

Comprehensive Revision of Dane County Zoning Ordinance

February 20, 2017

Town of Verona Hall

Comparison of Rural Zoning Categories

Plan	Planned for farmland for 15 years or more			In farmland for now, but plans may change in 15 years or less		Planned for long-term mix of agriculture / small-scale farming, residential and other uses					
Zoning Category	Farmland Preservation Zoning			Transitional Zoning		Rural Mixed-Use Zoning		Rural Residential Zoning			
Zoning District	FP-35	FP-B	FP-1	AT-35	AT-B	RM-16	RM-8	RR-8	RR-4	RR-2	RR-1

Proposed vs. Current Zoning Districts

<i>Proposed Zoning District Category</i>	<i>Proposed Zoning District</i>	<i>Equivalent Current Zoning District</i>
Rural Mixed-Use and Transitional	AT-35 (Agriculture Transitional)	A-3 (Agriculture Transitional)
	AT-B (Agriculture Transitional Business)	A-Ba (Agriculture Business - Transitional)
	RM-8 (Rural Mixed-Use)	A-2(8) (Agriculture)
	RM-16 (Rural Mixed-Use)	A-2 (Agriculture) RH-4 (Rural Homes)

Rural Mixed Use & Transitional Districts



RM-8 Rural Mixed-Use – 8 Acre

- 8-16 acres
- Agriculture
- Agriculture Accessory Uses
- Single Family Residential
- Other uses by CUP



RM-16 Rural Mixed-Use – 16 Acre

- 16–35 acres
- Agriculture
- Agriculture Accessory Uses
- Single Family Residential
- Other uses by CUP



AT-35 Agriculture Transitional - 35-acre

- 35 acres and larger
- Agriculture
- Agriculture Accessory Uses
- Farm Residences require a CUP
- Accessory uses associated with Farm Residence permitted



AT-B Agriculture Transitional - Business

- Any size
- Agriculture
- Agriculture Accessory Uses
- Farm Residences require a CUP
- Agriculture-Related Uses

Summary of changes to zoning districts

- **Rural Mixed-Use Districts**

- Establish 8-acre minimum lot size
- Replace specific land uses with broader land use categories
- Move noxious conditional uses (salvage yards, sanitary landfills, explosive storage, etc.) to Manufacturing and Industrial zoning categories.
- Mineral extraction, temporary asphalt and concrete production limited to RM-16 district, as conditional uses.
- Make agricultural and agricultural accessory permitted and conditional uses consistent with those in Farmland Preservation districts

- **Transitional Districts**

- Make agricultural, agricultural accessory and agriculture-related permitted and conditional uses consistent with those in Farmland Preservation districts.

Transitional Zoning

Existing A-3 District

Proposed AT-35 District

- **Purpose**

- a) Provide for a wide range of agriculture and agricultural accessory uses, at various scales. The A-1(EX) district accommodates as permitted uses all activities typically associated with the primary production and harvesting of crops, livestock, animal products or plant materials. Such uses may involve noise, dust, odors, heavy equipment, use of chemicals and long hours of operation.
- b) Allow for incidental processing, packaging, storage, transportation, distribution or other activities intended to add value to agricultural products produced on the premises or to ready such products for market. Such uses are conditional as they may have the potential to pose conflicts with agricultural use due to: volumes or speed of vehicular traffic; residential density; proximity to incompatible uses; environmental impacts; or consumption of agriculturally productive lands.
- c) Allow for other incidental activities, compatible with agricultural use, to supplement farm family income and support the agricultural community.
- d) Preserve productive agricultural land for food and fiber production.
- e) Preserve productive farms by preventing land use conflicts between incompatible uses.
- f) Maintain a viable agricultural base to support agricultural processing and service industries.
- g) Reduce costs for providing services to scattered non-farm uses.
- h) Pace and shape urban growth.
- i) Meet the criteria for certification as a Farmland Preservation Zoning District under s. 91.38, Wis. Stats.

