

RESIDENTIAL BUILDING PERMITS
ISSUED IN TOWN OF DUNN

<u>YEAR</u>	<u>No. of Units</u>
1976	92
1977	71
1978	58
1979	42
1980	25
1981	16
1982	9
1983	28
1984	24
1985	27

392 units in 10 years or about 39 a year

LAND DIVISION CREATED IN
TOWN OF DUNN SINCE 1975

<u>Year</u>	<u>Lots Created</u>
1976	113
1977	161
1978	111*
1979	13
1980	7
1981	6
1982	4
1983	4
1984	1
1985	9

429 in 10 years or an average of 42 per year

In 1978 there were approximately 400 vacant building lots in the Town of Dunn. At a ratio of 3 persons per home, these vacant lots have a potential of holding over 1,200 people. In other words, The Town of Dunn could have grown by 28% by building upon lots that already existed (See Appendix B.)

*These represent plats and certified surveys for which preliminary approval had been given prior to the moratorium on lot creation in 1978.

III. GOALS AND POLICIES

The purpose of the goals and policies set forth in the following pages is to provide direction for local officials in making decisions concerning the future of our Town. The goals and policies reflect four areas of prime concern:

- 1) Agricultural lands
- 2) Environmental and open spaces
- 3) Future growth
- 4) Business, Commercial and Recreational

It is the clear intent of the goals and policies to preserve the agricultural character of our Town. Land uses not compatible with farming operations will be discouraged in agricultural areas. Enough flexibility is maintained to provide for the creation of a limited number of large lots should it be necessary to the agricultural future of the remainder of the farm.

It is the clear intent of the goals and policies to preserve and protect the valuable environmental resources of our Town. The woodlots and wetlands of our Town are valuable for both their beauty and for the necessary function they perform. The preservation of these resources will help insure cleaner lakes and streams, now and in the future.

It is the clear intent of the goals and policies to provide organized growth at a limited rate. In the seven years prior to 1979 there were more lots created than were built upon. These lots should be filled before further subdivisions are created. The creation of more subdivisions will be discouraged until the excess of vacant lots have been built upon. Density will be limited by only approving zoning changes for single family residences. It is recommended that a yearly average be maintained which is comparable with the growth rate of Dane County and provides growth that can be accommodated by the Town.

It is the clear intent of the goals and policies to require commercial uses of land to be located in urban service areas and to prohibit any change to commercial, industrial or recreational zoning except for certain permitted uses in the A-B category. Commercial land uses are known to require a high level and full range of urban public services and the Town has documented ample commercial and recreational land in the neighboring communities. It is also in keeping with the County and Town commitment to direct urban-type land uses to the already existing urban service areas. This policy will prevent spot commercial zoning unless it is compatible with and enhances agricultural, environmental and neighborhood needs.

The adopted goals and policies will be used as guides in making recommendations and decisions on requests for zoning changes as well as in the review of land divisions or subdivisions. Decisions on transportation and other public facility proposals will also be based on consistency with the goals and policies.

AGRICULTURAL LANDS

Goals for Agricultural Land

- Preserve the productive farmlands in the Town for long-term farm use and maintain agriculture as a major economic activity and way of life.
- Protect farm operations from incompatible adjacent land uses or activities that will adversely affect the long-term agricultural investment in land and improvements.

Policies for Farmland Preservation Areas

- Identify and map those lands which exhibit a commitment to agriculture based upon soils types, ownership patterns, investment, historical use, and other criteria deemed appropriate.
- Cooperate with other agencies and governmental units to establish eligibility for farmers who wish to receive tax credits for participation in Farmland Preservation Act.
- Encourage State statutes which allow assessment policies that are conducive to continued agricultural land uses.
- Require agencies and bodies responsible for the location of public improvements such as roadway corridors, pipelines or power lines to recognize and not violate the intent of the agricultural land preservation goals of the Town.

Comment

It is the intent of the Town to recognize that some agricultural lands may be required for essential public improvements. These acquisitions should be consistent with adopted local and area-wide plans.

- Restrict new residential development to areas with soils not classified as prime farmland providing the lot is at least one acre or more in size at a ratio of 1 lot per 35 acre tract. The land must be rezoned from agriculture.

Comment

It is the intent of the Town of Dunn to recognize that hardships may indicate a need for permitting some limited residential development in agricultural areas.

In addition, the existence of less productive soils or land unsuitable for agriculture can provide a further basis for limited residential development in agricultural areas.

Areas to be considered for rezoning should be:

Land where there has not been a history of economically viable farming activities.

Land which is inaccessible to the farm machinery needed to produce and harvest agricultural products.

Land located such that there would be no possible conflict with the surrounding agricultural uses.

Land where development would not disturb or destroy any important natural features such as: significant woodland areas, wetlands, steep slopes, hedge rows, etc.

- Promote an action program that encourages farming in the Town.
- Encourage farmers to consider ways of preserving farm land for long-term agricultural use.

ENVIRONMENTAL AND OPEN SPACE

Goals for Environmental and Open Space Lands

- Recognize and respect the natural environment as an irreplaceable resource and insure that its use does not impair its value to future generations.
- Protect and upgrade the quality of the surface and groundwaters within the Town.

Policies for Environmental Protection

- Review all development plans in or adjacent to important natural features with the intent of preserving the feature.
- Encourage the preservation of areas needed to support local wildlife.
- Require all resource extraction activities to have a reclamation plan that provides for the activity to be conducted in a way that minimizes its impact on the natural environment.
- Identify disturbed or degraded lakeshore and wetland areas that are important to water quality and to support all levels of government in efforts to restore and improve such areas.

- Preserve the natural landscape features such as woodlands, wetlands, floodplains, streams, lakes, steep slopes and prairies.
- Request rezoning of important wetlands and appropriate buffer areas for conservation and protection.
- Discourage filling or developing of floodplains and areas within 300 feet of them.
- Encourage that the Town support all other levels of government in acquiring natural features, especially those within the identified environmental corridors, for public use and protection consistent with the objectives and policies of the Town.
- Encourage the Town to identify buildings or sites of historic or scenic value and encourage their preservation.
- Require that agencies and bodies responsible for the location of public improvements such as highways, pipelines or power lines, recognize and not violate the intent of the goals and policies for open space.

GROWTH AREAS

Goals for Growth and Development

- Preserve and enhance the rural character of the Town.
- Provide for healthy, safe, attractive and environmentally sound housing.
- Promote an orderly development pattern that will be economical and efficient for the provision of public services within the limited growth patterns allowed by this plan.
- Manage the development rate of the Town such that the full range of services usually associated with urban areas or municipalities will not be required of the Town.
- Discourage creation of new residential lots when numerous vacant residential lots are available.
- Minimize population density by prohibiting new zoning for multi-family residences, such as, but not limited to duplexes, apartments or condominiums.
- Encourage energy conservation techniques in site planning and construction of new uses.
- Require contractors to use erosion control measures and return lands to a near normal setting after completion of construction.

Policies for Elderly Housing

Comment

In recognition of the need for concern regarding housing for the elderly, the Town encourages the stability of extended families through utilization of Dane County Zoning Amendment 3167 which allows for "dependency living arrangements" within the primary residence of family property owners.

Policies for Rural Development (Rural Homes Concept)

Comment

It is the intent of the rural homes concept to promote the agricultural character of the Town while allowing some flexibility for farmers to develop a limited amount of land. This would allow for hardships or other unforeseen circumstances.

- Require that all lots created by certified survey outside an urban service area shall be at least one acre or more in size at a ratio of one lot per 35 acre tract. The land must be rezoned from agriculture at the time of the plan implementation in 1979.
- Prevent any creation of building lots on soils identified as having severe or very severe limitations for septic tank absorption fields.
- Discourage strip development along roadways in order to protect the roadway for moving traffic and to provide a more visually attractive town.
- Prevent unsewered development in areas where the Town has planned future sewer development.
- Disapprove unsewered residential subdivision within the Town.

Policies for Urban Service Areas (Municipally Associated)

Comment

It is the intent of the Town not to develop any municipally associated urban service areas.

Policies for Urban Service Areas (Lake Associated)

Comment

It is the intent of the Town to discourage extensive urban growth around the lakes due to the deteriorating effect of urban runoff on the water quality and neighborhood integrity.

- Provide the same limited range of services for urban service areas that are lake associated (with the exception of sanitary sewer) as for the rural non-farm areas.
- Discourage new development within or additions to sanitary districts adjacent to the lakes, that are inconsistent with the Town Plan.
- Require that new residential lots shall be at a density compatible with the surrounding community, with a minimum lot size of 20,000 square feet.

BUSINESS, COMMERCIAL AND RECREATIONAL AREAS
(hereafter referred to as Commercial)

Goals for Business, Commercial and Recreational Areas

- Require new commercial uses, in general, to be located in urban service areas and be served by public utilities including sanitary sewers.
- Encourage clustering of new commercial uses in planned shopping centers or tourism areas in order to maximize consumer safety and convenience and improve traffic safety and flow.

