



# Dane County Planning & Development Zoning Division

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TO: Dane County Zoning and Land Regulation Committee

FROM: Hans Hilbert, Assistant Zoning Administrator

DATE: May 20, 2023

RE: **Ordinance Amendment 2023 OA-009 regarding salvage operations**

*Ordinance Amendment 2023 OA-009, regarding salvage operations is scheduled for public hearing before the ZLR on May 23, 2023. As an amendment to Chapter 10, towns under County Zoning jurisdiction have the option to review and provide action on the amendment. The 30 day town review period begins immediately following this public hearing. After holding the hearing the ZLR should postpone any action until at least June 22, 2023 to allow for statutory review period to elapse.*

*Please direct any questions to Hans Hilbert at 608-266-4993, or [hilbert.hans@countyofdane.com](mailto:hilbert.hans@countyofdane.com).*

## I. Summary

The proposed amendment will result in the following changes:

- Salvage Operations are added as a conditional use in the Industrial Zoning District.
- The term “salvage yard” is replaced with “salvage operation”.
- References to junkyards are removed.
- The County salvage licensing requirement is eliminated.

## II. Description

Prior to the comprehensive rewrite of Chapter 10, Zoning, in 2018 salvage operations were a permitted use (if conducted entirely indoors) or a conditional use (for outdoor operations) in the industrial zoning district. In 2022, zoning staff discovered, due to changes in definitions, that the salvage yard use was removed from the industrial zoning district. We feel that this was an unintended outcome of the rewrite and this amendment is intending to correct it.

The term “salvage yard” implies that regulation is specific to a premise. This amendment changes the definition to “salvage operation” which encompasses the entire land use of salvaging. By defining the land use the County is better able to apply the zoning ordinance in conjunction with the regulatory licensing of the Wisconsin Department of Transportation for auto salvaging.

This amendment removes redundant ordinance language by removing references to junkyards.

Lastly, this amendment removes the county licensing requirement for salvage operations. This annual license has been in place since the 1930's, currently we license 8 sites. In review, we have determined that this license is unnecessary to enforce compliance with zoning requirements. Operators are subject to DOT and DNR licensing, as well as conditions of conditional use permits. This amendment adds an

annual inspection requirement as a standard condition on all conditional use permits for salvage operations.

### **III. Sub 1 (Proposed)**

Following the introduction of the ordinance on May 4, 2023 staff recognized conflicting language in the original ordinance amendment. As a correction, Sub 1 has been created to include language to differentiate between an operation licensed under a DOT Type 4 (Scavengers) license and any other DOT salvage license. A Scavengers operation does not include the storage of junk on premise and is proposed to be defined as a “vehicle repair and maintenance service” land use rather than a salvage operation. We would recommend that the ZLR move to introduce Sub 1 prior to holding the public hearing on May 23, 2023. Copies of the substitute language have been provided to Towns under general zoning jurisdiction.