

## CHAPTER 18.04 TITLE, PURPOSE AND DEFINITIONS

### 18.04.030 Definitions

\* \* \*

"Psilocybin" means psilocybin or psilocin.

"Psilocybin manufacture as a farm use" means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, any packaging or repackaging of psilocybin-producing fungi or labeling or relabeling of its container, provided that the psilocybin manufacturer is licensed by the Oregon Health Authority with a psilocybin manufacturing endorsement for fungi cultivation. It does not include psilocybin manufacture as a processing use.

"Psilocybin manufacture as a processing use" means the compounding, conversion, or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, provided that the psilocybin manufacturer is licensed by the Oregon Health Authority with a psilocybin manufacturing endorsement for psilocybin extraction and/or edible psilocybin production.

"Psilocybin premises" includes the following areas of a location licensed under ORS 475A.210 to 475A.722:

- A. All public and private enclosed areas at the location that are used in the business operated at the location, including offices, kitchens, rest rooms and storerooms;
- B. All areas outside a building that the Oregon Health Authority has specifically licensed for the manufacturing of psilocybin products or the operation of a psilocybin service center; and
- C. For a location that the authority has specifically licensed for the operation of a psilocybin service center outside a building, that portion of the location used to operate the psilocybin service center and provide psilocybin services to clients.

"Psilocybin premises" does not include a primary residence.

"Psilocybin-producing fungi" is:

- A. A crop for the purposes of "farm use" as defined in ORS 215.203;
- B. A crop for purposes of a "farm" and "farming practice," both as defined in ORS 30.930;
- C. A product of farm use as described in ORS 308A.062; and
- D. The product of an agricultural activity for purposes of ORS 568.909.

"Psilocybin products" means psilocybin-producing fungi, mycelium and mixtures or substances containing a detectable amount of psilocybin, including whole fungi, homogenized fungi, psilocybin extract and edible psilocybin products. "Psilocybin products" does not include psilocybin services.

"Psilocybin service center" means an establishment licensed by the Oregon Health Authority:

- A. At which administration sessions are held; and
- B. At which other psilocybin services may be provided.

