

9-01.06 [Conditional Uses]

9-01.06-10 [Authorization to Grant or Deny Conditional Uses]

A conditional use listed in this code may be permitted, enlarged or altered upon authorization of the Planning Commission in accordance with the standards and procedures of this article. A change in use or lot area, or an alteration of structure shall conform to the requirements for a conditional use. Review of a Conditional Use is a Type III permit procedure.

- A. **Purpose.** A use is designated as a conditional use within a given zone when it is judged to be generally in line with the purpose of the zone, but for which could, if not reviewed, have a negative impact on other properties or uses within the zone. The purpose of such a review is to assure adequate site design and compatibility with surrounding uses and property.
- B. **Additional Conditions.** In permitting a new conditional use or the alteration of an existing conditional use the Planning Commission may impose, in addition to those standards and requirements expressly specified by this code, additional conditions which the Planning commission considers necessary to protect the best interests of the surrounding area or the city as a whole. These conditions may include but are not limited to the following:
1. Increasing the required lot size, setback dimensions, and lot depth or width;
 2. Limiting the height, lot coverage, size or location of buildings;
 3. Designating the size, number, location design and/or number of vehicle access points or parking areas;
 4. Limiting the hours, days, place and/or manner if operation.
 5. Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, odor, dust, visibility, safety, and aesthetic considerations;
 6. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;
 7. Increasing the number of required off-street parking spaces;
 8. Limiting the number, size, location and lighting of signs;
 9. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;
 10. Requiring dikes, berms screening or landscaping for the protection of adjacent or nearby property, and the establishment of standards for their installation and maintenance;
 11. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, historic resources, cultural resources, and/or sensitive land;
 12. Requiring the designating of open space and/or dedication of sufficient land to the public, and/or construction of a pedestrian/bicycle pathway in accordance with the adopted plans of the City.
- C. **Site Design Standards.** If a Conditional Use is approved by the Planning Commission a request for Site Design Review approval in accordance with Section 9-01.10 may be made simultaneously.
- D. **Conditional Use Approval Criteria.** The City shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a

conditional use based on finding with respect to each of the following standards and criteria:

1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;
 2. The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and
 3. All required public facilities have adequate capacity to serve the proposal.
- E. **Concurrent Variance Application(s)**. A conditional use permit shall not grant a variance to regulations otherwise prescribed by the Development Code. Variance applications may be filed in conjunction with the conditional use application and both applications may be reviewed at the same hearing.

9-01.06-20 [Manufactured Home Park Conditional Use Standards]

In addition to the standards of the zone in which the conditional use is located and the other standards of this code, a manufactured home park approved as a conditional use shall meet the following standards:

1. Each space for each manufactured home shall provide underground connections for potable water, electricity and sanitary sewer.
2. All water, sewer, and electrical systems provided for the manufactured home shall comply with all standards for these systems as established by the City of Vernonia, County of Columbia and State of Oregon.
3. The space provided for each manufactured home shall be not less than 5000 square feet. The measurement of each manufactured home space excludes roadway areas, facilities, structures, parking spaces, park walkways and other spaces provided for the common use of tenants.
4. Not more than 50 percent of the space provided shall be covered by buildings or impervious surfaces.
5. Minimum setbacks.
 - a. The minimum front setback is 10 feet.
 - b. The minimum side set back is 5 feet.
 - c. The minimum rear set back is 10 feet.
6. Each space shall have a garage or carport with minimum 8 foot by 10 foot enclosed storage space.
7. The total number of parking spaces in the park, exclusive of parking provided for the exclusive use of the manager or employees of the park shall be equal to not less than 3.0 parking spaces per manufactured home space. Parking spaces shall be paved with asphalt, concrete or similar material.
8. No manufactured home shall be placed upon a lot in said area unless it has the Oregon State Seal of Approval or equivalent. No manufactured home shall be over 5 years old at the time of installation.
9. A manufactured home situated in the park shall be, within 48 hours of its arrival in the park, securely anchored to footings or other devices intended to minimize the probability that the manufactured home shall be overturned or displaced by a wind.
10. A manufactured home permitted in the park shall contain not less than 1000 square feet.

