

MULTIPLEUSE AGRICULTURE DISTRICT MUA-20

11.15.2122 Purposes

The purposes of the Multiple Use Agriculture District are to conserve those agricultural lands not suited to full-time commercial farming for diversified or part-time agriculture uses; to encourage the use of nonagricultural lands for other purposes, such as forestry, outdoor recreation, open space, low density residential development and appropriate conditional uses, when these uses are shown to be compatible with the natural resource base, the character of the area, and the applicable County policies.

11.15.2124 Area Affected

MCC .2122 to .2150 shall apply to those lands designed MUA-20 on the Multnomah County Zoning Map.

11.15.2126 Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the uses listed in MCC .2128 through .2136.

11.15.2128 Primary Uses

- (A) Farm uses, as defined in ORS 215.203(2) (a) for the following purposes only:
 - (1) Raising and harvesting of crops;
 - (2) Raising of livestock and honeybees; or
 - (3) Any other agricultural or horticultural purpose or animal husbandry purpose or combination thereof, except as provided in MCC .2132(B);
- (B) The propagation or harvesting of forest products;
- (C) Residential use consisting of a single-family dwelling constructed on a lot; and
- (D) Public and private conservation areas and structures for the protection of water, soil, open-space, forest and wildlife resources.

11.15.2130 Uses Permitted Under Prescribed Conditions

- (A) Residential use, consisting of a single-family dwelling constructed off-site, including a mobile or modular home, subject to the following conditions:
 - (1) Construction shall comply with the standards of the Building Code or as prescribed in ORS 446.002 through 446.200 relating to mobile homes.

- (2) The dwelling shall be attached to a foundation for which a building permit has been obtained.
 - (3) The dwelling shall have a minimum floor area of 600 square feet.
- (B) Residential use consisting of a single-family dwelling, for the housing of help required to carry out a primary use listed in MCC .2128 (A) or (B), when the dwelling occupies the same lot as a residence permitted by MCC .2128 (C) or .2130, subject to the following conditions:
- (1) In the event the dwelling is constructed off-site, construction shall comply with MCC .2130 (A) (1) and (3);
 - (2) The location of the dwelling shall be subject to approval of the Planning Director on a finding that:
 - (a) the use is needed to carry out a use listed in MCC .2128 (A) or (B),
 - (b) the standards of MCC .2138 (C) to (E) are satisfied; and
 - (c) the minimum distance between dwellings will be 20 feet.
 - (3) The decision of the Director may be appealed to the Hearings Officer pursuant to MCC .8290 and .8295.
- (C) Wholesale or retail sales of farm or forest products raised or grown on the premises or in the immediate vicinity, subject to the following condition:

The location and design of any building, stand or sign in conjunction with wholesale or retail sales shall be subject to approval of the Planning Director on a finding that the location and design are compatible with the character of the area; provided that the decision of the Director may be appealed to the Hearings Officer, pursuant to MCC .8290 and .8295.

11.15.2132

Conditional Uses

The following uses may be permitted when found by the Hearings Officer to satisfy the applicable ordinance standards:

- (A) Community Service Uses pursuant to the provisions of MCC .7005 through .7030;
- (B) The following Conditional Uses pursuant to the provisions of MCC .7105 through .7640;
 - (1) Operations conducted for the mining and processing of geothermal resources as defined by ORS 522.005 or exploration, mining and processing of aggregate and other mineral or subsurface resources;

- (2) Commercial processing of agricultural products, primarily raised or grown in the region;
 - (3) Raising any type of fowl, or processing the byproducts thereof for sale at wholesale or retail;
 - (4) Feed lots;
 - (5) Raising of four or more swine over four months of age;
 - (6) Raising of furbearing animals for sale at wholesale or retail;
 - (7) Commercial dog kennels; and
 - (8) Commercial processing of forest products, primarily grown in the region.
- (C) The following Conditional Uses may be permitted on lands not predominantly of Agricultural Capability Class I, II, or III soils:
- (1) Rural planned developments for singlefamily residences, as provided in MCC .7705 through .7760;
 - (2) Pursuant to the provisions of MCC .7105 through .7640:
 - (a) Cottage industries;
 - (b) Limited rural service commercial uses, such as local stores, shops, offices, repair services, and similar uses; and
 - (c) Tourist commercial uses such as restaurants, gas stations, motels, guest ranches, and similar uses.

11.15.2134

Accessory Uses

- (A) Unless otherwise prohibited or regulated, the following non-illuminated signs shall be permitted in this district:
 - (1) A temporary sign advertising the sale or retail of the premises, with a maximum area on one side of eight square feet, erected not less than ten feet from the front property line;
 - (2) A sign stating the name of the owner or occupant of the property, with a maximum area on one side of two square feet; and
 - (3) Not more than two signs, with a combined area of no more than 18 square feet, advertising the sale of products pursuant to the provisions of MCC .2130 (C).
- (B) Off-street parking and loading;
- (C) Home occupations; and

- (D) Other structures or uses customarily accessory or incidental to any use permitted or approved in this district.