#### HISTORY

Adopted by Ord. [PL-15](#) on 11/1/1979

Amended by Ord. [82-013 §1](#) on 5/25/1982

Amended by Ord. [83-037 §2](#) on 6/1/1983

Amended by Ord. [83-033 §1](#) on 6/15/1983

Amended by Ord. [84-023 §1](#) on 8/1/1984

Amended by Ord. [85-002 §2](#) on 2/13/1985

Amended by Ord. [86-032 §1](#) on 4/2/1986

Amended by Ord. [86-018 §1](#) on 6/30/1986

Amended by Ord. [86-054 §1](#) on 6/30/1986

Amended by Ord. [86-056 §2](#) on 6/30/1986

Amended by Ord. [87-015 §1](#) on 6/10/1987

Amended by Ord. [88-009 §1](#) on 3/30/1988

Amended by Ord. [88-030 §3](#) on 8/17/1988

Amended by Ord. [88-030 §4](#) on 8/17/1988

Amended by Ord. [89-004 §1](#) on 3/24/1989

Amended by Ord. [89-009 §2](#) on 11/29/1989

Amended by Ord. [90-014 §2](#) on 7/12/1990

Amended by Ord. [91-002 §11](#) on 2/6/1991

Amended by Ord. [91-005 §1](#) on 3/4/1991

Amended by Ord. [92-025 §1](#) on 4/15/1991

Amended by Ord. [91-020 §1](#) on 5/29/1991

Amended by Ord. [91-038 §§3 and 4](#) on 9/30/1991

Amended by Ord. [92-004 §§1 and 2](#) on 2/7/1992

Amended by Ord. [92-034 §1](#) on 4/8/1992

Amended by Ord. [92-065 §§1 and 2](#) on 11/25/1992

Amended by Ord. [92-066 §1](#) on 11/25/1992

Amended by Ord. [93-002 §§1, 2 and 3](#) on 2/3/1993

Amended by Ord. [93-005 §§1 and 2](#) on 4/21/1993

Amended by Ord. [93-038 §1](#) on 7/28/1993

Amended by Ord. [93-043 §§1, 1A and 1B](#) on 8/25/1993

Amended by Ord. [94-001 §§1, 2, and 3](#) on 3/16/1994

Amended by Ord. [94-008 §§1, 2, 3, 4, 5, 6, 7 and 8](#) on 6/8/1994  
Amended by Ord. [94-041 §§2 and 3](#) on 9/14/1994  
Amended by Ord. [94-038 §3](#) on 10/5/1994  
Amended by Ord. [94-053 §1](#) on 12/7/1994  
Amended by Ord. [95-007 §1](#) on 3/1/1995  
Amended by Ord. [95-001 §1](#) on 3/29/1995  
Amended by Ord. [95-075 §1](#) on 11/29/1995  
Amended by Ord. [95-077 §2](#) on 12/20/1995  
Amended by Ord. [96-003 §2](#) on 3/27/1996  
Amended by Ord. [96-082 §1](#) on 11/13/1996  
Amended by Ord. [97-017 §1](#) on 3/12/1997  
Amended by Ord. [97-003 §1](#) on 6/4/1997  
Amended by Ord. [97-078 §5](#) on 12/31/1997  
Amended by Ord. [2001-037 §1](#) on 9/26/2001  
Amended by Ord. [2001-044 §2](#) on 10/10/2001  
Amended by Ord. [2001-033 §2](#) on 10/10/2001  
Amended by Ord. [2001-048 §1](#) on 12/10/2001  
Amended by Ord. [2003-028 §1](#) on 9/24/2003  
Amended by Ord. [2004-001 §1](#) on 7/14/2004  
Amended by Ord. [2004-024 §1](#) on 12/20/2004  
Amended by Ord. [2005-041 §1](#) on 8/24/2005  
Amended by Ord. [2006-008 §1](#) on 8/29/2006  
Amended by Ord. [2007-019 §1](#) on 9/28/2007  
Amended by Ord. [2007-020 §1](#) on 2/6/2008  
Amended by Ord. [2007-005 §1](#) on 2/28/2008  
Amended by Ord. [2008-015 §1](#) on 6/30/2008  
Amended by Ord. [2008-007 §1](#) on 8/18/2008  
Amended by Ord. [2010-018 §3](#) on 6/28/2010  
Amended by Ord. [2010-022 §1](#) on 7/19/2010  
Amended by Ord. [2011-009 §1](#) on 10/17/2011  
Amended by Ord. [2012-004 §1](#) on 4/16/2012  
Amended by Ord. [2012-007 §1](#) on 5/2/2012  
Amended by Ord. [2013-008 §1](#) on 7/5/2013  
Amended by Ord. [2014-009 §1](#) on 8/6/2014  
Amended by Ord. [2015-004 §1](#) on 4/22/2015  
Amended by Ord. [2016-015 §1](#) on 7/1/2016  
Amended by Ord. [2016-026 §1](#) on 11/9/2016  
Amended by Ord. [2016-006 §1](#) on 2/27/2017  
Amended by Ord. [2017-015 §1](#) on 11/1/2017  
Repealed by Ord. [2018-005 §8](#) on 10/10/2018  
Amended by Ord. [2018-006 §4](#) on 11/20/2018  
Amended by Ord. [2019-010 §1](#) on 5/8/2019  
Amended by Ord. [2019-016 §1](#) on 2/24/2020  
Amended by Ord. [2020-001 §1](#) on 4/21/2020

Amended by Ord. [2020-010 §1](#) on 7/3/2020  
Amended by Ord. [2020-007 §7](#) on 10/27/2020  
Amended by Ord. [2021-013 §3](#) on 4/5/2022  
Amended by Ord. 2022-xxx §x on x/x/2022

## **CHAPTER 18.65 RURAL SERVICE CENTER; UNINCORPORATED COMMUNITY ZONE**

[18.65.020 RSC; Commercial/Mixed Use District \(Brothers, Hampton, Millican, Whistlestop And Wildhunt\)](#)

[18.65.021 Alfalfa RSC; Commercial/Mixed Use District](#)

### **18.65.020 RSC; Commercial/Mixed Use District (Brothers, Hampton, Millican, Whistlestop And Wildhunt)**

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright, subject to applicable provisions of this chapter:
1. Single-family dwelling.
  2. Manufactured home, subject to DCC 18.116.070.
  3. Type 1 Home Occupation, subject to DCC 18.116.280.
  4. Residential home and residential facility.
  5. Two-family dwelling or duplex.
  6. Agricultural uses, as defined in Title 18, and excluding livestock feed lot or sales yard, and hog or mink farms.
  7. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
  8. Class III road and street project.
  9. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- B. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted, subject to applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, and DCC 18.124, Site Plan Review, of this title:
1. Retail store, business office and/or commercial establishment in a building or buildings each not exceeding 4,000 square feet of floor space. The aggregate area for any one type of use that takes place in multiple buildings may not exceed 4,000 square feet.
  2. Residential use in conjunction with a permitted commercial use.
  3. Park or playground.
  4. Community building.
  5. Public or semipublic building or use.

6. Highway maintenance facility.
  7. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
  8. Religious institutions or assemblies.
- C. Conditional Uses Permitted. The following uses and their accessory uses are permitted subject to applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use, of this title:
1. Multi-family dwelling with three or more units.
  2. School.
  3. Cemetery.
  4. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
  5. Medical clinic or veterinary clinic.
  6. Community Center.
  7. Manufactured home park.
  8. Recreational vehicle or trailer park.
  9. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A).
  10. Marijuana retailing, subject to the provisions of DCC 18.116.330.
  11. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

#### HISTORY

*Adopted by Ord. [2002-002 §2](#) on 6/5/2002*

*Amended by Ord. [2002-028 §1](#) on 7/24/2002*

*Amended by Ord. [2004-002 §11](#) on 4/28/2004*

*Amended by Ord. [2015-004 §2](#) on 4/22/2015*

*Amended by Ord. [2016-015 §4](#) on 7/1/2016*

*Amended by Ord. [2018-006 §8](#) on 11/20/2018*

*Amended by Ord. [2020-001 §6](#) on 4/21/2020*

*[Amended by Ord. 2022-xxx §x on x/x/2022](#)*

#### **18.65.021 Alfalfa RSC; Commercial/Mixed Use District**

In Alfalfa, the following uses and their accessory uses are permitted:

- A. Uses Permitted Outright.
  1. Single-family dwelling.

