

MINER COUNTY SHELTERBELT ZONING

Shelterbelt. A strip or belt of trees or shrubs established to reduce soil erosion and to protect yards, lots, buildings, livestock and residences, recreation and wildlife from wind. For the purposes of this ordinance a shelterbelt shall include ten (10) or more trees planted in a line, with each tree separated by a distance of forty (40) feet or less. Ornamental trees, generally used in front yards and spaced further than thirteen (13) feet apart and further do not extend lineally for a distance of over one hundred fifty (150) feet, are not considered shelterbelts. Ornamental trees may be placed within fifty (50) feet of the public road right-of-way subject to section 1608.

Windward Row. Of or on the side exposed to prevailing winds. Regarding shelterbelts, on the north and west side of a public right-of-way, the windward row of the shelterbelt is northernmost or westernmost row of trees. On the south and east side of a public right-of-way, the windward row of the shelterbelt is southernmost and easternmost row of trees.

Section 1608. Shelterbelt Setback Requirements.

1. Permits are required for all shelterbelt plantings.
2. A shelterbelt, consisting of a single row of trees shall not be established within one hundred fifty (150) feet of a public road right-of-way line.
3. A shelterbelt may be established within fifty (50) feet of the public road right-of-way line if the windward row of trees is established one hundred fifty (150) feet from the public road right-of-way line. Further, the shelter belt will consist of at least three (3) rows of trees with the windward row of trees consisting of shrubbery or tree species which aid in the containment of snow. See Figure 1608.1.

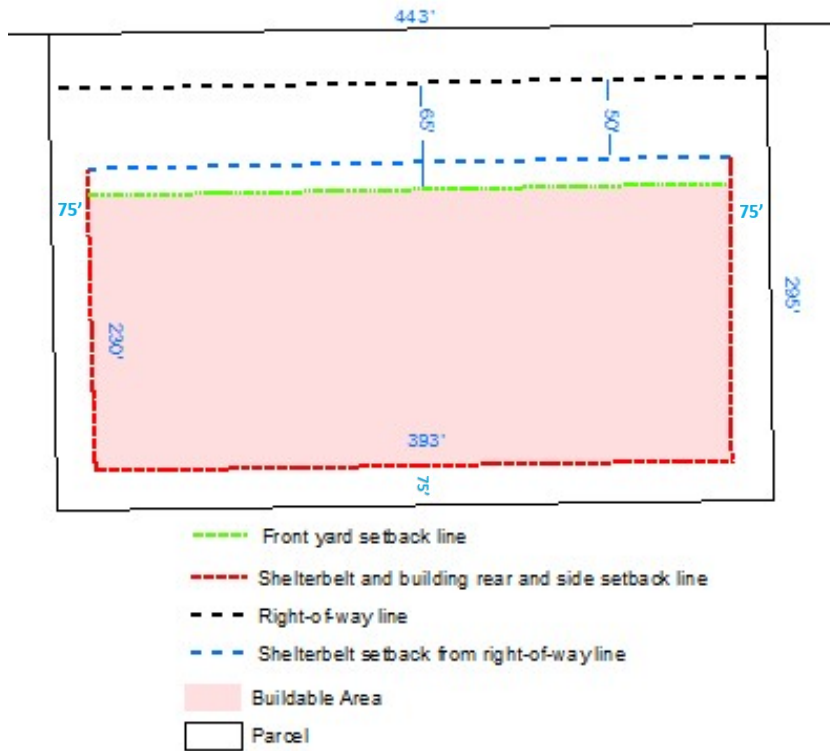
Figure 1608.1



4. The setback requirements also apply to volunteer trees that the landowner allows to grow.

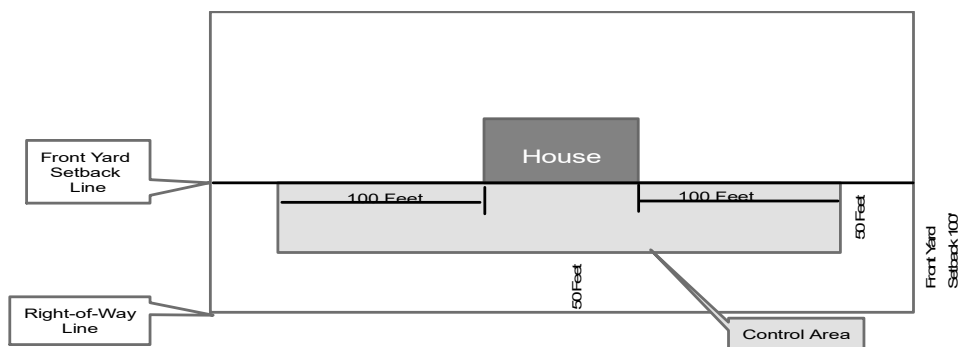
- Shelterbelts shall not be established within seventy-five (75) feet of adjoining property lines without written permission of adjoining property owners. See Figure 1608.2

Figure 1608.2



- Shelterbelts around building sites shall not be established within fifty (50) feet of the right-of-way line. See Figure 1608.2 without written permission of Road Authority
- Shade trees, ornamental trees or shrubs generally used for landscaping and windbreak are allowed in a controlled area. The controlled area is defined as the area within one hundred (100) feet of homes or farm buildings, but not closer to the right-of-way than fifty (50) feet. Except for the following, plantings within the controlled area are exempt from this regulation. Four or more trees in a row are not allowed within the controlled area. Deciduous trees which are spotted or staggered within the controlled area can be no closer than twenty (20) feet. Conifer trees which are spotted or staggered within the controlled area can be no closer than twenty-five (25) feet. The distance between trees shall be determined by measuring distance between tree trunks. See Figure 1608.3

Figure 1608.3 Controlled Area Illustration



8. A recommendation from the Road Authority is required prior to the issuance of any variance of the shelterbelt setback from a public right-of-way.
9. Shelterbelts existing prior to January 1, 2023. Shelterbelts which do not conform to the regulations of this Section may be replaced, but not enlarged, subject to Zoning Officer and/or Road Authority approval. See Figure 1608.4

Figure 1208.4 Eligible Shelter Belt Replacement Illustration

