

§ 152.118 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in a U-C Zone:

(A) Cows, horses, goat or sheep or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited **to the maximum density to the acreage of the lot divided by the minimum area required for each animal size as outlined in this section.** The **maximum density minimum area required for horses, cattle, and similar sized livestock** cows, goats or sheep is two per acre. For the purposes of this section, the two per acre requirement shall be cumulative. In other words, on two acres only four animals listed above could be kept. **The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.**

(B) The total number of ~~chickens, fowl, rabbits or similar sized fowl or fur-bearing animals~~ **poultry, fur-bearing animals or similarly sized domestic birds** shall be **limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.** ~~confined on not more than 25% of the total lot area.~~

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; **Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.**

~~(D) Barn, corrals, pens, sheds and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;~~

~~(E) (D)~~ All structures and enclosures designed for animals shall be kept reasonably ~~free and clean~~ **clean and free** of flies and accumulated animal waste materials and shall be subject to health regulations (county, state or federal as may be hereafter established);

~~(F) (E)~~ Outdoor storage for commercial and industrial uses shall be screened from view from adjacent residential uses. (Ord. 83-4, passed 5-9-83;)

§ 152.119 DIMENSIONAL STANDARDS.

(A) Lot size. The minimum average width of lots shall be 150 feet with a minimum area of one acre;

(B) Dimensional standards. The following dimensional standards shall apply in a UC Zone: no building or structure shall be erected or enlarged to exceed more than 25 feet in height, except dwellings may be constructed with two stories, not including a basement.

(C) Stream setback. To permit better light, air, vision, stream or pollution control, protect fish and wildlife areas, and to preserve the natural scenic amenities and

vistas along the streams, lakes and wetlands, the following setbacks shall apply:

(1) All sewage disposal installations, such as septic tanks and septic drainfields, shall be set back from the main high water line or mark along all streams, lakes or wetlands a minimum of 100 feet, measured at right angles to the high-water line or mark. In those cases, where practical difficulties preclude the location of the facilities at a distance of 100 feet and the Department of Environmental Quality finds that a closer location will not endanger health, the Planning Director may permit the location of these facilities closer to the stream, lake or wetland, but in no case closer than 50 feet;

(2) All structures, buildings or similar permanent fixtures shall be set back from the high water line or mark along all streams, lakes or wetlands a minimum of 100 feet measured at right angles to the high water line or mark.

(D) Building and Structure setback and yards.

(1) No building or accessory structure shall be located closer than 20 feet from a lot or parcel line, except on the street side of a corner lot or parcel the setback shall be 25 feet from the lot or parcel line;

(2) The minimum side yard shall be 20 feet, except on the street side of a corner lot it shall be 25 feet;

(3) The minimum rear yard shall be 20 feet.

(4) Barns, corrals, pens, sheds and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;

(E) Off-street parking and loading. Offstreet parking and loading shall be provided in accordance with the provisions of § 152.560 of this chapter. (Ord. 83-4, passed 5-9-83; Ord. 2003-10, passed 8-14-2003; Ord. 2019-03, passed 4-3-19;)

§ 152.131 USES PERMITTED

...

(B) *Uses permitted with a zoning permit.*

In a RR-2 Zone, the following used and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to §152.025;

(1) ~~Dwelling, single-family;~~ **A single-family dwelling may be permitted on one tax lot as follows:**

(a) One Manufactured Dwelling, as provided in 152.013; or

(b) One on-site constructed single-family dwelling;

(c) Either (a) or (b) may be permitted, not one of each on a single tax lot, except for temporary hardship homes approved under § 152.576.

(2) Home occupations as provided in §152.573;

(3) Mobile home as provided in §152.013;

~~(3)~~(4) Non-commercial greenhouse or nursery;

~~(4)~~(5) Public or semi-public use;

~~(5)~~(6) Signs; Type 2, 4, 5, 6 as defined in §152.546;

~~(6)~~(7) Residential Home (Adult Foster Care);

~~(7)~~(8) Day Care or Nursery.

...

