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2019 OA-20

AMENDING CHAPTER 10 THE DANE COUNTY CODE OF ORDINANCES,
REVISING VARIOUS PROVISIONS OF THE DANE COUNTY ZONING CODE

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 10.003(1) is amended to read as follows:

10.003 JURISDICTION, EFFECTIVE DATE AND INTERPRETATION.

(1) Applicability and effective dates.

(a) Unincorporated areas. This chapter is applicable to all territory, except for areas under city or village extraterritorial zoning under s. 62.23(7a), Wis. Stats., located within those portions of the unincorporated areas of Dane County in which the associated town board has adopted this chapter pursuant to s. 59.69(5), Wis. Stats. The following towns have adopted this ordinance as of the effective date listed below:

1. ~~(List)~~ Town of Albion: February 5, 2019
2. Town of Berry: Not adopted as of [clerk to insert effective date]
3. Town of Black Earth: Not adopted as of [clerk to insert effective date]
4. Town of Blooming Grove: February 13, 2019
5. Town of Blue Mounds: Not adopted as of [clerk to insert effective date]
6. Town of Burke: March 20, 2019
7. Town of Bristol: Not adopted as of [clerk to insert effective date]
8. Town of Christiana: April 19, 2019
9. Town of Cottage Grove: February 4, 2019
10. Town of Cross Plains: May 17, 2019
11. Town of Dane: March 4, 2019
12. Town of Deerfield: March 11, 2019
13. Town of Dunkirk: March 28, 2019
14. Town of Dunn: Not adopted as of [clerk to insert effective date]
15. Town of Madison: March 11, 2019
16. Town of Mazomanie: March 11, 2019
17. Town of Medina: March 21, 2019
18. Town of Middleton: March 18, 2019
19. Town of Montrose: April 2, 2019
20. Town of Oregon: March 5, 2019
21. Town of Perry: March 12, 2019
22. Town of Pleasant Springs: Not adopted as of [clerk to insert effective date]
23. Town of Primrose: March 4, 2019
24. Town of Roxbury: April 21, 2019
25. Town of Rutland: March 5, 2019
26. Town of Springdale: Not adopted as of [clerk to insert effective date]
27. Town of Springfield: Not adopted as of [clerk to insert effective date]

- 47 28. Town of Sun Prairie: Not adopted as of [clerk to insert effective date]
48 29. Town of Vermont: May 13, 2019
49 30. Town of Verona: July 2, 2019
50 31. Town of Vienna: March 4, 2019
51 32. Town of Westport: Not adopted as of [clerk to insert effective date]
52 33. Town of York: April 8, 2019

53
54 ARTICLE 3. Section 10.004(1)(b)2. is amended to read as follows:

55 **10.004 DEFINITIONS.**

56 (1) *Abandoned or discontinued use.*

57 (b) Mineral extraction uses shall be considered abandoned or discontinued if
58 the use ceases for twelve months or longer, unless the landowner or operator
59 complies with all of the following:

60 2. By January 31 of each year after submitting a reclamation plan, submits an
61 annual report that meets all the requirements of s. 74.251, Dane County Code.
62 ~~and indicates the site was active during the previous year.~~

63
64 ARTICLE 4. Section 10.004(41)(a)4. is amended to read as follows:

65 (41) *Communications tower.*

66 (a) Except as exempted below, any of the following:

67 4. Communication towers may include, but are not limited to: self-supporting
68 lattice towers, guy towers or monopole towers, radio and television transmission
69 towers, microwave towers, common-carrier towers, fixed wireless towers, or
70 cellular telephone towers.

71
72 ARTICLE 5. Section 10.004(53m) is created to read as follows:

73 (53m) *Distribution Center.* Any land use where goods are received and/or stored
74 for delivery to the ultimate customer at remote locations.

75
76 ARTICLE 6. Section 10.004(74)(a) is amended to read as follows:

77 (74) *Indoor commercial lodging.*

78 (a) A building or premises that provides lodging to transient or tourist guests,
79 that meets at least one of the following criteria:

80 1. Provides more than eight rooms available for transient guests; or

81 2. Provides accommodations for more than twenty transient or tourist guests
82 at a time; ~~or,~~

83 ~~3. Is located in a building that is not on the same zoning parcel as the~~
84 ~~landowner's principal residence.~~

85
86 ARTICLE 7. Section 10.004(171) is amended to read as follows:

87 (171) *Warehousing and distribution facilities.* Any land use oriented to the short-
88 term indoor storage, shipment, and possible repackaging of commercial
89 materials, household goods or personal property of a single user.

90
91
92

93 ARTICLE 8. Section 10.101(4)(d) is amended to read as follows:
94 **10.101 ADMINISTRATION, ENFORCEMENT AND PENALTIES.**
95 **(4) *Violations and Penalties.***
96 **(d)** Any person or persons, firm, company or corporation, owner, occupant or
97 other user of the premises who violates, disobeys, omits, neglects or refuses to
98 comply with or resists the enforcement of any of the provisions of this ordinance
99 shall be subject to a forfeiture ~~as described in s. 2.06, Dane County Code~~ of not
100 less than fifty (50) dollars and not more than two hundred (200) dollars per
101 offense.
102

103 ARTICLE 9. Section 10.101(7)(b) is amended or renumbered to read as follows:
104 **(7) *Conditional Use Permits.***
105 **(b)** Application Requirements. An application for a conditional use shall be
106 filed with the zoning administrator on a form prescribed by the zoning
107 administrator. Only complete applications will be accepted. The application shall
108 be accompanied by such plans and other information as required by this section,
109 by requirements for particular uses or as prescribed by the zoning administrator,
110 and shall include, at a minimum, the following:
111 **1.** Statement. The applicant shall provide a written statement and adequate
112 evidence demonstrating that the proposed conditional use conforms to:
113 **(a)** the standards for approval described in s. 10.101(7)(d),
114 **(b)** ~~to any standards applicable to the particular use under s. 10.103,~~ and
115 **(c)** any additional standards required in the applicable zoning district.
116 **2.** Legal description. The applicant shall provide a written legal description
117 accurately describing the specific area on the property where the conditional use
118 will operate and the conditional use permit will be effective. Conditional use
119 permit areas should be the minimum size necessary to accommodate the
120 proposed use, and need not conform to lot, zoning lot or tax parcel boundaries.
121 ~~2-3.~~ **3.** Site plan. All applications for a conditional use permit must be
122 accompanied by a site plan, meeting all the standards described in s. 10.101(6).
123 ~~3-4.~~ **4.** Operational plan. All applications for a conditional use permit must be
124 accompanied by an operational plan that describes, at a detail acceptable to the
125 zoning administrator, the following characteristics of the operation, as applicable:
126 **a.** Hours of operation.
127 **b.** Number of employees, including both full-time equivalents and maximum
128 number of personnel to be on the premises at any time.
129 **c.** Anticipated noise, odors, dust, soot, runoff or pollution and measures taken
130 to mitigate impacts to neighboring properties.
131 **d.** Descriptions of any materials stored outside and any activities, processing
132 or other operations taking place outside an enclosed building.
133 **e.** Compliance with county stormwater and erosion control standards under
134 Chapter 11 or Chapter 14, Dane County Code.
135 **f.** Sanitary facilities, including adequate private onsite wastewater treatment
136 systems and any manure storage or management plans approved by the
137 Madison & Dane County Public Health Agency and/or the Dane County Land and
138 Water Resources Department.

- 139 **g.** Facilities for managing and removal of trash, solid waste and recyclable
140 materials.
- 141 **h.** Anticipated daily traffic, types and weights of vehicles, and any provisions,
142 intersection or road improvements or other measures proposed to accommodate
143 increased traffic.
- 144 **i.** A listing of hazardous, toxic or explosive materials stored on site, and any
145 spill containment, safety or pollution prevention measures taken.
- 146 **j.** Outdoor lighting and measures taken to mitigate light-pollution impacts to
147 neighboring properties.
- 148 **k.** Signage, consistent with ss. 10.800.
- 149 **4-5.** Third Party Consultation. If necessary expertise is not available from
150 county staff, public academic institutions or from appropriate regional, state or
151 federal agencies, the committee may consult with a third party to effectively
152 evaluate a conditional use permit application. The zoning administrator, or his or
153 her designee, will select the consultant. The applicant for the conditional use
154 permit shall bear all reasonable costs and expenses associated with such
155 consultation. Applicants retain the right to withdraw a pending conditional use
156 permit application if they choose not to pay consultant fees.
- 157 **5-6.** Property Owner Consent. If the applicant for any conditional use permit is
158 not the owner of the property, the applicant must provide a signature(s) of the
159 property owner(s) on the application form or a written statement from the
160 property owner(s) granting authorization to proceed with the conditional use
161 permit application.

162
163 ARTICLE 10. Section 10.101(7)(d)2.a.xiv. is created to read as follows:

164 **(7)** *Conditional Use Permits.*

165 **(d)** Requirements and standards for conditional use permits.

166 **2.** Conditions.

167 **a.** Standard conditions. The town board and zoning committee shall impose,
168 at a minimum, the following conditions on any approved conditional use permit:

169 **xiv.** If any use allowed by an approved conditional use permit is abandoned for
170 one year or more, the associated conditional use permit shall be terminated.
171 Future re-establishment of an abandoned conditional use shall require approval
172 of a new conditional use permit.

173

174 ARTICLE 11. Section 10.101(8)(d) is amended or renumbered to read as
175 follows:

176 **(8)** Petitions to Rezone. (Zoning Map Amendments.)

177 **(d)** Conditions on rezone petitions.