Policies for Business, Commercial and Recreational Areas

- Prohibit any change to types of business, commercial, industrial or recreational uses described in the current Dane County Zoning Ordinance under district RE-1, B-1, A-2, A-B, C-1, C-2, LC-1 and M-1; except, however, that the types of uses permitted under the A-2 and A-B district categories a, b, f, g, or i (see Appendix D), may be allowed subject to the following comment.


Comment:

Any change to uses permitted under the current A-2 or A-B district categories of a, b, f, g, or i (see Appendix D) may be allowed only if it is determined that the proposed use will enhance the agricultural strength of the Town, be compatible with the surrounding neighborhood and be consistent with the goal of conserving environmental resources.


IV. RECOMMENDED LAND USES

This portion of the Land Use Plan indicates where and how much development will occur in the Town of Dunn in the next 14 years. It is divided into three portions which reflect the areas of concern addressed in the goals and policies.

FARMLAND PRESERVATION ELEMENT

These lands are shown as  on the Land Use Plan Map (following page 62). It is recommended that these areas be preserved for future agricultural use. A number of factors were included in determining farmland preservation areas, such as historical and present agricultural use, soil capability for agriculture, parcel size and ownership, topography, drainage and incompatible land uses.

OPEN SPACE ELEMENT

These areas are shown as  on the Land Use Plan Map. The variety and quality of our Town's natural resources have been extensively catalogued and studied. The important areas were combined and grouped into linear patterns called corridors. It is recommended that these areas be preserved in order to enhance water quality, wildlife and our quality of life.

The term "open space element" is used to describe a combination of physical, environmental and historic resource patterns in the Town. In the Town of Dunn, these resource patterns include:

1. Lake, rivers, streams and springs
2. Wetlands
3. Woodlands and hedgerows
4. Steep topography
5. Scenic areas
6. Historic and cultural resources

For planning purposes, these individual resource patterns are considered part of a single open space system, because of the many interdependent relationships which exist between them. For example, unwise use of steep slopes causes erosion, which ends up as sediment in wetlands. Healthy wetlands are an important spawning ground for northern pike. Northern pike are valuable game fish in Lakes Waubesa and Kegonsa. By looking at steep slopes, wetlands and the lakes as part of a system, we can see that erosion is related to the quality of recreational opportunities in the Town's lakes.

A study of the Town's open space system was completed in 1979 by the staff and students of the UW Environmental Awareness Center, under the guidance of the Town Open Space Study Committee. The committee consisted of eight residents, each living in a different part of the Town. During that time, the committee and the student/staff study team analyzed the Town's open space resources and studied the tools available for preserving them.

The resource analysis included consideration of ten functions performed by the Town's open space system. These functions include:

1. Natural systems preservation
2. Aesthetic quality preservation
3. Surface water quality protection
4. Non-structural flood control
5. Maintenance of ground water system
6. Provision of recreation opportunities
7. Education and spiritual enrichment
8. Historic and cultural resource protection
9. Community separation
10. Property value enhancement

The study team determined where these functions occurred in the Town and developed appropriate management and use principles.

The study team analyzed the range of preservation tools available to preserve these functions. When considered together, these tools can be used as an overall open space preservation strategy. These tools include:



1. Responsible private ownership
2. Regulations and public service controls
3. Erosion and sedimentation controls
4. Public acquisition of property rights
5. Public education and organization

The results of this study have been published as the Town of Dunn Open Space Preservation Handbook. This 150-page book was developed as a guide to help implement the environmental and open space goals of the Town of Dunn Land Use Plan. It can also serve as a valuable educational tool for residents interested in the Town's open space resources. Copies are available at the Town Hall. The handbook contains a set of maps for each of the areas studied in the Town. The original set of colored maps is available for use in the Town Hall.

Future decisions on the developability of any individual parcel should be based upon careful scrutiny of the parcel in relation to the maps and guidelines in the handbook supplemented by an actual on-site examination.

POPULATION GROWTH ELEMENT

It is recommended that the majority of this growth should come from building on the vacant lots presently available.

The areas recommended for our future population are shown as  on the Land Use Plan Map. The rural (unsewered) subdivisions are shown as . By and large, the boundaries are the same as the existing boundaries. Expansion of these boundaries is not recommended.

As outlined in detail in the goals and policies, two further areas for population growth are recommended. The first is to allow the further division of large lots within sewerred and platted areas as long as the proposed division is compatible with the surrounding neighborhood. The second is to allow one lot per 35 acres owned, a minimum of one acre in size. The location of these lots would be determined on an individual basis as compatible with the surrounding agricultural land.

A part of the planning process has been to predict our future population needs. Two factors considered were various mathematical projection methods (see Appendix B) and the potential capacity of our sanitary districts (see Appendix A).

An averaging of the most lenient and most stringent projections give the year 2000 a population of 6,400 people, a growth of 52%. This growth is within the ability of the Town without expanding the present development boundaries.

The potential capacity of our sanitary districts is in an area that needs to be addressed by future plan and sanitary commissions. The district boundaries should be moved to allow for a closer correlation with the Land Use Plan.

V. IMPLEMENTATION AND AMENDMENT PROCEDURES

In order for any plan to have meaning or become reality, a systematic program for carrying out the plan is essential. This should include active participation and cooperation with all adjacent Towns and nearby municipalities. The following implementation measures represent such a program for the Town. This list of measures is not intended to be exhaustive.

SUBDIVISION ORDINANCE

The Town has adopted a strong subdivision control ordinance that will guide all division of land in the future. Approval of all plats and certified survey maps will be based upon compliance with the Plan.

EROSION CONTROL ORDINANCE

For additional environmental protection, the Town will cooperate with Dane County in seeking adoption of an erosion control ordinance.

EXCLUSIVE AGRICULTURAL ZONING

The Town of Dunn adopted the A-1 Agricultural District (Exclusive) of the Dane County Zoning Ordinance effective in 1978, which applies to all lands previously zoned A-1 Agricultural. Therefore, nearly all land use changes will require re-zoning. It is the intent of the Town to utilize the land use plan in the evaluation of and decision on each proposed zoning change.

CONSERVANCY ZONING

Environmental protection is partially implemented through the Floodplain Zoning District; however, there are provisions in the ordinance for some filling and development. The intent of the Town is to protect these areas from filling and development. As noted in the previously referenced Town of Dunn Open Space Preservation Handbook, there are, in addition, areas beyond the floodplain which need protection and Conservancy Zoning as well as other preservation tools will be considered for those areas.

BUSINESS, COMMERCIAL AND RECREATIONAL ZONING

On October 15, 1985 the Town Board of the Town of Dunn adopted Resolution 85-15 amending the original Land Use Plan to include the policies for business, commercial and recreational development. (See Appendix G).

VI. APPENDICES

APPENDIX A

1977 SANITARY DISTRICT ANALYSIS (See Map 3 for graphic description)

AREA #1 (Sanitary District #4)

1. Dwelling units (1977 estimate)	50
2. Total population (1977)	150
3. Total area in acres	65
4. Total developed (includes vacant platted lots)	60
5. Vacant developable *	5
6. Potential population capacity **	21
7. Existing vacant platted lots	9
8. Potential additional population (3 persons/lot)	27
9. Total potential additional population	48

AREA #2 (Sanitary District #1)

1. Dwelling units (1977 estimate)	369
2. Total population (1977)	1,107
3. Total area in acres	490
4. Total developed (includes vacant platted lots)	160
5. Vacant developable *	330
6. Potential population capacity **	1,386
7. Existing vacant platted lots	86
8. Potential additional population (3 persons/lot)	258
9. Total potential additional population	1,644

AREA #3 (Sanitary District #3)

1. Dwelling units (1977 estimate)	208
2. Total population (1977)	624
3. Total area in acres	1,887
4. Total developed (includes vacant platted lots)	167
5. Vacant developable *	1,268
6. Potential population capacity **	5,328
7. Existing vacant platted lots	201
8. Potential additional population (3 persons/lot)	603
9. Total potential additional population	5,931

AREA #4 (Kegonsa Sanitary District)

1. Dwelling units (1977 estimate)	498
2. Total population (1977)	1,494
3. Total area in acres	1,162
4. Total developed (includes vacant platted lots)	967
5. Vacant developable *	195
6. Potential population capacity **	816
7. Existing vacant platted lots	139
8. Potential additional population (3 persons/lot)	417
9. Total potential additional population	1,233

Total vacant developable land in all above areas	1,798
Total vacant platted lots	435
Total potential additional population	8,856
Total estimated population by year 2000	12,231

* Excludes developed land, poor soil areas, steep slopes, wetlands, and floodplains.

** Assume 3 persons per unit at a density of two dwelling units per acre and allowing 30% for other uses, e.g., roads, open spaces.

APPENDIX B

REVISED POPULATION PROJECTIONS

1. Current Trends Projections

In the past 7 years, (since adoption of the Land Use Plan) there have been 151 dwelling units built in the town. This averages about 22 units per year. If it is assumed that there were approximately three persons per unit, this would result in 66 additional residents annually. Adding 66 persons per year to the population would add 1,650 persons by the year 2010. Added to the current estimated (1985) population of 5,117, there would be 6,767 people in Dunn in the year 2010.

