

## **AT-M (Agriculture Transition – Middleton) Zoning District**

Zoning district for lands transitioning from agriculture and open space to residential uses.

*Note that this district applies only in the Town of Middleton*

**CH. 10-Zoning – Draft based on Town of Middleton staff recommendations**

### **Permitted Uses 10.235(3)**

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| <ul style="list-style-type: none"> <li>▫ Single family residential – one per parcel</li> <li>▫ Agricultural uses (on parcels of minimum 5 acres and 250 feet lot width)**</li> <li>▫ Agricultural accessory uses (except those listed as conditional uses below)**</li> <li>▫ Sales of agricultural products produced on the premises**</li> <li>▫ Agricultural entertainment less than 10 days per year**</li> <li>▫ Farm-related exhibitions, sales or events less than 5 days per year**</li> <li>▫ Seasonal storage of recreational equipment and motor vehicles in existing building**</li> </ul> | <ul style="list-style-type: none"> <li>▫ Residential accessory structures</li> <li>▫ Home occupations</li> <li>▫ Foster care for less than 5 children</li> <li>▫ Community living arrangements for less than 9 people</li> <li>▫ Incidental room rental</li> <li>▫ Undeveloped natural resource and open space uses</li> <li>▫ Utility services associated with a permitted use or conditional use</li> <li>▫ Transportation, utility, communication or other use required by law</li> </ul> |
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### **Conditional Uses 10.235(4)**

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| <ul style="list-style-type: none"> <li>▫ Agricultural accessory uses (on parcels &gt; 5 acres):                         <ul style="list-style-type: none"> <li>○ Agricultural entertainment, over 10 days/year**</li> <li>○ Airports, landing strips, heliports for farm owner**</li> <li>○ Farm related exhibitions, sales or events, over 5 days/year**</li> <li>○ Limited farm business, subject to 10.103(13)**</li> <li>○ Sale of agricultural and dairy products not produced on the premise and incidental sale of non-alcoholic beverages and snacks**</li> </ul> </li> <li>▫ Attached accessory dwelling units</li> <li>▫ Limited family business*</li> <li>▫ Day care centers</li> <li>▫ Sanitary fixtures in agricultural accessory buildings**</li> </ul> | <ul style="list-style-type: none"> <li>▫ Domestic pet animal boarding**</li> <li>▫ Large animal boarding***</li> <li>▫ Transportation, communication, pipeline, electric transmission, utility, or drainage uses not required by law</li> <li>▫ Non-metallic mineral extraction***</li> <li>▫ Limited asphalt or concrete plants***</li> <li>▫ Communication towers</li> <li>▫ Cemeteries</li> <li>▫ Native wildlife rehabilitation facilities</li> <li>▫ Renewable energy electric generating facilities*</li> <li>▫ Transient or tourist lodging</li> <li>▫ Governmental, institutional, religious, or nonprofit community uses</li> </ul> |
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### **Setbacks and Height requirements for Structures 10.235(6) & 10.235(7)**

**Front setback for all structures from Highway centerline / right-of-way line (whichever is greater)**

State or Federal Highway: 100/42 feet minimum

County Highway: 75/42 feet minimum

Town Road: 63/30 feet minimum

Subdivision streets platted prior to ord: 20 feet minimum

All other streets: 30 feet minimum from right-of-way

**Maximum Height:**

Residences: 2½ stories or 35 feet maximum

Residential accessory buildings: 16 feet maximum

Agricultural buildings: No height requirements

**Permitted residences:**

**Side yard:** 25' total with no single side less than 10' minimum

**Rear yard:** 50' minimum

For uncovered decks/porches: 38' minimum

**Accessory buildings *not* housing livestock:**

Rear and side yards: 10-foot minimum

**Accessory buildings housing livestock:**

100 feet from Residential or Hamlet zoning districts

50 feet from Rural Residential zoning districts

10 feet from all other zoning districts

### **Minimum Lot Width & Area 10.235(5) Note: Minimum lot width & area requirements vary by use**

**Agricultural uses:** 5 acres and 250' width at location of agricultural accessory building

**Maximum:** None

**Residential uses:**

**Public sewer:** 12,000 square feet & 90' width at bldg line

**Septic:** 25,000 square feet & 90' width at bldg line

\*Requires minimum lot size of 1 acre

\*\*Requires minimum lot size of 5 acres

\*\*\*Requires minimum lot size of 16 acres

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### **Maximum Lot Coverage 10.235(8) – all buildings and structures**

Parcels less than 2 acres in size: 30% maximum or 35% for corner lots

Parcels over 2 acres in size: 10% maximum

### **Accessory Buildings Requirements**

- On parcels less than 5 acres, only residential accessory buildings are permitted.
- One agricultural accessory building may be constructed on property without a principal residence only if it is clearly related to a legitimate farm operation or agricultural accessory use.
- Sanitary fixtures are permitted in agricultural accessory buildings on parcels over 35 acres in size. A Conditional Use Permit is required for sanitary fixtures in agricultural accessory buildings between 5-35 acres in size.
- No living spaces are allowed in accessory buildings.
- Reduced setbacks may be used for residential accessory buildings on lots. The buildings must be located in the rear yard and must be at least 10 feet away from the principal building.
  - Minimum 4-foot side yard and rear yard setbacks on lots 90 feet or more in width
  - Minimum 2.5-foot side yard and rear yard setbacks on lots less than 90 feet in width
- Zoning Permit fees are exempt for farm buildings on farms of 35 acres or larger.

**NOTE:** A Zoning Permit is required for every building larger than 120 square feet in size. Zoning Permits are not required for accessory buildings equal to or less than 120 square feet on non-permanent foundations, provided they meet setback, height, and lot coverage requirements.

For more information on the regulation of accessory buildings please see the Dane County Zoning *Guide for Accessory Buildings* Handout.

### **Livestock**

- Livestock is not permitted on parcels less than 5 acres.
- Parcels are required to be a minimum width of 250 feet at the location of the building housing livestock.
- Livestock is unlimited on parcels greater than 5 acres. Livestock in excess of one animal unit per acre must comply with requirements of 10.103(7).

### **Maximum Density**

- The maximum density of development is controlled by county and local town ordinances. The maximum density of development shall not exceed the more restrictive ordinance.

### **Purpose statement**

The purpose of the AT-M Agriculture Transition – Middleton District is to accommodate a mix of agricultural, open space, and residential uses in the Town of Middleton in areas planned for future development, areas currently in agricultural or open space uses, or areas appropriate for long term preservation due to the presence of sensitive or unique environmental features. As a result of its unique history and pattern of development over time, reliance on intergovernmental planning agreements, and continuing growth pressures, this district applies only to lands in the Town of Middleton. It is intended that this district serve as a transitional zoning designation to accommodate the platting and development of lands as they convert from agriculture and open space uses to residential uses. It is also intended that the Town of Middleton and Dane County periodically review the status of lands that have been platted and developed to consider the possibility of assigning other appropriate zoning classifications based on the resulting land use and size of the property.

*Draft version 1.0 based on town of Middleton staff recommendations, 03-05-18*