

Sec. 74-51/ 74-178. - Agricultural districts.

A-1 Prime agricultural land district. A Farmland Preservation District. The primary purpose of this district is to maintain highly productive exclusive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses. Such lands are generally covered by Class I, II, and III soils as rated by the U.S. Natural Resource Conservation Service and are identified in the county farmland preservation plan as farmland preservation areas identified under Wis. Stats. Ch. 91.10(1)(d) in a farmland preservation plan described in Wis. Stats. Ch. 91.12(2). As a matter of policy, it is hereby determined that the highest and best use of these lands is agriculture. All structures and improvements must be consistent with agricultural use. (Wis. Stats. ch. 91)

(1) Principal uses.

a. Farm residence.

b. Dairying . . .

(3) Conditional uses. See division 4 for additional requirements.

a. Additional farm residences. The approval for more than one farm residence is limited . . .

s. Farm family business in the A-1, Prime Agricultural Land District is a use which is accessory to an agricultural use consisting of a farm family business wedding barn and uses listed in the A-4 district except the production, packing, packaging, and light assembly of products from glass, metals, plaster, and plastics. A farm family business may be permitted as a conditional use for farm owners if limited to existing farm residence or farm structures not dedicated to agricultural uses. No more than two persons who are not members of the resident farm family may be employed in the farm family business and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

t. Hunting and fishing club land without structures. . .

A-1NC Prime agricultural land holding district. The primary purpose of this holding district is to provide a temporary zoning district category for lands that are rezoned into a prime agricultural land district that are not currently designated as farmland preservation areas in the Walworth County farmland preservation plan. This district designation is to be considered temporary in nature and will be rezoned to the standard A-1 zoning district at such time as the farmland preservation plan is amended to include A-1NC zoned land as a farmland preservation area (Wis. Stats. § 91.10(1)(d)). Additionally, the purpose of this holding district is to maintain highly productive exclusive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses. Such lands are generally covered by class I, II, and III soils as rated by the U.S. Natural Resource Conservation Service and as a matter of policy, it is hereby determined that the highest and best use of these lands is agricultural. All structures and improvements must be consistent with agricultural use (Wis. Stats. ch. 91). Lands zoned A-1NC may be included with A-1 zoned land for purposes of meeting acreage requirements.

(1) Principal uses.

a. Farm residence.

b. Dairying. . .

(2) Accessory uses (permitted in accordance . . .

a. A building, structure, or improvement that is an integral part of and consistent with an agricultural use (for example but not limited to: barn, stable, greenhouse).

b. Roadside stands not exceeding one per farm, limited to a structure having a ground area of not more than 300 square feet, not permanently fixed to the ground, readily removable in its entirety, not fully enclosed and to be used solely for the sale of farm products produced on the premises (or adjoining premises) in conformance with Wis. Stats. § 91.01(1).

c. Minor home occupation/professional home office in conformance with Wis. Stats. § 91.01(1).

(3) Conditional uses. See division 4 for additional requirements.

a. Additional farm residences. The approval for more than one farm residence is limited . . .

s. Farm family business in the A-1, prime agricultural land district is a use which is accessory to an agricultural use consisting of a farm family business wedding barn and uses listed in the A-4 district except the production, packing, packaging, and light assembly of products from glass, metals, plaster, and plastics. A farm family business may be permitted as a conditional use for farm owners if limited to existing farm residence or farm structures not dedicated to agricultural uses. No more than two persons who are not members of the resident farm family may be employed in the farm family business and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

t. Hunting and fishing club land without structures. . .

A-2 Agricultural land district. The primary purpose of this district is to maintain, preserve, and enhance agricultural lands historically utilized for crop production but which are not included within the A-1 prime agricultural land district and which are generally best suited for smaller farm units, including truck farming, horse farming, hobby farming, orchards, and other similar agricultural-related farming activity.

(1) Principal uses.

a. All principal uses permitted in the A-1 prime agricultural land district.

b. Single-family detached dwellings.

c. Minor home occupation/professional home office.