2. Ratio Allocation*

Another methodology was used to project the town population using a ratio allocation technique. In simple terms, the method weighs current conditions heavily but takes in account historic trends. This technique provides for easy annual review and update. The projection for the year 2010 is 7,103.

3. Town Share of County

A final projection may be made by using the town's percent share of the current total county population (1977) and projecting into the future.

$$\frac{339,194 \text{ (current population, Dane County)}}{5,117 \text{ (current population, Town of Dunn)}} = 1.51 \text{ Town \% of County}$$

$$405,862 \text{ (Year 2010 county population)} \times 1.51 = 6,129 \text{ (estimated town population in 2010)}$$

Average for 3 projections = 6,666

*Ratio allocation method of population projection prepared by the Dane County Regional Planning Commission.

APPENDIX C

In the preparation of the Town of Dunn Land Use Plan adopted in 1979, the town's historic and current land uses were studied thoroughly. Particular emphasis was placed on studies of the agricultural and environmental resources and the developmental trends. As a result of the detailed studies, the Town Land Use Plan focused on goals of preserving agricultural land, conserving environmental resources, and controlling population growth. Encouraging new urban type uses to locate within urban service areas, where a full array of public services is available, was central to the achievement of these goals.

Since 1981 there has been an increase in the number of requests for a change of land use within Dunn accompanied by proposed amendments to commercial, business, or recreational zoning. Some requests that appeared to have minimal adverse impact have been approved for C1, C2, or LC1 zoning. It has become increasingly apparent that a policy regarding these zoning categories and others needed to be formulated. Consequently, in late 1983 a study was begun to prepare the background data needed to document new policies.

The Dunn Plan Commission met with the Dane County Zoning Administrator, Dane County Sanitarian, Dane County Land Regulation and Records Director, and staff from the Dane County Regional Planning Commission. The Town Plan Commission agreed to include the Dane County zoning categories of C1, C2, LC-1, B-1, M-1, RE-1 and AB in the study. During 1984 an exceptional burden of ordinary business and lack of staff assistance kept the study from being accomplished.

In February 1985 discussion intensified. Staff was hired to assist in a detailed study of zoning categories and land available in surrounding municipalities. The information from that study, and a careful consideration by the commission resulted in the recommended addition to the Town of Dunn Land Use Plan.

The study of commercial and industrial lands in communities near or adjacent to the Town of Dunn revealed the following:

Within a five mile radius of the Town of Dunn there were 744 acres of vacant land zoned commercial and 114 acres of vacant land zoned industrial, broken down as shown below.

Continued Appendix C

ACRES COMMERCIAL
OR BUSINESS *

ACRES INDUSTRIAL *

608	City of Fitchburg	0
36	Village of McFarland	28
17	Town of Rutland	0
3	City of Stoughton	18
26	Village of Oregon	10
0	City of Monona	58
<u>54</u>	Town of Madison	<u>0</u>
744	TOTALS	114

* Does not include 1,000 vacant commercial lots (acreage unavailable) and 1,500 acres of land zoned for industry in the City of Madison.

- (b) Accessory buildings for the housing of livestock shall be located not less than 50 feet from any rear lot line.
- (c) Other accessory buildings shall be located not less than 10 feet from any rear lot line.

SECTION 10.091 RH-2 RURAL HOMES DISTRICT.

- (1) PERMITTED USES. All uses permitted in the RH-1 Rural Homes District.
- (2) CONDITIONAL USES. All conditional uses permitted in the RH-1 Rural Homes District.
- (3) BUILDING HEIGHT LIMIT. Shall be the same as the RH-1 Rural Homes District.
- (4) LOT WIDTH AND AREA. The minimum lot width shall be 150 feet to be measured at the front building line of a residence, also at the location of any accessory building for the housing of livestock. The minimum lot area shall be not less than 4 acres.
- (5) LOT COVERAGE, SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS. Shall be the same as for the RH-1 Rural Homes District.

SECTION 10.092 RH-3 RURAL HOMES-3 DISTRICT

- (1) PERMITTED USES. All uses permitted in the RH-1 Rural Homes District.
- (2) CONDITIONAL USES. All conditional uses permitted in the RH-1 Rural Homes District.
- (3) BUILDING HEIGHT LIMIT. Shall be the same as the RH-1 Rural Homes District.
- (4) LOT WIDTH AND AREA. The minimum lot width shall be 150 feet to be measured at the front building line of a residence, also at the location of any accessory building for the housing of livestock. The minimum lot area shall be not less than 8 acres.

SECTION 10.093 RH-4 RURAL HOMES DISTRICT.

- (1) PERMITTED USES. All uses permitted in the RH-1 Rural Homes District.
- (2) CONDITIONAL USES. All conditional uses permitted in the RH-1 Rural Homes District.
- (3) BUILDING HEIGHT LIMIT. Shall be the same as the RH-1 Rural Homes District.
- (4) LOT WIDTH AND AREA. The minimum lot width shall be 150 feet to be measured at the front building line of a residence, also at the location of any accessory building for the housing of livestock. The minimum lot area shall be not less than 16 acres.
- (5) LOT COVERAGE, SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS. Shall be the same as for the RH-1 Rural Homes District.

SECTION 10.10 RE-1 RECREATIONAL DISTRICT

(1) PERMITTED USES

- (a) Recreational facilities including but not limited to golf courses, golf driving ranges, tennis courts, archery ranges, and baseball diamonds, provided that if located outside of a building they shall not be lighted to operate during the hours of darkness.
- (b) Boat, canoe and snowmobile rental services.
- (c) Sale of bait for fishing.
- (d) Ski slopes and jumps, toboggan slides.
- (e) Residences for an owner or caretaker of a permitted use in the RE-1 District.
- (f) Uses incidental to the operation of any permitted use.
- (g) Utility services.

(2) CONDITIONAL USES permitted in the RE-1 Recreational District.

- (a) Recreational camps, campgrounds and camping resorts along with the services and facilities necessary to serve the premises. All such camps shall comply with the standards established in Wis. Adm. Code, Chapters H 75 and H 78, or as amended.

- (b) Recreational facilities including but not limited to golf courses, golf driving ranges, tennis courts and baseball diamonds, that are located outside of a building and are lighted to operate during the hours of darkness.
 - (c) Rental of residential buildings to someone other than an employee or caretaker on the premises.
 - (d) Sale of alcoholic beverages by the drink.
 - (e) Skeet, trap, rifle and pistol ranges.
 - (f) Private hunting and shooting preserves.
 - (g) Governmental uses.
- (3) BUILDING HEIGHT LIMIT.
- (a) For residential dwellings two and one-half (2-1/2) stories or 35 feet.
 - (b) For other buildings and structures, four (4) stories or 50 feet.
- (4) LOT WIDTH AND AREA. A lot shall be not less than 100 feet in width at the building setback line and have an area of not less than 20,000 square feet.
- (5) BUILDING SETBACK REQUIREMENTS. Setback from front lot line or highway right-of-way shall conform to the requirements of Section 10.17.
- (6) SIDE YARDS.
- (a) For single family residences for an owner or caretaker of a permitted or conditional use on the premise, the minimum side yard shall be not less than 10 feet.
 - (b) For buildings used for other permitted or conditional uses, the minimum side yard shall not be less than 10 feet except if the adjacent or abutting land is in a residence district, then the minimum side yard shall be not less than 50 feet.
- (7) REAR YARDS.
- (a) For single family residences for an owner or caretaker of a permitted or conditional use on the premises, the minimum rear yard shall be not less than 25 feet.
 - (b) For buildings used for other permitted or conditional uses, the minimum rear yard shall be not less than 25 feet except if the adjacent or abutting land is in a residence district, the minimum rear yard shall be not less than 50 feet.
- (8) OFF-STREET PARKING. Off-street parking shall be provided as required by Section 10.18.
- (9) SCREENING PROVISIONS. On lots adjacent to or abutting land in a residence district, the screening provisions of Section 10.16 (8) shall be complied with prior to the issuance of a Certificate of Compliance.

SECTION 10.11 B-1 LOCAL BUSINESS DISTRICT

- (1) PERMITTED USES.
- (a) Retail and service uses including but not limited to grocery stores, drugstores, appliance and furniture stores, barbershops, beauty shops, but not including any business or service for which the items offered for sale or service are stored or displayed outside of a building.
 - (b) Self service laundries and dry cleaning establishments.
 - (c) Warehousing and storage incidental to a retail or service use on the premises but not to serve any other business or location.
 - (d) Medical, dental and veterinary clinics.
 - (e) Banks, offices and office buildings devoting not more than two (2) floors of office space.

- (f) Utility services.
 - (g) Rooming and boarding houses.
 - (h) Schools and educational facilities that are privately owned and operated for profit. Instructional activities shall take place within a building.
- (2) CONDITIONAL USES permitted in the B-1 Local Business District.
- (a) Single family residences, duplexes, multi-family residences.
 - (b) Banks, offices and office buildings providing more than two (2) floors of office space.
 - (c) Motels, hotels, taverns, funeral homes and drive-in establishments. In addition to the standards established in 10.255 (2) (g) the following additional standards shall apply to drive-in establishments.