Transitional Zoning

Existing A-3 District

- Permitted uses
 - a) Agricultural Uses, except those uses listed as conditional uses below. Keeping of livestock is prohibited on parcels smaller than 5 acres.
 - b) Agricultural Accessory Uses, except those uses listed as conditional uses below and subject to the following limitations.
 - Residences lawfully existing as of February, 20, 2010, (subject to limitations)
 - Rental of existing or secondary residences located on a farm, but no longer utilized in the operation of the farm.
 - Agricultural entertainment activities, not to exceed 45 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
 - Farm related exhibitions, sales or events occurring on five days in a calendar year or less.
 - c) Undeveloped natural resource and open space areas.
 - d) A transportation, utility, communication, or other use that is:
 - required under state or federal law to be located in a specific place, or;
 - is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

Proposed AT-35 District

- Permitted uses
 - a) Agricultural Uses.
 - b) Agricultural Accessory Uses, except those uses listed as conditional uses in s._____, and subject to the limitations and standards below.
 - Residences lawfully existing as of February, 20, 2010, (subject to limitations)
 - Agricultural entertainment activities under 10 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food.
 - Farm related exhibitions, sales or events occurring on no more than five days in a calendar year.
 - The seasonal storage of recreational equipment and motor vehicles owned by private individuals other than those residing on the premises, such storage to be in existing agricultural accessory buildings. The storage of a dealer's inventory or the construction of any new buildings for storage is prohibited.
 - c) Undeveloped natural resource and open space areas.
 - d) A transportation, utility, communication, or other use that is:
 - required under state or federal law to be located in a specific place, or;
 - is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

Transitional Zoning

Existing A-3 District

- **Conditional uses**

- a) **Agricultural Accessory Uses:**

- Farm Residence, subject to s._____.
 - Secondary farm residence, subject to s._____.
 - Airports and landing strips for private aircraft owned by the owner or operator of a farm.
 - Limited Family Business
 - Limited Rural Business.
 - Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
 - The seasonal storage of recreational equipment and motor vehicles owned by private individuals.
 - Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than five days in a calendar year.
 - Agricultural entertainment activities occurring 45 days or more per calendar year, in aggregate.

- b) **Governmental, institutional, religious, or nonprofit community uses.**

- c) **Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.**

- d) **Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., section ____ and chapter 74.**

Proposed AT-35 District

- **Conditional uses**

- a) **Agricultural Accessory Uses:**

- Farm Residence, subject to s._____.
 - Secondary farm residence, subject to s._____.
 - Residential accessory uses associated with a permitted farm or secondary residence.
 - Airports and landing strips for private aircraft owned by the owner or operator of a farm.
 - Limited Family Business
 - Limited Rural Business.
 - Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
 - Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibitions of farm machinery and technology, agricultural association meetings and similar activities, occurring on more than five days in a calendar year.
 - Agricultural entertainment activities occurring 10 days or more per calendar year, in aggregate.

- b) **Governmental, institutional, religious, or nonprofit community uses.**

- c) **Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.**

- d) **Non-metallic mineral extraction operations that comply with s. 91.46(6), Wis. Stats., section ____ and chapter 74.**

Transitional Zoning

Existing A-B(a) District

Proposed AT-B District

- **Purpose**

- a) Provide for a wide range of agriculture, agricultural accessory and agriculture-related uses, at various scales with the minimum lot area necessary to accommodate the use. The district accommodates uses which are commercial or industrial in nature; are associated with agricultural production; require a rural location due to extensive land area needs or proximity of agricultural resources; and do not require urban services.
- b) In appearance and operation permitted uses in the A-B district are often indistinguishable from a farm.
- c) Conditional uses are more clearly commercial or industrial in nature, and may involve facilities or processes that require a remote location distant from incompatible uses, proximity to agricultural products or suppliers and/or access to utility services or major transportation infrastructure.
- d) Examples of activities in the A-B district may include, but are not limited to, agricultural support services, value-added, or related businesses such as implement dealers; veterinary clinics; farm machinery repair shops; agricultural supply sales, marketing, storage, and distribution centers; plant and tree nurseries; and facilities for the processing of natural agricultural products or by-products, including fruits, vegetables, silage, or animal proteins. Such activities are characterized by:
 - Wholesale or retail sales, and outdoor storage/display of agriculture-related equipment, inputs, and products;
 - Parking areas, outdoor lighting, and signage appropriate to the scale of use;
 - Small, medium, or large utilitarian structures/facilities/workshops, appropriate to the scale of use;
 - Low to moderate traffic volumes;
 - Noises, odors, dust, or other potential nuisances associated with agriculture-related production or processing.
- e) Meet the requirements for certification as a Farmland Preservation Zoning District under s. 91.38, Wis. Stats.

