

# Comprehensive Revision of Dane County Zoning Ordinance

March 20, 2017

Town of Springfield Hall

# Proposed vs. Current Zoning Districts

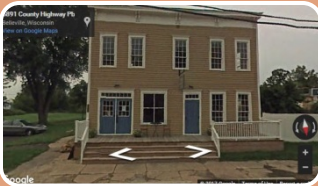
<b><i>Proposed Zoning District Category</i></b>	<b><i>Proposed Zoning District</i></b>	<b><i>Equivalent Current Zoning District</i></b>
<b>Traditional Neighborhood Development (Hamlet)</b>	TND-R (Traditional Neighborhood Residential)	<i>No equivalent</i>
	TND-M (Traditional Neighborhood Mixed-Use)	B-1 (Local Business)
<b>Commercial</b>	LC (Limited Commercial)	LC-1 (Limited Commercial)
	GC (General Commercial)	C-1 (Commercial)
	HC (Heavy Commercial)	C-2 (Commercial)

# TND and Commercial Districts



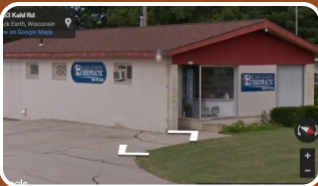
## LC – Limited Commercial

- Office (limited to 6 FTE)
- Indoor storage
- Outdoor storage of up to 12 vehicles
- Other uses by CUP



## TND-M Traditional Neighborhood (Hamlet) – Mixed Use

- Single & two- family residential (multifamily by CUP)
- Office, Indoor sales, Personal and Professional Service (limited by bldg size)
- Gov't, institutional, religious, community and nonprofit
- Indoor Entertainment, Transient Lodging
- Other uses by CUP



## GC – General Commercial

- Office, Indoor sales, Personal and Professional Service (limited by #of stories)
- Gov't, institutional, religious, community and nonprofit
- Indoor storage, indoor maintenance, off-site parking
- Other uses by CUP



## HC- Heavy Commercial

- Office, Indoor sales, Personal and Professional Service (not limited by #of stories)
- Gov't, institutional, religious, community and nonprofit
- Indoor storage, indoor maintenance, off-site parking
- Light industrial, outdoor sales, adult bookstores (subject to limitations)
- Other uses by CUP

# Summary of changes to zoning districts

- **Limited Commercial (vs. LC-1)**
  - No significant changes
- **Traditional Neighborhood Design (Hamlet) – Mixed Use (vs. B-1)**
  - Allow for zero-lot line setbacks
  - Replace specific uses with broader categories of land uses
  - Add single-family, two-family residential as permitted uses
  - Add indoor entertainment (would include restaurants, taverns, bowling alleys, etc.)
  - Add government, institutional, religious and nonprofit community uses
  - Allow multifamily, institutional residential and commercial lodging as conditional uses
- **General Commercial (vs. C-1)**
  - Replace specific uses with broader categories of land uses
  - Add veterinary clinics as permitted use
  - Establish standards for residential use by CUP to ensure compatibility of uses
  - Add light industrial, outdoor entertainment, outdoor storage as conditional uses
- **Heavy Commercial (vs. C-2)**
  - Replace specific uses with broader categories of land uses
  - Add light industrial, veterinary clinics as permitted uses
  - Move sanitary landfill, solid waste disposal, explosive storage, etc. to Rural Industry zoning district

# Provisions that apply to all commercial districts

## Existing Ordinance

## Proposed Ordinance

### (1) Provisions applicable to all Commercial Districts

- (a) *Site plan*. All petitions to rezone to any Commercial zoning district, and any application for a zoning permit or conditional use permit within an existing Commercial zoning district must be accompanied by an approved site plan as described in s. 10.100(4).
- (b) *Off-street parking*. Off-street parking shall be provided as required in s. \_\_\_\_.
- (c) *Screening*. For commercial uses within 100 feet of any residence, screening must be provided as required in s. \_\_\_\_.
- (d) *Stormwater*. The Zoning Administrator may not issue a zoning permit for any development in any commercial district until the Department of Land and Water Resources issues a Stormwater Management permit for the project under Chapter 14, Dane County Code.

