

## ARTICLE VIII

### "A - L" AGRICULTURAL DISTRICT

**SECTION 1. INTENT AND PURPOSE OF DISTRICT:** This district is intended to provide a location for land situated on the fringe of the urban area to be used for agricultural purposes, but which will be undergoing urbanization in the foreseeable future. Therefore, the agricultural uses and activities should not be detrimental to urban land uses. It is not intended that this district provide a location for a lower standard of residential, commercial, or industrial development than is authorized in other districts. The types of uses, and intensity of use of land authorized in this district is designed to encourage and protect agricultural uses until urbanization is warranted and the appropriate changes in district classification are made.

**SECTION 2. DISTRICT REGULATIONS:** In the "A - L" District, no building or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged or designed for other than one of the uses listed in SECTION 3 below.

#### SECTION 3. USE REGULATIONS:

1. General farm operations, not including:
  - a. The spreading, accumulation, feeding, or use of garbage in any manner on the open surface of the land.
  - b. A use or activity engaged in within three hundred (300) feet of a residential or retail business structure, if such use or activity results in continuous odor, dust, or noise.
  - c. The construction of agricultural buildings or structures closer than ninety (90) feet to the centerline of a principal public way.
2. Single-family dwelling units on a minimum of two (2) acres for exclusive use by the farm family or employees. (Site size subject to utility service requirements.)
3. Residential design manufactured homes.
4. Manufactured homes incidental to general farm operations on the same tract or parcel with the principal dwelling provided the manufactured home is used exclusively by the farm family or employees, and provided that, in the case where individual wells and/or septic systems are used, spacing is in accordance with all applicable sanitary regulations.
5. Group homes, foster homes and boarding homes for children.
6. Churches and similar places of worship and parish houses.

7. Farms and ranches.
8. Golf courses and other open land recreational uses, except miniature golf courses, driving tees, or other intensive commercial uses, such as automobile race track or amusement park.
9. Greenhouses, nurseries, and garden centers.
10. Institutions of higher learning, including dormitory accommodations when located on the same tract as the educational buildings.
11. Privately-owned parks, playgrounds, golf courses, or other outdoor recreational areas, such as campgrounds, youth camps, gun clubs, and archery, trap, and skeet ranges.
12. Public and semi-public parks, playgrounds, campgrounds, fishing preserves, or other recreational areas and community buildings owned and operated by a public agency or non-profit organization.
13. Public or parochial elementary, junior high, high schools and private schools with equivalent curriculum.
14. Licensed child care centers.
15. Stands for sale of agricultural products or commodities raised or prepared on the premises.
16. Customary accessory uses and structures located on the same tract with the principal use, including barns, sheds, tennis courts, swimming pools, private garages, garden houses, barbecue ovens, fireplaces, and similar uses.
17. Temporary structures incidental to construction work, but only for the period of such work. Basements and cellars may not be occupied for residential purposes until the building is completed.
18. Utility lines and facilities necessary for public service, and including refuse disposal area conducted under a landfill or sanitary fill method, public and semi-public storage and repair facilities, sewage disposal, water supply and treatment facilities, dams, and power plants, subject to applicable Kansas Department of Health and Environment regulations.
19. The following uses may be allowed by conditional use permit when submitted, reviewed, and approved by the Planning Commission and Governing Body and subject to conditions as they may impose.
  - a. Any public building erected or land used by any department of the City, County, State, or Federal Government.

