**Agricultural Zones – Staff Summary**

**General:** In Magna, we recommend keeping the A-1 and A-20 Zones and eliminating the A-2 Zone. Only the A-1 and A-20 Zones are currently applied in Magna. The A-20 Zone requires a minimum lot size of twenty (20) acres and is used primarily north of Hwy 201.

Generally, the agricultural zones were cleared of ambiguity and reformatted to accommodate single-family houses with farms, gardens, or horses.The only new regulations that have been added were the maximum lot coverage. Agricultural lots are typically bigger and so the lot coverage reflects similar lot coverages to single-family houses.

**Uses:** The uses have been updated to reflect the new definitions in 19.04. Most of the agricultural zones do not have any commercial businesses so a lot of these uses have been removed. It will be encouraged that properties that want to change the use to larger non-agricultural commercial use should rezone to an appropriate zone for the use.

*Uses Removed:*

* Airport
* Campgrounds
* Cemetery
* Commercial Day Care
* Dwelling Group
* Golf Course
* Milk Processing
* Nursing Home
* Pigeons
* Planned Unit Development
* Private Educational Institution having an academic curriculum similar to that ordinarily given in public schools
* Radio and Television transmitting and relay station
* Sportmans Kennel (replaced with Kennel)
* Grain storage elevator
* Sugar Beet loading station
* Agriculture experimental station
* Bed and Breakfast
* Correctional Facilities
* Dog breeding (not dog kennel)
* Dude Ranch (replaced with agrotourism)
* Egg Candling
* Fertilizer and soil conditioner processing
* Fur Farm
* Gasohol Production
* Golf Course
* Gun Club
* Hay Chopping
* Livestock Feed yard
* Manure Spreading and Processing
* Milk Processing (replaced with dairy)
* Open Storage sales and rental of irrigation pipe
* Organic disposal site
* Public Stable
* Rodeo Grounds
* Sanitarium
* Slaughterhouse
* Soil composting manufacturing sales
* Stockyard
* Veterinary
* Solar evaporation pond for processing salt
* Aviary

**Special Conditions**

The special conditions previously in the chapters have been moved to the specific use conditions chapter which will be done in the next phase of the project.

**Development Standards**

Most of the existing agricultural zones currently have one single-family house on them with some accessory buildings for agricultural uses. These are typically very large lots. Development standards for these agricultural uses are very similar to single-family residential development standards. Accessory buildings standards are similar to accessory buildings in the single-family residential zones.

A goal of this comprehensive code update is to remove ambiguity from the code. The previous code from the county had unnecessary detail when it came to setbacks. Generally, staff removed additional language that may have been confusing and settled on the minimum setbacks required in the zone.

**Chapter 19.26: AGRICULTURAL ZONES**

DRAFT for Review Purposes Only – August 20, 2022 (Post Magna Workshop Draft)

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**Sections:**

**19.26.010- Purpose of Provisions.**

The purpose of the agricultural zones is to provide limited residential and agricultural opportunities in the same zone. To this end, the agricultural zones are intended to include activities normally related to agricultural uses and to protect the zone from the intrusion of uses inimical to the continuance of agricultural activity.

**19.26.020- Agricultural Zones.**

1. Agricultural Zone (A-1): promotes the development of residential in association with small agricultural uses like gardens, pastures, horses, and other animals for family food production.
2. Agricultural Zone (A-20): promotes and preserves conditions favorable to larger agricultural uses with some agricultural buildings or other uses related to agricultural product processing.

**19.26.030- Schedule of Uses, Special Conditions.**

1. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
2. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.26.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P) review, the entire development shall be reviewed and approved by the Conditional Use process.
3. Abbreviations. The abbreviations used in the schedule mean:
	1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
	2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
4. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.26.030 is prohibited in this zone.