§ 152.133 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in a RR-2 Zone:

(A) Cows, horses, goats or sheep, or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited **to the maximum density** ~~to the square footage of the lot divided by the minimum area required for each animal~~ **size as outlined in this section.** The ~~minimum area required~~ **maximum density** for horses, **cattle, and similar sized livestock** ~~eows, goats and sheep~~ is two per acre. ~~For the purposes of this section, the two per acre requirement shall be cumulative. In other words, on two acres only four animals listed above could be kept.~~ **The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.**

(B) The number of ~~chickens, fowl, rabbits or similar sized fowl~~ **poultry, fur-bearing animals or similarly sized domestic birds** shall be **limited to 40 per lot or parcel.** **For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.** ~~confined on not more than 25% of the total lot area;~~

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; **Proper sanitation shall be maintained at all times.** **All animal or poultry food shall be stored in metal or other rodent-proof receptacles.**

~~(D)~~ ~~Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;~~

~~(E)~~ **(D)** All structures and enclosures designed for animals shall be kept reasonably ~~free and clean~~ **clean and free** of flies, and accumulated animal waste materials and shall be subject to health regulations (county, state or federal) as may be hereafter established.

~~(F)~~ **(E)** Market Hog Exemption: A student resident who is a member of FFA (Future Farmers of America) or 4-H may raise hogs under the conditions listed below and may be subject to yearly reviews;

...

§ 152.134 DIMENSIONAL STANDARDS.

In a RR-2 Zone, the following standards shall apply:

(A) Minimum lot area.

(1) For principal dwellings, two acres with an average lot width of 150 feet;

(2) Non-residential structures. For non-residential structures that are not an accessory use to a dwelling, as determined to meet the requirement of the DEQ for the protection of public health and other regulations of this chapter including, but not limited to, setbacks and vision clearance;

(3) Conditional uses. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and/or DEQ considering the protection of public health, the size needed to accommodate the use and its accessory uses, and the objective to

minimize potential conflicts with adjacent land uses;

(4) Pre-existing non-conforming lots of record. Lots which were lawfully in existence prior to the effective date of this chapter and do not meet the requirements of this section may be used for uses listed in this zone, providing that all other applicable regulations can be met.

(B) Setback requirements. No building or accessory structure shall be located closer than 20 feet from a lot line, except on the street side of a corner lot used for a side yard, the setback shall be 25 feet from the lot line; **Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

...

§152.156 USES PERMITTED

...

(B) *Uses permitted with a zoning permit.*

In a RR-4 Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to §152.025.

~~(1) Dwelling, single-family;~~ **A single-family dwelling may be permitted on one tax lot as follows:**

(a) One Manufactured Dwelling, as provided in 152.013; or

(b) One on-site constructed single-family dwelling;

(c) Either (a) or (b) may be permitted, not one of each on a single tax lot, except for temporary hardship homes approved under § 152.576.

(2) Home occupation as provided in §152.573;

~~(3) Mobile home as provided in §152.013;~~

~~(3)~~(4) Non-commercial greenhouse or nursery;

~~(4)~~(5) Public or semi-public use;

~~(5)~~(6) Signs; Type 2, 4, 5, 6 as defined in §152.546;

~~(6)~~(7) Residential Home (Adult Foster Care);

~~(7)~~(8) Day Care or Nursery.

...

§ 152.158 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in a RR-4 Zone:

(A) Cows, horses, goats or sheep, or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited **to the maximum density** ~~to the square footage of the lot divided by the minimum area required for each animal~~ **size as outlined in this section.** The **maximum density** ~~minimum area required for horses, cattle, and similar sized livestock~~ ~~eows, goats and sheep is two per acre. For the purposes of this section, the two per acre requirement shall be cumulative. In other words, on two acres only four animals listed above could be kept.~~ **The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.**

(B) The number of chickens, fowl, rabbits or similar sized fowl **poultry, fur-bearing animals or similarly sized domestic birds** shall be **limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.** ~~confined on not more than 25% of the total lot area;~~

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; **Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored**

in metal or other rodent-proof receptacles.

~~(D) Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;~~

~~(E)~~ **(D)** All structures and enclosures designed for animals shall be kept reasonably ~~free and clean~~ **clean and free** of flies, and accumulated animal waste materials and shall be subject to health regulations (county, state or federal) as may be hereafter established.

~~(F)~~ **(E)** Market Hog Exemption: A student resident who is a member of FFA (Future Farmers of America) or 4-H may raise hogs under the conditions listed below and may be subject to yearly reviews;

...

