

SECTION 3.110. LIMITED USE OVERLAY ZONE, LU

SECTION 3.110. LIMITED USE OVERLAY ZONE, LU. The purpose of the Limited Use Overlay Zone is to limit the list of permitted uses and activities allowed in the zone to only those uses and activities which are justified in the comprehensive plan 'reasons' exception statement under ORS 197.732(1)(c). The Limited Use Overlay Zone is intended to carry out the administrative rule requirement for 'reasons' exceptions pursuant to OAR 660-14-018(3).

A. Overlay Zone Requirements. When the Limited Use Overlay Zone is applied, the uses permitted in the underlying zone shall be limited to those uses and activities specifically referenced in the ordinance adopting the Limited Use Overlay Zone. The Limited Use Overlay Zone cannot be used to authorize uses other than those expressly provided in the underlying zone. Reasonable conditions may also be imposed by the Limited Use Overlay Zone when necessary to carry out the provisions of the comprehensive plan and this ordinance. Until the overlay zone has been removed or amended through the plan amendment process the only permitted uses and activities in the zone shall be those specifically referenced in the adopting ordinance.

The Limited Use Overlay Zone is to be applied through the plan amendment and rezoning process at the time the primary plan and zone designation is being changed. The ordinance adopting the overlay zone shall include findings showing that

1. No other zoning district currently provided in the zoning ordinance can be applied consistent with the requirements of the 'reasons' exception statement because the zoning would allow uses beyond those justified by the exception;
2. The proposed zone is the best suited to accommodate the desired uses(s); and

3. It is required under the exception rule (OAR 660, Division 4) to limit the uses permitted in the proposed zone.

B. Official Plan/Zoning Map. The official plan/zoning map shall be amended to show an LU suffix on any parcel where the Limited Use Overlay Zone has been applied.

C. Site Plan Requirement. In addition to limiting the uses in the zone it may be necessary to require County approval of the location of buildings, access and parking, screening and other site planning considerations in order to ensure the compatibility of the permitted uses with the area. This requirement may be added by specific reference in the adopting ordinance. The ordinance shall indicate any special concerns or locational requirements that must be addressed in the site plan and be approved by the Planning Commission.