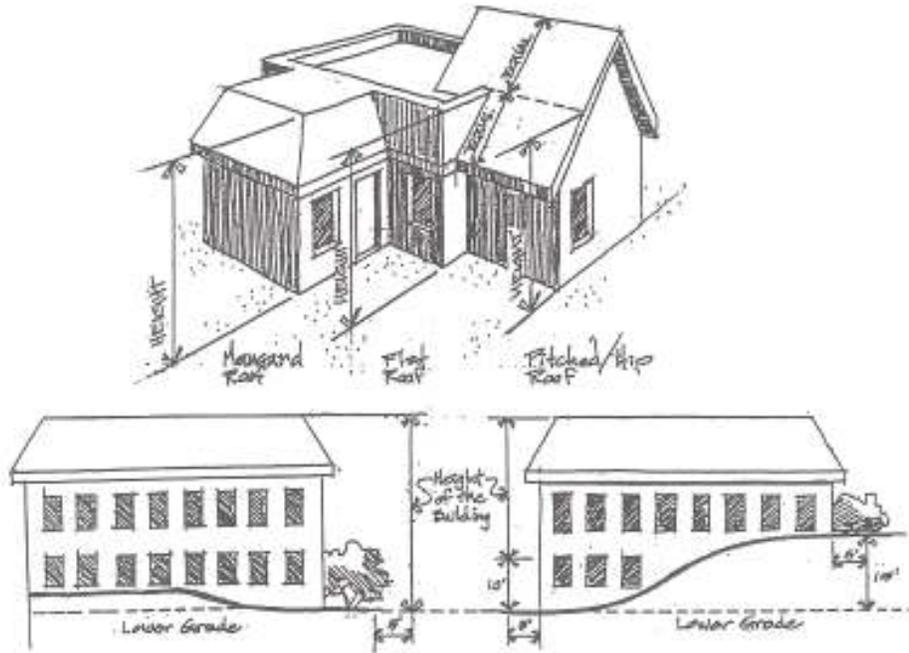
9-01.01-30 [Definitions]

As used in this chapter the following words and phrases shall mean:

- A. "Access" means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.
- B. "Accessory Use or Accessory Structure" means a use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.
- C. "ADU" Accessory Dwelling Unit a second dwelling unit created on a lot with a house, attached house, or manufactured home. The second unit is auxiliary to and smaller than the house, attached house or manufactured house. The ADU is designed as a complete independent living facility with provisions for cooking, eating, sanitation and sleeping. Such a dwelling is an accessory to the primary dwelling. One ADU per parcel is permitted.
- D. "Alley" means a street which affords only a secondary means of access to property.
- E. "Auto Dependent Uses" means the use serves motor vehicles and would not exist without them, such as vehicle repair, gas station, and car wash.
- F. "Auto Oriented Uses" means automobiles and/or other motor vehicles are an integral part of the use, such as drive-in restaurants and drive-in banking facilities.
- G. "Bed and Breakfast Inn" Provides accommodations (3 or more rooms) plus breakfast on a daily or weekly basis in an operator or owner-occupied home that is primarily used for this purpose. This use is operated as a commercial enterprise.
- H. "Building" means a structure having a roof supported by columns or walls and used for housing or enclosure of persons, animals, chattels or property of any kind.
- I. "Building Height" means the vertical distance above a reference grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The grade shall be selected by either one (1) of the following, whichever yields a greater height of the building:

1. The elevation of the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of an exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above the lowest grade;
2. An elevation ten (10) feet higher than the lowest grade when the sidewalk or ground surface described in “1” above is more than ten (10) feet above the lowest grade. The height of a steeped or terraced building is the maximum height of any segment of the building.
3. The following elements are not included in the maximum building height: chimneys, bell towers, steeples, roof equipment, flag poles and similar features not for human occupancy. See Building Height, [Figure .01-30-1](#).

Figure .01-30-1. [Building Height Illustration]



- J.** “Building Official.” Refers to the Planning Director, contracted building inspectors, City staff responsible for the issuance of building permits and/or maintenance documentation for flood plain management, or a designee of the Mayor, City Council or Planning Commission.
- K.** “Churches and Other Places of Worship” means a gathering place for people to practice common religious beliefs.
- L.** “ Dwelling Unit” means an area or space designated for residential use that provides for sleeping, eating, cooking and sanitation as required by the Uniform Building Code, and intended for occupancy by one family per unit.
1. ” Dwelling, Attached” means a dwelling unit that shares one or more common or abutting walls with one or more other dwelling units.
 2. “ Dwelling, Detached” means a detached building containing one (1) dwelling unit.
 3. “ Dwelling, Single-Family” means a detached building designed for residential use and occupancy by one (1) family.
 4. “ Dwelling, Two-family Duplex” means a detached building that contains with two (2) attached dwelling units within the building and is intended for occupancy by one family per unit.
 5. “ Dwelling, Three-family Triplex” means a building with three (3) attached dwelling units on one (1) lot or parcel.

