

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES REGARDING REVISIONS TO
THE A-4 (SMALL LOT AGRICULTURE) DISTRICT

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Subsection 10.129(1) is restructured and amended to read as follows:

10.129 A-4 SMALL LOT AGRICULTURE DISTRICT.

(1) *Statement of purpose.* The A-4 district is designed to:

- a) Provide for a modest range of agriculture and agricultural accessory uses, at scales consistent with the size of the parcel and compatible with neighboring land uses. The A-4 district accommodates uses which are associated with production and harvesting of crops, livestock, animal products or plant materials. These uses may involve noise, dust, odors, heavy equipment, use of chemicals and long hours of operation.
- b) Allow for incidental processing, packaging, storage, transportation, distribution or other activities intended to add value to agricultural products produced on the premises or to ready such products for market.
- c) Preserve agricultural and open space uses on zoning lots between five (5) and thirty-five (35) acres in size.
- d) Provide for additional economic opportunities for property owners that are generally compatible with agricultural use, such as the establishment of new small-scale farming operations, including market gardens, road-side farmstands, pick-your-own operations, or Community Supported Agriculture farms.
- e) Preserve remnant parcels of productive agricultural land following development of adjoining property.
- f) Meet the criteria for certification as a Farmland Preservation Zoning District under s. 91.38, Wis. Stat.

ARTICLE 3. Subsection 10.129(2) is amended and renumbered to read as follows:

2) *Permitted uses.* The following are permitted uses in this district:

- a) Agricultural Uses. The keeping of livestock shall be limited to one (1) animal unit per each full acre.
- b) Agricultural Accessory Uses, except for the following:
 1. Farm residences.
 2. A business, activity, or enterprise, whether or not associated with an agricultural use, that is conducted by the owner or operator of a farm, that requires no buildings, structures, or improvements other than those described in s. 10.01(2b)(a) and (c) that employs no more than 4 full-time employees annually, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.
 3. Uses listed as conditional uses below.
- c) Undeveloped natural resource and open space areas.
- d) A transportation, utility, communication, or other use that is:
 1. required under state or federal law to be located in a specific place, or;
 2. is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.
- (e) Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibition of farm machinery and technology, agricultural association meetings and similar activities, occurring on five or fewer days in a calendar year.

ARTICLE 4. Subsection 10.129(3) is amended to read as follows:

(3) *Conditional uses.* The following uses require a Conditional Use Permit in this district:

- (a) Agricultural Uses. Livestock in excess of one animal unit per acre on parcels over five (5) acres in size.
- (b) Agricultural Accessory Uses. In addition to the other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.01(2b).

1. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
2. The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in existing accessory farm buildings. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.
3. Agricultural entertainment activities not to exceed 45 days per year, in aggregate, or any event planned or anticipated to attract 200 or more persons per day. For any such activities planned or anticipated to have attendance of more than 200 persons at any one time during a day, an event plan addressing parking, proposed days of operation, ingress and egress, sanitation and other public safety issues shall be filed annually with the zoning administrator, town clerk, servicing fire department, emergency medical service provider, Dane County Sheriff's Department and any local law enforcement agency for such agricultural entertainment activities, at least 30 days prior to the start of any agricultural entertainment activities in each calendar year.
4. Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than five days in a calendar year.
5. Farm family businesses for horse boarding stables, riding stables, hay and sleigh rides, and horse training facilities, including the sale of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable facility.
 - (c) Governmental, institutional, religious, or nonprofit community uses.
 - (d) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

ARTICLE 5. Subsections 10.129(4), (5), (6), (7), and (8) are renumbered to 10.129(5), (6), (7), (8), and (9), respectively.

ARTICLE 6. Subsection 10.129(4) is recreated to read as follows:

- (4) *Standards for conditional uses in the A-4 small lot agriculture zoning district.* In addition to the requirements of s.10.255(2)(h), the zoning committee must find that the following standards are met before approving any conditional use permit in the A-4 small lot agriculture zoning district.
 - (a) The use and its location in the A-4 small lot agriculture zoning district are consistent with the purposes of the district.
 - (b) The use and its location in the A-4 small lot agriculture zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 - (c) 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.
 - (d) 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.
 - (e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

ARTICLE 7. Subsection 10.129(10) is created to read as follows:

- (10)** *Rezoning of land in the A-4 Small Lot Agriculture District.* No land in the Small Lot Agriculture District shall be rezoned except in accordance with s. 91.48, Wis. Stat.