

## ORDINANCE NO. 14-2025

### Ordinance Amending Green Lake County Code §§ 350-27, 350-28, 350-41 & 350-77

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 16th day of September, 2025, does ordain as follows:

**NOW, THEREFORE, BE IT ORDAINED**, that Green Lake County Code §§ 350-27, 350-28, 350-41 & 350-77 shall be amended as follows:

**350-27. A-1 Farmland Preservation District. [Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017]**

(2) Conditional uses:

(b) A business, activity, or enterprise, whether or not associated with an agricultural use, and is not a dog breeding facility or a dog breeder as defined in ATCP 16, which meets all of the following requirements: [Amended 9-21-2021 by Ord. No. 30-2021]

[1] It is conducted on a farm by an owner or operator of that farm.

[2] It requires no buildings, structures, or improvements other than those described in Subsection D(1) and (3) of the definition of "accessory use," and

a. The majority of the footprint of the new (or modified) accessory building is utilized as an integral part of or incidental to the agricultural use of the farm, or

Roll Call on Resolution No. 14-2025

Submitted by Land Use Planning & Zoning Committee:

Ayes 15, Nays 0, Absent 3, Abstain 0, Vacant 1

/s/ Chuck Buss

\_\_\_\_\_  
Chuck Buss, Chair

Passed and Enacted/~~Rejected~~ this 16th day of September, 2025.

\_\_\_\_\_  
*Absent*

\_\_\_\_\_  
Curt Talma

\_\_\_\_\_  
/s/ David Abendroth

County Board Chairman

\_\_\_\_\_  
/s/ Gene Thom

\_\_\_\_\_  
Gene Thom

\_\_\_\_\_  
/s/ Elizabeth Otto

ATTEST: County Clerk  
Approve as to Form:

\_\_\_\_\_  
/s/ Bill Boutwell

\_\_\_\_\_  
Bill Boutwell

\_\_\_\_\_  
/s/ Jeffrey Mann

Corporation Counsel

\_\_\_\_\_  
/s/ Sue Wendt

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Sue Wendt

- b. The accessory building is used seasonally for the business, activity or enterprise, whether or not associated with an agricultural use, and is converted back to either an integral part of or incidental to the agricultural use for the majority of the year.

(3) Area, height and setback requirements:

(a) Dimensional standards: A lot or parcel shall have no less than eight acres of contiguous land area. **[Amended 5-21-2019 by Ord. No. 11-2019]** The area within the road right(s)-of-way shall not be included in the minimum acreage requirement, however, design standards, pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply.

~~Note: The area within the road right(s)-of-way shall not be included for these standards of this subsection. Design standards pursuant to Chapter 315, Code of Green Lake County, Land Divisions and Subdivision, shall apply to a newly created lot or parcel for this subsection.~~

D. Farmland preservation definitions. For the purposes of § 350-27 of this chapter, the following definitions shall be used. Please see § 350-77 for conventional zoning district definitions.

ACCESSORY USE — Within the A-1 Zoning District, any of the following land uses on a farm:

(1) A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use. **Mobile homes, semi-trailers, camping units, recreational vehicles, mobile office units, buses, motor coaches, trailers, boats and railroad box cars shall not be used as accessory buildings or structures. Buildings, structures, or improvements that meet this definition may** include, for example:

(a) A facility used to store or process raw agricultural commodities, all of which are produced on the farm.

(b) A facility used to keep livestock on the farm.

(c) A facility used to store or process inputs primarily for agricultural uses on the farm.

(d) A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.

(e) A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses or transforms it to provide energy primarily for use on the farm.

(f) A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm, primarily for use on the farm.

(g) A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.

**§ 350-28. A-2 General Agriculture District. [Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 10-15-2013 by Ord. No. 1070-2013; 11-14-2017 by Ord. No. 22-2017]**

(1) Permitted uses. Those uses permitted in this district shall be agricultural and those that are consistent with agricultural uses.

