

**Town of Rockland
Brown County, Wisconsin**

Ordinance No. 2015-1

Amending Town of Rockland, Code of Ordinances, Chapter 18-Zoning Ordinance

Whereas, pursuant to its authority granted under Sections 60.10, 61.35, 62.23 and Chapter 91 of the Wisconsin Statutes, the Town Board of Rockland, does hereby amend the Town of Rockland, Brown County, Code of Ordinances and does ordain as follows:

1. Section 18-01.10 Establishment of Zones is hereby amended to read as follows:

18-01.10 ESTABLISHMENT OF ZONES

A. **Zone Districts.** For the purpose of this ordinance, the Town of Rockland, Brown County, Wisconsin is hereby divided into the following zoning districts:

1. Residential Sewered (RS-1) District
2. Rural Residential Non-Sewered (RR-1) District
3. Estate Residential 2-Acre (ER-2) District
4. Estate Residential 5-Acre (ER-5) District
5. Estate Residential 10-Acre (ER-10) District
6. Agricultural Non-Working Lands Initiative (Non-WLI)
7. Neighborhood Business (B-1) District
8. Community Business (B-2) District
9. Institutional (IN) District
10. Limited Industrial (I-1) District
11. Heavy Industrial (I-2) District
12. Planned Development District Overlay (PDD)
13. Agricultural Business District (AB)

2. Sec. 18-01.24 Agricultural Business (AB) Zoning Ordinance is hereby created to read as follows:

18-01.24 AGRICULTURAL BUSINESS (AB) DISTRICT

A. Intent

The intent of the Agricultural Business (AB) zoning district is to maintain, encourage and promote agriculturally related business endeavors on appropriate lands within the community. Such endeavors properly located and regulated serve to support and enhance the viability of agriculture as an economic activity.

B. Uses

The following uses are allowed in the Agricultural Business (AB) zoning district, unless a more specific use is listed as a conditional use in this district, or a more specific use is listed as a permitted or conditional use in another district:

1. Permitted Uses

- a) Retail or distribution of horticultural products and services.
- b) Retail or distribution of agricultural products and services.
- c) Veterinarian services
- d) Poultry and/or egg production
- e) Only one single-family dwelling may be permitted on a parcel zoned Agricultural Business (AB). Single-family dwelling shall only be occupied by the owner or manager of said business provided such dwelling has been approved by the Planning Commission and Town Board.
- f) Retail service and sales establishments of agricultural or horticultural commodities occupying a minimum twelve hundred (1200) square feet of gross first floor area. Roadside stands must comply with the size requirement set forth in Sec. 18-01.08 A.121, Rockland Code of Ordinances.
- g) Undeveloped natural resources and open space areas
- h) Transportation, utility, communication, government owned structures and businesses or other uses required by law

2. Conditional Uses (Subject to the regulations specified in Chapter 18-10.11 of the Rockland Code of Ordinances)

- a) Community Based Residential Facilities
- b) Agriculture or horticulture related experimental laboratories
- c) Wholesale horticultural or agricultural related products and services
- d) Agricultural or horticultural machinery sales and service
- e) Livestock auction facilities
- f) Governmental, institutional, religious or nonprofit community uses
- g) Transportation, communication, or utility, uses not required by law
- h) Pipeline, electric transmission, or drainage uses
- i) Warehousing or transfer related services of agricultural or horticultural commodities
- j) Additional business activities as approved by the Town Board

3. Accessory Uses (Subject to the regulations specified in Chapter 18-01.09(C) of the Rockland Code of Ordinances)

- a) Outbuilding(s) for the storage of common supplies, provided they are identified in a Town-approved site plan
- b) Uses incidental to and on the same lot as the principal use.

C. Site Plan

1. All parcels in the Agricultural Business (AB) zoning district are required to submit a site plan to the Planning Commission and Town Board for approval. Such plans must follow the requirements set forth in Chapter 20-01.00, Site Plan/Landscaping Development and Design Standards of the Rockland Code of Ordinances.

D. Dimensional Regulations

1. Lots

- a) Minimum Area: Five (5) acres
- b) Minimum Frontage: Two hundred and fifty (250) feet

2. Setback Regulations

- a) Unless otherwise shown on a recorded subdivision plat or certified survey map, the following minimum setback regulations shall apply to all lots in the Agricultural Business (AB) zoning district.