178 **1.** The zoning committee may recommend and the county board may adopt
179 an ordinance effecting an amendment of the zoning district map containing
180 conditions of approval that may be appropriate or necessary to ensure
181 compliance with the requirements of the ordinance and/or consistency with
182 applicable town and county comprehensive planning policies. ~~the condition that~~
183 the change in the map will take effect on such date occurring within a specified
184 number of months of the date of county board approval of the amendment when

185 ~~the first on-site inspection for building location is made and approved for the~~
186 ~~project sought to be established, and in the event such approved inspection has~~
187 ~~not occurred by the end of the specified time period, the possibility of making~~
188 ~~effective the rezoning will then be terminated.~~

189 2. The zoning map amendment shall indicate that the change in the map will
190 take effect within a specified period of time from the date of county board
191 approval, by which time all required conditions must be satisfied. ~~The zoning~~
192 ~~committee may recommend and the county board may adopt an ordinance~~
193 ~~effecting an amendment of the zoning district map containing the condition that~~
194 ~~the change in the map will take effect on such date occurring within a specified~~
195 ~~number of months of the date of county board approval of the amendment when~~
196 ~~the first on-site inspection for building location is made and approved for the~~
197 ~~project sought to be established, and in the event such approved inspection has~~
198 ~~not occurred by the end of the specified time period, the possibility of making~~
199 ~~effective the rezoning will then be terminated.~~

200 3. Conditions on zoning map amendments may include, but are not limited to:
201 specified to be in such required covenants shall be related to the purposes of the
202 Dane County Code of Ordinances and consistency with adopted town and county
203 comprehensive plans. They may include, as specific cases warrant, limits of
204 permissible uses to less than the full range of uses otherwise allowable in the
205 district into which the land is being placed. The covenant controls shall be
206 amendable or repealable upon petition of the owner of the lands subject to the
207 controls and approval by the county board after a hearing similar to a rezoning
208 hearing. A rezoning of the lands to a different zoning district shall also act to
209 repeal the covenant controls. Except as provided above, the covenants shall run
210 with the land.

211 a. Limits of permitted or conditional uses to less than the full range of uses
212 otherwise allowable in the district into which the land is being placed.

213 b. Limitations on the size, scope, number of employees, size of buildings or
214 quantity of materials associated with a particular use.

215 c. Requirements that the landowner record a final Certified Survey Map,
216 Subdivision Plat, or Condominium Plat with the Register of Deeds.

217 d. Requirements that the landowner record, with the Register of Deeds,
218 restrictive covenants to enforce required conditions. The covenant controls shall
219 be amendable or repealable upon petition of the owner of the lands subject to the
220 controls and approval by the county board after a hearing similar to a rezoning
221 hearing. Except as amended or repealed, the covenants shall run with the land.

222 4. Failure to satisfy all required conditions within the specified time period
223 shall result in the zoning map amendment becoming null and void. Other similar
224 controls appropriate to handling by covenant provisions may also be imposed.
225

226 ARTICLE 12. Section 10.102(2) is amended or renumbered to read as follows:
227 **10.102 GENERAL PROVISIONS APPLICABLE TO ALL USES IN ALL**
228 **ZONING DISTRICTS.**

229 **(2) Buildings and structures.**

230 **(a) Accessory Buildings.**

- 231 1. Zoning Permit fees do not apply to agricultural accessory buildings on
232 farms of 35 acres or larger.
- 233 2. Except for agricultural accessory buildings, or for property management
234 sheds specifically authorized by conditional use permit, a principal building must
235 exist or be under construction prior to the construction of an accessory building.
- 236 3. Except for accessory dwelling units, accessory buildings may not be used
237 for living spaces. No guesthouses or apartments are allowed.
- 238 4. Except for accessory dwelling units or as specifically permitted by
239 conditional use permit, plumbing fixtures are prohibited in accessory buildings.
- 240 5. All accessory buildings must meet size, height and lot coverage restrictions
241 of the general provisions and applicable zoning district.
- 242 ~~(b)~~ 6. Accessory buildings must meet required setbacks from roads and the
243 locational requirements of the shoreland, wetland, and floodplain districts.
- 244 ~~(e)~~ ~~(b)~~ Modifications to existing buildings. 4. Nothing herein contained shall
245 require any change in the plans, construction or intended use of a building or
246 premises for which plans have been prepared heretofore, and the construction of
247 which shall have been diligently pursued within three (3) months after the
248 effective date of this ordinance.
- 249 (c) Height Measurements and Exceptions. Hospitals, churches, schools,
250 communication towers, water towers, chimneys, spires, penthouses, cupolas,
251 silos, windmills and similar structures may be erected to a height greater than the
252 maximum permitted in the district in which they are located; provided however,
253 that no part of that structure above such height limit shall be used for residential
254 purposes.

255
256 ARTICLE 13. Section 10.102(10)(i) is created to read as follows:

- 257 **(10)** Setback measurements and exceptions.
- 258 (i) Free-standing solar collectors may be located no closer than 3 feet from
259 any lot line and may not exceed the maximum height for an accessory building in
260 the applicable zoning district.

261
262 ARTICLE 14. Section 10.103(2)(c)3. is amended to read as follows:

263 **10.103 SPECIAL REQUIREMENTS FOR PARTICULAR USES.**

- 264 **(2)** Adult book stores.
- 265 **(c)** Adult book stores shall meet all of the following requirements:
- 266 3. No material referenced in paragraphs (a), (b), or (c) of s. 10.004~~(7)~~~~(8)~~ shall
267 be placed in any exterior window, provided that material which is not so
268 referenced may be placed in a window;

269
270 ARTICLE 15. Section 10.103(9) is amended or renumbered to read as follows:

- 271 **(9)** Communication towers.
- 272 **(a)** Purpose. The purpose and intent of this section is to provide a uniform and
273 comprehensive set of standards for the development and installation of
274 telecommunication towers and related facilities, including, but not limited to
275 broadcast radio and television facilities, mobile service support structures and
276 facilities, and fixed wireless internet facilities. The provisions of this section are

277 intended to ensure that telecommunication facilities are located, constructed,
 278 maintained and removed in a manner that:

- 279 1. Protects and promotes public health, safety, community welfare and the
 280 quality of life in Dane County as set forth within the goals, objectives and policies
 281 of the Dane County Comprehensive Plan, and this ordinance; ~~and s. 66.0404~~
 282 ~~Wis. Stats;~~
- 283 2. Respects the rights and interests of towns, neighboring property owners,
 284 and existing land uses on adjoining properties in the decision making process;
- 285 3. Recognizes the public necessity for telecommunication facilities and the
 286 numerous benefits and opportunities a robust wireless infrastructure make
 287 possible for county residents, including improved public safety, efficient
 288 production and distribution of goods and services, access to educational
 289 resources, and economic development opportunities;
- 290 4. Allows appropriate levels of service to be obtained throughout the County,
 291 including expansion to rural areas seeking access to personal communications
 292 and broadband internet services as such services are defined by the Federal
 293 Communications Commission;
- 294 5. Minimizes the number of transmission towers throughout the County;
- 295 6. Encourages the joint use of new and existing telecommunication facilities
 296 as a preferred siting option;
- 297 7. Ensures that all telecommunication facilities, including towers, antennas,
 298 and ancillary facilities are located and designed to minimize the visual and
 299 environmental impact on the immediate surroundings and throughout the county;
 300 ~~and~~
- 301 8. Avoids potential damage to adjacent properties from tower failure or ice
 302 falls through sound engineering and careful siting of structures.; and
- 303 9. Provides a public forum to assure a balance between public concerns and
 304 private interests in establishing commercial telecommunications and related
 305 facilities.

306 **(b)** New construction or substantial modification of communication towers.

- 307 1. Application Materials Process. New or substantially modified
 308 communication towers require approval of a conditional use permit. In addition to
 309 materials required under s. 10.101(6), the ~~landowner~~ applicant must provide, in a
 310 form acceptable to the zoning administrator, the following:
 - 311 a. Application. Completed communications tower conditional use permit
 312 application form, that includes, at a minimum:
 - 313 i. The name and business address of, and the contact individual for, the
 314 applicant. If the applicant is a tower company or site acquisition consultant, the
 315 name(s), address(es), and contact individual(s) for the anchor tenant(s) along
 316 with the FCC license number(s) of the carrier(s) or service provider(s).
 - 317 ii. The precise location and base ground elevation above mean sea level of
 318 the proposed or affected support structure. Location information shall be
 319 provided in latitude/longitude coordinates.
 - 320 iii. ~~The location of the proposed mobile service facility~~ specific type(s) of
 321 communication services(s) to be provided by the proposed facility, the operating

322 frequency or frequencies at which service(s) will be provided, and the minimum
323 required elevation above mean sea level necessary to provide the services.

324 **b.** Project narrative. A signed project narrative explaining the need for a new
325 or modified communication tower. The narrative should also include the following
326 information:

327 **i.** An explanation why the particular site was selected.

328 **ii.** For an application to construct a new tower, an explanation as to why the
329 applicant chose the proposed location and why the applicant did not choose
330 collocation, that addresses the requirements of section 10.103(9)(c)1. below. The
331 narrative must include a sworn statement from an individual who has
332 responsibility over the placement of the mobile service support structure attesting
333 that collocation within the applicant's search ring would not result in the same
334 mobile service functionality, coverage, and capacity; is technically infeasible; or is
335 economically burdensome to the mobile service provider. For the purposes of
336 this ordinance, cost savings or increased profitability shall not be considered an
337 economic burden. ~~For the purposes of this section, "economically burdensome"~~
338 ~~means that the cost of collocation exceeds the cost of construction of a new~~
339 ~~tower by 25 percent or more.~~

340 **c.** Search ring map. Applicants must submit a search ring map drawn to a
341 measurable scale, showing the area in which the applicant seeks to locate their
342 equipment. The map must show and include road names, municipal boundaries,
343 all existing telecommunication facilities within 1.5 miles of the search ring, and
344 any tall structure over 100' in height within the search ring. The map must
345 document and assign an identification number to all existing towers within the
346 designated radius and include a brief statement explaining why the tower is not
347 viable for collocation. The zoning administrator may require that the map be
348 accompanied by a table providing additional data for each existing tower within
349 1.5 miles of the search ring, including but not limited to, the following: simple
350 description of the tower, existing and maximum design height, FCC registration
351 number; owner's name and contact information; number of collocation spots
352 occupied and available on the tower; present percentage of use of the tower,
353 available aperture at the requester's preferred height, type of communication
354 technology being used.

355 **d.** Radio frequency propagation maps. Two radio frequency (RF) propagation
356 plots depicting the carrier's current service (clearly highlighting the existing
357 service area void), and the service to be gained by the proposed facility. These
358 plots shall be prepared in accordance with accepted industry standards and shall
359 be accompanied by a clear and simply written description by an RF engineer
360 explaining the plots and how to read them.

361 **e.** Site plan. In addition to all of the information required under s. 10.101(6),
362 site plans must include the following information:

363 **i.** Existing or proposed zoning and conditional use permit area and proposed
364 or existing lease area

365 **ii.** Existing and/or proposed tower compound area depicting location and
366 layout of existing and/or proposed tower and related facilities including distances
367 to the lease and CUP area;

368 **iii.** Existing and/or proposed residences (if any) on both the subject property
369 and neighboring properties within .5 mile of the subject property – distances
370 should be shown to neighboring residences located within 1,500' per 100' of
371 tower height.