§ 152.159 DIMENSIONAL STANDARDS.

In a RR-4 Zone, the following standards shall apply:

(A) Minimum lot area.

(1) For principal dwellings, four acres with an average lot width of 150 feet;

(2) For non-residential structures that are not an accessory use to a dwelling, as determined to meet the requirement of the DEQ for the protection of public health and other regulations of this chapter including, but not limited to, setbacks and vision clearance;

(3) Conditional uses. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and/or DEQ considering the protection of public health,

the size needed to accommodate the use and its accessory uses and the objective to minimize potential conflicts with adjacent land uses;

(4) Pre-existing, non-conforming lots of record. Lots which were lawfully in existence prior to the effective date of this chapter and do not meet the requirements of this section may be used for uses listed in this zone, provided that all other applicable regulations can be met.

(B) Setback requirements. No building or accessory structure shall be located closer than 20 feet from a lot line, except on the street side of a corner lot used for a side yard, the setback shall be 25 feet from the lot line. **Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

...

§152.161 USES PERMITTED

...

(B) *Uses permitted with a zoning permit.*

In a RR-10 Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit, pursuant to §152.025.

~~(1) Dwelling, single-family;~~ **A single-family dwelling may be permitted on one tax lot as follows:**

(a) One Manufactured Dwelling, as provided in 152.013; or

(b) One on-site constructed single-family dwelling;

(c) Either (a) or (b) may be permitted, not one of each on a single tax lot, except for temporary hardship homes approved under § 152.576.

(2) Home occupation as provided in §152.573;

~~(3) Mobile home as provided in §152.013;~~

~~(3)~~(4) Non-commercial greenhouse or nursery;

~~(4)~~(5) Public or semi-public use;

~~(5)~~(6) Signs; Type 2, 4, 5, 6 as defined in §152.546;

~~(6)~~(7) Residential Home (Adult Foster Care);

~~(7)~~(8) Day Care or Nursery.

...

§ 152.163 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in a RR-10 Zone:

(A) Cows, horses, goats or sheep, or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited to **the maximum density the square footage of the lot divided by the minimum area required for each animal size as outlined in this section.** The **maximum density** minimum area required for horses, **cattle, and similar sized livestock** eows, goats and sheep is two per acre. For the purposes of this section, the two per acre requirement shall be cumulative. In other words, on two acres only four animals listed above could be kept. **The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.**

(B) The number of chickens, fowl, rabbits or similar sized fowl **poultry, fur-bearing animals or similarly sized domestic birds** shall be **limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.** ~~confined on not more than 25% of the total lot area;~~

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; **Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.**

~~(D) Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;~~

~~(E)~~ **(D)** All structures and enclosures designed for animals shall be kept reasonably ~~free and clean~~ **clean and free** of flies, and accumulated animal waste materials and shall be subject to health regulations (county, state or federal) as may be hereafter established.

~~(F)~~ **(E)** Market Hog Exemption: A student resident who is a member of FFA (Future Farmers of America) or 4-H may raise hogs under the conditions listed below and may be subject to yearly reviews;

...

§ 152.164 DIMENSIONAL STANDARDS.

In a RR-10 Zone, the following standards shall apply:

(A) Minimum lot area.

(1) For principal dwellings, ten acres;

(2) For non-residential structures that are not an accessory use to a dwelling, as determined to meet the requirement of the DEQ for the protection of public health and other regulations of this chapter including, but not limited to, setbacks and vision clearance;

(3) Conditional uses. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and/or DEQ considering the protection of public health, the size needed to accommodate the use and its accessory uses and the objective to

minimize potential conflicts with adjacent land uses;

(4) Pre-existing, non-conforming lots of record. Lots which were lawfully in existence prior to the effective date of this chapter and do not meet the requirements of this section may be used for uses listed in this zone, provided that all other applicable regulations can be met.

(B) Setback requirements. No building or accessory structure shall be located closer than 20 feet from the property line, except on the street/road side of a corner lot used for a side yard the setback shall be 55 feet from the centerline of the road, highway, or easement, or 25 feet from the property line, whichever is greater. **Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

...

