

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 11165**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

Town Map: Town of Rutland

Location: Section 7

Zoning District Boundary Changes

RE-1 to C-2

Lot 2 of Dane County Certified Survey Map number 13808, being in part of the NE ¼ of the NW ¼ of Section 7, T.5N., R.10E., Town of Rutland, Dane County, Wisconsin

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

DEED RESTRICTION REQUIRED

This amendment will be effective if within 90 days of its adoption by Dane County the owner or owners of the land record the following restriction(s) on said land:

ACCESS TO STATE HIGHWAY 138 - State Highway 138 is a controlled access highway. A State Highway Access Permit shall be required to be obtained for any new buildings or changes in land use which will cause any increase of traffic volume to the property. The State Highway Access Permit shall be obtained prior to the issuance of a zoning permit. A traffic impact study shall be prepared and approved by the State Highway Department to identify any necessary improvements that are needed for the safe access onto State Highway 138. The landowner shall be responsible for any and all costs for the improvements.

LAND USES - The following list of land uses shall be the only land uses permitted on the property: Offices, indoor sales, indoor entertainment, personal and professional services, indoor contractor/ trade operations, vehicle repair services, indoor storage, distribution centers, light industrial businesses, governmental uses, religious uses, institutional uses, and veterinarian clinic. Outside storage of materials or construction equipment may be permitted subject to site plan approval. Other land uses may be permitted through a conditional use permit: personal storage facilities (mini-warehouses), and outdoor entertainment.

OUTDOOR STORAGE AREAS - All areas that are used for the outdoor storage of materials or the storage of construction equipment/vehicles shall be screened from view with a minimum of six-foot barrier with 90% opacity. Site plan approval shall be obtained by the Town Board and County Zoning Committee for any outdoor storage areas prior to the storage of materials or equipment.

LIGHTING - All outdoor light fixtures shall be down-lit. The fixtures shall comply with dark sky lighting requirements. The posts for parking lot lighting shall be no higher than 25 feet. The posts used for main drive entrance shall be no higher than 35 feet.

BUILDING EXTERIOR - All buildings constructed on the property shall have a similar appearance using similar exterior materials and color palate. Any refuse containers shall be screened from view using similar materials used for the exterior of buildings.

LANDSCAPING - There shall be a minimum of (1) 2" caliper deciduous tree planted for every 3,000 square feet of building space constructed. The location of the trees shall be shown on a site plan prior to the issuance of a zoning permit.

PARKING AND DRIVE AREAS - All parking areas or areas used for vehicular movement shall be paved with asphalt surfacing.

PROHIBITED SIGNS - Off-premise advertising signs (billboards) shall be prohibited on the property. Temporary advertising signs shall be prohibited on the property.

SIGNS - All signs shall conform to the Dane County sign ordinance. There shall be one on-premise pylon sign and one on-premise ground sign for advertising all businesses on the property. The maximum sign allowance for wall signs shall be divided up equally amongst multiple tenants within a building, if applicable. All tenant wall signs shall have the same style as selected by the landowner.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s) as well as the owners of land within 300 feet of the site. Failure to record the restriction(s) will cause the rezone to be null and void. A copy of the recorded document shall be submitted to Dane County Zoning.