372 **f.** Preliminary Design / Construction Plans site photos and photo simulations.
373 A description of the tower design and height. The description shall include:

374 **i.** A preliminary scaled elevation drawing of the proposed tower showing the
375 location and elevation (feet Above Ground Level and Above Mean Sea Level) of
376 each potential antenna array and any anticipated lighting. The drawing should
377 also identify the proposed color and surfacing of the tower and ancillary facilities;

378 **ii.** A statement indicating the anticipated design capacity of the tower in terms
379 of the number, ~~and~~ type and height of collocations it is designed to
380 accommodate;

381 **iii.** Preliminary drawings showing the dimensions and design details for all
382 tower facilities, including the specific types of communications equipment to be
383 mounted on the tower.

384 **iv.** Information regarding any anticipated or proposed lighting, including types
385 and color of lights, and whether lighting is nighttime only or both day / night and
386 any difference between time periods.

387 **v.** Site photos and photo simulations showing the proposed location of the
388 tower from adjoining properties and depicting the appearance of the tower
389 following installation. Photo simulations shall include a scaled representation of
390 the tower superimposed on the site photos taken from adjoining properties.

391 **vi.** Statement of compliance with Federal Communications Commission
392 guidelines on radio frequency exposure and interference. Compliance statement
393 must be on letterhead of the licensed carrier(s) proposing to provide
394 telecommunications services on the tower.

395 **g.** Notification to Other Carriers. Applicants shall provide written notification to
396 other carriers licensed to provide wireless services in Dane County informing
397 them of the intent to construct a new telecommunication tower. The zoning
398 administrator shall maintain a list of licensed carriers, including contact
399 information and a standard form that may be used to fulfill this requirement.

400 **h.** Notification to Nearby Airports. The applicant shall provide written
401 notification to all operators and owners of airports located within 5 miles of the
402 proposed site.

403 **i.** Aeronautic Hazards. The applicant shall provide copies of a determination
404 of no hazard from the federal aviation administration, including any aeronautical
405 study or other findings, if applicable.

406 ~~**j.** Existing and Proposed Network Buildout. Written description, map, and~~
407 ~~attribute table documenting the applicant's existing network in Dane County.~~
408 ~~Describe and show on a map generally where gaps in service currently exist.~~
409 ~~Describe and show on a map the applicant's future plans for placement or~~
410 ~~construction of communication towers in Dane County and one mile surrounding~~
411 ~~the County's border in addition to the proposed tower that is the subject of the~~
412 ~~application.~~

413 **k.** ~~Other information – Depending upon the proposal, the county Zoning~~
414 ~~Administrator, 3rd party engineering consultant, and/or Zoning & Land Regulation~~
415 ~~Committee may request additional information from the applicant as may be~~
416 ~~deemed necessary for review of a prior to acting on a Conditional Use Permit~~
417 ~~application.~~
418 **l.** Fees. Application and review fees as required in Chapter 12.
419 **2.** Determination of completeness. Within 10 days of receipt of an application
420 for a new or substantially modified communication tower, the zoning
421 administrator or his/her designee shall provide the applicant with a written
422 determination of completeness. If an application is not complete, the notification
423 shall specify in detail the required information that was incomplete.
424 **3.** Third party radio frequency engineering review. Unless waived by the
425 committee, all applications shall be reviewed by the county's third party radio
426 frequency engineering consultant for completeness and compliance with all
427 applicable local, state, and federal regulations. All reasonable costs and
428 expenses associated with such consultation, except travel expenses, shall be
429 borne by the applicant. Failure to pay such costs and expenses, or provide
430 information requested by the committee shall be grounds for denial or revocation
431 of a conditional use permit.
432 **4.** Existing and Proposed Network Buildout. The committee may require that
433 an applicant for a conditional use permit provide a written description, map, and
434 attribute table documenting the applicant's existing network in Dane County.
435 Describe and show on a map generally where gaps in service currently exist.
436 Describe and show on a map the applicant's future plans for placement or
437 construction of communication towers in Dane County and one mile surrounding
438 the County's border in addition to the proposed tower that is the subject of the
439 application.
440 **5.** Action on Conditional Use Permit application. Within 90 days of receipt of a
441 complete application for a new or substantially modified communication tower,
442 the committee will make a final decision whether to approve or disapprove the
443 application. Committee decisions shall be supported by substantial evidence.
444 The 90 day time period may be extended upon mutual agreement of the
445 applicant and county.
446 **6.** Failure to provide information or materials required under this section shall
447 be grounds for disapproval of a Conditional Use Permit application.
448 **(c)** General standards.
449 **1.** No conditional use permit for the placement or construction of a
450 telecommunication tower shall be issued unless the applicant presents to the
451 committee substantial evidence establishing to a reasonable degree of certainty
452 the following:
453 **a.** No existing communication tower is located within the area in which the
454 applicant's equipment must be located; or
455 **b.** No existing communication tower within the area in which the applicant's
456 equipment must be located is of sufficient height to meet applicant's
457 requirements and the deficiency in height cannot be remedied at a reasonable
458 cost; or

459 c. No existing communication tower within the area in which the applicant's
460 equipment must be located has sufficient structural strength to support
461 applicant's equipment and the deficiency in structural strength cannot be
462 remedied at a reasonable cost; or
463 d. The applicant's equipment would cause electromagnetic interference with
464 equipment on the existing communication tower(s) within the area in which the
465 applicant's equipment must be located, or the equipment on the existing
466 communication tower(s) would cause interference with the applicant's equipment
467 and the interference, from whatever source, cannot be eliminated at a
468 reasonable cost; or
469 e. The fees, costs or contractual provisions required by the owner in order to
470 collocate on an existing communication tower are unreasonable relative to
471 industry norms; or
472 f. The applicant demonstrates that there are other factors that render existing
473 communication towers unsuitable or unavailable and establishes that the public
474 interest is best served by the placement or construction of a new communication
475 tower.
476 2. The cost of eliminating physical or technical impediments to collocation
477 referenced in subsection (c)1.b, c, and d, above, shall be deemed reasonable if it
478 does not exceed by 25 percent the cost of constructing a new tower on which to
479 mount applicant's equipment. Applicants must provide substantial evidence in the
480 form of detailed cost estimates for structural or technical improvements from
481 firms qualified and authorized to perform such services.
482 3. Any application for a new telecommunication tower being made on the
483 basis of unreasonable fees, costs, or contractual provisions for collocation on an
484 existing tower as referenced in subsection (c)1.e. above, must provide
485 substantial evidence to the Zoning and Land Regulation Committee in the form of
486 actual estimates of said fees, costs, or contractual provisions.
487 4. Failure or refusal to evaluate the feasibility of collocation shall be grounds
488 for disapproval of a conditional use permit application.
489 4.5. Height. Height shall meet any applicable airport height limitation
490 ordinances. No tower may be more than 195 feet in height unless a variance
491 waiver from this requirement is granted by the Zoning and Land Regulation
492 Committee based on unique transmission condition problems which cannot be
493 overcome by another location.
494 2.6. Setbacks to property boundaries and public rights of way. All structures
495 must meet all front, side and rear setbacks provided by this ordinance and
496 Chapter 11, Dane County Code.
497 7. Minimum distance from other telecommunications towers. No
498 telecommunication tower may be erected within 0.5 miles of an existing
499 telecommunication tower unless a waiver from this requirement is granted by the
500 Zoning and Land Regulation Committee based on unique transmission condition
501 problems which cannot be overcome by another location or other reason the
502 committee deems necessary to serve the public interest.

503 (d) Standard Conditions. In addition to the conditions described in s.
504 10.101(7)(d), the town board and zoning committee must impose the following
505 conditions on any tower constructed under this section.

506 1. New or substantially modified towers must be designed to support, without
507 substantial modification, at least three users (the primary user and two
508 collocation sites) for mounting of equipment supporting International
509 Telecommunications Union “International Mobile Telecommunications-Advanced”
510 systems (a/k/a “LTE / Long-term evolution”). A Wisconsin-licensed Structural
511 Engineer shall approve and stamp the tower design, and certify that the tower
512 can support at least three users.

513 2. In applying the standards and criteria set forth in this ordinance and in
514 section 10.101(7)(d), D. C. Ords., to applications for conditional use permits for
515 the placement or construction of a communication tower the committee shall,
516 unless it is shown to be unreasonable, condition the grant of the permit upon the
517 applicant placing or constructing the communication tower so as to
518 accommodate, at a minimum height of 150 feet, the collocation of two additional
519 antenna arrays similar in size and function to that placed on the tower by the
520 applicant. Collocation sites need not be available on the tower as initially placed
521 or constructed, provided that the tower will support at the specified minimum
522 height the later addition of the required number of collocation sites.
523 Notwithstanding the height and number of collocation sites on the tower as
524 initially placed or constructed, the communication tower design approved and
525 permitted under this ordinance shall be for a tower of 150 feet in height and shall
526 include the required collocation sites. The holder of a permit under this section
527 shall make the collocation sites required hereunder available for the placement of
528 technologically compatible antenna arrays and equipment upon contractual
529 provisions which are standard in the industry and at prevailing market rates
530 allowing the permit holder to recoup the cost of providing the collocation sites
531 and a fair return on investment. The holder of the Conditional Use Permit shall,
532 upon request, make required collocation sites available for the mounting of
533 technologically compatible antenna arrays and equipment. Rates charged for
534 collocation must conform to the prevailing market rate in the region and upon
535 contractual provisions which are standard in the industry.

536 3. The committee may require, unless it is shown to be unreasonable,
537 modifications to the tower design, including but not limited to visual screening or
538 landscaping, that it deems necessary to minimize the aesthetic impact of the
539 tower.

540 ~~3.4. No lease or deed restriction on property that is proposed for the location of~~
541 ~~a mobile service support structure or mobile service facility shall preclude the~~
542 ~~owner or lessee from entering into agreements, leases, or subleases with other~~
543 ~~providers or prohibit collocation of other providers. Financial surety bonds or~~
544 ~~other security instruments, as described in s. 10.101(7)(d)2.b.x., will be required.~~

545 5. Upon written inquiry by the committee, the holder of a Conditional Use
546 Permit issued under this section shall have the burden of presenting to the
547 committee credible evidence establishing to a reasonable certainty the continued
548 compliance with all applicable standards and conditions placed upon the

549 conditional use permit. Failure to establish compliance with the standards and
550 conditions shall be grounds for revocation of the permit. In the event the
551 committee determines that it is necessary to consult with a third party to
552 ascertain compliance with the standards and conditions, all reasonable costs and
553 expenses, except travel expenses, associated with such consultation shall be
554 borne by the holder of said conditional use permit. Failure to pay such costs and
555 expenses or provide information requested by the committee shall be grounds for
556 revocation of the conditional use permit.

