ARTICLE III DISTRICT REGULATIONS

CHAPTER 310

Residential Districts

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SECTION 310.01 PURPOSE.

Residential Districts (A-SER, R-1 and R-2) and their regulations are established in order to achieve the following purposes:

- A. To regulate the bulk and location of dwellings to obtain proper privacy and useable open spaces for each unit appropriate for the various districts;
- B. To regulate the density and distribution of population, avoid congestion, and provide adequate public services;
- C. To provide for proper location of institutions and other community facilities so as to increase the general convenience, safety and amenities;
- D. To carry out the following specific purposes:
 - 1. The A-SER Agricultural/Suburban Estate Residential District is established to preserve and protect the decreasing supply of prime agricultural land and open space and to permit a degree of low-density development of a rural non-farm nature at approximately one dwelling unit per every four (4) acres.
 - 2. The R-1 Single-Family Residential District is established to permit the development of single-family dwellings on lots with a minimum area of 20,000 square feet when serviced by centralized water and sewer facilities and two (2) acres when not
 - 3. The R-2 Single-Family and Two-Family Residential District is established to permit single-family and two-family dwellings on lots with a minimum area of

- 33,000 square feet when serviced by centralized water and sewer facilities and two (2) acres when not.
- 4. The R-3 Multi-Family Residential District was repealed on August 6, 2002.

SECTION 310.02 USE REGULATIONS.

- A. A use listed in Schedule 310.03 shall be permitted by right as a principal use in a district when denoted by the letter "P", provided that all requirements of other township resolutions and this Zoning Resolution have been met;
- B. A use listed in Schedule 310.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Board of Zoning Appeals first makes the determination that the requirements of Chapter 390 have been met according to the procedures set forth in Chapter 250;
- C. A use listed in Schedule 310.03 shall be permitted as an accessory use in a residential district. Such use shall be permitted as a subordinate building or use when it is clearly incidental to and located on the same lot as the principal building or use. Accessory uses are further regulated in Section 310.08.
- D. Although a use may be indicated as a permitted principal, conditional or accessory use in a particular residential district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Resolution applicable to the specific use and parcel in question. Any use not specifically listed as either a permitted principal or conditional use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Resolution and/or the Zoning Map as provided in Chapter 290 or upon a finding that a use is substantially similar as provided in Section 250.11.

SECTION 310.03 SCHEDULE OF PERMITTED USES.

			A-SER Agriculture- Suburban Estate	R-1 Single-Family	R-2 Two-Family
A.	Re	sidential			
	1.	Single-family dwelling	Р	P	P
	2.	Two-family dwelling			P
	3.	Congregate care, including assisted living and/or nursing home	С	C	C
	4.	Adult family home	Р	P	P
	5.	Family home for handicapped persons	Р	P	P
	6.	Group home for handicapped persons			С
B.	Co	mmunity Facilities			
	1.	Day care center, children and/or adult	С	C	С
	2.	Family child day care home "type B"	P	P	P
	3.	Place of worship	С	C	С
	4.	Public safety facility	С	С	С
	5.	School, public or private	С	C	С
C.	Op	en Space/Recreational			
	1.	Agriculture use	See Section 310.12		
	2.	Amusement park	С		
	3.	Commercial campground	С		
	4.	Golf course	С	C	С
	5.	Park, playground	С	C	С
	6.	Swimming pool - principal use of a lot	С	C	С
D.	Ot	her			
	1.	Aircraft landing field	С		
	2.	Cemetery	С	С	
	3.	Gas, oil, or salt water well	С	С	С
	4.	Kennel	С		
	5.	Public utility substation	С	С	С
	6.	Quarry, sand pit, or gravel pit	С		

P = Principal use permitted by right.
C = Conditionally permitted use.
A = Permitted accessory use.
Blank cell indicates use not permitted in district.