MUF, MULTIPLE USE FOREST ZONE
Sub-Sections

152.170 Purpose

152.171 Uses permitted

152.172 Conditional uses permitted

152.173 Limitations on use

~~152.173~~ **152.174** Dimensional standards

...

§ 152.171 USES PERMITTED

...

(B) *Uses permitted with a zoning permit.* In a MUF Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant § 152.025:

(1) ~~Mobile Home as provided in § 152.025:~~
One single-family dwelling unit may be permitted on one tax lot as described by this section.

(a) One Manufactured Dwelling, as provided in § 152.013; or

(b) One recreational vehicle; or

(c) One on-site constructed single-family dwelling.

(d) Either (a) or (b) or (c) may be permitted, not one of each on a single tax lot, except for temporary hardship homes approved under § 152.576.

~~(2) Dwelling;~~

~~(3) Vacation trailer or recreational vehicle;~~

~~(4) Dwelling, single-family;~~

(2) (5) Christmas tree sales;

(3) (6) Signs: Type 2, 4, 5, 6 as defined in § 152.546;

(4) (7) Gravel extraction for personal use limited to 500 cubic yards per year and not disturbing more than an acre of land.

(5) (8) Home occupations as provided in § 152.573.

(6) (9) Residential Home (Adult Foster Care);

(7) (10) Day Care or Nursery.

...

(N) Home occupation/cottage industry as provided in § 152.616 (II); (Ord. 83-4, passed 5-9-83; Ord. 2002-08, passed 8-14-02; Ord. 2009-09, passed 12-8-09; Ord. 2012-02, passed 1-26-12;)

§ 152.173 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in a MUF Zone:

(A) Cows, horses, goat or sheep or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited to the maximum density for each animal size as outlined in this section. The maximum density for horses, cattle and similar sized livestock is two per acre. The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.

(B) The total number of poultry, fur-bearing animals or similarly sized domestic birds shall be limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.

(D) All structures and enclosures designed for animals shall be kept reasonably clean and free of flies and accumulated animal waste materials and shall be subject to health regulations (county, state or federal as may be hereafter established);

§ ~~152.173~~ **152.174 DIMENSIONAL STANDARDS.**

In a MUF, Multiple Use Forest, Zone the following division, dimensions and standards shall apply:

(A) Minimum lot area.

(1) For dwellings, seasonal cabins, recreational vehicles, mobile homes and travel trailers, 10 acres;

(2) Conditional uses. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and DEQ considering the protection of public health, the size needed to accommodate the use and its

accessory uses, and objective to minimize the impact on surrounding properties.

(B) Pre-existing, non-conforming lots. Dwellings, seasonal cabins, recreational vehicles, trailers, and mobile homes shall be allowed after the issuance of a zoning permit on these lots provided that the setback regulations are met according to division (C) of this section;

(C) Setback. No building or accessory structure shall be located closer than 35 feet from a lot line. A dwelling shall not be located within 500 feet of an existing aggregate mining operation unless the owner of the property of the proposed dwelling obtains a written release from the adjacent mining operation allowing a closer setback; and waives his rights to remonstrate against normal aggregate mining activities allowed by permits issued under this chapter. **Barns, corrals, pens, sheds and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

(D) Minimum lot width. For residential purposes, no lot shall be longer than two and one-half times its width;

FR, FOREST RESIDENTIAL ZONE

Sub-Sections

152.215 Purpose

152.216 Uses permitted

152.217 Conditional uses permitted

152.218 Limitations on use

~~152.218~~ **152.219** Dimensional standards

...

§ 152.216 USES PERMITTED

...

(B) *Uses permitted with a zoning permit.*

In an FR Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to § 152.025:

~~(1) Mobile Home as provided in § 152.013;~~
One single-family dwelling unit may be permitted on one tax lot as described by this section.

(a) One Manufactured Dwelling, as provided in § 152.013; or

(b) One recreational vehicle; or

(c) One on-site constructed single-family dwelling.

(d) Either (a) or (b) or (c) may be permitted, not one of each on a single tax lot, except for temporary hardship homes approved under § 152.576.

~~(2) Dwelling;~~

~~(3) Vacation trailer or recreational vehicles;~~

~~(4) Dwelling, single-family;~~

(2) (5) Christmas tree sales;

(3) (6) Signs: Type 2, 4, 5, 6 as defined in § 152.546;

(4) (7) Home occupations as provided in § 152.573.