557 6. Conditional use permits issued under this section shall identify the primary
558 type or types of transmission equipment which is to be placed on the subject
559 communication tower. Any communication tower on which the transmission
560 equipment so identified is no longer placed or used for a continuous period of 12
561 months shall, upon notification by the committee, be removed by the holder of
562 the conditional use permit issued under this section. If the tower is not removed
563 within 60 days of such notification, the county may remove the tower at the
564 expense of the holder of the conditional use permit. Financial surety bonds or
565 other security instruments, as described in s. 10.101(7)(d)2.b.x., will be required.
566

567 ARTICLE 16. Sections 10.212(2)(g) and (h) are amended to read as follows:

568 **10.212 RE (RECREATIONAL) ZONING DISTRICT.**

569 **(2)** Permitted uses.

570 **(g)** ~~Pasturing/grazing of domestic animals~~ livestock, limited to one (1) animal
571 unit per each full acre.

572 **(h)** Uses permitted within a shoreland or inland – wetland district under ss.
573 11.07 and 11.08, Dane County Code. Pasturing of livestock is subject to the
574 animal unit limitation in sub. ~~(e)~~ (g), above.

575

576 ARTICLE 17. Section 10.221(2)(a) is amended to read as follows:

577 **10.221 FP-1 (SMALL-LOT FARMLAND PRESERVATION) ZONING DISTRICT.**

578 **(2)** Permitted uses. The following are permitted uses in this district:

579 **(a)** Agricultural uses, subject to the limitations below.

580 **1.** Unless authorized under a conditional use permit, livestock are prohibited
581 on parcels of five acres or less.

582 **2.** Unless a higher density is authorized under a conditional use permit,
583 livestock are limited to one animal unit per acre on parcels between five and
584 thirty-five acres.

585

586 ARTICLE 18. Section 10.221(3) is amended and renumbered to read as follows:

587 **(3)** Conditional uses.

588 **(a)** Agricultural accessory uses. In addition to the other requirements of this
589 ordinance, the following uses must meet the definition of an agricultural
590 accessory use under s. 10.004(12).

591 **1.** Agricultural entertainment activities or special events.

592 **2.** Farm related exhibitions, sales or events such as auctions, dairy
593 breakfasts, exhibitions of farm machinery and technology, agricultural association

594 meetings and similar activities, occurring on more than ten days in a calendar
595 year.

596 **3.** Limited farm business.

597 **4.** Sale of agricultural and dairy products not produced on the premises and
598 incidental sale of non-alcoholic beverages and snacks.

599 **5.** Sanitary facilities in an agricultural accessory building.

600 ~~(b)~~ Livestock on parcels five acres or less.

601 ~~(c)~~ Livestock in excess of one animal unit per acre on parcels between five
602 and thirty-five acres.

603 ~~(b)(d)~~ Transportation, communications, pipeline, electric transmission, utility, or
604 drainage uses, not listed as a permitted use above.

605 ~~(e)(e)~~ Electric generating facilities, provided 100% of the production output of the
606 facility is derived from renewable energy resources.

607

608 ARTICLE 19. Section 10.223(8) is amended to read as follows:

609 **10.223 FP-B (FARMLAND PRESERVATION – BUSINESS) ZONING
610 DISTRICT.**

611 **(8)** Other restrictions on buildings.

612 **(a)** Accessory buildings.

613 **1.** There is no limitation on the number of accessory buildings in the ~~FP-35~~
614 FP-B district.

615

616 ARTICLE 20. Section 10.233(3) is amended and renumbered to read as follows:

617 **10.233 RM-8 (RURAL MIXED-USE, 8-16 ACRES) ZONING DISTRICT.**

618 **(3)** Conditional uses.

619 **(a)** Agricultural entertainment activities or special events occurring 10 days or
620 more per calendar year, in aggregate.

621 **(b)** Attached accessory dwelling units.

622 ~~(c)~~ Cemeteries.

623 ~~(e)(d)~~ Community living arrangements for 9 or more persons.

624 ~~(d)(e)~~ Domestic pet animal boarding.

625 ~~(e)(f)~~ Electric generating facilities, provided 100% of the production output of the
626 facility is derived from renewable energy resources.

627 ~~(f)(g)~~ Farm related exhibitions, sales or events such as auctions, dairy
628 breakfasts, exhibitions of farm machinery and technology, agricultural association
629 meetings and similar activities, occurring on more than five days in a calendar
630 year.

631 ~~(g)(h)~~ Governmental, institutional, religious, or nonprofit community uses.

632 ~~(h)(i)~~ Large animal boarding.

633 ~~(i)(j)~~ Limited family business.

634 ~~(k)~~ Limited farm business.

635 ~~(j)(l)~~ Migrant farm labor camps certified under s. 103.92, Wis. Stats.

636 ~~(k)(m)~~ Recreational racetracks.

637 ~~(l)(n)~~ Sanitary facilities in agricultural accessory buildings.

638 ~~(m)(o)~~ Tourist or transient lodging.

639 ~~(n)~~(p) Transportation, communications, pipeline, electric transmission, utility, or
640 drainage uses, not listed as a permitted use above.

641 ~~(o)~~(q) Veterinary clinics.

642

643 ARTICLE 21. Section 10.234(3) is amended and renumbered to read as follows:

644 **10.234 RM-16 (RURAL MIXED-USE, 16-35 ACRES) ZONING DISTRICT.**

645 **(3)** Conditional uses.

646 **(a)** Agricultural entertainment activities or special events exceeding 10 days or
647 more per calendar year, in aggregate.

648 **(b)** Airports, landing strips or heliports for private aircraft owned by the
649 landowner.

650 **(c)** Attached accessory dwelling units.

651 **(d)** Cemeteries.

652 ~~(d)~~(e) Community living arrangements for 9 or more persons.

653 ~~(e)~~(f) Domestic pet animal boarding.

654 ~~(f)~~(g) Electric generating facilities, provided 100% of the production output of the
655 facility is derived from renewable energy resources.

656 ~~(g)~~(h) Farm related exhibitions, sales or events such as auctions, dairy
657 breakfasts, exhibitions of farm machinery and technology, agricultural association
658 meetings and similar activities, occurring on more than five days in a calendar
659 year.

660 ~~(h)~~(i) Governmental, institutional, religious, or nonprofit community uses.

661 ~~(i)~~(j) Large animal boarding.

662 ~~(j)~~(k) Limited family business.

663 **(l)** Limited farm business.

664 ~~(k)~~(m) Migrant farm labor camps certified under s. 103.92, Wis. Stats.

665 ~~(l)~~(n) Mineral extraction.

666 ~~(m)~~(o) Recreational racetracks.

667 ~~(n)~~(p) Sanitary facilities in agricultural accessory buildings.

668 ~~(o)~~(q) Temporary asphalt or concrete production.

669 ~~(p)~~(r) Tourist and transient lodging.

670 ~~(q)~~(s) Transportation, communications, pipeline, electric transmission, utility, or
671 drainage uses, not listed as a permitted use above.

672 ~~(r)~~(t) Veterinary clinics.

673

674 ARTICLE 22. Section 10.234(8)(b)2. is amended to read as follows:

675 **(8)** Other restrictions on buildings.

676 **(b)** Accessory buildings.

677 **2.** Except for agricultural accessory buildings, ~~or for property maintenance~~
678 ~~sheds specifically approved by conditional use permit,~~ accessory buildings may
679 not be constructed on property without a principal residence.

680

681 ARTICLE 23. Section 10.241(3) is amended and renumbered to read as follows:

682 **10.241 RR-1 (RURAL RESIDENTIAL, 1 TO 2 ACRES) ZONING DISTRICT.**

683 **(3)** Conditional uses.

684 **(a)** Attached accessory dwelling units.

- 685 **(b)** Cemeteries.
686 ~~**(b)(c)**~~ Limited family business.
687 ~~**(c)(d)**~~ Day Care Centers.
688 ~~**(d)(e)**~~ Community living arrangements for nine (9) or more persons.
689 ~~**(e)(f)**~~ Governmental, institutional, religious, or nonprofit community uses.
690 ~~**(f)(g)**~~ Transient or Tourist Lodging.
691 ~~**(g)(h)**~~ Transportation, communications, pipeline, electric transmission, utility, or
692 drainage uses, not listed as a permitted use above.

693

694 ARTICLE 24. Section 10.241(7) is amended to read as follows:

695 **(7)** Lot coverage. No building together with its accessory buildings shall
696 occupy in excess of 30 percent (30%) of the area of an interior lot or 35 percent
697 (35%) of the area of a corner lot, excluding public right-of-way. The total area of
698 all buildings and structures must not exceed 30% of the total lot area, or 35% for
699 corner lots, excluding public rights-of-way.

700

701 ARTICLE 25. Section 10.242(3) is amended and renumbered to read as follows:

702 **10.242 RR-2 (RURAL RESIDENTIAL, 2 TO 4 ACRES) ZONING DISTRICT.**

703 **(3)** Conditional uses.

704 **(a)** Attached accessory dwelling units.

705 **(b)** Animal use exceeding one animal unit per acre.

706 **(c)** Cemeteries.

707 ~~**(c)(d)**~~ Limited family business.

708 ~~**(d)(e)**~~ Day Care Centers.

709 ~~**(e)(f)**~~ Community living arrangements for nine (9) or more persons.

710 ~~**(f)(g)**~~ Governmental, institutional, religious, or nonprofit community uses.

711 ~~**(g)(h)**~~ Transient or Tourist Lodging.

712 ~~**(h)(i)**~~ Transportation, communications, pipeline, electric transmission, utility, or
713 drainage uses, not listed as a permitted use above.

714

715 ARTICLE 26. Section 10.243(3) is amended and renumbered to read as follows:

716 **10.243 RR-4 (RURAL RESIDENTIAL, 4 TO 8 ACRES) ZONING DISTRICT.**

717 **(3)** Conditional uses.