6. “Dwelling, Multi-Family” means a detached building designed for residential use that contains four or more attached dwelling units within the building and an intended occupancy of one family per unit.
- M.** “Elderly Housing” means housing for individuals fifty-five (55) years old or older or for married couples where at least one (1) of the spouses is fifty-five (55) years or older or for disabled persons of any age. Elderly housing shall qualify as housing exempt from the prohibition against discrimination based on familial status as set forth in the Federal Fair Housing Act and the rules and regulations of the United States Department of Housing and Urban Development, as set forth in 24 C.F.R. Chapter 1 Part 100 Sections 302-304. The term “elderly housing” does not include a residential care facility or residential care home as defined under Oregon statutory law. Elderly housing may consist of any one (1) or any combination of the following:
1. “Retirement Housing”- Retirement housing is designed for independent living and each unit has a full kitchen and a bath. Services such as group trips or recreation or other services may be offered;
 2. “Congregate Housing”- Congregate Housing is a specially planned, designed and managed multi-family rental housing with each unit having a full kitchen and a bath. It is designed to provide a supportive environment, but also to accommodate a relatively independent living style. Typically, a limited number of support services such as meals, laundry, housekeeping, transportation and a social and recreational activity are provided;
 3. “Assisted Living Housing”- Assisted living housing contains separate living units and is designed to support residential independence in a residential setting and to promote the concept of “aging in place.” Assisted living housing offers a range of services, available on a twenty-four (24) hour basis, for support or residential choice, dignity, privacy and individuality in a homelike surrounding.
- N.** “Family” For the purposes of this ordinance a family is one or more individuals living together as one household, typically not more than five persons.
- O.** “Flag Lot” means a lot or parcel that has access to a road, street or access easement by means of a narrow strip of lot or easement that does not meet the City’s minimum lot width standards for the zoning district in which the lot or parcel is located.
- P.** “Grade, Ground Level” means the average of the finished ground elevations at the centers of all walls of a building, however, if a wall is parallel to and within five (5) feet of a sidewalk, the sidewalk elevation nearest the center of the wall shall constitute the ground elevation of that wall.
- Q.** “Home Occupation” means a lawful business activity_ carried on by a resident of a dwelling as an accessory use to the household living use on the site, subject to the provisions of the applicable residential zone standards and the Home Occupation provisions of this code.
- R.** “Horizontal Distance” means building length as measured from end-wall to end-wall.
- S.** “Hotel” means a building, or portion thereof, of more than five (5) rooms designed or intended to be used, let or hired out for the purpose of offering to the general public lodging on a day-to-day basis, where the primary entrance is through a lobby or foyer with internal circulation to the rooms; also, that in which there are no provisions for cooking in any individual room or suite.
- T.** “Impervious Surface” means development that does not allow for water infiltration into the ground, such as a roof, asphalt or concrete pavement.

- U. “Livestock” means domestic animals of types customarily raised or kept on farms for profit of other purposes.
- V. “Lot” means a single unit of land that is created by a subdivision of land.
(ORS 92.010(3).)
1. “Lot, Corner” means a lot abutting on two (2) or more streets other than an alley, at their intersection.
 2. “Lot, Flag” means a lot or parcel that has access to a road, street or access easement by means of a narrow strip of lot or easement that does not meet the City’s minimum lot width standards for the zoning district in which the lot or parcel is located.
- W. “Lot Area” means the total horizontal area within the lot lines of a lot or parcel
- X. “Lot Area, Effective” means the total horizontal area within the lot lines of a lot or parcel, exclusive of streets and easements.
- Y. “Lot Coverage” means the area of a lot or parcel covered by all structures as well as all impervious surfaces, expressed as a percentage of the total lot area.
- Z. “Lot Line” means the property line bounding a lot or parcel.
1. “Lot Line, Front” means the lot line separating the lot or parcel from the street other than an alley. In the case of a corner lot, the front lot line is the shortest lot line along a street other than an alley. In the case of a through lot, each street has a front lot line.
 2. “Lot Line, Rear” means the lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line ten (10) feet in length within the lot parallel to and at a maximum distance from the front lot line.
 3. “Lot Line, Side” means any lot-line not a front or rear lot line.
- AA. “Lot Width” means the average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line. In the case of a flag lot, lot width is the average horizontal distance between the side lot lines of the “flag” portion of the lot (not of the “pole” that provides street access), measured parallel to the right-of-way line.
- BB. “Manufactured Dwelling” means one (1) of the following:
1. “Residential Trailer” means a residence constructed prior to January 1st, 1962 standards which is constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes;
 2. “Mobile Home” means a residence constructed between 1962 and 1976 standards which is constructed for movement on the public highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy that is being used for residential purposes and that met the construction requirements of Oregon mobile home law in effect at the time of construction;
 3. “Manufactured Home” means a dwelling unit of more than 1000 square feet of livable space in a multi-section unit, fabricated at an off-site manufacturing facility for assembly at the building site and constructed to current HUD standards, in accordance with federal manufactured housing construction and safety standards and regulations, in effect at the time of installation. (ORS 446.003(26)(a)).
- CC. “Manufactured Home Park” means any place where four or more manufactured homes are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space for manufactured homes for a charge or fee paid or to be paid for the rent2al,