(a) ~~Accessory structure/use, agricultural~~ Agricultural uses allowed in the A2 zoning district include:

- [1] Crop or forage production
- [2] Keeping livestock
- [3] Beekeeping
- [4] Nursery, sod, or Christmas tree production
- [5] Orchard / vineyard
- [6] Horticulture / floriculture
- [7] Aquaculture
- [8] Fur farming
- [9] Forestry and forest management
- [10] Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation program.
- [11] Any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural use.
- [12] One nonfarm residence, including normal residential appurtenances.

(b) ~~Accessory structure/use, residential~~ Accessory uses allowed in the A2 zoning district include:

- [1] A building, structure, or improvement that is an integral part of, or is incidental to, an agricultural use on a farm. Mobile homes, semi-trailers, camping units, recreational vehicles, mobile office units, buses, motor coaches, trailers, boats and railroad box cars shall not be used as accessory buildings or structures. Buildings, structures, or improvements that meet this definition may include, for example:
  - a. A facility used to store or process raw agricultural commodities, all of which are produced on the farm.
  - b. A facility used to keep livestock on the farm.
  - c. A facility used to store or process inputs primarily for agricultural uses on the farm.
  - d. A facility used to keep or service vehicles or equipment primarily employed in agricultural uses on the farm.
  - e. A wind turbine or solar energy facility that collects wind or solar energy on the farm, and uses or transforms it to provide energy primarily for use on the farm.
  - f. A manure digester, bio-fuel facility, or other facility that produces energy primarily from materials grown or produced on the farm, primarily for use on the farm.
  - g. A waste storage or processing facility used to store or process animal waste produced solely from livestock kept on the farm.
- [2] An activity or business operation that is an integral part of, or incidental to an agricultural use.
- [3] A farm residence, including normal residential appurtenances.

(c) (Reserved)

(d) ~~Beekeeping~~ Upon prior notification to the county, transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.

(e) ~~Crops, cash~~ Undeveloped natural resources and open space uses.

(f) ~~Crops, field:~~

(g) ~~Dairying:~~

(h) ~~Dwelling, single-family:~~

(i) ~~Egg production:~~

108 ~~(j) Farm, sod.~~

109 ~~(k) Farm, tree.~~

110 ~~(l) Floriculture.~~

111 ~~(m) Forestry.~~

112 ~~(n) Grazing.~~

113 ~~(o) Greenhouse, accessory to permitted use.~~

114 (f) Home occupation when established in a residential dwelling unit; all of the following shall  
115 apply:

116 [1] Shall be located in the place of permanent residency; and

117 [2] Is incidental to the residential occupancy; and

118 [3] Is limited to one inside level of the dwelling unit and does not occupy more than 25% of  
119 the floor area of that level; and

120 [4] That no mechanical equipment is used other than such as is permissible for typical  
121 residential purposes; and

122 [5] There is no emission of odor, gas, smoke, dust, or noise that will be detrimental to the  
123 character of the neighborhood; and

124 [6] That no person outside the immediate resident family operates such home occupation;  
125 and

126 [7] A sign per § 350-43B(3) is allowed.

127  
128 ~~(g) Horticulture.~~

129 ~~(h) Livestock, raising/keeping.~~

130 ~~(i) Nursery, aquatic.~~

131 ~~(j) Nursery, plant.~~

132 ~~(k) Orchard.~~

133 ~~(l) Paddocks.~~

134  
135 (g) Professional home office when established in a residential dwelling unit; all of the following  
136 shall apply:

137 [1] Located in the practitioner's place of permanent residency; and

138 [2] Is incidental to the residential occupancy, limited to one inside level of the dwelling unit  
139 and does not occupy more than 25% of the floor area of that level; and

140 [3] A sign per § 350-43B(3) is allowed; and

141 [4] One person that is not a member of the resident family may be employed on the  
142 premises.

143 (h) Riding stable, personal.