# Limited Commercial

## Existing LC-1 District

## Proposed LC District

- **Purpose**
  - a) The Limited Commercial Zoning District is intended for small commercial uses that may need to locate in predominantly rural areas due to their often large service areas and their need for larger lot sizes. In appearance and operation, such uses are often similar to agricultural uses and are therefore more suitable to a rural area.
  - b) Such uses include, but are not limited to, contractor, transportation, building trades and landscaping operations, which may have:
    - a) Outdoor stockpiles of materials;
    - b) Storage and maintenance of large construction or transportation equipment;
    - c) Early morning activity, and;
    - d) Large, utilitarian buildings.
  - c) **Limited commercial uses:**
    - a) Have no retail sales;
    - b) Do not create high traffic volume, and;
    - c) Have limited outdoor lighting and signage.

# Limited Commercial

## Existing LC-1 District

## Proposed LC District

- **Permitted uses**
  - a) Office uses, the number on site employees is limited to no more than six (6).
  - b) Agricultural uses..
  - c) Contractor operations
  - d) Indoor storage.
  - e) Incidental indoor maintenance.
  - f) Incidental parking for employees, consistent with s. 10.06(7).
  - g) Utility services associated with, and accessory to, a permitted or conditional use.
  - h) Storage of no more than 12 total vehicles and pieces of construction equipment.
  - i) A transportation, utility, communication, or other use that is:
    - 1. Required under state or federal law to be located in a specific place, or;
    - 2. Is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

# Limited Commercial

## Existing LC-1 District

## Proposed LC District

- **Conditional uses**
  - a) Outdoor storage.
  - b) Caretaker's residence.
  - c) Light industrial.
  - d) Limited family business.
  - e) Storage of more than 12 total vehicles and pieces of construction equipment.
  - f) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.



# TND (Hamlet) Mixed Use

## Existing B-1 District

- **Purpose**
  - a) The B-1 Local Business District is to provide a zoning district for retail businesses and services that do not include manufacturing or major assembly of items or products. Residential use is intended to be limited, outside storage of items is restricted and landscaping of properties is required.

## Proposed TND-M District

- **Purpose**
  - a) The TND-M Traditional Neighborhood-Mixed-Use District accommodates a variety of commercial activities in conjunction with civic open spaces and buildings. It is a denser, fully-mixed use part of a community. Within the TND-M district, the predominant land and building use is either commercial or residential, in deference to the purpose and character of local commercial activities. It is typically located along an important street. Many older traditional downtown or neighborhood commercial districts typify the characteristics of a TND-M district.

# TND (Hamlet) Mixed Use

## Existing B-1 District

- **Permitted uses**
  - a) Retail sales or service businesses (non-automotive)
  - b) Outdoor sales events (2 events/year)
  - c) Incidental enclosed storage of items or materials
  - d) Medical, dental and veterinary clinics
  - e) Banks, offices and office buildings
  - f) Private clubs or organizations
  - g) Theaters and auditoriums
  - h) Schools and educational facilities
  - i) Recreational facilities (not lighted)
  - j) Rental or lease of boat slips
  - k) Utility services
  - l) Crematoriums

## Proposed TND-M District

- **Permitted uses**
  - a) Single family residential
  - b) Duplexes
  - c) Attached accessory dwelling units
  - d) Residential accessory uses
  - e) Home occupations
  - f) Indoor sales.
  - g) Incidental room rental
  - h) Personal or professional service
  - i) Office uses.
  - j) Governmental, institutional, religious, or nonprofit community uses.
  - k) Utility services associated with, and accessory to, a permitted or conditional use
  - l) Indoor maintenance service
  - m) Transient or tourist lodging
  - n) Outdoor sales events limited to two (2) events per year. For purposes of this paragraph, a single event is one which is held on consecutive days of not more than ten (10) days in duration.
  - o) Outdoor entertainment, not lighted for night-time activities
  - p) Active or passive recreational uses.
  - q) A transportation, utility, communication, or other use (that is preempted by state federal law)

# TND (Hamlet) Mixed-Use

## Existing B-1 District

- **Conditional uses**
  - a) Residential Uses (limited)
  - b) Mobile home parks (see ordinance)
  - c) Buildings with more than 4 stories
  - d) Motels and hotels
  - e) Hospitals
  - f) Nursing homes
  - g) Convalescent centers
  - h) Extended care facilities
  - i) Conference and convention centers
  - j) Governmental uses
  - k) Recreational facilities (lighted)
  - l) Outdoor sales events other than those previously permitted

