

DIVISION 2. - A-X EXCLUSIVE AGRICULTURE DISTRICT

Sec. 22-481. - Purpose; intent.

- (a) The purposes of the A-X Exclusive Agriculture District are to:
 - (1) Preserve productive agricultural land for food and fiber production;
 - (2) Preserve productive farms by preventing land use conflicts between incompatible uses and controlling public service costs;
 - (3) Maintain a viable agricultural base to support agricultural processing and service industries;
 - (4) Prevent conflicts between incompatible uses;
 - (5) Reduce costs for providing services to scattered nonfarm uses;
 - (6) Pace and shape urban growth;
 - (7) Implement the provisions of the county agricultural plan; and
 - (8) Comply with the provisions of the Farmland Preservation Law to permit eligible landowners to receive tax credits under Wis. Stats. § 71.09(11).
- (b) This district is generally intended to apply to lands in productive farm operations including: lands historically exhibiting good crop yields or capable of such yields; lands which have been demonstrated to be productive for dairying, livestock raising and grazing; other lands which are integral parts of such farm operations; land used for the production of specialty crops such as mint, sod, fruits and vegetables; and lands which are capable of productive use through economically feasible improvements such as irrigation.
- (c) The plan commission may consider a rezone out of A-X Exclusive Agriculture District after holding a public hearing pursuant to Wis. Stats., § 91.48, if all of the following apply:
 - (1) The political subdivision finds all of the following, after public hearing:
 - a. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.
 - b. The rezoning is consistent with any applicable comprehensive plan.
 - c. The rezoning is substantially consistent with the county's certified farmland preservation plan.
 - d. The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 - (2) The city shall, by March 1 of each year, provide a rezone report and map to DATCP identifying the number of acres rezoned out of A-X.

(Ord. No. 2010-O-09, § 22.70, 10-12-2010; Ord. No. 2012-O-03, 4-24-2012)

Sec. 22-482. - Permitted uses.

For the A-X Exclusive Agriculture District, permitted uses are as follows:

- (1) Agricultural uses, provided that a facility used to keep cattle, swine, poultry, sheep or goats will have less than 500 animal units.

- (2) New farm residence that is the only residence on the farm and is occupied by an individual who earns more than 50 percent of his or her gross income on the farm, subject to the provisions of chapter 24, land division. For more than one farm residence, see section 22-483(1).
- (3) Existing farm residence.
- (4) The following agricultural accessory uses provided they meet the definition of Wis. Stats. § 91.01(1)(a)(b)or(d)
 - a. Roadside stands for the sale of agricultural products produced primarily from that farm operation.
 - b. Wind tower or manure digester to serve a single farm.
 - c. Agricultural entertainment activities anticipated to have an attendance of less than 500 persons at any one time during the day.
 - d. Limited vocational activities (refer to section 22-55(b)).
- (5) Undeveloped natural resource and open space areas.
(Ord. No. 2010-O-09, § 22.71, 10-12-2010; Ord. No. 2012-O-03, 4-24-2012)

Sec. 22-483. - Conditional uses.

In addition to the conditional use requirements in section 22-640, no conditional use in the A-X District shall be approved by the plan commission unless the commission shall also find:

1. The use and its locations in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.
2. The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
3. The use is reasonably designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
4. The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
5. Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

The department of agriculture, trade and consumer protection may promulgate rules imposing additional limits on the conditional uses that may be allowed in a farmland preservation zoning district in order for a farmland preservation zoning ordinance to comply with Wis. Stats. § 91.42.

For the A-X Exclusive Agriculture District, conditional uses are as follows:

- (1) A second or subsequent single-family farm residence to be occupied by either a parent or child of the farm operator or an individual who earns more than 50 percent of his or her gross income on the farm.
- (2) Governmental, institutional, or religious use.
- (3) Transportation, communications, pipeline, electric transmission, utility including wind energy, and drainage use.
- (4) Conversion of existing single-family farm residence to a two-family farm residence, if both residences are to be occupied by an individual who earns more than 50 percent of his or her gross income on the farm.
- (5) Separation of farm residences and related structures which existed prior to the effective date of the ordinance from which this article is derived and which remain after farm consolidation.

- (6) The following agricultural accessory uses, provided they meet the definition of Wis. Stats. § 91.01(1)(a)(b)or(d):
 - a. Horse boarding, breeding, training and other equestrian facilities.
 - b. Bed and breakfast establishments.
 - c. Agricultural entertainment activities anticipated to have an attendance of more than 500 persons at any one time during the day.
- (7) Agriculture - Related Uses and any other use that the department of agriculture, trade and consumer protection, by rule identifies as an agriculture-related use, such as:
 - (a) Agricultural equipment dealership.
 - (b) Agricultural research facilities.
 - (c) Grain elevators.
 - (d) Manure digesting facilities which serve more than one farm operation.
 - (e) Dairy processing facilities.
 - (f) Feed mills.
 - (g) Animal feed storage facilities.
 - (h) Agricultural related educational facilities, such as secondary schools, community college or university facilities to support agricultural course work.
- (8) Nonmetallic mineral extraction operations that comply with Wis. Stats. § 91.46(6).
- (9) A new or expanded facility that will be used to keep cattle, swine, poultry, sheep or goats, and that will have more than 500 animal units, if the proposed facility meets the standards prescribed in ch. ATCP 51, Wis. Adm. Code.

(Ord. No. 2010-O-09, § 22.72, 10-12-2010; Ord. No. 2012-O-03, 4-24-2012)

Sec. 22-484. - Dimensional standards.

For the A-X Exclusive Agriculture District, dimensional standards are as follows:

- (1) Minimum parcel size: 35 acres.
- (2) Minimum lot width: 150 feet.
- (3) Front setback: 35 feet.
- (4) Side setback: ten feet.
- (5) Rear setback: 50 feet.
- (6) Side yard abutting public street: 30 feet.
- (7) Maximum height of dwelling structures: 35 feet.
- (8) Maximum height of farm buildings: No limitation.
- (9) Maximum height of other structures: 45 feet, may exceed on a conditional use basis.
- (10) Side setback for barns, feeding or loafing sheds, hog houses and the like: 100 feet, if adjacent to residential district.
- (11) General provisions:
 - a. Any lot or parcel shown in a preliminary subdivision plat or a certified survey map which has been received for review by the agency prior to the effective date of the A-X Exclusive Agriculture District shall have the same status as pre-existing lots.

- b. Any preexisting substandard parcels in the A-X Exclusive Agriculture District that have a width of less than 150 feet and have an area of less than five acres do not permit the keeping or raising of livestock.
- c. Any pre-existing residential building or its accessory building that is located on a lot that does not meet the area requirements of section 22-58 and is destroyed by fire, explosion, act of God or act of public enemy, the building may be rebuilt, provided the locational requirements of the R-L Residence District are complied with.

(Ord. No. 2010-O-09, § 22.73, 10-12-2010; Ord. No. 2012-O-03, 4-24-2012)

Secs. 22-485—22-506. - Reserved.