Yard	Urban Street Setbacks
Front Yard	40' from ROW
Corner Side Yard	40' from ROW
Interior Side Yard	50' from side lot line
Rear Yard	50' from rear lot line
Accessory Structure- Non-Farm Related	50' from side and rear lot lines
Accessory Farm Structure	50'' from side and 75'' from rear lot lines

- b) The setback of an accessory structure shall be no less than 1.25 times of the height of the accessory structure to allow for an adequate fall zone.
- c) Setbacks on existing lots of records as of (the date of adoption of ordinance) **WITHOUT** buildings shall meet the setback requirements listed above.
- d) Setbacks of existing lots of record as of (the date of adoption of ordinance) with **EXISTING OR PRIOR** buildings shall be not less than the setbacks of existing or prior buildings, and shall be approved by the Town Board.

3. Height Regulations

- a) Principal Structure: Thirty-five (35) feet maximum, except as provided in Chapter 18-01.09, General Provisions of the Rockland Code of Ordinances.
- b) Accessory Building: Forty (40) feet maximum, except that an accessory building may be increased to more than one hundred (100) feet when the setback equals or is greater than 1.25 times the height of the structure or accessory building.

4. Number of structures

- a) Only one principal structure shall be located on a parcel zoned Agricultural Business District (AB).

E. Building Size

- 1. Minimum size of a principal structure shall be 1,200 square feet of first floor area or as approved by the Town Board.
- 2. Maximum floor area ratio: 75% of the site. The minimum green space shall be 25% of the site.

F. Parking

- 1. Parking shall conform to the requirements set forth in Chapter 18-05.00, Off-Street Parking, of the Rockland Code of Ordinances.

G. Signs

- 1. Signage shall meet the requirements as set forth in Chapter 18-04.00, Sign Code, of the Rockland Code of Ordinances.

H. Animal Control

1. Any keeping of animals on an Agricultural Business District zoned parcel shall be in compliance with Chapter 18-12.00, Animal Ordinance, of the Rockland Code of Ordinances.

I. Manure Storage

1. The size and location of a manure storage system shall be provided in the site plan and shall comply with all other county, state, and federal regulations.

J. Water Distribution Plan

1. The size and location of a water system shall be provided in the site plan.
2. The location and size of any storage tanks shall be provided in the site plan.

K. Nuisance and Noise Control

1. All operations conducted within the Agricultural Business District shall be in compliance with Chapter 10-01.00, Public Nuisance Ordinance, and Chapter 10-02.00, Noise Ordinance, of the Rockland Code of Ordinances.

L. Other Requirements

1. All businesses conducted within the Agricultural Business (AB) District who employ employees shall meet all local, state, and federal regulations concerning employee safety, welfare, and protection. This includes, but is not limited to, legally required egress, ingress, accessibility, provision of bathrooms, fire escapes, emergency lighting and fire extinguishers.
2. All businesses conducted within the Agricultural Business (AB) District and open to the public shall meet all local, state, and federal building code, fire code, and sanitary code regulations prior to occupancy
3. Outside refuse bins shall be located behind the principal structure and screened from view by use of solid screening or opaque fencing material. Plastic or wooden slats through cyclone fencing shall not be deemed sufficient.
4. Rooftop mechanical equipment shall be screened from view. Any HVAC ground equipment shall be located behind a principal structure or screened from view.
5. Building appearance shall be complementary to a neighboring zoning district.
6. Exterior lighting shall be contained within the Agricultural Business (AB) zoned parcel, excepting a maximum of one foot candle of the total illumination may spill over into adjacent properties.
7. A minimum of twenty-five (25) percent green space shall be required for parcels zoned Agricultural Business (AB).
8. Where a side or rear lot line in an Agricultural Business (AB) district coincides with a side or rear lot line in any adjacent residential district, a barrier/berm shall be provided along such side or rear lot line not less than fifteen (15) feet in depth and shall contain landscaping and vegetation to provide an effective screen. Such screening shall consist of a landscaped area at least six feet wide, planted with a mixture of deciduous and evergreen shrubs and shall be an effective visual barrier. All trees shall be a minimum of 1½ inch diameter at base when planted. All barrier/berm vegetation shall be maintained in good condition. Any dead vegetation shall be replaced within twelve (12) months

9. Any improvements or alterations to a business or structure in the Agricultural Business District shall require prior approval by the Planning Commission, Zoning Administrator, and Board along with the required permits and fees.
10. The business hours of the operation shall be approved by the Town Board.
11. All business, service repair, storage, or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking and off-street loading, unless otherwise approved by the Town Board.

Adopted this 6th day of April, 2015 by the Town Board of Rockland:

Dennis J. Cashman, Chairman

Supervisor Van Vonderen

Supervisor Schwalbach

Attest: Jann Charette, Town Clerk

Roll Call Tally:

Cashman YES / NO

Van Vonderen YES / NO

Schwalbach YES / NO

Total YES ____ / NO ____