2. Manufactured home, subject to DCC 18.116.070
  3. Type 1 Home Occupation, subject to DCC 18.116.280.
  4. Residential home and residential facility.
  5. Two-family dwelling or duplex.
  6. Agricultural uses, as defined in Title 18, and excluding livestock feed lot or sales yard, and hog or mink farms.
  7. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
  8. Class III road and street project.
  9. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- B. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted, subject to applicable provisions of this chapter, DCC 18.116, Supplementary Provisions and DCC 18.124, Site Plan Review, of this title:
1. Retail store, business office and/or commercial establishment in a building or buildings each not exceeding 4,000 square feet of floor space. The aggregate area for any one type of use that takes place in multiple buildings may not exceed 4,000 square feet.
  2. Residential use in conjunction with a permitted commercial use.
  3. Park or playground.
  4. Community building.
  5. Public or semipublic building or use.
  6. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
  7. Religious institutions or assemblies.
- C. Conditional Uses Permitted. The following uses and their accessory uses are permitted subject to applicable provisions of this chapter, DCC 18.116, Supplementary Provisions, DCC 18.124, Site Plan Review, and DCC 18.128, Conditional Use, of this title:
1. School.
  2. Cemetery.
  3. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
  4. Medical clinic or veterinary clinic.
  5. Community Center.

6. Recreational vehicle or trailer park.
7. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A).
8. Marijuana retailing, subject to the provisions of DCC 18.116.330.
9. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

HISTORY

*Adopted by Ord. [2002-002 §2](#) on 6/5/2002*

*Amended by Ord. [2018-006 §8](#) on 11/20/2018*

*Amended by Ord. [2020-001 §6](#) on 4/21/2020*

*Amended by Ord. [2022-xxx §x](#) on x/x/2022*



## CHAPTER 18.66 TERREBONNE RURAL COMMUNITY ZONING DISTRICTS

### 18.66.040 Commercial (TeC) District

#### 18.66.040 Commercial (TeC) District

The Terrebonne Commercial District is intended to allow a range of commercial and limited industrial uses to serve the community and surrounding rural area.

- A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review:
1. Single-family dwelling or two-family on a lot or parcel existing on June 4, 1997.
  2. Manufactured home on a lot or parcel existing on June 4, 1997, subject to DCC 18.116.070.
  3. Type 1 Home Occupation, subject to DCC 18.116.280.
  4. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of DCC 18.66.070 and 18.116.230.
  5. Class III road or street project.
  6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- B. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.66, 18.116 and 18.1248:
1. A building or buildings not exceeding 4,000 square feet of floor space to be used by any combination of the following uses:
    - a. Retail or service business.
    - b. Eating or drinking establishment.
    - c. Offices.
    - d. Veterinary clinic and kennel entirely within an enclosed building.
    - e. Residential use in the same building as a use permitted by DCC 18.66.040(B)(1).
    - f. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.

2. Any of the uses allowed under DCC 18.66.040 proposing to occupy more than 4,000 square feet of floor area in a building or buildings, subject to provisions of DCC 18.66.040(E).
  3. Child care facility and/or preschool.
- C. Conditional Uses. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.66, 18.116, 18.124 and 18.128:
1. Motel, with a maximum of 35 units, only if served by a community sewer system as defined in OAR 660-22-010(2).
  2. Recreational vehicle park.
  3. Religious institutions or assemblies.
  4. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
  5. Public or private school.
  6. Park.
  7. Public or semi-public building.
  8. Medical center in a building or buildings not exceeding 4,000 square feet of floor space.
  9. Utility facility.
  10. Water supply or treatment facility.
  11. Vehicle and trailer sales, service, repair or rental in a building or buildings not exceeding 4,000 square feet of floor space.
  12. Uses listed below carried on in a building or buildings not exceeding 4,000 square feet of floor space with no exterior displays or storage of industrial equipment, industrial vehicles or industrial products:
    - a. Manufacturing and production.
    - b. Wholesale sales.
    - c. Mini-storage.
  13. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
  14. Surface mining of mineral and aggregate resources in conjunction with the operation and maintenance of irrigation systems operated by an Irrigation District, including the excavation and mining for facilities, ponds, reservoirs, and the off-site use, storage, and sale of excavated material.
  15. Marijuana retailing, subject to the provisions of DCC 18.116.330.
  16. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

## HISTORY

*Adopted by Ord. [97-003 §2](#) on 6/4/1997*

*Amended by Ord. [97-063 §3](#) on 11/12/1997*

*Amended by Ord. [2004-002 §15](#) on 4/28/2004*

*Amended by Ord. [2015-004 §3](#) on 4/22/2015*

*Amended by Ord. [2016-015 §5](#) on 7/1/2016*

*Amended by Ord. [2020-001 §7](#) on 4/21/2020*

*Amended by Ord. [2020-010 §3](#) on 7/3/2020*

*Amended by Ord. [2021-004 §3](#) on 5/27/2021*

*[Amended by Ord. 2022-xxx §x on x/x/2022](#)*

## CHAPTER 18.67 TUMALO RURAL COMMUNITY ZONING DISTRICTS

18.67.040 Commercial (TuC) District

18.67.060 Industrial (Tul) District

### 18.67.040 Commercial (TuC) District

The Tumalo Commercial District is intended to allow a range of limited commercial and industrial uses to serve the community and surrounding area.

