



## **Dane County Zoning Division**

City-County Building  
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# **DANE COUNTY CONDITIONAL USE PERMIT #2665**

THE ZONING AND LAND REGULATION COMMITTEE OF THE DANE COUNTY BOARD PURSUANT TO SECTION 10.101(7) OF THE DANE COUNTY CODE OF ORDINANCES DOES HEREBY:

GRANTS Conditional Use Permit #2665 for a solar array electric generating facility conditioned upon Dane County Code of Ordinances Section 10.101(7)(d) and subject to the additional conditions listed below:

**EFFECTIVE DATE OF PERMIT: August 12, 2025**

**CUP EXPIRATION DATE: none**

THE CONDITIONAL USE SHALL BE LOCATED ON THE PROPERTY DESCRIBED AS FOLLOWS:

LOCATION: WEST OF 8541 PINE HILL RD, Town of Cross Plains (Tax Parcels #0707-221-8540-6, 0707-222-8170-3, 0707-221-8540-6, and 0707-222-9500-1)

**LEGAL DESCRIPTION:**

The NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , the northern 80 feet of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , and the west 500 feet of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , exclusive of public road rights-of-way, Section 22, Town of Cross Plains, Dane County, Wisconsin.

**CONDITIONS:**

*Standard Conditions for all Conditional Use Permits from 10.101(7):*

1. Any conditions required for specific uses listed under s. 10.103.
2. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan, operational plan and phasing plan.
3. 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.
4. 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.
5. 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.

6. 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.
7. All vehicles and equipment must access the site only at approved locations identified in the site plan and operations plan.
8. Off-street parking must be provided, consistent with s. 10.102(8).
9. 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.
10. 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.
11. 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.
12. 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.

*Conditions specific to CUP # 2665:*

13. One Energy Development LLC agrees to reimburse Town of Cross Plains for any road damage to Pine Hill Road from construction associated with the Pine Hill Solar Project. One Energy Development LLC and Town of Cross Plains will mutually review Pine Hill Road and agree prior to construction on current status of the road. Post construction, Town of Cross Plains will solely obtain, with reasonable discretion, a quote to repair any road damage. One Energy Development LLC will provide, within 30 days of receiving the quote, a check in the amount of the quote.
14. Madison Gas and Electric, an assignee of the lease between One Energy Development LLC and Robert Brunner, property owner, has an obligation to pay for the cost of removing Pine Hill Solar project improvements at the end of the lease and fund the Town of Cross Plains costs of repairing any road damage associated with removal of solar project improvements.
15. One Energy Development LLC will install and maintain a healthy vegetative screen of native conifer and deciduous trees and shrubs in the northeast corner of the Pine Hill Solar Project. Such initial screening materials will be a minimum of five feet in height or up to eight feet in height if readily available and have a total of no less than 50 trees and shrubs.
16. The project's pollinator ground cover will be regularly maintained to reasonably minimize noxious weeds. If site is not maintained, Dane County and Town of Cross Plains may contract for maintenance of noxious weeds and Madison Gas and Electric and One Energy Development LLC will cooperate and reimburse the town/county maintenance contract costs.

THE ZONING AND LAND REGULATION COMMITTEE AFTER PUBLIC HEARING AND IN THEIR CONSIDERATION OF THE CONDITIONAL USE PERMIT MADE THE FOLLOWING FINDINGS OF FACT:

1. That the establishment, maintenance and operation of the proposed conditional use will not be detrimental to or endanger the public health, safety, morals comfort or general welfare.
2. That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted will not be substantially impaired or diminished by the establishment, maintenance, and operation of the proposed conditional use.
3. That the establishment of the proposed conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That adequate utilities, access roads, drainage and other necessary site improvements will be made.
5. That adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. That the proposed conditional use does conform to all applicable regulations of the district in which it is proposed to be located.
7. The proposed conditional use is consistent with adopted Town and County Comprehensive Plans.
8. If located in the Farmland Preservation (FP) area, the conditional use meets the necessary findings to be located in the district as per Dane County Code of Ordinances Section 10.220.

#### EXPIRATION OF PERMIT

Upon the allowed land use's cessation or abandonment for a period of one year, this conditional use permit will be deemed to have been terminated and any future use shall be in conformity with the ordinance.