11. Foundation and anchoring.
 - a. All dwellings shall be placed on an excavated and backfilled foundation which encloses the perimeter so that the home is not more than 12 inches above grade on the uphill side of the home, except in areas where flood plain ordinance requires a greater elevation.
 - b. The perimeter enclosure will be a permanent structure constructed of concrete, cement block or masonry block.
 - c. All dwellings shall be anchored to the ground in accordance to flood plain requirements and/or applicable state or federal requirements.
12. There shall be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the park.
13. That portion of the parcel of land which is used for park purposes shall be surrounded, except at entry and exit places, by a sight-obscuring fence or hedge not less than six feet in height. Such fence or hedge shall be maintained in a neat appearance.
14. The roadways in the park are covered with well drained and hard surfaced material and are at least 24 feet in width if no parking is permitted on the roadways or at least 40 feet in width if parking is permitted on the roadways.
15. If the park provides spaces for 50 or more manufactured home units, each vehicular way in the park shall be named and marked with signs which are similar in appearance to those used to identify public streets in the city. A map of the named vehicular ways shall be provided to the fire department of the city.
16. The park shall be provided with hydrants so that no space or structure within the park shall be more than 500 feet from a hydrant. Each hydrant shall be located on a vehicular way within the park and shall conform in design and capacity to the public hydrants in the city.

9-01.06.30 [Recreational Vehicle Park Standards.]

In addition to the standards of the zone in which the conditional use is located and the other standards of this ordinance, a recreational vehicle park shall meet the following standards:

1. Each space for each recreational vehicle shall provide connections for underground potable water, electricity and sanitary sewer. If provided, all water, sewer and electrical systems provided for the recreational vehicle shall comply with all standards for these systems as established by the City of Vernonia, County, and State of Oregon.
2. The space provided for each recreational vehicle shall be not less than 1600 square feet. The measurement of each recreational vehicle space excludes community roadway areas, facilities, structures, parking spaces, park walkways and any other spaces provided for the common use of tenants.
 - a. Adjacent to and parallel to the recreational vehicle space, one or more patio slabs of concrete, asphalt, flagstone or similar material, which singly or in combination, total not less than 120 square feet. Such patio space may not be used for the parking of vehicles.
 - b. No less than 25 % of the available spaces shall provide a parking pad which totals not less than 12 feet by 50 feet.
 - c. No less than 25% of the available spaces shall provide a parking pad which totals not less than 12 feet by 30 feet.

- d. The remaining 50 % of the available spaces may utilize any pad size in between the above dimensions.
 - e. Each space must provide a minimum of one (1) additional standard parking space as defined in Section 4.050.
3. No recreational vehicle in the park shall be located closer than 15 feet from another recreational vehicle or from a building in the park or closer than 10 feet from a property line.
 4. The total number of parking spaces in the park, exclusive of parking provided for the exclusive use of the manager or employees of the park, shall be equal to not less than two (2) parking spaces per recreational vehicle space. Parking spaces shall be paved with asphalt, concrete or similar material.
 5. All recreational vehicles shall have current license, registration and insurance that meets the requirements of the state of origin.
 6. A recreational vehicle equipped with stabilization devices must deploy such devices within two (2) hours of arrival at the park.
 7. A recreational vehicle will not be permitted in the park for more than 30 days except by conditional use permit.
 8. No permanent structure shall be added to a recreational vehicle.
 9. There shall be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the park, excepting item typically considered camping equipment such as lawn chairs, folding tables, barbeque grills, etc.
 10. That portion of the parcel of land which is used for park purposes, if adjoining a residential area or highway, shall be surrounded, except at entry and exit places, by a sight-obscuring fence or hedge not less than six feet in height. Such fence or hedge shall be maintained in a neat appearance.
 11. All roadways in the park shall be covered with well drained and hard surfaced material.
 12. The roadways in the park that are for one-way traffic only shall be at least 16 feet in width if no parking is permitted and 24 feet in width if parking is permitted on the roadway.
 13. The roadways in the park that are for two-way traffic shall be at least 24 feet in width if no parking is permitted on the roadways or at least 40 feet in width if parking is permitted on the roadway.
 14. If the park provides space for 50 or more recreational vehicle units, each vehicular way in the park shall be named and marked with signs which are similar in appearance to those used to identify public streets in the city. A map of the named vehicular ways shall be provided to the fire department of the city.
 15. The park shall be provided with hydrants so that no space or structure within the park shall be more than 500 feet from a hydrant. Each hydrant shall be located on a vehicular way within the park and shall conform in design and capacity to the public hydrants in the city.

9-01.06-40 | Procedure for Taking Action on a Conditional Use Application

The procedure for taking action on a conditional use application shall be as follows:

- A. A property owner may initiate a request for a conditional use by filing an application with the City Recorder.
- B. Before the Planning Commission may act on a conditional use application, it shall hold a public hearing thereon, following procedure as established in Section 9-01.10-60.

9-01.06-50 [Time Limit on a Permit for a Conditional Use]

Authorization of a conditional use shall be void after one (1) year or such lesser time as the authorization may specify unless substantial construction has taken place. However, the Planning Commission may extend authorization for an additional period not to exceed one (1) year on request.