

(8) MUNICIPAL COOPERATION. In order to facilitate roadway shoulder improvement projects in the Town, the Town Board may allow removal of fill from private property without a rezoning or conditional use permit if the following criteria are met:

- (a) Written application shall be made by Sheboygan County to the Town Board at least ten (10) days prior to the regular Town Board meeting. The application shall include a letter describing the scope of the project, a map of the site, and other information as required by this Chapter.
- (b) The area of removal is adjacent to the right-of-way.
- (c) No crushing occurs.
- (d) The neighbors will be notified, in writing by the Town Clerk/Treasurer, of the meeting at which the Town Board will make its decision. *(Rev. 11/12/2024)*
- (e) The area of removal will be less than one (1) acre.
- (f) The area will be reclaimed to agricultural or natural cover.
- (g) The material will not be moved out of the Town.
- (h) The operation will take no more than a month. Extensions can be made by the Town Chairperson.

(9) USES NOT SPECIFIED.

- (a) Uses not specified in this Chapter which are found by the Town Board, upon recommendation of the Town Plan Commission, to be sufficiently similar to specified permitted uses for a District may be allowed by the Town Board. *(Rev. 04/01/05)*
- (b) Uses not specified in this Chapter which are found by the Town Board, upon recommendation of the Town Plan Commission, to be sufficiently similar to specified conditional uses for a District may be allowed by the Town Board following a public hearing and approval in accordance with the procedures set forth in the issuance of a conditional use permit. *(Rev. 04/01/05)*

4.05 AGRICULTURAL LAND DISTRICTS

(1) GENERAL STANDARDS IN AGRICULTURAL DISTRICTS.

- (a) A-1 Prime Agricultural Land District. Lands in this District are characterized as prime agricultural lands which generally consist of, without limitation because of enumeration, soil capability Classes 1, 2, and 3 as established by the National Resources and Conservation Service, USDA. In the A-1 District, thirty-five (35) acres shall be the minimum area on which a residence will be permitted. A-1 land may be less than thirty-five (35) acres without a residence. The only residences that will be allowed as permitted or conditional uses are those that promote preserving the productive capacity of the land demonstrating compliance with the intent of this Section of the Chapter and are occupied by any of the following:

1. An owner or owners of the parcel. *(Rev. 11/12/2024)*
2. A person or family who has at least one (1) adult member of which is principally engaged in conducting the permitted or conditional uses of the parcel.
3. An owner's parent or child who is principally engaged in conducting the permitted or conditional uses on the property.

Permitted and conditional uses in the A-1 District are listed in Subsection (2) of this Section. Refer to Section 4.06(1)(e): R-1 Zone Specifications, or primary building requirements. *(Rev. 11/07/01; 11/12/2024)*

- (b) A-2 Agricultural Rural Residential District. Lands in this District are intended to provide for small farming operations and to keep in agricultural use areas of at least five (5) acres but less than thirty-five (35) acres. Refer to Section 4.06(1)(e) R-1 District for primary building requirements. Principal and conditional uses in the A-2 District shall be the same as in the A-1 District. *(Rev. 11/07/01; 01/20/11; 11/12/2024)*
- (c) A-3 Agricultural Transitional Area. Lands in the A-3 District are lands presently in agricultural use or open areas located next to municipalities or urbanized regions where conversion to non-agricultural uses can be anticipated within the foreseeable future. The Town Plan Commission shall review the Zoning Map at least every five (5) years to determine the need to increase or decrease the area of lands included in the A-3 District to conform with existing circumstances. The minimum parcel size for establishing a farmstead in the A-3 District shall be thirty-five (35) acres. Principal and conditional uses in the A-3 District shall be the same as in the A-1 District. Refer to Section 4.06(1)(e): R-1 District for primary building requirements.
- (d) A-4 Farm Consolidation Agricultural Living District. For purposes of farm consolidation, farm residences or structures which existed prior to the adoption of Section 4.05 of this Chapter (August 12, 1974) may be separated from a larger farm parcel. Parcels of less than thirty-five (35) acres in area shall conform with the restrictions contained in the A-4 Farm Consolidation or Agricultural Living District.

Lands in this District are intended to provide for small farming operations and to keep in agricultural use areas of less than thirty-five (35) acres. Principal or permitted uses in the A-4 District shall be the same as in the A-2 District. Refer to Section 4.06(1)(e): R-1 District for primary building requirements. Conditional uses shall be the same as in the A-2 District but also include the following: *(Rev. 11/12/2024)*

1. Conditional Uses: Two-family dwelling and owner's retirement home or home for hired workers with two (2) acre minimum.
2. Height: Residences hereafter erected or structurally altered shall not exceed thirty-five feet (35') from the first-floor grade elevation, or in the case of an exposed lower-level basement on a parcel of at least five (5) acres, forty-two feet (42') overall from the lowest grade. There shall be no limit on the height of agricultural buildings, except their placement in relation to property lines shall in no case be less than their height. *(Rev. 09/01/09)*

3. Lot Area: Every lot hereafter created shall provide not less than two (2) acres in area.

(e) A-5 Small Farming Operations

The primary purpose of this district is to permit the utilization of relatively small quantities of land in predominantly agricultural areas for residential use. Lands in this district are intended to provide for small farming operations and to keep in agricultural use areas of at least twelve (12) acres, but less than thirty-five (35) acres. Refer to Section 4.06(1)(e) R-1 District for primary building requirements. Permitted and conditional uses in the A-5 District shall be the same as in the A-1 District. (Cr.01/20/11 by Ord. 2011-1) (Rev. 11/12/2024)

- (2) **SPECIFIC USE STANDARDS.** In Agricultural Land Districts A-1, A-2, A-3, A-4 and A-5 the following are permitted and conditional uses: (Rev. 11/12/2024)

(a) Permitted Uses.