- b. Airport or heliport.
- c. Bed and Breakfast Inns.
- d. Cemetery, crematory or mausoleum.
- e. Commercial development of natural resources and extraction of raw materials such as rock, gravel or sand; provided, that fencing may be required where deemed necessary and that it is the intent of these regulations to require an orderly continuing use of all land permitted to be excavated for its resources. At the time an application is made for a conditional use, the applicant shall submit a general plan for restoration of the area to be excavated or to be used in any way as part of the operations. A conditional amendment shall be required for all new or expanded operations or re-opening of previously abandoned operations. Information to be submitted with the application includes the following:
  - 1) A plan showing the boundary of the entire tract, vehicular access routes and surfacing, prevailing wind directions, existing and proposed street rights-of-way, easements, water bodies, mining area and proposed fencing.
  - 2) A general plan of operation, including blasting hours, removal plan and hours of operation.
  - 3) A plan showing the finished topography of the restored areas including grades and slopes.
  - 4) A general timing for restoring the various excavation pits and overburden for a continuing use.
  - 5) A general description of the methods and materials proposed to provide for a continuing use.
  - 6) Amount and type of planting to be done on the restored area or other approved restoration uses or methods.
- f. Kennels for breeding and boarding dogs, provided that:
  - 1) No kennel buildings or runs or open areas shall be located closer than 300 feet to any property line.
  - 2) All kennel runs or open areas shall be screened around such areas or at the property lines. Such screening may be densely planted evergreen foliage or a solid wall or fence of masonry, wood or metal designed so as to reduce noise and prevent the distraction or excitement of the dogs.

- g. Natural wildlife habitats and reserves, publicly owned.
- h. Privately owned seasonal or temporary or permanent parks and recreational areas such as youth camps, adult and family retreat areas, gun clubs, archery ranges, musical festivals or fishing and hunting preserves.
- i. Public buildings erected or land used by any agency of a city, township, county or state government.
- j. Riding stables and academies; providing, no structure housing horses shall be located nearer than 500 feet to the boundary of any residential district.
- k. Roadside stands for the sale of agricultural products by an operator other than the producer of the product.
- l. Utility trailer sales.
- m. Communication structures, antennas and aerials.
- n. Utility substations, pumping stations and water towers, publicly and privately owned.
- o. Other uses not specifically listed as permitted, special or conditional use, but which are keeping with the intent of the Agriculture District.

**SECTION 4. INTENSITY OF USE REGULATION:** Tracts in this district shall be subject to the following minimum size requirements and to the requirements of the county sanitary code.

- 1. Tracts served by a private water well and a lagoon if does not pass perc test — five (5) acres.
- 2. Tracts served by a public or private water system and a lagoon if does not pass perc test — two (2) acres.
- 3. Tracts served by a public water system and a septic tank with lateral fields — one (1) acre.
- 4. Tracts shall have a minimum width of one hundred fifty (150) feet.

**SECTION 5. HEIGHT REGULATIONS:** Except as otherwise provided in the height, area, bulk, and dimensional requirements of this Ordinance, no building or structure shall exceed the following height restrictions:

- 1. When a building or structure is within one hundred fifty (150) feet of a dwelling district zone, said building or structure shall not exceed thirty-five (35) feet in height.
- 2. When a building or structure is more than one hundred fifty (150) feet from a dwelling district zone, said building or structure shall not exceed eighty (80) feet in height. Buildings and structures used for nonagricultural purposes shall not exceed thirty-five (35) feet in height.

**SECTION 6. YARD REGULATIONS**

1. *Front Yard.*

- a. There shall be a front yard having a depth of not less than thirty-five (35) feet except as required for arterial and collector streets or roads. (See Additional Height, Area, and Use Regulations)
- b. Where a lot or tract has double frontage, the required front yard shall be provided on both streets or roads.
- c. Where a lot or tract is located at the intersections of two (2) or more streets or roads, there shall be a front yard on each street or road side of said lot or tract. No accessory building shall project beyond the front yard line on either street or road.

2. *Side Yard.* There shall be a side yard on each side of every building, structure or zoning lot which said yard shall not be less than twenty (20) feet.

3. *Rear Yard.* Except as hereinafter provided in the additional height, area, and use regulations of this Ordinance, there shall be a rear yard having a depth of not less than thirty-five (35) feet.

**SECTION 7. SIGN REGULATIONS: See ARTICLE XXII**

**SECTION 8. PARKING AND LOADING REGULATIONS: See ARTICLE XXIII**