Transitional Zoning

Existing A-B(a) District

- **Permitted uses**
 - a) Agricultural uses.
 - b) Agricultural Accessory Uses, except those uses listed as conditional uses in s._____, and subject to the limitations and standards below.
 - Agricultural entertainment activities under 10 days per calendar year in the aggregate,
 - Farm related exhibitions, sales or events occurring on no more than five days in a calendar year.
 - c) Agriculture-related uses, except uses listed as conditional uses below, consistent with the purpose statement for the A-B district.
 - d) Undeveloped natural resources and open space areas.
 - e) A transportation, utility, communication, or other use that is:
 - required under state or federal law to be located in a specific place, or;
 - is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit

Proposed AT-B District

- **Permitted uses**
 - a) Agricultural uses.
 - b) Agricultural Accessory Uses, except those uses listed as conditional uses in s._____, and subject to the limitations and standards below.
 - Agricultural entertainment activities under 10 days per calendar year in the aggregate,
 - Farm related exhibitions, sales or events occurring on no more than five days in a calendar year.
 - c) Agriculture-related uses, except uses listed as conditional uses below, consistent with the purpose statement for the A-B district.
 - d) Undeveloped natural resources and open space areas.
 - e) A transportation, utility, communication, or other use that is:
 - required under state or federal law to be located in a specific place, or;
 - is authorized to be located in a specific place under a state or federal law that specifically preempts the requirement of a conditional use permit.

Transitional Zoning

Existing A-B(a) District

- **Conditional uses**
 - a) **Agricultural Accessory Uses:**
 - Farm Residence, subject to s._____.
 - Secondary farm residence, subject to s._____.
 - Limited Family Business.
 - Limited Rural Business.
 - Bed and breakfast in an existing farm residence
 - Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
 - Farm related exhibitions, sales or events occurring on more than five days in a calendar year.
 - Agricultural entertainment activities occurring 45 days or more per calendar year, in aggregate.

Proposed AT-B District

- **Conditional uses**
 - a) **Agricultural Accessory Uses:**
 - Farm Residence, subject to s._____.
 - Caretaker's residence
 - Secondary farm residence, subject to s._____.
 - Airports and landing strips for private aircraft owned by the owner or operator of the farm or agriculture-related use on the premises.
 - Limited Family Business.
 - Limited Rural Business.
 - Transient Lodging
 - Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.
 - Farm related exhibitions, sales or events occurring on more than five days in a calendar year.
 - Agricultural entertainment activities occurring 10 days or more per calendar year, in aggregate.

Transitional Zoning

Existing A-B District

- **Conditional uses**
 - a) **Agriculture-related uses**
 - Agricultural related plant or livestock genetic laboratories
 - ▫ Agricultural related experimental laboratories
 - ▫ Agricultural related landscape supply or business associated with a plant or tree nursery
 - ▫ Dead stock hauling service
 - ▫ Sales or storage of agricultural byproducts
 - ▫ Stock yards
 - ▫ Livestock auction facilities
 - ▫ Bio-diesel and ethanol manufacturing
 - ▫ Manure processing facilities
 - ▫ Biopower facilities for distribution, retail, or wholesale sales
 - b) **Governmental, institutional, religious, or nonprofit community uses.**
 - c) **Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above..**

Proposed FP-B District

- **Conditional uses**
 - a) **Agriculture-related uses**
 - Large animal boarding for farm animals
 - Dead stock hauling services;
 - Stock yards, livestock auction facilities;
 - Bio-diesel and ethanol manufacturing;
 - Manure processing facilities;
 - Biopower facilities for distribution, retail, or wholesale sales.
 - b) **Governmental, institutional, religious, or nonprofit community uses.**
 - c) **Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above..**

Rural Mixed-Use Zoning

Existing A-2 (8) District

- Purpose
 - None

Proposed RM 8 District

- Purpose
 - (a) Provide for a mix of agriculture, residential, utility, limited business and accessory uses consistent with and appropriate to a rural setting, on moderately sized parcels. The RM-8 district accommodates uses which are compatible with onsite and neighboring production agriculture, are typically found in a rural location and do not require urban services.
 - (b) Such uses typically generate traffic, noise or odors similar to those produced by either a farm operation or a single-family residence.

