

Acreage Anxiety - Zoning Issues That Can Kill Your Rural Dream

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Overview

Buying a rural property is an exciting prospect, offering privacy and freedom, but it comes with a unique set of challenges, most notably zoning and land use restrictions. Before committing to a purchase, it's absolutely critical to confirm the land's current zoning classification and understand the local regulations to ensure you can use the property as intended.

Understanding Rural Zoning Classifications

Zoning is the process by which local governments (typically county or municipal) regulate how land within their jurisdiction can be used. Rural properties often fall into categories designed to preserve agricultural character and manage low-density development.

Common Rural Zoning Types

Classification	Typical Purpose	Key Restrictions to Check
Agricultural (A or AG)	Preserves farmland, livestock production, and open space.	Minimum acreage for a single home, limits on non-agricultural commercial uses (e.g., a commercial event venue), and potential limits on livestock density.
Rural Residential (R-A or R-R)	A hybrid of residential and limited agricultural activity.	Minimum lot size (often large, like 3, 5, or 10 acres), restrictions on subdivision, and regulations on accessory buildings (size, height, or use).
Exclusive Farm Use (EFU)	Strictly limits non-agricultural development to protect high-value farmland.	Severe restrictions on residential buildings (often only one per parcel), and virtually no commercial or industrial use allowed.
Unzoned/Unrestricted	Some remote counties may have no zoning ordinances.	While this offers the most freedom from <i>zoning</i> , you must check for county-level building codes, health codes (septic/well), and deed restrictions.

Crucial Zoning & Use Restrictions to Verify

Your intended use might be perfectly reasonable in one rural area and strictly prohibited in another. To avoid costly surprises, you must investigate the following specific restrictions:



- **Permitted Uses:** Is your primary goal (e.g., building a single-family home, starting a vineyard, running a small timber operation) an "allowed use," a "conditional use" (requiring a special permit/review), or a "prohibited use"?
- **Residential Density:** How many dwellings are permitted on the property? If you plan to build a second home, a guest house (Accessory Dwelling Unit or ADU), or eventually subdivide, check the minimum lot size requirements.
- **Home-Based Business:** Can you run your specific business (e.g., auto repair, ceramic studio, short-term rental) from the property? Most zoning has strict rules on the type of business, traffic volume, signage, and employees allowed on residential or agricultural land.
- **Accessory Buildings:** Are there limits on the size, height, or number of outbuildings like barns, workshops, or sheds? Some zones limit the total percentage of the land that can be covered by impervious surfaces (buildings, driveways, etc.).
- **Livestock and Fowl:** If you plan to raise animals, confirm any regulations regarding setbacks from property lines, manure management, and limits on the number or type of animals per acre (e.g., a limit on swine or chickens).

The Challenge of Changing Zoning

If a property isn't zoned for your specific use, you might consider a rezoning or a variance, but these are complex, costly, and carry no guarantee of approval.

1. Zoning Variance or Conditional Use Permit

- **Variance:** An exception granted when strict application of the zoning law creates a unique and unnecessary hardship due to the specific physical characteristics of the property (e.g., steep slopes prevent compliance with a setback rule). It is *not* granted simply for convenience.
- **Conditional Use Permit (CUP):** Allows a use that is generally compatible with the area but requires case-by-case review and conditions (e.g., a small farm stand in a residential-agricultural zone).

2. Rezoning a Property

Rezoning is the formal process of changing the entire zone classification (e.g., from Agricultural to Commercial). This is significantly more difficult, especially in rural areas where local governments prioritize preserving the area's current character.

Step	Detail & Challenge
Consult the Master Plan	Local governments have a Comprehensive or Master Land Use Plan. Any proposed rezoning <i>must</i> align with the long-term vision of this plan. If your change contradicts it, approval is unlikely.
Application and Fees	Requires a formal application, substantial fees, and submission of detailed plans (site, traffic, environmental).



Step	Detail & Challenge
Public Hearings	You'll present your case to the local Planning Commission or Zoning Board. Neighbors and community members, especially those against the change, will have the opportunity to voice opposition. Strong community resistance is a common hurdle.
Time and Cost	The process can take 6 to 12 months or more, incurring significant costs for legal, engineering, and consulting fees. Approval is never guaranteed.

Observation: The bottom line is that you should *never* buy a rural property banking on a successful rezoning. Only purchase land that is *already* zoned for your essential needs.

How to Research a Property's Zoning

The most reliable information comes directly from the local government, not just the seller or real estate agent.

1. Identify the Jurisdiction: Determine if the property is within city limits, a township, or solely under county jurisdiction. In rural areas, the county planning and zoning department is usually the correct authority.
2. Obtain the Parcel Number (APN): You'll need the Assessor's Parcel Number to search records. You can usually get this from the listing agent or the county assessor's website.
3. Contact the Planning Department: Call or visit the County Planning and Zoning Department. Give them the APN and your intended use. They can confirm the current zoning, provide the official zoning ordinance (the rulebook), and tell you if your plans are permitted, require a special permit, or are prohibited.
4. Check for Other Restrictions: Zoning is one layer. You must also check the deed for restrictive covenants (HOA-like rules put in place by a developer) and look up easements (legal rights for others, like utility companies or neighbors, to use a portion of your land).

Conclusion

The allure of rural property with its promise of space, freedom, and self-sufficiency is undeniable, but the reality is governed by the regulations of local zoning. Before you sign a single document, performing thorough due diligence on a property's existing zoning classification, permitted uses, and any restrictive covenants is not just advisable; it is absolutely essential. Relying on a costly and uncertain rezoning process is a path fraught with risk. By proactively consulting the local planning and zoning department to confirm that the property's current legal status aligns perfectly with your immediate and long-term vision, you ensure that your dream piece of rural land remains a source of enjoyment, not a regulatory nightmare.

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