

B. AGRICULTURAL DISTRICTS

12.20-1 A-1 AGRICULTURAL PRESERVATION DISTRICT

(a) Primary Purpose and Characteristics.

The Kenosha County Board of Supervisors recognizes that the rapid conversion of farm land to urban use has led to increasing public concern over such conversion. This concern centers on the perceived loss of the local agriculture economic base, loss of agricultural land as a valuable natural resource with the attendant loss of the aesthetic and environmental values associated with that resource, and the loss of the rural lifestyle and the unique cultural heritage which emanates from that lifestyle, and the attendant high costs of providing urban services as well as resolving potential urban-rural conflicts which arise as a result of urban encroachment into rural areas. Therefore, the A-1 Agricultural Preservation District is intended to maintain, enhance, and preserve agricultural lands historically utilized for crop production and the raising of livestock. The preservation of such agricultural lands is intended to conserve energy, prevent urban sprawl, maintain open space, retain natural systems and natural processes, control public cost, preserve the local economic base, promote local self-sufficiency, preserve the rural life-style, and maintain regional, state and national agricultural reserves. The District is further intended to prevent the premature conversion of agricultural land to scattered residential, commercial and industrial uses.

It is recognized that it is neither possible nor practicable to list all of the principal and accessory uses that are compatible with those listed below and therefore, it is intended that the following list of principal and accessory uses only be illustrative. Any individual aggrieved by a failure to list a particular principal or accessory use in this subsection shall have the right to file a petition with the Kenosha County Department of Planning and Development pursuant to section 12.35 of this ordinance for a determination as to the similarity of the intended use with the principal and accessory uses listed below.

(b) Principal uses. (8/6/02)

- 1 Apiculture (Beekeeping)
- 2 Community living arrangements having a capacity of 8 or fewer persons and which shall be in conformance with all state statutory requirements
- 3 Contract sorting, grading and packaging of fruits and vegetables
- 4 Corn shelling
- 5 Dairy farming and general agriculture
- 6 Essential Services
- 7 One single-family dwelling (9/5/06)
- 8 General farm buildings including agricultural windmills, barns, silos, sheds and storage bins provided, however, that said structures are located at least 100 feet away from any off-premise neighboring residential buildings (6/2/92)
- 9 Existing residential dwellings remaining after the consolidation of farms with said dwellings not to be considered a non-conforming use, provided that the remaining lot shall conform to the yard requirements of this district and the lot area and width requirements for a second single-family farm dwelling as set forth in section 12.29-8(b)(113) of this ordinance
- 10 Single-family residence on lots of record created prior to the adoption of this ordinance where said existing lot is less than 35 acres, (see section 12.28-5)
- 11 Floriculture (cultivation of ornamental flowering plants)

- 12 Forest and game management
- 13 Foster family homes having less than 4 foster children and not exceeding 8 total occupants and are in conformance with all state statutory requirements
- 14 Grazing or Pasturing
- 15 Greenhouses, not including retail sales of plants and flowers
- 16 Hay baling
- 17 Livestock raising, except commercial feed lot and fur farms
- 18 Orchards
- 19 Paddocks
- 20 Pea viners
- 21 Plant nurseries
- 22 Poultry raising, except commercial egg production and commercial poultry feed lots
- 23 Raising of grain, grass, mint and seed crops
- 24 Raising of tree fruits, nuts and berries
- 25 Riding stables and indoor riding arenas (private)
- 26 Sod farming
- 27 Threshing services
- 28 Vegetable raising
- 29 Viticulture (grape growing)

(c) Accessory Uses (8/6/02)

- 1 Feed lot (not commercial and only for permitted farm uses)
- 2 Accessory buildings, such as detached garages, sheds and gazebos, and boathouses (see also section 12.27-6)
- 3 Home occupations and professional home offices
- 4 Roadside stands (one such stand permitted only for selected farm products produced on the premises and not exceeding 300 square feet in floor area)
- 5 Small wind energy system
- 6 Solar energy system
- 7 Storage, curing, drying, churning and packaging of products and crops produced on the land provided, however, such products are not processed on the land and provided further that such products are not commercially sold as part of a retail business conducted on the land
- 8 Swimming pools and spas (see also section 12.17)
- 9 Fences (see also section 12.15-2)
- 10 Decks and Patios (see also section 12.18.3)

(d) Conditional Uses (see also section 12.29-8) (8/6/02)

- 1 Air strips, landing fields and hangars for personal or agricultural related uses
- 2 Community living arrangements having 9 but not more than 15 persons and in conformance with all state statutory requirements
- 3 Concrete and asphalt batch plants temporarily located on a parcel
- 4 Event Barns
- 5 Gas and electric utility uses not requiring authorization under Wisconsin Statutes, section 196.491(3)
- 6 Housing for farm laborers or caretakers
- 7 Housing for seasonal or migratory farm workers
- 8 Kennels (Commercial or noncommercial)

- 9 A second single-family farm related residential dwelling
 - 10 Large wind energy system
 - 11 Storage of recreational vehicles, boats or snowmobiles
 - 12 Utility substation
 - 13 Bed and breakfast establishments (8/9/94)
 - 14 Riding stables and indoor riding arenas (public)
 - 15 Borrow pits (temporary); stockpiling or filling of clean fill materials
- (e) Parcel Area and Width
- 1 Farm structures hereafter erected, placed, moved or structurally altered and related farm activities shall provide a contiguous area of not less than thirty-five (35) acres and no farm shall have a frontage of less than 600 feet in width.
- (f) Building Type, Separation, Number, Height and Area
- 1 No structure or improvement may be built on any land in the A-1, Agricultural Preservation District unless said structure or improvement is consistent with agricultural uses.
 - 2 For purposes of farm consolidation, farm residences or structures which existed prior to the adoption of this ordinance may be separated from a larger farm parcel.
 - 3 No farm buildings or parts of farm buildings shall exceed 100 feet in height
 - 4 No residential dwelling or part thereof, shall exceed 35 feet in height
 - 5 A total minimum floor area of a residential dwelling shall be a minimum of 1000 square feet with a minimum first floor area of 1000 square feet. All residential dwellings shall be attached to a permanent foundation, be properly connected to all required utilities, have a building footprint of which the dwelling unit is not less than 24-feet in width for at least fifty (50) percent of the length, have a roof pitch of not less than 5/12, and an eave extension of at least twelve (12) inches, except residences with an architectural style defined as Colonial or Greek Revival. (9/5/06)
- (g) Yards
- 1 Street yard - not less than 65 feet from the right-of-way of all Federal, State and County Trunk highways and not less than 40 feet from the right-of-way of all other roads (8/6/02)
 - 2 Shore yard - not less than 75 feet from the ordinary high water mark of any navigable water (11/5/86)
 - 3 Side yard - not less than 25 feet in width on each side of all structures
 - 4 Rear yard - not less than 50 feet
- (h) Authorized Sanitary Sewer System
- 1 On-site sewage disposal absorption system
 - 2 Public sanitary sewer
- (i) Rezoning, Conditional Uses, and Enforcement
- Any rezoning of any parcel of land in the A-1 Agricultural Preservation District shall be in accordance with Wisconsin Statute, section 91.48. Furthermore, the Department of Agriculture shall be notified of the approval of any conditional use permits in the A-1 District. Enforcement provisions necessary for the proper administration of the Farmland Preservation Act shall be as specified in Chapter 91 of the Wisconsin Statutes.