- A. Permitted Uses. The following uses and their accessory uses are permitted outright and do not require site plan review.
  1. Single-family dwelling or duplex.
  2. Manufactured home subject to DCC 18.116.070.
  3. Type 1 Home Occupation, subject to DCC 18.116.280.
  4. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of DCC 18.67.060 and 18.116.230.
  5. Class III road or street project.
  6. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- B. Uses Permitted, Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.67, 18.116 and 18.124:
  1. A building or buildings, none of which exceeds 4,000 square feet of floor space to be used by any combination of the following uses:
    - a. Retail or service business.
    - b. Eating and/or drinking establishment.
    - c. Offices.
    - d. Residential use in the same building as a use permitted in DCC 18.67.040.
    - e. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
  2. Any of the uses listed under DCC 18.67.040 proposing to occupy more than 4,000 square feet of floor area in a building subject to the provisions of DCC 18.67.040(E).
  3. Child care facility and/or preschool.

- C. Conditional Uses. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.116, 18.124, and 18.128:
1. Religious institutions or assemblies.
  2. Bed and breakfast inn.
  3. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
  4. Park.
  5. Public or semi-public building.
  6. Utility facility.
  7. Water supply or treatment facility.
  8. Manufactured home/RV park on a parcel in use as a manufactured home park or recreational vehicle park prior to the adoption of PL-15 in 1979 and being operated as of June 12, 1996 as a manufactured home park or recreational vehicle park, including any expansion of such uses on the same parcel as configured on June 12, 1996.
  9. The following uses and their accessory uses may be conducted in a building or buildings not to exceed 4,000 square feet of floor space.
    - a. Farm equipment, sales, service or repair.
    - b. Trailer sales, service or repair.
    - c. Vehicle service or repair.
    - d. Veterinary clinic.
  10. The following uses may be conducted in a building or buildings not to exceed 10,000 square feet of floor space:
    - a. Manufacturing or production.
    - b. Wholesale sales.
    - c. Marijuana retailing, subject to the provisions of DCC 18.116.330.
  11. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
  12. Surface mining of mineral and aggregate resources in conjunction with the operation and maintenance of irrigation systems operated by an Irrigation District, including the excavation and mining for facilities, ponds, reservoirs, and the off-site use, storage, and sale of excavated material.
  13. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

## HISTORY

Adopted by Ord. [97-033 §2](#) on 6/25/1997

Amended by Ord. [97-063 §3](#) on 11/12/1997

Amended by Ord. [2000-033 §11](#) on 12/6/2000

Amended by Ord. [2001-016 §2](#) on 3/28/2001

Amended by Ord. [2001-039 §8](#) on 12/12/2001

Amended by Ord. [2004-002 §19](#) on 4/28/2004

Amended by Ord. [2004-013 §7](#) on 9/21/2004

Amended by Ord. [2015-004 §5](#) on 4/22/2015

Amended by Ord. [2016-015 §6](#) on 7/1/2016

Amended by Ord. [2020-001 §8](#) on 4/21/2020

Amended by Ord. [2020-010 §4](#) on 7/3/2020

Amended by Ord. [2021-004 §4](#) on 5/27/2021

Amended by Ord. [2021-013 §8](#) on 4/5/2022

[Amended by Ord. 2022-xxx §x on x/x/2022](#)

### **[18.67.060 Industrial \(Tul\) District](#)**

The purpose of the Industrial District is to allow a limited range of industrial uses to serve the community and the surrounding area.

- A. Uses permitted outright. The following uses and their accessory uses are permitted outright:
1. Industrial uses in existence on the date of adoption of the Unincorporated Communities rule, OAR 660-022 (October 28, 1994);
  2. Office buildings associated with industrial uses in existence on the date of adoption of the Unincorporated Communities rule, OAR 660-022 (October 28, 1994);
  3. Restaurants and cafeteria facilities associated with industrial uses in existence on the date of adoption of the Unincorporated Communities rule, OAR 660-022 (October 28, 1994);
  4. Residence for caretaker or night watchman on property with industrial uses in existence on the date of adoption of the Unincorporated Communities rule, OAR 660-022 (October 28, 1994);
  5. Equipment storage associated with industrial uses in existence on the date of adoption of the Unincorporated Communities rule, OAR 660-022 (October 28, 1994);
  6. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards of DCC 18.67.080 and 18.116.230.
  7. Class III road or street project.
  8. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.

B. Uses Permitted, Subject to Site Plan Review. The following uses and their accessory uses are permitted in a building or buildings not to exceed 40,000 square feet of floor area, subject to the applicable provisions of DCC 18.67, 18.116, and 18.124.

