

ARTICLE 5

AGRICULTURAL DISTRICT (A-L)

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SECTION 5-1 INTENT

5-101. It is the intent of the A-L District to preserve and protect agricultural resources. The district is not intended to serve the homeowner who lives on a small suburban lot, but is designed to accommodate agricultural operations on substantial acreage. Uses that might have nuisance characteristics, if intermingled in developed residential areas, are permitted on the basis that they are no more offensive than normal agricultural uses.

5-102. General agricultural operations--Nothing in this article shall apply to or affect any land in excess of five (5) acres under one ownership which is actually used for agricultural purposes.

SECTION 5-2 PERMITTED USES

5-201. In the A-L District no building, land or premises shall be used and no building or structure shall be hereafter erected or altered unless otherwise provided for in these regulations, except for the following uses:

- a. Single-family dwellings where the land is used or intended to be used only for agricultural purposes except that the tract on which the dwelling may be placed shall not be less than five (5) acres.
- b. Public parks and recreation areas.
- c. Farms and ranches where the land is under single ownership and used for general agricultural purposes.
- d. Golf courses, except miniature, pitch and putt golf courses, and driving tees operated for commercial purposes.

- e. Greenhouses and nurseries.
- f. Stands for the sale, at retail, of agricultural products or commodities raised on the premises.

SECTION 5-3 CONDITIONAL USES

5-301. In the A-L District the following uses are allowed upon the issuance of a Conditional Use Permit in accordance with the provisions of Article 26:

- a. Airports and heliports.
- b. Any public building or land used by any department of the city, county, state, or federal government.
- c. Barber or beauty shops when located within a dwelling and operated by a member of the family residing in said dwelling; provided that said use does not occupy more than twenty-five (25) percent of the floor area of any floor in the dwelling.
- d. Cemetery, crematory or mausoleum.
- e. Churches, synagogues and similar places of worship.
- f. Commercial agricultural product storage facilities (elevators) when no other business is in combination with said storage.
- g. Commercial development of natural resources and commercial extraction of raw materials such as rock, gravel, sand, etc.
- h. Confined livestock feeding facility, or livestock sales and auction pavilion, or both, and ancillary facilities including, but not limited to, offices, retail food and clothing sales, retail and wholesale sale of agricultural supplies and products, feed and fertilizer processing, and commodities brokerage.
 - (1) The term "confined" shall mean facilities designed and constructed so that all livestock and livestock operations shall be at all times within a fully enclosed facility.
 - (2) All such confined, livestock feed facility and livestock sales and auction pavilion shall be:
 - a. Designed and constructed so that no livestock waste is carried into any roadway ditch, drainage area, or sanitary lagoon disposal system; and

- b. Designed and constructed so as not to be in violation of applicable federal, state or local sanitation and environmental control laws, rules, and regulations.
- i. Exploration and extraction of oil and natural gas.
- j. Feedlots subject to compliance with all applicable State requirements and the following minimum sanitation and odor requirements:
 - 1. *Operation:*
 - (a) Manure shall be removed or disposed of in one of the following manners:
 - (1) Spraying or spreading on land followed by discing or plowing.
 - (2) Grinding or dehydrating in properly designed dehydrators.
 - (3) Stockpiling in a compost plant in an isolated area in such a manner as to not create a water pollution problem.
 - (b) Insect and rodent control:
 - (1) Removal of manure and disposal as outlined above.
 - (2) Use of chemical sprays and poisons in accordance with procedures and recommendations of a certified applicator experienced in insect and rodent control, or as may otherwise be required under state law.
 - 2. *Drainage:*
 - (a) All ground surfaces within pens shall be so graded and compacted to ensure positive drainage.
 - (b) 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.
- k. Kennels provided that:
 - 1. The minimum lot size shall be not less than five (5) acres.
 - 2. No kennel buildings or runs shall be located nearer than seventy-five (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 chain-link fence with aluminum strip intertwined or other equivalent fencing, providing a sight barrier to the dogs.
- l. Mobile homes subject to the following conditions:
 1. Minimum lot size shall be five (5) acres.
 2. If the property is subsequently rezoned to a residential district the owner will remove the mobile home within ninety (90) days of the effective date of the zoning change.
 3. The mobile home shall not be placed on a permanent foundation but shall be secured by tie downs and ground anchors in accordance with the Mobile Home and Residential Vehicle Code, K.S.A. 75-1211:1234.
 4. Compliance with all applicable health and sanitation standards for water and sewer systems.
 - m. Privately owned parks, playgrounds, or other outdoor recreational areas such as campgrounds, youth camps, gun clubs, and archery, trap and skeet ranges.
 - n. Public or parochial schools, elementary, junior high, high schools and private schools with equivalent curriculum.
 - o. Radio, telephone or television transmitters and towers, subject to additional regulations set out at Section 20-8.
 - p. Riding stables and academies providing no structure housing horses shall be located within six hundred (600) feet of the boundary with any residential district.
 - q. Salvage yards, subject to the following:
 1. The yard must be located at least three hundred (300) feet from the boundary of any residential district.
 2. The operation shall be conducted wholly within a noncombustible building or within an area completely surrounded on all sides by a fence or wall at least six and one-half (6 1/2) feet high. The fence or wall, having a visual density of at least eighty (80) percent, shall be of uniform height, uniform texture and color, and shall be so maintained by the operator as to ensure maximum safety to the public and obscure the salvage material from view of the public. The fence or