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| **Table 19.26.030 - Uses Allowed in Agricultural Zoning Districts.** |
| **Use Categories**  | **A-1** | **A-20** |
| Residential:  |   |   |
| Accessory Buildings, Garages, Carports, and Structures subject to 19.XX.  | P | P |
| Accessory Dwelling Unit, Internal subject to 19.XX | P | P |
| Dwelling, Single-Family  | P | P |
| Dwelling, Two-Family  | X | P |
| Planned Unit Development | C | C |
| Commercial:  |   |   |
| Agrotourism | X | P |
| Dairy  | X | P |
| Farm devoted to raising (including fattening as incident to raising), slaughtering, dressing, and marketing on a commercial scale of chickens, turkey, or other fowl or poultry, or rabbits) | X | P |
| Home Daycare/Preschool subject to Chapter 19.XX  | P | P |
| Home Business subject to Chapter 19.XX | P | P |
| Kennel, Private | P | P |
| Nursery and Greenhouse | P | P |
| Plant for Storage or Packing of Fruit or Vegetables Produced on the Premises | X | P |
| Private Nonprofit Recreational Grounds and Facilities | P | P |
| Riding Academy | P | P |
| Worm Farming | P | P |
| Other:   |   |   |
| Agriculture | P | P |
| Agricultural Building subject to Accessory Building standards of Section 19.26.060 | P | P |
| Animals and Fowl for Family Food Production, Existing | P | P |
| Animal Right, New  | P | P |
| Apiary | P | P |
| Aviary  | X | P |
| Fruit and Vegetable Storage and Packing | X | P |
| Gardening for Personal Use | P | P |
| Household Pets | P | P |
| Public and Quasi-Public Use | P | P |
| Residential Keeping of Chickens or Ducks | P | P |
| Residential Facility for Elderly Persons | P | P |
| Residential Facility for Persons with a Disability Subject to 19.XX  | P | P |
| Temporary Buildings for Uses Incidental to Construction Work | P | P |

**19.26.040- Special Conditions.**

See Chapter 19.XX: Specific Use Standards for conditions and regulations related to specific uses.

**19.26.050- Lot Area, Lot Width, Lot Coverage.**

Development in the A-1 and A-2 Zones shall comply with the development standards of Table 19.26.050 and all other applicable standards in this Title.

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| **Table 19.26.050 – Development Standards in the Agricultural Zones.** |
| **Zone** | **Minimum Lot Area** | **Minimum Lot Width** | **Maximum Lot Coverage (Primary Buildings)** |
| A-1 | 10,000 Sq Ft/1 Acre1 | 65/100 Feet | 35% |
| A-20 | 20 Acres | 200 Feet | 30% |

1Subdivision lots that met the area, width and frontage requirements existing prior to the adoption of this ordinance are legal, nonconforming lots.

**19.26.060- Setbacks.**

Development in the A-1 and A-2 Zones shall comply with the yard and setback standards shown in Table 19.26.060 and all other applicable standards in this Title.

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| **Table 19.26.060: Yard and Setback Standards.** |
| **Zone** | **Front Yard** | **Side Yard** | **Side Yard for Corner Lots Where Side Yard Faces the Street** | **Rear Yard** |
| A-1 | 30 Feet | 8 Feet | 20 feet | 30 Feet |
| A-20 | 50 Feet | 20 Feet | 20 Feet | 50 Feet |

**19.26.070- Building Height.**

1. Primary Building or Structure Height. Except as otherwise specifically provided in this Title, no primary building or structure in the agricultural zones may exceed the following height:
2. Thirty-five feet (35’); and
3. No structure used for residential dwelling shall contain less than one story.
4. Accessory Building Height.
5. No building which is accessory to a dwelling shall exceed twenty feet (20’) in height. For each foot (1’) of height over fourteen feet (14’), the accessory building shall be set back from property lines an additional foot (1’) to allow a maximum height of twenty feet (20’). **Possible Discussion Item, does a 20’ maximum height make sense on larger parcels with bona fide agricultural uses where barns and silos are common? Should there be an exception for these?**

**19.26.080- Accessory Structure Development Standards.**

The following yard and setback standards shall apply to accessory structures in the agricultural zones.

1. The structure shall be located in the side or rear yard and be located six feet (6’) away from the residential dwelling. No accessory building may be located within the required front yard setback or between the main building and a street.
2. The structure shall be located at least one foot (1’) from an interior side property line. When the accessory building is located in a side yard between two existing main buildings, the accessory building must be located at least five feet (5’) from the property line.
3. The structure shall be twenty feet (20’) from a street-facing side property line. No accessory building may be located between the main building and a street.
4. The structure shall be located at least one foot (1’) from the rear property line, except that when the rear yard is adjacent to the side yard of an adjacent lot, the minimum setback is ten feet (10’) from the adjoining side yard.
5. No part of any accessory structure may be placed within one foot (1’) of the property line, including eaves, cantilevers and other protrusions from the structure.

**19.26.090- Lot Coverage.**

A. No combination of buildings, including accessory buildings and other structures, shall cover not more than forty percent (40%) of the area of the lot or parcel of land.

B. No accessory building or group of accessory buildings shall cover more than twenty-five percent (25%) of the rear yard.

C. Concrete, asphalt and other impervious surfaces shall not cover more than 50% of the yard area between a structure and a property line. This includes both the required setback area and any other yard area between the main building and the property boundary.

**19.26.100 – Additional Standards.**

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other municipal ordinances.