


Staff Report  Zoning and Land Regulation Committee	<i>Public Hearing:</i> July 27, 2021	CUP 02525	
	<i>Zoning Amendment Requested:</i> TO CUP: Agriculture Entertainment and Farm Related Exhibitions (animal sanctuary)		
	<i>Size:</i> 38 Acres	<i>Survey Required.</i>	<i>Applicant</i> Heartland Farm Sanctuary, Inc
	<i>Reason for the request:</i> Agriculture Entertainment and Farm Related Exhibitions (farm animal sanctuary)		<i>Address:</i> 424 US HIGHWAY 151



DESCRIPTION: Applicant requests approval of a Conditional Use Permit for agricultural entertainment occurring 10 days or more per year to allow operation of Heartland Farm Sanctuary, a non-profit organization that rescues and rehabilitates farm animals and provides a variety of farm-related educational and therapeutic programming for students and residents of Dane County and surrounding communities. Heartland has provided services from its current location at 7711 Midtown Road in the town of Verona since 2014 under [Conditional Use Permit 2276](#). See attached operations plan for detailed information regarding programming, hours of operation, and planned improvements.

OBSERVATIONS/ FACTUAL INFORMATION: The property consists of gently rolling topography with current land uses comprised of cropland (~85%), woodland (~10%), and rural residential (~5%). Surrounding land uses are agriculture / open space, a domestic pet boarding operation, a mineral extraction operation (“Ramsey Pit”), and several rural residences. There is a ~1 acre area of mapped wetlands located at the SE corner of the property adjacent to US Highway 51. Wetland maps indicate possible presence of isolated wetlands under 2 acres in size in relatively close proximity to the proposed parking area. Hydric (wet) soils are not present on the property. Field investigation and/or possible wetland delineation may be required.

There are 4 residences located within ~1,500’ of the property. The property has access onto US Highway 51. Applicant is seeking approval from the town for driveway access onto Ramsey Road. The proposed new driveway access would be approximately 990’ in length from Ramsey Road to the parking area depicted on the site plan. Applicant states that adequate sanitary facilities and trash/recycling services are either already present or will be provided.

TOWN PLAN: The property is located in the town's agricultural preservation area.

RESOURCE PROTECTION: An area of resource protection corridor is present in the SE corner of the property associated with mapped wetlands and 75' wetland buffer area. Proposed new driveway access to Ramsey Road does not appear to encroach on the ~1.25 acre resource protection area.

STAFF: The proposed operation of a farm animal sanctuary with farm-related educational and therapeutic programming appears consistent with town plan policies, which seek to preserve farmland and the rural atmosphere of the town while providing opportunities for activities and enterprises that are compatible with the agricultural setting of the town. Given the planned driveway access to Ramsey Road, the size and rural location of the property, the natural buffer provided by existing wooded areas and sheer distance from surrounding uses, staff does not anticipate any negative impacts resulting from establishment of the conditional use.

Staff believes that the applicant has submitted substantial evidence in support of the proposed conditional use sufficient to meet the required standards for approval of a CUP, as well as the additional standards that apply to conditional uses in the farmland preservation zoning district (see attached standards).

Section 10.103(3) lists additional requirements for event plans to be filed for agricultural entertainment uses where anticipated attendance may exceed 200 persons at any one time during a day. The applicant has indicated no such events are planned at this time, but is aware of the specific requirements to file an event plan if/when such an event is planned in the future.

Pending any issues or concerns that may be raised at the public hearing, staff recommends that the petition be approved, subject to the following conditions. Note that the condition regarding signage required by the town is incorporated in the list below.

1. Signage to improve traffic flow back to Hwy 51 and to reduce traffic into the no outlet end of Ramsey Rd.
2. Conditions required for agricultural entertainment uses listed under s. 10.103(3) (as applicable for any event anticipated to have over 200 persons in attendance at any one time during a day).
3. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan, and phasing plan.
4. New and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable sections of the Wisconsin Commercial Building Code or Uniform Dwelling Code.
5. The applicant shall apply for, receive and maintain all other legally required and applicable local, county, state and federal permits. Copies of approved permits or other evidence of compliance will be provided to the zoning administrator upon request.
6. Any ongoing business operation must obtain and continue to meet all legally required and applicable local, county, state and federal licensing requirements. Copies of approved licenses or other evidence of compliance will be provided to the zoning administrator upon request.
7. Existing onsite wastewater sewage disposal systems, if any, serving the conditional use must be inspected by a licensed plumber to determine its suitability for the proposed or expanded use. Deficient systems must be brought, at the owner's expense, into full compliance with the current requirements for new development of the state plumbing code and Chapter 46, Dane County Code.
8. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.

9. Off-street parking must be provided, consistent with s. 10.102(8).
10. If the Dane County Highway, Transportation and Public Works Department or the town engineer determine that road intersection improvements are necessary to safely accommodate the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne by the landowner shall be proportional to the incremental increase in traffic associated with the proposed conditional use.
11. The Zoning Administrator or designee may enter the premises of the operation in order to inspect those premises and to ascertain compliance with these conditions or to investigate an alleged violation. Zoning staff conducting inspections or investigations will comply with any applicable workplace safety rules or standards for the site.
12. The owner must post, in a prominent public place and in a form approved by the zoning administrator, a placard with the approved Conditional Use Permit number, the nature of the operation, name and contact information for the operator, and contact information for the Dane County Zoning Division.
13. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
14. Failure to comply with any imposed conditions, or to pay reasonable county costs of investigation or enforcement of sustained violations, may be grounds for revocation of the conditional use permit. The holder of a conditional use permit shall be given a reasonable opportunity to correct any violations prior to revocation.

Any questions about this petition or staff report please contact Majid Allan at (608) 267-2536 or allan@countyofdane.com

TOWN: Approved with a condition regarding signage to improve traffic flow. (Signage to improve traffic flow back to Hwy 51 and to reduce traffic into the no outlet end of Ramsey Rd).