

Chapter 76

Agricultural Industrial Zone (AI)

76.005 Purpose. The Agricultural Industrial Zone shall provide areas where rural industry directly related to the area's agricultural and forestry resources can occur within Benton County. [Ord 26, Ord 90-0069, Ord 90-0077]

76.010 Application. The Agriculture Industrial Zone is applied to areas forestry and agricultural related industrial uses compatible with agriculture uses. Application of the Agricultural Industrial Zone to land designated for resource use by the County Comprehensive Plan shall require a Comprehensive Plan Amendment and an exception to applicable Statewide Planning Goals. [Ord 26, Ord 90-0069, Ord 90-0077]

76.015 Transitional Areas - Philomath. Certain areas near the Philomath Urban Growth Boundary are zoned Agricultural Industrial/Transitional (AI/T) as shown on the Official Zoning Map, indicating that these areas may be added to the Philomath Urban Growth Boundary in the future. [Ord 26, Ord 90-0069]

76.020 Use Overlay Zone. A Use Overlay Zone designation (/U) is applied to areas that have special restrictions on permitted and conditional uses. Uses on these properties have been restricted to comply with the requirements for Exceptions to Statewide Planning Goals (OAR 660-004-0018) or other specified rules and statutes. Permitted and conditional uses within a Use Overlay Zone are listed in the ordinance(s) listed below, and supersede those listed in this Chapter. All other provisions of this Chapter are applicable. Use Overlay designations have been applied to the following areas:

- (a) Harris Road Agricultural Industrial Site – Ordinance 2015-0265.

76.105 Permitted Uses. The following uses are allowed in the Agricultural Industrial Zone:

- (1) Agriculture related warehousing, packing, processing, or cold storage.
- (2) Sales, service, and storage of agriculture related vehicles and accessories and products required for farm use.
- (3) Winery.
- (4) One dwelling required for the employer or employee for management or safeguarding of the industrial use.
- (5) Farm use.
- (6) Forest use.
- (7) Accessory use or structure.
- (8) Commercial growing, processing, or wholesaling of marijuana pursuant to a license issued by the State of Oregon.

[Ord 26, Ord 90-0069, Ord 2015-0271]

76.205 Conditional Uses. The following industrial uses may be allowed in the Agricultural Industrial Zone by conditional use permit approved by the Planning Official. [Ord 90-077]

- (1) Other agricultural related industrial uses which are not permitted pursuant to BCC 76.105.
- (2) The primary processing of forestry products including but not limited to the production of wood chips, veneer, or dimensional lumber. [Ord 90-0077]
- (3) The warehousing of forest products including but not limited to the storage of saw logs, dimensional lumber, other primary wood products or wood by-products. [Ord 26, Ord 90-0069, Ord 90-0077]

76.305 Minimum Parcel or Lot Size. The minimum parcel or lot size in the Agricultural Industrial Zone shall be one (1) acre. [Ord 26, Ord 90-0069, Ord 96-0118]

76.405 Site Development Plan. When a building addition, new construction, or placement of a structure is proposed in the Agriculture Industrial Zone, the applicant shall submit a site development plan prior to the issuance of building permits. A site development plan shall contain an appropriate level of detail showing existing and proposed locations of buildings, access, parking, loading, landscaping, drainage, water supply, sewage disposal, public utilities, and exterior lighting. The plan shall demonstrate compliance with siting standards provided in BCC 76.410 and other provisions of this code. [Ord 90-0069]

76.410 Siting Standards. All structures located in the Agriculture Industrial Zone shall be sited in compliance with BCC Chapter 99 and the following standards:

- (1) Either every site shall be adequately served by water, sewage disposal, improved roads, or final approval of the site development plan shall be contingent on assurances for the provision of the necessary facilities.
- (2) A setback to a road right-of-way shall be at least sixty (60) feet, of which twenty-five (25) feet adjacent to the road right-of-way shall be utilized exclusively for landscaping, fences, walls, and ingress/egress driveways.
- (3) A side or rear setback shall be at least thirty (30) feet, except the setback may be reduced to ten (10) feet if the abutting land is zoned for industrial use.
- (4) Architectural features shall not project more than two (2) feet into a required setback.
- (5) A structure which is not a water dependent use shall be placed at least fifty (50) feet from the ordinary high water line of any river or major stream. In the case of a creek or minor stream, a structure which is not a water dependent use shall be placed at least twenty-five (25) feet from the ordinary high water line.
- (6) No setback is required for a structure of 120 square feet or less. Except when adjacent to a residential zone, a required side or rear setback for an accessory structure may be reduced to three (3) feet if the accessory structure:
 - (a) Is detached from other buildings by five (5) feet or more;
 - (b) Does not exceed a height of twenty (20) feet; and
 - (c) Does not exceed an area of 500 square feet.
- (7) A vision clearance area shall be maintained at the intersection of two rights-of-way or a right-of-way and a driveway. The vision clearance area shall extend thirty (30) feet from the intersection of the right-of-way lines or a right-of-way line and a driveway. No structure, vegetation or embankment shall be permitted in a vision clearance area in excess of two feet in height above the center of the road or driveway.
- (8) Off-site parking and loading shall comply with BCC 91.604 to 91.660.
- (9) Access shall be designated to cause minimum interference with traffic movements on abutting streets. Where necessary, additional rights-of-way shall be dedicated to maintain adequate traffic circulation.
- (10) The arrangement of buildings, parking areas, signs and other facilities shall be designated and oriented to minimize noise and glare relative to adjacent properties.
- (11) Artificial lighting, including illuminated signs and lights for parking areas shall be arranged and constructed to avoid direct glare or unreasonably interference with the use or enjoyment of adjacent properties. [Ord 26, Ord 90-0069, Ord 92-0092]