	A-SER Agriculture- Suburban Estate	R-1 Single-Family	R-2 Two-Family	
7. Wireless telecommunication facility	See Chapter 450			
E. Accessory Buildings And Uses				
1. Fences, walls	A	A	A	
2. Home occupation	A	A	A	
3. Outdoor storage of recreational vehicle	A	A	A	
4. Private garage and other outbuildings	A	A	A	
5. Roadside stand	A	A	A	
6. Satellite antennas	A	A	A	
7. Swimming pool	A	A	A	

P = Principal use permitted by right.

SECTION 310.04 LOT REQUIREMENTS.

Lots created in A-SER, R-1 or R-2 districts shall comply with the area and dimension requirements specified in Schedule 310.04 for the district in which the lot is located.

- A. <u>Minimum Lot Area and Width.</u> The area and width of a lot shall not be less than the area and width set forth in Schedule 310.04.
- B. <u>Minimum Lot Frontage</u>. Each lot shall have the minimum frontage on a public or private street that is not less than required for the lot width, except for lots or cul-de-sacs as set forth in Schedule 310.04 and flag lots as specified below.
- C. <u>Flag Lots</u>. A flag lot may be developed as a conditional use in the A-SER District when it complies with the requirements for flag lots set forth in Chapter 390.
- D. <u>One Dwelling per Lot.</u> There shall not be more than one dwelling constructed on a lot in an A-SER, R-1 or R-2 District.

C = Conditionally permitted use.

A = Permitted accessory use.

Blank cell indicates use not permitted in district.

E. Schedule 310.04 Minimum Lot Requirements.

	A-SER Agriculture Suburban Estate	R-1 Single-Family District	R-2 Two-Family District
1. Area			
a. Lots serviced by centralized water and sewer facilities	4 acres	20,000 sf	33,000 sf
b. All other lots	4 acres	2 acres	2 acres
2. Lot Width (measured at bldg. line) (a)			
a. Lots serviced by centralized water and sewer facilities	200 ft.	100 ft.	125 ft.
b. All other lots	200 ft.	150 ft.	150 ft.
3. Minimum frontage for lots on cul-desacs			
a. Lots serviced by centralized water and sewer facilities	NA	75 ft.	100 ft.
b. All other lots	NA	NA	NA

Notes to Schedule 310.04:

NA = Not Applicable

SECTION 310.05 YARD REQUIREMENTS.

Principal buildings in A-SER, R-1 and R-2 Districts shall be located on a lot in a manner that maintains the minimum required yards set forth in this section for the district in which the lot is located. Every part of a required yard shall be unobstructed and open to the sky, except as otherwise specifically permitted in this Chapter.

- A. <u>Required Front Yard</u>. Each lot shall maintain a front yard in compliance with the following:
 - 1. Each front yard shall not be less than the depth specified in Schedule 310.05 and shall be measured from the street right-of-way line. If there is no established right-of-way line for the street, the right-of-way line shall be deemed to be 30 feet from the centerline of the roadway.
 - 2. Notwithstanding Subsection A1 above, where there are existing buildings which have a front yard depth that is less than the required front yard specified in

⁽a) Lot frontage shall comply with the minimum lot width requirement except as otherwise permitted for lots on cul-de-sacs.

Schedule 310.05, the minimum front yard shall be determined by the mean depth of the front yards of the existing buildings, within 150 feet on each side of the proposed building and fronting on the same side of the street. No building shall be required to be placed more than 75 feet back from the front property line.

- 3. Through lots shall comply with the front yard setback for each street on which the lot has frontage.
- B. <u>Required Side Yards.</u> Each interior and through lot shall have and maintain two side yards. Schedule 310.05 sets forth the minimum width of any one side yard and the minimum total width of both side yards.
- C. <u>Required Rear Yards</u>. Each lot shall maintain a rear yard as specified in Schedule 310.05.
- D. <u>Side Yards for Corner Lots</u>. Corner lots shall maintain the following yard requirements.
 - 1. Corner Side Yard. Where new construction or an addition to an existing building is proposed for a corner lot, such building or building addition shall maintain a corner side yard that complies with the following:
 - a) When the rear lot line of a corner lot coincides with the rear lot line of another corner lot, the corner side yard shall be greater of:
 - 1) The corner side yard of the abutting corner lot; or
 - 2) Twenty feet.
 - b) When the rear lot line of a corner lot coincides with the side lot line of an interior lot. The corner side yard shall comply with the requirements for a front yard, including subsection A2 above for front yard dimensions on built-up blocks.
 - 2. Interior Side Yard. The width of a side yard along the interior side lot line shall not be less than the minimum required for one side yard as set forth in Schedule 310.05.

