

**AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,
REMOVING CERTAIN CONDITIONAL USES IN AGRICULTURAL AND RURAL
ZONING DISTRICTS**

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 10.221(3) is amended to read as follows:

10.221 FP-1 (SMALL-LOT FARMLAND PRESERVATION) ZONING DISTRICT.

(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. 10.004(12).

1. Agricultural entertainment activities or special events.

2. 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 ten days in a calendar year.

3. Limited farm business.

4. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.

5. Sanitary facilities in an agricultural accessory building.

(b) Livestock on parcels five acres or less.

(c) Livestock in excess of one animal unit per acre on parcels between five and thirty-five-acres.

~~(d) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.~~

~~(e) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.~~

(f) Meet the criteria for certification as a Farmland Preservation Zoning District under s. 91.38, Wis. Stats.

ARTICLE 3. Section 10.222(3) is amended to read as follows:

10.222 FP-35 (GENERAL FARMLAND PRESERVATION) ZONING DISTRICT.

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

(a) Agricultural accessory uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.004(12).

1. Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.

2. Airports, landing strips or heliports for private aircraft owned by the owner or operator of a farm.
3. Attached accessory dwelling units associated with a farm residence.
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 ten days in a calendar year.
5. Farm Residence, subject to s. 10.103(11).
6. Limited Farm Business, subject to s. 10.103(13).
7. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
8. Secondary farm residence, subject to s. 10.103(11).
- ~~(b) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.~~
- ~~(c) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(15) and Chapter 74.~~
- ~~(d) Asphalt plants or ready-mix concrete plants, that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.~~
- ~~(e) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.~~

ARTICLE 4. Section 223(3) is amended to read as follows:

10.223 FP-B (FARMLAND PRESERVATION-BUSINESS) ZONING DISTRICT.

(3) Conditional uses.

(a) Agricultural accessory uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.004(12).

1. Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
2. Airports, landing strips or heliports for private aircraft owned by the owner or operator of the farm or agriculture-related use on the premises.
3. Attached accessory dwelling units associated with a farm residence.
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 ten days in a calendar year.
5. Farm residence, subject to s. 10.103(11).
6. Limited farm business, subject to 10.103(13).
7. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
8. Secondary farm residence, subject to s. 10.103(11).

(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. 10.004(14).

1. Bio-diesel and ethanol manufacturing.
2. Biopower facilities for distribution, retail, or wholesale sales.

3. Colony house.
4. Commercial animal boarding for farm animals, and not including boarding for domestic pets.
5. Composting facility.
6. Dead stock hauling services.
7. Manure processing facilities.
8. Stock yards, livestock auction facilities.

~~(c) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.~~

~~(d) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(15) and Chapter 74. The application shall conform to the requirements of s. 10.103(15).~~

~~(e) Asphalt plants or ready mix concrete plants, that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.~~

~~(f) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.~~

ARTICLE 5. Section 10.231(3) is amended to read as follows:

10.231 AT-35 (AGRICULTURE TRANSITION, 35 ACRES) ZONING DISTRICT.

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

(a) Agricultural accessory uses: In addition to other requirements of this ordinance, the following uses must meet the definition of an agricultural accessory use under s. 10.004(12).

1. Agricultural entertainment activities or special events occurring 10 days or more per calendar year, in aggregate.
2. Airports, landing strips or heliports for private aircraft owned by the owner or operator of a farm.
3. Attached accessory dwelling units associated with a farm residence.
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 ten days in a calendar year.
5. Farm Residence, subject to s. 10.103(11).
6. Limited Farm Business, subject to s. 10.103(13).
7. Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
8. Secondary farm residence, subject to s. 10.103(11).

~~(b) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.~~

~~(c) Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., s. 10.103(15) and Chapter 74.~~

~~(d) Asphalt plants or ready mix concrete plants, that comply with s. 91.46(5), Wis. Stats., for production of material to be used in construction or maintenance of public roads, to be limited in time to project duration.~~

~~(e) — Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.~~

ARTICLE 6. Section 234(3) is amended to read as follows:

10.234 RM-16 (RURAL MIXED-USE, 16-35 ACRES) ZONING DISTRICT.

(3) Conditional uses.

(a) Agricultural entertainment activities or special events exceeding 10 days per calendar year, in aggregate.

(b) Airports, landing strips or heliports for private aircraft owned by the landowner.

(c) Attached accessory dwelling units.

(d) Cemeteries.

(e) Community living arrangements for 9 or more persons.

(f) Domestic pet animal boarding.

(g) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.

(h) 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.

(i) Governmental, institutional, religious, or nonprofit community uses.

(j) Large animal boarding.

(k) Limited family business.

(l) Limited farm business.

(m) Migrant farm labor camps certified under s. 103.92, Wis. Stats.

~~(n) — Mineral extraction.~~

(o) Recreational racetracks.

(p) Sanitary facilities in agricultural accessory buildings.

(q) Temporary asphalt or concrete production.

(r) Tourist and transient lodging.

~~(s) — Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.~~

(t) Veterinary clinics.

ARTICLE 7. Section 10.281(3) is amended to read as follows:

10.281 RI (RURAL INDUSTRY) ZONING DISTRICT.

(3) Conditional uses.

(a) Asphalt and concrete production.

(b) Caretaker's residence.

(c) Communication towers.

(d) Commercial processing or composting of organic by-products or wastes.

~~(e) — Demolition material disposal sites.~~

~~(f) — Dumping grounds.~~

(g) Electric generating facilities, provided 100% of the production output of the facility is derived from renewable energy resources.

~~(h) — Incinerator sites.~~

(i) Mineral extraction operations.

- 185 (j) Outdoor sales, display, or repair.
- 186 (k) Salvage operations.
- 187 (l) Slaughterhouses, meat processing plants.
- 188 (m) Solid waste disposal or recycling center.
- 189 (n) Stock yards, livestock auction facilities.
- 190 ~~(o) Storage of explosive materials.~~
- 191 (p) Transportation, communications, pipeline, electric transmission, utility, or
- 192 drainage uses, not listed as a permitted use above.
- 193 (q) Wastewater treatment facilities.

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195 *[EXPLANATION: This amendment removes some conditional uses from agricultural*

196 *and rural zoning districts.]*