In addition to the standards and conditions set forth in Section 10.255 (2) (g), no application for a drive-in establishment conditional use permit shall be granted by the Committee unless the Committee shall find that all of the following conditions are met:

 1. The Committee shall consider the number, density and proximity of other drive-in establishments in the area to determine whether the needs of the community are being adequately provided for.
 2. Maintenance of the property in a clean and sanitary condition free from debris.
 3. All trash, waste materials and obsolete parts shall be stored within a separate enclosure or enclosures, impervious to sight behind the principal structure and such storage enclosure shall be maintained in a clean and sanitary condition.
 4. All activity necessary for or incidental to the operation of a drive-in establishment shall be conducted entirely within the building or within the automobile with the following exceptions:
 - A. Emergency services and tire changing.
 - B. Dispensing of gasoline and other motor vehicle fuels and those minor services which are customarily performed where dispensing gasoline.
 - C. Drive-in restaurant, outdoor patio eating where tables are furnished.
 5. All new and used materials, goods, merchandise, parts or supplies except those necessary for the minor service functions customarily performed while dispensing gasoline shall be kept or stored or displayed entirely within the building or within the trash and waste material enclosure or enclosures.
 6. Any illumination provided shall be installed and maintained in a manner so as to preclude the reflection or glare onto adjoining premises used for residential purposes or in any way to impede highway safety.
 7. Open dead storage of junk or inoperable motor vehicles or vehicles without a valid license in excess of one (1) business day shall not be permitted.
 - (d) Hospitals, nursing homes, convalescent centers, extended care facilities.
 - (e) Mobile home parks, subject to special conditions as provided for in 10.08 (10).
 - (f) Conference and convention centers.
 - (g) Day care centers.
 - (h) Governmental uses.
- (3) BUILDING HEIGHT LIMIT.
- (a) For business buildings, including offices, the maximum building height shall be four (4) stories, provided, however, that any building that provides more than two (2) stories devoted to office space, a conditional use permit shall be required.
 - (b) Lots or building sites for residential purposes or for combined business and residential uses shall comply with the requirements of the R-4 Residence District.

(4) AREA, FRONTAGE AND POPULATION DENSITY REGULATIONS.

- (a) For building or sites to be used exclusively for business purposes, no minimum lot width or area limitations. No such building shall occupy in excess of 40 percent (40%) of the area of an interior or corner lot.
- (b) Lots or building sites for residential purposes or for combined business and residential uses shall comply with the requirements of the R-4 Residence District.

(5) SETBACK REQUIREMENTS. Setback from front lot line or highway right-of-way shall comply with the provisions of Section 10.17.

(6) SIDE YARD REQUIREMENTS.

- (a) For buildings to be used exclusively for business purposes that are located on interior lots, a side yard of 10 feet for each side shall be provided. For buildings located on corner lots, the setback provisions of Section 10.17 shall apply on the street sides.
- (b) For residential buildings, or buildings to be used for combined residential and business purposes, the side yards shall be the same as in the R-4 Residence District.

(7) REAR YARD REQUIREMENTS.

- (a) For buildings to be used exclusively for business purposes the minimum depth of any rear yard shall be 10 feet.
- (b) For residential buildings, or buildings combining residential and business uses, the minimum depth of any rear yard shall be 25 feet.

(8) OFF-STREET PARKING. Off street parking space shall be provided in accordance with the provisions of Section 10.18.

(9) SCREENING PROVISIONS. On lots adjacent to or abutting land in a residence district, the screening provisions of Section 10.16 (8) shall be complied with prior to the issuance of a Certificate of Compliance.

(This district, Section 10.12 is in effect in the following towns: Blooming Grove, Bristol, Burke, Middleton, Oregon, Primrose, Springdale, Windsor.)

SECTION 10.12 A-1 AGRICULTURE DISTRICT.

(1) PERMITTED USES.

- (a) Single family detached dwelling units.
- (b) Agricultural uses.
- (c) Utility services.
- (d) Home occupations, subject to the provisions of SS 10.126 (1) (d).
- (e) Accessory buildings including private garages and buildings clearly incidental to a permitted use of the premises. Such buildings shall not be used for residential purposes.
- (f) A building to be used for the storage of personal property owned by the owner of the land, but not for the storage of goods or merchandise considered to be a dealer's inventory or machinery or equipment used off of the premises for other than agricultural purposes. An accessory building can be built on parcels of land in the A-1 Agriculture District without the necessity of there being a residence on the property.
- (g) The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in existing accessory farm buildings. The storage of a dealer's inventory or the construction of any new buildings for storage shall be considered a commercial use and subject to the provisions of this ordinance.

(2) CONDITIONAL USES permitted in the A-1 Agriculture District.

- (a) Mineral extraction operations, hot mix blacktop plants and ready-mix concrete plants, subject to the provisions of SS 10.126 (2) (a)
- (b) Radio, television transmitting towers, microwave towers, community television antenna

including the buildings or structures necessary for their operation but not including buildings for offices, studios or the like. The Committee may grant the permit if it finds that the tower, if it falls, will not fall on a public road right-of-way or an adjacent property.

- (c) Buildings for private clubs, fraternities and associations, provided such facilities are open to members only and do not provide a service which would normally be provided as a business and that such buildings be located not less than 100 feet from any lot in a residence district.
 - (d) Dumping grounds, sanitary land fill sites, demolition material disposal sites and incinerator sites. These shall also comply with Section 60.72 of the Wis. Stats. and shall meet the minimum standards as adopted by the State Department of Natural Resources pursuant to Sections 144.43 and 144.44 of the Wis. Stats.
 - (e) Cemeteries
 - (l) Native wildlife rehabilitation facility.
 - (f) Airports, landing strips or landing fields together with accessory structures.
 - (g) Veterinary clinics and hospitals provided that such buildings be located not less than 100 feet from any lot in a residence district.
 - (h) Religious uses.
 - (i) Junk and salvage yards.
 - (j) Solid waste recycling center.
 - (k) Governmental uses.
- (3) **BUILDING HEIGHT LIMIT.** For residential uses the building height shall be the same as for the R-1 Residence District.
- (4) **AREA, FRONTAGE AND POPULATION DENSITY REGULATIONS.**
- (a) For agricultural uses the area shall be not less than five (5) acres and the minimum width shall be two hundred fifty (250) feet, the width to be measured at the location of accessory farm buildings.
 - (b) For residential uses the lot width and area shall be the same as for the R-1 Residence District.
 - (c) For other permitted uses, no minimum width or area except for those uses for which special setback and side yards have been established.
- (5) **SETBACK REQUIREMENTS.** No building, including barns and other farm buildings of any description whatsoever, shall hereafter be erected, moved or structurally altered so as to be nearer the highway than is prescribed by Section 10.17.
- (6) **SIDE YARD REQUIREMENTS.**
- (a) For residential uses the minimum side yards shall be the same as for the R-1 Residence District.
 - (b) Barns, feeding or loafing sheds, hog houses, mink pens, dog kennels, bee hives and the like shall be located no closer than one hundred (100) feet to the property line of adjacent properties, if such adjacent properties are located in a residential district.
- (7) **REAR YARD REQUIREMENTS.** For residential uses the minimum rear yards shall be the same as for the R-1 Residence District.

- (8) OFF-STREET PARKING. Off-street parking space shall be provided in accordance with the provisions of Section 10.18.
- (9) APPLICABILITY. This section shall apply to all towns within Dane County, except those which have elected to come under the provisions of Section 10.123 of the Dane County Code of Ordinances, according to the procedure set forth therein.

SECTION 10.121 A-B AGRICULTURE BUSINESS DISTRICT

(1) PERMITTED USES

- (a) Sales, service and repair of machinery and equipment used in farming.
- (b) Sales, distribution, mixing, blending and storage of feeds, seeds and fertilizer.
- (c) Stock yards, livestock auction barns and yards, livestock and farm commodity trucking services.
- (d) Processing and preserving of natural agricultural products, fruits and vegetables.
- (e) Sales, service and repair of lawn and garden equipment.
- (f) Sales and distribution of nursery stock and plants.
- (g) Residential use for an owner of the business.
- (h) Sales and service of small scale methane generating equipment and alcohol distilling equipment that is designed for use in a farm operation.
- (i) Sales and service of wind driven electrical generating equipment.

(2) BUILDING HEIGHT LIMIT.

- (a) For buildings containing offices, sales rooms and service areas, residential buildings, the maximum height shall be two and one-half (2-1/2) stories or 35 feet.
- (b) For all other buildings such as silos, bins and feed and seed storage facilities, no maximum height.

- (3) AREA AND LOT WIDTH. A lot shall be not less than 100 feet in width at the building setback line and have an area of at least 20,000 square feet.
- (4) DENSITY. Buildings shall not occupy more than sixty percent (60%) of the area of an interior or corner lot.
- (5) SETBACK REQUIREMENTS. Buildings that are erected, altered or moved shall be setback not less than is prescribed in Section 10.17.
- (6) SIDE YARD REQUIREMENTS. Ten (10) feet.
- (7) REAR YARD REQUIREMENTS. Ten (10) feet.
- (8) OFF-STREET PARKING. Off-street parking shall be provided in accordance with Section 10.18.

