

## ARTICLE 11

### A - AGRICULTURAL DISTRICT REGULATIONS

#### Section 1. Description

The A - Agricultural District is established as a district in which the principal use of land is for general agricultural uses. The regulations are intended to prohibit commercial and industrial usage of the land and to prohibit any other use which would interfere with the development or continuation of the agricultural use of the land; and to discourage any use, which because of its character or size, would create requirements and costs for public services such as police and fire protection, water supply, and sewerage before such services can be systematically and adequately provided.

#### Section 2. Definition of "Farm"

For the purpose of the administration of this ordinance, a "farm" shall mean a single tract, or contiguous tract, of agricultural land containing a minimum of ten (10) acres and which normally provides a farmer, who is actually farming the land or engaged in the raising of livestock or other similar operations normally associated with farming and ranching, with not less than fifty percent (50%) of his annual net income; and the term "farmer" means an individual who normally devotes the major portion of his time to the activities of producing products of the soil, poultry, livestock, or dairy farming in such products' un-manufactured state and who normally receives not less than fifty percent (50%) of his annual net income from any one or more of the foregoing activities; and the term also includes an individual who is retired because of illness or age and who at the time of retirement owned and occupied, as a farmer, the premises. **Effective August 17<sup>th</sup>, 2021, from this date on, Morton Township will not allow less than 40-acre tracts to be developed for any other purpose than agriculture within the boundaries of the township.**

#### Section 3. Permitted Uses

The following uses are allowed by-right in the A Agricultural District:

1. Agricultural structures and activities
2. General farming group
3. Truck farming group
4. Livestock sales pavilion
5. Public recreation group
6. Utility service group
7. Radio or television transmitting station
8. Sand or gravel extraction
9. Oil or gas well

10. Railroad line trackage

11. Single-family dwelling

12. Manufactured home dwelling, when located on a permanent perimeter foundation in accordance with County codes governing construction

13. Private golf course, and customary accessory uses

#### Section 4. Special Uses

The following special uses are allowed in the A-Agricultural District, in accordance with Article 8:

1. Airport or heliport
2. Cemetery
3. Drive-in theater
4. Golf driving range, not accessory to a golf course
5. Recreational vehicle park
6. Salvage yard
7. Junkyard
8. Veterinary/animal clinic
9. Animal hospital/kennel
10. Solid waste disposal facilities, limited

#### Section 5. Accessory Uses

Customary accessory uses are allowed in the A-Agricultural District, in accordance with Article 6.

#### Section 6. Development Standards ( Non-agricultural Uses)

1. Lot Area. Each permitted residential structure, together with its accessory buildings, shall be located on a lot or tract of land as follows:

Property Description	Minimum Lot/Tract size
Metes and Bounds, Auditor's plat or deed	40 acres
Aliquot part of a section of land	Intended to comprise 40 acres
Government Lot	35 acres

2. Lot Width. Each lot shall have a width of not less than six hundred-forty (640) feet, measured along the front property line.

3. Front Yard. Each lot shall have a front yard as follows, measured from the property line:

<b>Roadway Classifications</b>	<b>Minimum front yard (feet) residential buildings</b>	<b>Minimum front yard (feet) commercial buildings</b>
Arterial Road	175	225
Collector Road	65	115
Local Road	40	140

4. Side Yard. Each lot shall have two (2) side yards, one on each side of all principal and accessory buildings. Each side yard shall not be less than fifteen (15) feet. No building on a corner lot shall have a side yard on the side street less than the front yard requirements specified in this section

5. Rear Yard. Each lot shall have a rear yard not less than fifty (50) feet in depth. If such rear yard abuts an arterial or collector road right-of-way, building locations shall also conform to the front yard requirements specified in this section.

6. Height Limits. No principal building for any permitted use shall exceed thirty-five (35) feet in height. No accessory building shall exceed twentyfive (25) feet in height.

7. Residential Building Permit. A building permit to construct or improve a single family or manufactured home dwelling and allowed accessory buildings shall be issued only after the following conditions have been met:

a. An auditor's plat or a deed describing the property has been prepared and recorded at the Register of Deed's Office.

b. A road approach permit has been granted by the County Engineer.

8. Non-residential Building Permit. A building permit to construct or improve any other non-agricultural building shall be issued only if such building is located in a platted subdivision.

## **Section 7. Additional Development Standards for Land Abutting the Missouri River (Non-agricultural uses)**

In order to preserve and enhance the environmental and recreational qualities of the Missouri River, conserve the scenic and historic values of the Missouri River shoreland, protect shoreland development from river bank erosion, and provide for the wise use of the river and related land resources, the following additional development standard for non-agricultural uses is hereby established for land abutting the Missouri River:

1. Structure Setbacks. All structures on lots or parcels with unstablized banks shall be set back a minimum of one hundred (100) feet from the ordinary high water mark of the Missouri River. All structures on lots or parcels with stabilized banks, either by an existing Corps of Engineers' stabilized structure or as permitted and approved by the Corps of Engineers, shall be set back a minimum of seventy-five (75) feet from the ordinary high water mark of the Missouri River.

# Morton Township Zoning Ordinance

Morton Township 137, Range 77, Sections 1-36

Burleigh County, North Dakota

Latest update August 22, 2023

Latest update August 17,2021