

## **CHAPTER 18.32 MULTIPLE USE AGRICULTURAL ZONE; MUA**

18.32.010 Purpose

18.32.020 Uses Permitted Outright

18.32.030 Conditional Uses Permitted

18.32.035 Destination Resorts

18.32.040 Dimensional Standards

18.32.050 Yards

18.32.060 Stream Setbacks

18.32.070 Rimrock Setback

### **18.32.010 Purpose**

The purposes of the Multiple Use Agricultural Zone are to preserve the rural character of various areas of the County while permitting development consistent with that character and with the capacity of the natural resources of the area; to preserve and maintain agricultural lands not suited to full-time commercial farming for diversified or part-time agricultural uses; to conserve forest lands for forest uses; to conserve open spaces and protect natural and scenic resources; to maintain and improve the quality of the air, water and land resources of the County; to establish standards and procedures for the use of those lands designated unsuitable for intense development by the Comprehensive Plan, and to provide for an orderly and efficient transition from rural to urban land use.

#### **HISTORY**

Adopted by Ord. [PL-15](#) §4.060 on 11/1/1979

Amended by Ord. [95-075](#) §1 on 11/29/1995

### **18.32.020 Uses Permitted Outright**

The following uses and their accessory uses are permitted outright:

- A. Agricultural uses as defined in DCC Title 18.
- B. A single family dwelling, or a manufactured home subject to DCC 18.116.070.
- C. Propagation or harvesting of a forest product.
- D. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
- E. Class III road or street project.
- F. Noncommercial horse stables, excluding horse events.
- G. Horse events, including associated structures, involving:
  - 1. Fewer than 10 riders;
  - 2. Ten to 25 riders, no more than two times per month on nonconsecutive days; or
  - 3. More than 25 riders, no more than two times per year on nonconsecutive days.

Incidental musical programs are not included in this definition. Overnight stays by participants, trainers or spectators in RVs on the premises is not an incident of such horse events.

- H. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- I. Type 1 Home Occupation, subject to DCC 18.116.280.

J. Historic Home Accessory Dwelling Units, subject to DCC 18.116.350.

K. Residential Accessory Dwelling Units, subject to DCC 18.116.355.

L. Residential Home.

#### HISTORY

Adopted by Ord. [PL-15](#) on 11/1/1979

Amended by Ord. [91-002](#) §6 on 2/6/1991

Amended by Ord. [91-005](#) §18 on 3/4/1991

Amended by Ord. [91-020](#) §1 on 5/29/1991

Amended by Ord. [91-038](#) §1 on 9/30/1991

Amended by Ord. [93-001](#) §1 on 1/27/1993

Amended by Ord. [93-043](#) §4 on 8/25/1993

Amended by Ord. [94-008](#) §10 on 6/8/1994

Amended by Ord. [2001-016](#) §2 on 3/28/2001

Amended by Ord. [2001-039](#) §2 on 12/12/2001

Amended by Ord. [2004-002](#) §3 on 4/28/2004

Amended by Ord. [2019-009](#) §1 on 9/3/2019

Recorded by Ord. [2019-009](#) §1 on 9/3/2019

Adopted by Ord. [2023-014](#) §1 on 12/1/2023

Amended by Ord. [2024-008](#) §4 on 1/7/2025

### **18.32.030 Conditional Uses Permitted**

The following uses may be allowed subject to DCC 18.128:

- A. Public use.
- B. Semipublic use.
- C. Commercial activities in conjunction with farm use. The commercial activity shall be associated with a farm use occurring on the parcel where the commercial use is proposed. The commercial activity may use, process, store or market farm products produced in Deschutes County or an adjoining County.
- D. Dude ranch.
- E. Kennel and/or veterinary clinic.
- F. Guest house.
- G. Manufactured home as a secondary accessory farm dwelling, subject to the requirements set forth in DCC 18.116.070.
- H. Exploration for minerals.
- I. Private parks, playgrounds, hunting and fishing preserves, campgrounds, motorcycle tracks and other recreational uses.
- J. Personal use landing strip for airplanes and helicopter pads, including associated hangar, maintenance and service facilities. No aircraft may be based on a personal use landing strip other than those owned or controlled by the owner of the airstrip. Exceptions to the activities permitted under this definition may be granted through waiver action by the Aeronautics Division in specific instances. A personal use landing strip lawfully existing as of September 1, 1975, shall continue to be permitted subject to any applicable regulations of the Aeronautics Division.
- K. Golf courses.
- L. Type 2 or Type 3 Home Occupation, subject to DCC 18.116.280.
- M. A facility for primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming practices and is compatible with farm uses described