1. Expansion or replacement of uses allowed under DCC 18.67.060(A);
2. Office buildings associated with industrial uses;
3. Restaurant and cafeteria facilities associated with industrial uses;
4. Residence for caretaker or night watchman on property with industrial uses;
5. Equipment storage associated with industrial uses;
6. Primary processing, packaging, treatment, bulk storage and distribution of the following products:
  - a. Agricultural products, including foodstuffs, animal and fish products, and animal feeds.
  - b. Ornamental horticultural products and nurseries.
  - c. Softwood and hardwood products excluding pulp and paper manufacturing.
  - d. Sand, gravel, clay and other mineral products.
7. Freight depot, including the loading, unloading, storage and distribution of goods and materials by railcar or truck;
8. Contractor's or building materials business and other construction-related business including plumbing, electrical, roof, siding, etc.;
9. Welding, sheet metal, or machine shop provided such is wholly enclosed within a building or all outside storage is enclosed by site-obscuring fencing.
10. Mini-storage facility.
11. Manufacturing, storage, sales, rental, repair and servicing of equipment and materials associated with farm and forest uses, logging, road maintenance, mineral extraction, construction or similar rural activities;
12. Any industrial use proposing to occupy more than 40,000 square feet of floor area in a building or buildings is subject to the provisions of DCC 18.67.060(C) and (D).

C. Conditional Uses. The following uses and their accessory uses are permitted subject to the applicable provisions of DCC 18.116, 18.124, and 18.128:

1. Any use permitted by DCC 18.67.060(B) which will exceed 40,000 square feet of floor area;
2. Concrete or ready mix plant;

3. Stockpiling, storage, crushing and processing of minerals, including the processing of aggregate into asphaltic concrete or Portland Cement Concrete;
4. Buildings, structures, apparatus, equipment and appurtenances necessary for the above uses to be carried on.
5. Marijuana retailing, subject to the provisions of DCC 18.116.330.

6. Psilocybin testing laboratories.

#### HISTORY

*Adopted by Ord. [2005-016 §1](#) on 4/27/2005*

*Amended by Ord. [2015-004 §6](#) on 4/22/2015*

*Amended by Ord. [2016-015 §6](#) on 7/1/2016*

*Amended by Ord. [2021-004 §4](#) on 5/27/2021*

*Amended by Ord. [2022-xxx §x](#) on x/x/2022*



## **CHAPTER 18.74 RURAL COMMERCIAL ZONE**

[18.74.020 Uses Permitted; Deschutes Junction And Deschutes River Woods Store](#)

[18.74.027 Uses Permitted; Pine Forest And Rosland](#)

### **18.74.020 Uses Permitted; Deschutes Junction And Deschutes River Woods Store**

- A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright and do not require site plan review:
1. Single-family dwelling.
  2. Manufactured home subject to DCC 18. 1 16. 070.
  3. Two-family dwelling.
  4. Type 1 Home Occupation, subject to DCC 18. 1 16. 280.
  5. Agricultural uses.
  6. Class I and II road or street project subject to approval as part of a land partition or subdivision, or subject to the standards and criteria established in DCC 18.116.230.
  7. Class III road or street project.
  8. A lawfully established use existing as of 11/05/02, the date this chapter was adopted, not otherwise permitted by this chapter.
- B. Uses Permitted Subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and DCC 18.116 and 18.124:
1. A building or buildings not exceeding 2,500 square feet of floor space to be used by any combination of the following uses.
    - a. Restaurant, café or delicatessen.
    - b. Grocery store.
    - c. Tavern.
    - d. Retail sporting goods and guide services.
    - e. Barber and beauty shop.
    - f. General store.
    - g. Video store.



2. Recreational vehicle park
3. Mini-storage facilities limited to 35,000 square feet in size.
4. Marijuana retailing, subject to the provisions of DCC 18.116.330.
5. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

#### HISTORY

*Adopted by Ord. [2002-019 §2](#) on 8/7/2002*

*Amended by Ord. [2004-002 §20](#) on 4/28/2004*

*Amended by Ord. [2008-008 §1](#) on 3/18/2008*

*Amended by Ord. [2015-004 §7](#) on 4/22/2015*

*Amended by Ord. [2016-015 §7](#) on 7/1/2016*

*Amended by Ord. [2020-001 §9](#) on 4/21/2020*

*Amended by Ord. [2020-010 §5](#) on 7/3/2020*

*Amended by Ord. [2021-013 §9](#) on 4/5/2022*

*[Amended by Ord. 2022-xxx §x on x/x/2022](#)*

#### 18.74.027 Uses Permitted; Pine Forest And Rosland

- A. Uses Permitted Outright. Any use listed as a use permitted outright by DCC 18.74.020(A).
- B. Uses Permitted subject to Site Plan Review. The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and DCC 18.116 and 18.124:
  1. A building or buildings each not exceeding 2,500 square feet of floor space to be used by any combination of the following uses that serve the surrounding rural area or the travel needs of persons passing through the area:
    - a. Eating and drinking establishments.
    - b. Retail store, office and service establishments.
    - c. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
  2. Expansion of a nonconforming use existing as of 11/05/2002 shall be limited to 2,500 square feet or 25 percent of the size of the building (or portion of the building) housing the nonconforming use as of said date, whichever is greater.
  3. A building or buildings each not exceeding 3,500 square feet of floor space to be used by any combination of the following uses:
    - a. Sales of agricultural or farm products.
    - b. Farm machinery sales and repair.

