## SECTION 3.310 RESIDENTIAL OCEANSIDE (ROS) ZONE

(1) PURPOSE: The purpose of the ROS zone is to designate areas for low-density one and two-family residential development and other, compatible, uses. Suitability of land for low-density uses is determined by the availability of public sewer services, and limitations to density such as geologic and flood hazards, shoreline erosion, and the aesthetic or resource values of nearby natural features. Where any provision of the ROS zone imposes a restriction on the use of land greater than is provided by other ordinance provisions, then the ROS zone shall prevail.

(2) USES PERMITTED OUTRIGHT: In the ROS zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.

(a) Single-family dwelling.

(b) Home occupation according to the provisions of Section 4.140 (b) of this ordinance.

(c) Public park with associated uses.

(d) On-site manufactured home or recreational vehicle used during the construction of a primary permitted use for which a building permit has been issued. Limited to 1 year.

(e) Unlighted signs, four square feet or less in area, and securely attached to the ground or structure.

(3) USES PERMITTED CONDITIONALLY: In the ROS zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all applicable supplementary regulations contained in this ordinance.

(a) Two-family dwelling.

(b) Church or school.

(c) Non-profit community meeting building and associated facilities.

(d) Fire and ambulance station with appropriate communications towers.

(e) Screened Utility substation and power transmission lines.

(f) Swimming, tennis, racquetball and similar facilities.

(g) On-site temporary real estate sales office in subdivision.

(h) Water supply or treatment facilities or sewage treatment plants.

(i) Accessory structure or use without on-site primary structure.

(j) Temporary placement of mobile home or recreation vehicle to be used because of health hardship subject to Section 6.050.

(k) Owner occupied Bed & Breakfast enterprise provided that no more than two (2) bedrooms for guests are provided. The Conditional Use is subject to periodic review.

(l) Foster family home accommodating six or more children or adults.

(m) Residential care, training, or treatment facility as defined by ORS 443.400; any facility which provides care, training, or treatment for six or more physically, mentally, emotionally, or behaviorally disabled individuals. Facilities that provide for five or less are addressed as "Adult Foster Homes" or "Foster Family Homes".

(4) STANDARDS: Land divisions and development in the ROS zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

(a) The minimum lot size for permitted uses shall be 7,500 square feet where the slope averages less than 19 percent. Where the slope averages from 19 to 29 percent the minimum lot size shall be 10,000 square feet, and where the slope averages greater than 29 percent, the minimum lot size shall be 20,000 square feet, except that in both of theses sloped areas and in unsewered or geologic hazard areas, a larger minimum may be required. **[Refer to Article V Exceptions for existing legally platted lots and parcels]**

(b) The minimum lot width shall be 60 feet.

(c) The minimum lot depth shall be 75 feet.

(d) The minimum front yard setback shall be 20 feet.

(e) The minimum side yard setback shall be 5 feet; on the street side of a corner lot, it shall be 15 feet.

(f) The minimum rear yard setback shall be 20 feet; on a corner lot, it shall be 5 feet.

(g) All setback standards may be subject to the exceptions in Tillamook County Land Use Ordinance Section 5.110.

(h) The maximum building height shall be 35 feet, except on ocean or bay frontage lots, where it shall be 24 feet. Higher structures may be permitted only according to the provisions of Article VIII.

(i) Structures shall not occupy more than 50% of the lot area.

(j) A property survey of the lot shall be performed including elevations, and all corners shall be monumented by a registered surveyor prior to land division and/or submittal of a permit for construction/location on lots containing less than 7,500 square feet. A copy of the survey shall be submitted with the application and other required material.

(k) Off-street parking shall conform to Section 4.030.

(l) New uses authorized within the community growth boundary shall not adversely affect farm or forest management practices conducted in accordance with federal and state laws. Authorization to create a parcel or construct a dwelling adjacent to land zoned for farm or forest use shall require a notarized declaratory statement signed by all current property owners who appear on the property deed or contract. This statement shall serve as a covenant that runs with the land binding heirs, assigns, lessees and successors. This covenant shall affirm that residents of the parcel may be subject to farm or forest management practices conducted in accordance with federal and state laws which ordinarily and necessarily produce noise, dust, smoke and other impacts. Those signing the statement acknowledge that they "do hereby accept the potential impacts from farm and forest practices as normal and necessary and part of the risk of establishing a dwelling in this area, and acknowledge the need to avoid activities that conflict with nearby farm or forest uses". The signed and notarized covenant must be approved by the County Planning Director and recorded with the Tillamook County Clerk.

**PRIOR TO PREPARING PLANS FOR DEVELOPMENT WITHIN THIS UNICORPORATED COMMUNITY YOU ARE ADVISED TO CHECK THE TILLAMOOK COUNTY LAND USE ORDINANCE FOR ADDITIONAL REGULATIONS THAT MAY APPLY.**