

Ordinance No. 2016-017

**Town of Ledgeview
Brown County, Wisconsin**

AN ORDINANCE TO AMEND CHAPTER 135 – ZONING, ARTICLE XI A-2 AGRICULTURE DISTRICT.

The Town Board of Supervisors of the Town of Ledgeview, Brown County, Wisconsin does ordain as follows:

Section 1: Chapter 135 – Zoning, Article XI A-2 Agriculture District of the Town of Ledgeview Code of Ordinances is hereby amended to read as follows:

Chapter 135. Zoning

Article XI. A-2 Agriculture District

§ 135-91. Applicability of regulations.

Purpose. The purpose of the A-2 Agricultural District is to limited rural residential development on lands in predominantly agricultural areas that are suited for agricultural production. Lots are limited in number, size and location to minimize the impacts associated with rural residential development. Residents of this district may experience conditions associated with farming that are not necessarily compatible with rural residential use. The number of newly platted A-2 lots created from a parcel of record shall be limited in number and sited accordingly to preserve prime agricultural lands.

§ 135-92. Permitted uses.

Permitted uses shall be as follows:

- A. Agriculture, forestry, general farming and livestock raising.
- B. Single-family dwellings.
- C. Beekeeping.
- D. Nursery, sod, or Christmas tree production.
- E. Floriculture.
- F. Distribution lines, telephone and cable television lines and public utility installations, public streets, street rights-of-way and street improvements to the service area.

[Amended 4-22-2008 by Ord. No. 2008-008]

§ 135-93. Permitted accessory uses.

Permitted accessory uses shall be as follows:

- A. A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use, including:
 - a. A facility to store or process raw agricultural commodities, all of which are produced on the farm.
 - b. A facility used to keep livestock on the farm.
 - c. A facility used to store or process inputs primarily for agricultural uses on the farm.

- d. A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
- B. An activity or business operation that is an integral part of or incidental to, an agricultural use.
 - a. Farmstead food processing facilities.
 - b. A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farmstead.
- C. A home business, activity, or enterprise, whether or not associated with an agricultural use, which meets all of the following requirements:
 - a. It is conducted on a farm by an owner or operator of that farm.
 - b. It requires no buildings, structures, or improvements other than those described in par. (a) or (c).
 - c. It employs no more than four (4) full-time employees annually.
 - d. It does not impair or limit the current or future agricultural use of the farm or other protected farmland.
- D. Roadside stands for the sale of agricultural products only, provided that the structure does not cover more than 300 square feet in ground area and does not exceed 10 feet in height.

§ 135-94. Conditional uses.

Conditional uses shall be as follows:

- A. Greenhouses, hatcheries, riding academies, stables, truck farming, game farms, wildlife sanctuaries, game preserves and exotic animals.
- B. Large-animal veterinary hospitals.
- C. Cemeteries.
- D. Commercial feedlots and stock farms.
- E. Airfields, airports and heliports.
- F. Gravel pits, sand pits and stone quarries.
- G. Transmission lines, substations and pipelines. [Added 4-22-2008 by Ord. No. 2008-008]
- H. Recreational sport shooting facility (outdoor facilities only). [Added 4-22-2008 by Ord. No. 2008-006]
- I. Agriculturally-related residence or dwelling unit.

§ 135-95. Parcel requirements.

Parcel requirements shall be as follows:

- A. Area: Ten (10) acres, with the following exceptions and qualifiers:
 - a. Parcels of less than ten (10) acres which existed prior to September 6, 2016, with such parcels instead having a minimum lot area equal to their lot area on September 6, 2016.
- B. Zoning lot frontage: 150 feet minimum. Minimum lot width may be measured at the building setback line if said lot is located on the outer radius of a curved street, such as a cul-de-sac. In no case shall the lot width measured at the right-of-way line of a curved street be less than 85 feet.^[1]

[1] Editor's Note: Former Subsection C, regarding lot width, which immediately followed this subsection, was repealed 4-22-2008 by Ord. No. 2008-008.

§ 135-95.5. Maximum Number of Lots.