in ORS 215.203(2). Such a facility may be approved for a one year period which is renewable. These facilities are intended to be only portable or temporary in nature. The primary processing of a forest product, as used in DCC 18.32.030, means the use of a portable chipper or stud mill or other similar method of initial treatment of a forest product in order to enable its shipment to market. Forest products, as used in DCC 18.32.030, means timber grown upon a parcel of land or contiguous land where the primary processing facility is located.

- N. Destination resorts.
- O. Planned developments.
- P. Cluster developments.
- Q. A disposal site which includes a land disposal site for which the Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation.
- R. Time share unit or the creation thereof.
- S. Hydroelectric facility, subject to DCC 18.116.130 and 18.128.260.
- T. Storage, crushing and processing of minerals, including the processing of aggregate into asphaltic concrete or Portland cement concrete, when such uses are in conjunction with the maintenance or construction of public roads or highways.
- U. Bed and breakfast inn.
- V. Excavation, grading and fill and removal within the bed and banks of a stream or river or in a wetland subject to DCC 18.120.050 and 18.128.270.
- W. Religious institutions or assemblies, subject to DCC 18.124 and 18.128.080.
- X. Private or public schools, including all buildings essential to the operation of such a school.
- Y. Utility facility necessary to serve the area subject to the provisions of DCC 18.124.
- Z. Cemetery, mausoleum or crematorium.
- AA. Commercial horse stables.
- AB. Horse events, including associated structures, not allowed as a permitted use in this zone.
- AC. Manufactured home park or recreational vehicle park on a parcel in use as a manufactured home park or recreational vehicle park prior to the adoption of PL 15 in 1979 and being operated as of June 12, 1996, as a manufactured home park or recreational vehicle park, including any expansion of such uses on the same parcel, as configured on June 12, 1996.
- AD. A new manufactured home/recreational vehicle park, subject to Oregon Administrative Rules 660-004-0040(8)(g) that:
  - 1. Is on property adjacent to an existing manufactured home/recreational vehicle park;
  - 2. Is adjacent to the City of Bend Urban Growth Boundary; and
  - 3. Has no more than 10 dwelling units.
- AE. The full or partial conversion from a manufactured home park or recreational vehicle park described in DCC 18.32.030 (CC) to a manufactured home park or recreational vehicle park on the same parcel, as configured on June 12 1996.
- AF. Wireless telecommunications facilities, except those facilities meeting the requirements of DCC 18.116.250(A) or (B).
- AG. Guest lodge.

AH. Surface mining of mineral and aggregate resources in conjunction with the operation and maintenance of irrigation systems operated by an Irrigation District, including the excavation and mining for facilities, ponds, reservoirs, and the off-site use, storage, and sale of excavated material.

#### HISTORY

Adopted by Ord. [PL-15](#) on 11/1/1979  
Amended by Ord. [80-206](#) §3 on 10/13/1980  
Amended by Ord. [83-033](#) §2 on 6/15/1983  
Amended by Ord. [86-018](#) §7 on 6/30/1986  
Amended by Ord. [90-014](#) §§27 and 35 on 7/12/1990  
Amended by Ord. [91-002](#) §7 on 2/6/1991  
Amended by Ord. [91-005](#) §§19 and 20 on 3/4/1991  
Amended by Ord. [91-020](#) §1 on 5/29/1991  
Amended by Ord. [91-038](#) §1 on 9/30/1991  
Amended by Ord. [92-055](#) §2 on 8/17/1992  
Amended by Ord. [93-043](#) §§4A and B on 8/25/1993  
Amended by Ord. [94-008](#) §11 on 6/8/1994  
Amended by Ord. [94-053](#) §2 on 12/7/1994  
Amended by Ord. [96-038](#) §1 on 6/12/1996  
Amended by Ord. [97-017](#) §2 on 3/12/1997  
Amended by Ord. [97-029](#) §2 on 5/14/1997  
Amended by Ord. [97-063](#) §3 on 11/12/1997  
Amended by Ord. [2001-016](#) §2 on 3/28/2001  
Amended by Ord. [2001-039](#) §2 on 12/12/2001  
Amended by Ord. [2004-002](#) §4 on 4/28/2004  
Amended by Ord. [2009-018](#) §1 on 11/5/2009  
Amended by Ord. [2015-002](#) §1 on 7/8/2015  
Amended by Ord. [2016-015](#) §3 on 7/1/2016  
Amended by Ord. [2020-001](#) §4 on 4/21/2020  
Amended by Ord. [2021-004](#) §2 on 5/27/2021  
Amended by Ord. [2021-013](#) §5 on 4/5/2022  
Amended by Ord. [2023-001](#) §4 on 5/30/2023