Rural Mixed-Use Zoning

Existing A-2 (8) District

- **Permitted uses**
 - a) Agricultural uses
 - b) Accessory buildings
 - c) Single family home – one per parcel
 - d) Home occupations
 - e) Utility services

Proposed RM 8 District

- **Permitted uses**
 - a) Agricultural uses. Livestock use must comply with Chapter ATCP 50, Wisconsin Administrative Code.
 - b) Agricultural Accessory Uses, except those uses listed as conditional uses in s._____, and subject to the limitations and standards below.
 - a) Agricultural entertainment activities (< 10 days / year)
 - b) Farm related exhibitions, sales or events, etc. (<= 5 days / year)
 - c) The seasonal storage of recreational equipment and motor vehicles in existing accessory farm buildings.
 - c) Single family residential
 - d) Residential accessory uses
 - e) Incidental room rental
 - f) Community living arrangements for fewer than 9 persons.
 - g) Foster homes for less than 5 children
 - h) Home occupations
 - i) Utility Services
 - j) Undeveloped natural resources and open space areas.
 - k) A transportation, utility, communication, or other use (authorized by state law)

Rural Mixed-Use Zoning

Existing A-2 (8) District

- **Conditional uses**

- a) Unlimited livestock on 3 to 16 acres
- b) Sale of agricultural and dairy products not produced on the premises
- c) Kennels
- d) Training of dogs at a dog kennel
- e) Retail sales of pet food, pet supplies and related items at a kennel
- f) Horse boarding and riding stables
- g) Horse shows / events
- h) Training of horses at a horse boarding facility
- i) Hay and sleigh rides
- j) Retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable
- k) Native wildlife rehabilitation facilities
- l) Seasonal storage of recreational equipment and motor vehicles (not owner's or occupant's)
- m) Dependency living arrangements
- n) Limited family businesses
- o) Airports & landing strips

Proposed RM-8 District

- **Conditional uses**

- a) Attached accessory dwelling units
- b) Agricultural entertainment activities occurring 10 days or more per calendar year, in aggregate.
- c) Farm related exhibitions, etc. (≥ 10 days / year)
- d) Community living arrangements for 9 or more persons.
- e) Migrant farm labor camps certified under s. 103.92, Wis. Stats.
- f) Domestic pet animal boarding
- g) Large animal boarding
- h) Communication towers
- i) Governmental, institutional, religious, or nonprofit community uses
- j) Limited family business
- k) Limited rural business
- l) Tourist or transient lodging
- m) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- n) Small scale electric generating stations that produce energy primarily for users off the farm.

Rural Mixed-Use Zoning

Existing A-2 (8) District

- **Conditional uses (continued)**
 - p) Communications towers
 - q) Religious uses
 - r) Schools
 - s) Governmental uses
 - t) Cemeteries
 - u) Parking or storage of not more than two trucks, semi-tractors, or semitrailers with gross vehicle weight over 12,000 pounds
 - v) Mineral extraction operations
 - w) Asphalt plants
 - x) Ready mix concrete plants
 - y) Dumping Grounds
 - z) Sanitary landfill sites
 - aa) Demolition material disposal sites
 - bb) Incinerator sites
 - cc) Salvage recycling centers
 - dd) Solid waste recycling centers
 - ee) Storage of explosive materials
 - ff) Sanitary plumbing fixtures in agricultural accessory buildings on parcels over 5 acres

Proposed RM-8 District

- **Conditional uses**
 - k) Parking or storage of not more than two trucks, semi-tractors, or semitrailers with gross vehicle weight over 12,000 pounds
 - l) Sanitary plumbing fixtures in agricultural accessory buildings

Rural Mixed-Use Zoning

Existing A-2 District

- **Permitted uses**
 - a) Agricultural uses
 - b) Accessory buildings
 - c) Single family home – one per parcel
 - d) Home occupations
 - e) Utility services

Proposed RM 16 District

- **Permitted uses**
 - a) Agricultural uses. Livestock use must comply with Chapter ATPC 51, Wisconsin Administrative Code.
 - b) Agricultural Accessory Uses, except those uses listed as conditional uses in s._____, and subject to the limitations and standards below.
 - a) Agricultural entertainment activities (< 10 days / year)
 - b) Farm related exhibitions, sales or events, etc. (<= 5 days / year)
 - c) The seasonal storage of recreational equipment and motor vehicles in existing accessory farm buildings.
 - c) Single family residential
 - d) Residential accessory uses
 - e) Incidental room rental
 - f) Community living arrangements for fewer than 9 persons.
 - g) Home occupations
 - h) Foster homes for less than 5 children
 - i) Utility Services
 - j) Undeveloped natural resources and open space areas.
 - k) A transportation, utility, communication, or other use (authorized by state law).

