

- (4) Rezoning A-1 Land out of Farmland Preservation Zoning (FPZ)
 - (a) The Town may not rezone land out of FPZ unless prior to the rezoning the Town finds all of the following in writing, after a public hearing, as part of the official record of rezoning:
 - (i) The rezoned land is better suited for a use not allowed in the FPZ.
 - (ii) The rezoning is consistent with any comprehensive plan adopted by the Town that is in effect at the time of the rezoning.
 - (iii) The rezoning is substantially consistent with the Sheboygan County Farmland Preservation Plan, certified under Chapter 91, Wisconsin Statutes, which is in effect at the time of rezoning.
 - (iv) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

B. A-1-S PRIME AGRICULTURAL DISTRICT (SMALL-SCALE)

The purposes of the A-1-S Prime Agricultural District (Small-Scale) are to provide for plots of land to enable smaller scale agricultural pursuits such as truck farming, horse farming, hobby farming, orchards, niche farming, organics, and similar agricultural-related farming activities; and to allow for an existing residence to separate from a farm while minimizing the amount of agricultural land removed from the farm. No building or use shall hereafter be established or enlarged within the A-1-S District unless it conforms to the following regulations.

- (1) Permitted Uses - All uses permitted in the A-1 Prime Agricultural District.
 - (a) Keeping of riding horses, ponies, or donkeys in private stables, and livestock and poultry in suitable enclosed buildings, with maximum of five (5) head of livestock and/or twenty (20) fowl per acre.
- (2) Conditional Uses - Refer to Section 7.06 CONDITIONAL USES.
- (3) Area, Yard, and Building Bulk Requirements
 - (a) **Minimum lot area:** Five (5) acres. However, a lot may be as small as one-and a half (1.5) acres if created for the purpose of separating a farm residence built before January 1, 2014 from the rest of the farm. In such a case, the new lot must be large enough to also include any surrounding outbuildings and meet all yard setbacks.
 - (b) **Maximum lot area:** 34.99 acres.
 - (c) **Minimum lot width:** Two hundred and fifty (250) feet for lots five (5) acre or larger; or one hundred and fifty (150) feet for lots smaller than five (5) acres created under subsection 7.05 (B)(3)(a).
 - (d) **Residence limits:** Only one residence is allowed on an A-1-S lot and any residence shall be located so as to preserve agricultural land.
 - (e) **Maximum residential area:** No more than five (5) acres shall be removed from agricultural use for a residence.
 - (f) **Front yard setbacks:** Not less than seventy-five (75) feet from the centerline of the adjacent road.
 - (g) **Side and rear yard setbacks:** Not less than twenty-five (25) feet each.
 - (h) **Maximum building height:** No building used for dwelling purposes shall be more than thirty-five (35) feet in height.

- (i) **Maximum lots allowed:** An A-1-S lot may not be divided, except to create A-PR land that is merged to adjacent land.
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 - (iii) The rezoning is substantially consistent with the Sheboygan County Farmland Preservation Plan, certified under Chapter 91, Wisconsin Statutes, which is in effect at the time of rezoning.
 - (iv) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.
- (5) Pre-existing Lots Smaller Than Five (5) Acres
 - (a) Any parcel or lot smaller than five (5) acres existing prior to the amendment of this ordinance on July 20, 2016 and rezoned to A-1-S as part of said amendment, shall be considered a conforming parcel or lot.

C. A-PR PRIME AGRICULTURAL PARCEL REMNANTS DISTRICT

The purpose of the A-PR Prime Agricultural Parcel Remnants District is to accommodate parcel remnants that remain worthy of farmland or open space preservation. Lands in this district are not intended to be rezoned for development, except in rare cases.

- (1) Permitted Uses – Same as A-1, except that no residences are allowed.
- (2) Conditional Uses – Same as A-1, except that no residences are allowed.
- (3) Area, Yard, and Building Bulk Requirements
 - (a) **Minimum lot area:** No minimum.
 - (b) **Minimum lot width:** Sixty-six (66) feet.
 - (c) **Residence limits:** No residence is allowed on A-PR land.
 - (d) **Front yard setbacks:** Not less than seventy-five (75) feet from the centerline of the adjacent road.
 - (e) **Side and rear yard setbacks:** Not less than twenty-five (25) feet each.
 - (f) **Maximum building height:** No more than thirty-five (35) feet.
- (4) Delineating A-PR Land on a Property
 - (a) A landowner may locate A-PR on his/her property wherever the landowner wishes, subject to the restrictions of this Chapter. The Town Plan Commission may require a plat of survey to accurately locate the district boundaries on the Town Zoning Map.
 - (b) Subject to the restrictions of this Chapter, the landowner reserves the right to relocate the boundary of any A-PR on the landowner's A-1 and/or A-1-S property at any time by submitting an application and fee payment for rezoning with the Town Clerk/Treasurer. The Town Plan Commission may require a plat of survey to accurately locate the revised district boundary on the Town Zoning Map.
- (5) Rezoning A-PR Land: Super-Majority Vote of Approval Required