718 **(a)** Attached accessory dwelling units.

719 **(b)** Animal use exceeding one animal unit per acre.

720 **(c)** Limited family business.

721 **(d)** Day Care Centers.

722 **(e)** Cemeteries.

723 ~~**(e)(f)**~~ Community living arrangements for nine (9) or more persons.

724 ~~**(f)(g)**~~ Governmental, institutional, religious, or nonprofit community uses.

725 ~~**(g)(h)**~~ Transient or Tourist Lodging.

726 ~~**(h)(i)**~~ Transportation, communications, pipeline, electric transmission, utility, or
727 drainage uses, not listed as a permitted use above.

728

729 ARTICLE 27. Section 10.244(3) is amended and renumbered to read as follows:

730 **10.244 RR-8 (RURAL RESIDENTIAL, 8 TO 16 ACRES) ZONING DISTRICT.**

- 731 (3) Conditional uses.
- 732 (a) Attached accessory dwelling units.
- 733 (b) Animal use exceeding one animal unit per acre.
- 734 (c) Limited family business.
- 735 (d) Day Care Centers.
- 736 (e) Cemeteries.
- 737 ~~(e)~~(f) Community living arrangements for nine (9) or more persons.
- 738 ~~(f)~~(g) Governmental, institutional, religious, or nonprofit community uses.
- 739 ~~(g)~~(h) Property maintenance sheds.
- 740 ~~(h)~~(i) Transient or Tourist Lodging.
- 741 ~~(i)~~(j) Transportation, communications, pipeline, electric transmission, utility, or
- 742 drainage uses, not listed as a permitted use above.

743

744 ARTICLE 28. Section 10.245 is created to read as follows:

745 **10.245 RR-16 (RURAL RESIDENTIAL, 16 TO 35 ACRES) ZONING DISTRICT.**

746 **(1) Purpose.** The Rural Residential 16 district is designed to:

747 **(a) Provide for single-family residential principal uses and a variety of**

748 **accessory or ancillary uses, including small-scale farming, appropriate to a rural**

749 **setting, on relatively large residential parcels. The RR-16 district accommodates**

750 **uses which are compatible with both residential and farming practices, are**

751 **typically found in a rural location and do not require urban services.**

752 **(b) Such uses typically generate traffic, noise or other impacts similar to those**

753 **produced by a single-family residence.**

754 **(2) Permitted uses.**

755 **(a) Undeveloped natural resource and open space areas.**

756 **(b) Small-scale farming.**

757 **(c) Single family residential.**

758 **(d) Residential accessory buildings.**

759 **(e) Home occupations.**

760 **(f) Foster homes for less than five children.**

761 **(g) Community living arrangements for fewer than 9 persons.**

762 **(h) Incidental room rental.**

763 **(i) Utility services associated with, and accessory to, a permitted or**

764 **conditional use.**

765 **(j) A transportation, utility, communication, or other use that is:**

766 **1. required under state or federal law to be located in a specific place, or;**

767 **2. is authorized to be located in a specific place under a state or federal law**

768 **that specifically preempts the requirement of a conditional use permit.**

769 **(3) Conditional uses.**

770 **(a) Attached accessory dwelling units.**

771 **(b) Animal use exceeding one animal unit per acre.**

772 **(c) Limited family business.**

773 **(d) Day Care Centers.**

774 **(e) Cemeteries.**

775 **(f) Community living arrangements for nine (9) or more persons.**

776 **(g) Governmental, institutional, religious, or nonprofit community uses**

777 (h) Property maintenance sheds.
778 (i) Transient or Tourist Lodging.
779 (j) Transportation, communications, pipeline, electric transmission, utility, or
780 drainage uses, not listed as a permitted use above.
781 (4) Lot size requirements.
782 (a) Minimum lot size. All lots created in the RR-16 zoning district must be at
783 least 16 acres in area, excluding public rights-of-way.
784 (b) Maximum lot size. All lots created in the RR-16 zoning district must be
785 smaller than 35 acres in area, excluding public rights-of-way.
786 (c) Minimum lot width. All lots created in the RR-16 zoning district must have a
787 minimum lot width of 100 feet.
788 (5) Setbacks and required yards.
789 (a) Front yard. Any permitted structure must comply with road setbacks as
790 described in s. 10.102(9).
791 (b) Side yard.
792 1. Permitted residences must be at least a total of 25 feet from both side lot
793 lines, and not less than 10 feet from any one side lot line.
794 2. Accessory buildings housing livestock must be at least:
795 a. 50 feet from the side lot line of any parcel in any of the Residential, Rural
796 Residential or Hamlet zoning districts, or
797 b. 10 feet from any other side lot line.
798 3. Accessory buildings not housing livestock must be at least 10 feet from any
799 side lot line.
800 (c) Rear yard.
801 1. Permitted residences must be at least 50 feet from the rear lot line.
802 2. Uncovered decks and porches attached to a permitted residence must be
803 at least 38 feet from the rear lot line.
804 3. Accessory buildings housing livestock, must be at least:
805 a. 50 feet from the rear lot line of any parcel in any of the Residential, Rural
806 Residential or Hamlet zoning districts, or
807 b. 10 feet from any other rear lot line.
808 4. Accessory buildings not housing livestock must be at least 10 feet from the
809 rear lot line.
810 (6) Building height.
811 (a) Residential buildings.
812 1. Principal residential buildings shall not exceed a height of two and a half
813 stories or 35 feet.
814 2. Residential accessory buildings shall not exceed a height of 35 feet.
815 (b) Agricultural buildings. There is no limitation on height for agricultural
816 buildings.
817 (7) Lot coverage. The total area of all buildings and structures must not exceed
818 10% of the total lot area, excluding public rights-of-way.
819
820
821
822

823 ARTICLE 29. Section 10.251(3) is amended and renumbered to read as follows:
824 **10.251 SFR-08 (SINGLE-FAMILY RESIDENTIAL, SMALL LOTS) ZONING**
825 **DISTRICT.**

- 826 **(3)** Conditional uses.
- 827 **(a)** Accessory buildings between 12 and 16 feet in height.
- 828 **(b)** Attached accessory dwelling units.
- 829 **(c)** Community living arrangements for nine (9) or more persons.
- 830 **(d)** Day Care Centers.
- 831 **(e)** Cemeteries.
- 832 **(e)(f)** Governmental, institutional, religious, or nonprofit community uses.
- 833 **(f)(g)** Transient or Tourist Lodging.
- 834 **(g)(h)** Transportation, communications, pipeline, electric transmission, utility, or
835 drainage uses, not listed as a permitted use above.

836
837 ARTICLE 30. Section 10.251(5)(c) is amended to read as follows:

- 838 **(c)** Rear yard.
 - 839 1. Permitted residences must be at least ~~50~~ 25 feet from the rear lot line.
 - 840 2. Uncovered decks and porches attached to a permitted residence must be
841 at least ~~38~~ 13 feet from the rear lot line.
 - 842 3. Except as exempted in 4 below, accessory buildings must be at least 10
843 feet from the rear lot line.
 - 844 4. Accessory buildings in the rear yard that are at least 10 feet from the
845 principal residence must be at least:
 - 846 a. 4 feet from any rear lot line on lots 60 feet or more in width, or
 - 847 b. 2.5 feet from any rear lot line on lots less than 60 feet in width.

848
849 ARTICLE 31. Section 10.252(3) is amended and renumbered to read as follows:
850 **10.252 SFR-1 (SINGLE-FAMILY RESIDENTIAL, 1 TO 2 ACRES) ZONING**
851 **DISTRICT.**

- 852 **(3)** Conditional uses.
- 853 **(a)** Attached accessory dwelling units.
- 854 **(b)** Day Care Centers.
- 855 **(c)** Cemeteries.
- 856 **(c)(d)** Community living arrangements for nine (9) or more persons.
- 857 **(d)(e)** Governmental, institutional, religious, or nonprofit community uses.
- 858 **(e)(f)** Transient or Tourist Lodging.
- 859 **(f)(g)** Transportation, communications, pipeline, electric transmission, utility, or
860 drainage uses, not listed as a permitted use above.

861
862 ARTICLE 32. Section 10.253(3) is amended and renumbered to read as follows:
863 **10.253 SFR-2 (SINGLE-FAMILY RESIDENTIAL, 2 TO 4 ACRES) ZONING**
864 **DISTRICT.**

- 865 **(3)** Conditional uses.
- 866 **(a)** Attached accessory dwelling units.
- 867 **(b)** Day Care Centers.
- 868 **(c)** Cemeteries.

869 ~~(e)~~(d) Community living arrangements for nine (9) or more persons.
870 ~~(d)~~(e) Governmental, institutional, religious, or nonprofit community uses.
871 ~~(e)~~(f) Transient or Tourist Lodging.
872 ~~(f)~~(g) Transportation, communications, pipeline, electric transmission, utility, or
873 drainage uses, not listed as a permitted use above.

874
875 ARTICLE 33. Section 10.254(3) is amended and renumbered to read as follows:

876 **10.254 TFR-08 (TWO-FAMILY RESIDENTIAL) ZONING DISTRICT.**

877 (3) Conditional uses.
878 (a) Accessory buildings between 12 and 16 feet in height.
879 (b) Cemeteries.
880 ~~(b)~~(c) Community living arrangements for nine (9) or more persons.
881 ~~(c)~~(d) Day Care Centers.
882 ~~(d)~~(e) Detached accessory dwelling units.
883 ~~(e)~~(f) Governmental, institutional, religious, or nonprofit community uses.
884 ~~(f)~~(g) Transient or Tourist Lodging.
885 ~~(g)~~(h) Transportation, communications, pipeline, electric transmission, utility, or
886 drainage uses, not listed as a permitted use above.

887
888 ARTICLE 34. Section 10.255(3) is amended and renumbered to read as follows:

889 **10.255 MFR-08 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICT.**

890 (3) Conditional uses.
891 (a) Accessory buildings between 12 and 16 feet in height.
892 (b) Cemeteries.
893 ~~(b)~~(c) Day Care Centers.
894 ~~(c)~~(d) Governmental, institutional, religious, or nonprofit community uses.
895 (e) Institutional residential.
896 ~~(d)~~(f) Manufactured home communities, subject to s. 10.103(14).
897 ~~(e)~~(g) Transportation, communications, pipeline, electric transmission, utility, or
898 drainage uses, not listed as a permitted use above.