### **18.32.035 Destination Resorts**

Destination resorts may be allowed as a conditional use, subject to all applicable standards of the DR Zone.

#### HISTORY

Adopted by Ord. [92-004](#) §4 on 2/7/1992

### **18.32.040 Dimensional Standards**

In an MUA Zone, the following dimensional standards shall apply:

- A. The minimum lot size shall be 10 acres, except planned and cluster developments shall be allowed an equivalent density of one unit per seven and one-half acres and planned and cluster developments within one mile of an acknowledged urban growth boundary shall be allowed a five acre minimum lot size or equivalent density.
- B. The minimum average lot width shall be 100 feet and the minimum street frontage 50 feet.
- C. The minimum average lot depth shall be 150 feet.
- D. Building height. No building or structure shall be erected or enlarged to exceed 30 feet in height, except as allowed by DCC 18.120.040.

#### HISTORY

Adopted by Ord. [PL-15](#) on 11/1/1979  
Repealed & Reenacted by Ord. [91-020](#) §1 on 5/29/1991

Amended by Ord. [92-055](#) §3 on 8/17/1992  
Amended by Ord. [2006-008](#) §4 on 8/29/2006

## **18.32.050 Yards**

- A. The front yard setback from the property line shall be a minimum of 20 feet for property fronting on a local street right of way, 30 feet from a property line fronting on a collector right of way, and 80 feet from an arterial right of way unless other provisions for combining accesses are provided and approved by the County.
- B. Each side yard shall be a minimum of 20 feet. For parcels or lots created before November 1, 1979, which are one-half acre or less in size, the side yard setback may be reduced to a minimum of 10 feet. For parcels or lots adjacent to property receiving special assessment for farm use, the adjacent side yard for a dwelling shall be a minimum of 100 feet.
- C. Rear yards shall be a minimum of 25 feet. Parcels or lots with rear yards adjacent to property receiving special assessment for farm use, the rear yards for a dwelling shall be a minimum of 100 feet.
- D. The setback from the north lot line shall meet the solar setback requirements in DCC 18.116.180.
- E. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or the County under DCC 15.04 shall be met.

### **HISTORY**

Adopted by Ord. [PL-15](#) on 11/1/1979  
Amended by Ord. [83-037](#) §9 on 6/1/1983  
Amended by Ord. [88-021](#) §1 on 5/18/1988  
Amended by Ord. [91-020](#) §1 on 5/29/1991  
Amended by Ord. [94-008](#) §17 on 6/8/1994  
Amended by Ord. [2005-011](#) §1 on 4/13/2005

## **18.32.060 Stream Setbacks**

To permit better light, air, vision, stream pollution control, fish and wildlife areas and to preserve the natural scenic amenities and vistas along the streams and lakes, the following setbacks shall apply:

- A. All sewage disposal installations, such as septic tanks and septic drainfields, shall be set back from the ordinary high water mark along all streams or lakes a minimum of 100 feet, measured at right angles to the ordinary high water mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet and the County Sanitarian finds that a closer location will not endanger health, the Planning Director or Hearings Body may permit the location of these facilities closer to the stream or lake, but in no case closer than 25 feet.
- B. All structures, buildings or similar permanent fixtures shall be set back from the ordinary high water mark along all streams or lakes a minimum of 100 feet measured at right angles to the ordinary high water mark.

### **HISTORY**

Adopted by Ord. [PL-15](#) on 11/1/1979  
Amended by Ord. [91-020](#) §1 on 5/29/1991

## **18.32.070 Rimrock Setback**

Setbacks from rimrock shall be as provided in DCC 18.116.160.

## HISTORY

Adopted by Ord. [PL-15](#) on 11/1/1979  
Amended by Ord. [86-053](#) §6 on 6/30/1986