## Proposed TND-M District

- **Conditional uses**
  - a) Detached accessory dwelling units.
  - b) Multiple family dwellings and condominiums
  - c) Institutional residential
  - d) Indoor entertainment
  - e) Outdoor entertainment
  - f) Limited family business
  - g) Buildings which have more than four (4) stories, or more than 10,000 square feet of interior floor space devoted to business or commercial use..
  - h) Commercial indoor lodging.
  - i) Outdoor sales events
  - j) Day care centers
  - k) Community living arrangements for nine (9) or more persons.
  - l) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

# TND (Hamlet) Mixed Use

## Existing B-1 district

- Front yard:
  - Rural areas: per road setbacks
  - Urban areas: 5 feet minimum
- Side yard:
  - Buildings with 2 or less stories: 10 feet minimum
  - 3 stories or more w/o windows: 10 feet minimum
  - 3 stories or more w/ windows: 10 ft & 5 ft per story over second story minimum
- Rear yard:
  - Buildings with 2 or less stories: 10 feet minimum
  - 3 stories or more w/o windows: 10 feet minimum
  - 3 stories or more w/ windows: 10 ft & 5 ft per story over second story minimum

## Proposed TND-M district

- Front yard:
  - New lots: 20 feet minimum
  - Existing lots/urban areas: 5 ft. min.
- Side yard:
  - Unless exempted by conditional use permit:
    - All structures must be at least a total of 10 feet from both side lot lines.
    - Structures may be built at a zero setback from one side lot line, provided the setback from the opposite side lot line is at least 10 feet.
- Rear yard:
  - 10 feet.

# TND (Hamlet) Mixed-Use

## Existing B-1 District

- Minimum lot size
  - Business lots: none
  - Multifamily lots:
    - Private sewer: 5,000 sq. feet per apartment
    - Public sewer: 2,000 to 2,250 sq. feet per apartment
- Maximum lot size
  - None
- Lot coverage
  - Up to 60% of lot

## Proposed TND-M District

- Minimum lot size
  - Public sewer: 5,000 sq. ft.
  - Private septic: 20,000 sq. ft.
- Maximum lot size:
  - Public sewer: < 10,000 sq. ft.
  - Private septic: < 40,000 sq. ft.
- Lot coverage
  - Up to 60% of lot

# General Commercial

## Existing C-1 District

- **Purpose**
  - None.

## Proposed GC District

- **Purpose**
  - The General Commercial Zoning District is intended to accommodate retail, sales, service, lodging, and office uses, where: primary commercial activity occurs indoors; commercial uses are of moderate scale and intensity, and; uses are appropriate to a developed area.
  - Permitted uses are typically characterized by moderate traffic and parking requirements, with little or moderate noise, odors, vibrations, fumes or other potential direct external nuisances.
  - Conditional uses include compatible commercial uses that have a somewhat higher amount of outdoor activity, operate outside of normal business hours, or taller or more massive buildings.
  - As a district primarily devoted to commercial uses, residential uses are listed as conditional uses to make sure residential areas are designed for compatibility with nearby commercial areas, including provisions or designs, such as visual screening, or safe pedestrian access, to protect residents' safety and welfare.

# General Commercial

## Existing C-1 District

- **Permitted uses**
  - a) All uses permitted in the LC-1 Limited Commercial District
  - b) Retail and service uses including grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size
  - c) Self service laundries and dry cleaning establishments
  - d) Warehousing and storage incidental to a permitted use
  - e) Medical, dental and veterinary clinics
  - f) Banks, offices, office buildings and condominium office buildings not more than (2) floors to office space.
  - g) Utility services
  - h) Rooming and boarding houses
  - i) Bakeries, Laundries, Dry cleaning plants, Printing plants
  - j) Distribution centers
  - k) Wholesale businesses
  - l) Woodworking shops
  - m) Machine shops

## Proposed GC District

- **Permitted uses**
  - a) Office uses
  - b) Day care centers
  - c) Indoor entertainment
  - d) Indoor sales
  - e) Indoor storage.
  - f) Indoor maintenance.
  - g) Governmental, institutional, religious, or nonprofit community uses.
  - h) Off-site parking
  - i) Personal or professional service
  - j) Transient or tourist lodging
  - k) Utility services associated with, and accessory to, a permitted or conditional use.
  - l) Veterinary clinics.
  - m) A transportation, utility, communication, or other use that is:
    - a) required under state or federal law to be located in a specific place, or;
    - b) Is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