Rural Mixed-Use Zoning

Existing A-2 District

- Purpose
 - None

Proposed RM-16 District

- Purpose
 - (a) Provide for a mix of agriculture, residential, utility, extractive, limited business and accessory uses consistent with and appropriate to a rural setting, on medium-to-large parcels.
 - (b) The RM-16 district accommodates uses which may require
 - larger setbacks, buffers, berms or other siting standards to minimize conflicts with neighboring production agriculture or residential use,
 - are typically found in a rural location and
 - do not require urban services.
 - (c) Such uses may generate moderate truck traffic, noise, dust or odors

Rural Mixed-Use Zoning

Existing A-2 District

- **Conditional uses**

- a) Unlimited livestock on 3 to 16 acres
- b) Sale of agricultural and dairy products not produced on the premises
- c) Kennels
- d) Training of dogs at a dog kennel
- e) Retail sales of pet food, pet supplies and related items at a kennel
- f) Horse boarding and riding stables
- g) Horse shows / events
- h) Training of horses at a horse boarding facility
- i) Hay and sleigh rides
- j) Retail sales of bridles, saddles, grooming supplies and related items at a horse boarding or riding stable
- k) Native wildlife rehabilitation facilities
- l) Seasonal storage of recreational equipment and motor vehicles (not owner's or occupant's)
- m) Dependency living arrangements
- n) Limited family businesses
- o) Airports & landing strips

Proposed RM-16 District

- **Conditional uses**

- a) Attached accessory dwelling units
- b) Agricultural entertainment activities (≥ 10 days/year)
- c) Airports, heliports and landing strips
- d) Farm related exhibitions, etc. (≥ 10 days / year)
- e) Community living arrangements for 9 or more persons.
- f) Migrant farm labor camps cert. by s. 103.92, Wis. Stats.
- g) Domestic pet animal boarding
- h) Large animal boarding
- i) Communication towers
- j) Governmental, institutional, religious, or nonprofit community uses
- k) Limited family business
- l) Limited rural business
- m) Tourist or transient lodging
- n) Transportation, communications, pipeline, electric transmission, utility, or drainage uses, not listed as a permitted use above.
- o) Small scale electric generating stations that produce energy primarily for users off the farm.
- p) Mineral extraction
- q) Temporary asphalt or concrete production.

Rural Mixed-Use Zoning

Existing A-2 District

- **Conditional uses (continued)**
 - p) Communications towers
 - q) Religious uses
 - r) Schools
 - s) Governmental uses
 - t) Cemeteries
 - u) Parking or storage of not more than two trucks, semi-tractors, or semitrailers with gross vehicle weight over 12,000 pounds
 - v) Mineral extraction operations
 - w) Asphalt plants
 - x) Ready mix concrete plants
 - y) Dumping grounds
 - z) Sanitary landfill sites
 - aa) Demolition material disposal sites
 - bb) Incinerator sites
 - cc) Salvage recycling centers
 - dd) Solid waste recycling centers
 - ee) Storage of explosive materials
 - ff) Sanitary plumbing fixtures in agricultural accessory buildings on parcels over 5 acres

Proposed RM-16 District

- **Conditional uses**
 - k) Parking or storage of not more than two trucks, semi-tractors, or semitrailers with gross vehicle weight over 12,000 pounds
 - l) Sanitary plumbing fixtures in agricultural accessory buildings

Rural Mixed-Use Zoning

Existing Ordinance

- Minimum lot size
 - A-2(1) : 1 acre
 - A-2(2): 2 acres
 - A-2(4): 4 acres
 - A-2(8): 8 acres
 - A-2: 16 acres
- Maximum lot size
 - None

Proposed Ordinance

- Minimum lot size
 - RM-8: 8 acres
 - RM-16: 16 acres
- Maximum lot size:
 - RM-8: less than 16 acres
 - RM-16: none