

## **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. 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.
12. Public or parochial elementary, junior high, high schools and private schools with equivalent curriculum.
13. Licensed child care centers.
14. Stands for sale of agricultural products or commodities raised or prepared on the premises.
14. 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.
15. 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.
17. 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.
18. The following uses may be allowed by Special Use Permit when submitted, reviewed, and approved by the Board of Zoning Appeals and subject to conditions such as the Board 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. Cemetery, crematory or mausoleum.
- d. Electronic communications towers, provided that towers within one hundred fifty (150) feet of a dwelling district zone may have a height of no more than eighty (80) feet; and customary accessory uses incidental to electronic communications towers, such as parking areas, electronics, and generator buildings (not to include broadcast studios). Also see ARTICLE XXVIII, Section 13 – Wireless Communications Towers.
- e. Home occupations. Also see ARTICLE XXVIII.
- f. Hospitals, isolation homes, penal institutions, sanitariums or asylums for the treatment of mental illness, alcoholism or narcotics addiction on a tract of land five (5) acres or larger.
- g. Preschools.
- h. Oil and gas exploration and extraction.
- i. Water Retention Areas
- j. Racetrack, animal or vehicular
- k.. Development of natural resources and extraction of raw materials such as rock, gravel, sand, etc.
- l. Licensed Nursing and Care Homes on a tract 5 acres or larger, subject to inspection and license requirements of the State.
- m. Seasonal or temporary uses such as recreation camp or similar enterprises.
- n. Telephone exchange, electric substations or similar public utilities.
- o. Agricultural product storage (elevators and grain bins) when no other business is in combination with said storage.
- p. Animal feed lots subject to the license requirements of the State and subject to the following minimum sanitation and odor practices. (The intent is to establish a healthful environment around the feed lot.)

Operation:

- (1) Manure shall be removed or disposed of in one of the following manners:

- (a) Spraying or spreading on land followed by disking or plowing.
  - (b) Grinding or dehydrating in properly designed dehydrators.
  - (c) Stockpiling in a compost plant in an isolated area at least three (3) miles from a residential area.
- (2) Insect and rodent control:
- (a) Removal of manure and disposal as outlined above.
  - (b) Use of chemical sprays and poisons in accordance with procedures and recommendations of a biologist experienced in insect and rodent control.

Drainage

- (1) All ground surfaces within pens shall be so graded and compacted to insure proper drainage.
  - (2) Surface runoff shall be so controlled that no appreciable amount of soil or manure is carried into any roadway ditch or drainage area where it will deposit and form sludge banks where flies and mosquitoes can breed.
- q. Radio or television transmitters.
- r. Private clubs (as defined in these regulations).
- s. Kennels-Breeder and Boarding, provided that:
- (1) The minimum lot size shall be not less than two (2) acres, subject to utility requirements.
  - (2) No kennel buildings or runs shall be located nearer than 75 feet to any property lines.
  - (3) All kennel runs or open areas shall be screened around such areas or at the property lines to prevent the distraction or excitement of the dogs. Such screening may be mature, dense deciduous foliage (double row), solid masonry, brick, or stone wall, louvered wood, stockade or chainlink fence with aluminum strip intertwined or other equivalent fencing providing a sight barrier to the dogs.
- t. Animal Hospitals

- u. Privately-owned parks, playgrounds, golf courses or other outdoor recreational areas such as campgrounds, youth camps, gun clubs, and archery, trap and skeet ranges.
- v. Riding stables and academies providing no structure housing horses shall be located nearer than 600 feet to the boundary of any residential district.
- w. Raising of Fur Bearing Animals.
- x. Wrecking, salvage, or junk yards and recycling centers providing the storage yard is completely enclosed with a six (6) foot solid fence or wall and located not less than three hundred (300) feet from a residential district zone and subject to the following:
  - (1) The operation shall be conducted completely within the enclosed area. The fence or wall shall be of uniform texture and color and shall be so maintained by the proprietor as to insure maximum safety to the public and preserve the general welfare of the area. The fence or wall shall be installed in such a manner as to retain all scrap, junk, or other material within the yard.
  - (2) No. junk shall be loaded, unloaded, or otherwise placed either temporarily or permanently outside the enclosing fence or wall or within public right-of-way.
  - (3) Burning of paper, trash, junk, or other waste materials shall be permitted only after approval of the Fire Department and in accordance with State requirements. Said burning, when permitted, shall be done during daylight hours only.

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

- 1. Tracts served by private water wells and septic systems — five (5) acres.
- 2. Tracts served by a public water system and a private septic system — three (3) acres.
- 3. Tracts served by a public water system and public sewer system — two (2) acres.

**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 forty (40) 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 fifteen (15) 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 forty (40) feet.

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

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