

## Article 15 – Rural Residential (RR) Zone

### ARTICLE 15 - RURAL RESIDENTIAL (RR) Zone

#### Section 15.00 - Purpose and Intent

This zone is intended to maintain a semi-rural atmosphere for the development of residential living. Residential land uses will be the primary activity while agriculture will be of secondary importance. This Ordinance applies to land designated Rural Residential on the Comprehensive Plan Map. New marijuana uses are prohibited in this zone.

#### Section 15.10 - Permitted Uses

In an RR Zone the following uses and their accessory uses are permitted:

- A. One single family dwelling per lot or parcel.
- B. Agricultural Buildings, shall be permitted with an approved land use permit subject to the following standards:
  1. Located and used subject to the definition of “agricultural building” in Article 1 of this Ordinance.
  2. An “agricultural building” shall not be approved for use as: (1) a dwelling; (2) a structure used for a purpose, other than growing plants, in which 10 or more persons are present at any one time; (3) a structure regulated by the State Fire Marshal pursuant to ORS chapter 476; (4) a structure used by the public; or (5) a structure subject to Sections 4001 to 4127, title 42, United States Code (*the National Flood Insurance Act of 1968*) as amended, and regulations promulgated there under.
  3. Before an application for an agricultural building, except of a greenhouse, is approved, an applicant shall demonstrate that the lot or parcel on which the agricultural building is proposed contains a farm, as defined below:
    - a. A farm includes a lot or parcel that is currently employed for the primary purpose of obtaining a profit in money by (a) Raising, harvesting and selling crops; (b) Preparing, storing or disposing of, by marketing or otherwise, the products or by-products raised for human or animal use on land described in this section; or (c) Using land described in this section for any other agricultural or horticultural use, excluding any poultry or animal raising enterprise conducted on a commercial basis; and
    - b. The lot or parcel is receiving farm tax deferral from the County; or the property owner provides proof of gross income generated from the onsite farm pursuant to ORS 308A.071.

## Article 15 – Rural Residential (RR) Zone

- c. No agricultural building shall be constructed within the boundaries of a floodplain without an approved building permit. Where applicable, an agricultural building within the boundaries of a floodplain shall also be subject to requirements of Article 44 (*Floodplain Zone*) of this Ordinance.
  - d. Nothing in this section is intended to authorize the application of a state structural specialty code to any agricultural building; such structures are not exempt from electrical, plumbing, or mechanical permits when applicable.
  - e. As part of an application for an agricultural building, the owner(s) of the property shall sign a statement acknowledging the limitations of how the building can be used. By signing this statement, the owner(s) must also agree to obtain a building permit should the use of the building be converted to non-agricultural use and to ensure that future owners are made aware of these limitations.
  - f. Any approved agricultural building not used exclusively for agricultural purposes shall be subject to enforcement action pursuant to Article 70 of this Ordinance.
- C. Farm uses, excepting:
- 1. Any poultry, animal raising, or breeding enterprise conducted on a commercial basis; and
  - 2. Marijuana production and processing.
- D. Animal keeping for personal enjoyment, excepting:
- 1. Any animal raising, poultry, or breeding enterprise conducted on a commercial basis.
  - 2. Roosters or any other fowl known for its loud call; subject to Chapter 8.12 (Noise Code) of the Hood River County Code.
- E. Utility transmission lines; and communication facilities and towers, subject to Article 74.
- F. Accepted timber practices.
- G. One sign not to exceed 12-square feet or otherwise approved in conjunction with a conditional use permit.
- H. Manufactured home or recreational vehicle as a temporary use while constructing a dwelling for a period not to exceed two-years. Applicable provisions in Article 16 shall apply.
- I. Short-term rentals, subject to Article 53.

## Article 15 – Rural Residential (RR) Zone

### Section 15.20 – Permitted Subject to Standards

Pursuant to the following standards, Farm Stands may be permitted subject to a Type II administrative review:

- A. The structures are designed and used for sale of farm crops grown on the farm operation, or grown on the farm operation and other farm operations in the local agricultural area, including the sale of retail incidental items and fee-based activity to promote the sale of farm crops sold at the farm stand if the annual sales of the incidental items and fees from promotional activity do not make up more than 25-percent of the total annual sales of the farm stand.
  - 1. As used in this section, "local agricultural area" includes Oregon or an adjacent county in Washington.
  - 2. *At the request of the county, the farm stand shall submit to the county a written statement that is prepared by a certified public accountant and certifies the compliance of the farm stand with this subsection for the previous tax year.*
- B. The farm stand does not include structures designed for occupancy as a residence or for activities other than the sale of farm crops and livestock and does not include structures for banquets, public gatherings or public entertainment.
- C. Farm uses in the RR Zone shall not include any poultry or animal raising enterprise conducted on a commercial basis on the subject property.
- D. Adequate off-street parking will be provided subject to provisions of Article 51 – Off Street Parking and Loading.
- E. Roadways, driveway aprons, driveways and parking surfaces shall be surfaces that prevent dust, and may include paving, gravel, cinders, or bark/wood chips.
- F. All vehicle maneuvering will be conducted on site. No vehicle backing or maneuvering shall occur within adjacent roads, streets or highways.
- G. No farm stand building or parking is permitted within the right-of-way.
- H. Approval is required from the County Public Works Department or State Highway Division regarding adequate egress and access. All egress and access points shall be clearly marked.

