

Chapter 340
DEVELOPMENT STANDARDS (SETBACK REQUIREMENTS) FOR ALL ZONES

- 340.01 Purpose**
- 340.02 Setbacks and Frontage Requirements**
- 340.03 Adjustment to Setbacks and Frontage Requirements**
- 340.04 Exceptions to Lot Size Requirements**

340.01 Purpose. The purpose of this Chapter is to establish the development standards and setback requirements applicable to all zones.

340.02 Setbacks and Frontage Requirements

A. Applicability. These requirements shall apply to all structures except for adjustments permitted in Section 340.03 and Livestock Concentration Limitations in Section 510.05.

B. Standards.

1. Minimum road frontage shall be 220 feet per parcel, unless the subject property is:
 - a. Currently accessed or proposed to be accessed from a dead-end road, in which case 60 feet of road frontage shall be required; or
 - b. Accessed by an easement granted before 2005, in which the width of the existing easement shall suffice; or
 - c. A parcel or lot on the radius of a road or facing the circular end of a cul-de-sac, in which case no less than 30 feet of road frontage shall be required upon said road, measured on the arc of the right-of-way. Such frontage shall be subject to the standards set forth in Chapter 340.
2. No part of a structure shall be constructed or maintained closer than 60 feet to the centerline of a road or street, or 30 feet from any right-of-way in excess of 60 feet.
3. No part of a building or other structure, except for a sign, shall be constructed or maintained closer than 10 feet to any property line.
4. If any part of a structure and/or development is proposed within a jurisdictional wetland, as described in Section 660.03, notification shall be provided by the Baker County Planning Department to the Department of State Lands, as required by ORS 196.795-990. The applicant/property owner shall be responsible for obtaining all necessary permits for the proposed structure and/or development from the Department of State Lands.

340.03 Adjustment to Setbacks and Frontage Requirements

A. Setbacks shall not apply to those structures that are reasonably expected to be on or near a property line such as mailboxes, roads, or streets, bridges, and fences.

- B. The minimum land width at the front building line shall not be reduced as the result of a variance to less than 50 feet.
- C. If there are buildings on both abutting lots which are within 100 feet of the intervening lot, and the buildings have setbacks from a street center line of less than the required depth, the setback for the intervening lot need not exceed the average depths of the setbacks of the abutting lot and the required setback.
- D. If there is a building on one abutting lot which is within 100 feet of the lot, and this building has a setback from the street center line of less than the required depth for the zone, the setback for the lot need not exceed a depth halfway between the depth of the setback of the abutting lot and the required setback.

340.04 Exceptions to Lot Size Requirements

- A. Other than in resource zones, if a lot or tract of contiguous lots held in a single ownership as recorded in the office of the County Clerk at the time of passage of this Ordinance has an area or dimension which does not meet the lot size requirements of the zone in which the property is located, the holdings may be occupied by a use permitted in the zone subject to the other requirements of that zone; provided however, that if there is an area deficiency, residential use shall be limited to a single-family dwelling.
- B. Any parcel of land or portion thereof which has been or is to be dedicated to a public or semi-public entity for a road, railroad, utility or other public use shall be entitled to an adjustment from the minimum lot size requirement set forth by this Ordinance. The adjustment shall be limited to the amount of land dedicated to and accepted for public use.
- C. Minimum requirements relative to lot size, where applicable, shall be considered as standard metes and bounds land section divisions; therefore, lot sizes may be smaller than set forth in this Ordinance if a total section acreage reduction is due to a U.S. Public Lands survey adjustment.
- D. Statutory "*Lot of Record*" provisions (Sections 9-13, Chapter 884, Oregon Laws 1981, as amended by Sections 14 and 15, Chapter 826, Oregon Laws 1983) may provide a development right for sub-standard sized lots if said lot(s) qualify under the law.