

5.0 AGRICULTURAL DISTRICT

5.01 Purpose

This district provides for the preservation, maintenance and enhancement of quality agricultural, forestry and natural areas for the benefit of farm operators and the general public in terms of production of food and fiber and environmental quality. Except for continuation of existing uses, this district will allow few non-agricultural uses. This policy is intended to avoid conflicts which occur when farm and non-farm uses are mixed and to reduce the adverse pressures upon farming caused by speculative land values and consequent increases in property taxes on farmlands.

5.02 Permitted Uses

- 1) General farming, including dairying, livestock raising, grazing, and poultry raising when the operation involves fewer than 1,000 birds
- 2) Raising of grain, grass, seed crops, nuts, root crops, mint, berries, and herbs
- 3) Greenhouses, nurseries, orchards, floriculture, viticulture, sodfarming
- 4) Beekeeping
- 5) Forest and game management; nature trails and walks
- 6) Roadside stands to sell produce
- 7) One single-family dwelling per farm operation, except that there may be up to two (2) per farm operation for the farm operator, parents or children of the farm operator or hired persons all deriving at least 51 percent of their income from the farm operation. A farm operation may be comprised of one or more parcels, as defined by this Ordinance.
- 8) Farm dwellings and related structures which remain after farm consolidation may be separated from the farm lot onto a parcel of not less than one acre
- 9) Garages and other similar structures or uses accessory to housing uses

5.03 Standards

- 1) Dimensional rules and standards for all uses in this district
 - a) Residential lot and yard sizes

- 1) Where a dwelling is to be established according to the provisions of this district on a parcel which is separate from that of the farm tract or of the parcel on which another dwelling unit exists, the parcel shall comply with the dimensional rules and standards of the Single Family Residential district (R-1).
 - 2) Where such a dwelling is to be established without creation of a separate parcel, such unit shall be located no closer than 50 feet from any other dwelling.
- b) Setbacks: All structures shall meet highway and water setbacks.
 - c) Height
 - 1) Buildings for human habitation shall not exceed 40 feet in height.
 - 2) The height of other permitted structures shall not exceed 100 feet.
 - d) Floor area: No dwelling shall contain less than 1,000 square feet of living area with a minimum width of 20 feet.
- 2) Dimensional rules and standards for conditional uses
 - a) The minimum lot size, height and yard requirements for conditional uses shall be as specified in the conditional use permit, but in no case shall any structure be less than 20 feet from a lot line and any structure shall meet all highway and water setbacks.
 - b) Conditional uses must be determined
 - 1) Not to cause unusual or unique public service needs.
 - 2) Not to produce traffic which will result in a major slowing of highway traffic
 - 3) Not to cause unreasonable air or water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas
 - c) Applicants shall submit plot plans showing principal and accessory structures, parking areas, storage areas, and general design and land use, and any other pertinent information needed to satisfy the Board of Appeals that the site and plot plan as indicated can provide adequate and functional spacing and operations, and responsible surface water management.
 - d) The Board of Appeals shall consider whether other locations, less threatening to continued farming of productive agricultural lands,

might be available for the proposed use and the strength of the reasons offered by the applicant in support of the site in question. In considering the conditional use, the Board of Appeals shall also consider the effects upon and possible conflicts with agricultural uses on surrounding land. Impacts which would be harmful to agriculture in the area may be the basis for rejection of the proposed conditional use or may be the basis for conditions attached to the use.

5.04 Standards for Rezoning

- 1) Rezoning out of the Agricultural District to a Single Family Residential district shall not be permitted. This limitation may be waived when consistent with the overall character of the community.

Such rezoning must consider the need for preservation of agricultural land and wildlife habitat, the fact that there is presently sufficient area in the Town for residential uses and the fact that public services costs are high for residential developments, especially those not located near incorporated areas.

- 2) The Planning and Zoning Commission may approve petitions for rezoning lands out of the Agricultural District only upon finding that such a rezoning is in the public interest after consideration of the following factors:
 - a) Adequate public facilities exist or will be provided to serve the development.
 - b) Provision of these facilities and services will not be an unreasonable burden to local government.
 - c) Land is suitable for development
 - d) The development will not cause unreasonable air or water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.
 - e) Potential conflict with remaining agricultural lands and uses in the area
 - f) Need for the proposed development in the location specified
 - g) Availability of alternative locations
 - h) Productivity of the agricultural lands that are involved or affected
 - i) Whether the development as proposed is located to minimize the amount of agricultural land converted.