

**ARTICLE 11.00
AGRICULTURAL DISTRICTS**

Section 11.01. "A" Agricultural District

Purpose

This district is established to maintain and promote farming and related activities within an environment which is generally free of other land use activities. Residential development will be discouraged to minimize conflicts with farming activities and reduce the demand for expanded public services and facilities.

Covenants/Waivers

A RIGHT TO FARM Covenant shall be filed with Register of Deeds on all property to be used as a site for a newly constructed residence (farm and non-farm) or church prior to issuance of a building permit and to all new subdividing of property by platting. Such Right to Farm covenant shall be in the form as set forth in Addendum 1 to this Ordinance. (Ord. 2006-03, 9-26-2006)

Permitted Uses

1. Agricultural activities and farm related buildings, including Class E but excluding Classes A, B, C and D Concentrated Animal Feeding Operations.
2. Established residence.
3. Residential dwelling not within 1,320 feet of a Concentrated Animal Feeding Operation unless waiver registered on deed.
4. Single family residences including manufactured, mobile and modular homes on less than 35 acre lots provided that such residences are on an established farm building site, abandoned school site, or are lots of record and further provided that the proposed site has established road access, the lot has clearly delineated boundaries and the site can meet minimum water and sewer standards.
5. Fisheries services and game propagation areas;
6. Orchards, tree farms, truck gardening, nurseries and greenhouses;
7. Public parks and recreation areas;
8. Home occupations.

9. Accessory buildings of 120 square feet or less are not required to have a building permit.

Conditional Uses

1. Airports and airstrips;
2. Church or cemetery;
3. Golf course, golf driving range;
4. Sand, gravel or quarry operation, mineral exploration and extraction;
- 5A. Rock Crushers (Ord. 2008-04, 3-18-2008);
- 5B. Concrete Mixing Plant (Ord. 2008-04, 3-18-2008)
- 5C. Asphalt Mixing Plant (Ord. 2008-04, 3-18-2008);
6. Contractors shops and yards;
7. Sanitary landfills provided:
 - a. The site meets the requirements of the State Department of Water and Natural Resources.
 - b. A site plan is provided indicating the following information:
 - (1) Present topography, soil types, depth to groundwater.
 - (2) Location of existing water drainage, existing buildings, existing shelterbelts.
 - (3) Identification of roads leading to the site.
 - (4) Proposed changes at the site such as new shelterbelts, new buildings, changes in topography, new fence lines.
 - (5) Proposed monitoring wells, etc.
 - c. A minimum of 1,320 feet from the landfill property line to the nearest residence; excluding the residence of the landfill operator.

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8. Institution farms, including religious farming communities;
9. Sewage treatment plants;
10. Fur farms;
11. Class A, B, C, and D Concentrated Animal Feeding Operations.
See Section 1211.
12. Stables, dog/cat kennels;
13. Veterinary clinics;
14. Junk/salvage/recycling yards, provided that they meet the following minimum requirements and other restrictions that the County Planning Commission may deem appropriate:
 - a. Storage for junk/salvage/recycling yards shall be set back a minimum of two hundred (200) feet from any adjoining road right-of-way.
 - b. Junk/salvage/recycling yards shall be screened on all sides by a solid wall at least two (2) feet above the highest stock pile or by a shelterbelt of shrubs and trees as approved by the Planning Commission; screening must be maintained in good repair.
 - c. No junk/salvage/recycling yards will be allowed within one thousand three hundred twenty (1,320) feet of any residence other than that of the owner of the land.
 - d. All junk/salvage/recycling yards must have a minimum lot of ten (10) acres.
15. Water pumping stations, elevated tanks and similar essential public utilities and service structures.
16. One manufactured or mobile home as a secondary residence, on an established farmstead to be used for the occupancy of a farm employee, or by parents, grandparents, children or brothers and sisters of the occupant of the land, provided that said home is removed within ninety (90) days of the vacation there from by the qualified occupant or occupants, (Ord. 2006-02, 3-28-2006)
17. Commercial radio and TV towers;

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18. Commercial public entertainment enterprises not normally accommodated in commercial areas, including but not limited to, the following: music concerts, rodeos, tractor pulls, and animal and vehicle races;
19. Seasonal retail stands, excluding garden produce but including fireworks stands;
20. Home extended business;
21. Caretaker residences associated with public or private enterprise;
22. Lodging house.
23. Agricultural processing plants.
24. Spreading of manure with irrigation system.
25. Wind Energy Systems (WES)
26. The County Zoning Commission may permit other uses which, in its opinion, are not detrimental to other uses and are in the general character of the Agricultural District. (Ord. 2004-01, 9-28-2004)

Area Regulations

All buildings must be set back from road right-of-way lines and must be lot line to comply with the following yard requirements:

1. Lot Size: All lots for purposes of residential use unless otherwise provided for in this ordinance, shall be a minimum of thirty five (35) acres, except as provided in Item 7 below.
2. Front Yard: The minimum depth of the front yard shall be one hundred (100) feet. A corner lot will have two front yards.
3. Side Yard: The minimum width of a side yard shall be twenty-five (25) feet.
4. Rear Yard: The minimum depth of a rear yard shall be fifty (50) feet.
5. Maximum Lot Coverage: Dwellings and buildings accessory thereto shall cover not more than twenty-five (25) percent of the lot area.
6. Shelterbelts. (See Article 19.00.)

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7. The County Zoning Commission may allow a smaller minimum lot size for the "A" Agricultural District under the following condition:
 - a. Where a second single family home is requested on an established farmstead, so long as it is immediately connected to the existing farming operation.
 - b. Single family residences legally built under these ordinances shall be considered an established farm building site after it has existed ten (10) years.
 - c. The County Zoning Commission may deny any request for a smaller minimum lot size if it is determined to be an attempt to circumvent the intent or requirements of this ordinance.
 - d. Conditional use permitting of a Religious farming community will include the authorization to construct or utilize an existing building as a church and to construct multiple single family dwelling units. A detailed site plan will be required, and all federal, state, and local laws will be strictly enforced. If a confined animal feeding operation (CAFO) or any other conditional use permitted uses are planned a separate application will be required. In the event that a Religious farming community ceases to exist all single family dwelling units will be required to be removed. (Ord. 2004-01, 9-28-2004)

8. Non-conforming lots of record that are allowed to develop must meet the following setbacks:

	Per Unit Min. Density Sq. Ft	Min. Lot Area Sq. Ft. Well	Min. Lot Area Sq. Ft. Rural Water	Min. Lot Width	Min. Front Yard	Min. Side Yard	Min. Rear Yard
Single Family Dwelling	20,000'	43,560'	20,000'	60'	50'	8'	50'
Other Allowable Uses	20,000'	20,000'	20,000'	60'	50'	8'	50'

Height Regulations

No main buildings shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height. Exceptions include the following:

1. Agricultural buildings;
2. Chimneys, smokestacks, cooling towers;
3. Radio and TV towers;
4. Water tanks;
5. Elevators;
6. Others, providing that they are not used for human occupancy.
7. Wind Energy Systems (WES)