(2) Conditional uses. (See division 4.)

a. Housing for farm laborers. . .

y. Farm family business in the Agricultural Land District is a use which is accessory to an agricultural use consisting of a farm family business wedding barn and uses listed in the A-4 district except the production, packing, packaging, and light assembly of products from glass, metals, plaster, and plastics. A farm family business may be permitted as a conditional use for farm owners if limited to existing farm residence or farm structures not dedicated to agricultural uses. No more than two persons who are not members of the resident farm family may be employed in the farm family business and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

z. Hobby farms. . .

DIVISION 4 – Conditional Use.

Sec. 74-61 / 74-188. - Agricultural and related uses.

Except where specifically permitted as a principal use in division 3, the following agricultural and related uses shall be conditional uses and may be permitted as specified. All conditional uses in the A-1 district (farmland preservation district) are limited to those where the use and its location are consistent with the purposes of the farmland preservation zoning district; 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; the use is reasonably designed to minimize conversion of land at and around the site of the use, from agricultural use or open space use; 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; and construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible. In approving or disapproving the location of a conditional use, the County Zoning Agency shall view the proposed site or sites and shall consider such evidence as may be presented at the public hearing bearing upon the general purpose and intent of this ordinance set forth in . . .

(1) Single-family dwellings exceeding one per farm parcel in A-2, and A-3 districts . . .

(19) Farm family business in the A-1, Prime Agricultural Land District and the A-2, Agricultural Land District is a use which is accessory to an agricultural use consisting of uses listed in the A-4 district except the production, packing, packaging, and light assembly of products from glass, metals, plaster, and plastics. A

farm family business may be permitted as a conditional use for farm owners if limited to existing farm residence or farm structures not dedicated to agricultural uses. No more than two persons who are not members of the resident farm family may be employed in the farm family business and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.

(20) Farm family business wedding barn in the A-1, Prime Agricultural Land District and the A-2, Agricultural Land District is a use which is accessory to an agricultural use. No more than two persons who are not members of the resident farm family may be employed in the farm family business and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland. Caterers and band members shall not be considered employees of the farm family business if hired by the family renting the barn. The use shall not require any additional buildings, structures or improvements other than those existing on the farm. Farm Family business events within the barn shall be limited to 5 12 per year. The number of events per year may be increased in increments of 2 per year after annual review, up to a total of 12 events per year upon determination that this conditional use is being followed and the barn has not been altered. All food and beverage shall be brought on site by the family renting the barn for the specific family event or by a caterer hired by the family renting the barn. No liquor license shall be applied for or issued for use of the barn for family events. No retail sales shall be allowed on site. There shall be no outside activities conducted in conjunction with the rental of the barn for family events other than use of the parking area and portable toilets if provided. There shall be no outside cooking, bonfires, camping, outdoor music, fireworks, and party tents, etc. Outside use of farm family business wedding barn shall be limited to the outside area identified on a plan for review and approval by the Committee. Parking shall be made available on site during the use of the barn for family events. There shall be no parking on the public or private streets. Exclusive (non-burdened) access to the parking area must be provided. All parking shall meet the size, setback and separation distances of this ordinance.

NOTE TO CODIFIER: RENUMBER consecutively

(21) Signage for approved business on A-4 provided the sign is located at least five feet from property lines.

(22) Off-season storage facilities for boats, and other recreational vehicles, . . .

DIVISION 13. Definitions.

Sec. 74-131 / 74-263. Definitions.

• *Farm family business*: Any lawful activity, except a farm operation, consisting of uses which are accessory to an agricultural use listed in the A-4 district except the production, packing, packaging, and light assembly of products from glass, metals, plaster, and plastics, conducted primarily for any of the following:

- (1) The purchase, sale, lease or rental of personal or real property;
- (2) The manufacture, processing or marketing of products, commodities or any other personal property;
- (3) The sale of services.

Farm family business wedding barn means a farm family business in an agricultural barn (that has existed for at least five years) with potential outdoor use(s) subject to approval by the Committee on lands zoned A-1 and A-2 for seasonal rental for family events such as weddings, baby showers, anniversaries, family reunions, and similar family related events.

