

Article 35 – Natural Area Zone (NA)

ARTICLE 35 - NATURAL AREA ZONE (NA)

Section 35.10 - Purpose and Intent

To protect Natural Areas (NA) identified in the Comprehensive Plan from conflicting use. The NA Zone is designed to protect identified natural areas by allowing only uses, which will not adversely impact or destroy the Natural Area. This zone is used to implement the Natural Area Plan designation.

Section 35.20 - Permitted Uses

- A. Uses that will maintain, enhance, protect and conserve water quantity and quality.
- B. Utility facilities necessary for public service except commercial facilities generating power for public use by sale.
- C. Public or private conservation areas or structures for the retention of water, soil, open spaces or wildlife resources.
- D. Uses existing at the effective date of this ordinance provided, however, that any change or alteration of such use shall require approval by the Director subsequent to affirmative findings being documented and presented showing that criteria for approval in Section 35.30 and 35.50 below have been met and the use complies with a County Land Use Permit.

Section 35.30 - Approval Standards

In the evaluation of any use or activity, affirmative findings will be submitted to the Planning Commission via the Planning Director demonstrating that the proposed use complies with Section 35.50 - Criteria for Approval, and will not damage the area designated Natural Area. If a proposed use or activity would result in the permanent destruction of the Natural Area, then the request would be denied.

Section 35.40 - Uses Subject to a Conditional Use Permit and Criteria for Approval Specified in Section 35.50

- A. Accepted timber practices.
- B. Farm uses and accessory uses; marijuana uses are prohibited in this zone.
- C. Development within 800-feet of a withdrawal point of a public water supply.

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- D. Operations conducted for the exploration, mining and processing of aggregate, geothermal and other mineral resources.

Section 35.50 - Criteria for Approval

- A. No building or subsurface disposal system will be allowed in the surface drainage basins of Crystal Springs and that area east of the spring to Highway 35 or 1,200 feet whichever is closer.
- B. The natural vegetative fringe along all water sources and within watershed areas shall be protected and enhanced to the maximum extent practical to assure protection from erosion.
- C. Operations conducted for timber harvesting or farm use that will adversely impact (short term) or destroy (long term) the water source capabilities, or systems within the water resource sites are not permitted. Only selective cutting is permitted.
- D. The protection of the public safety and of public and private property, especially from vandalism and trespass, shall be provided to the maximum extent practical.
- E. Areas of annual flooding (floodplain, water areas, or wetlands) shall be retained in their natural state to the maximum possible extent to preserve water quality and protect water retention, overflow and natural processes.
- F. Areas of erosion or potential erosion shall be protected from loss by appropriate means.
- G. The design bulk, construction materials, color and lighting of buildings and structures shall be compatible with the character and visual quality of areas of natural significance.
- H. Applicable policies of the Comprehensive Plan shall be satisfied (Goal 5: Water Areas, Wetlands, Watersheds, etc.).
- I. New buildings shall be set back 100-feet from ordinary high water mark except for those uses in conjunction with a water-related or water dependent use. Exceptions to this requirement shall be allowed when affirmative findings through documentation are made and submitted to the Planning Director to satisfy the following: (1) the proposal would provide better protection, maintenance and retention of riparian vegetation than would occur by observance of the setback requirement; or (2) the protection, maintenance and retention of riparian vegetation are not applicable to the proposal. If a conflict is noted among setback requirements, the more restrictive will be used.

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- J. Operations conducted for the exploration, mining and processing of aggregate, geothermal and other mineral resources or subsurface resources that will adversely impact (short term) or destroy (long term) the water source, capabilities, or systems within the Parkdale Lava Bed and other identified resource sites are not permitted. The proposed use will comply with the following additional conditions:
1. Bonding to ensure adequate payment for any damage to water sources, capabilities or water systems (physical or natural) resulting from the proposed use or activity.
 2. Compliance with the requirements and provisions of the Surface Mining Zone (Article 46). (Parkdale Lava Beds are shown on Geological Survey Sheets: (1) Dog River, Oregon; 1962 photo, revised, 1979; (2) Mt. Hood North, Oregon 1962 photo; revised 1980; (3) Dee, Oregon, 1977; and (4) Parkdale, Oregon, 1974; all 7.5 minute series.)

Section 35.60 - Site Development Standards

- A. Maximum height: 35-feet.
- B. Setbacks:
1. Front: 50-feet from the centerline of any local street or 20 feet from the right-of-way line, whichever is greater. 60 feet from the centerline of any arterial street or 20 feet from the right-of-way line, whichever is greater.
 2. Rear: 20-feet.
 3. Side: Interior: 10-feet. Exterior, side or corner lot: 50-feet from the centerline of any street.
 4. Setbacks between buildings: 10-feet minimum.
 5. Minimum lot size for new lots or parcels: Compliance with one of the following:
 - (a) as required by each base zone; or
 - (b) must be consistent with the requirements of the predominant adjacent (abutting) zone.