- c. Kennel or veterinary clinic.
  - d. Automobile service station, repair garage, towing service, fuel storage and fuel sales.
  - e. Public or semi-public use.
  - f. Residential use in the same building as a use permitted in this chapter.
  - g. Park or playground.
4. Expansion of a nonconforming use existing as of 11/05/2002 shall be limited to 3,500 square feet each or 25 percent of the size of the building (or portion of the building) housing the nonconforming use as of said date, whichever is greater.
  5. Child care facility and/or preschool.
- C. Conditional Uses. The following uses and their accessory uses are permitted subject to the applicable provisions of this chapter and DCC 18.116, 18.124 and 18.128:
1. A building or buildings each not exceeding 3,500 square feet of floor space to be used by any of the following uses:
    - a. Home occupation as defined in DCC 18.04.
    - b. Utility facility.
    - c. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
    - d. Religious institutions or assemblies.
    - e. School.
    - f. Marijuana retailing, subject to the provisions of DCC 18.116.330.
  2. Recreational vehicle park.
  3. Mini-storage facilities limited to 35,000 square feet in size.
  4. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

#### HISTORY

*Adopted by Ord. [2003-080 §1](#) on 1/6/2004*

*Amended by Ord. [2007-007 §1](#) on 3/5/2007*

*Amended by Ord. [2008-008 §1](#) on 3/18/2008*

*Amended by Ord. [2015-004 §7](#) on 4/22/2015*

*Amended by Ord. [2016-015 §7](#) on 7/1/2016*

*Amended by Ord. [2020-001 §9](#) on 4/21/2020*

*Amended by Ord. [2020-010 §5](#) on 7/3/2020*

*Amended by Ord. [2022-xxx §x](#) on x/x/2022*

## CHAPTER 18.100 RURAL INDUSTRIAL ZONE; R-I

### 18.100.020 Conditional Uses

#### 18.100.020 Conditional Uses

The following uses may be allowed subject to DCC 18.128:

- A. Any use permitted by DCC 18.100.010, which is located within 600 feet of a residential dwelling, a lot within a platted subdivision or a residential zone.
- B. Any use permitted by DCC 18.100.010, which involves open storage.
- C. Concrete or ready-mix plant.
- D. Petroleum products storage and distribution.
- E. Storage, crushing and processing of minerals, including the processing of aggregate into asphaltic concrete or Portland Cement Concrete.
- F. Commercial feedlot, stockyard, sales yard, slaughterhouse and rendering plant.
- G. Railroad trackage and related facilities.
- H. Pulp and paper manufacturing.
- I. Any use permitted by DCC 18.100.010, which is expected to exceed the following standards:
  - 1. Lot coverage in excess of 70 percent.
  - 2. Generation of any odor, dust, fumes, glare, flashing lights or noise that is perceptible without instruments 500 feet from the property line of the subject use.
- J. Manufacture, repair or storage of articles manufactured from bone, cellophane, cloth, cork, feathers, felt, fiber, glass, stone, paper, plastic, precious or semiprecious stones or metal, wax, wire, wood, rubber, yarn or similar materials, provided such uses do not create a disturbance because of odor, noise, dust, smoke, gas, traffic or other factors.
- K. Processing, packaging and storage of food and beverages including those requiring distillation and fermentation.
- L. Public Landfill Transfer Station, including recycling and other related activities.
- M. Mini-storage facility.
- N. Automotive wrecking yard totally enclosed by a sight-obscuring fence.
- O. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
- P. Utility facility.

- Q. Manufacturing, storage, sales, rental, repair and servicing of equipment and materials associated with farm and forest uses, logging, road maintenance, mineral extraction, construction or similar rural activities.
- R. Electrical substations.
- S. Marijuana retailing, subject to the provisions of DCC 18.116.330.
- T. Psilocybin testing laboratories.

#### HISTORY

*Adopted by Ord. [PL-15](#) on 11/1/1979*

*Amended by Ord. [86-018](#) §15 on 6/30/1986*

*Amended by Ord. [90-014](#) §38 on 7/12/1990*

*Amended by Ord. [91-020](#) §1 on 5/29/1991*

*Amended by Ord. [91-038](#) §1 on 9/30/1991*

*Amended by Ord. [97-063](#) §3 on 11/12/1997*

*Amended by Ord. [2001-016](#) §2 on 3/28/2001*

*Amended by Ord. [2001-039](#) §12 on 12/12/2001*

*Amended by Ord. [2002-126](#) §1 on 12/11/2002*

*Amended by Ord. [2004-013](#) §10 on 9/21/2004*

*Amended by Ord. [2016-015](#) §8 on 7/1/2016*

*Amended by Ord. [2018-006](#) §12 on 11/20/2018*

*Amended by Ord. [2021-004](#) §5 on 5/27/2021*

*Amended by Ord. [2022-xxx](#) §x on x/x/2022*

## **CHAPTER 18.108 URBAN UNINCORPORATED COMMUNITY ZONE; SUNRIVER**

[18.108.050 Commercial; C District](#)