(5) (8) Gravel extraction for personal use limited to 500 cubic yards per year and not disturbing more than an acre of land.

(6) (9) Residential Home (Adult Foster Care);

(7) (10) Day Care or Nursery.

...

(M) Home occupation/cottage industry as provided in § 152.616 (II). (Ord. 83-4, passed 5-9-83; Ord. 2002-08, passed 8-14-02; Ord. 2009-09, passed 12-8-09;) §

§ 152.218 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in a FR Zone:

(A) Cows, horses, goat or sheep or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited to the maximum density for each animal size as outlined in this section. The maximum density for horses, cattle and similar sized livestock is two per acre. The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.

(B) The total number of poultry, fur-bearing animals or similarly sized

domestic birds shall be limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.

(D) All structures and enclosures designed for animals shall be kept reasonably clean and free of flies and accumulated animal waste materials and shall be subject to health regulations (county, state or federal as may be hereafter established);

§ 152.218- 152.219 DIMENSIONAL STANDARDS.

In a FR, Forest Residential, Zone the following divisions, dimensions and standards shall apply:

(A) Minimum lot area.

(1) For dwellings, seasonal cabins, recreational vehicles, mobile homes and travel trailer, five acres;

(2) Conditional uses. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and DEQ considering the protection of public health, the size needed to accommodate the use and its

accessory uses, and objective to minimize the impact on surrounding properties.

(B) Pre-existing, non-conforming lots. Dwellings, seasonal cabins, recreational vehicles, trailers, and mobile homes shall be allowed after the issuance of a zoning permit on these lots provided that the setback regulations are met according to division (C) of this section;

(C) Setback. No building or accessory structure shall be located closer than 35 feet from a lot line. A dwelling shall not be located within 500 feet of an existing aggregate mining operation unless the owner of the property of the proposed dwelling obtains a written release from the adjacent mining operation allowing a closer setback; and waives his rights to remonstrate against normal aggregate mining activities allowed by permits issued under this chapter. **Barns, corrals, pens, sheds and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

(D) Minimum lot width. For residential purposes, no lot shall be longer than two and one-half times its width;

MR, MOUNTAIN RESIDENTIAL ZONE
Sub-Sections

152.230 Purpose

152.231 Uses permitted

152.232 Conditional uses permitted

152.233 Limitations on use

~~152.233~~ **152.234** Dimensional standards

...

§ 152.231 USES PERMITTED

...

(B) *Uses permitted with a zoning permit.*

In a MR Zone, the following uses and their accessory uses are permitted upon the issuance of a zoning permit pursuant to §152.025:

~~(1) Mobile home as provided in §152.013;~~
One single-family dwelling unit may be permitted on one tax lot as described by this section.

(a) One Manufactured Dwelling, as provided in § 152.013; or

(b) One recreational vehicle; or

(c) One on-site constructed single-family dwelling.

(d) Either (a) or (b) or (c) may be permitted, not one of each on a single tax lot, except for temporary hardship homes approved under § 152.576.

~~(2) Dwelling;~~

~~(3) Vacation trailer or recreational vehicle;~~

~~(4) Dwelling, single-family;~~

(2) (5) Christmas tree sales;

(3) (6) Signs: Type 2, 4, 5, 6 as defined in §152.546;

(4) (7) Home occupations as provided in §152.573.

(5) (8) Residential Home (Adult Foster Care);

(6) (9) Day Care or Nursery.

(7) (10) Special exemptions pursuant to §§152.575 and 152.576;

(8) (11) Model homes.

...

(N) If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a comprehensive plan amendment shall be undertaken prior to or in conjunction with the conditional permit review. (Ord. 2002-08, passed 8-14-02; Ord. 2009- 09, passed 12-8-09;)

§ 152.233 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in a MR Zone:

(A) Cows, horses, goat or sheep or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited to the maximum density for each animal size as outlined in this section. The maximum density for horses, cattle and similar sized livestock is two per acre. The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and

two goats could be kept on a two acre lot or parcel at any given time.

(B) The total number of poultry, fur-bearing animals or similarly sized domestic birds shall be limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.

