



Written Interpretation – Minimum Lot Size for Agricultural Use in an Agricultural Zoning District

Question: What is the minimum lot area needed for an agricultural use in an Agricultural zoning district by right and by Special Use Permit?

Relevant Code Citations: One part of the Zoning Ordinance says that a Special Use Permit (SUP) is required in an Agricultural zoning district for an agricultural use on less than 3 acres:

“SPECIFICATIONS F - SPECIAL USES.

A. PERMITS FOR SPECIAL USES. The following uses, or structural alterations to them, which are classified as Special Uses, may be permitted by the Board of Zoning Appeals, in accordance with the procedure specified in this section.

1.00 Agricultural Use in Agricultural Districts on tracts of land containing less than three (3) acres, and agricultural uses in all other districts regardless of the size of the tract of land involved (Amended 10/20/2003 PC03-31)”

Another part of the Zoning Ordinance says an agricultural use is permitted by right in an Agricultural zoning district on more than 3 acres:

“A. PERMITTED USES IN AGRICULTURAL DISTRICTS.

1. "A1C" Agricultural District .

a. Agricultural Uses where the tract of land contains more than three (3) acres.”

Interpretation: The Ordinance is unclear what to do with exactly 3 acres. The more recent amendment (10/20/03) says that on exactly 3 acres an SUP is not required for an agricultural use in an Agricultural zoning district. It is allowed by right. So, the interpretation for the question above is that an agricultural use in an Agricultural zoning district can take place on 3.00 acres or more without a Special Use Permit. On 2.99 acres or less, a Special Use Permit is required.


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