

## ARTICLE 5

### AGRICULTURAL DISTRICT (A)

#### **Sections:**

- 5-1 Intent**
- 5-2 Permitted Uses**
- 5-3 Conditional Uses**
- 5-4 Home Occupations**
- 5-5 Accessory Uses**
- 5-6 Height and Yard Regulations**
- 5-7 Sign Regulations**
- 5-8 Parking Regulations**
- 5-9 Minimum Lot Size**

#### **SECTION 5-1 INTENT**

**5-101.** It is the intent of the A 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 twenty (20) acres under one ownership which is actually used for agricultural purposes.

#### **SECTION 5-2 PERMITTED USES**

**5-201.** In the A 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 twenty (20) 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 District the following uses are allowed upon the issuance of a Conditional Use Permit in accordance with the provisions of Article 26 of these regulations:

- a. Airports and heliports.
- b. Any public building or land used by any department of the city, county, state or federal government.
- c. Cemetery, crematory or mausoleum.
- d. Churches and similar places of worship.
- e. Commercial agricultural product storage facilities (elevators) when no other business is in combination with said storage.
- f. Commercial development of natural resources and commercial extraction of raw materials such as rock, gravel, sand, etc.
- g. Exploration and extraction of oil and natural gas.
- h. Kennels provided that:
  - 1. The minimum lot size shall be not less than ten (10) 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.

- i. Privately owned parks, playgrounds, or other outdoor recreational areas such as campgrounds, youth camps, gun clubs, and archery, trap and skeet ranges.
- j. Public or parochial schools, elementary, junior high, high schools and private schools with equivalent curriculum, colleges and universities.
- k. Radio, telephone or television transmitters and towers, subject to additional regulations set out at Article 23.
- l. 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 ninety (90) 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. No salvage, scrap or other materials shall be piled or stacked higher than the top of the required fence or wall.
  - 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 City of Fort Scott Fire Department.
- m. Telephone exchange, electric substations, cable television, or similar public utilities.
- n. Theaters, motion picture, outdoor.

- o. 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 City of Fort Scott 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 the temporary use, the site shall be cleared of improvements and debris not conforming with uses permitted in the A zoning district and the City Commission may require a bond guaranteeing the removal of the improvements.
  6. Approval of a temporary use may be granted by the City Commission for up to twelve (12) consecutive months. Upon conclusion of the twelve-month period, the City Commission may grant an extension, upon holding a public hearing, not to exceed twelve (12) additional consecutive months. Should the City 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.
- p. Veterinarian clinic or animal hospital for large or small animals, including livestock.
- q. Municipal waste disposal sites, subject to all required governmental permitting and certification.

## **SECTION 5-4 HOME OCCUPATIONS**

**5-401.** Regulations relating to home occupations in the A District are set out in Article 20, at Section 20-12.

## **SECTION 5-5 ACCESSORY USES**

**5-501.** Regulations relating to accessory uses in the A District are set out in Article 20, at Section 20-8.

## **SECTION 5-6 HEIGHT AND YARD REGULATIONS**

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

### **5-602. Front yard.**

- a. Front yards on arterial and collector streets and unplatte tracts on local streets shall conform with the provisions of Article 20.
- 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 5-602.d and in Article 20, there shall be a side yard of not less than eight feet (8') on each side of a building.

**5-604. Rear yard.** Except as otherwise required in Article 20 there shall be a rear yard having a depth of not less than thirty feet (30') or twenty (20) percent of the depth of the lot, whichever amount is smaller.

**5-605.** Additional yard regulations are set out in Section 20-2.

## **SECTION 5-7 SIGN REGULATIONS**

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

## **SECTION 5-8 PARKING REGULATIONS**

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

## **SECTION 5-9 MINIMUM LOT SIZE**

**5-901.** Following the effective date of these regulations, no parcel, lot or tract of land less than three (3) acres in area shall be zoned as A District.