

CHAPTER 184

LIMITED USE OVERLAY ZONE

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184.010. PURPOSE AND INTENT. The purpose of the Limited Use Overlay is to limit permitted uses activities in a specific location allowed in the underlying zone to only those uses which are justified in a required “reasons exception” to one or more of the Statewide Planning Goals. The Limited Use Overlay District is intended to carry out the administrative rule requirement for reasons exceptions pursuant to OAR 660-14-018 and ORS 197.732

184.020. APPLICATION. The Limited Use Overlay shall apply to that specific area for which a reasons exception has been taken.

184.030. ALLOWABLE USES.

- (A) When the Limited Use Overlay Zone is applied, the uses permitted in the underlying zone shall be limited to those specifically referenced and justified in the reasons exception and adopting ordinance.
- (B) Until the overlay has been removed or amended, the only permitted uses in an LU zone shall be those specifically referenced and justified in the reasons exception and adopting ordinance.

184.040. PROCEDURES.

- (A) The Limited Use Overlay Zone shall be applied through the Comprehensive Plan amendment and zone change process when the zone change requires adoption of a reasons exception by the County.
- (B) The Limited Use Overlay shall become effective upon adoption of the Comprehensive Plan amendment which adds the reasons exception findings.
- (C) The ordinance adopting the Comprehensive Plan amendment shall specify the application of the Limited Use Overlay and specifically identify those uses allowed in the overlay zone.
- (D) The Zoning Map shall be amended to note the area subject to application of the Limited Use Overlay.

184.050. APPLICABLE STANDARDS.

Uses allowed in the Limited Use Overlay Zone shall be subject to all specifications and standards of the underlying zone.

184.100. RICKREALL INTERCHANGE MANAGEMENT AREA OVERLAY ZONE

184.110. PURPOSE

The purpose of the Rickreall Interchange Management Area Overlay Zone is to implement the Interchange Management Plan for the Rickreall Interchange by ensuring that non-farm land uses with high traffic volumes in the vicinity of the Rickreall Interchange will not cause the interchange to exceed the mobility standards of the Oregon Highway Plan.

184.120. APPLICATION

The Overlay Zone applies to properties zoned for Exclusive Farm Use in the vicinity of the Rickreall Interchange.

184.130. PERMITTED USES

All uses permitted under Chapter 136, except as provided in Section 184.140.

184.140. PROHIBITED USES

The following uses are prohibited in the Rickreall Interchange Management Area Overlay Zone:

- (A) Kennels;
- (B) Golf courses;
- (C) Composting operations; and
- (D) Solid waste processing facilities.

184.200. FORT HILL INTERCHANGE MANAGEMENT AREA (FHIMA) OVERLAY ZONE [Amended by Ordinance #07-06, dated December 5, 2007.]

184.210. PURPOSE

The purpose of the Fort Hill Interchange Management Area (FHIMA) Overlay Zone is to ensure that the Fort Hill Interchange and OR-18 function consistent with highway mobility needs, future use of the highway for direct property access is reduced consistent with the highway's classification as an expressway, and continued industrial use of the Fort Hill Lumber Mill site is encouraged.

184.220. APPLICATION

The Fort Hill Interchange Management Area Overlay Zone applies to properties within the planning area map for the Fort Hill Interchange Area Management Plan as shown in the Polk County Transportation System Plan.

184.230. PERMITTED USES

All uses permitted in the underlying zoning districts are permitted except as set forth in Section 184.240. All uses permitted in all underlying zoning districts are subject to the provisions of Section 184.250.

184.240. PROHIBITED USES

The following uses are prohibited in the Fort Hill Interchange Management Area Overlay Zone when the underlying zoning otherwise would permit the uses in the Exclusive Farm Use, Farm/Forest, Farm/Forest Overlay, and/or Timber Conservation zoning districts:

- (A) Kennels;
- (B) Golf courses;
- (C) Composting operations; and
- (D) Solid waste processing facilities.

184.250. DEVELOPMENT STANDARDS

In addition to the standards applicable in all underlying zones, the following requirements apply to land uses in the Fort Hill Interchange Management Area Overlay Zone:

1. Approach roads created after construction of the Fort Hill Interchange shall be located at least 1,320 feet from the interchange ramp as measured along public roads from the nearest ramp intersection. Where property dimensions do not allow such separation, approach roads shall be constructed as far from the interchange ramp as feasible.
2. Land use designations may be changed only when it is demonstrated that the new land use designation will not cause the Fort Hill Interchange to function at conditions worse than the mobility standards adopted by the Oregon Transportation Commission.
3. Land use designations may be changed only when it is demonstrated that the provisions of Polk County Comprehensive Plan Policy 5-4, 5-5, 5-6, 5-7, 5-8, 5-9 and 5-10 have been met.

4. Whenever a property with an approach road to OR-18 that is within the Fort Hill Interchange Management Area Overlay Zone is affected by a land use action, the Polk County decision to authorize the land use action will include the following statement: “Construction of a public road eastward from the Fort Hill Interchange will provide reasonable alternate access to the land use authorized by this decision. Direct highway access will be eliminated when this road is constructed.”