

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12276**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.200(4) shall be amended as follows:

Town Map: Town of Cottage Grove

Location: Section 33

Zoning District Boundary Changes

RM-16 to HC

"PARCEL A"

Part of Lot 1, Certified Survey Map No. 15945 located in the Southwest 1/4 of the Southeast 1/4, Section 28 and Part of the Northwest 1/4 of the Northeast 1/4, Section 33 all in T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of Section 33, thence N89°18'17"E, 92.06 feet to the point of beginning; thence N00°03'15"W, 124.55 feet; thence N89°18'20"E, 92.70 feet; thence S64°32'07"E, 124.03 feet; thence N89°18'20"E, 507.31 feet; thence along a curve to the left with a radius of 390.00 feet and a long chord bearing of S52°58'50"E, 106.26 feet; thence S89°18'20"W, 108.29 feet; thence S00°41'40"E, 273.38 feet; thence S89°18'20"W, 300.86 feet; thence N00°01'54"W, 268.54 feet; thence S89°18'17"W, 389.71 feet to the point of beginning. Containing 140,861 square feet or 3.2337 acres.

GC to HC

"PARCEL B"

All of Lot 1, Certified Survey Map No. 2323, located in the Northwest 1/4 of the Northeast 1/4, Section 33 all in T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of Section 33, thence N89°18'17"E, 107.28 feet to the point of beginning; thence N89°18'17"E, 374.49 feet; thence S00°01'54"E, 190.04 feet; thence N87°01'28"W, 374.98 feet; thence N00°02'03"W, 166.01 feet to the point of beginning. Containing 66,664 square feet or 1.5304 acres.

LC to HC

"PARCEL C"

Part of the Northwest 1/4 of the Northeast 1/4, Section 33 all in T7N, R11E, Town of Cottage Grove, Dane County, Wisconsin more fully described as follows: Commencing at the North 1/4 corner of Section 33, thence N89°18'17"E, 107.28 feet; thence S00°02'03"E, 166.01 feet to the point of beginning; thence S87°01'28"E, 374.98 feet; thence S00°01'54"E, 78.50 feet; thence S89°18'20"W, 374.91 feet; thence N00°22'49"W, 102.52 feet to the point of beginning. Containing 33,904 square feet or 0.7783 acres.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.101(8)(d) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

1. Prior to building permit:
 - a. The Expansion Area and Original Site shall be combined into one lot.
 - b. A deed restriction in line with the one restriction dated 12/11/25 shall be recorded against the combined lot.
 - c. The project shall have obtained Town design review approval per Section 12.08 of Town ordinances.
2. Upon construction of a public road adjacent to the east edge of the rezoning area, but no sooner than construction of the owner's proposed expansion project, the owner shall construct a driveway connecting to that new public road. Upon such driveway connection, the owner may be required to discontinue its current driveway to Highway N for traffic control and safety reasons.

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:

1. A deed restriction shall be recorded on the lot stating the following:
 - a. Land uses on the property shall be limited exclusively to the following:
 - i. Agricultural uses (livestock not permitted)
 - ii. Agricultural accessory uses (livestock not permitted)
 - iii. Contractor, landscaping or building trade operations
 - iv. Freight and bus terminals
 - v. Governmental, institutional, religious, or nonprofit community uses
 - vi. Indoor entertainment or assembly
 - vii. Indoor sales
 - viii. Indoor storage and repairs
 - ix. Light industrial
 - x. Off-site parking
 - xi. Office uses
 - xii. Outdoor sales, display or repair
 - xiii. Outdoor storage
 - xiv. Personal or professional service
 - xv. A transportation, utility, communication, or other use required by law
 - xvi. Undeveloped natural resources and open space areas
 - xvii. Utility services
 - xviii. Vehicle repair or maintenance service
 - xix. Warehousing and distribution facilities

- b. Land uses on the property shall be limited exclusively to the following conditional uses:
 - i. Communication towers
 - ii. Transportation, communication, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above
- c. Residential and associated accessory uses are prohibited.
- d. Each lot must have a principal building.
- e. Outdoor display of equipment and vehicles immediately available for direct sale or lease to customers is permitted without screening from public rights-of-way, provided that:
 - i. Such display area shall be clearly indicated on a site plan approved by the Town of Cottage Grove.
 - ii. All such displays shall be located on an asphalt, concrete, or other hard surface not including gravel, and set back at least 10 feet from all lot lines.
 - iii. All vehicles and equipment within such display area shall be maintained in working and operable condition.
 - iv. No other materials or equipment may be stored or kept in such display area, unless it is first screened as an outdoor storage area.
 - v. If displayed equipment or vehicles are removed from the display area, all support fixtures used to display such equipment or vehicles shall be removed at the same time.
 - vi. Any temporary signage in or around the display area shall be on the vehicles or equipment being sold or leased.
 - vii. All lighting shall meet Town of Cottage Grove requirements. No upward spot lighting is permitted.
- f. Outdoor storage of trash, scrap, pallets, recyclables, fuel tanks, inoperative vehicles, and materials not immediately available for direct sale or lease to customers shall be kept within outdoor storage yards that are:
 - i. Clearly indicated on a site plan approved by the Town of Cottage Grove.
 - ii. Not within 200 feet of the rights-of-way for Highways 12-18 or N.
 - iii. Gravel or hard surfaced.
 - iv. Fully screened from all adjacent public rights-of-way by buildings, landscaped berms, walls, and/or opaque fences. Chain link fences with slatted inserts or mesh coverings are not considered opaque fences.
- g. The installation of off-premise advertising signs (billboards) are prohibited on the property. Business signage shall require a sign permit and shall comply with all applicable restrictions of the Dane County Zoning Ordinance sign regulations.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s). 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.

CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. Within 90 days of rezoning approval by Dane County, a *final* certified survey map that describes the land to be rezoned shall be prepared in accordance with all applicable provisions of Chapter 236 Wisconsin Statutes and Chapter 75 Dane County Code of Ordinances, and submitted to the Dane County Zoning Division. Upon submission of the final certified survey map, the Zoning and Land Regulation Committee, or its authorized representative, shall, within 30 days, approve, approve conditionally, or reject the certified survey map. **Failure to submit the final certified survey within the 90-day period and/or failure to record the survey with the Dane County Register of Deeds will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**