wall shall be installed in such a manner as to retain all scrap, junk, or other material within the yard.

3. No salvage material shall be loaded, unloaded, or otherwise placed either temporarily or permanently outside the enclosed building, fence, or wall, or within the public right-of-way.
 4. Burning of waste materials shall be permitted only after approval of the Fire Department. Burning, when permitted, shall be done only during daylight hours.
 5. No salvage, scrap, or other materials shall be piled or stacked higher than the top of the required fence or wall.
 6. The operation shall not be located on or visible from an arterial or major street or highway.
- r. Seasonal or temporary uses such as recreation camps or similar enterprises.
- s. Telephone exchange, electric substations, cable television, or similar public utilities.
- t. Theaters, motion picture, outdoor.
- u. Temporary uses or uses of a temporary nature, such as portable auto shredders and balers, or asphalt or concrete batch plants, subject to the following requirements:
1. Said temporary use shall be located at least three hundred (300) feet from a residential district.
 2. The routing and movement of trucks or similar heavy vehicles which are necessary to the operation of said use shall be on streets, roads or highways designated by the county or city as capable for carrying the loads imposed by such vehicles.
 3. Accumulation of trash, junk, or other waste materials generated as part of such use shall be disposed of daily.
 4. The applicant shall demonstrate that satisfactory provisions have been made for fire protection, police protection, safety and site drainage.
 5. Upon termination of said use, the site shall be cleared of improvements and debris not conforming with A-L permitted uses, and the Planning Commission may require a bond guaranteeing the removal of said improvements.
 6. Approval of said temporary use may be granted for up to twelve (12) consecutive months. Upon conclusion of the twelve-month period, the Planning Commission

may grant an extension, upon holding a public hearing, not to exceed twelve (12) additional consecutive months. Should the Planning Commission deny an extension of time, the operation shall cease and the site be cleared of improvements and debris within ninety (90) days from the time of termination.

- v. Municipal waste disposal sites.

SECTION 5-4 HOME OCCUPATIONS

5-401. Regulations relating to home occupations in the A-L District are set out in Article 20, at Section 20-10.

SECTION 5-5 ACCESSORY USES

5-501. Regulations relating to accessory uses in the A-L District are set out in Article 20, at Section 20-11.

SECTION 5-6 HEIGHT AND YARD REGULATIONS

5-601. No building shall exceed thirty-five (35) feet in height, except as otherwise provided in Article 20

5-602. 1. *Front yard.*

a. Front yards on arterial and collector streets and unplatted tracts on local streets shall conform with Article 24

b. There shall be a front yard having a depth of not less than thirty (30) feet or the established building line as defined in Article 3, except as required in (a) above.

c. Where lots have a double frontage, the required front yard shall be provided on both streets.

d. Where a lot is located at the intersection of two (2) or more streets, there shall be a setback from the side street of the lot of one-half of the required front yard setback; except that, when lots have been platted facing said side street, the setback from the side street shall be no less than five (5) feet less than the required front yard setback of the lots platted on the side street.

e. No accessory building shall project beyond the front building setback line of any lot.

5-603. *Side yard:* Except as otherwise provided in 5-502d and in Article 20, there shall be a side yard of not less than eight (8) feet on each side of a building.

5-604. *Rear yard:* Except as otherwise required in Article 20 hereof, there shall be a rear yard

having a depth of not less than thirty (30) feet or twenty (20) percent of the depth of the lot, whichever amount is smaller.

5-605. Additional yard regulations are set out in Section 20-3.

SECTION 5-7 SIGN REGULATIONS

5-701. Sign regulations for the A-L District are set out in Article 27.

SECTION 5-8 PARKING REGULATIONS

5-801. Parking regulations for the A-L District are set out in Article 22.