11.15.2136 Temporary Uses

When approved pursuant to MCC .8705 and .8710.

11.15.2138 Dimensional Requirements

- (A) Except as provided in MCC .2140, .2142, .2144 and .7629, the minimum lot size shall be 20 acres.
- (B) That portion of a street which would accrue to an adjacent lot if the street were vacated shall be included in calculating the area of such lot.
- (C)
- | Minimum
Front Lot
Line Length | Maximum
Structure
Height
Stories | Feet | Minimum Yard Dimensions - Feet | | | |
|-------------------------------------|-------------------------------------------|------|--------------------------------|------|-------------|------|
| | | | Front | Side | Street Side | Rear |
| 50 feet | 2-1/2 | 35 | 30 | 10 | 30 | 30 |
- (D) The minimum yard requirement shall be increased where the yard abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and additional yard requirements not otherwise established by Ordinance.
- (E) Structures such as barns, silos, windmills, antennae, chimneys, or similar structures may exceed the height requirement if located at least 30 feet from any property line.

11.15.2140 Lots of Exception

- (A) The Hearings Officer may grant an exception to permit the creation of a lot of less than 20 acres, after October 6, 1977, when in compliance with the requirements of MCC .2138 (C) to (E). Any exception shall be based on findings that that the proposal will:
- (1) Substantially maintain or support the character and stability of the overall land use pattern of the area;
 - (2) Be situated upon land generally unsuitable for the production of farm crops and livestock or for forest use, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, and the location or size of the tract;
 - (3) Be compatible with accepted farming or forestry practices on adjacent lands;
 - (4) Be consistent with the purposes described in MCC .2122;

- (5) Satisfy the applicable standards of water supply, sewage disposal, and minimum access; and
 - (6) Not require public services beyond those existing or programmed for the area.
- (B) Except as provided in MCC .2140(D), no Lot of Exception shall be approved unless:
- (1) The Lot of Record to be divided exceeds the area requirements of MCC .2138(A), and
 - (2) The division will create no more than one lot which is less than the minimum area required in MCC .2138(A).
- (C) The Hearings Officer may attach conditions to the approval of any Lot of Exception to insure that the use is consistent with the Comprehensive Plan and the purposes described in MCC .2122.
- (D) The Planning Director may grant a Lot of Exception based on a finding that the permitted number of dwellings will not thereby be increased above that otherwise allowed in this district; provided that the decision of the Director may be appealed to the Hearings Officer pursuant to MCC .8290 and .8295.

11.15.2142

Lot of Record

- (A) For the purposes of this district, a Lot of Record is a parcel of land:
- (1) for which a deed or other instrument dividing land was recorded with the Department of Administrative Services, or was in recordable form prior to October 6, 1977; and
 - (2) which, when established, satisfied all applicable laws.
- (B) A Lot of Record which has less than the area or front lot line minimums required may be occupied by any permitted or approved use when in compliance with the other requirements of this district.
- (C) Separate Lots of Record shall be deemed created when a street or zoning district boundary intersects a parcel of land.
- (D) Except as otherwise provided by MCC .2140, .2144, .6256, and .7720, no sale or conveyance of any portion of a lot, other than for a public purpose, shall leave a structure on the remainder of the lot with less than minimum lot or yard requirements or result in a lot with less than the area or width requirements of this district.

11.15.2144

Lot Sizes For Conditional Uses

The minimum lot size for a conditional use permitted pursuant to MCC .2132, except subpart (C) (1) thereof, shall be based upon:

- (A) The site size needs of the proposed use;
- (B) The nature of the proposed use in relation to its impact on nearby properties; and
- (C) Consideration of the purposes of this district.

11.15.2146 Off-Street Parking And Loading

Off-Street parking and loading shall be provided as required by MCC .6100 through .6148.

11.15.2148 Access

Any lot in this district shall abut a street, or shall have other access determined by the Hearings Officer to be safe and convenient for pedestrians and for passenger and emergency vehicles.

11.15.2150 Exemptions From NonConforming Use Provisions

Conditional Uses listed in MCC .2132, legally established prior to October 6, 1977, shall be deemed conforming and not subject to the provisions of MCC .8805; provided, however, that:

- (A) Any change from one conditional use listed in subsection MCC .2132 to another such conditional use, shall be subject to approval pursuant to the provisions of MCC .2132; and
- (B) Any alteration of such conditional use listed in MCC .2132 shall be subject to Design Review pursuant to the provisions of MCC .7805 through .7865.