(D) All structures and enclosures designed for animals shall be kept reasonably clean and free of flies and accumulated animal waste materials and shall be subject to health regulations (county, state or federal as may be hereafter established);

§ ~~152.233~~-152.234 DIMENSIONAL STANDARDS.

In a MR Zone, the following divisions, dimensions and standards shall apply:

(A) Minimum lot area.

(1) For dwellings, seasonal cabins, recreational vehicles, trailers, mobile homes, two acres;

(2) Conditional uses. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and DEQ considering

the protection of public health, the size needed to accommodate the use and its accessory uses, and the objective to minimize the impact on surrounding properties.

(B) Pre-existing, non-conforming lots. Dwellings, seasonal cabins, recreational vehicles, trailers, and mobile homes shall be allowed after the issuance of a zoning permit on these lots provided that setback regulations are met according to division (C) of this section;

(C) Setback. No building or accessory structure shall be located closer than 20 feet from a lot line; **Barns, corrals, pens, sheds and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

(D) Minimum lot width. For residential purposes, no lot shall be longer than two and one-half times its width;

§ 152.263 LIMITATIONS ON USES

The following limitations shall apply in a CRC Zone for the raising of farm animals:

(A) Cows, horses goats, sheep or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited **to the maximum density to the square footage of the lot divided by the minimum area required for each animal size as outlined in this section.** The ~~minimum area required~~ **maximum density** for horses, **cattle, and similar sized livestock** ~~eows,~~ goats and sheep is two per acre. For the purposes of this section the two per acre requirement shall be cumulative. In other words, on two acres only four animals listed above could be kept. **The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.**

(B) The numbers of ~~chickens, fowl, rabbits or similar sized animals~~ **poultry, fur-bearing animals or similarly sized domestic birds** shall be **limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.** ~~confined on not more than 25% of the total lot area;~~

(C) All livestock shall be located a minimum of 100 feet away from a residential dwelling on an adjacent lot;

(D) Adequate fences and corrals shall be required to keep animals off adjacent lands; **Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.**

~~(E) Notwithstanding division (C) of this section, barns, pens, sheds and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;~~

~~(F)~~ (E) All structures and enclosures designed for animals shall be kept reasonably ~~free and clean~~ **clean and free** of flies, and accumulated animal waste materials and shall be subject to health regulations (county, state or federal) as may be now existing or hereafter established. \

~~(G)~~ (F) Notwithstanding the size limitations for structures contained in this chapter, a lawfully approved or lawfully constructed structure existing as of July 1, 2005 shall not be considered a non-conforming use, and in the event the structure is destroyed or substantially damaged, the structure may be restored to its prior lawfully approved size.

§ DIMENSIONAL STANDARDS

In a CRC Zone the following standards shall apply:

(A) *Minimum lot area.*

(1) Use permitted with a zoning permit except utility facilities, one acre, with an average lot width of 150 feet;

(2) Conditional uses and utility facilities. Minimum lot sizes for all conditional uses shall be determined by the Hearings Officer and/or the DEQ considering the protection of public health, the size needed to

accommodate the use and its accessory uses, and the objective to minimize potential conflicts with adjacent land uses;

(3) Pre-existing, non-conforming lots of record. Lots which were lawfully in existence prior to the effective date of this chapter and do not meet the requirements of this section may be used for uses listed in this zone providing that all other applicable regulations can be met.

(B) *Setback requirements.* No building shall be located closer than 20 feet from the property line except on the street/road side of a corner lot used for a side yard, the setback shall be 55 feet from the centerline of the road, highway, or easement, or 25 feet from the property line, whichever is greater. If the area between the building and the lot line is to be used for off-street parking, then the building shall be located at least 40 feet from the lot line. **Notwithstanding UCDC § 152.263 (C) barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

...

§ 152.338 LIMITATIONS ON USE.