Schedule 310.05

E.

		=	
	A-SER	R-1	
	Agriculture Suburban	Single-Family	Tw
	Estate District	District	1

	A-SER Agriculture Suburban Estate District	R-1 Single-Family District	R-2 Two-Family District
1. Front	75 ft.	75 ft.	75 ft.
Side Yard a. Minimum for any one side yard	10 ft.	15 ft.	20 ft.
b. Minimum total for both	50 ft.	30 ft.	45 ft.
3. Rear Yard	80 ft.	40 ft.	40 ft.
4. Corner Lot	(a)	(a)	(a)

Minimum Yard Requirements.

Notes to Schedule 310.5:

SECTION 310.06 DWELLING UNIT REQUIREMENTS.

In order to promote healthful living conditions and to stabilize the value and character of residential areas, all dwelling units shall be erected, altered, moved, maintained or occupied only in accordance with the following:

A. Required Area.

- 1. Single-family dwelling units shall have a minimum dwelling unit floor area of 1,300 square feet and a minimum foundation area of 800 square feet.
- 2. Two-family dwelling units shall have a minimum dwelling unit floor area of 1.000 square feet per unit and a minimum foundation area of 800 square feet.
- One Story Above Ground. All dwellings shall have at least one story above ground level В. and shall have a continuous and complete solid concrete or masonry perimeter foundation installed to a depth below the frost line.
- C. All single-family dwellings and two-family Siting Requirements for Dwellings. dwellings proposed to be located in any district shall comply with the following requirements to ensure that all dwelling units are permanently sited:
 - 1. The structure shall be installed upon and properly attached to a permanent foundation system that provides adequate support of the structure's vertical and horizontal loads and transfers these and other imposed forces, without failure, from the structure to the undisturbed ground below the frost line in compliance with the Mahoning County Building Department regulations.

⁽a) See Subsection 310.5D above.

- 2. Any hitches, axles, wheels, and conveyance mechanisms from factory-built housing shall be removed from the structure.
- 3. The structure shall be connected to appropriate utilities.
- 4. The structure shall have a length of at least 22 feet and a width of at least 22 feet, as manufactured, and excluding garage, porch or attachments or additions.
- 5. The structure shall have a minimum 3:12 residential roof pitch, conventional residential siding, and a 6-inch minimum eave overhang, including appropriate guttering.
- 6. All portions of the lot not covered by permitted structures shall be landscaped with grass, trees, shrubbery, and /or other appropriate ground cover or landscaping material. All landscaping shall be adequately maintained.
- D. <u>Conformance with Building Requirements</u>. All dwelling units shall conform either to the OBOA or CABO One and Two-family dwelling code, or other applicable building code, or be classified as an industrial unit under the Ohio Basic Building Code, or be constructed pursuant to the HUD Code (Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C.A. 88 stat. 700, 5401 and 5403) after January 1, 1995. All units constructed pursuant to the HUD Code shall bear a permanent label or tag as specified in 42 U.S.C.A. 5415 certifying compliance with all federal construction and safety standards.

SECTION 310.07 HEIGHT REQUIREMENTS.

Buildings and structures shall comply with the following height regulations.

- A. The height of principal buildings shall not exceed 35 feet.
- B. The height of accessory buildings shall not exceed 30 feet.
- C. Exceptions to the height regulations are set forth in Section 410.04.