# General Commercial

## Existing C-1 District

- Permitted uses (continued)
  - n) Manufacturing and assembly plants
  - o) Bicycle sales and service
  - p) Rental businesses – except for motor
  - q) vehicles and construction machinery
  - r) and equipment.
  - s) Experimental laboratories (less than
  - t) 5,000 sq. feet)
  - u) Sales and repair of lawn and garden
  - v) equipment
  - w) Outdoor games (not lighted)
  - x) Marinas
  - y) Off-site parking of motor vehicles
  - z) Crematoriums

## Proposed GC District

- Permitted uses



# General Commercial

## Existing C-1 District

- **Conditional uses**
  - a) Single family residences, duplexes, multifamily residences
  - b) Banks, offices, office buildings and condominium office buildings devoting more than (2) floors to office space.
  - c) Motels and hotels
  - d) Taverns
  - e) Funeral homes
  - f) Drive-in establishments
  - g) Hospitals and veterinary hospitals
  - h) Nursing homes
  - i) Convalescent centers
  - j) Extended care facilities
  - k) Mobile home parks (see ordinance)
  - l) Outdoor amusement parks or other entertainment
  - m) activity open to the public (permanent/temporary)
  - n) Indoor or outdoor movie theater
  - o) Automobile laundries and car wash facilities
  - p) Dog and cat boarding kennels, grooming and training facilities

## Proposed GC District

- **Conditional uses**
  - a) Residential and associated accessory uses.
    - a. Any residential use in the gc district must meet all of the following criteria:
      - a. Comply with residential density standards of any applicable town comprehensive plan and the dane county comprehensive plan
      - b. Have visual screening from adjacent commercial areas
      - c. Must provide appropriate parking, pedestrian and bicycle access for residents.
    - b. Residential uses may include:
      - a. Single family residential
      - b. Two family residential
      - c. Multifamily residential
      - d. Mixed residential and commercial developments
      - e. Institutional residential
      - f. Manufactured home communities, subject to s. 10.102(15).
  - b) Commercial indoor lodging.
  - c) Animal boarding, domestic pets
  - d) Automobile service uses.
  - e) Light industrial
  - f) Outdoor entertainment
  - g) Outdoor storage.
  - h) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.

# General Commercial

## Existing C-1 District

- Conditional uses (continued)
  - r) Communication towers
  - s) Storage of motor vehicles awaiting disposition
  - t) Governmental uses
  - u) Agricultural uses
  - v) Outdoor lighted games

## Proposed GC District

- Conditional uses

# General Commercial

## Existing C-1 District

- **Height:**
  - Business buildings: 4 stories maximum
  - Residential dwelling: 2 stories or 35 feet maximum
- **Side yard:**
  - Buildings with 2 or less stories: 10 feet minimum (each side)
  - 3 stories or more w/o windows: 10 feet minimum
  - 3 stories or more w/ windows: 10 ft plus 5 ft per story over second story minimum
- **Rear yard:**
  - Exclusive business use: 10 Feet minimum
  - Residential or combined use: 25 feet minimum

## Proposed GC District

- **Height:**
  - Business buildings: 4 stories maximum
  - Residential dwelling: 2 stories or 35 feet maximum
- **Side yard:**
  - Buildings with 2 or less stories: 10 feet minimum (each side)
  - 3 stories or more w/o windows: 10 feet minimum
  - 3 stories or more w/ windows: 10 ft plus 5 ft per story over second story minimum
- **Rear yard:**
  - Exclusive business use: 10 Feet minimum
  - Residential or combined use: 25 feet minimum

# General Commercial

## Existing C-1 District

- Minimum lot size:
  - Business lots: None
  - Residential lots:
    - Private sewer: 5,000 sq. feet per apartment
    - Public sewer: 2,000 to 2,250 sq. feet per apartment
- Maximum lot size:
  - None

## Proposed GC District

- Minimum lot size:
  - Business lots: None
  - Residential lots:
    - Private sewer: 5,000 sq. feet per apartment
    - Public sewer: 2,000 to 2,250 sq. feet per apartment
- Maximum lot size:

# Heavy Commercial

## Existing C-2 District

- **Purpose**
  - None.

## Proposed HC District

- **Purpose**
  - The Heavy Commercial Zoning District is intended to accommodate retail, service, light industrial lodging, and office uses, where: primary commercial activity may occur either outdoors or indoors; commercial uses are of relatively large scale and intensity, and; uses are appropriate to a highly developed area.
  - Permitted uses are typically characterized by relatively high traffic volumes and substantial parking requirements, with potential for noise, odors, vibrations, fumes or other potential direct external nuisances.
  - Conditional uses include commercial uses that have a somewhat higher amount of outdoor activity, or operate outside of normal business hours.