144 (i) Roadside stand of less than 300 square feet in area as a temporary structure not wholly  
145 enclosed for the sale of produce grown on the premises. One stand allowed per premises.

146 (j) Signs per § 350-43.

147 ~~(aa) Trail, biking.~~

148 ~~(bb) Trail, hiking.~~

149 ~~(cc) Trail, horse.~~

150 ~~(dd) Trail, nature.~~

151 ~~(ee) Trail, recreation.~~

152 ~~(ff) Utility, local service lines/structures.~~

153 ~~(gg) Viticulture.~~

154 ~~(hh) All permitted uses described in § 350-27, Farmland Preservation District.~~

155

(2) Conditional uses. Conditions and standards for a conditional use permit are set forth in Chapter 350, Article VII, Conditional Use Permits.

(a) ~~Air landing field, agricultural landowner use~~ Agricultural-related uses (See Section 350-77 for definition). No more than two agriculture-related uses or any combination of agriculture-related uses or uses described in (b) below shall be allowed on contiguous lands under common ownership.

(b) ~~Animal veterinary clinic. [Amended 9-21-2021 by Ord. No. 30-2021]~~ A business, activity or enterprise, whether or not associated with an agricultural use on the farm which meets all of the following requirements:

[1] It is conducted on the farm by an owner or operator of that farm.

[2] The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160 hours per week.

[3] It does not impair or limit the current or future agricultural use of the farm or other protected farmland.

[4] A farm residence is already established on the same parcel as the business, activity or enterprise.

[5] The farm is at least 8 acres in area.

[6] No more than two businesses, activities or enterprises, whether or not associated with an agricultural use on the farm, shall be allowed on contiguous lands under common ownership.

(c) ~~Animal hospital~~ Upon prior notification to the County, transportation, communication, pipeline, electric transmission, utility or drainage uses, facilities for the generation of sunlight, wind, coal, or natural gas, if all of the following apply:

[1] The use is reasonable designed to minimize the conversion of land from agricultural use, at and around the site of the use.

[2] The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

[3] Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(d) ~~Animal kennel~~ Government, institutional, religious or nonprofit community uses, if all of the following apply:

[1] The use is reasonable designed to minimize the conversion of land from agricultural use, at and around the site of the use.

[2] The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

[3] Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

(e) ~~Animal shelter~~ Nonmetallic mineral extraction, if all of the following apply:

[1] The operation complies with Subchapter I of Chapter 295, Wis. Stats., and rules promulgated under that subchapter, with applicable provisions of local ordinances under §295.14, Wis. Stats. (including all applicable provisions of this chapter), and with any applicable requirements of the Wisconsin Department of Natural Resources concerning the restoration of nonmetallic mining sites.

[2] The use is reasonable designed to minimize the conversion of land from agricultural use, at and around the site of the use.

[3] The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

[4] Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

~~(f) Dog breeder or dog breeding facility.~~ [Amended 9-21-2021 by Ord. No. 30-2021]. Oil and gas exploration or production that is licensed by the Department of Natural Resources under Subchapter II of Chapter 295, Wisconsin Statutes.

~~(g) Cemetery.~~ Private airport or air strip.

~~(h) Churches and religious structures.~~ Dog kennel(s).

~~(i) Dwelling for caretaker/laborer(s), may be multiple units.~~ Game farms/shooting preserves.

~~(j) Farm, fish.~~ Shooting ranges.

~~(k) Farm, fur.~~ Slaughtering of livestock.

~~(l) Farm, game.~~ Processing of agricultural byproducts or wastes received directly from farms.