SECTION 310.08 ACCESSORY USES.

A. <u>Minimum Yard Requirements</u>. Accessory structures and uses in A-SER, R-1 and R-2 Districts shall be located as set forth in Schedule 310.08. However, an accessory use shall only be permitted to the extent such use complies with all other accessory use regulations set forth in this section.

B. Schedule 310.08 Minimum Yard Requirements for Accessory Uses.

Accessory Buildings/Uses		Yard	Setback from Lot Line		
		Permitted	Front	Side	Rear
1.	Private garage and other outbuildings	Side/rear	(a)	10 ft.	10 ft.
2.	Roadside stands	Front	25 ft.	20 ft.	20 ft.
3.	Swimming pools	Rear	NP	10 ft.	10 ft.
4.	Outdoor storage areas for recreational vehicles and equipment	Side/rear	NP	10 ft.	20 ft.
5.	Fences, walls including retaining walls	Front/side /rear	0	0	0
6.	Patios, decks and open porches that do not extend more than 2 feet above grade	Side/rear	(a)	(a)	10 ft.
7.	Covered or enclosed porches	Considered part of the dwelling unit and shall comply with the yard requirements set forth in Schedule 310.05			

Notes to Schedule 310.08:

ft. = feet

NP = not permitted

C. <u>Maximum Floor Area of Accessory Buildings and Structures in A-SER. R-1 and R-2</u> Districts.

- 1. The rear yard devoted to an accessory structure or use, including terraces, decks, and patios shall not exceed 30% of the rear yard, or the ground floor area of the dwelling including the attached garage, whichever is less.
- 2. Roadside stands in a front yard shall not exceed 1,000 square feet or 50% of floor area of principal building, whichever is less.
- 3. Agricultural accessory buildings and structures shall comply with Section 310.12.
- D. <u>Private Garages and Other Outbuildings</u>. No living quarters (dwelling unit) shall be placed in any portion of a detached garage or outbuilding.

⁽a) Same as required for dwelling unit.

E. <u>Fences, Walls and Hedges</u>. Fences, walls and hedges shall comply with the following regulations:

1. Definitions.

- a) Open Fence. A fence intended for decorative purposes having at least 50 percent of its vertical surface area open when viewed at right angles.
- b) <u>Privacy Fence.</u> A fence intended to inhibit public view and provide seclusion and when viewed at right angles, has more than 50% of the area of its vertical surface closed to light and air.
- 2. <u>Front Yards.</u> An open fence or retaining wall shall be permitted in a front yard, providing such fence or wall does not exceed four (4) feet in height above the natural grade.
- 3. <u>Side or Rear Yards.</u> Privacy fences, open fences, and walls shall be permitted in a side or rear yard providing such fence or wall does not exceed six (6) feet in height above the natural grade.
- 4. <u>Hedges.</u> Hedges or other plant material that are intended to form a living fence shall be so located so that future growth shall not extend over an adjoining lot line.
- 5. <u>Visibility at Intersections.</u> Fences, walls, and hedges shall comply with Section 410.06 to prevent obstructing the view of motorists or pedestrians.
- 6. <u>Construction, Maintenance and Repair.</u> Fences and walls shall be maintained in good repair at all times by the owner and/or occupant of the lot on which they are located. All horizontal, diagonal or supporting members shall be on the owner's side of the fence. The smooth, finished side of the fence or wall shall be the side of the fence that faces outward from the yard being fenced.