899
900 ARTICLE 35. Section 10.255(6) is amended to read as follows:

901 (6) Building height.
902 (a) Principal buildings.
903 1. Single-family or two-family Residential buildings shall not exceed two and
904 a half stories or 35 feet in height.
905 2. Multi-family buildings shall not exceed 4 stories.
906 (b) Accessory buildings. Unless under an approved conditional use permit
907 under s. 10.255(3)(a), accessory buildings shall not exceed 12 feet in height.

908
909 ARTICLE 36. Section 10.261(2) is amended and renumbered to read as follows:

910 **10.261 HAM-R (HAMLET RESIDENTIAL) ZONING DISTRICT.**

911 (2) Permitted uses.
912 (a) Undeveloped natural resource and open space areas.
913 (b) Single family residential.
914 (c) Duplexes.

- 915 (d) Attached accessory dwelling units.
 916 (e) Residential accessory buildings.
 917 (f) Foster homes for less than five children licensed under s. 48.62, Wis.
 918 Stats.
 919 (g) Home occupations.
 920 (h) Domestic fowl and beekeeping.
 921 (i) Incidental room rental.
 922 (j) Cemeteries.
 923 ~~(j)~~(k) Community living arrangements for less than nine persons.
 924 ~~(k)~~(l) Governmental, institutional, religious, or nonprofit community uses.
 925 ~~(l)~~(m) Utility services associated with, and accessory to, a permitted or
 926 conditional use.
 927 ~~(m)~~(n) Undeveloped natural resource and open space areas.
 928 ~~(n)~~(o) A transportation, utility, communication, or other use that is:
 929 1. required under state or federal law to be located in a specific place, or;
 930 2. is authorized to be located in a specific place under a state or federal law
 931 that specifically preempts the requirement of a conditional use permit.
 932
 933 ARTICLE 37. Section 10.262(2) is amended and renumbered to read as follows:
 934 **10.262 HAM-M (HAMLET – MIXED-USE) ZONING DISTRICT.**
 935 (2) Permitted uses.
 936 (a) Undeveloped natural resource and open space areas.
 937 (b) Single family residential.
 938 (c) Duplexes.
 939 (d) Attached accessory dwelling units.
 940 (e) Residential accessory buildings.
 941 (f) Home occupations.
 942 (g) Foster homes for less than five children licensed under s. 48.62, Wis.
 943 Stats.
 944 (h) Indoor Sales.
 945 (i) Incidental room rental.
 946 (j) Cemeteries.
 947 ~~(j)~~(k) Community living arrangements for less than nine persons.
 948 ~~(k)~~(l) Personal or Professional Service.
 949 ~~(l)~~(m) Office uses.
 950 ~~(m)~~(n) Governmental, institutional, religious, or nonprofit community uses.
 951 ~~(n)~~(o) Utility services associated with, and accessory to, a permitted or
 952 conditional use.
 953 ~~(o)~~(p) Transient or Tourist Lodging.
 954 ~~(p)~~(q) Active or passive recreational uses.
 955 ~~(q)~~(r) A transportation, utility, communication, or other use that is:
 956 1. required under state or federal law to be located in a specific place, or;
 957 2. is authorized to be located in a specific place under a state or federal law
 958 that specifically preempts the requirement of a conditional use permit.
 959
 960

961 ARTICLE 38. Section 10.271(3) is amended and renumbered to read as follows:
962 **10.271 LC (LIMITED COMMERCIAL) ZONING DISTRICT.**
963 **(3)** Conditional uses.
964 **(a)** Caretaker's residence.
965 **(b)** Cemeteries.
966 ~~**(b)(c)**~~ Communication towers.
967 ~~**(c)(d)**~~ Governmental, institutional, religious, or nonprofit community uses.
968 ~~**(d)(e)**~~ Light Industrial.
969 ~~**(e)(f)**~~ Outdoor Storage.
970 ~~**(f)(g)**~~ Storage of more than 12 total vehicles and pieces of construction
971 equipment.
972 ~~**(g)(h)**~~ Transportation, communications, pipeline, electric transmission, utility, or
973 drainage uses, not listed as a permitted use above.
974
975 ARTICLE 39. Section 10.272(4) is amended to read as follows:
976 **10.272 GC (GENERAL COMMERCIAL) ZONING DISTRICT.**
977 **(4)** Building size and area limitations.
978 **(a)** Commercial, multi-family or mixed-use buildings: 4 stories maximum.
979 **(b)** Single-family Residential dwelling: 2.5 stories or 35 feet maximum.
980
981 ARTICLE 40. Section 10.282(2) is amended or renumbered to read as follows:
982 **10.282 MI (MANUFACTURING AND INDUSTRIAL) ZONING DISTRICT.**
983 **(2)** Permitted uses.
984 **(a)** Adult book stores, subject to s. 10.103(2).
985 **(b)** Adult entertainment, subject to the provisions of the Adult Entertainment
986 Overlay District (AED).
987 **(c)** Agricultural accessory uses. Livestock not permitted.
988 **(d)** Agricultural uses. Livestock not permitted.
989 **(e)** Animal boarding, domestic pets.
990 **(f)** Animal boarding, large animal.
991 **(g)** Contractor, landscaping or building trade operations.
992 **(h)** Drive-in establishments.
993 **(i)** Electric generating facilities.
994 ~~**(g)(j)**~~ Fertilizer manufacturing plants.
995 ~~**(h)(k)**~~ Fertilizer mixing or blending plants.
996 ~~**(i)(l)**~~ Freight and passenger bus terminals.
997 ~~**(j)(m)**~~ Governmental, institutional, religious, or nonprofit community uses.
998 ~~**(k)**~~ Drive-in establishments.
999 ~~**(l)**~~ Electric generating facilities.
1000 ~~**(m)(n)**~~ Heavy industrial uses.
1001 ~~**(n)(o)**~~ Indoor entertainment and assembly.
1002 ~~**(o)(p)**~~ Indoor storage and repair.
1003 ~~**(p)(q)**~~ Indoor sales.
1004 ~~**(q)(r)**~~ Light industrial uses.
1005 ~~**(r)(s)**~~ Marinas.
1006 ~~**(s)(t)**~~ Off-site parking lot or garage.

- 1007 ~~(t)~~**(u)** Office uses.
- 1008 ~~(u)~~**(v)** Outdoor active recreation.
- 1009 ~~(v)~~**(w)** Outdoor entertainment.
- 1010 ~~(w)~~**(x)** Outdoor sales, display or repair.
- 1011 ~~(x)~~**(y)** Outdoor storage.
- 1012 ~~(y)~~**(z)** Personal or professional service.
- 1013 ~~(z)~~**(aa)** Personal storage facilities.
- 1014 ~~(aa)~~**(bb)** A transportation, utility, communication, or other use that is:
- 1015 1. required under state or federal law to be located in a specific place, or;
- 1016 2. is authorized to be located in a specific place under a state or federal law
- 1017 that specifically preempts the requirement of a conditional use permit.
- 1018 ~~(bb)~~**(cc)** Undeveloped natural resource and open space areas.
- 1019 ~~(cc)~~**(dd)** Utility services.
- 1020 ~~(dd)~~**(ee)** Vehicle repair or maintenance services.
- 1021 ~~(ee)~~**(ff)** Veterinary clinics.
- 1022 ~~(ff)~~**(gg)** Warehousing and distribution facilities.
- 1023 ~~(hh)~~**(hh)** Wastewater treatment facilities.

1024

1025 ARTICLE 41. Section 10.282(3) is amended or renumbered to read as follows:

- 1026 **(3)** Conditional uses.
- 1027 **(a)** Asphalt and concrete production.
- 1028 **(b)** Biodiesel and ethanol manufacturing.
- 1029 **(c)** Biopower facilities for distribution, retail or wholesale sales.
- 1030 ~~(b)~~**(d)** Communication towers.
- 1031 ~~(e)~~**(e)** Commercial processing or composting of organic by-products or wastes.
- 1032 ~~(d)~~**(f)** Demolition material disposal sites.
- 1033 ~~(e)~~**(g)** Dumping grounds.
- 1034 ~~(f)~~**(h)** Incinerator sites.
- 1035 **(i)** Manure processing facilities.
- 1036 ~~(g)~~**(j)** Mineral extraction operations.
- 1037 **(k)** Processing or composting of organic by-products or wastes.
- 1038 ~~(h)~~**(l)** Solid waste disposal operation or recycling centers.
- 1039 ~~(i)~~**(m)** Salvage recycling operations.
- 1040 ~~(j)~~**(n)** Stockyards, livestock auction facilities.
- 1041 ~~(k)~~**(o)** Storage of explosive materials.
- 1042 ~~(l)~~**(p)** Transportation, communications, pipeline, electric transmission, utility, or
- 1043 drainage uses, not listed as a permitted use above.

1044

1045 ARTICLE 42. Section 10.801(11) is amended and (20) is rescinded to read as

1046 follows:

1047 **10.801 DEFINITIONS.**

- 1048 **(11)** *Double decked sign.* ~~Billboards or directory s~~ Signs which are mounted one
- 1049 above the other.
- 1050 ~~**(20)** *Mobile sign.* Signs attached to or painted on vehicles/trailers and parked in~~
- 1051 ~~a position and location with the primary purpose of displaying the sign.~~

1052

1053 ARTICLE 43. Section 10.802(1)(r) is created to read as follows:
1054 **10.802 STANDARDS AND REQUIREMENTS FOR SIGNS IN ALL ZONING**
1055 **DISTRICTS.**

- 1056 **(1)** Prohibited signs. The following signs are prohibited in any zoning district:
1057 **(a)** Abandoned signs.
1058 **(b)** Electronic message signs, except as provided in this section.
1059 **(c)** Double-decker signs.
1060 **(d)** Graphic signs.
1061 **(e)** Inflatable signs.
1062 **(f)** Air dancers.
1063 **(g)** Feather flags.
1064 **(h)** Mobile signs.
1065 **(i)** Portable signs.
1066 **(j)** Noise making, steam emitting, or odor emitting signs.
1067 **(k)** Obscene signs.
1068 **(l)** Roof signs.
1069 **(m)** Signs that block ingress or egress. Any sign that is placed or maintained so
1070 as to interfere with free ingress to or egress from any door, window, fire escape
1071 or parking lot.
1072 **(n)** Signs that employ any parts or elements that revolve, rotate, whirl, spin,
1073 flash or otherwise make use of mechanical, human or electronic derived motion,
1074 to attract attention.
1075 **(o)** Signs that imitate or resemble any official traffic sign, signal or device.
1076 **(p)** Signs on street trees.
1077 **(q)** Signs on utility poles, electrical boxes, traffic control devices, or other
1078 public utilities.
1079 **(r)** Vehicle signs.