~~(m) Farm implement sales/repair/service.~~

~~(n) Feed lot over 100 animals.~~

~~(o) Fish pond, commercial.~~

~~(p) Greenhouse, commercial retail.~~

~~(q) Livestock auction/sales facility.~~

~~(r) Lumber yard.~~

~~(s) Municipal buildings including administrative offices, meeting hall and any municipal accessory structure.~~

~~(t) Radio or television broadcasting studio.~~

~~(u) Railroad depot/station.~~

~~(v) Riding stable with boarding/stabling, commercial.~~

~~(w) Sawmill.~~

~~(x) Schools.~~

~~(y) Sewage disposal plant.~~

~~(z) Tower and appurtenances, communication or relay. (aa) Utility substation/other structure, public.~~

~~(bb) Utility transmission lines, not regulated by the Public Service Commission. (cc) RV and boat storage for rental.~~

~~(dd) Yard and landscaping services.~~

~~(ee) All conditional uses listed in § 350-27, Farmland Preservation District.~~

(3) Area, height and setback requirements.

(a) A lot or parcel shall have no less than eight acres of contiguous land area. The area within the road right(s)-of-way shall not be included in the minimum acreage requirement, however, design standards, pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply.

(b) All principal structures shall be on a lot consistent with the principal use permitted on such lot by the regulations of the district in which it is located.

Note: The area within the road right(s)-of-way shall not be included for the standards of this subsection. Design standards pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply to a newly created lot or parcel for this subsection.

**350-41. R-4 Rural Residential District. [Amended 6-20-2006 by Ord. No. 866-06; 11-12-2008 by Ord. No. 940-08; 2-15-2011 by Ord. No. 989-2011; 8-21-2012 by Ord. No. 1033-2012]**

**A. Purpose.** This residential district is intended to provide for limited rural residential use development; require a large residential land area to maintain the rural character and to accommodate uses that are not urban in nature including light agriculture. This district's uses and standards are designed to implement Comprehensive Plan goals by encouraging a blend of residential and agricultural uses. This district may be used as a transitional zone to retain land in a less intensive use until the appropriate time for a more intensive residential or other use occurs. The lands in this district should be predominately agricultural areas not suited for agricultural production or those lands due to location that would have limited impact on agricultural production. Residents of this district may experience conditions associated with adjoining agricultural lands that are not experienced in areas of predominantly residential use.

**A. (1) Permitted uses.** Those uses permitted in this district shall be agricultural and those that are consistent with agricultural uses.

~~(1)~~ **(a) Accessory structure/use** Agricultural uses allowed in the R4 zoning district include:

[1] Crop or forage production.

[2] Keeping livestock

[3] Beekeeping.

[4] Nursery, sod, or Christmas tree production.

[5] Orchard / vineyard.

[6] Horticulture / floriculture.

[7] Aquaculture.

[8] Fur farming.

[9] Forestry and forest management

[10] Enrolling land in a federal agricultural commodity payment program or a federal or state agricultural land conservation program.

[11] Any other use that the Department of Agriculture, Trade, and Consumer Protection, by rule, identifies as an agricultural use.

[12] One nonfarm residence, including normal residential appurtenances

~~(2)~~ **(b) Beekeeping** Agricultural accessory uses

~~(3)~~ **(c) Community living, eight or fewer residents.**

~~(4)~~ Crops, field.

~~(5)~~ **(d) Day care, eight or fewer children.**

~~(6)~~ Dwelling, single-family.

~~(7)~~ Dwelling, two-family (duplex)

~~(8)~~ Floriculture

~~(9)~~ Grazing

~~(10)~~ Greenhouse, accessory to the permitted use.

~~(11)~~ **(e) Home occupation:**

[1] Shall be located in the place of permanent residency;

[2] Is incidental to the residential occupancy;

[3] Limited to one inside level of the dwelling unit and does not occupy more than 25% of the floor area of that level;

[4] That no article is sold or offered for sale on the premises except such as produced by the home occupation;

[5] That no stock-in-trade is kept or sold;

[6] That no mechanical equipment is used other than such as is permissible for typical residential purposes;



[7] There is no emission of odor, gas, smoke, dust, or noise that will be detrimental to the character of the neighborhood; and

[8] That no person outside the immediate resident family operates such home occupation.