# Heavy Commercial

## Existing C-2 District

- **Permitted uses**

- a) All uses permitted in the LC-1 Limited Commercial District
- b) All uses permitted in the C-1 Commercial District
- c) Retail and service uses
- d) Major repairs to motor vehicles
- e) Sales or leasing of new and used motor vehicles
- f) Sales of new and used mobile homes
- g) Recreational equipment rental, sale and service
- h) Repairs, storage, sales, rental, or leasing of new and used contractor's machinery and equipment
- i) Bulk fuel storage
- j) Sales and storage of lumber and building material
- k) Truck and bus terminals
- l) Auxiliary or supplemental electric generating stations
- m) Fertilizer mixing or blending plants
- n) Slaughterhouses, meat processing plants
- o) Bottling plants
- p) Storage, repair and maintenance of carnival, concession and circus machinery and equipment

## Proposed HC District

- **Permitted uses**

- a) Office uses
- b) Day care centers
- c) Indoor entertainment
- d) Indoor sales or service
- e) Indoor storage.
- f) Indoor maintenance.
- g) Governmental, institutional, religious, or nonprofit community uses.
- h) Light industrial
- i) Automobile service uses
- j) Off-site parking
- k) Outdoor sales, display or repair
- l) Personal or professional service
- m) Transient or tourist lodging
- n) Adult book stores, subject to s.\_\_\_\_\_.
- o) Utility services.
- p) Veterinary clinics.
- q) A transportation, utility, communication, or other use that is:
  - 1. required under state or federal law to be located in a specific place, or;
  - 2. Is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

# Heavy Commercial

## Existing C-2 District

- **Permitted uses (continued)**
  - q) Automobile and truck driver training schools
  - r) Construction equipment operator training schools
  - s) Parking or storing of motor vehicles
  - t) Storage or processing of scrap or waste materials (inside a building)
  - u) Warehouses and mini-warehouses
  - v) Outdoor games (not lighted)
  - w) Adult book stores

## Proposed HC District

- **Permitted uses**

# Heavy Commercial

## Existing C-2 District

- **Conditional uses**
  - Outdoor amusement parks or other entertainment activity (permanent/temporary).
  - Movie theaters, outdoor theaters
  - Drive-in establishments
  - Automobile race tracks
  - Snowmobile race tracks and courses
  - All-terrain vehicle race tracks and courses
  - Motorcycle race tracks
  - Mineral extraction
  - Solid waste disposal operations
  - Sanitary landfill sites
  - Auto laundries and car washes
  - Taverns
  - Residence for a watchman or caretaker
  - Communication towers
  - Dog and cat boarding kennels, grooming and training facilities
  - Governmental uses
  - Agricultural uses
  - Outdoor lighted games.
  - Religious uses
  - Motels and hotels
  - Storage of explosive materials

## Proposed HC District

- **Conditional uses**
  - a) Commercial indoor lodging.
  - b) In-vehicle sales or service
  - c) Outdoor entertainment
  - d) Passenger transportation terminals.
  - e) Outdoor storage.
  - f) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.



# Heavy Commercial

## Existing C-2 District

- **Height:**
  - Business buildings: 4 stories maximum
  - Residential dwelling: 2 stories or 35 feet maximum
- **Side yard:**
  - Buildings with 2 or less stories: 10 feet minimum (each side)
  - 3 stories or more w/o windows: 10 feet minimum
  - 3 stories or more w/ windows: 10 ft plus 5 ft per story over second story minimum
- **Rear yard:**
  - Exclusive business use: 10 Feet minimum
  - Residential or combined use: 25 feet minimum

## Proposed HC District

- **Height:**
  - Business buildings: 4 stories maximum
  - Residential dwelling: 2 stories or 35 feet maximum
- **Side yard:**
  - 10 feet minimum
- **Rear yard:**
  - Exclusive business use: 10 Feet minimum
  - Residential or combined use: 25 feet minimum

# Heavy Commercial

## Existing C-2 District

- Minimum lot size:
  - Business lots: None
  - Residential lots:
    - Private sewer: 5,000 sq. feet per apartment
    - Public sewer: 2,000 to 2,250 sq. feet per apartment
- Maximum lot size:
  - None

## Proposed HC District

- Minimum lot size:
  - Business lots: None
  - Residential lots:
    - Private sewer: 5,000 sq. feet per apartment
    - Public sewer: 2,000 to 2,250 sq. feet per apartment
- Maximum lot size: