

EXHIBIT 3C - R-A RESIDENCE-AGRICULTURE

DIVISION 2. - R-A RESIDENCE/AGRICULTURE DISTRICTS

Sec. 106-216. - Generally.

The R-A residence/agriculture districts are composed mainly of unsubdivided lands that are vacant or in agricultural or forestry uses, with some dwellings and some accessory uses. The regulations are designed to protect the essentially open character of the districts by prohibiting the establishment of scattered business, industrial, and other uses that are unrelated to any general plan of development and that might inhibit the best future urban utilization of the land. It is intended that land in these districts shall be reclassified to its appropriate residential or commercial category in accordance with the amendment procedure set forth herein whenever such land is subdivided into urban building sites.

(Ord. No. 184, 1957, § IIB.1., 1-14-58)

Sec. 106-217. - Permitted uses—Generally.

In R-A districts only the uses listed in this division are permitted.

(Ord. No. 184, 1957, § IIB.1.a., 1-14-58)

Sec. 106-218. - Same—Uses by right.

The uses listed below are permitted subject to the conditions specified:

Accessory use.

Art, sculpture, fountains, monuments, statues and/or other similar landscape features; need not be enclosed within a structure, must be in compliance with requirements of section 106-1181.

Dwelling, one-family.

Farming and truck gardening; need not be enclosed within structure (no on-premises sales of items not produced at the site).

Garage sale, limited to periods from sunrise to sunset daily for no more than three consecutive calendar days duration and no more frequent than two such non-continuous and separate periods during a calendar year for the same building site (municipal address), with a special permit issued by the zoning administrator; need not be enclosed within structure. See definition for additional restrictions.

Home-based business; must be in full compliance with criteria specified in section 106-1124.

Livestock and poultry raising, including dairy; need not be enclosed within structure.

Nursery or care for six or less children at a time by a resident of the property.

Parks, pavilions or playgrounds (public or private) with no enclosed activity structures.

Temporary uses, including garage sales, charitable, recreational, religious, cultural, community service or similar events for a period not exceeding four consecutive calendar days duration and no more frequent than three such non-continuous and separate periods in a calendar year for the same building site (municipal address), requires written notice to the zoning administrator; need not be enclosed within structure, reference section 106-1 for additional requirements or restrictions.

(Ord. No. 184, 1957, § IIB.1.a.(1), 1-14-58; Ord. No. 167, 1979, § I, 7-10-79; Ord. No. 352, 1982, § I, 11-9-82; Ord. No. 69, 1983, § I, 4-26-83; Ord. No. 236, 1987, § III, 10-27-87; Ord. No. 61, 1988, § II, 4-12-88; Ord. No. 156, 1989, 10-24-89; Ord. No. 137, 1990, §§ I, II, 7-10-90; Ord. No. 162, 1993, 9-28-93; Ord. No. 178, 1994, 9-13-94; Ord. No. 123, 2006, 9-12-06; Ord. No. 69, 2007, 5-8-07; Ord. No. 74, 2013, 7-9-13)

Sec. 106-219. - Same—Uses requiring planning commission approval.

The uses listed below are permitted upon approval of the location and site plan thereof by the planning in accordance with the provisions of section 106-44:

Bed and breakfast lodging, as defined. (Public hearing required.) The planning commission shall have the right to add additional limitations, such as but not limited to, parking requirements, landscaping, fencing and/or design review of proposed elevations by a state-licensed architect. Such architect shall be selected by the MPC and the expenses for said review shall be paid for by the applicant. Except for

- limitation No. 1, the planning commission shall have the right to waive any of the limitations upon such conditions as determined by the planning commission.
- Limitation No. 1, regarding the business being conducted by a resident owner family may only be waived by the planning commission provided the owner of the bed and breakfast lodging owns a primary residence within 1,000 feet of the proposed bed and breakfast lodge.
- Borrow pit; shall meet criteria established in section 106-1128. (Public hearing optional; however, all property owners within 300 feet of the property containing a borrow pit site shall be notified following procedures used for public hearing notification.)
- Equestrian riding academy or course.
- Fairgrounds, stadiums, arenas, coliseums or sports fields (public or private).
- Fire station.
- Golf clubs, country clubs, swim clubs or tennis clubs, including enclosed support facilities (public or private).
- Outdoor general advertising structure; need not be enclosed within structure; the planning commission may hold a public hearing and may notify property owners within 300 feet if they deem it necessary.
- Parks, pavilions, recreation centers or playgrounds (public or private, can include both indoor and outdoor components).
- Pipeline or electric transmission line; need not be enclosed within structure.
- Railroad right-of-way, but not including shops, yards, and team tracks; need not be enclosed within structure.
- Revival, church.
- School, elementary and/or secondary, meeting all requirements of the compulsory education laws of the state.
- Temporary uses, including commercial, recreational, religious, cultural or community service events of a duration or frequency of occurrence in excess of that permitted by right; upon showing by the applicant of reasonable justification for the waiver of

applicable district and/or supplementary regulations, the planning commission may waive or modify such regulations at its discretion and specify additional requirements or restrictions (such as hours of operation, enclosed within structure, duration, etc.) as deemed appropriate. The commission may hold a public hearing and notify surrounding property owners.

University or college (nonprofit).

Water or sewage pumping station.

Water storage; need not be enclosed within structure.

(Ord. No. 184, 1957, § IIB.1.a.(2), 1-14-58; Ord. No. 167, 1979, § II, 7-10-79; Ord. No. 352, 1982, § II, 11-9-82; Ord. No. 52, 1984, § II, 3-27-84; Ord. No. 217, 1990, 10-23-90; Ord. No. 89, 1993, 5-25-93; Ord. No. 258, 1994, 11-22-94; Ord. No. 123, 2006, 9-12-06; Ord. No. 69, 2007, 5-8-07)

Sec. 106-220. - Same—Special exception uses.

The uses listed below are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case and shall be subject to approval of the board of appeals in accordance with the provisions of section 106-46 governing special exceptions:

Airport; need not be enclosed within structure.

Airport and dusting service; need not be enclosed within structure.

Cemetery; need not be enclosed within structure.

Church, including parish house, community house, and educational buildings.

Correctional, detention, or penal institution.

Dwelling, secondary residential; each secondary residential dwelling building site should have adequate square footage to permit each dwelling to meet the required setbacks, and at least 4,000 square feet per unit gross land area, plus direct access to both dwelling units from a public right-of-way. Service by municipal water and sewer lines will be an important consideration. No more than one secondary residential structure will be allowed on any lot. Neighborhood compatibility shall be the principal impact consideration.

Electric substation; need not be enclosed within structure but must be enclosed within a wall at least ten feet high and adequate to obstruct view, noise, and passage of persons.

Heliport.

Mobile home, when used as a dwelling unit; must have water and sewer connections.

Outdoor amusement parks, water parks or similar facilities (may include batting cages, rental go-cart tracks, driving ranges, miniature golf courses, etc. and indoor arcade components).

Paintball center, firearms or archery training and practice range (including indoor facilities, outdoor facilities or facilities containing both indoor and outdoor components).

Racetracks, motocross, ATV courses and rodeos.

Radio and television broadcasting transmitter, but not including studio.

Telephone exchange, but not including administrative offices, shops or garages.

(Ord. No. 184, 1957, § IIB.1.a.(3), 1-14-58; Ord. No. 40, 1962, § 1, 5-22-62; Ord. No. 69, 1963, § 1, 4-23-63; Ord. No. 140, 1964, § 1, 11-10-64; Ord. No. 19, 1965, § 1, 2-23-65; Ord. No. 257, 1979, § I, 10-23-79; Ord. No. 64, 1980, § I, 3-25-80; Ord. No. 28, 1985, § II, 3-4-85; Ord. No. 204, 1985, § I, 8-22-85; Ord. No. 355, 1985, § I, 1-2-86; Ord. No. 236, 1987, § IV, 10-27-87; Ord. No. 14, 1992, § 1, 3-10-92; Ord. No. 58, 1993, 5-11-93; Ord. No. 87, 1993, 5-25-93; Ord. No. 89, 1993, 5-25-93; Ord. No. 69, 1997, 6-10-97; Ord. No. 38, 1999, 4-13-99; Ord. No. 123, 2006, 9-12-06; Ord. No. 69, 2007, 5-8-07; Ord. No. 74, 2013, 7-9-13)

Sec. 106-220.1. - Same—Uses requiring planning director approval.

The uses listed below are permitted subject to planning director approval in accordance with the provisions of section 106-45:

Home-based business (not in compliance with at least one, but no more than five of the criteria specified in section 106-1124).

(Ord. No. 58, 1993, 5-11-93; Ord. No. 69, 2007, 5-8-07; Ord. No. 74, 2013, 7-9-13)

Editor's note— Ord. No. 58, 1993, adopted May 11, 1993, amended the zoning ordinance, Ord. No. 184, 1957, by adding provisions as § IIB.1.a.(4); such provisions have been included herein as § 106-220.1 at the discretion of the editor.

Sec. 106-221. - Building site area.

Except as provided in article IX of this chapter, the minimum building site area shall be:

- (1) For a one-family dwelling, one acre.
- (2) For any other permitted use, 10,000 square feet.

(Ord. No. 184, 1957, § IIB.1.b., 1-14-58; Ord. No. 39, 1982, § I, 2-23-82)

Sec. 106-222. - Building height limit.

Except as provided in article IX of this chapter, no structure shall be erected or altered to exceed 35 feet.

(Ord. No. 184, 1957, § IIB.1.c., 1-14-58)

Sec. 106-223. - Required yards.

Except as provided in article IX of this chapter, the minimum dimensions of yards shall be:

- (1) Front yard, 30 feet.
- (2) Side yards:
 - a. One-story, five feet.
 - b. Two-story, ten feet.
 - c. Three-story, 12 feet.
 - d. Each additional story, two feet.
- (3) Rear yard, 15 feet.

(Ord. No. 184, 1957, § IIB.1.d., 1-14-58; Ord. No. 320, 1980, § I, 11-25-80; Ord. No. 39, 1982, § I, 2-23-82)

Secs. 106-224—106-235. - Reserved.