Three (3) R-R, Rural Residential lots with clustering recommended. The number of possible agricultural land lots is based on the amount and configuration of land owned (see the lot chart below). The minimum amount of prime agricultural land shall be utilized when approving the lot option. A-2 or R-R lots created since the adoption of the A-2 zoning district shall also be taken into account when determining how many lots may be available. All parcels of record may propose the maximum number of lots described in this section unless the

number of lots has been reduced due to lots being created from the parent parcel predating the parcel of record. Each parcel of record would have the possibility of at least one lot upon Zoning & Planning Commission review and Board approval. Existing A-2 lots less than ten (10) acres in area created since the adoption of the A-2 district shall not be further re-divided so as to create additional lots. Environmentally sensitive areas as described in the Brown County Environmental Sensitive Area Plan may also impact the maximum number of possible future lots available as outlined in the following lot chart.

A-2 Agricultural Lot Chart		
Parcel of Record Size at Time of Ordinance Amendment	Prior Lot Splits from Parent Parcel	Lots Splits Available as R-R
<40 ac	3	0
<40 ac	2	1
<40 ac	1	2
<40 ac	0	3
>40 ac	3	1
>40 ac	2	1
>40 ac	1	2
>40 ac	0	3

§ 135-96. Height regulations.

Height regulations shall be as follows (NOTE: Except as provided by § 135-13, Height regulations.):

- A. Farm structures: 40 feet maximum.
- B. Farm silos: 90 feet maximum.
- C. Residential dwellings: 35 feet maximum.

§ 135-97. Building setbacks.

Building setbacks shall be as follows:

Building Setback (in feet)			
	Principal Structure	Accessory Building	Accessory Building Housing Animals per § 135-11(U)
Front yard	35 minimum from right-of-way	35 minimum from right-of-way	35 minimum from right-of-way
Side yard	25 minimum	25 minimum	40 minimum
Rear yard	25 minimum	25 minimum	40 minimum
Corner side	50 minimum from right-of-way	50 minimum from right-of-way	50 minimum from right-of-way

§ 135-98. Building size. [Amended 4-22-2008 by Ord. No. 2008-008]

Minimum size of a residential dwelling shall be 1,200 square feet ground floor area for a one-story dwelling and 875 square feet minimum ground floor area with a total minimum 1,400 square feet for dwellings having more than one story.

§ 135-99. Accessory uses.

Accessory uses shall conform to district requirements and those set forth in § 135-11, Building and use restrictions.

§ 135-100. Parking. [Amended 4-22-2008 by Ord. No. 2008-008]

Parking shall conform to the requirements as set forth in Article XXI, Parking Requirements.

§ 135-101. (Reserved)

[1] Editor's Note: Former § 135-101, Signs, was repealed 7-19-2005 by Ord. No. 2005-014. See now Chapter 79, Signs.

§ 135-102. Other requirements.

- A. All future residential dwellings connected with the farming operation shall be located on a separate lot containing a minimum of 60,000 square feet and 150 feet of lot frontage.
- B. Other structures or buildings allowed within the A-2 District shall meet the requirements of the district and remaining articles of this chapter as determined by the Town Building Inspector or designee. Buildings shall be maintained structurally and kept in good repair. Outside appearance shall be maintained in accordance with originally approved appearance and design.

[Amended 4-22-2008 by Ord. No. 2008-008]

Definitions

Agriculturally-related Residence. A second farm residence or dwelling unit which is occupied by a person who, or a family at least one member of which, earns a majority of his or her livelihood from the farm operation. No lot split shall be required for a second farm residence located anywhere on any operating farm subject to setback, height, and other dimensional requirements.

Feedlot. A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Pastures shall not be considered animal feedlots under these rules.

Truck Farming. Horticultural practice of growing one or more vegetable crops on a large scale for shipment to distant markets. Crops are typically harvested directly to a truck for immediate shipment.

Section 2: Repeal of inconsistent ordinances. All existing town ordinances, parts of ordinances, and amendments thereto in conflict with any of the provisions of this ordinance are hereby repealed.

Section 3: Severability. If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provision shall not be affected hereby.

Section 4: Effective date. This ordinance shall take effect upon passage, publication, and posting.

Approved: September 6, 2016.

_____/s/_____
Philip J. Danen, Town Chairman

ATTEST:

I, Sarah K. Burdette, Clerk/Administrator of the Town of Ledgeview, Brown County, hereby certifies that the above is a true copy of an Ordinance adopted by the Town Board of the Town of Ledgeview on September 6, 2016.

Sarah K. Burdette
Town Clerk/Administrator

Posted: September 8, 2016

Published: September 8, 2016