F. <u>Driveways and Parking</u>.

- 1. All driveways, entrances and egresses to parcels within an A-SER District shall be made of gravel or other material, which prevents mud, soil, clay and other materials from being tracked onto roads, streets, or highways.
- 2. Hard surface driveway shall be required on lots that front on streets improved with curbs, gutters and/or sidewalks.
- G. <u>Private Swimming Pools.</u> Private swimming pools, exclusive of portable, above-ground swimming pools with a water depth of two (2) feet or less, shall be subject to the following regulations:
 - 1. All in-ground pools shall be entirely enclosed with a safety fence having a height not less than four (4) feet or more than six (6) feet. Such fence shall be

- constructed to have no openings, holes, or gaps larger than 3 inches in any dimension, except for doors or gates.
- 2. Doors and gates shall be equipped with suitable locking devises to prevent unauthorized intrusion.
- 3. Such a fence may enclose the pool area or the entire yard area and an accessory building may be used as part of such enclosure.
- 4. Above ground pools shall not be required to be fenced, but it is the responsibility of the property owner to take all safety precautions.
- H. <u>Parking or Storage of Recreational Vehicles and Equipment.</u> Any recreational vehicle, camper or boat, on or off wheels shall be in compliance with the following regulations.
 - 1. Not more than one recreational vehicle, camper or boat shall be parked or stored outdoors.
 - 2. Any recreational vehicle, camper or boat that is parked or stored outside shall either be parked in the driveway or stored in a supplemental outdoor storage area, which shall be located on the lot in compliance with Schedule 310.08.
 - 3. A recreational vehicle, camper, or boat shall be permitted to be parked in a driveway only for loading or unloading purposes and only for a period not to exceed 48 hours in any seven-day period.
 - 4. Recreational vehicles, campers, and boats shall not be used as a dwelling, office, or other business structure, or for storage of any material, and shall have no connections to any electric, telephone, water, sewer, gas, or fuel source.
 - 5. Any recreational vehicle or boat parked or stored outdoors shall be maintained in an operating condition and shall bear a valid license.
- I. <u>Parking of Commercial Vehicle.</u> The outdoor parking of not more than one commercial vehicle shall be permitted on a residential lot in compliance with the following:
 - 1. The commercial vehicle shall be limited to a vehicle used on a regular basis by the resident for the resident's occupation.
 - 2. No maintenance, service or extended running of commercial vehicles shall be conducted on a residential lot.
 - 3. The commercial vehicle shall have no connections to any electric, telephone, water, sewer, gas, or fuel source.
 - 4. The outdoor parking of one commercial vehicle permitted on a residential lot shall comply with the maximum vehicle weight rating (MVWR) according to the district in which the residential lot is located as specified below:

- a) One (1) commercial vehicle with a gross vehicle weight rating (GVWR) not to exceed 11,000 pounds shall be permitted to be parked or stored in any R-1 or R-2 Residential District;
- b) One commercial vehicle with a gross vehicle weight rating (GVWR) not to exceed 18,000 pounds shall be permitted to be parked or stored in any A-SER District.
- J. <u>Heating and Cooling Units.</u> Heating units and cooling coils or evaporative condensers shall be located in the rear yard and shall conform to all side and rear yard requirements for dwellings set forth in Schedule 310.05
- K. Signs. Signs shall be regulated in accordance with Chapter 430 of these regulations.
- L. <u>Trash Containers and Incinerators.</u> All trash containers and/or incinerators for uses other than single-family and two-family dwellings shall comply with Chapter 440 of these regulations.

SECTION 310.09 HOME OCCUPATIONS.

The purpose of this section is to set forth regulations that control the establishment and operation of home occupations. The intent of these regulations is to control the nonresidential use of a residential dwelling unit so that the nonresidential use is limited to an accessory use, and does not in any manner whatsoever disrupt or alter the residential character of the neighborhood in which it is located. Compliance with these regulations should result in all home occupations being located and conducted in such a manner that their existence is not detectable in any manner from the outside of the dwelling unit.

- A. The home occupation shall be clearly incidental and secondary to the use of the principal structure for dwelling purposes.
- B. A home occupation shall occupy no more than fifty percent (50%) of the first floor living area of the dwelling unit, or twenty-five percent (25%) of the total living floor area, whichever is less.
- C. The home occupation shall be conducted entirely within the dwelling unit except that an accessory building may be used only for the storage of equipment and supplies to the extent that, at all times, the number of vehicles for which the garage was designed to accommodate shall be able to be parked in such garage. No outdoor storage or display of goods shall be permitted.
- D. No extension, addition or structural modification of the dwelling that would not be customarily incident to a structure utilized solely for dwelling purposes shall be permitted. In no way shall the appearance of the dwelling be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by use of colors, materials, construction, or lighting.
- E. A home occupation shall be conducted solely by a person(s) residing on the premises.