## **Article 15 – Rural Residential (RR) Zone**

- I. Visual clearance areas shall be provided and maintained as defined in Article 3 (Definitions).
- J. Signs are not permitted within the right-of-way, unless approved by either the County Public Works Department or the State Highway Division.
- K. Only two (2) signs (including on and off premise signs) total are permitted not to exceed a cumulative size of 12 square feet. The sign(s) shall be located in such a manner as to protect the public's health, safety, and welfare. Off premise signs shall be approved by affected property owners.
- L. All outdoor light fixtures shall be directed downward, and have full cutoff and full shielding to preserve views of the night sky and to minimize excessive light-spillover onto adjacent properties, roads and highways.
- M. Permit approval is subject to compliance with the County Sanitarian or Department of Agriculture requirements, and County Building Official/applicable building permits.
- N. Compliance with the development standards of the RR Zone.

### **Section 15.30 - Conditional Uses Permitted**

In an RR Zone the following conditional uses and their accessory uses are permitted in accordance with the requirements of Article 60 of this Ordinance:

- A. Educational Institutions.
- B. Bed & Breakfast Facilities, subject to Article 56.
- C. Churches, synagogues, and other places of worship.
- D. Golf courses.
- E. Parks, playgrounds, or community centers.
- F. Emergency services and facilities (e.g., rural fire protection facilities).
- G. Utility facilities necessary for public service, including communication facilities and towers subject to Article 74.
- H. Airports and heliports.

## Article 15 – Rural Residential (RR) Zone

- I. Child care center, day nursery.
- J. Auction yards other than animal auction.
- K. Home Occupations, subject to Article 53.
- L. Cemetery.
- M. Horses, boarding of – including the stabling, feeding, and grooming or the use of stalls for and the care of horses not belonging to the owner of the property, and related facilities, such as training arenas, corrals, and exercise tracks. These facilities are either operated for a fee or by a nonprofit organization. Maximum number of horses allowed shall be based on CUP findings regarding property characteristics, parcel size and impacts to neighbors.
- N. Temporary hardship dwelling, subject to the following:
  - 1. One manufactured dwelling, recreational vehicle, or the temporary residential use of an existing building may be allowed in conjunction with an existing dwelling as a temporary use for the term of the hardship suffered by the existing resident or relative, subject to the following:
    - a. The temporary hardship dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If the hardship dwelling will use a public sanitary sewer system, such condition will not be required;
    - b. The applicant shall renew the permit every two-years for it to remain valid. Upon review, the applicant shall provide a statement confirming that the residence remains necessary for the relative named in the permit and pay the required renewal fee;
    - c. Within three-months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed non-residential use; and
    - d. The applicant shall submit written confirmation from a medical doctor that care is necessary for an aged or infirm person.
  - 2. Temporary hardship dwellings for a dependent relative are subject to the following additional standards:
    - a. Justification that the relative with the hardship is not employed full-time off the site

## Article 15 – Rural Residential (RR) Zone

and is dependent upon medical care by either a relative; or a person medically certified to care for such a person on a full-time basis.

- b. The relative with the hardship, relative providing care, or medically certified person shall be the primary full-time resident.
3. A temporary residence approved under this section is not eligible for replacement. Department of Environmental Quality review and removal requirements also apply.
4. As used in this section “hardship” means a medical hardship or hardship for the care of an aged or infirm person or persons.

### **Section 15.40 - Site Development Standards**

A. Article 50: Buffer Requirements shall apply to all proposed dwellings, except temporary hardship dwellings, that abut property zoned EFU, F-1 or F-2. The more restrictive provisions in Article 50 or this section shall apply.

B. Maximum height: 35-feet

C. Setback, minimum:

1. Front: 60-feet from the centerline of any arterial street, or 50-feet from the centerline of any local or collector street, or 20-feet from the right-of-way, whichever is greater.
2. Rear: 20-feet
3. Side: Interior parcel or lot: 10- feet; Exterior side of corner parcel or lot: 45-feet from the centerline of any street.

D. Off-street parking for residential uses: For each dwelling there shall be two spaces not within the front setback.

E. Minimum lot size for new lots or parcels: As shown on the official zoning map.

*Pursuant to OAR 660-004-0040(7)(a), property zoned on the official zoning map as RR ½ and RR1 is subject to a 2-acre minimum lot size requirement, unless the parcel is situated within an established Urban Unincorporated Community or Rural Unincorporated Community.*

F. Minimum width and depth requirements:

1. Minimum average lot width: 100-feet.
2. Minimum lot width at street: 50-feet.

## Article 15 – Rural Residential (RR) Zone

3. Minimum average lot depth: 100-feet.

G. Vision clearance: Minimum 35-feet.

H. Street design standards: Applicable road standards for new subdivisions or major partitions in an RR Zone are prescribed in Section 18.32 of the Hood River County Subdivision Ordinance.