(This district, Section 10.123 is in effect in the following towns: Albion, Berry, Black Earth, Blue Mounds, Christiana, Cottage Grove, Cross Plains, Dane, Deerfield, Dunkirk, Dunn, Fitchburg, Madison, Mazomanie, Medina, Montrose, Perry, Pleasant Springs, Roxbury, Rutland, Springfield, Sun Prairie, Vermont, Verona, Vienna, Westport, York.)

SECTION 10.123 A-1 AGRICULTURE DISTRICT (EXCLUSIVE)

- (1) STATEMENT OF PURPOSE. The purposes of the A-1 Agriculture District (Exclusive) are to: preserve productive agricultural land for food and fiber production; preserve productive farms by preventing land use conflicts between incompatible uses and controlling public service costs; maintain a viable agricultural base to support agricultural processing and service industries; prevent conflicts between incompatible uses; reduce costs for providing services to scattered nonfarm uses; pace and shape urban growth; implement the provisions of the County Agricultural plan when adopted and periodically revised; and comply with the provisions of the Farmland Preservation Law to permit eligible landowners to receive tax credits under Section 71.09 (11) of the Wisconsin Statutes.
- (2) LANDS TO BE INCLUDED within the A-1 Agriculture District (Exclusive). This district is generally intended to apply to lands in productive farm operations including: lands historically exhibiting good crop yields or capable of such yields; lands which have been demonstrated to be productive for dairying, livestock raising and grazing; other lands

which are integral parts of such farm operations; land used for the production of specialty crops such as mint, sod, fruits and vegetables; and lands which are capable of productive use through economically-feasible improvements such as irrigation.

(3) PERMITTED USES

- (a) Agricultural uses.
- (b) Residences to be occupied by a person or a family at least one (1) member of which, earns a substantial part of his or her livelihood from sales of products produced on the farm. Subject to the provisions of Chapter 75, Land Division and Subdivision Ordinances.
- (c) Utility services as defined in Section 10.01 (81) and small scale electric generating stations not requiring approval under Section 196.941 of the Wis. Stats.
- (d) Road side stands.
- (e) Structures and improvements that are consistent with agricultural uses.
- (f) Home occupations as defined in Section 10.01 (25) of this ordinance.

(4) CONDITIONAL USES in the A-1 Agriculture District (Exclusive)

- (a) Single family dwellings or mobile homes occupied by parents or children of the farm operator.
 - (b) Governmental uses.
 - (c) Religious uses.
 - (d) Separation of farm dwellings and related structures which existed prior to the effective date of this ordinance and which remain after farm consolidation.
1. Standards applicable to conditional uses in the A-1 Agriculture District (Exclusive). The Department of Agriculture, Trade and Consumer Protection shall be notified of the approval of any conditional use permit. In passing applications for conditional use permits the Committee shall consider the following relevant factors:
- A. The statement of purposes of the Zoning Ordinance and the A-1 District.
 - B. The potential for conflict with agricultural use.
 - C. The need of the proposed use for a location in an agricultural area.
 - D. The availability of alternative locations.
 - E. Compatibility with existing or permitted use on adjacent lands.
 - F. The productivity of the lands involved.
 - G. The location of the proposed use so as to reduce to a minimum the amount of productive agricultural land converted.
 - H. The need for public services created by the proposed use.
 - I. The availability of adequate public services and the ability of affected local units of government to provide them without an unreasonable burden.
 - J. The effect of the proposed use on water or air pollution, soil erosion and rare or irreplaceable natural resources.

(5) BUILDING HEIGHT LIMITS

- (a) For residential buildings, the height shall be the same as for the R-1 Residence District.
- (b) For barns, sheds, silos and other farm buildings there is no limitation on height.

(6) AREA, FRONTAGE AND POPULATION DENSITY REGULATIONS.

- (a) The minimum lot size to establish or maintain a farm operation is 35 acres.
- (b) The minimum lot size for those uses in Sections 10.123 (4) (a) and (d) shall be the same as for the R-1 Residence District.

(7) SETBACK REQUIREMENTS. No building, including barns and other farm buildings of any description whatsoever, shall hereafter be erected, moved or structurally altered so as to be nearer the highway than is prescribed by Section 10.17.

(8) SIDE YARD REQUIREMENTS.

- (a) For residential uses the minimum side yards shall be the same as for the R-1 Residence District.
- (b) Barns, feeding or loafing sheds, hog houses and the like shall be located no closer than 100 feet to the property line of adjacent properties, if those properties are located in a residence district.

(9) REAR YARD REQUIREMENTS. For residential uses the minimum rear yards shall be the same as for the R-1 Residence District.

(10) GENERAL PROVISIONS APPLICABLE to the A-1 Agriculture District (Exclusive).

In addition to the conditions provided for in Sections 10.16 (1) through (6) the following additional conditions shall apply:

- (a) Any lot or parcel shown in a preliminary subdivision plat or a certified survey map which has been received for review by the agency prior to the effective date of any amendment shall have the same status as pre-existing lots as defined in Section 10.16 (3) (a) upon approval and recording of the plat or map.
- (b) Substandard parcels in the A-1 Agriculture District which do not comply with the standards of Section 10.123 (6) (a) shall comply with the standards of Section 10.05 (4). Buildings shall comply with the locational requirements of Section 10.05.
- (c) Substandard parcels in the A-1 Agriculture District (Exclusive) which do not comply with the standards of Section 10.123 (6) (a), that have a width of less than 250 feet and have an area of less than five (5) acres do not permit the keeping or raising of livestock.
- (d) Any residential building or its accessory building that is located on a lot that does not meet the area requirements of Section 10.123 (6) (a) and is destroyed by fire, explosion, act of God or act of public enemy, the building may be rebuilt provided the locational requirements of the R-1 Residence District are complied with.
- (e) The provisions of Section 10.16 (1) (b) 1. and 3. do not apply to lands in this district.

(11) APPLICABILITY. This section shall apply only to those towns which have filed a resolution with the County Clerk indicating the election of the town to come under provisions of this district. Towns which have filed resolutions indicating acceptance of the exclusive agriculture district prior to the date of this amendment shall continue to be under the provisions of this section.

SECTION 10.126 A-2 AGRICULTURE DISTRICT

(1) PERMITTED USES.

- (a) Agricultural uses.
- (b) Dog kennels and colony houses.
- (c) Utility services.
- (d) Home occupations.

1. Home occupations in the A-2 Agriculture District shall be limited to the following uses:

- A. Professional offices.
- B. Barber and beauty shops.
- C. Watch clock, furniture, toy, doll, small electric appliances, radio and television repair shops and upholstery shops.
- D. Sales of antiques, used clothing, used furniture and used and new books.
- E. Art studios, craft studios selling art craft items that are the result of efforts by someone who is a resident on the premises.
- F. Home bakeries.

2. Home occupations in the A-2 Agriculture District shall be subject to the following restrictions:

- A. The activity shall be limited to existing residential or accessory buildings on the premises and the floor area devoted to the activity shall not exceed 25 percent (25%) of the living area on the premises.
 - B. Not more than one (1) person who is not resident on the premises can be employed in the activity.
 - C. That before any of the aforementioned activities can commence, a certificate of compliance shall be obtained from the Zoning Administrator.
 - D. Any on-premises sign advertising the presence of any of the foregoing activities shall be limited to 12 square feet and shall not be lighted at night.
- (e) Accessory buildings including private garages and buildings clearly incidental to a permitted use of the premises. Such buildings shall not be used for residential purposes.
 - (f) A building to be used for the storage of personal property owned by the owner of the land, but not for the storage of goods or merchandise considered to be a dealer's inventory or machinery or equipment used off of the premises for other than agricultural purposes. An accessory building can be built on parcels of land in the A-2 Agriculture District without the necessity of there being a residence on the property.
 - (g) The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those resident on the premises, this storage to be in existing accessory farm buildings. The storage of a dealer's inventory or the construction of any new buildings for storage shall be considered a commercial use and subject to the provisions of this chapter.
 - (m) Boarding stables.
 - (n) Horse show facilities but not including commercial shows and rodeos where admission is charged. Shall be subject to the following conditions:
 - 1. Adequate off-street parking shall be provided for both participants and audience vehicles.
 - 2. Food services, drinking water supplies and toilet facilities shall be approved by the Dane County Health Department.

(2) CONDITIONAL USES permitted in the A-2 Agriculture District.

- (a) Mineral extraction.