~~(12)~~ Horticulture

~~(13)~~ Livestock, raising/keeping.

~~(14)~~ Orchard

~~(15)~~ Paddock

~~(16)~~ (f). Professional home office when established in a residential dwelling unit shall be:

~~(a)~~ [1] Located in the practitioner's place of permanent residency;

~~(b)~~ [2] Is incidental to the residential occupancy, limited to one inside level of the dwelling unit and does not occupy more than 25% of the floor area of that level; and

~~(c)~~ [3] Not more than one person not a member of the resident family shall be employed on the premises.

~~(17)~~ (g) Recreational trails.

~~(18)~~ (h) Riding Stable.

~~(19)~~ (i) Roadside stand of less than 300 square feet in area as a temporary structure, not wholly enclosed, for the sale of produce grown on the premises. One stand allowed per premises.

~~(20)~~ (j) Signs per § 350-43.

~~(21)~~ (k) Unoccupied outside storage of camping trailer, motor home boats, fishing shanty or other similar recreational vehicles or devices as an accessory use. There shall be a combined limit of two items per family dwelling unit.

~~(22)~~ (l) Utility, local lines.

~~(23)~~ (m) A mobile or manufactured home shall be allowed as a temporary structure for the shelter of persons and property as a result of disaster-related damages. The mobile or manufactured home shall be located after obtaining all necessary permits, for no more than one year and shall be located on the premises with the construction of the new permanent structure. **[Amended 3-19-2019 by Ord. No. 2-2019]**

(2) Conditional uses. Conditions and standards for a conditional use permit are set forth in § 350, Article VII, Conditional Use Permits. **[Amended 11-14-2017 by Ord. No. 22-2017]**

~~(1)~~ (a) Agricultural-related uses (See Section 350-77 for definition). Only one agricultural-related use allowed on an R4-zoned lot or parcel.

~~(2)~~ (b) Bed-and-breakfast establishment.

~~(3)~~ (c) Community living, nine or more residents.

~~(4)~~ (d) Day care, nine or more children.

~~(5)~~ (e) Tourist rooming house.

~~(6)~~ (f) Tower and appurtenances, communication or relay.

~~(7)~~ (g) Utility transmission lines.

~~(8)~~ (h) Event barn (only as an accessory use to the residential use, existing buildings only).

**[Added 3-19-2019 by Ord. No. 2-2019]**

~~(9)~~ (i) Kennel (must be on at least a five-acre lot or parcel and only as an accessory use to the residential use). **[Added 3-19-2019 by Ord. No. 2-2019; amended 9-21-2021 by Ord. No. 30-2021]**

(j) RV and boat storage for rent (only as an accessory use to the residential use, existing buildings only). **[Added 3-19-2019 by Ord. No. 2-2019]**

~~E-~~ (3) Area, height and setback requirements. **[Amended 11-14-2017 by Ord. No. 22-2017]**



(1)(a) A lot or parcel shall have a three-acre-minimum and less than eight-acre-maximum of contiguous land area. The area within the road right(s)-of-way shall not be included in the minimum acreage requirement, however, design standards, pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply.

Note: The area within the road right(s)-of-way shall not be included for the standards of this subsection. Design standards pursuant to Chapter 315, Code of Green Lake County, Land Division and Subdivision, shall apply to a newly created lot or parcel for this subsection.

D. (4) Principal structure setback and height standards.

(1)(a) Highway setbacks: Refer to § 350-50A. [Amended 9-21-2021 by Ord. No. 30-2021]

(2)(b) Rear yard setback: 25 feet minimum.

(3)(c) Side yard setback: 12 feet minimum.

(4)(d) Structure height; dwelling structure: 35 feet overall maximum.

E.(5) Accessory building structure standards. The total combined footprint area allowed for accessory building structures shall not exceed 10% of the land area, excluding any road right-of-way. An accessory building structure shall satisfy all of the following standards: [Amended 8-18-2020 by Ord. No. 9-2020; 9-21-2021 by Ord. No. 30-2021]

(1)(a) Setbacks: same as principal structure.