[18.108.055 Town Center; TC District](#)

### **18.108.050 Commercial; C District**

- A. Uses Permitted Outright. Any combination of the following uses and their accessory uses are permitted outright in the C district.
1. Recreational path.
  2. Ambulance service.
  3. Library.
  4. Religious institutions or assemblies.
  5. Bus stop.
  6. Community center.
  7. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:
    - a. Retail/rental store, office and service establishment.
    - b. Art galleries
    - c. Dry cleaner and/or self-service laundry establishment.
    - d. Radio and television sales and service.
    - e. Radio and television broadcasting studios and facilities, except towers.
    - f. Restaurant, bar and cocktail lounge, including entertainment.
    - g. Automobile service station.
    - h. Technical and business school.
    - i. Catering establishment.
    - j. Crafts in conjunction with retail sales (occurring on premises, such as stained glass/pottery, etc.).
    - k. Medical and dental clinic, office and laboratory.
    - l. Theater not exceeding 4,000 square feet of floor area.

- m. Marijuana wholesaling, office only. There shall be no storage of marijuana items or products at the same location.
  8. Multiple-family residential dwelling units, subject to the provisions of DCC 18.108.050(C)(1).
  9. Residential dwelling units constructed in the same building as a commercial use, subject to the provisions of DCC 18.108.050(C)(2).
  10. Post Office.
  11. Administrative and office facility associated with a community association or community use.
  12. Police facility.
- B. Conditional Uses Permitted. The following conditional uses may be permitted subject to DCC 18.128 and a conditional use permit.
1. Public buildings and public utility buildings and structures.
  2. Club, lodge or fraternal organization.
  3. Commercial off-street parking lot.
  4. Bus passenger station.
  5. Interval ownership and/or time-share unit or the creation thereof.
  6. Miniature golf.
  7. Bed and breakfast inn.
  8. Inn.
  9. Residential facility.
  10. A building or buildings each not exceeding 8,000 square feet of floor space housing any combination of:
    - a. Bowling alley.
    - b. Car wash.
    - c. Dancing or music school, nursery school, kindergarten and day-care facility.
    - d. Theater exceeding 4,000 square feet in floor area.
    - e. Veterinary clinic or kennel operated entirely within an enclosed building.
    - f. Automotive repair and maintenance garage, or tire store, provided the business is wholly conducted within an enclosed building.
    - g. Marijuana retailing, subject to the provisions of DCC 18.116.330.



11. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

HISTORY

*Repealed & Reenacted by Ord. [97-078 §2](#) on 12/31/1997*

*Amended by Ord. [98-016 §1](#) on 3/11/1998*

*Amended by Ord. [2003-026 §1](#) on 7/9/2003*

*Amended by Ord. [2015-004 §9](#) on 4/22/2015*

*Amended by Ord. [2016-015 §9](#) on 7/1/2016*

*Amended by Ord. [2020-001 §12](#) on 4/21/2020*

*[Amended by Ord. 2022-xxx §x on x/xx/2022](#)*

18.108.055 Town Center; TC District

A. Uses Permitted Outright. The following uses and their accessory uses are permitted outright in the TC District.

1. Park or plaza.
2. Library.
3. Community center.
4. Visitors center.
5. A building, or buildings each not exceeding 8,000 square feet of floor space, unless approved as a Large Scale Use pursuant to DCC 18.108.055(C), including any of the following uses:
  - a. Retail/rental store, office, civic and service establishment.
  - b. Grocery store.
  - c. Art gallery.
  - d. Restaurant, bakery, delicatessen, pub, cocktail lounge, including entertainment.
  - e. Health care service including medical and dental clinic, office, pharmacy, and laboratory but excluding nursing homes.
  - f. Health & fitness facility.
  - g. Barber, beauty shop or spa.
  - h. Child care center, preschool and daycare facility.
  - i. Bank.
  - j. Post office.
  - k. Veterinary clinic (without animal boarding facilities).

- l. Crafts in conjunction with retail sales (occurring on premises such as sculpture, stained glass, pottery, etc.).
  - m. Meeting room, convention and banquet facility.
  - n. Property sales, mortgage, management or rental office.
  - o. Movie theater.
- 6. Multi-family Residential, subject to paragraphs (E)(1) and (2).
- 7. Developed recreational facilities, outdoors or in a building or buildings each not exceeding 8,000 square feet of floor space, unless approved as a Large Scale Use pursuant to DCC 18.108.055(C), including, but not limited to the following facilities:
  - a. Indoor and outdoor swimming pools.
  - b. Ice skating rink.
  - c. Indoor and outdoor tennis courts.
  - d. Indoor and outdoor basketball court or other ball field.
  - e. Physical fitness facilities.
  - f. Park, playground and picnic and barbeque area.
  - g. Walkways, bike paths, jogging paths.
  - h. Bowling alley.
  - i. Arcade.
- 8. Hotel with up to 100 hotel units in a single building.
- 9. Mixed Use Structure, subject to the rules of DCC 18.108.055(E)(3) and a limit of 8,000 square feet of floor space for commercial uses listed in DCC 18.108.055(A)(5) or recreational uses listed in DCC 18.108.055(A)(7), unless said uses are approved as large scale uses pursuant to DCC 18.108.055(C).
- 10. Residential Facility.
- 11. Senior housing/assisted living or active adult development, excluding nursing homes.
- 12. Townhomes, subject to paragraphs (E)(1) and (2).
- 13. Accessory uses to uses permitted outright, including, but not limited to, parking facilities, private roads, storage facilities, trash receptacles and recycling areas.
- 14. Similar uses to those allowed outright, provided they are approved by the County in the decision approving the Conceptual Site Plan described in DCC 18.108.055(K).
- 15. Religious institutions or assemblies.