- F. No signage identifying the home occupation shall be permitted in a residential district.
- G. Teaching or instruction is restricted to individual, private instruction; class or group instruction shall not be permitted.
- H. No traffic shall be generated by such home occupation in greater volume than can be parked on the premises. Parking shall be prohibited in the front yard except in the driveway serving the premises which driveway must be no larger than that reasonably necessary to service the garage or carport on the premises.
- I. Storage of combustible or flammable matter, accumulation of rubbish, wastepaper, cartons, or boxes, in excess of normal home activities is prohibited.
- J. No equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.
- K. No equipment or process shall be permitted or used in such home occupation that creates a nuisance by reason of generating any noise, vibration, glare, fumes, odors, or electrical interference, or which is found unsafe by the Mahoning County Board of Health. The application of automotive finishes and other related processes shall not be permitted in conjunction with the operation of a home occupation.

SECTION 310.10 FAMILY DAY CARE HOME, TYPE "B".

This Zoning Resolution recognizes that the availability of safe and affordable, good-quality child day care is important to the well being of parents and children. Furthermore, it is the purpose of this section to regulate the operation of child day care in a manner that preserves the residential character of neighborhoods. According to ORC 5104.054, any type "B" family day-care home, whether certified or not certified by the county director of human services, shall be considered to be a residential use of property for purposes of municipal, county, and township zoning and shall be a permitted use in all zoning districts in which residential uses are permitted.

- A. A Type "B" Family Day Care Home is a permanent residence of the provider where:
 - 1. Child care is provided for 1 to 6 children; and
 - 2. No more than three children are under two years of age.
 - 3. For the purposes of this definition, any children under six years of age who are related to the provider and who are on the premises of the day-care home shall be counted.
- B. Type "B" family day-care homes are a permitted accessory use in residential districts, and do not require a zoning certificate.

SECTION 310.11 ADULT FAMILY HOMES AND FAMILY HOMES FOR HANDICAPPED PERSONS.

In compliance with ORC §3722.03 and ORC §5123.19 respectively, adult family homes and family homes for handicapped persons shall be permitted by right in any residential district provided each such home complies with the following regulations.

- A. The persons residing in an adult family home or home for handicapped persons shall live as a single housekeeping unit in a single dwelling unit and maintain said home as their sole, bona fide, permanent residence. The term "permanent residence" means:
 - 1. The resident intends to live at the dwelling on a continuing basis; and
 - 2. The resident does not live at the dwelling in order to receive counseling, treatment, therapy or medical care.
- B. Signs or other means of identification as an adult family home or home for handicapped persons shall not be permitted.
- C. The facility and its staff shall be in full compliance with all applicable Federal, State and local laws and regulations, including facility licensure to begin and continue operation. Evidence of such compliance shall be furnished with the zoning permit application. Failure to maintain such license, certification and any other approval requirements shall constitute a violation of this Zoning Resolution.
- D. Family homes for handicapped persons shall comply with the following additional requirements:
 - 1. Prior to a handicapped person commencing residence in the home, either the applicant or the placement agency shall certify that the resident is handicapped as defined in 42 U.S.C. §3602(h). The applicant or the placement agency shall have a continuing duty to provide such certification to the Zoning Inspector for each handicapped person who resides in the home after a zoning permit is issued.
 - 2. In order to maintain the single-family residential character of the area in which the family home for handicapped persons is located, the applicant is required and shall agree that upon termination of use of the structure as a family home for handicapped persons for any reason the applicant shall restore the premises to a condition in which it is marketable as a single-family dwelling, unless ownership and/or possession of the premises is transferred to a person(s) who has obtained a similar zoning permit for the premise.
 - 3. The applicant shall comply with the applicable parking regulations of the Zoning Resolution for the type of residential structure used by the family home for handicapped persons and shall make adequate provision for on-site parking of vehicles used by visitors and the home supervisors.

