

Section 4.04 A-1 Agricultural Conservation District

4.04.01 **Intent:** It is the intent of the Agricultural Conservation District to conserve and otherwise preserve the prevailing rural agricultural farming characteristics, values, and resources of Boone County. The intent is to encourage and to promote in every practicable manner, the interest of agriculture, the facilitation of farm production, and the encouragement of soil and water conservation practices.

4.04.02 **Permitted Principal Uses:**

The following list and those uses indicated in **Section 4.16** as principal uses are permitted in the A-1 District.

1. Residential acreages, provided the conditions in **Article 5** are met, as well as the following conditions:
 - a. Said acreage shall meet the density requirement of one (1) non-farm residence on not less than three (3) acres with an overall maximum density of four (4) non-farm residences per quarter-section.
 - b. Acreages shall also show that the cropland has a CSR rating of 61 or less in order to qualify.
 - c. All non-farm residences shall be located along a graveled or hard-
 - d. Access to said property shall meet all county and state requirements. surfaced County Road/Highway, State Highway or U.S. Highway.
 - e. Dwelling units, accessory buildings or other structures shall not be constructed below detention/retention dams where a registered professional engineer determines they will be damaged by failure of the dam.
 - f. All residences shall be separated from existing CAFO's as required under IAC 567-65.
2. Horticultural farm specialties such as apiaries and mushroom barns.
3. Farm irrigation facilities as permitted under 567 IAC Chapter 50
4. Public and private overhead and underground utility distribution systems.
5. Public parks, forest preserves, and conservation areas.
6. Public facilities, fire protection, police protection, fairgrounds, libraries.
7. Schools, churches, temples, and other eleemosynary, or educational facilities.
8. Publicly owned installations, military installations, airports, community centers.
9. Historical sites or monuments.
10. Agricultural farm services such as soil preparation services, veterinary, and animal services.
11. Forestry.
12. Public or private stables
13. Any use which is interpreted by the Zoning Administrator to be a use similar to the one of the above-named and **Section 4.16** uses and in conformance with the intent of this district.

4.04.03 **Conditional Uses:**

The following uses and those found in **Section 4.16** are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement

of said use on a specific tract of ground in the A-1 District as required and approved by the Board of Adjustment.

1. Publicly owned installations, military installations, airports, community centers.
2. Commercial kennels or facilities for raising, breeding, training, or boarding of dogs or other small domestic animals, provided all facilities are located at least two-hundred (200) feet from any property line and five-hundred (500) feet from any residential district or residentially used property line with proper landscaping and screening.
3. Privately owned air landing strip or airport.
4. Public sanitary sewage treatment, water pumping and treatment facilities.
5. Communications and television towers, transmitters, or receivers pursuant to **Section 8.01**.
6. Country clubs, golf courses, tennis, swimming, jogging, horseback riding, and winter sport facilities.
7. Cemeteries, including mausoleums, mortuaries, crematories.
8. Hospitals or health care facilities.
9. Auto wrecking, salvage, or salvage yards in accordance with the Boone County Salvage Yard Ordinance #5A.
10. Commercial recreational and camping areas
11. Hunting, gun clubs, rifle range, trap shoot provided the location of the use shall meet the minimum siting requirements of the state and/or federal government. All said uses shall be required to have a properly designed landscaping and screening around the property and 2,500 feet from any residence.
12. Commercial Wind Energy Conversion System.
13. Industrial and fuel alcohol production.
14. Mining, extraction of minerals, sand and gravel, loess soil, clay, shale, limestone, and sandstone quarries, pursuant to the provisions of **Section 8.02**.
15. Any use which is interpreted by the Zoning Administrator to be a use similar to the one of the above-named and **Section 4.16** uses and in conformance with the intent of this district.
16. Agricultural Enterprises Planned Developments that provide agricultural services and products to farmers; such as:
 - A. Commercial grain, feed storage and elevators.
 - B. Commercial liquid or solid fertilizer storage for distribution.
 - C. Commercial packages, bulk or tank storage for distribution of fuel, pesticides and herbicides.
 - D. Livestock auction sales yard.
 - E. Farm implement dealership and service shop.

4.04.04

Accessory Uses:

The following accessory buildings are permitted in the “A-1” Agricultural Conservation District.

1. Building and uses customarily incidental to the permitted principal uses.

2. Temporary buildings and uses incidental to construction work, or those necessary in the event of any emergency as determined by the Board of Adjustment, either of which shall be removed upon the completion or abandonment of the construction work or emergency condition.
3. Mobile Homes and Granny Flats as a second residence but limited to one per residence to be occupied by an immediate family member.
4. Private recreational facilities used in conjunction with the permitted use.
5. Parking pursuant to **Article 6**.
6. Signs pursuant to **Article 7**.
7. Home Occupations pursuant to **Section 8.07**.
8. Wind Energy
9. Any use which is interpreted by the Zoning Administrator to be a use similar to the one of the above-named and **Section 4.16** uses and in conformance with the intent of this district.

4.04.05

Height and Lot Requirements:

The height and minimum lot requirements shall be as found in **Section 4.15**.

4.04.06

Other Applicable Provisions:

1. A lot or parcel of land of record on or before the effective date of this Ordinance may be built on and used for a permitted principal use.
2. All new dwellings shall be on hard-surfaced or gravel maintained Roads/Streets/Highways.
3. All access to properties shall meet County Engineer's specifications.
4. When two (2) lots are established immediately adjacent to one another, the two (2) lots may be served by a single driveway or one (1) access point onto any County, State and/or Federal Road, as approved by the County Engineer. Said access road shall be through a *common easement* of at least fifty (50) feet in width. Exception to this provision is when said lots are fronting upon a dedicated road/street as part of a subdivision.
5. Dwelling units, accessory buildings or other structures shall not be constructed below detention/retention dams where a registered professional engineer determines they will be damaged by failure of the dam.
6. Kennels shall not be constructed within 1,200 feet of any public use area.
7. For Single Family Dwellings, Mobile Homes and Farmsteads, the following exceptions apply:
 - A. Single Family dwelling or Mobile Homes:
 - i. Exception. The Zoning Administrator and/or the Board of Adjustment shall make an exception to the thirty-five (35) acre minimum lot size if the physical characteristics of the parcel (shape, topography, hydrology, soil qualities, and/or non-contiguity) indicate a smaller minimum lot size is justifiable. In no case shall the lot size be any lower than what is required in areas not designated as prime agricultural land in footnote 1“C” of this section.

- ii. Exception. The thirty (35) acre minimum lot size requirement set forth shall not apply to a parcel of land to be used for a single family dwelling or mobile home site if:
 - 1.) The owner of the severed parcel is a family member (parent, child or sibling) of the owner of the agricultural land from which the parcel is severed; and,
 - 2.) The owner of the severed parcel is actively involved in farming the agricultural land from which the parcel is severed.
 - iii. In areas *not designated as prime agricultural land*: 20,000 square feet when common water and sewer systems are present; one and one-half (1 ½) acres if no common water and sewer systems exist, and one (1) acre if only a common water system exists, unless smaller lot size minimum is justified by an approved concept plan and a soil study.
- B. Farmstead Severed From Farm:
- i. A farmstead or abandoned farmstead may be severed from the farm and used for a single-family dwelling or a mobile home. A minimum of one (1) acre, exclusive of road right-of-way/easement, may be severed and all side and rear yard setback requirements must be met.

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