Notwithstanding any other section of this chapter, the following limitations and conditions shall apply in the FU-10 Zone:

(A) Cows, horses, goats or sheep or similar sized animals shall not be kept on lots having an area less than 20,000 square feet. The total number of all such animals over the age of six months allowed on a lot shall be limited **to the maximum density to the acreage of the lot divided by the minimum area required for each animal size as outlined in this section.** The **maximum density minimum area required for horses, cattle, and similar sized livestock** cows, goats and sheep is two per acre. For the purposes of this section, the two per acre requirement shall be cumulative. In other words, on two acres only four animals listed above could be kept. **The maximum density for goats and livestock of a similar size is four per acre. When calculating density requirements for mixed livestock, the maximum density is two per acre. For example, a maximum of two horses and two goats could be kept on a two acre lot or parcel at any given time.**

(B) The number of ~~chickens, fowl, rabbits,~~ or similar sized fowl **poultry, fur-bearing animals or similarly sized domestic birds** shall be **limited to 40 per lot or parcel. For purposes of this section, the limitation of 40 animals is cumulative. For example, only 20 chickens and 20 rabbits could be kept per lot or parcel. Roosters and other fowl known for loud calls over the age of six-months are limited to two per lot or parcel.** ~~confined on not more than 25% of the total lot area;~~

(C) Adequate fences and corrals shall be required of the animal owner to keep animals off adjacent lands; **Proper sanitation shall be maintained at all times. All animal or poultry food shall be stored in metal or other rodent-proof receptacles.**

~~(D) Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;~~

~~(E) (D)~~ All structures and enclosures designed for animals shall be kept reasonably ~~free and clean~~ **clean and free** of flies, and accumulated animal waste materials, and shall be subject to health regulations (county, state or federal) as may be now hereafter established.

~~(F) (E)~~ Market Hog Exemption: A student resident who is a member of FFA (Future Farmers of America) or 4-H may raise hogs under the conditions listed below and may be subject to yearly reviews;

...

§ 152.339 DIMENSIONAL STANDARDS.

In a FU-10 Zone the following standards shall apply:

(A) Minimum lot size.

(1) For all “uses permitted with a zoning permit” and “conditional uses permitted” except as modified in subdivisions (2) and (3) of this division, 10 acres;

(2) Pre-existing, non-conforming lots of record. Lots which were lawfully in existence prior to September 20, 1983 and which do not meet the 10-acre minimum

parcel size stated in subdivision (1) above may be occupied only by a single-family dwelling, mobile home or modular home upon approval by the DEQ, or other authorized agent which may succeed them, to place a septic tank and drainfield on the preexisting non-conforming lot.

(3) Pre-existing, habitable dwellings, including several single-family dwellings on a single tax lot, may be partitioned out on individual parcels as a Type II, III or IV Land Division, subject to the following standards:

(a) The proposed parcel(s) has frontage on or legal access to a county road, state highway, or public road, or can be provided with legal access as a condition of approval; and

(b) The proposed parcel(s) is already physically developed as a home site, including, but not limited to, the following improvements:

- (1) An existing, habitable dwelling;
- (2) Existing accessory building(s) provided for the dwelling;
- (3) Existing and replacement sites for on-site septic systems;
- (4) Domestic well; and

(c) The size of the proposed parcel(s) shall be the minimum necessary to accommodate the development features listed in subdivision (3)(b) of this division, with an absolute minimum of one-half acre and a maximum of two acres, excepting that the domestic well may be located beyond the parcel boundaries and connected to it by a utility easement; and

(d) The total number of parcels allowed to be partitioned from the original parcel shall be the total number of existing, developed home sites on the parcel, except as qualified in subdivision (3)(e) of this division; and

(e) The undeveloped Umatilla County Development Code, Revision Date July 19, 2022, Page 244 of 481 (“vacant”) portion of an original parcel shall not be less than five acres following partitioning off of existing home sites. One of the existing home sites must remain with the original parcel if such would be the case (i.e. if there are two home sites on a six-acre tract, one home site could be partitioned off, but the other would have to remain with the original tax lot).

(f) Once the existing developed home sites have been partitioned off from the original parcel, no new home sites are allowable on the remainder of the property as long as the property remains in FU-10 zoning. A covenant to this effect, complete with legal description, would be required to be signed and recorded in the Umatilla County Deed Records as a condition of partitioning approval.

(B) Setback requirements. No buildings shall be located closer than 20 feet from a lot line, except on the street side of a corner lot used for a side yard, the setback shall be 25 feet from the lot line. **Barns, sheds, and other structures sheltering animals shall be located a minimum of 35 feet from a side or rear property line and 75 feet from the front property line;**

...