

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES REGARDING REVISIONS TO  
THE A-B (AGRICULTURE BUSINESS) 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. Section 10.121(1) is amended to read as follows:

**10.121 A-B AGRICULTURE BUSINESS DISTRICT.** (1) *Purpose.* The A-B Agriculture-Business District is designed to:

(a) Provide for a wide range of agriculture, agricultural accessory and agriculture-related uses, at various scales with the minimum lot area necessary to accommodate the use. The A-B district accommodates uses which are commercial or industrial in nature; are associated with agricultural production; require a rural location due to extensive land area needs or proximity of agricultural resources; and do not require urban services.

In appearance and operation permitted uses in the A-B district are often indistinguishable from an active farm. Conditional uses are more clearly commercial or industrial in nature, and may involve facilities or processes that require a remote location distant from incompatible uses, proximity to agricultural products or suppliers and/or access to utility services or major transportation infrastructure.

Examples of activities in the A-B district may include, but are not limited to, agricultural support services, value-added, or related businesses such as implement dealers; veterinary clinics; farm machinery repair shops; agricultural supply sales, marketing, storage, and distribution centers; plant and tree nurseries; and facilities for the processing of natural agricultural products or by-products, including fruits, vegetables, silage, or animal proteins.

Such activities are characterized by:

1. Wholesale or retail sales, and outdoor storage / display of agriculture-related equipment, inputs, and products;
  2. Parking areas, outdoor lighting, and signage appropriate to the scale of use;
  3. Small, medium, or large utilitarian structures / facilities / workshops, appropriate to the scale of use;
  4. Low to moderate traffic volumes;
  5. Noises, odors, dust, or other potential nuisances associated with agriculture-related production or processing
- b) Meet the requirements for certification as a Farmland Preservation Zoning District under s. 91.38, Wis. Stat.

ARTICLE 3. Subsection 10.121(2) is amended to read as follows:

**(2) Permitted uses.**

(a) Agricultural Uses.

(b) Agricultural Accessory uses, except uses listed as conditional uses below.

(c) Agriculture-related uses, except uses listed as conditional uses below, consistent with the purpose statement for the A-B district.

(d) Undeveloped natural resource and open space areas.

(e) 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.

ARTICLE 4. Subsection 10.121(3) is amended to read as follows:

**(3) Conditional uses.**

- a) **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. Farm residences.
  2. Limited Family Businesses or Limited Rural Businesses, including bed and breakfast operations in an existing farm residence located on a farm.
  3. 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.
- b) **Agriculture-related uses:** In addition to the other requirements of this ordinance, the following uses must meet the definition of an agriculture-related use under s. 10.01(2c).
  1. Plant or livestock genetic laboratories, agriculture-related experimental laboratories;
  2. Landscape supply or contracting businesses associated with a plant or tree nursery;
  3. Dead stock hauling services;
  4. Sales or storage of agricultural byproducts;
  5. Stock yards, livestock auction facilities;
  6. Bio-diesel and ethanol manufacturing;
  7. Manure processing facilities.
  8. Biopower facilities for distribution, retail or wholesale sales.
- 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.
- e) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stat., section 10.191 and chapter 74. The application shall include a description of the operation, a site plan and a reclamation plan.

ARTICLE 5. Subsection 10.121(4) is amended to read as follows:

- (4) Standards for conditional uses in the A-B (agricultural business) 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-B (agricultural business) zoning district.
- (a)** The use and its location in the A-B agricultural business zoning district are consistent with the purposes of the district.
  - (b)** The use and its location in the A-B agricultural business 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 6. Subsections 10.121(5) through (10) are amended and renumbered as follows:

- (5) Building height limit.** **(a)** For buildings containing offices, sales rooms and service areas and residential buildings, the maximum height shall be two and one-half (2-½) stories or 35 feet.
  - (b)** For all other buildings such as silos, bins and feed and seed storage facilities, no maximum height.
- (6) Area and lot width.** A lot shall be not less than 100 feet in width at the building setback line and have an area of at least 20,000 square feet.
- (7) Density.** Buildings shall not occupy more than sixty percent (60%) of the area of an interior or corner lot.
- (8) Setback requirements.** Buildings that are erected, altered or moved shall be set back not less than is prescribed in section 10.17.
- (9) Side yard requirements.** Ten (10) feet.
- (10) Rear yard requirements.** Ten (10) feet.

**(11)** *Off-street parking.* Off-street parking shall be provided as required by section 10.18.

ARTICLE 7. Subsection 10.121(12) is created to read as follows:

**(12)** *Rezoning of land in the A-B Agriculture Business District.* No land in the Agriculture Business District shall be rezoned except in accordance with s. 91.48, Wis. Stat.