B. Conditional Uses Permitted. The following conditional uses may be permitted pursuant to the provisions of DCC 18.128, Conditional Use Permits.

1. Public buildings and public utility buildings and structures.
2. Bed and breakfast inn.
3. Ambulance service.
4. Fire station.
5. Police station.
6. Bus passenger station.
7. Live/work residence.
8. Stand-alone parking structure.
9. Accessory uses to the above-listed conditional uses.
10. Marijuana retailing, subject to the provisions of DCC 18.116.330.

11. Psilocybin service centers, subject to the provisions of DCC 18.116.380.

HISTORY

*Adopted by Ord. [2008-015 §2](#) on 6/30/2008*

*Amended by Ord. [2015-004 §9](#) on 4/22/2015*

*Amended by Ord. [2016-015 §9](#) on 7/1/2016*

*Amended by Ord. [2020-001 §12](#) on 4/21/2020*

*[Amended by Ord. 2022-xxx §xx on x/xx/2022](#)*

## CHAPTER 18.116 SUPPLEMENTARY PROVISIONS

### 18.116.380 Psilocybin Manufacturing, Service Centers, and Testing Laboratories

#### 18.116.380 Psilocybin Manufacturing, Service Centers, and Testing Laboratories

A. Applicability. Section 18.116.380 applies to:

1. Psilocybin Manufacture as a Farm Use in the EFU zone.
2. Psilocybin Manufacture as a Processing Use in the EFU zone.
3. Psilocybin Service Centers in the RC, RSC, SUC, SUTC, TeC, and TuC zones.
4. Psilocybin Testing Laboratories in the Tul zone.

B. Psilocybin Manufacture as a Farm Use. Psilocybin manufacture as a farm use shall be subject to the following standards:

1. Indoor Fungi Cultivation. Psilocybin-producing fungi must be grown indoors. Fungi cultivation is prohibited in any outdoor area.
2. Setbacks. Setback requirements shall be applied from the underlying zone.
3. Separation distances.

a. Psilocybin manufacture as a farm use shall be located a minimum of 1,000 feet from:

- (1) A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or
- (2) A private or parochial elementary or secondary school, teaching children as described in ORS 339.030 (1)(a)

b. Notwithstanding DCC 18.116.380(D)(3)(a), psilocybin manufacture as a farm use may be located within 1,000 feet of a school if:

- (1) The psilocybin service center is not located within 500 feet of:
  - i. A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or
  - ii. A private or parochial elementary or secondary school, teaching children as described in ORS 339.030 (1)(a); and
- (2) The Oregon Health Authority determines that there is a physical or geographic barrier capable of preventing children from traversing to the premises of the psilocybin manufacture as a farm use.

4. Prohibited Uses.

a. In the EFU zone, the following uses are prohibited:

- (1) A new dwelling used in conjunction with a psilocybin-producing fungi crop;
- (2) A farm stand, as described in DCC 18.16.038(C), used in conjunction with a psilocybin-producing fungi crop; and

C. Psilocybin Manufacture as a Processing Use. Psilocybin manufacture as a processing use shall be subject to the standards in DCC 18.16.025(l).

D. Psilocybin service centers. Psilocybin service centers shall be subject to the following standards:

1. Co-Location. The operation of a psilocybin service center may be carried on in conjunction with a psilocybin-producing fungi crop.

2. Separation distances.

a. Psilocybin service centers shall be located a minimum of 1,000 feet from:

- (1) A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or
- (2) A private or parochial elementary or secondary school, teaching children as described in ORS 339.030 (1)(a)

b. Notwithstanding DCC 18.116.380(D)(3)(a), a psilocybin service center may be located within 1,000 feet of a school if:

- (1) The psilocybin service center is not located within 500 feet of:
  - i. A public elementary or secondary school for which attendance is compulsory under ORS 339.020; or
  - ii. A private or parochial elementary or secondary school, teaching children as described in ORS 339.030 (1)(a); and

(2) The Oregon Health Authority determines that there is a physical or geographic barrier capable of preventing children from traversing to the premises of the psilocybin service center.

3. Setbacks. Setback requirements shall be applied from the underlying zone.

4. Hours of Operation. Hours of operation shall be no earlier than 7:00 a.m. and no later than 7:00 p.m. on the same day.

HISTORY

Adopted by Ord. 2022-xxx §x on x/x/2022