1080
1081 ARTICLE 44. Section 10.802(2) is amended or renumbered to read as follows:

- 1082 **(2)** Computation and Rules of Measurement.
1083 **(a)** Measurement of sign area. For purposes of determining compliance with
1084 the sign area requirements of this ordinance, sign area shall be calculated as
1085 follows:
1086 **1.** Measurement of a ground or pylon sign shall be of the sign face excluding
1087 the necessary supports or uprights on which the sign is placed.
1088 **2.** Sign faces. Where a sign has 2 faces, the area of all faces shall be
1089 included in determining the area of the sign, except where 2 such faces are
1090 placed back to back. The area of the sign shall be taken as the area of one face
1091 if the 2 faces are of equal area, or as the area of the larger face if the 2 faces are
1092 of unequal area. No sign shall have more than 2 faces.
1093 **3.** For wall signs, measurement will be of the sign copy area only.
1094 ~~**(3)**~~**4.** Copy area. The copy area of signs which have a face, border or trim shall
1095 consist of the entire surface area of the sign on which copy could be placed.
1096 Copy area of a sign whose message is applied to a background which provides
1097 no face, border or trim shall be the area of the smallest rectangle which can
1098 encompass emblems and other elements of the sign message.

- 1099 **(b)** Measurement of sign height.
1100 **1.** For ground signs and pylon signs, the height shall be measured from the
1101 ground level at the base of the sign to the top edge of the sign.
1102 **2.** For billboard signs, the height shall be measured from the elevation of the
1103 centerline of the adjacent road to the top of the sign.
1104 **3.** For wall signs, the height shall be measured from the base of the building
1105 below the sign to the top of the sign face.
1106

1107 ARTICLE 45. Sections 10.802(4)(f) and (4)(j) are amended or renumbered to
1108 read as follows:

- 1109 **(4)** Location standards for all signs.
1110 **(a)** View blockage. No sign shall be placed in a way that blocks any part of a
1111 driver's or pedestrian's vision of the road, road intersection, crosswalk, vision
1112 clearance triangle, authorized traffic sign or device, or any other public
1113 transportation mechanism.
1114 **(b)** Driveway blockage. No sign may block or interfere with the visibility for
1115 ingress or egress of a driveway. All signs, except auxiliary signs, if within 20 feet
1116 of driveway ingress or egress, shall provide a minimum of 6 feet of clearance
1117 between ground level and the bottom edge of the sign.
1118 **(c)** Vision triangle. No sign shall be located within a vision clearance triangle.
1119 **(d)** Road right-of-way setback requirements.
1120 **1.** No sign shall be located within a road right-of-way.
1121 **2.** All signs shall be setback not less than 5 feet from the right-of-way line, the
1122 property line, or permanent highway easement, whichever is greater.
1123 **(e)** Side and rear yard setback requirements. All signs shall be setback not
1124 less than 5 feet from any side or rear yard, the right-of-way line, property line, or
1125 permanent highway easement, whichever is greater.
1126 **(f)** Billboards may not be located within 300 feet of an existing on-premise
1127 sign or within 1,000 feet of other billboard signs.
1128 **(g)** Off-premise sign may not be installed within the limits of a curve.
1129 **(h)** Projecting signs may not be located directly over a public or private street,
1130 drive or parking area.
1131 **(i)** Off-Premise signs may not be located within 300 feet of on-premise
1132 advertising signs.
1133 **(j)** On-Premise Advertising Wall Signs shall be mounted flush against the
1134 dwelling or building in which the business is located.
1135 **(k)** Buildings which contain multiple businesses shall share the maximum wall
1136 sign allowance by dividing the maximum area by the number of proposed
1137 businesses. All business may be afforded a maximum wall sign of 20 square
1138 feet, if greater than the maximum wall sign limit for the building.
1139 **(l)** No sign shall be installed on a roof.
1140 **(m)** No sign may be located within a permanently protected green space area
1141 or mapped wetland area.
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1144

1145 ARTICLE 46. Section 10.803 is amended or renumbered to read as follows:
1146 **10.803 SIGNS ALLOWED WITHOUT A PERMIT.**
1147 **(1)** Exempt signs. The following signs are exempt from all provisions of this
1148 ordinance:
1149 **(a)** Address, numbers and dwelling unit nameplates.
1150 ~~**(b)** Directional signs.~~
1151 **(c)** Gravestones, symbols or monuments in cemeteries or monument sales
1152 lots.
1153 **(d)** Murals which are a design or representation painted on the exterior surface
1154 of a structure that do not advertise a business, product, service or activity.
1155 **(e)** Signs accessory to juvenile activities, such as a child's lemonade stand or
1156 temporary play-related sidewalk markings.
1157 **(f)** Scoreboards and signs on fences and other structures accessory to athletic
1158 fields.
1159 **(g)** Signage which is an integral part of the original construction of vending or
1160 similar machines.
1161 **(h)** Signs required by other codes, public safety, health and welfare, of
1162 specifications required by other code or required by this ordinance.
1163 **(i)** Flag or emblem of any nation, organization of nations, or other
1164 governmental or municipal agencies or unit.
1165 ~~**(j)** Signs posted and owned by a municipality, the State of Wisconsin or a~~
1166 ~~Federal Agency.~~
1167 ~~**(k)**~~**(j)** Displays within the confines of a building.
1168 ~~**(l)**~~**(k)** Traffic control devices.
1169
1170 **(2)** The following signs are permitted without requirement for a permit, subject
1171 to any listed standards.
1172 ~~**(a)** On-Premise Advertising signs located in all agricultural districts provided~~
1173 ~~that such signs have a maximum size of 32 feet.~~
1174 ~~**(b)**~~**(a)** Signs in commercial districts where the parcel's use includes a drive-
1175 through is permitted to have up to 2 ground signs per drive through lane that
1176 relate to the drive-through facility, such as menu order board signs or information
1177 signs. The drive-through signs may have a maximum height of 8 feet and a
1178 maximum area of 32 square feet per drive-through use.
1179 ~~**(c)**~~**(b)** Auxiliary signs posted pursuant to Wis. Stat. § 346.55 shall have a
1180 maximum size of 32 square feet, shall be erected to a height not to exceed 6
1181 feet, with no more than 2 signs per parking lot. Such signs shall be located on
1182 the parking lot of the business advertised on the sign.
1183 ~~**(d)**~~**(c)** Private property protection signs.
1184 ~~**(e)**~~**(d)** Private property protection signs shall have a maximum size of 1.5 square
1185 feet.
1186 ~~**(f)**~~**(e)** Service station island signs.
1187 **1.** Automobile service stations shall be permitted incidental signs and/or
1188 symbols at fuel pumps and service station islands only.
1189 **2.** The maximum total area of signage at each service island (includes fuel
1190 pumps) shall not exceed 3 square feet.

- 1191
 1192 **(3)** Temporary signs.
 1193 **(a)** Number. One sign is allowed per parcel. For on premise advertising signs
 1194 in agricultural districts, there shall not be more than one sign per row of crop.
 1195 **(b)** Maximum size shall be 32 square feet, and maximum height shall be 12
 1196 feet.
 1197 **(c)** Setback requirements.
 1198 1. Must meet requirements of s. 10.802(4)(d) for on-premises ground signs.
 1199 2. Must be outside of Vision Clearance Triangle.
 1200 **(d)** Illumination. No temporary signs shall be illuminated or have the potential
 1201 to be illuminated.
 1202 **(e)** Flashing/moving lights. Signs may not contain flashing lights or moving
 1203 parts.
 1204 **(f)** Display period. Signs are limited to a period of 60 days two times per year.
 1205 The 60-day periods shall not run concurrently.
 1206 **(g)** Inflatable signs/objects, air dancers, or feather flags shall be prohibited as
 1207 temporary signs.
 1208

1209 ARTICLE 47. Sections 10.804(1) – (4) are amended to read as follows:

1210 **10.804 SIGNS ALLOWED WITH A PERMIT.** The following signs may be
 1211 permitted in certain zoning districts as shown in the following Table 1 subject to
 1212 the approval of a zoning permit and the sign design limitations applicable to each
 1213 type of sign.

1214 **(1)** Table 1: Signs Permitted with a Permit by Zoning District.
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 1216

Table 1

Zoning district category	Zoning District	On-Premises					Off-Premises
		Wall signs	Projecting & Marquee signs	Ground signs < 8' off ground	Pylon signs (> 8' off ground)	Electronic message signs*	Billboards
Natural Resource & Recreational	NR-C						
	RE	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>		
Farmland Preservation	FP-1						
	FP-35			<u>XP</u>			
	FP-B	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>		
Rural Mixed Use & Transitional	AT-35			<u>XP</u>			
	AT-B	<u>P</u>	<u>P</u>	<u>XP</u>	<u>XP</u>		
	AT-5	<u>C</u>		<u>P</u>			
	RM-8	<u>C</u>		<u>XP</u>			
	RM-16	<u>C</u>		<u>XP</u>			
Rural Residential	RR-1	<u>C</u>		<u>C</u>			
	RR-2	<u>C</u>		<u>C</u>			

	RR-4	<u>C</u>		<u>C</u>			
	RR-8	<u>C</u>		<u>C</u>			
Residential	SFR-08	<u>C</u>		<u>C</u>			
	SFR-1	<u>C</u>		<u>C</u>			
	TFR-08	<u>C</u>		<u>C</u>			
	MFR-08	<u>C</u>		<u>XP</u>			
Hamlet	HAM-R	<u>C</u>		<u>C</u>			
	HAM-M	<u>XP</u>	<u>XP</u>	<u>XP</u>			
Commercial	LC	<u>XP</u>		<u>XP</u>			
	GC	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	
	HC	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>
Processing, Manufacturing & Industrial	RI	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	
	MI	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>	<u>XP</u>
Special Use	PUD	Determined as part of site plan review by Z.A.					
<p>* On-premises ground and pylon signs, are the only types of signs that may incorporate electronic message components to the sign's copy area. <u>P = Permitted with a zoning permit.</u> <u>C = Permitted if associated with a use under an approved conditional use permit.</u> <u>Conditional use permits may specify additional restrictions on signs.</u></p>							

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- (2)** Auxiliary signs.
Auxiliary signs are allowed in all Zoning Districts.
- (3)** Awning signs.
Awning signs are treated the same as Wall signs.
- (4)** On-premise ground signs.
On-premise ground signs are subject to the area and placement regulations of the following Table 2 and the design standards of this section.
- (a)** Table 2: Dimension and Location Standards for On-Premise Ground Signs.