Possible Conditions: Farm Family Business Wedding Barn (A-1 and A-2)

General:

1. Approved as per plan submitted for use of an existing barn and ancillary outdoor use for seasonal rental for family events (weddings, baby showers, anniversaries, family reunions, and similar family related events) as a Farm Family Business with all additional conditions.
2. The Farm Family business in the A-1 and A-2 zoning district is limited to a use that is conducted by the owner or operator of a farm that requires no buildings, structures or improvements other than those existing on the farm, is limited to two non-farm family employees and does not impair or limit the current or future agricultural use of the farm or of other protected farmland. Caterers and band members shall not be considered employees of the farm family business if hired by the family renting the barn.
3. Farm Family Business wedding barn events shall be limited to 12 per year. The property owner shall keep of log of all family events held in the barn including the name of the family, purposes of the gathering, dates, times and total capacity proposed. The property owners shall make the log available to the Town and or County upon request. This conditional use approval is subject to annual review.
4. The site must meet all applicable Federal, State, County and local regulations.
5. Rental of the family event barn shall be by appointment only.
6. The barn must have been in existence on site as an agricultural structure five years prior to the request to use the barn for family events.
7. The structural design of the barn shall remain as a barn or (as it existed as a barn) with the exception of electrical, plumbing and ADA requirements necessary to meet the commercial building code. There shall be no furnaces, air conditioning or kitchens etc. installed in the barn.
8. The capacity of the Family Event Barn shall be no greater than that allowed by the State Commercial Building Code/Fire Code including caterers, band employees, and staff.
9. The property owner shall provide a copy of the commercial building permit and fire code permit approval from the appropriate building inspector/fire inspector for the County file prior to use of the barn for approved events. Bathrooms: No more than 2 bathroom stalls in a building. Portable toilets shall be provided for additional service and a pumping contract shall be provided to the county to assure maintenance and removal at the end of the season.
10. All food and beverages shall be brought on site by the family renting the barn for the specific family event or by a caterer hired by the family renting the barn.

11. No liquor license shall be applied for or issued for the premises as a farm family business.
12. No Retail sales shall be allowed on site.
13. There shall be a detailed approved site plan identifying outdoor areas used for a farm family business wedding barn use such as but not limited to outside cooking, bonfires, camping, outdoor music, fireworks, party tents, the parking area and portable toilets if provided.
14. Event hours shall be from Friday and Saturday from 9:00 a.m. to 12:00 a.m. (midnight) and Sundays 9:00 a.m. to 6:00 p.m. during the months of May, June, July, August, September and October.
15. Garbage shall be removed from the property on the Monday after the event, at the latest.
16. Parking shall be made available on site during the use of the barn for family events. There shall be no parking on the public or private streets. Exclusive (non-burdened) access to the parking area must be provided. All parking shall meet the size, setback and separation distances of the County Zoning Ordinance. All parking must be graded and surfaced so as to be dust free. All parking must occur in the areas identified on the approved plan.
17. Adult supervision must be present at all times when facilities are in use.
18. The property owner shall be responsible for obtaining adequate liability insurance and keeps the insurance current during the life of this conditional use.
19. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site. Signage is limited to one sign per parcel and does not exceed nine square feet in area, is located at least five feet from the road right-of-way, at least ten feet from a side property line and shall not exceed six feet in height and shall be located at least 50 feet from any intersection.
20. All lighting must be shielded and directed on to the property and extinguished at the close of each days event.
21. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
22. Any changes in the proposed use of the property shall require additional Town and County approvals including potential need for a rezone review and new decision to a zone district that allows public assembly prior to continued operations. A rezone and conditional use approval will be required for any proposal to expand the facilities beyond the use of existing barn on site.

23. This conditional use or a farm family business wedding barn shall be subject to an annual staff zoning review for compliance subject to an annual \$100 zoning request review fee.
24. There shall be no more than four pets allowed on site at any time without approval for a kennel from the Town and County.
25. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
26. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.
27. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.