1. Mineral extraction operations including washing, crushing, quarrying borrow pits, or other processing or removal of mineral resources, the erection of buildings and the installation of necessary machinery used in said extraction or processing, and the preparation of hot blacktop mix and ready-mixed concrete are conditional uses and may be permitted in the A-2 Agriculture District provided that:
 2. An application for a permit shall be submitted by the owner and shall include an adequate description of the operation; a plan of the site showing the proposed and existing roads and drives, the sources, quantity and disposition of water to be used, if any; estimated dates for completion of the extraction and commencement and completion dates for the reclamation; a reclamation plan and such other information as may be necessary to determine the nature of the operation and the effect on the surrounding area.
 3. The reclamation plan shall contain adequate provision that all final slopes around the area be flatter than a three (3) to one (1) horizontal slope in a sand, gravel or borrow pit operation, or in a safe angle of repose in a quarrying operation; excavations below the grade of the nearest abutting public street or highway shall be setback from the street or highway a distance not less than that required for buildings and structures under this ordinance; excavations made to a water producing depth shall be not less than three (3) feet measured from the low water mark, all final slopes shall be covered with topsoil from the original site and seeded to prevent erosion; the plan shall require that after completion of the anticipated operation that the area shall be cleared of all debris and be left in a workmanlike condition, subject to the approval of the Dane County Zoning Committee or its agent.
 4. Application for a conditional use permit for a mineral extraction operation or for a hot mix blacktop mix plant or ready mixed concrete plant, shall be submitted to the Committee for a public hearing and approval. The conditional use permit shall be for a period of time stated in the application or as modified by the Committee. Modification of the application or reclamation plan may be permitted or additional conditions may be required upon application. The Committee shall consider the effect of the proposed operation and the proposed reclamation upon existing and future conditions, including streets, neighboring land development, land use drainage, water supply, water pollution, air pollution, soil erosion, natural beauty and land value of the locality. The Committee may approve, approve conditionally or reject the application and reclamation plan.
 5. All existing mineral extraction operations shall be considered non-conforming uses and may be continued providing that they have been worked prior to the date of adoption of this ordinance and that they have been registered with the Dane County Zoning Administrator within one year of the date of the adoption of this Ordinance.
 6. Conditional use permits are not required for land leveling activities or conservation practices on agricultural land and where fill material or aggregate is removed from the property as an incidental activity.
 7. Portable cement batch or mixing plants or portable hot mix blacktop plants used in connection with a highway improvement or construction project do not require a conditional use permit. Material produced by such a plant shall be used only for the project and sale or use of material at any other location will require a conditional use permit.
 8. Upon the expiration of any permit issued by the Zoning Administrator, the owner of a mineral extraction operation or his agent shall apply for a conditional use permit under ss 4. above.
- (b) Radio, television transmitting towers, microwave towers, community television antenna including the building or structures necessary for their operation but not including buildings for offices, studios or the like. The parcel of land shall be of a size large enough to insure that if a tower shall fall it will not fall on adjacent property or on the right-of-way of a public road.

- 10.126
- (c) Dumping grounds, sanitary land fill sites, demolition material disposal sites and incinerator sites. Shall also comply with Section 60.72 of the Wis. Stats. and shall meet the minimum standards as adopted by the State Department of Natural Resources pursuant to Sections 144.43 and 144.44 of the Wisconsin Statute.
 - (d) Cemeteries.
 - (e) Airports, landing strips or landing fields together with accessory structures.
 - (f) Religious uses.
 - (g) Junk and salvage yards.
 - (h) Solid waste recycling center.
 - (i) Single family residences.
 - (j) Governmental uses.
 - (k) Native wildlife rehabilitation facility.
 - (l) Parking or storage of not more than two trucks, semi-tractors or semi-trailers which have a gross vehicle weight of over 12,000 lbs.

(3) BUILDING HEIGHT LIMITS

- (a) For residential uses the building height shall be the same as for the R-1 Residence District.
- (b) Accessory buildings on lots located outside of a recorded subdivision on which the principal use is residential shall not exceed two and one-half (2-1/2) stories or 35 feet in height.

(4) AREA, FRONTAGE AND POPULATION DENSITY REGULATIONS.

- (a) Keeping of Livestock:
 - 1. On parcels of less than 5 acres livestock shall be limited to 1 animal unit per each full acre.
 - 2. On parcels of 5 acres or more, no limit to the number of livestock.
- (b) Salvage Yards: Minimum area is three acres.

- (5) SETBACK REQUIREMENTS. No building, including barns and other farm buildings of any description whatsoever, shall hereafter be erected, moved or structurally altered so as to be nearer the highway than is prescribed by Section 10.17.

(6) SIDE YARD REQUIREMENTS.

- (a) For residential uses the minimum side yards shall be the same as for the R-1 Residence District.
- (b) Barns, feeding or loafing sheds, hog houses, mink pens, dog kennels, bee hives and the like shall be located no closer than 100 feet to the property line of adjacent properties, if those adjacent properties are located in a residential district.

- (7) REAR YARD REQUIREMENTS. For residential uses the minimum rear yards shall be the same as for the R-1 Residence District.

- (8) OFF-STREET PARKING. Off-street parking space shall be provided in accordance with the provision of Section 10.18.

SECTION 10.127 A-3 AGRICULTURE DISTRICT

- (1) STATEMENT OF PURPOSE. The purpose of the A-3 Agriculture District is to preserve, for an unspecified time period in agricultural and related open-space land uses, those lands generally located in proximity to developed areas within Dane County where urban expansion is inevitable and broadly in keeping with long time plans for development. It is intended that urban development be deferred in such areas until the appropriate authorities concerned determine that it is economically and financially feasible to provide public services and facilities for uses other than those permitted in the district. It is also intended that the status of all areas in this district be reviewed by the appropriate authorities periodically in order to determine whether, in light of current land development trends, there should be a transfer of all or any part of those areas to some other appropriate use district. Any such review will consider developments in keeping with local and regional land use plans pursuant to Section 10.255 (1) (d).
- (2) PERMITTED USES. All uses permitted in the A-1 Agriculture District (Exclusive).
- (3) CONDITIONAL USES permitted in the A-3 Agriculture District. All conditional uses permitted in the A-1 Agriculture District (Exclusive).

- (4) BUILDING HEIGHT LIMIT. Building height shall be the same as for the A-1 Agriculture District (Exclusive).
- (5) AREA, FRONTAGE AND POPULATION DENSITY REGULATIONS. As per the A-1 Agriculture District (Exclusive).
- (6) SETBACK REQUIREMENTS. Setback requirements shall be the same as for the A-1 Agriculture District (Exclusive).
- (7) SIDE YARD REQUIREMENTS. Side yard requirements shall be the same as for the A-1 Agriculture District (Exclusive).
- (8) REAR YARD REQUIREMENTS. For residential uses the minimum rear yard shall be the same as for the A-1 Agriculture District (Exclusive).
- (9) GENERAL PROVISIONS APPLICABLE to the A-3 Agriculture District. General provisions shall be the same for the A-3 Agriculture District as 10.123 (10).

SECTION 10.13 C-1 COMMERCIAL DISTRICT

(1) PERMITTED USES.

- (a) Retail and service uses including but not limited to grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size.
- (b) Self service laundries and dry cleaning establishments.
- (c) Warehousing and storage incidental to a permitted use on the premises.
- (d) Medical, dental and veterinary clinics.
- (e) Banks, offices, office buildings and condominium office buildings devoting not more than two (2) floors to office space.
- (f) Utility services.
- (g) Rooming and boarding houses.
- (h) Bakeries, printing plants, laundries, dry cleaning plants.
- (i) Distribution centers and wholesale businesses.
- (j) Woodworking shops, machine shops, manufacturing and assembly plants.
- (k) Bicycle sales and service.
- (l) Rental businesses, except for motor vehicles and construction machinery and equipment.
- (m) Experimental laboratories not to exceed 5,000 square feet of floor area.
- (n) Sales and repair of lawn and garden equipment.

(2) CONDITIONAL USES permitted in the C-1 Commercial District.

- (a) Single family residences, duplexes, multi-family residences.
- (b) Banks, offices, office buildings and condominium office buildings devoting more than two floors to office space.
- (c) Motels, hotels, taverns, funeral homes and drive-in establishments. In addition to the standards established in 10.25 (4) (g) the additional standards in 10.11 (2) 1. shall apply to drive-in establishments.
- (d) Hospitals, veterinary hospitals, nursing homes, convalescent centers, extended care facilities.
- (e) Mobile home parks, subject to special conditions as provided for in 10.08 (9).

- (f) Outdoor amusement parks or other entertainment activity that is open to the public on either a permanent or temporary basis.
 - (g) Indoor or outdoor movie theater.
 - (h) Automobile laundries, car wash facilities.
 - (i) Dog and cat boarding kennels, grooming and training facilities.
 - (j) Radio, television transmitting towers, microwave towers, community television antenna including the buildings or structures necessary for their operation but not, including buildings for offices, studios or the like. The committee may grant the permit if it finds that the tower if it falls will not fall on a public road right-of-way or on adjacent property.
 - (k) Storage of motor vehicles awaiting disposition either as abandoned vehicles or for the settlement of an insurance claim.
 - (m) Governmental uses.
- (3) BUILDING HEIGHT LIMIT.
- (a) For business buildings, including offices, the maximum building height shall be four (4) stories, provided, however, that any building that provides more than two (2) stories devoted to office space, a conditional use permit shall be required.
 - (b) Lots or building sites for residential purposes or for combined business and residential uses shall comply with the requirements of the R-4 Residence District.
- (4) AREA, FRONTAGE AND POPULATION DENSITY REGULATIONS. Area, frontage and population density regulations shall be the same as for the B-1 Local Business District.
- (5) SETBACK REQUIREMENTS. Setback from front lot line or highway right-of-way shall comply with the provision of Section 10.17.
- (6) SIDE YARD REQUIREMENTS. Side yard requirements shall be the same as for the B-1 Local Business District.
- (7) REAR YARD REQUIREMENTS.
- (a) For buildings to be used exclusively for business purposes the minimum depth of any rear yard shall be 10 feet.
 - (b) For residential buildings, or buildings combining residential and business uses, the minimum depth of any rear yard shall be 25 feet.
- (8) OFF-STREET PARKING. Off-street parking space shall be provided in accordance with the provisions of Section 10.18.
- (9) SCREENING PROVISIONS. On lots adjacent to or abutting land in a residence district, the screening provisions of Section 10.16 (8) shall be complied with prior to the issuance of a certificate of compliance.