SECTION 310.12 AGRICULTURAL USES.

- A. According to the Ohio Revised Code §519.21, the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located shall be exempt from township zoning, except as otherwise noted in B., and a zoning permit shall not be required as set forth in Section 220.02.
- B. A township shall have the authority to regulate agricultural uses in any platted subdivision approved under ORC §711.05, 711.09, or 711.10, or in any area consisting of fifteen (15) or more lots approved under ORC §711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road regulate. In such areas, agriculture shall comply with the following:
 - 1. Agriculture on lots of one (1) acre or less. The raising for private use, consumption or incidental sale of fruits, vegetables, or nursery stock shall be permitted provided no products shall be sold except those which are produced on the premises.
 - 2. Buildings or structures incident to the use of land for agricultural purposes, including, but not limited to barns, silos and roadside stands, on lots greater than one (1) acre but not greater than five (5) acres shall comply with the following:
 - a) All buildings and structures shall comply with the setback regulations set forth in the district in which the building or structure is located, except that buildings housing animals shall comply with Subsection C, below.
 - b) Each farm shall be permitted only one roadside stand or market located on the farm property, unless otherwise permitted by the district regulations.
 - 3. Dairying and animal and poultry husbandry shall be permitted on lots with a minimum area of one (1) acre in compliance with the following:
 - a) <u>Shelter for Animals</u>. The following regulations are established for the keeping of animals:
 - 1) Whenever one or more animals are kept outdoors on a lot, an accessory building for their shelter shall be constructed on the lot.
 - 2) The area of the accessory building intended to provide shelter for one or more animals shall not exceed 1.5% of the lot area.
 - 3) Such accessory building shall be located no closer than:
 - (A) 75 feet to a street right-of-way,
 - (B) 25 feet to a side or rear lot line,

- (C) 100 feet from any water well.
- b) <u>Large Animals</u>. A corral shall be required for large animals such as, but not limited to, horses, mules, donkeys, swine, cattle, buffalo, alpacas, and llamas.
 - 1) The corral shall be located a minimum of 25 feet from any front, side or rear lot line.
 - 2) The corral shall provide at least the minimum grazing area for grazing livestock in compliance with the latest "animal units" per acre standards set forth by the County Cooperative Extension Service.
- c) <u>Small Animals</u>. If a fenced area is provided for small animals such as, but are not limited to, poultry, goats, sheep and mini breeds of horses, cattle and swine, but not including dogs, cats and other common household pets, the fenced area shall be located in a side or rear yard a minimum of 25 feet from any side or rear lot line.
- d) <u>Wild Or Exotic Animals</u>. The keeping of wild or exotic animals, is permitted in compliance with these regulations provided all federal, state, and local permits are first obtained and animal humane and safety standards are met, except for carnivorous animals or reptiles considered potentially dangerous to residents of the community.
- e) <u>Bee-Keeping (Apiculture)</u>. All bee-keeping activities shall be a minimum of 250 feet from any residence on adjacent parcels.
- f) Maintenance.
 - 1) All areas adjacent to any corral or other similar enclosure, stable or shelter, workout or training area or any other structure where animals are kept and maintained, shall be graded to drain away from such facilities to prevent ponding and insect harborage.
 - 2) All such premises shall be kept and maintained in a clean and sanitary condition.
 - 3) Animals located on such premises shall not create a nuisance by generating excessive noise or pungent odors that may pervade the area beyond the perimeter of the lot.
- C. A dwelling unit on the same lot with an agricultural use and all accessory buildings associated with the dwelling unit shall comply with all regulations for dwelling units set forth in this Resolution.
- D. Signs shall comply with the regulations set forth in Chapter 430.