

## **12.6.15 AGP-O Agriculture Protection Overlay Zone**

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### **12.6.15.1 Purpose and Objectives**

The purpose and objectives of the AGP-O Agricultural Protection Overlay Zone include, but are not limited to, the following:

1. To preserve agricultural areas and uses
2. To provide protection for agriculture from encroaching development.
3. To maintain a rural atmosphere in the community.

### **12.6.15.2 Issuance of Licenses and Permits**

Licenses and permits shall not be issued for the construction or alteration of any building or structure, or the relocation of a building onto a lot, or for the change of the use in any land, building, or structure if the construction, alteration, moving, or change in use would encroach upon, or inhibit agricultural pursuits.

### **12.6.15.3 Review of Rezoning for Compatibility**

Any proposed rezone to the AGP-O Zone shall be reviewed by the Planning Commission and City Council for compatibility with the purposes and objectives of the zone.

Rezoning to the AGP-O Zone shall be completed in accordance with Section 12.2.8 herein. Likewise, repeal of the AGP-O Zone shall be completed in accordance with Section 12.2.8 herein.

### **12.6.15.4 Right to Farm Provisions**

Properties located in the AGP-O Zone are entitled to certain right to farm provisions. These provisions include the following:

1. Any property located within five hundred (500) feet of an AGP-O Zone proposed to be developed shall provide information about how the proposed development will affect existing agriculture.
2. It is hereby a policy of the City that complaints of normal smells, dust, hours of operation, and similar ordinary agricultural uses shall be discarded unless it can be shown that the agriculture in the area has become unusual since approval of the development.
3. Residential developments along the borders of the AGP-O Zone shall be discouraged.

### **12.6.15.5 Zone Area Requirements**

Each AGP-O Zone shall contain no less than twenty (20) acres.

### **12.6.15.6 Permitted, Conditional, and Accessory Uses**

#### *Permitted Uses*

The following uses, and no others, are permitted uses in the AGP-O Zone:

1. Agriculture and forestry
2. Reserved (*amended 10/8/2002 Ord. 2002-13*)
3. Single family dwellings - detached
4. Utility rights-of-way and maintenance facilities
5. Public or private maintenance facilities
6. Parks and recreational facilities

### *Conditional Uses*

The following land use types are allowed as conditional uses in the AGP-O Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

1. Agricultural support facilities
2. Ranch or farm employee dwellings (limited to one unit per twenty (20) acres of land area which must be reviewed and renewed every three (3) years)
3. Water storage facilities, culinary or irrigation
4. Mining and quarrying facilities and activities

### *Accessory Uses*

The following land use types are allowed as accessory uses in the AGP-O Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Garages - detached
2. Storage facilities for products, machinery and equipment as an accessory use to a permitted or conditional use in the zone
3. Buildings used for the confinement or protection of animals used as a permitted or conditional use in the zone
4. Stands for selling goods and products produced on the premises as a permitted or conditional use in the zone

### **12.6.15.7 Parcel Requirements**

The parcel requirements are the same as those listed in the underlying zone, unless the parcel qualifies as an existing and legal non-conforming use.