

1999 ASSEMBLY BILL 817

February 29, 2000 – Introduced by Representatives WARD, KLUSMAN and POWERS.
Referred to Committee on Conservation and Land Use.

1 **AN ACT to create** 91.76 of the statutes; **relating to:** limiting the conditions on
2 special exceptions and conditional use permits under exclusive agricultural use
3 zoning for agricultural uses that involve the raising or keeping of animals.

Analysis by the Legislative Reference Bureau

Under current law, one of the eligibility requirements for the farmland preservation credit is that the land to which the claim relates must be subject either to a farmland preservation agreement or to an exclusive agricultural use zoning ordinance that meets various requirements.

Under this bill, if an exclusive agricultural use zoning ordinance provides that a farm that involves the raising of animals requires a special exception or conditional use permit, the conditions on the special exception or conditional use permit may not include restrictions on the agricultural use for the purpose of reducing conflicts with nearby, nonagricultural uses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 91.76 of the statutes is created to read:
5 **91.76 Conditions on special exceptions and conditional uses.** If a zoning
6 ordinance under s. 91.75 provides that, in an exclusive agricultural use district, any

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SECTION 1

1 agricultural use that involves the raising or keeping of animals requires a special
2 exception or conditional use permit, the conditions on the special exception or
3 conditional use permit may not include restrictions on the agricultural use for the
4 purpose of reducing conflicts with nearby uses that are not agricultural.

5 (END)