(2)(b) Height: None. However, there shall be no sidewalls above the ground floor ceiling joist. Ground floor All sidewalls, excluding basement sidewalls, shall be located below the roof trusses and not exceed 20 feet in height. [Amended 9-19-2023 by Ord. No. 13-2023]

(3)(c) Structure footprint: None. [Amended 9-19-2023 by Ord. No. 13-2023]

(4)(d) Volume: None. [Amended 9-19-2023 by Ord. No. 13-2023]

(5)(e) Human habitation of a detached accessory building structure may be allowed, however shall be limited to 20% of the footprint area or 300 square feet, whichever is less. This standard shall apply to only one detached accessory building structure per lot or parcel.

(6)(f) In no case is a shipping or storage container(s) to be utilized as a residential accessory building structure.

350-77. Word usage and definitions. [Amended 12-16-2008 by Ord. No. 942-08; 12-15-2009 by Ord. No. 969-2009; 10-15-2013 by Ord. No. 1070-2013; 8-19-2014 by Ord. No. 1092-2014; 12-16-2014 by Ord. No. 1104-2014; 11-14-2017 by Ord. No. 22-2017; 3-19-2019 by Ord. No. 2-2019; 8-18-2020 by Ord. No. 9-2020; 9-21-2021 by Ord. No. 30-2021; 9-20-2022 by Ord. No. 17-2022; 6-18-2024 by Ord. No. 14-2024]

AGRICULTURAL-RELATED USE --- A use that is primarily (not just incidentally) related to agriculture including an agricultural equipment dealership, a landing strip for aerial spraying, an animal veterinary clinic, a commercial / retail greenhouse, a livestock auction / sales facility, a facility providing agricultural supplies, a facility for storing or processing agricultural products, or a facility for processing agricultural wastes.

FARM —An area of land used for agricultural practice or use. All land under common ownership that is primarily devoted to agricultural use. For the purpose of this definition, land is deemed to be primarily devoted to agricultural use if the following apply:

A. A majority (greater than 50%) of the land is in agricultural use. or

B. The land produces at least \$6,000 in annual gross farm revenues to its owner or renter, regardless of whether the majority of the land area is in agricultural use.

~~FARM FAMILY BUSINESS --- Any lawful activity, except a farm operation, conducted primarily for any of the following:~~

~~A. The purchase, sale, lease, or rental of personal or real property.~~

~~B. The manufacture, processing or marketing of products, commodities or any other personal property.~~

~~C. The sale of services.~~

~~FARM OPERATION --- An owner or occupant engaged in one or more farming activities, with gross sales from such activities as set forth in §91.91(1), Wis Stats.~~

~~GENERAL DEVELOPMENT PLAN --- A report in text and in map form, with the map drawn to scale, depicting the general location and relationship of structures, streets, driveways, recreation areas, parking areas, utilities, etc., as related to a proposed development.~~

~~GOVERNMENT STRUCTURE --- State, County, Federal, City, Village, or Town structures utilized to provide a service that a specific government entity may provide.~~

OFFICIAL MAP — The official zoning district map of Green Lake County. This map is a digital electronic data map layer of the County's Geographic Information System (GIS). The County Land Use Planning & Zoning Department updates this map to reflect changes in zoning district boundaries enacted by the County Board as amendments.

RESIDENCE, FARM --- A single-family or two-family residence that is the only residential structure on the farm or is occupied by any of the following:

(a) An owner or operator of the farm.

(b) A parent or child of an owner or operator of the farm.

(c) An individual who earns more than 50% of his or her gross income from the farm.

RESIDENCE, NONFARM --- A single or two-family dwelling /residence that is not a farm residence.

**BE IT FURTHER ORDAINED**, that this ordinance shall become effective upon passage and publication.