Table 2

Use	Zoning District	Number Permitted	0-45 mph		46+ mph		Minimum Setbacks (ft.)	
			Per road frontage	Max area sq. ft.	Max height ft.	Max area sq. ft.	Max height ft.	From lot line
Natural Resource &	RE	1	32	120	32	16	5	25

Recreational								
Farmland Preservation	FP-35	1*	32	126	32	120	5	25
	FP-B	1*	32	120	64	16	5	25
Rural Mixed Use & Transitional	AT-35	1*	32	126	3264	120	5	25
	AT-B	1*	32	120	64	126	5	25
	AT-5	1*	32	12	32	16	5	25
	RM-8	1*	32	120	32	126	5	25
	RM-16	1*	32	120	32	126	5	25
Rural Residential	RR-1	1*	32	12	32	12	5	25
	RR-2	1*	32	12	32	12	5	25
	RR-4	1*	32	12	32	12	5	25
	RR-8	1*	32	12	32	12	5	25
Residential	SFR-08	1*	32	12	32	12	5	25
	SFR-1	1*	32	12	32	12	5	25
	TFR-08	1*	32	12	32	12	5	25
	MFR-08	1	32	128	32	12	5	25
Hamlet	HAM-RM	1	32	128	3264	162	45	25
	HAM-M	1	32	12	32	12	4	25
Commercial	LC	1	32	128	64	162	5	25
	GC	1	32	12	64	16	5	25
	HC	1	32	12	64	16	5	50
Processing, Manufacturing & Industrial	RI	1	32	12	64	16	5	100
	MI	1	32	12	64	16	5	100
* Crop signs shall have a maximum size of 3 square feet and be erected to a height not to exceed 10 feet. There shall not be more than one sign per row of crop.								

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ARTICLE 48. Section 10.804(6) is amended to read as follows:

(6) On-premise wall signs. Wall signs are subject to the design standards of the following Table 4.

(a) Table 4: Dimension and Location Standards for Wall Signs.

TABLE 4

Use	Zoning District	Maximum Area (sq. ft.)		Maximum Height (sq. ft.)		Number of Signs Permitted per Building		
		0-45 mph	46+ mph	0-45 mph	46+ mph*	Number of road frontages on zoning lot		
						1	2**	3**

<u>Recreational</u>	<u>RE</u>	<u>100</u>	<u>300</u>	<u>20</u>	<u>50</u>	<u>2</u>	<u>3</u>	<u>4</u>
Farmland Preservation	FP-B	100	300	20	50	2	3	4
Rural Mixed Use & Transitional	<u>AT-35</u>	<u>100</u>	<u>300</u>	<u>20</u>	<u>50</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>AT-5</u>	<u>100</u>	<u>300</u>	<u>20</u>	<u>50</u>	<u>2</u>	<u>3</u>	<u>4</u>
Rural Mixed Use & Transitional	<u>AT-B</u>	<u>100</u>	<u>300</u>	<u>20</u>	<u>50</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>RM-8</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
Rural Residential	<u>RM-16</u>	<u>100</u>	<u>300</u>	<u>20</u>	<u>50</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>RR-1</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
Residential	<u>RR-2</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>RR-4</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>RR-8</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
Residential	<u>SFR-08</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>SFR-1</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>TFR-08</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
	<u>MFR-08</u>	<u>100</u>	<u>100</u>	<u>20</u>	<u>20</u>	<u>2</u>	<u>3</u>	<u>4</u>
Hamlet	<u>HAM-R</u>	<u>100</u>	<u>300</u>	<u>20</u>	<u>50</u>	<u>2</u>	<u>3</u>	<u>4</u>
	HAM-M	100	300	20	50	2	3	4
Commercial	LC, GC, HC	100	300	20	50	2	3	4
Processing, Manufacturing & Industrial	RI, MI	100	300	20	50	2	3	4
Special Use	PUD	Determined as part of site plan review by Z.A.						
	*	For buildings 6 stories or more in height, a wall sign may also be located within 20 feet of the top of the building.						
	**	The maximum size and height of signs on zoning lots with 2 or more road frontages shall be determined by reference to the nearest adjacent road.						
In no event shall there be more than two walls signs on any one side of the building. Wall signs shall be located only on the building containing the business advertised on the sign.								

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(b) Design standards.

1. Wall Signs. Wall signs shall not project more than 1 foot from the building wall to which it is attached and shall be set back from the end of the building, or party wall line for a distance of at least 3 feet and shall not project above the

1243 building wall. Wall signs may be internally or externally illuminated only in the
1244 GC, HC and MI zoning districts.
1245 **2.** Projecting signs shall have a maximum size of ~~21400~~ square feet and be
1246 installed to a height not to exceed 15 feet. Such signs shall be located on the
1247 building containing the business advertised on the sign. Projecting signs shall not
1248 extend more than 3 feet from the face of a building and the lowest portion of such
1249 signs shall not be less than 8 feet above the finished grade of a sidewalk or other
1250 pedestrian way.

1251 ~~**3.** Marquee signs shall have a maximum size of 300 square feet and be~~
1252 ~~erected to a height not to exceed 20 feet, with no more than 3 sides. Such signs~~
1253 ~~shall be located on the building containing the business advertised on the sign.~~
1254

1255 ARTICLE 49. Section 10.804(7) is amended and renumbered to read as follows:

1256 **(7)** Billboards. Billboards shall meet all of the following requirements:

1257 **(a)** Total sign copy area shall not exceed 300 square feet in area.

1258 **(b)** Shall be erected to a height not to exceed 35 feet above the centerline of
1259 the adjacent highway at the location of the sign.

1260 **(c)** Shall meet all setback requirements for the district in which they are
1261 located.

1262 **(d)** Minimum separation of 1,000 feet from all other billboards.

1263 **(e)** Billboards may not be located 300 feet of existing on-premise advertising
1264 signs.

1265 ~~**(f)**~~**(e)** Intersection regulation: a billboard whose bottom edge is less than 8 feet
1266 above the centerline elevation of adjacent roads shall maintain distance from
1267 road intersection as follows:

1268 1. 100 feet where the road speed is 0 to 45 mph and

1269 2. 200 feet where the road speed is 46+ mph.

1270 ~~**(g)**~~**(f)** A billboard whose bottom edge is 8 feet or higher above the centerline
1271 elevation of adjacent roads may be located up to the vision triangle line.

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1273 ARTICLE 50. Section 10.804(8) is created to read as follows:

1274 **(8)** Directional Signs.

1275 **(a)** Directional signs shall comply with the location standards of this
1276 ordinance.

1277 **(b)** Directional signs shall have a maximum size of 5 square feet and be
1278 erected to a height not to exceed 4 feet, with a total copy area not to exceed 50
1279 square feet.

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1281 ARTICLE 51. Section 10.806(2) is amended and renumbered to read as follows:

1282 **10.806 ADMINISTRATION.**

1283 **(2)** Applications and Permits.

1284 **(a)** Required materials to be submitted for sign permit applications:

1285 Application form. ~~The applicant must fill out an application form including a site~~
1286 ~~plan showing all of the following:~~

1287 **1.** Completed application form. ~~Lot. The location and dimensions of the~~
1288 ~~property's boundary lines;~~

- 1289 **2.** Site Plan. The location of all buildings on the lot shall be provided.
1290 Distance of the proposed sign to property lines shall be provided. Dimensions of
1291 the property lines shall be provided. Site plan shall be drawn to scale using an
1292 architect's scale (i.e. 1/8" = 1'0") or engineers scale (i.e. 1" = 10'). Buildings. The
1293 location of all the buildings and structures on the lot;
1294 **3.** Detailed drawings. Drawings of all proposed and existing signs shall show
1295 the design, layout, and dimensions. All drawings shall be drawn to scale using an
1296 architect's scale (i.e. 1/8" = 1'0") or engineers scale (i.e. 1" = 10'). Existing
1297 signage. The location, dimensions, and description of all existing signage on the
1298 property;
1299 **4.** Elevation plans. Height of all proposed and existing signs shall be shown.
1300 If a sign is proposed to be on a wall, then the entire wall that such sign will be
1301 attached must be depicted showing the location of all proposed and existing
1302 signs on said walls. Elevation plans shall be drawn to scale using an architect's
1303 scale (i.e. 1/8" = 1'0") or engineers scale (i.e. 1" = 10'). Proposed signage. The
1304 sign design and layout proposed, including total area of the sign(s), sign height,
1305 character and materials.
1306 **5.** Illumination. For illuminated signs, the method of illumination shall be
1307 provided, as well as the number and type of luminaires, lamps and lens material
1308 and ~~the statement that the illumination of each sign will comply with the~~
1309 provisions of Section 10.802(4)(f) shall be provided.
1310 ~~**6.** Elevations. Elevations and specifications for proposed signs, including~~
1311 ~~proposed landscaping for ground signs. If a sign is proposed to be on a wall, then~~
1312 ~~the entire wall that such sign will be attached to must be depicted showing the~~
1313 ~~location of the sign on said wall.~~
1314 ~~**7.** Construction details. Details and specifications for construction, erection~~
1315 ~~and attachment as may be required by the Zoning Administrator;~~
1316 ~~**8.** The name of the sign contractor or company responsible for construction~~
1317 ~~of the sign;~~
1318 ~~**6.9.** Other information. All other information deemed pertinent by the Zoning~~
1319 ~~Administrator or designee thereof, shall be provided.~~
1320 **(b)** The Zoning Administrator shall issue a suitable identification tag with each
1321 sign permit. The identification tag shall be placed on the sign or on a support
1322 column in a location that is easily visible from the road or proximity of the sign.
1323 **(c)** Fees are established in Chapter 12 of the Dane County Code of
1324 Ordinances.

1325
1326 *[EXPLANATION: On January 17, 2019 Dane County adopted a Comprehensive*
1327 *Revision of its Zoning Code. This amendment adopts multiple corrections and*
1328 *revisions that have been identified since adoption of the Comprehensive*
1329 *Revision.]*