SECTION 10.14 C-2 COMMERCIAL DISTRICT

- (1) PERMITTED USES.
- (a) All uses permitted in the C-1 Commercial District without limitations as to size.
 - (b) Major repairs to motor vehicles.
 - (c) Sales of new and used motor vehicles.
 - (d) Sales of new and used mobile homes, recreational equipment rental, sales and service.
 - (e) Sales of new and used construction machinery and equipment.
 - (f) Repairs, storage and service of construction machinery and equipment.
 - (g) Rental and leasing of motor vehicles, construction machinery and equipment.
 - (h) Bulk fuel storage, sales and storage of lumber and building material.
 - (i) Truck and bus terminals.
 - (j) Auxiliary or supplemental electric generating stations.

- (k) Fertilizer mixing or blending plants.
 - (l) Slaughterhouses, meat processing plants.
 - (m) Bottling plants.
 - (n) Utility services.
 - (o) Storage, repairs and maintenance of carnival, concession and circus machinery and equipment.
 - (p) Automobile and truck driver training schools and construction equipment operator training schools that are privately owned and operated for profit.
 - (q) Parking or storing of motor vehicles.
 - (r) Storage or processing of scrap or waste materials, conducted entirely within a building.
 - (s) Warehouses.
- (2) **CONDITIONAL USES permitted in the C-2 Commercial District.**
- (a) Outdoor amusement parks or other entertainment activity whether on a permanent or temporary basis that is open to the general public.
 - (b) Movie theaters, outdoor theaters.
 - (c) Drive-in establishments. In addition to the standards established in 10.25 (4) (g) the additional standards in 10.11 (2) (c) shall apply to drive-in establishments.
 - (d) Automobile racetracks, motorcycle race tracks including moto-cross and hill climbing courses.
 - (e) Mineral extraction subject to the special conditions of Section 10.12 (2) (a).
 - (f) Solid waste disposal operations, sanitary land fill sites.
 - (g) Auto laundries, car washes.
 - (h) Taverns.
 - (i) Residence for a watchman or caretaker.
 - (j) Radio, television transmitting towers, microwave towers, community television antenna including the buildings or structures necessary for their operation but not including buildings for offices, studios or the like. The Dane County Zoning Committee may grant the permit if it finds that the tower, if it falls, will not fall on a public road right-of-way or on adjacent property.
 - (k) Dog and cat boarding kennels, grooming and training facilities.
 - (l) Governmental uses.
- (3) **BUILDING HEIGHT LIMIT.** The maximum height for all buildings shall be 50 feet. Tanks, storage bins, silos and towers shall not be subject to this limitation.
- (4) **AREA, FRONTAGE AND POPULATION DENSITY REGULATIONS.**
- (a) The area and frontage shall be the same as for the B-1 Local Business District.
 - (b) Any principal building together with its accessory buildings shall not cover more than sixty percent (60%) of the lot area.

- (5) SETBACK REQUIREMENTS. Setback from front lot line or highway right-of-way shall conform to the provisions of Section 10.17.
- (6) SIDE YARD REQUIREMENTS. Side yard requirements shall be the same as for the B-1 Local Business District.
- (7) REAR YARD REQUIREMENTS. For business and commercial buildings, the minimum depth of any rear yard shall be 10 feet.
- (8) SCREENING PROVISIONS. On lots adjacent to or abutting land in a residence district, the screening provisions of Section 10.16 (8) shall be complied with prior to the issuance of a certificate of compliance.

SECTION 10.141 LC-1 COMMERCIAL-1 DISTRICT.

(1) PERMITTED USES.

- (a) General, mechanical and landscape contracting businesses and buildings used in connection with such activity.
 - (b) Storage of construction equipment necessary for the operation of a general, mechanical or landscape contracting business. There shall be a limit of twelve (12) items of equipment stored on each zoning lot.
 - (c) School bus storage and parking.
 - (d) Maintenance and repairs to vehicles and construction equipment or school buses stored on the premises and not as a service to other owners.
 - (e) Outside storage of materials or supplies used by a contractor in fulfilling his contracts and not offered for sale to a user or consumer.
 - (f) Utility services.
 - (g) A single family residence for an owner of the business or a caretaker.
- (2) BUILDING HEIGHT LIMIT. Residential buildings shall not exceed 35 feet in height or two and one-half (2-1/2) stories.
- (3) LOT AREA. Minimum lot area shall be not less than 100 feet of lot width and 20,000 square feet of lot area.
- (4) LOT AREA COVERAGE. The total floor area of commercial buildings, residential and residential accessory buildings shall not exceed 35 percent of the lot area.
- (5) BUILDING SETBACK REQUIREMENTS.
- (a) Setback from front lot line or highway right-of-way line shall conform to the requirements of Section 10.17.
 - (b) Construction equipment or material shall not be stored between the building setback line and the front lot line of any lot.
- (6) SIDE YARD REQUIREMENTS. The minimum width for any side yard shall be not less than 10 feet for any building.
- (7) REAR YARD REQUIREMENTS.
- (a) For buildings used for commercial purposes and residential accessory buildings the minimum rear yard shall be not less than 10 feet.
 - (b) For residential buildings the minimum rear yard shall be not less than 25 feet.
- (8) SCREENING REQUIREMENTS. For lots adjacent to a residence district the screening provisions of Section 10.16 (8) shall be complied with prior to the establishment of a commercial use.

SECTION 10.15 M-1 INDUSTRIAL DISTRICT

(1) PERMITTED USES.

- (a) Major repairs to motor vehicles.
- (b) Sales of new and used motor vehicles.
- (c) Sales of new and used mobile homes.

- (d) Sales of new and used construction machinery and equipment.
 - (e) Repairs and service of construction machinery and equipment.
 - (f) Rental and leasing of motor vehicles, construction machinery and equipment.
 - (g) Bulk fuel storage, sales and outside storage of lumber and building material.
 - (h) Truck and bus terminals.
 - (i) Auxiliary or supplemental electric generating stations.
 - (j) Fertilizer mixing or blending plants.
 - (k) Slaughter houses, meat processing plants.
 - (l) Bottling plants.
 - (m) Utility services.
 - (n) Foundries and forging plants.
 - (o) Structural steel fabrication plants.
 - (p) Metal pressing, stamping or spinning plants.
 - (q) Manufacturing and assembly plants for automobiles, farm equipment and construction machinery.
 - (r) Mobile home and manufactured housing plants.
 - (s) Parking or storing of motor vehicles.
 - (t) Storage or processing of scrap or waste materials, conducted entirely within a building.
 - (u) All uses permitted in the C-2 Commercial District.
- (2) CONDITIONAL USES permitted in the M-1 Industrial District.
- (a) Drive-in establishments. In addition to the standards established in 10.25 (4) (g) the additional standards in 10.11 (2) (c) shall apply to drive-in establishments.
 - (b) Automobile racetracks, motorcycle race tracks including moto-cross and hill climbing courses.
 - (c) Mineral extraction subject to the special conditions of Section 10.12 (2) (a).
 - (d) Solid waste disposal operations, sanitary land fill sites.
 - (e) Auto laundries, car washes.
 - (f) Taverns.
 - (g) Residence for watchman or caretaker.
 - (h) Junk or salvage yards.
 - (i) Fertilizer manufacturing plants.
 - (j) Explosive and chemical manufacturing plants.
 - (i) Governmental uses.

- (3) **BUILDING HEIGHT LIMIT.** The maximum height for all buildings shall be 50 feet. Tanks, storage bins, silos and towers shall not be subject to this limitation.
- (4) **SETBACK REQUIREMENTS.** Setbacks from front lot line or highway right-of-way shall comply with the provisions of Section 10.17.
- (5) **SIDE YARD REQUIREMENTS.** For business or commercial buildings no side yards shall be required for interior lots; provided, however, that if a business or commercial building is built on a lot adjacent to a lot or parcel zoned residential, then that business or commercial building shall provide a side yard equal to that which is required for the building on the adjacent lot.
- (6) **REAR YARD REQUIREMENTS.** For business and commercial buildings, the minimum depth of any rear yard shall be 10 feet.
- (7) **OFF-STREET PARKING.** Off-street parking space shall be provided in accordance with the provisions of Section 10.18.
- (8) **SCREENING PROVISIONS.** On lots adjacent to or abutting land in a residence district, the screening provisions of Section 10.16 (8) shall be complied with prior to the issuance of a certificate of compliance.