1. Farmstead buildings. (Rev. 10/02/01; 11/12/2024)
2. Agriculture.
3. Bee keeping (Apiary). (Rev. 11/12/2024)
4. Composting. (Rev. 11/12/2024)
5. Dairying.
6. Floriculture.
7. Forestry.
8. General farming.
9. Grazing.
10. Greenhouses.
11. Home occupations not involving the conduct of retail business on the premises.
12. Horticulture.
13. Livestock raising (except commercial feed lots). (See Animal Unit Calculation Worksheet Form 3400-25A) (Rev. 11/12/2024)
14. Orchards.
15. Paddocks.
16. Pasturage.

17. Plant nurseries.
18. Poultry hatcheries. *(Rev. 11/07/01)*
19. Poultry raising.
20. Production of grain, grass, mint, herb, and seed crops.
21. Single-family or two-family residences.
22. Stables.
23. Tree crops.
24. Truck Farming.
25. Vegetable growing.
26. Viticulture.
27. Vermiculture. *(Rev. 11/12/2024)*

(b) Conditional Uses

1. Beef, hog, dairy, or other animal operations in excess of five hundred (500) animal units in the A-1 District or in excess of one (1) animal unit per acre in A-2, A-3, A-4, or A-5 Districts. (Animal unit equivalencies are as defined by the U. S. Department of Agriculture. See Animal Unit Calculation Worksheet Form 3400-25A). All operations in excess of five hundred (500) animal units shall meet the requirements of Wisconsin Administrative Rule ATCP 51 (Livestock Facility Siting Law). No such facility may be located in Sections 1-9 and 15-22 and 28-35. *(Rev. 11/06; 11/12/2024)*
2. Campground and Recreational Vehicle (RV) parks. *(Rev. 11/01; 11/12/2024)*
3. Commercial stud housing and operation.
4. Commercial raising or boarding of hogs and fur-bearing animals.
5. Fish hatcheries and/or fish farms. *(Rev. 11/01)*
6. Home occupations involving the conduct of business on the premises.
7. Ponds designed for aesthetic or wildlife habitat purposes where removal of material exceeds the limits of Chapter 19.04(2) and does not qualify under Chapter 19.04(3).
8. Public utilities such as regional gas lines, electric transmission lines, and communication towers.
9. Sanitary landfill sites.

10. Section 4.11 of this Chapter shall govern all conditional uses. (Rev. 02/07; 11/12/2024)

(c) Height and Yard Requirements

1. Height Restrictions. Dwelling: On a parcel less than five (5) acres thirty-five feet (35') from the lowest grade elevation, or in the case of an exposed lower-level basement on a parcel of at least five (5) acres, forty-two feet (42') overall from the lowest grade. Other Structures: Twenty-one feet (21') if not used primarily for a farm operation or fifty feet (50') if primarily used for a farm operation. (Rev. 11/07; 09/01/09; 11/12/2024)
2. Yard Requirements: Dwelling - Rear Yard - minimum: One hundred feet (100'). Side Yard - minimum: Twenty feet (20'). Front Yard - minimum: as set in Section 4.10(4). Other Structures: Rear Yard - minimum: One hundred feet (100'). Side Yard - minimum: Twenty feet (20') if not used for animals or one hundred feet (100') if used for animals. (Rev 02/02)

4.06 RESIDENTIAL DISTRICTS

(1) R-1 ONE- OR TWO-FAMILY RESIDENCE DISTRICT

(a) Permitted Uses. The following are permitted uses in the R-1 District:

1. Dwelling Structure for no more than one-family or two-family, with attached or unattached garage; except that any lot within the District on the shoreline of a Town lake is limited to a one-family dwelling with attached or unattached garage. (Rev. 11/12/2024)
2. Accessory buildings which are not attached to or within 10 feet (10') of the residential dwelling shall not occupy more than twenty percent (20%) of the area of the yard (rear yard or side yard) where the building is located. (Rev. 11/12/2024)
3. Public parks and playgrounds.
4. Home occupations not involving the conduct of a retail business on the premises. (Rev 11/12/2024)

(b) Conditional Uses Section 4.11 of this Chapter shall govern all conditional uses. The following are conditional uses in the R-1 District:

1. Home occupations involving the conduct of retail business on the premises. (Rev. 11/12/2024)
2. General Farming on a parcel in excess of one (1) acre. (Rev. 11/12/2024)