

Community Development Department

8/12/2014

Scott Karel
Wisconsin Department of Agriculture, Trade, and Consumer Protection
Agricultural Resource Management Division
WORKING LANDS
PO Box 8911
Madison, WI 53708-8911

Dear Mr. Karel;

St. Croix County is seeking farmland preservation zoning ordinance certification for two (2) of its zoning districts: Agricultural-1 and Agricultural-2 for seven (7) towns: Baldwin, Cylon, Erin Prairie, Pleasant Valley, Rush River, Stanton, and Somerset. Below you will find a summary of the outreach used to develop the ordinance, the relationship between the County's Comprehensive Plan/County Farmland Preservation Plan, and a bulleted summary of the key text changes within the new farmland preservation zoning districts.

The St. Croix County Board of Supervisors adopted the St. Croix County Farmland Preservation Plan at their meeting on Tuesday January 3, 2012. The state-certified farmland preservation plan combined with the existing work on the agricultural element of the comprehensive plan resulted in an integrated Agriculture and Farmland Preservation element of St. Croix County, WI 2012-2035 Comprehensive Plan adopted on November 5, 2012.

The state certified St. Croix County Farmland Preservation Plan and Map identifies those lands eligible for the new, proposed for certification, Farmland Preservation Zoning Districts, AG-1 and AG-2. All maps, presentations, planning documents, complete ordinance, etc. can be accessed by visiting our website at: www.sccwi.us/farmpresplan.

The planning documents and process incorporated a community survey, identification workshops, informational meetings, and open houses. Outreach for drafting of the new Ag Zoning Districts included two kick-off meetings held in January 2013. Immediately following the kick-off meetings, staff initiated and received requests by nine towns for a formal presentation and input gathering session(s). These nine (9) town meetings took place between March and June of 2013 with over 125 residents in attendance. St. Croix County crafted a press release that was published throughout the county seeking input and mailed 320 first class-notices to all interested parties including the Town Chairs, Clerks, and Planning Commission Chairs. The Community Development Committee (CDC) reviewed the ordinance in both July and August of 2013. The official Public Hearing was held on September 19, 2013. Changes and a recommendation were made by the CDC at the public hearing. The County Board of Supervisors adopted this comprehensive revision of the zoning ordinance at their October 1st, 2013 meeting.

Since the adoption of the revised farmland preservation ordinance, the towns have been using their statutorily required one-year window to decide whether to readopt county zoning and revise their zoning maps accordingly. Staff has attended 45 meetings with Clerks, Plan Commissions, and/or Town Board meetings regarding the comprehensive revision process. These town meetings have included extensive resident outreach and input between the months of November 2013 and July 2014. The official Public Hearing on the county-wide revised amended zoning maps took place on July 17, 2014. The abbreviated timeline is shown below for your convenience.



The draft ordinance establishes consistency with the following **2012-2035 Comprehensive Plan Policies:**

Volume 1-7: Agriculture/Farmland Preservation

1. 1.12: Amend zoning ordinance to allow residential densities of 1 unit/40 acres and 1 unit/20 acres
2. 2.11: Amend zoning ordinance to establish multiple AG zoning districts to accommodate diverse agricultural activities and related businesses.
3. 2.10: Ag uses should include a broad range of activities such as livestock & crop production, plant nurseries, tree farms, orchards, community-supported agriculture, hobby farms, organic production, vineyard, bio-energy production and all other alternatives.
4. 3.15: Ag-related commercial and industrial development should be compatible with adjacent land uses and located on non-productive soils.

Volume 1-6: Economic Development

5. 4.1 The primary focus for economic development in rural portions of the county will be the support of agriculture, agricultural-related businesses, and cottage industries.

Key ordinance changes include:

- Detailed purpose statements have been revised and created to establish parameters for the districts. The statements include policy goals and objectives for the districts, reference to the types and nature of permitted and conditional uses (currently known as special exceptions), as well as their characteristics and potential impacts. The purpose statements provide a context for the districts that can be used to gauge proposed agricultural, agricultural accessory, and agricultural-related uses.
- All new and revised definitions within State Statute Chapter 91 and those added by staff have been incorporated into the definitions in Section 17.09 of the St. Croix County Zoning Ordinance. New definitions such as: Agricultural Accessory Use and Agriculture-Related Use are broad new use categories as defined in State Farmland Preservation Law. Ag accessory uses include farm related activities and businesses. Ag-related uses represent more intensive commercial Ag uses found within the AG-2 zoning district.
- Removed all references to the term "Special Exception" and replaced with "Conditional Use" in all parts of the Code of Ordinances. While the two terms can be used interchangeable, the term "special" is often times considered a unique or rare circumstance which is not the intent of the existing definition. "Conditional Use" is the term used universally indicating the use itself would not be appropriate generally, however, if appropriate conditions are imposed on the use it would not be detrimental to the public health, safety or general welfare.
- Model ordinance provided rules and structure for placement of specific uses as Permitted vs. Conditional Uses. Model ordinance can be located at:
<http://datcp.wi.gov/uploads/Environment/pdf/ZoningOrdinanceNoBFT.pdf>
- Greater flexibility and latitude for permitted agricultural accessory uses. Limited processing of agricultural goods will now be allowed on a farm.
- Some permitted uses will no longer be listed: limited commercial recreational activities, contractor's storage yard, and farm consolidation language. While not specifically listed, many uses can still be accommodated through our defined Agricultural Accessory uses and removal of 35 acre minimum lot size.
- Introduction and allowance of the Agricultural Accessory Use, Agricultural Entertainment (known to some as Agritourism), on a farm. Some activities will require a Conditional Use permit depending on scale and impact.
 - **Agricultural Entertainment.** A farm based enterprise, or business that combines the elements and characteristics of agriculture and tourism. Agricultural Entertainment includes a wide array of farm and farm-related activities, including **outdoor recreation** (nature based tourism, fishing, hunting, wildlife study, horseback riding); **educational experiences** (day camps, hands-on chores, cannery tours, cooking classes, wine tasting, on-farm museums); **entertainment** (harvest festivals, barn dances, "petting" farms); and **hospitality services** (weddings, overnight farm or ranch stays, guided tours, on-farm direct sales, "pick-your-own" operations, roadside stands, and farmers markets).
- For activities planned for or anticipated to have attendance of more than 100 persons during a 24 hour period, an event plan is necessary. This plan will need to adequately address parking, proposed days and hours of operation, ingress and egress permits as determined by appropriate road jurisdiction, sanitation, signage, solid waste management, and other public safety issues, and shall be filed and approved with a land use permit from the zoning administrator.

- A new section has been added for Standards for Conditional Uses in both the AG-1 and AG-2 districts. These standards will provide staff and the Board of Adjustment with more guidance and oversight on specific proposed uses and structures.
- Large non-agricultural land users such as: golf courses, junkyards, and new commercial kennels, are no longer allowed within the state-certified Agricultural districts.
- Removal of 35 acre minimum lot size. New districts based on densities of one (1) farm residence per quarter-quarter in the AG-1 District and two (2) farm residences per quarter-quarter in the AG-2 District. Minimum 3 acre lot size, meeting County and Town subdivision requirements.
- There are no land-use changes proposed for the existing Agricultural-Residential District (Ag-Res). The only significant change is a name change from "Agricultural-Residential" to "Rural Residential" to better align with the development of rural, large-lot residential subdivisions located within the unincorporated Ag-Res zoned areas of the county. A second comprehensive revision, beginning in 2014, will have more significant changes to the Ag-Res District. When the time comes to start that revision, the County will actively seek out Town and public input.
- If your interested Town is either not eligible for Farmland Preservation Zoning, or decides not to participate in Farmland Preservation Zoning, all lands currently zoned Exclusive Ag or Agriculture-II would become Rural Residential (currently known as Agricultural Residential, or Ag-Res). Eligible lands are still able to petition the state for an Agricultural Enterprise Area (AEA) regardless of the Town's decision to adopt Farmland Preservation Zoning.
- No major subdivisions allowed in the certified Farmland Preservation Zoning Districts.
- All Rezoning and Conditional Use (currently known as Special Exception) permits need to be reported annually to DATCP.
- Every 10 years the County will need to seek recertification of its Farmland Preservation Plan and corresponding Zoning Maps.
- Rezoning standards within Section 17.70 Administration and Enforcement have been amended to meet state statute.

Please feel free to contact Amanda Engesether, Senior Planner, for any questions regarding the ordinance, process, or application for proposed certification. She can be reached at 715-386-4672, Amanda.engesether@co.saint-croix.wi.us, or Community Development Department, 1101 Carmichael Road, Hudson, WI 54016. We thank you in advance for reviewing our ordinance for certification.

Sincerely,



Ellen Denzer
Community Development Director