SECTION 10.155 CO-1 CONSERVANCY DISTRICT

(1) PERMITTED USES.

- (a) Hunting, fishing and trapping.
 - (b) Propagation and raising of game animals, fowl and fish.
 - (c) Sustained yield forestry.
 - (d) The harvesting of any wild crops such as marsh hay, ferns, moss, berries, tree fruits and tree seeds.
 - (e) Grazing.
 - (f) Dams and hydro-electric power stations.
 - (g) Communication and power transmission lines or towers; other public utility lines or facilities.
 - (h) If the land is publicly owned, such facilities as the owning or controlling agency shall direct, including without limitation because of enumeration, camping, boat landings, sale of bait, boat and motor rental, sale of gasoline for boats, refreshment facilities and the like.
 - (i) Non-residential buildings or structures accessory to any permitted uses.
 - (j) Residential or housing facilities for persons employed on the premises.
 - (k) Improvement of water courses and bodies of water.
- (2) **CONDITIONAL USES** permitted in the CO-1 Conservancy District. If the land is privately owned, those uses enumerated in 10.155 (1) (h).
- (3) **USES PROHIBITED.** If the land is privately owned, any filling of marsh land, removal of top soil or damming of any water course unless approved by the Zoning Committee after public hearing.

SECTION 10.16 GENERAL PROVISIONS AND EXCEPTIONS.

(1) USE

- (a) Any use not listed as a permitted use in a district is prohibited in that district and except as otherwise expressly provided, any use listed as a permitted use in any other district shall be construed as a prohibited use in any other district.
- (b) The following uses shall be permitted in the districts specified when the uses do not alter the character of the premises in respect to their use for the purposes permitted in that district:
 1. In any district, real estate offices and signs advertising property for sale for a period not to exceed one (1) year.
 2. In any district, temporary buildings and the temporary storage of materials and equipment incidental to the construction of buildings on the premises, for a period

APPENDIX E

LIST OF RECREATIONAL PROPERTIES IN THE TOWN OF DUNN AND AREA

LAKE WAUBESA

- McConnell St. Boat Landing
Goodland Park (County)
Christy's
Waubesa Beach Community Center
Tackle Box - Bait Shop
Unimproved Access at Berkan St.
* Lake Farm Park (County)
2 Lots in Greenridge Park - Park of 5 Town Owned Properties
on Tower Road, other 3 are owned by residents of
Greenridge Park
Lake Waubesa Bible Camp
Babcock Park (County) Boat Launch and Campground
* Larson's Beach and Boat Landing
* Green Lantern Boat Landing
* Barr's Resort Boat Landing
80 Acres of DNR Plus Public Access (Aberg)
40 Acres Zoned Conservancy Marsh

Lake Kegonsa

- Fish Camp Boat Landing
Tom-a-Dot Campground
10.7 Zoned RE by Tom-a-Dot on the Lake
Lincoln Park Resort - Rents Cottages and Boats
Lincoln Park Lake Access, Unimproved
Colladay Pt. - 2 unimproved Lake Accesses
RE Zoned Trailer Park on Lake North of Rock Elm Park
Brown's Boat and Bait Shop
Quam's Landing/Marina
Halverson's Supper Club Private Boat Landing
Boat Landing on Quam Drive - Ole J. Quam Park
Unimproved Boat Landing, Rock Elm Park
Stoughton County Club Golf Course
* Kegonsa State Park - Campground, Boating, Swimming
* Lafollette (County) Park in Pleasant Springs
* Viking Village Campground

YAHARA RIVER

- Sleepy Hollow Boat Landing
Exchange Street Canoe Landing
* Viking County Park on County N

* Outside Dunn

Continued Appendix E

HOOK LAKE

Oregon Sportmen's Club
Madison Retriever Club
63 Acres of DNR with Public Access

OTHER

Subdivision Parks in Various Stages of Improvement
Park's Plan, Bicycle Trails, Canoe Guide thru Dunn
Holtzman County Park

APPENDIX F

TOWN of DUNN

OFFICE OF TOWN CLERK

4156 C.T.H. B

McFARLAND, WI 53558

AMENDMENT I

TOWN OF DUNN

LAND USE PLAN

PURPOSE: To clarify the intent of the one lot per 35 acres owned mentioned throughout the Land Use Plan.

The lot number limitation for rural areas referred to on pages 5, 34, 36 and 43 runs with the land and is irrespective of ownership at a later date.

Approved: March 11, 1981

Attested:

Rosalind Gausman

Rosalind Gausman
Secretary, Dunn Plan Commission

APPENDIX G

RESOLUTION NO. 85-15

AMENDING TOWN OF DUNN LAND USE PLAN

WHEREAS, the Town of Dunn has completed an extensive study of the existing business, commercial and recreational uses in the Town and the need for further business, commercial or recreational development in the Town (see Appendix C attached), and

WHEREAS, the Dunn Plan Commission has documented a wide variety of business and commercial land available in the neighboring communities of Madison, Fitchburg, Oregon, McFarland and Stoughton (see Appendix C attached), and

WHEREAS, the Town of Dunn has identified extensive existing public and private recreational facilities within or near the lake associated urban service areas (See Appendix E), and

WHEREAS, the Town of Dunn consists of a unique mix of densely populated residential areas, as well as rural agricultural areas, and

WHEREAS, the Land Use Plan adopted by the Town of Dunn established specific goals of preserving agricultural land and uses, conserving environmental resources and open space, and controlling population growth, and

WHEREAS, business, commercial and industrial uses often conflict with goals of preserving agricultural land and uses, conserving environmental resources and open space, and controlling population growth, and

WHEREAS, business, commercial and industrial land uses require a high level and full range of urban public services not available at all locations within the Town of Dunn, and

WHEREAS, under the Town of Dunn's Land Use Plan, new urban-type uses are to be located within urban service areas where a full array of public services are available, and

WHEREAS, the Dane County Regional Development Guide encourages clustering of business, commercial and industrial uses to maximize consumer safety and convenience, improve traffic safety and flow, and enhance economic viability;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Dunn hereby adopts the following amendment to the Town of Dunn Land Use Plan and incorporates the text of this resolution and appendices attached hereto as a part of the official land use plan.

Policies for Commercial Development (insert on page 37 of Land Use Plan)

- . Require new commercial uses, in general, to be located in urban service areas and be served by public utilities including sanitary sewers.
- . Encourage clustering of new commercial uses in planned shopping centers in order to maximize consumer safety and convenience and improve traffic safety and flow.
- . Prohibit any change to types of business, commercial, industrial or recreational uses described in the current Dane County Zoning Ordinance under districts RE-1, B-1, A-2, A-B, C-1, C-2, LC-1 and M-1; except, however, that the types of uses permitted under the A-2 or A-B district categories a, b, f, g, or i (see Appendix D attached), may be allowed subject to the following comment.

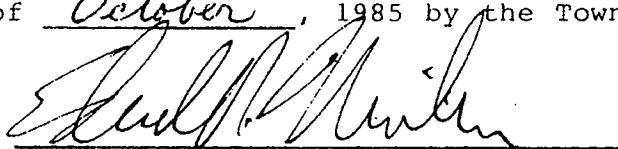
Comment: Any change to uses permitted under the current A-2 or A-B district categories of a, b, f, g, or i (see Appendix D) may be allowed only if it is determined that the proposed use will enhance the agricultural strength of the Town, be compatible with the surrounding neighborhood and be consistent with the goal of conserving environmental resources.

- . Allow as conditional uses the types of uses provided for in the A-1 Agricultural (Exclusive) district of the current Dane County Zoning Ordinance (see Appendix D attached) only if the proposed use would satisfy the policies of the Dunn Land Use Plan when strictly interpreted and applied after consideration of the following relevant factors:
 - A. The statement of purposes of the current Dane County Zoning Ordinance and the A-1 (exclusive) district.
 - B. The potential for conflict with agricultural use.
 - C. The need of the proposed use for a location in an agricultural area.
 - D. The availability of alternative locations.
 - E. Compatibility with existing or permitted use on adjacent lands.
 - F. The productivity of the lands involved.
 - G. The location of the proposed use so as to reduce to a minimum the amount of productive agricultural land converted.
 - H. The need for public services created by the proposed use.
 - I. The availability of adequate public services and the ability of affected local units of government to provide them without an unreasonable burden.

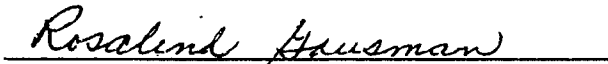
J. The effect of the proposed use on water or air pollution, soil erosion and rare or irreplaceable natural resources.

- Require all changes to a new business, commercial or industrial-type use to be compatible with the appropriate policies of the Dane County Regional Development Guide.

Adopted this 15th day of October, 1985 by the Town of Dunn Town Board.



Chairman Edmond P. Minihan



Rosalind Gausman, Clerk

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