

## **A-1EX Exclusive Agricultural District**

Primary zoning district for farmland preservation -- CH. 10-Zoning, Section 10.123

### **Permitted Uses 10.123(2)**

- Agricultural uses including: crop or forage production, keeping livestock, beekeeping, nursery, sod, or tree production, floriculture, aquaculture, fur farming, forest management, or enrollment in federal or state commodity or conservation payment program
- Agricultural accessory uses including: buildings, structures, improvements, activities or business operations of an integral part of, or incidental to, an agricultural use
- Rental of existing secondary residences
- Ag. entertainment activities up to 45 days per year
- Farm exhibitions, sales or events up to 5 days per year
- Undeveloped natural resource and open space areas
- Transportation, utility, communication or other uses required by law

### **Conditional Uses 10.123(3-4)**

- Farm Residences
- Limited family businesses within existing building
- Limited rural businesses operated by an owner or operator of the farm
- Sale of agricultural and dairy products not produced on the premises
- Seasonal storage of recreational equipment and motor vehicles in existing buildings
- Farm related exhibitions, sales or events exceeding 5 days a year
- Agricultural entertainment activities: exceeding 45 days a year or in excess of 200 persons
- Horse boarding stables, riding stables, hay and sleigh rides, and horse training facilities
- Sale of bridles, saddles, and grooming supplies
- Governmental, institutional, religious, or nonprofit community uses
- Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law
- Non-metallic mineral extraction
- Limited asphalt or concrete plants
- Small scale electric generating stations

### **Setbacks and Height requirements for Structures 10.04(6-7); 10.123; 10.16; 10.17**

Front setback for all structures from Highway centerline / right-of-way line (whichever is greater)

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ordinance: 20 feet minimum

All other streets: 30 feet minimum from right-of-way

#### Maximum Height:

Residences: 2½ stories or 35 feet maximum

Accessory buildings: 35 feet maximum

Accessory buildings on lots less than 2 acres: 12 feet

Agricultural buildings: No height requirement

Side yard for residences: 25 feet total, with no single side less than 10 feet minimum

Rear yard for residences: 50 feet minimum

For uncovered decks/porches: 38 feet minimum

Setbacks for accessory buildings not housing livestock or insects: Minimum 10-foot side and rear yards

Setbacks for agricultural buildings with livestock or insects: On parcels 35 acres or less:

Minimum 50-foot side & rear yards

On parcels more than 35 acres:

Minimum 10-foot side & rear yards

Note: 100-foot minimum side and rear yard requirement when adjacent to R- district parcels

### **Minimum Lot Width & Area 10.123(5), (9); 10.05(4)**

Agricultural Uses: Minimum 35 acres

Sub-standard Residential lots:

Public Sewer: 100 feet at building line and 15,000 sq.ft.

Septic System: 100 feet at building line and 20,000 sq.ft.

### **Maximum Lot Coverage all buildings and structures**

On parcels greater than 2 acres: 10%

Parcels less than 2 acres: 30% maximum or 35% for corner lots

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### **Accessory Buildings Requirements 10.04(1)(b); 10.123(2); 10.16(6); 12.06(1)(k)**

- On parcels less than 5 acres, only residential accessory buildings are permitted.
- Accessory buildings may be constructed on property without a principal residence only if it is clearly related to a legitimate farm operation or agricultural accessory use.
- Sanitary fixtures are prohibited in accessory buildings, except as permitted for farm accessory buildings on farms over 35 acres.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
- Minimum 4-foot side yard and rear yard setbacks on lots 60 feet or more in width
- Minimum 2.5-foot side yard and rear yard setbacks on lots less than 60 feet in width
- Zoning Permit fees are exempt for farm buildings on farms of 35 acres or larger.

NOTE: A Zoning Permit is required for every building larger than 120 square feet in size. Zoning Permits are not required for accessory buildings equal to or less than 120 square feet on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

For more information on the regulation of accessory buildings please see the Dane County Zoning *Guide for Accessory Buildings* Handout.

### **Livestock 10.123(2)(a)**

- Livestock is not permitted on parcels less than 5 acres.
- On parcels greater than 5 acres there is no limit to the number of animal units permitted.

### **Existing Residences in A-1EX Exclusive Agriculture District 10.123(2)(b)**

- Any residence lawfully existing as of February 20, 2010 shall be considered a permitted use. Notwithstanding the provisions of Sections 10.21 and 10.23 regarding nonconforming uses, such structures may be added to, altered, restored, repaired, replaced or reconstructed, without limitation, provided all of the following criteria are met:
  - The use remains residential.
  - The structure complies with all building height, setback, side yard and rear yard standards of this ordinance.
  - For replacement residences, the structure must be located within 100 feet of the original residence, unless site-specific limitations or town residential siting standards in town plans adopted by the county board require a greater distance. Proposals for a replacement residence that would exceed the 100 foot limitation must be approved by the town board and county zoning committee.

### **Limited Businesses 10.01(30); 10.01(23)**

A limited family business is a small family run commercial operation, accessory to a permitted principle use, that takes place entirely within an accessory building. All employees, except one or one full-time equivalent, must be a member of the family residing on the premises. Limited Family Businesses must comply with all requirements of s. 10.192.

A limited rural business may include any use permitted in the A-B, B-1, C-1 or C-2 zoning districts if it is located exclusively in building(s) in existence prior to April 30, 2005, maintains, restores or enhances the existing exterior character of the building(s), employs no more than 4 non-family employees, and that does not impair or limit the current or future agricultural use of the farm or of other protected farmland.. For this purpose "family" means any number of individuals related by blood or marriage, or not to exceed five (5) persons not so related, living together on the premises as a single housekeeping unit, including any domestic servants.