- lease or use of the facilities, or to offer free space in connection with securing the trade or patronage of such uses.
- DD.** “Measurement (of Setbacks)” means building setbacks are measured from the building’s nearest vertical wall or foundation, whichever is closer to the respective property line. Setbacks for porches are measured from the front edge of the deck or porch to the property line.
- EE.** “Mixed-Use Development” means a development with a commercial use that also includes a minimum of thirty percent (30%) of the gross square footage developed with a residential use.
- FF.** “Motel” means a transient occupancy use with external pedestrian access to rental rooms and with vehicular access to rooms.
- GG.** “Mobile Home”- see Recreational Vehicle
- HH.** “Nonconforming Structure or Use” means an existing structure or use at the time this code or any amendment thereto becomes effective, which was lawful at the time it was established but does not conform to the current requirements of the zone in which it is located.
- II.** “Off-Street Parking” means all off-street areas outside of a public right-of-way that are designed, used, required or intended to be used for the parking of motor vehicles and bicycles.
- JJ.** “Owner” means a person or entity listed as a holder in fee title of a property on the most recently-recorded deed, or the authorized agent of that owner.
- KK.** “Parcel” means a single unit of land that is created by a partitioning of land. (ORS 92.010(5).)
- LL.** “Parking Space” means an area that is designated for parking an automobile, motorcycle or bicycle. These areas are typically located in a parking garage, a parking lot or on a city street.
- MM.** “Person” means a natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.
- NN.** “Public Pocket Park” means a small park, equal to or less than ½ acre in size, offering limited facilities for the primary use of residents located within a ½ mile radius.
- OO.** “Recreational Vehicle. A vehicular-type living unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. Type of recreational vehicles include, but are not limited to, travel trailer, camping trailer, camper, camping van, and motor home.
- PP.** “Residential Care Home” means residential treatment or training home or facility or adult foster home licensed by the State of Oregon. A residential care home provides for five (5) or fewer individuals.
- QQ.** “Residential Care Facility” means residential treatment or training home or facility or adult foster home licensed by the State of Oregon. A residential care facility provides for six (6) to fifteen (15) individuals.
- RR.** “Setback” means the minimum allowable horizontal distance from a given line of reference (usually a property line) to the nearest foundation or vertical wall, whichever is closer, of a structure.

1. "Setback, Front" means the distance between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of a building or other structure.
 2. "Setback, Rear" means the distance between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a building or other structure.
 3. "Setback, Side" means the distance between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building or other structure.
- SS.** "Street" means a public right-of-way for vehicular and pedestrian traffic.
- TT.** "Structure" means a building of any kind or any piece of work artificially built up or composed of parts joined together in some manner and which requires location on the ground or which is attached to something having a location on the ground.
- UU.** "Structural Alteration" means a change to the supporting members of a structure including foundation, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.
- VV.** "Use" means the purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained.
- WW.** "Yard" means an open space on a lot which is unobstructed from the ground upward except as otherwise provided in this code.
1. "Yard, Rear" means a yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a building or other structure.
 2. "Yard, Front" means a yard between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of a building or other structure.
 3. "Yard, Side" means a yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building or other structure.
 4. "Yard, Street Side" means a yard adjacent to a street between the front yard and rear lot line measured horizontally and at right angles from the side lot line to the nearest point of a building or other structure.