

VILLAGE OF WESTON
NOTICE OF PUBLIC HEARING



NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Plan Commission and Joint Town and Village of Weston Extraterritorial Zoning Committee, on Monday, October 9, 2023, at approximately, or shortly after, 6:00 p.m., at the Weston Municipal Center, 4747 Camp Phillips Road, Weston, WI 54476, to take testimony relative to the following:

***Amending Provisions within Chapter 94, of the Municipal Code, affecting the performance standards of the personal storage facility land use, calculation of minimum required parking spaces, bicycle parking and nonconforming sites in the Village of Weston and the Extraterritorial Zoning Area of the Town of Weston.**

***Amending provisions within Chapter 94, Article 4, Section 94.4.09(10), of the Municipal Code, affecting Keeping of Farm Animals on Residential Lots, as an Accessory Land Use, in the Village of Weston and the Extraterritorial Zoning Area of the Town of Weston.**

The hearing notice and applicable application materials are also available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony submitted by noon on the date of the hearing to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 4747 Camp Phillips Road, Weston, WI 54476, or emailed to vparker@westonwi.gov, will be brought to the hearing and entered into the hearing record.

All interested persons wishing to provide oral or written testimony during the Public Hearing will be given an opportunity to be heard.

Any person with questions or planning to attend needing additional special accommodation in order to participate should call Valerie Parker, Planning Technician, Planning and Development Department, at 715-241-2607.

Dated this 21st day of September 2023

Valerie Parker
Plan Commission and ETZ Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, September 25, 2023, and Monday, October 2, 2023.

Keeping of Farm Animals on Residential Lots and School Sites.

The keeping or raising of farm animals on a **developed** residential lot or school site, in zoning districts where allowed under Figure 3.04 and where such activity is clearly accessory to the principal residential **or school** use, as opposed to a principal "Agricultural Use." Farm animals are as defined in Article 17. The animals may be kept for show, breeding, or products that are predominantly consumed or used by the residents of the same lot. Gardening and residential composting are allowed in all zoning districts **and are not part of this land use category.**

Performance Standards:

- a. All animals shall be kept **at all times** within a completely enclosed **and covered enclosure** to the rear of the residence and **meeting minimum detached accessory building setbacks in Figure 5.01(2) or 5.02(2) as applicable in the zoning district.**
- b. Animal enclosure areas may not exceed 20 percent of the lot area **except in residential districts.**
- c. Use shall meet all performance standards in Article 12, including odor standards **for residential districts**, in Section 94.12.15, **and with all applicable standards in Chapter 10 if within the Village.**
- d. Any slaughtering shall take place in a completely enclosed building, **except that slaughtering is prohibited in residential districts.**
- e. The use of mechanized farm equipment and on-site sale of **animals**, food **including eggs, fertilizer**, or fur are prohibited.
- f. To be considered an **allowed** accessory use within any RR zoning district:
 - i. The only permitted farm animals are up to 8 chickens, up to 8 ducks, and bees.
 - ii. No animal enclosure shall be located closer than 10 feet from the principal building.
 - iii. The minimum lot size for the keeping of farm animals is two acres (three acres for bees).
- g. **To be considered an allowed accessory use within any residential zoning district:**
 - i. **The principal use of the lot must be a Single-Family Detached Residence and lot area shall not be less than 15,000 square feet.**
 - ii. **The only permitted farm animals are up to 5 chickens; no roosters are permitted.**
 - iii. **In addition to the setback requirements in a. above, no enclosure shall be closer than 25 feet from any pre-existing dwelling on any lot.**
 - iv. **Chickens may be kept in only one enclosure per lot, which shall include a covered coop and may include an attached contiguous run. The enclosure shall be large enough to provide at least 3 square feet of space per chicken but shall not exceed 30 square feet in size. Between sunrise and sunset, chickens may be outside of the coop into the run. Chickens must be secured in the coop between sunset and sunrise.**
 - v. **Proof of WI DATCP livestock registration shall be required. <https://wiid.org>**
 - vi. **License Required. No person shall keep chickens without first obtaining a valid license issued by the Village of Weston. License shall be valid for one year from April 1 through**

March 31 and renewed annually. Failure to obtain a license by said date or prior to acquiring chickens may result in a penalty subject to Section 94.16.19. Prior to license issuance, the interested party shall first obtain site plan approval through an application, site inspection, and fee pursuant to Section 94.16.09 to demonstrate compliance with i-v.

- vii. Following the procedure in Section 94.16.19, the village may revoke any license, impose other penalties and abatement, or both, upon the Zoning Administrator's, designees, or Humane Officers finding of violation to any applicable ordinance requirement, approved plan, or condition of site plan or license approval.
- h. Within the AR, INT, and RM zoning districts:
- i. The keeping or raising of hogs or fur-bearing animals as an accessory use to the principal residential or school site use, as opposed to a principal "Agricultural Use," shall not be permitted.
 - ii. The raising or keeping of farm animals shall be permitted at a density not to exceed one animal unit per every acre owned, not considering fractional amounts of acreage. The definition of an animal unit is in Section 94.17.04. The Zoning Administrator may approve modifications and exceptions to this animal unit density standard if, each year the normal density standard is to be exceeded, the land owner provides conservation compliance documentation from Marathon County signifying that the keeping of a higher density of animal units is in compliance with all NR 151 Agricultural Runoff Performance Standards and Prohibitions.
 - iii. Animal enclosures may be no closer than 50 feet from any lot line, except that beehives and poultry houses for not more than eight chickens or ducks need only meet the minimum setback requirement for detached accessory buildings in Figure 5.01(2).
- i. The keeping of bees shall be governed by the following additional regulations:
- i. No more than one beehive shall be kept for each 5,000 square feet of lot area.
 - ii. The front of any beehive shall face away from the property line of the residential property closest to the beehive. A "flyway barrier" consisting of a solid fence of six feet in height or a dense hedge at least six feet in height shall be placed along the side of the beehive that contains the entrance to the hive, be located within five feet of the hive, and extend at least two feet on either side of the hive. No such flyway barrier shall be required if all beehives are located at least 25 feet from all property lines.
 - iii. A supply of fresh water shall be maintained in a location readily accessible to all bee colonies on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.
 - iv. No Africanized bees may be kept.